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HEARING ON THE FISCAL YEAR 2014 EXECUTIVE BUDGET FOR THE

THE DISTRICT ATTORNEYS & THE OFFICE OF THE SPECIAL NARCOTICS PROSECUTOR

May 23, 2013

EXECUTIVE BUDGET HIGHLIGHTS

- The total Fiscal 2014 Executive Budget for the DA's and OSNP is \$295.3 million which is \$16.9 million or 5.7 percent higher than the 2013 Adopted Budget:
 - ✓ DA – New York - \$85 million (\$8.2 million or 9.6 percent higher)
 - ✓ DA – Bronx - \$52.7 million (\$3.4 million or 6.5 percent higher)
 - ✓ DA – Kings – \$82.7 million (\$2.8 million or 3.4 percent higher)
 - ✓ DA – Queens - \$48.9 million (\$2.1 million or 4.3 percent higher)
 - ✓ DA – Richmond - \$8.2 million (\$137,000 or 1.7 percent higher)
 - ✓ OSNP - \$17.7 million (\$406,000 or 2.3 percent higher)
- Fiscal 2014 Executive Budget changes:
 - ✓ **OSNP Digital Forensics Unit.** \$470,000 and seven positions added to create a Digital Forensics Unit.
 - ✓ **Bronx DA's Rikers Island Unit.** \$600,000 added for prosecution of crimes on Rikers Island.
 - ✓ Fiscal 2014 includes the third and final \$6.7 million installment of the Workload Funding supplements for the Bronx, Richmond, Queens and Kings County DA's.
- Fiscal 2014 Budgeted Headcount:
 - ✓ DA – New York – 975
 - ✓ DA- Bronx – 691
 - ✓ DA – Kings – 891
 - ✓ DA – Queens – 499
 - ✓ DA – Richmond – 86
 - ✓ OSNP – 192

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DISTRICT ATTORNEYS AND THE OFFICE OF SPECIAL NARCOTICS PROSECUTOR OVERVIEW

This report provides an overview of the Fiscal 2014 Executive Budget for the District Attorneys (DA's) and the Office of Special Narcotics Prosecutor (OSNP). Appendices 1 and 2 report the changes made to the Fiscal 2013 and Fiscal 2014 Budgets since adoption of the Fiscal 2013 Budget. For additional information on the DA's and OSNP's Budgets and their various programs, please refer to the report on the Fiscal 2014 Preliminary Budget available at: [http://council.nyc.gov/downloads/pdf/budget/2014/District Attorneys.pdf](http://council.nyc.gov/downloads/pdf/budget/2014/District_Attorneys.pdf).

DISTRICT ATTORNEYS FINANCIAL SUMMARY

	2012	2013		2014	Difference
<i>Dollars in Thousands</i>	Actual	Adopted	Exec. Plan	Exec. Plan	2013-2014*
Spending					
Personal Services	\$282,237	\$244,275	\$277,348	\$259,238	\$14,963
Other Than Personal Services	36,343	34,098	40,716	36,038	1,940
TOTAL	\$318,580	\$278,373	\$318,064	\$295,276	\$16,903
Budget by Office					
DA-New York	\$105,206	\$76,833	\$102,542	\$85,009	\$8,176
DA-Bronx	50,168	49,288	53,114	52,659	3,371
DA-Kings	87,341	79,989	85,178	82,744	2,755
DA-Queens	49,347	46,861	50,865	48,919	2,058
DA-Richmond	8,689	8,064	8,524	8,201	137
OSNP	17,829	17,338	17,841	17,744	406
TOTAL	\$318,580	\$278,373	\$318,064	\$295,276	\$16,903
Funding					
City Funds	N/A	\$265,007	\$278,146	\$281,136	\$16,129
Federal - Other	N/A	169	7,430	58	(111)
Intra City	N/A	1,238	2,575	2,394	1,156
Other Categorical	N/A	0	6,685	0	0
State	N/A	11,959	23,228	11,688	(271)
TOTAL	\$318,580	\$278,373	\$318,064	\$295,276	\$16,902
Positions					
DA-New York	1,296	975	975	975	0
DA-Bronx	769	696	696	691	(5)
DA-Kings	1,014	891	891	891	0
DA-Queens	556	499	499	499	0
DA-Richmond	98	86	86	86	0
OSNP	203	185	185	192	7
TOTAL	3,936	3,332	3,332	3,334	2

* Difference between FY 2013 Adopted Budget and FY 2014 Executive Budget.

