

**BILL MASON
CUYAHOGA COUNTY PROSECUTOR**

**Budget Requirements for Fiscal
Years 2012 and 2013**

Preface

The approved base budgets for 2012 & 2013 as they appear in the recommended budget are incorrect and should have appeared as follows:

As it appears in the Recommended Budget										
County Prosecutor	2011		2012		2012 Budget		2013		2013 Budget	
	Projected	Base Budget	Base Budget	Recommended	Approved Req.	Recommended	Base Budget	Approved Req.	Approved Req.	Recommended
General Fund	\$24,780,476	\$25,138,167	\$25,138,167	\$25,138,167	\$0	\$25,138,167	\$25,455,439	\$0	\$25,455,439	\$25,455,439
Other Funds	\$3,605,217	\$3,576,366	\$3,576,366	\$3,576,366	\$0	\$3,576,366	\$3,582,700	\$0	\$3,582,700	\$3,582,700
All Funds	\$28,385,693	\$28,714,533	\$28,714,533	\$28,714,533	\$0	\$28,714,533	\$29,038,139	\$0	\$29,038,139	\$29,038,139
FTEs	332	337	337	337	\$0	337	337	0	337	337
As it should Appear										
County Prosecutor	2011		2012		2012 Budget		2013		2013 Budget	
	Projected	Base Budget	Base Budget	Recommended	Approved Req.	Recommended	Base Budget	Approved Req.	Approved Req.	Recommended
General Fund	\$24,780,476	\$25,138,167	\$25,138,167	\$25,138,167	\$0	\$25,138,167	\$25,455,439	\$0	\$25,455,439	\$25,455,439
Correction		\$86,650	\$86,650	\$86,650			\$87,750			\$87,750
Corrected General Fund	\$24,780,476	\$25,224,817	\$25,224,817	\$25,224,817		\$25,224,817	\$25,543,189		\$25,543,189	\$25,543,189
Other Funds	\$3,605,217	\$3,576,366	\$3,576,366	\$3,576,366	\$0	\$3,576,366	\$3,582,700	\$0	\$3,582,700	\$3,582,700
All Funds	\$28,385,693	\$28,801,183	\$28,801,183	\$28,801,183	\$0	\$28,801,183	\$29,125,889	\$0	\$29,125,889	\$29,125,889
FTEs	332	337	337	337	0	337	337	0	337	337

The above table does not take into consideration the more recent budget reductions applied that are attributed to the reduction in health care benefit costs.

Cuyahoga County Prosecutor's Office (CCPO) Required Budget For Fiscal Years 2012 & 2013

The budget being presented to the County Council achieves two goals:

- ▣ It rectifies in part the inequity in compensation levels between the CCPO Civil Division and the County's Law Department, the CCPO Criminal Division and the County's Public Defender's Office and the CCPO IT department and the County's ISC department.
- ▣ It provides the resources for the office to effectively execute its mandated activities which will increase due to the introduction of the gaming industry into Cuyahoga County.

This table shows the requirements vs. funding for the three General Fund divisions through fiscal year 2013 without the standard parameters for personal benefits or inflation factor in the commodities, contracts and other operating lines.

Proposed Funding vs. Requirements

General Fund	2012 OBM Calculated Budget	2012 CCPO Requirements	2012 OBM vs. CCPO	2013 CCPO Requirements	2013 OBM vs. CCPO
Personal Services	\$16,033,139	\$16,880,589	\$847,450	\$16,880,589	\$847,450
Personal Benefits	\$5,301,767	\$5,467,888	\$166,121	\$5,467,888	\$166,121
Commodities	\$210,593	\$210,593	\$0	\$210,593	\$0
Contracts & Prof. Services	\$365,560	\$365,560	\$0	\$365,560	\$0
Controlled Services	\$1,716,931	\$1,716,931	\$0	\$1,716,931	\$0
Other Operating	\$1,804,062	\$1,997,062	\$193,000	\$1,997,062	\$193,000
Capital Outlays	\$39,846	\$91,346	\$51,500	\$64,846	\$25,000
Total Operating Expenditures	\$25,471,898	\$26,729,969	\$1,258,071	\$26,703,469	\$1,231,571

The additional costs will be offset by approximately \$125,000 in CSEA and CFS reimbursements which is not reflected in the total requirement figures.

The disparity between the required budgets and the OBM calculated budgets can be attributed to five (5) initiatives that were not included in the OBM budget presented to this office.

