

OFFICE OF THE PROSECUTOR COORDINATOR

Enabling Laws

Act 222 of 2012
A.C.A. §16-21-201

History and Organization

The Office of the Prosecutor Coordinator (PCO) was created under Act 925 of 1975. The Prosecution Coordination Commission, a seven-member board chosen by all elected prosecuting attorneys, sets the overall policy of the Coordinator's office. The mission statement for PCO is to *improve the criminal justice system by promoting professionalism in the offices of Arkansas Prosecuting Attorneys and Victim Service Providers through education, information, liaison, and advocacy*. The Office provides a broad range of technical assistance and support services for prosecuting attorneys, their deputies, and crime victim service providers. The support services include:

LEGAL RESEARCH - Upon request, the staff prepares extensive trial briefs, legal memoranda, county government opinions, sample ordinances, and basic litigation forms. Emergency assistance during a trial is a special service. The research center is especially important to deputies in rural areas who do not have ready access to a law library. In addition, PCO staff attorneys may serve as special deputy prosecuting attorneys as needed.

CONTINUING LEGAL EDUCATION - PCO sponsors continuing legal education seminars for prosecutors, deputies, victim/witness coordinators, hot check coordinators, law enforcement, and other support staff.

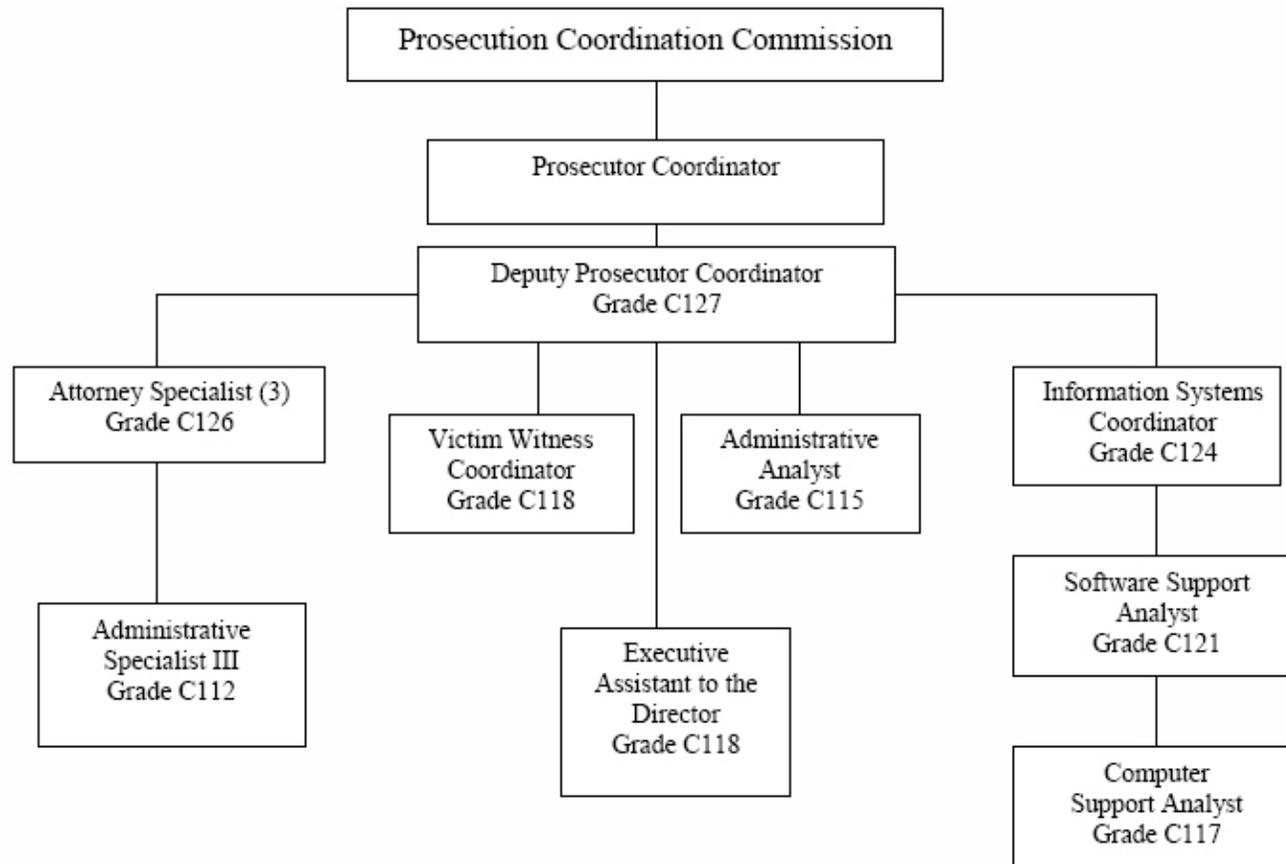
LENDING LIBRARY - A lending library of educational materials, e.g., books, videotapes, and audio cassettes is maintained.