The Fiscal 2014 Executive Budget for the District Attorneys and the Special Narcotics Prosecutor totals \$295.3 million for all six offices. The totals for each individual office, along with authorized staffing levels

are included in the Financial Summary Chart above. Approximately 95 percent of the total Fiscal 2014 Executive Budget funding for the DA's is from city funds with smaller but significant shares coming from State and Intra-City sources.

The Fiscal 2014 Executive Budget for the DA's increased by \$16.9 million or six percent over the Fiscal 2013 Adopted Budget of \$278.4 million. Almost half of this total (\$8.2 million) is accounted for by changes to the budget for the Manhattan DA (DANY). This sizable increase in DANY's budget is largely due to \$7.5 million added to DANY's budget to bolster their Investigative Division (see the Fiscal 2014 Preliminary Budget for details). The other approximately \$700,000 in changes to DANY's Fiscal 2014 Budget involve increases to non-city funding. As for the other DA's, the remaining \$8.7 million are mostly evenly distributed among Kings County, Queens County and the Bronx with smaller increases to Staten Island and OSNP. Most of the increase is the third and final \$6.7 million baseline increase of the Workload Funding to the budgets of Queens, the Bronx, Staten Island and Kings County District Attorneys.

NEW IN THE EXECUTIVE BUDGET

The Fiscal 2014 Executive Budget increases the DA's total budgets by \$2.7 million over the Preliminary Budget for Fiscal 2014. This is due to just over \$1 million for the OSNP Digital Forensics Unit and operational support for the Bronx DA's Rikers Island unit as well as additional funding for leases, energy costs and other technical adjustments.

- ✓ **New Digital Forensics Unit (OSNP).** The Special Narcotics Prosecutor requested \$470,000 at the Fiscal 2014 Preliminary Budget hearing to establish a new "Digital Forensics Unit." This unit would allow OSNP to keep pace with the technologies being employed by illegal narcotics organizations to camouflage their activities. The Council called upon the Administration to fund this unit. The Fiscal 2014 Executive Budget adds Personal Services funding for one Senior Assistant DA, one Analysts' Supervisor, four Investigative Analysts, one Information Technology Specialist thereby increasing OSNP's authorized headcount by seven positions.
- ✓ **New Rikers Island Unit (Bronx).** During the Fiscal 2014 Preliminary Budget hearing, the Bronx District Attorney requested \$798,133 to establish a Riker's Island unit, and the Executive Budget includes \$600,000 in PS funding for a unit. The Council urged support for this request in its Response to the Fiscal 2014 Preliminary Budget. The budget does not include a related headcount increase however, because the Bronx DA and the administration are still in the process of negotiating how to fully implement the new unit. According to the Administration, in part due to the increase in violence within the jails, the unit will focus on prosecuting inmate related criminal activity.

MAJOR DA's & OSNP ISSUES

☒ FUNDING FOR DA'S CORE SERVICES & FUNCTIONS

In its "Response to the Fiscal 2014 Preliminary Budget", the Council urged the Mayor and the Criminal Justice Coordinator to continue to support the work of the District Attorneys with the fiscal resources necessary for them to properly and completely carry-out their crime-fighting mission. At the Public Safety Committee's hearing on the Fiscal 2014 Preliminary Budget several of the prosecutors identified resource needs and requested additional funding for the following::

- The Bronx District Attorney requested \$371,000 to hire 10 additional staffers, or permanent assignment of 10 police officers, to the complaint room and \$386,000 to establish a Technical Case Enhancement Unit.
- The Queens District Attorney requested \$370,000 for Anti-Gun Violence programs, \$260,000 to fund a program aimed at combatting financial crimes against the elderly and \$350,000 to fund a Cyber Crimes Initiative.
- The Special Narcotics Prosecutor requested an additional \$250,000 to expand their prescription drug program.

