

FY2019 Mid-Year Budget Review

State's Attorney

I. Highlights of 2019

- **FY2019 Goal #1: Expand Civil Actions Bureau**

The Civil Actions Bureau ("CAB") currently has 78 Assistant State's Attorneys, which is an 11.4% increase over FY2018. As of July 1, 2019, the CAB has seen a 9.5% increase in new cases. The increased personnel resources have enabled the bureau to handle over 25,000 cases in FY2019. The CAB is on track to exceed its closure rate goal by closing over 1/3rd of the cases handled this year.

Section	Cases as of July 1, 2018	Cases Opened	Cases Closed	Cases as of July 1, 2019
Civil Rights/Torts	561	380	282	659
Complex Litigation	23	8	4	27
Labor and Employment	195	100	106	189
Medical Litigation	54	18	25	47
Municipal Litigation	655	564	437	782
Workers' Compensation	1189	371	333	1227
Total	2677	1441	1187	2931

- **FY2019 Goal #2: Expand Criminal Prosecutions Bureau and Increase Training for Gun Cases.**

The State's Attorney's Office ("SAO") is on pace to prosecute more criminal cases in FY2019. The SAO has disposed of 13,769 felony cases in Q1 and Q2, which is a 1.5% increase compared to FY2018. The SAO currently has a Felony Cases Closed Per Felony Cases Arraigned ratio of 1.5, meaning we are closing 3 cases for every 2 we open. One way the SAO has been able to create this case management efficiency is by increasing the rate of offenders pleading guilty. This is particularly true in unlawful use of a weapon (gun) cases. In the first 2 quarters of FY2019, the SAO has received 1,543 convictions on unlawful use of a weapon (gun) cases and we are on track to increase the number of unlawful use of a weapon (gun) convictions by 9 percentage points overall for the year.

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II. Comparison of YTD budget (as of 5/31/2019) vs expense projections with explanations for major variances and corrective action steps

Operating Expenses	FY 2019 YTD Budget	FY2019 YTD Actuals	\$ Variance	% Variance
Personnel	57,716,269.43	53,361,481.09	4,354,788.34	7.55%
Contractual Services	1,248,733.79	1,387,873.78	(139,139.99)	-11.1%
Supplies and Materials	492,346.92	422,290.37	70,056.55	14.2%
Operations and Maintenance	1,605,316.24	1,591,111.36	14,204.88	0.9%
Capital Expenditures	N/A	N/A	N/A	N/A
Rental and Leasing	199,242.19	182,594.28	16,647.91	8.4%
Contingencies and Special Purposes	(4,564.00)	319,582.85	(324,146.85)	7102.2%
Total	61,257,344.57	57,264,933.73	3,992,410.83	6.5%

- **Personnel** – The vast majority of current vacancies are assistant state’s attorney positions (“ASAs”). In FY2019, 54 ASAs have ended employment with the SAO and 70 ASAs have been hired; a net increase to date of 16 ASAs. Due to the nature of the attorney licensing process in the State, the majority of ASA hiring occurs after the July bar examination, so it is not unusual for the SAO to carry vacancies in the first half of the fiscal year. In should be noted, however, that 43 ASA offers have been accepted by attorneys to begin employment with the SAO between now and September 2019.

- **Corrective Action** - We expect to be nearly fully staffed with ASAs by September 2019.

- **Contractual**- Courting reporting costs in the first six months exceeded budgeted dollars for the same period. Court reporting is an administrative cost in the prosecution of cases of which we have limited fiscal control. Per page rates are set by State statute.

- **Corrective Action** - Currently there is a favorable year end variance, as funds available as of June 30, 2019, are 42% of total budgeted dollars for the year. SAO will reassess needed funds for FY2020 if the negative trend continues.

- **Supplies and Materials**- Outstanding invoices from various district offices represent the positive cash variance.

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- **Corrective Action** - Account should stabilize over the next 6 months.
- **Capital Expenditures** -N/A
- **Rental and Leasing** – Pending expenditures are outstanding.
 - **Corrective Action** – Payments will be made as invoicing is received to fully expend account.
- **Contingencies and Special Purposes**- The budget for Contingencies and Special Purpose is based on the assumption that reimbursements will occur at the end of the year, thus creating a negative YTD variance.
 - **Corrective Action** - Reimbursements will occur at the end of the year.

III. Comparison of YTD budget (as of 5/31/2019) vs revenue projections (if applicable) with explanations for major variances and corrective action steps

Revenue	FY 2019 YTD Budget	FY2019 YTD Actuals	\$ Variance	% Variance
State's Attorney Fees	800,000	573,450	(226,550)	(28.32%)
State of Illinois Reimbursement	100,014	100,014	N/A	N/A

State's Attorney's Fees consists entirely of certain fees for felony and misdemeanor convictions in the Circuit Court, imposed by the judges, collected by the Clerk of the Court and deposited directly to the Public Safety Fund.

