

Leon A. Cannizzaro, Jr.
DISTRICT ATTORNEY

June 13, 2011

Hon. Arnie D. Fielkow
Chair, Budget Committee

Hon. Jacquelyn Brechtel Clarkson
Co-Chair, Criminal Justice Committee

Hon. Susan G. Guidry
Co-Chair, Criminal Justice Committee

RE: Status of 2011 Budget

Dear Councilmembers Fielkow, Clarkson, and Guidry:

Thank you for the opportunity to provide an update on the Orleans Parish District Attorney's current financial situation. As an elected official I assign the highest priority to ensuring that all public funds allocated for the operation of my office are expended in the most efficient and cost effective method possible. I am pleased to inform this Council that through the midpoint of the 2011 budget year the District Attorney's office is operating comfortably within our allocated budget. While we are on course to exceed our projected expenditures by approximately 3% we are in the fortunate position to have our projected revenues from statutory fees to which we are entitled increase by approximately 3%. The increase in expenditures is primarily attributable to salary increases I awarded this spring. A significant number of my employees had gone in excess of twelve months without a salary increase. After consultation with my supervisors I awarded reasonable increases to deserving staff members. As noted these additional expenditures have been offset by across the board increases in the statutory fees we are awarded from court costs, bail bonds, forfeitures, and bad check prosecutions.

Through the hard work and dedication of my staff my office is also on pace to exceed all major performance measure targets for 2011. Since assuming office my objective has been to partner with the criminal justice community to prosecute violent felonies as expeditiously as possible, provide resources for victims and witnesses, and to provide reasonable alternatives for non-violent offenders. During 2008 the overall case acceptance rate for arrests was approximately 59% and for violent crimes 56%. Violent crime convictions numbered approximately 216, and approximately 300 combined judge and jury trials were held. For 2011 the Orleans Parish District Attorney is on pace to establish an 87% overall case acceptance rate, an 83% acceptance rate for crimes of violence, obtain approximately 600 convictions in crimes of violence, and prosecute in excess of 600 judge

and jury trials. Our Victim/Witness advocates are on pace to service approximately 2000 victims and witnesses during 2011, and our Diversion Counselors continue to manage approximately 1000 clients.

During my thirty-two month tenure I have worked to implement changes intended to make the operation of my office, as well as the system as a whole, more efficient. I reorganized my screening and trial divisions to improve the continuity of work assignments so that a single set of attorneys can handle a case from arrest to resolution. I have directed assistant district attorneys and Victim Assistance Advocates to homicide and rape crime scenes to assist victims and police; I have expanded case/charge conferences between my office and the police detectives who investigate major felonies; I have transferred non-violent cases to municipal court to free up valuable Criminal District Court time for crimes of violence. Most recently I have established a unit within my office to exclusively handle major crimes of violence such as homicide and rape.

I am also participating in ongoing technology projects with the New Orleans Police Department, Orleans Sheriff, Criminal District Court, City of New Orleans, and New Orleans Police and Justice Foundation. These projects are in the process of creating technological platforms wherein all agencies will be able to share information electronically—thereby eliminating duplication, and the delays associated with the transfer of hard copies of documents. Currently, my office is receiving electronic copies of arrest registers from the Sheriff, case updates from the Criminal District Court and police reports from the NOPD. At the completion of these projects entire investigative files, including photographs and recordings, will be able to be uploaded directly to the District Attorney's Office, and my office will likewise be able to provide electronic notifications of charging decisions to the Court, Sheriff, and Police.

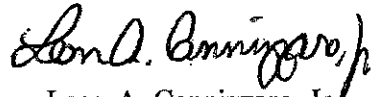
While the District Attorney's Office is currently within budget, and operating with a high degree of efficiency, I would also like to note several areas of need. Shortly after Katrina the responsibility of handling extraditions of criminals who have absconded from prosecution has fallen to my office. We initially projected that extradition costs for 2011 would be approximately \$70,000. Based upon activity through May 2011 that amount has now been revised to approximately \$135,000. The reason for the increase is an increase in the number of persons to be returned to stand trial, as well as the increase in the costs of travel. We anticipate off-setting this increase primarily due to decreases in the amount originally budgeted for DNA costs. However, the decrease in DNA costs is temporary as those costs are currently absorbed by the Louisiana State Police Crime Lab via a grant. It is unlikely funds will continue to be available from the State Police into 2012. I anticipate that our upcoming 2012 budget requests will include additional funding for the rise in extradition costs.