APPENDIX 1: BUDGET ACTIONS IN THE FISCAL 2014 EXECUTIVE BUDGET

<i>Dollars in Thousands</i>	FY 2013			FY 2014		
	City	Non-City	Total	City	Non-City	Total
DA's as of the 2014 Preliminary Budget	\$278,943	\$33,377	\$312,320	\$278,497	\$14,082	\$292,579
New Needs						
Rikers Island Unit (<i>Bronx</i>)	\$0	\$0	\$0	\$600	\$0	\$600
Digital Forensics Unit (<i>OSNP</i>)	0	0	0	470	0	470
Total New Needs	\$0	\$0	\$0	\$1,070	\$0	\$1,070
Other Adjustments						
Council Member Items	\$20	\$0	\$20	\$0	\$0	\$0
Heat, Light and Power	(337)	0	(337)	1,181	0	1,181
Lease Adjustment	0	0	0	(30)	330	300
Technical Adjustment	(480)			419	0	419
Out Year Adjustments	0	0	0	0	(272)	(272)
Other Categorical Funding Adjustments	0	1,500	1,500	0	0	0
State Funding Adjustments	0	3,757	3,757	0	0	0
Federal Funding Adjustments	0	1,281	1,281	0	0	0
Total Other Adjustments	(\$797)	\$6,539	\$5,742	\$1,569	\$58	\$1,627
Total All Changes	(\$797)	\$6,539	\$5,742	\$2,639	\$58	\$2,697
DA's as of the Fiscal 2014 Executive Budget	\$278,146	\$39,918	\$318,064	\$281,136	\$14,140	\$295,276

APPENDIX 2: BUDGET ACTIONS IN THE NOVEMBER, PRELIMINARY AND EXECUTIVE PLANS

<i>Dollars in Thousands</i>	FY 2013			FY 2014		
	City	Non-City	Total	City	Non-City	Total
DA's as of Fiscal 2013 Adopted Budget	\$265,007	\$13,366	\$278,373	\$272,027	\$13,255	\$285,282
Program to Eliminate the Gap (PEGs)						
PS Savings	(\$1,211)	\$0	(\$1,211)	(\$1,259)	\$0	(\$1,259)
OTPS Savings	(98)	0	(98)	(100)	0	(100)
Total PEGs	(\$1,309)	\$0	(\$1,309)	(\$1,359)	\$0	(\$1,359)
New Needs						
Digital Forensics Unit (<i>OSNP</i>)	\$0	\$0	\$0	\$470	\$40	\$470
Investigative Division (<i>DANY</i>)	0	0	0	7,500	0	7,500
Rikers Island Unit (<i>Bronx</i>)	0	0	0	600	0	600
Total New Needs	\$0	\$0	\$0	\$8,570	\$0	\$8,570
Other Adjustments						
Council Member Items	\$60	\$0	\$60	\$0	\$0	\$0
Detective Investigator (<i>OSNP</i>)	71	0	71	0	0	0
Federal Funding Adjustments	0	6,424	6,424	0	0	0
Heat, Light and Power	(337)	0	(337)	1,181	0	1,181
Intra-City Funding Adjustments	0	2,177	2,177	0	827	827
Lease Adjustments	67	0	67	(30)	330	300
Other Categorical Funding Adjustments	0	6,685	6,685	0	0	0
Out Year Adjustments (<i>Queens</i>)	0	0	0	0	(272)	(272)
PS Savings PEG Offset	300	0	300	327	0	327
Revenue Agreement (<i>Brooklyn</i>)	1,064	0	1,064	0	0	0
Revenue Agreement (<i>DANY</i>)	12,987	0	12,987	0	0	0
Revenue Agreement (<i>Queens</i>)	239	0	239	0	0	0
Revenue Agreement (<i>Staten Island</i>)	155	0	155	0	0	0
State Funding Adjustments	0	11,268	11,268	0	0	0
Technical Adjustments	(158)	0	(158)	419	0	419
Total Other Adjustments	\$14,448	\$26,555	\$41,003	\$1,896	\$885	\$2,781
Total All Changes	\$13,139	\$26,555	\$39,694	\$9,107	\$885	\$9,992
DA's as of Fiscal 2014 Executive Budget	\$278,146	\$39,918	\$318,064	\$281,136	\$14,140	\$295,276