

# OFFICE OF THE PROSECUTOR COORDINATOR

## Enabling Laws

Act 284 of 2010  
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.

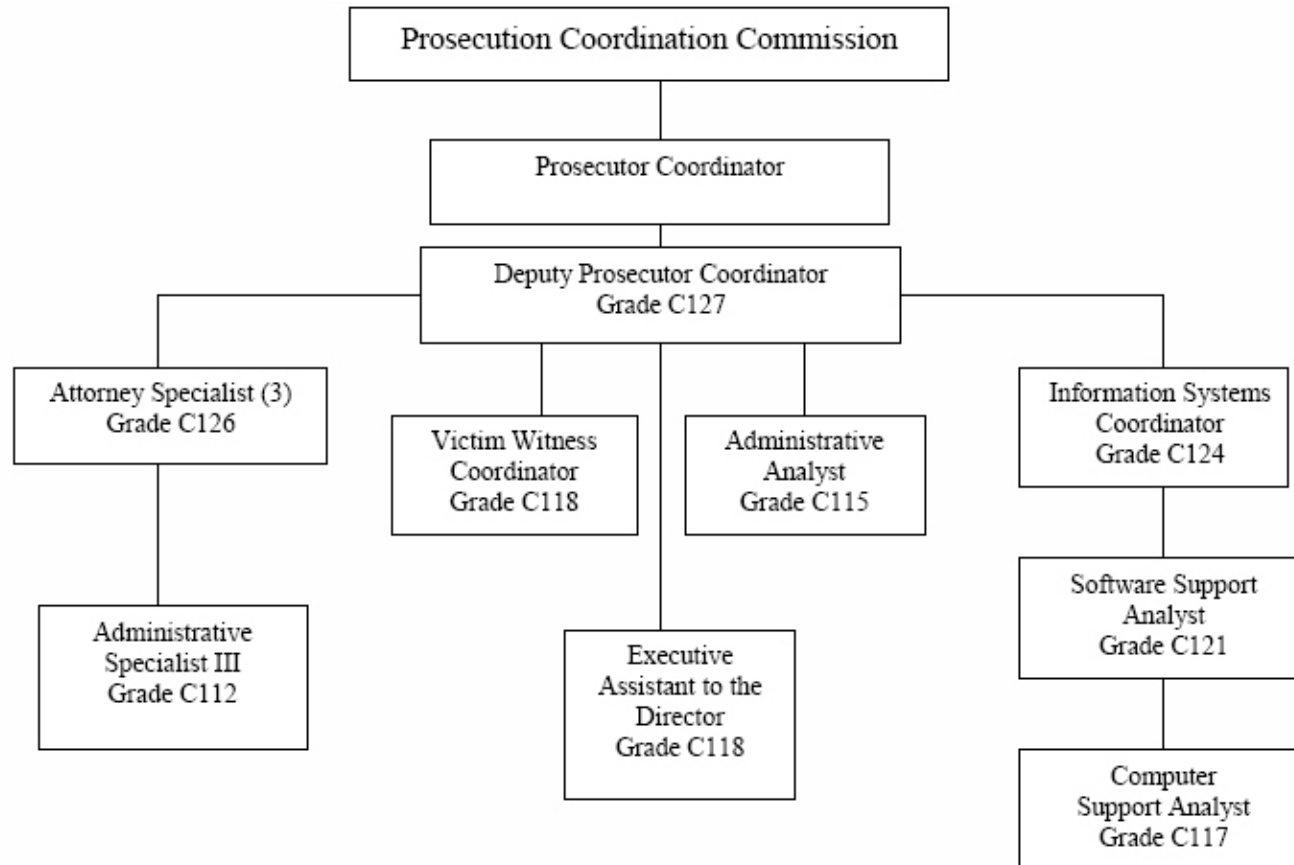
**LENDING LIBRARY** - A lending library of educational materials, e.g., books, videotapes, and audio cassettes is maintained.