PUBLICATIONS - Newsletters capsizing the latest appellate court opinions and other information are distributed as follows: APAA Newsletter to members of the Prosecuting Attorneys' Association; Crackdown to drug prosecutors and narcotics officers; and Advocates in Action and Family Violence Newsletter to victim services providers. Training manuals on a variety of subject matters have been developed and supplemented on an as needed basis.

CIVIL COMMITMENTS - Pursuant to Act 861 of 1989, Act 10 of the Third Extraordinary Session of 1989, and Act 911 of 1989, PCO is responsible for representing the state in all civil and criminal commitment hearings held on the State Hospital grounds.

VICTIM/WITNESS SUPPORT - A victim/witness coordinator position at PCO was established by Act 408 of 1985 to provide training and technical assistance to victim service providers and crime victims. There are currently victim assistance programs in all 28 judicial districts. Some of these districts have programs in multiple counties.

COMPUTERS - The Office of the Prosecutor Coordinator has developed programs to automate functions within the Prosecuting Attorneys' Offices. The Hot Check System handles hot check offenses which have resulted in millions of dollars in collected restitution for merchants. PCO has implemented a new case management system for tracking defendants, victims, witnesses and trial information to aid prosecutors, case coordinators and victim witness coordinators in handling cases.



Agency Commentary

Restoration of Attorney Specialist position - Additional appropriation and funding is requested by the Office of the Prosecutor Coordinator to provide salary and matching cost for the Grade C126, Drug and Alcohol Enforcement Attorney. Because this position is such an integral part of the Office of the Prosecutor Coordinator, we are requesting that this position be restored and funded through State Central Services. Current state funded attorneys on staff would be unable to assume the responsibilities which are critical in order to allow the Office of the Prosecutor Coordinator to continue to provide resources to prosecuting attorneys and law enforcement throughout the state. The Drug and Alcohol Enforcement Attorney assists state prosecuting attorneys and their deputies with the prosecution of alcohol and drug related crimes as well as civil forfeitures by performing extensive legal research, preparing legal memoranda, providing continuing legal education to prosecutors and law enforcement officers, and serving as a special deputy prosecuting attorney when requested.

This Drug and Alcohol Enforcement Attorney is a contributing author and co-editor of three training manuals which serve as a guide for prosecuting attorneys and their deputies in the areas of Asset Forfeiture, DWI, and Drug Trials.

Reclassification- Additional appropriation and funding is requested by the Office of the Prosecutor Coordinator to provide for salary and matching cost for a grade C121 Software Support Analyst position. The agency is requesting to reclassify this position from its current accounting-based troubleshooting position to a programmer position. This position is essential to support the accounting and programming needs for the "in-house" Hot check Collections program which is used by 27 of the 28 Judicial Districts. This program provides an automated system for prosecuting attorneys offices to track down bad check writers, collect restitution on the bad checks and return the money to the victims. This position will also be responsible for training users of the program and approving all end-of-month and year-end reporting from the hot check offices. This reclassification is needed due to the added responsibilities the IT department has acquired, which include supporting an additional 40 prosecuting attorney's offices comprising of 200 users statewide. This program provides an automated system of tracking defendants, victims, witnesses and trial information to aid prosecutors, case coordinators and victim witness coordinators in handling cases and document generation. This position will also provide training for Office of the Prosecutor Coordinator staff and prosecuting attorney support staff. This IT department is unique from most other IT departments due to the fact that it is responsible for the designing, development and maintenance of "in-house" programs and fully supporting day-to-day operations of these programs.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
OFFICE OF PROSECUTOR COORDINATOR
FOR THE YEAR ENDED JUNE 30, 2011