Also, our investigators spend a great deal of time on the road. In addition to what is provided by the NOPD many prosecutions require the acquisition of other documents—exhibits, additional information from the coroner, medical records, etc.. Our investigators also facilitate crime scene visits, interviews, and victim and witness location and transport. These activities require reliable vehicles. In the past year many of the vehicles assigned to the District Attorney's office have been "deleted" by the City—that is, taken out of service because they are not worth the repair costs. None of these deleted vehicles have been replaced. Many of the vehicles we are currently using are high

mileage and should likely also be deleted. I anticipate that our upcoming 2012 budget request will include additional funding to replace aging unreliable vehicles.

Thank you for the Council's continuing interest in my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Leon A. Cannizzaro, Jr." with a stylized flourish at the end.

Leon A. Cannizzaro, Jr.

**ORLEANS PARISH DISTRICT ATTORNEY
2011 PROJECTED REVENUE**

June 13, 2011

City of New Orleans	\$6,166,265	\$465,443 (8%) to operating expenses; remainder (92%) - 100% to personnel
State of Louisiana ADA Warrants	\$3,735,000	State Warrants 100% paid directly to ADA
State of Louisiana Victim/Witness Warrants	\$150,000	State Warrant -- 100% to personnel
Bad Check Fees	\$204,500	100% to operating expenses
Diversion Division Program Fees	\$53,000	100% to operating expenses
Statutory Bail Bond Fees	\$290,000	100% to operating expenses
Statutory Court Costs Fees	\$236,000	100% to operating expenses
Asset Forfeitures	\$96,000	100% to operating expenses
Bond Forfeitures	\$75,000	100% to operating expenses
Miscellaneous and Interest	\$59,000	100% to operating expenses
Child Support Division Administrative Fee	\$119,000	100% to operating expenses
Grant Reimbursements	\$841,211	\$895,618 (95%) to personnel; \$45,593 (5%) to computer replacement
Child Support Division Grant	<u>\$2,433,824</u>	100% to Child Support Division Expenses -- Funds not co-mingled with DA general fund
TOTAL	\$14,558,800	

OTHER FUNDS

Fines & Fees	\$46,903.40	DA's general fund or operating account -all office expenditures are paid from this account
Payroll Account	\$262,914.71	DA's payroll account -- funds currently in this account are pending disbursement for the June 15th payroll
FEMA Fund Account	\$48,374.62	Non-interest bearing account containing FEMA reimbursements -- disbursement is awaiting final FEMA approval of expenses for an alternate project request
Asset Forfeiture Account	\$5,382.41	Account for deposit of Asset Forfeiture funds-- funds awaiting disbursement according to statutory formula
Bond Forfeiture Escrow Account	\$595,592.53	Account for Bond Forfeiture judgements-- funds awaiting disbursement according to statutory formula approximately 50% of funds (297,796) are due DA-- disbursement delayed due to litigation pending against several of the judgments
Gun Violence Program	\$18,331.02	Historically this account is used by U.S. Department of Justice to direct deposit grant funds to the DA account remains open in anticipation of receiving future federal grants directly from the DOJ-- amount currently in account is residual reimbursement for a grant which has ended
Economic Crime Unit Account	\$325,978.50	This account contains the statutory bad check fees paid to the DA, as well as reimbursements amounts to be forwarded to victims-- currently approximately \$300,000 of this amounts due the DA as the bad check fee
Diversionary Program Account	\$171,898.45	Program fees collected through the DA Diversion program are included in this amount

OTHER FUNDS – EXPLANATION

Of the funds noted in these accounts, not including the Fines and Fees and Payroll Accounts, approximately \$789,307 are funds available, or which will ultimately be available, to the District Attorney. The District Attorney considers \$350,000 (44%) of these funds to be a reasonable contingency fund to ensure the operations of the District Attorney's Office. This contingency is necessary to account for the inconsistencies inherent in grant reimbursements and act as a hedge against late payment of operating funds from the CNO Finance Department. To illustrate the point as of June 13th the DA operating fund is at \$46,903 with some May invoices and the June 30th payroll still due to be paid. The reason for this is that the District Attorney has yet to receive June 2011's operating funds from the City. Also, in 2010 approximately \$193,000 in federal grant funds were earmarked for the District Attorney— to be funneled through the City's Office of Criminal Justice Coordination— to continue funding for two domestic violence attorneys and one investigator for the period September 2010 through August 2011. As of June 13th the District Attorney has yet to be reimbursed a single dollar for the expenses incurred in maintaining this program. Assurances continue to be given that reimbursement is forthcoming. The point to be noted is that a reasonable contingency to hedge against late payments and reimbursements, as well as to account for unforeseen events, is necessary. After accounting for a \$350,000 contingency approximately \$440,000 is available to the District Attorney. These funds are intended for use in renovating the District Attorney's Grand Jury room to provide appropriate seating and conference tables for the Grand Jury. This room will also be renovated to accommodate in-house training sessions for staff and ADAs. The funds will also be used to renovate the unused lobby area of the District Attorney's office to provide additional office space to house the District Attorney Diversion Unit, as well as to provide additional space for staff already assigned to the District Attorney building. The District Attorney's Diversion Unit is currently housed off-site. The intention is to house this unit within the District Attorney's office building.