**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 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

The Office of the Prosecutor Coordinator requests Base Level for the 2011-2013 biennium, with a reduction in Law Enforcement & Prosecutorial Programs (Appropriation 065) of \$1,340 each year to match available funding.

## Audit Findings

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
OFFICE OF PROSECUTOR COORDINATOR  
FOR THE YEAR ENDED JUNE 30, 2008

| Findings | Recommendations |
|----------|-----------------|
| None     | None            |

## Employment Summary

|                         | Male | Female | Total | %     |
|-------------------------|------|--------|-------|-------|
| White Employees         | 4    | 8      | 12    | 100 % |
| Black Employees         | 0    | 0      | 0     | 0 %   |
| Other Racial Minorities | 0    | 0      | 0     | 0 %   |
| Total Minorities        |      |        | 0     | 0 %   |
| Total Employees         |      |        | 12    | 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  |

## Department Appropriation Summary

### Historical Data

### Agency Request and Executive Recommendation

| Appropriation                                | 2009-2010        |           | 2010-2011        |           | 2010-2011        |           | 2011-2012        |           |                  |           |                  |           | 2012-2013        |           |                  |           |                  |           |
|--|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|
|  | 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 | 71,995           | 0         | 71,424           | 0         | 72,000           | 0         | 72,000           | 0         | 70,660           | 0         | 70,660           | 0         | 72,000           | 0         | 70,660           | 0         | 70,660           | 0         |
| 090 Prosecutor Coordinator Oprs              | 938,853          | 12        | 951,464          | 12        | 944,662          | 12        | 960,201          | 12        | 960,201          | 12        | 960,201          | 12        | 960,201          | 12        | 960,201          | 12        | 960,201          | 12        |
| <b>Total</b>                                 | <b>1,010,848</b> | <b>12</b> | <b>1,022,888</b> | <b>12</b> | <b>1,016,662</b> | <b>12</b> | <b>1,032,201</b> | <b>12</b> | <b>1,030,861</b> | <b>12</b> | <b>1,030,861</b> | <b>12</b> | <b>1,032,201</b> | <b>12</b> | <b>1,030,861</b> | <b>12</b> | <b>1,030,861</b> | <b>12</b> |

| Funding Sources                         |                  | %            |                  | %            |  | % |                  | %            |                  | %            |                  | %            |                  | %            |                  | %            |                  | %            |
|---|------------------|--------------|------------------|--------------|--|---|------------------|--------------|------------------|--------------|------------------|--------------|------------------|--------------|------------------|--------------|------------------|--------------|
| Fund Balance 4000005                    | 2,099            | 0.2          | 764              | 0.1          |  |   | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          | 0                | 0.0          |
| State Central Services 4000035          | 867,342          | 85.7         | 878,426          | 85.9         |  |   | 885,243          | 85.9         | 885,243          | 85.9         | 885,243          | 85.9         | 885,243          | 85.9         | 885,243          | 85.9         | 885,243          | 85.9         |
| Special State Asset Forfeiture 4000465  | 71,511           | 7.1          | 73,038           | 7.1          |  |   | 74,958           | 7.3          | 74,958           | 7.3          | 74,958           | 7.3          | 74,958           | 7.3          | 74,958           | 7.3          | 74,958           | 7.3          |
| State Administration of Justice 4000470 | 70,660           | 7.0          | 70,660           | 6.9          |  |   | 70,660           | 6.9          | 70,660           | 6.9          | 70,660           | 6.9          | 70,660           | 6.9          | 70,660           | 6.9          | 70,660           | 6.9          |
| <b>Total Funds</b>                      | <b>1,011,612</b> | <b>100.0</b> | <b>1,022,888</b> | <b>100.0</b> |  |   | <b>1,030,861</b> | <b>100.0</b> | <b>1,030,861</b> | <b>100.0</b> | <b>1,030,861</b> | <b>100.0</b> | <b>1,030,861</b> | <b>100.0</b> | <b>1,030,861</b> | <b>100.0</b> | <b>1,030,861</b> | <b>100.0</b> |
| Excess Appropriation/(Funding)          | (764)            |              | 0                |              |  |   | 1,340            |              | 0                |              | 0                |              | 1,340            |              | 0                |              | 0                |              |
| <b>Grand Total</b>                      | <b>1,010,848</b> |              | <b>1,022,888</b> |              |  |   | <b>1,032,201</b> |              | <b>1,030,861</b> |              | <b>1,030,861</b> |              | <b>1,032,201</b> |              | <b>1,030,861</b> |              | <b>1,030,861</b> |              |