Findings

Recommendations

None

None

State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012

None

Employment Summary

	Male	Female	Total	%
White Employees	3	7	10	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			10	100 %

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

Change in Fee Schedule

CURRENT FEE STRUCTURE				PROPOSED CHANGE			Reason for Change
Description	Fee Amount	Estimated Receipts 2012-2013	Authorizing Act or AR Code	Estimated Receipts			
				2013-2014	2014-2015		
N/A	\$0.00	\$0	N/A	\$0.00	\$0	\$0	N/A

Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

Appropriation	2011-2012		2012-2013		2012-2013		2013-2014						2014-2015					
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
065 Law Enforcement & Prosecutorial Programs	62,727	0	57,941	0	70,660	0	70,660	0	70,660	0	70,660	0	70,660	0	70,660	0	70,660	0
090 Prosecutor Coordinator Oprs	992,050	11	923,099	11	1,011,379	12	933,394	11	1,008,826	12	941,995	11	934,385	11	1,009,817	12	942,986	11
Total	1,054,777	11	981,040	11	1,082,039	12	1,004,054	11	1,079,486	12	1,012,655	11	1,005,045	11	1,080,477	12	1,013,646	11

Funding Sources		%		%		%		%		%		%		%		%		%
Fund Balance 4000005	294	0.0	1,457	0.1			1,457	0.1	1,457	0.1	1,457	0.1	0	0.0	0	0.0	0	0.0
State Central Services 4000035	914,355	86.6	923,099	94.0			933,394	94.0	1,008,826	94.4	941,995	94.1	934,385	94.2	1,009,817	94.6	942,986	94.2
Special State Asset Forfeiture 4000465	77,695	7.4	0	0.0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
State Administration of Justice 4000470	63,890	6.0	57,941	5.9			57,941	5.8	57,941	5.4	57,941	5.8	57,941	5.8	57,941	5.4	57,941	5.8
Total Funds	1,056,234	100.0	982,497	100.0			992,792	100.0	1,068,224	100.0	1,001,393	100.0	992,326	100.0	1,067,758	100.0	1,000,927	100.0
Excess Appropriation/(Funding)	(1,457)		(1,457)				11,262		11,262		11,262		12,719		12,719		12,719	
Grand Total	1,054,777		981,040				1,004,054		1,079,486		1,012,655		1,005,045		1,080,477		1,013,646	

Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012						FY2012 - 2013					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
12	10	2	12	0	16.67 %	12	11	1	12	0	8.33 %	12	10	1	11	1	16.67 %

Analysis of Budget Request

Appropriation: 065 - Law Enforcement & Prosecutorial Programs

Funding Sources: MDT - Law Enforcement & Prosecutor Drug Enforcement Training Fund

This program is funded from a portion of those funds remitted by the cities and counties from court costs and filing fees for deposit into the State Administration of Justice Fund. A share of those funds collected is then allocated to the Office of Prosecutor Coordinator for deposit in the Law Enforcement and Prosecutor Drug Enforcement Training Fund per Arkansas Code Annotated §16-10-310. Funds are used solely for law enforcement and prosecutorial purposes.

