

OFFICE OF PROSECUTOR COORDINATOR

Enabling Laws

Act 669 of 2005
Act 925 of 1975
ACA §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.

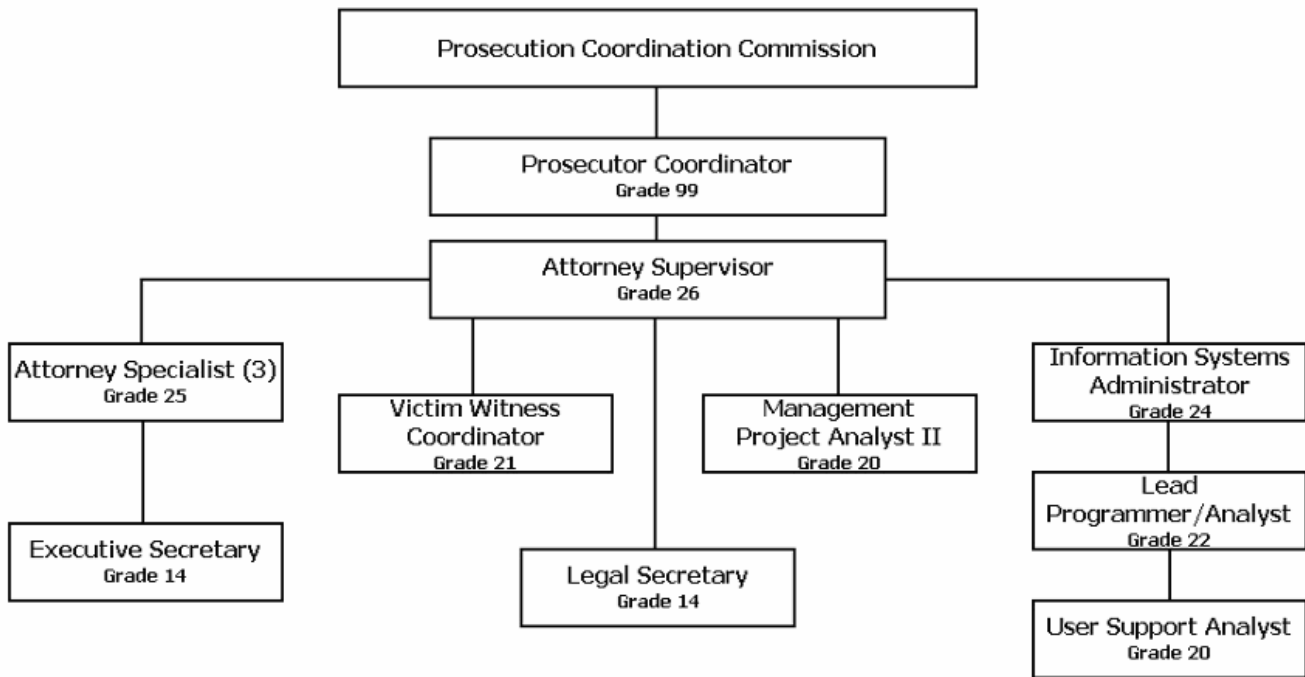
LENDING LIBRARY - A lending library of educational materials, e.g., books, videotapes, and audiocassettes is maintained.

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. PCO participated in approximately 2,680 hearings during 2004-2006.

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

Rent - The Office of Prosecutor Coordinator is requesting \$2,556 for office space for the first year of the biennium to provide for a 5% increase in rent charged by the Catlet-Prien Firm, bringing the rate up from \$11.10 to \$11.66 per square foot, and \$2,682 for the second year of the biennium to provide for an anticipated 5% increase, bringing the rate up from \$11.66 per square foot to \$12.24.

Department of Information Systems (DIS) - The Office of Prosecutor Coordinator is requesting \$900 for the first year of the biennium to provide for rate increase in telecommunications/telephone/Internet/e-mail services provided by DIS and \$1,100 for the second year of the biennium to provided for the additional anticipated rate increase.