The FY11 Budget Amount in Prosecutor Coordinator - Operations (Appropriation 090) exceeds the authorized amount due to salary and matching rate adjustments during the 2009-2011 beinnium.

## Agency Position Usage Report

| FY2008 - 2009           |          |          |       |            |                              | FY2009 - 2010           |          |          |       |            |                              | FY2010 - 2011           |          |          |       |            |                              |
|-------------------------|----------|----------|-------|------------|------------------------------|-------------------------|----------|----------|-------|------------|------------------------------|-------------------------|----------|----------|-------|------------|------------------------------|
| Authorized<br>in<br>Act | Budgeted |          |       | Unbudgeted | % of<br>Authorized<br>Unused | Authorized<br>in<br>Act | Budgeted |          |       | Unbudgeted | % of<br>Authorized<br>Unused | Authorized<br>in<br>Act | Budgeted |          |       | Unbudgeted | % of<br>Authorized<br>Unused |
|                         | Filled   | Unfilled | Total | Total      |                              |                         | Filled   | Unfilled | Total | Total      |                              |                         | Filled   | Unfilled | Total | Total      |                              |
| 12                      | 12       | 0        | 12    | 0          | 0.00 %                       | 12                      | 12       | 0        | 12    | 0          | 0.00 %                       | 12                      | 12       | 0        | 12    | 0          | 0.00 %                       |

## **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 Change Level Request provides to reduce Law Enforcement & Prosecutorial Programs by (\$1,340) each year to match available funding.

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                         | 2009-2010     | 2010-2011     | 2010-2011     | 2011-2012     |               |               | 2012-2013     |               |               |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
|   | Actual        | Budget        | Authorized    | Base Level    | Agency        | Executive     | Base Level    | Agency        | Executive     |
| Law Enforcement/Prosecutorial 5900046   | 71,995        | 71,424        | 72,000        | 72,000        | 70,660        | 70,660        | 72,000        | 70,660        | 70,660        |
| <b>Total</b>                            | <b>71,995</b> | <b>71,424</b> | <b>72,000</b> | <b>72,000</b> | <b>70,660</b> | <b>70,660</b> | <b>72,000</b> | <b>70,660</b> | <b>70,660</b> |
| <b>Funding Sources</b>                  |               |               |               |               |               |               |               |               |               |
| Fund Balance 4000005                    | 2,099         | 764           |               | 0             | 0             | 0             | 0             | 0             | 0             |
| State Administration of Justice 4000470 | 70,660        | 70,660        |               | 70,660        | 70,660        | 70,660        | 70,660        | 70,660        | 70,660        |
| <b>Total Funding</b>                    | <b>72,759</b> | <b>71,424</b> |               | <b>70,660</b> | <b>70,660</b> | <b>70,660</b> | <b>70,660</b> | <b>70,660</b> | <b>70,660</b> |
| Excess Appropriation/(Funding)          | (764)         | 0             |               | 1,340         | 0             | 0             | 1,340         | 0             | 0             |
| <b>Grand Total</b>                      | <b>71,995</b> | <b>71,424</b> |               | <b>72,000</b> | <b>70,660</b> | <b>70,660</b> | <b>72,000</b> | <b>70,660</b> | <b>70,660</b> |