CCPO 2012 & 2013 Initiative Summary by Fiscal Object						
Year	Initiative	Personal Services	Personal Benefits	Other Operating	Capital	Total
2012	1: Salary Parity	\$338,770	\$52,340	\$0	\$0	\$391,110
	2: Intermediate Salary Increases	\$328,680	\$50,781	\$0	\$0	\$379,461
	3: New Gaming Division	\$180,000	\$63,000	\$10,000	\$10,000	\$263,000
	4: Professional Development Stipends	\$0	\$0	\$183,000	\$0	\$183,000
	5: Computer Hardware. Maintenance & Replacement	\$0	\$0	\$0	\$41,500	\$41,500
Total Yr. 1		\$847,450	\$166,121	\$193,000	\$51,500	\$1,258,071
2013	1: Salary Parity	\$338,770	\$52,340	\$0	\$0	\$391,110
	2: Intermediate Salary Increases	\$328,680	\$50,781	\$0	\$0	\$379,461
	3: New Gaming Division	\$180,000	\$63,000	\$10,000	\$0	\$253,000
	4: Professional Development Stipends	\$0	\$0	\$183,000	\$0	\$183,000
	5: Computer Hardware Maintenance & Replacement	\$0	\$0	\$0	\$25,000	\$25,000
Total Yr. 2		\$847,450	\$166,121	\$193,000	\$25,000	\$1,231,571

Regardless of the funding source, the availability of funds and the amount required, the above initiatives/ activities will take place in 2012 and 2013.

Initiative 1: Salary Parity (\$391,110)

It is critical that three areas be brought up to the County standard immediately: The Civil Division, IT and the APAs.

Year	Personal Services	Personal Benefits	Total
2012	\$338,770	\$52,340	\$391,110
2013	\$338,770	\$52,340	\$391,110

Civil Division: (\$153,581)

The attorneys employed in the Civil Division possess a wealth of experience, most having over 20 years of experience. The Law Department has assumed only a small fraction of the duties and responsibilities of the Civil Division. The County established a new minimum salary for the Law Department Attorneys at \$75,000 which is at least 13% higher than that of the lowest paid Civil Attorneys. The Chief of the CCPO's Civil Division is compensated at \$26,000 less than the Law Director and is retaining far more areas of responsibility. This inequity is being corrected.

IT Division: (\$91,361)

The salaries for some of the IT staff are woefully low compared to their County ISC counterparts. Five of the nine staff will be adjusted accordingly. This will help to maintain some continuity in a critical area where high employee turnover hinders routine operations as well as the implementation of new projects.

Assistant Prosecuting Attorneys: (\$146,168)

The County's Public Defender starting salary is \$51,050. Law Clerks for the Court of Appeals earn \$54,000. Despite partial funding of the compensation and classification study performed in 2006, the starting salary for an Assistant Prosecuting Attorney is still only \$49,000, which is \$2,050/4.1% less than the study's and the Public Defender's minimum. The General Fund impact is approximately \$35,000. The remainder should be provided by reimbursements from CFS and CSEA.

Initiative 2: Intermediate Salary Increases

This is a stop-gap measure intended to stem the flow of experienced and skilled staff from the office due to the sub-par compensation levels. The total estimated cost to fully implement the 5 yr. old study is \$1,200,000. We are not requesting the total amount at this time.

Year	Personal Services	Personal Benefits	Total
2012	\$328,680	\$50,781	\$379,461
2013	\$328,680	\$50,781	\$379,461

The partial funding to implement the Archer completed in 2007 study did not reach the administrative or support staff nor did it stretch to APAs who, although they were not being compensated at a rate that was below the bare minimum, are not in the appropriate grade or step. This measure is a necessary interim step.