The Agency's Request provides for FY14 and FY15 appropriations equal to the maximum allocation authorized by Act 281 of 2012, Section 60.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 065 - Law Enforcement & Prosecutorial Programs

Funding Sources: MDT - Law Enforcement & Prosecutor Drug Enforcement Training Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2011-2012	2012-2013	2012-2013	2013-2014			2014-2015		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Law Enforcement/Prosecutorial 5900046	62,727	57,941	70,660	70,660	70,660	70,660	70,660	70,660	70,660
Total	62,727	57,941	70,660	70,660	70,660	70,660	70,660	70,660	70,660
Funding Sources									
Fund Balance 4000005	294	1,457		1,457	1,457	1,457	0	0	0
State Administration of Justice 4000470	63,890	57,941		57,941	57,941	57,941	57,941	57,941	57,941
Total Funding	64,184	59,398		59,398	59,398	59,398	57,941	57,941	57,941
Excess Appropriation/(Funding)	(1,457)	(1,457)		11,262	11,262	11,262	12,719	12,719	12,719
Grand Total	62,727	57,941		70,660	70,660	70,660	70,660	70,660	70,660

Analysis of Budget Request

Appropriation: 090 - Prosecutor Coordinator Oprs

Funding Sources: HSC - State Central Services Fund

This appropriation represents the main operating appropriation used by the Office of Prosecutor Coordinator in meeting costs associated with fulfilling the essential mission of the Agency and is funded from the State Central Services Fund.

Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases. The Base Level salary of unclassified positions reflects the FY13 line item maximum.

The Agency's Change Level Requests consists of \$56,979 in Regular Salaries and \$18,453 in Personal Services Matching annually to cover the costs of restoration of one (1) G047C Attorney Specialist position and the reclassification of one (1) D071C Computer Support Analyst position to a D052C Software Support Analyst. The Agency is requesting funding for these changes from the State Central Services Fund.

The Executive Recommendation provides for the Agency Request with the exception of the one (1) Attorney specialist position restoration.

Appropriation Summary

Appropriation: 090 - Prosecutor Coordinator Oprs

Funding Sources: HSC - State Central Services Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	665,981	602,233	690,550	608,274	665,253	615,224	609,074	666,053	616,024
#Positions		11	11	12	11	12	11	11	12	11
Personal Services Matching	5010003	199,533	194,330	194,293	198,584	217,037	200,235	198,775	217,228	200,426
Operating Expenses	5020002	121,844	121,844	121,844	121,844	121,844	121,844	121,844	121,844	121,844
Conference & Travel Expenses	5050009	4,692	4,692	4,692	4,692	4,692	4,692	4,692	4,692	4,692
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		992,050	923,099	1,011,379	933,394	1,008,826	941,995	934,385	1,009,817	942,986
Funding Sources										
State Central Services	4000035	914,355	923,099		933,394	1,008,826	941,995	934,385	1,009,817	942,986
Special State Asset Forfeiture	4000465	77,695	0		0	0	0	0	0	0
Total Funding		992,050	923,099		933,394	1,008,826	941,995	934,385	1,009,817	942,986
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		992,050	923,099		933,394	1,008,826	941,995	934,385	1,009,817	942,986

Change Level by Appropriation

Appropriation: 090 - Prosecutor Coordinator Oprs
Funding Sources: HSC - State Central Services Fund

Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	933,394	11	933,394	100.0	934,385	11	934,385	100.0
C01	Existing Program	66,831	1	1,000,225	107.2	66,831	1	1,001,216	107.2
C10	Reclass	8,601	0	1,008,826	108.1	8,601	0	1,009,817	108.1

Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	933,394	11	933,394	100.0	934,385	11	934,385	100.0
C01	Existing Program	16,802	0	950,196	101.8	16,802	0	951,187	101.8
C10	Reclass	8,601	0	958,797	102.7	8,601	0	959,788	102.7
C13	Not Recommended	(16,802)	0	941,995	100.9	(16,802)	0	942,986	100.9

Justification

C01	The Agency's Drug and Alcohol Attorney was previously paid out of the State Asset Forfeiture Fund and with private onetime funding. Neither source is currently available. Therefore, the Agency is requesting appropriation and funding to be provided by the State Central Services Fund. The Drug and Alcohol Attorney assists state prosecuting attorneys and their deputies with the prosecution of drug and alcohol related crimes as well as civil forfeitures by performing extensive legal research, preparing legal memoranda, and providing continuing legal education to prosecutors and law enforcement officers.
C10	The reclassification to a Software Support Analyst position is being requested. This position will provide technical support in all judicial districts in operating the Hot Check Collection System, Case Management System, and develop, maintain, train, and support the agency's computer system and staff.