## Change Level by Appropriation

**Appropriation:** 065 - Law Enforcement & Prosecutorial Programs

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

### Agency Request

| Change Level |                     | 2011-2012     | Pos      | Cumulative    | % of BL      | 2012-2013     | Pos      | Cumulative    | % of BL      |
|--------------|---------------------|---------------|----------|---------------|--------------|---------------|----------|---------------|--------------|
| <b>BL</b>    | <b>Base Level</b>   | <b>72,000</b> | <b>0</b> | <b>72,000</b> | <b>100.0</b> | <b>72,000</b> | <b>0</b> | <b>72,000</b> | <b>100.0</b> |
| C03          | Discontinue Program | (1,340)       | 0        | 70,660        | 98.1         | (1,340)       | 0        | 70,660        | 98.1         |

### Executive Recommendation

| Change Level |                     | 2011-2012     | Pos      | Cumulative    | % of BL      | 2012-2013     | Pos      | Cumulative    | % of BL      |
|--------------|---------------------|---------------|----------|---------------|--------------|---------------|----------|---------------|--------------|
| <b>BL</b>    | <b>Base Level</b>   | <b>72,000</b> | <b>0</b> | <b>72,000</b> | <b>100.0</b> | <b>72,000</b> | <b>0</b> | <b>72,000</b> | <b>100.0</b> |
| C03          | Discontinue Program | (1,340)       | 0        | 70,660        | 98.1         | (1,340)       | 0        | 70,660        | 98.1         |

### Justification

|     |  |
|-----|--|
| C03 | Agency requests to reduce Law Enforcement & Prosecutorial Programs to match available funding. |
|-----|--|



## **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 salaries and matching do not include appropriation for a Cost of Living Adjustment or Career Service Payments. The Base Level salary of the unclassified position reflects the FY11 line item maximum.

The Agency's Request provides for Base Level for the 2011-2013 biennium.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 090 - Prosecutor Coordinator Oprs

**Funding Sources:** HSC - State Central Services Fund

### Historical Data

### Agency Request and Executive Recommendation

| Commitment Item                        | 2009-2010<br>Actual | 2010-2011<br>Budget | 2010-2011<br>Authorized | 2011-2012      |                |                | 2012-2013      |                |                |
|--|---------------------|---------------------|-------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
|  |                     |                     |                         | Base Level     | Agency         | Executive      | Base Level     | Agency         | Executive      |
| Regular Salaries 5010000               | 637,166             | 640,053             | 637,573                 | 647,004        | 647,004        | 647,004        | 647,004        | 647,004        | 647,004        |
| <b>#Positions</b>                      | <b>12</b>           | <b>12</b>           | <b>12</b>               | <b>12</b>      | <b>12</b>      | <b>12</b>      | <b>12</b>      | <b>12</b>      | <b>12</b>      |
| Personal Services Matching 5010003     | 175,151             | 184,875             | 180,553                 | 186,661        | 186,661        | 186,661        | 186,661        | 186,661        | 186,661        |
| 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              |
| <b>Total</b>                           | <b>938,853</b>      | <b>951,464</b>      | <b>944,662</b>          | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> |
| <b>Funding Sources</b>                 |                     |                     |                         |                |                |                |                |                |                |
| State Central Services 4000035         | 867,342             | 878,426             |                         | 885,243        | 885,243        | 885,243        | 885,243        | 885,243        | 885,243        |
| Special State Asset Forfeiture 4000465 | 71,511              | 73,038              |                         | 74,958         | 74,958         | 74,958         | 74,958         | 74,958         | 74,958         |
| <b>Total Funding</b>                   | <b>938,853</b>      | <b>951,464</b>      |                         | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> |
| Excess Appropriation/(Funding)         | 0                   | 0                   |                         | 0              | 0              | 0              | 0              | 0              | 0              |
| <b>Grand Total</b>                     | <b>938,853</b>      | <b>951,464</b>      |                         | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> | <b>960,201</b> |

The FY11 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2009-2011 biennium.