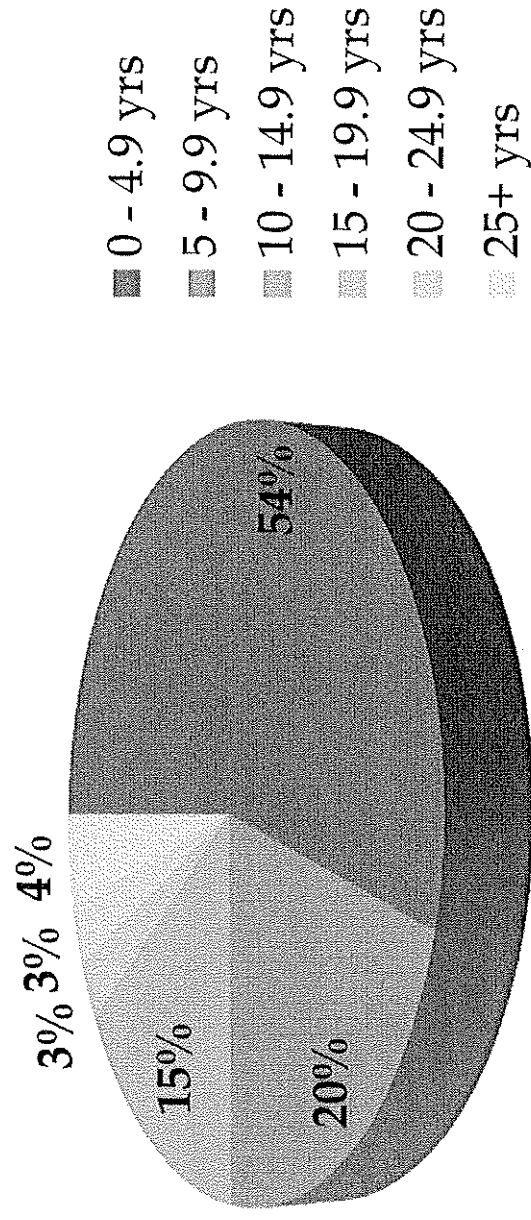
The charge to the General Fund is \$379,461 with a net impact of approximately \$310,844 after reimbursement from CSEA and CFS. This increase will narrow the gap between the current salary and the new salary established by the pending survey.

Initiative 2: Intermediate Salary Increases

APA Longevity Statistics

Over half of the APAs have been with the office for less than 5 years.

Only 26% of all APAs have 10 or more years of service with the office.



There is a pattern of attrition of when the APAs tend to leave the office. The most common is the 3 – 4 year mark. The second wave of attrition occurs in the 5 – 7 year mark. APAs are making the conscious decision to leave public service for private employment. The benefit package does not bind them to long-term service

Initiative 3: New Gaming Division

2012 will introduce gaming as a new industry in Cleveland. One of the down sides of casinos is the increase in crime that accompanies the flow of an enormous amount of cash.

Year	Personal Services	Personal Benefits	Other Operating	Capital	Total
2012	\$180,000	\$63,000	\$10,000	\$10,000	\$263,000
2013	\$180,000	\$63,000	\$10,000	\$0	\$253,000

This initiative provides for two (2) attorneys, one (1) investigator and incidental startup costs. Staff has already met with the consulting firm hired by the State of Ohio, Spectrum Gaming Group, who is producing a report relative to casino security and the investigation and the prosecution of a new area of criminal activity. BCI will be the law enforcement agency present on the casino floor, but the crimes will be prosecuted by this office. Not only will the casino require attention, but so will the race tracks and their slot machine operations. This funding prepares the office for the prosecution of gaming related crimes. It does not take into consideration any growth greater than that experienced at opening.

Initiative 4:
Professional Development
Stipends for APAs

Year	Other Operating	Total
2012	\$183,000	\$183,000
2013	\$183,000	\$183,000

Provisions have been made for the County Law Director’s legal staff to have access to a stipend of \$1,000 each annually for professional development in order to maintain their license to practice law and remain current in their specialty area.

Every APA employed by the Prosecutor’s Office must have an active law license to perform their job. They too need to be up-to-date on the most recent rulings impacting the practice of criminal law. This stipend increases overall compensation for the attorneys.

As an aside, this expenditure has been included in the 2012/2013 budgets for the APAs in the CSEA and CFS divisions which are wholly or partly reimbursed with non-GF dollars. It would be appropriate that all of the County Prosecutor and County Law department attorneys receive the same professional development stipend.

Initiative 5: Computer Hardware Maintenance and Upgrade

Year	Capital	Total
2012	\$41,500	\$41,500
2013	\$25,000	\$25,000

The capital budget provided in the base covers the need to replace furniture and fixtures as expected for a staff of over 300. It does not take into account the cost of technology for those offices dependent on systems to perform their assigned responsibilities. This funding only provides for three replacement servers that are at the end of their useful lives and the replacement of laptop batteries. The laptops were put into service at relatively the same time so it is expected that batteries, if not the laptops themselves, will need to be replaced at the same time.

In conclusion, the CCPO has always managed its resources effectively, if not frugally. The case management system proposed in 2003 is a reality and required a minimal General Fund investment to bring the project to fruition. Open discovery was executed in an outstanding manner without the need for additional appropriations. All-in-all it is a no-frills operation dedicated to its mission statement. The budget presented represents the minimal requirements for the CCPO.