Leon A. Cannizzaro, Jr.

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ORLEANS PARISH DISTRICT ATTORNEY
Budgeted Revenues and Expenditures
For the Year Ended December 31, 2011

REVENUES

Grants and Contributions	
Grant Income	\$ 941,212
City Appropriation	6,166,265
State Warrants	3,785,000
Victim Assistant State Warrant	150,000
Fees, Fines and Charges for Services	
Court Costs	236,243
Admininstration Fees	119,172
Program Fees -Diversion	52,885
-ECU	204,505
Bail Bonds	232,202
Criminal Bonds	57,932
Copies	1,977
Miscellaneous Fines and Fees	8,476
Miscellaneous Income	53,995
Interest Income	708
Asset and Bond Forfeiture	170,491
Child Support Grant	2,582,487
Total Revenues	<u>\$14,763,550</u>

EXPENDITURES

Salaries and Fringe Benefits	\$ 6,746,441
Operating Services	1,648,741
State Warrants	3,785,000
Child Support Grant	2,582,487
Total Expenditures	<u>\$14,762,669</u>

Operating Income **\$ 881**

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Total Revenues	<u>\$ 14,763,550</u>

ORLEANS PARISH DISTRICT ATTORNEY
Budgeted Expenditures
For the Year Ended December 31, 2011

EXPENDITURES	<u>JAN-MAY</u> (Actual)	<u>JUN-DEC</u> (Projection)	<u>TOTAL 2011</u>
Salaries	\$ 2,272,369	\$ 3,076,393	\$ 5,348,762
FICA	85,498	118,712	204,210
Medicare	32,949	44,608	77,557
City Pension	328,393	455,971	784,364
Health Insurance	43,298	58,226	101,524
Worker's Comp	19,239	25,830	45,069
D.A. Retirement	80,404	104,551	184,955
Operating Expenses			
Advertising	0	500	500
Audit	0	23,291	23,291
Fire Alarm Monitoring	0	360	360
Bank Charges	43	42	85
Online Inquiries	2,537	5,075	7,612
Moving Expense	0	300	300
Telephone Lease	11,230	15,722	26,953
Legal Research	35,241	43,302	78,543
Computer & Printer Supplies	13,368	22,316	35,684
Copy Machine Lease	18,796	28,521	47,317
Office Equipment Maintenance & Supplies	1,342	1,979	3,321
Court Copies	2,179	1,548	3,726
Credit Checks	597	3,057	3,654
Medical Records	2,263	992	3,255
Case Tracking System	10,165	10,335	20,500
Crime Recor System	1,200	2,400	3,600
Drug Testing	0	5,100	5,100
Dues & Memberships	8,245	16,080	24,325
Postal Machine Rental & Maintenance	1,929	2,037	3,966
DNA Analysis	9,607	17,394	27,000
Expert Witnesses	32,322	69,644	101,966
Extradition	56,758	79,461	136,218
File Room Supplies	823	1,152	1,975
Meetings/Business Developments	2,776	2,224	5,000
Furniture & Fixtures	1,051	280	1,331
Grand Jury	1,312	2,188	3,500
Insurance- Flood	0	8,937	8,937
Janitorial Supplies & Expenses	17,947	28,054	46,000
Law Books & Journals	5,809	7,343	13,152
Miscellaneous	2,351	13,130	15,481
Office Repair & Maintenance	4,241	1,400	5,641
Office Supplies	24,086	42,001	66,088
Office & Computer Equipment	1,878	2,350	4,228
Office Rent	20,000	30,000	50,000
Services - Detectives	4,817	7,183	12,000
Payroll Processing Fee	5,795	7,270	13,065
Parking	6,638	9,476	16,114
Professional Service - Legal	2,977	5,000	7,977

Professional Services	15,750	32,000	47,750
Photo Processing	7,063	14,226	21,289
Postage & Delivery Charges	5,541	8,890	14,430
Printing	6,420	7,419	13,839
Trash Disposal	1,200	1,680	2,880
Shredding Expense	1,590	2,226	3,816
Computer Software	11,431	-10	11,421
Storage	23,133	45,849	68,982
Subscriptions	970	585	1,555
Telephone & Communications	38,258	81,902	120,160
Transcripts	40,454	76,814	117,268
Training	8,591	19,814	28,406
Video Recordings	1,895	3,204	5,099
Witness Expense	142,462	209,969	352,431
Water	2,818	3,945	6,763
Administration Fee Care 125	2,773	2,117	4,890
State Warrants			3,785,000
Child Support Grant			2,582,487
Total Expenditures			<u>\$ 14,762,669</u>