The deposit of \$573,450 represents receipts received through April, as reporting is slightly behind. March and April receipts showed an average monthly total of \$136,046; compared to a January and February average monthly total of \$96,585.

Current trends point to being slightly below the FY2019 projection by (\$74,228) and require a reassessment of the FY2020 projection.

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IV. Year-End Projections (How do you believe you will end the year?)

Revenue	FY 2019 Adopted Budget	FY2019 Year End Estimate	\$ Variance	% Variance
State's Attorney Fees	1,600,000	1,525,772	(74,228)	(4.8%)
State of Illinois Reimbursement	200,028	200,028	N/A	N/A

	FY 2019 Adopted Budget	FY2019 Year End Estimate	\$ Variance	% Variance
Operating Expenses				
Personnel	119,319,890.00	118,690,362	629,528.00	0.5%
Contractual Services	2,913,430.00	2,782,049	131,381.00	4.5%
Supplies and Materials	752,732.00	746,482.00	6,250.00	0.8%
Operations and Maintenance	2,792,067.00	2,805,425.00	(13,358.00)	-0.5%
Capital Expenditures	N/A	N/A	N/A	N/A
Rental and Leasing	224,832.00	210,768.00	14,064.00	6.3%
Contingencies and Special Purposes	915,823.00	915,552.00	271.00	0.0%
Total	126,918,774.00	126,150,638.00	768,136.00	0.6%

V. Challenges/Opportunities to be addressed in FY2020 budget

The SAO is focused on creating safer, stronger communities across Cook County. Public safety drives every decision made, from the cases prosecuted to the sentences pursued. Resources are allocated to address the most pressing issues and to fight violent crime throughout Cook County. In FY2020, we anticipate the following opportunities will result in a need for increased staffing.

Violent Crimes Initiatives

A top priority of the SAO is to develop smart strategies to prevent and address violent crime. Under this administration two new units were created, the Gun Crimes Strategies Unit and the Violent Crimes Investigations Unit. These specialty units team with intelligence analysts, investigators, law enforcement, and community leaders to develop intelligence, conduct

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investigations, build cases, and vertically prosecute violent offenders. We have seen significant reductions in violence in our staffed areas that outpace reductions city-wide, and have received requests from our law enforcement partners to increase staffing in these units to increase coverage.

Violent Crimes Investigation Unit (VCI): This unit works with federal and local law enforcement, to investigate individuals and groups committing multiple acts of violence in high crime areas, and to ultimately prosecute those cases in state or federal court depending on the nature and breadth of the crimes committed. VCI is intelligence driven and uses data to identify the communities plagued by violence, focusing on long-term investigations that address the small population of individuals driving the most violence.

Gun Crimes Strategies Unit (GCSU): When this unit was created in 2017, prosecutors were placed in the two police districts with the highest rates of violent crime (the 7th and 10th Districts). These two districts with embedded GCSU prosecutors saw a dramatic 33% decrease in shooting victims as compared to other districts without embedded prosecutors. As a result of this successful working relationship, law enforcement asked to expand the program, and GCSU is now in the 6th, 7th, 10th, 11th, and 15th Districts. We have recently committed to expanding into the 3rd District. Based on preliminary analysis of our data, we believe there is a further need for GCSU attorneys in additional locations, particularly in the south suburbs.

As the Chicago Police Department continues to increase its investment in Strategic Decision Support Centers in key districts, the expansion of the GCSU to support the SAO's strategic prosecution capabilities is critical to promoting public safety.

Expungement Unit

Since State's Attorney Foxx took office, the evaluation and processing times for expungements have decreased. Despite this concentrated effort, individuals who are eligible for relief continue to wait for months. We expect this to remain an issue particularly in light of the newly passed Cannabis Regulation and Tax Act scheduled to go into effect January 2020. As a result of the new legislation, an estimated hundreds of thousands of individuals will be eligible to have low-level marijuana possession charges expunged from their records. To ensure consistency and fairness, and to promote public safety, we anticipate the need to create a dedicated expungement unit to analyze petitions.

Restorative Justice Court

There is currently one Restorative Justice Community Court (RJCC) in the North Lawndale Neighborhood. This court is approaching capacity and will expand to an additional day of the week. We have been informed by the Office of the Chief Judge that plans are underway to add additional RJCC's in both the Englewood and Austin neighborhoods.

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In order to properly staff the existing community court as well as the additional courtrooms in Austin and Englewood, we will need to hire additional full time ASAs.