Technology - Additional appropriation and funding is requested by the Office of Prosecutor Coordinator in the amount of \$4,000 the first year of the biennium to replace computer workstations that were purchased in July, 2000. These computer workstations are used in the agency training room to train prosecutor support staff from across the state, which manage the statewide hot check recovery and case management programs. A request is being made for \$8,000 additional appropriation and funding the second year to the biennium to replace employee computer workstations purchased in June 2003. With the rapid advances in technology, it is necessary to replace and upgrade these computer workstations.

Travel - The Office of Prosecutor Coordinator is requesting \$3,000 additional appropriation and funding for each year of the biennium for out of state travel. This request is being made to cover the increased cost of registration, airfare, meals and lodging to attend the National Association of Prosecutor Coordinators' (NAPC), National District Attorneys Association (NDAA), and the National Office for Victim Assistance (NOVA) meetings. These meetings and trainings are necessary to keep informed of current prosecution practices, legislation, and victim services. As a board member of both the NAPC and NDAA, the Prosecutor Coordinator is involved in the decision making process at the national level which has resulted in training and financial benefit to Arkansas prosecuting attorneys, deputy prosecuting attorneys, and victims service providers.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 OFFICE OF PROSECUTOR COORDINATOR
 FOR THE YEAR ENDED JUNE 30, 2005

| 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 | 2005-2006 | | 2006-2007 | | 2006-2007 | | 2007-2008 | | | | 2008-2009 | | | |
| | Actual | Pos | Budget | Pos | Authorized | Pos | Agency | Pos | Executive | Pos | Agency | Pos | Executive | Pos |
| 065 Law Enforcement & Prosecutorial Program | 72,000 | 0 | 72,000 | 0 | 72,000 | 0 | 72,000 | 0 | 72,000 | 0 | 72,000 | 0 | 72,000 | 0 |
| 090 Prosecutor Coordinator Oprs | 792,011 | 12 | 812,032 | 12 | 805,477 | 12 | 826,778 | 12 | 826,778 | 12 | 831,104 | 12 | 831,104 | 12 |
| Total | 864,011 | 12 | 884,032 | 12 | 877,477 | 12 | 898,778 | 12 | 898,778 | 12 | 903,104 | 12 | 903,104 | 12 |

| Funding Sources | | | % | | % | | % | | % | | % | | % |
|--------------------------------|---------|----------------|--------------|----------------|--------------|--|---|----------------|--------------|----------------|--------------|----------------|--------------|
| Special Revenue | 4000030 | 72,000 | 8.3 | 72,000 | 8.1 | | | 72,000 | 8.0 | 72,000 | 8.0 | 72,000 | 8.0 |
| State Central Services | 4000035 | 736,461 | 85.2 | 754,981 | 85.4 | | | 769,727 | 85.6 | 769,727 | 85.6 | 774,053 | 85.7 |
| Special State Asset Forfeiture | 4000465 | 55,550 | 6.5 | 57,051 | 6.5 | | | 57,051 | 6.4 | 57,051 | 6.4 | 57,051 | 6.3 |
| Total Funds | | 864,011 | 100.0 | 884,032 | 100.0 | | | 898,778 | 100.0 | 898,778 | 100.0 | 903,104 | 100.0 |
| Excess Appropriation/(Funding) | | 0 | | 0 | | | | 0 | | 0 | | 0 | |
| Grand Total | | 864,011 | | 884,032 | | | | 898,778 | | 898,778 | | 903,104 | |

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

FY06 Authorized amount for Operating Expenses was \$124,442 in Prosecutor Coordinator - Operations (090).

Agency Position Usage Report

| FY2004-2005 | | | | | | FY2005-2006 | | | | | | FY2006-2007 | | | | | |
|-------------------|----------|----------|-------|------------|------------------------|-------------------|----------|----------|-------|------------|------------------------|-------------------|----------|----------|-------|------------|------------------------|
| 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 | |
| 13 | 12 | 0 | 12 | 1 | 7.69% | 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

The Office of Prosecutor Coordinator requests Base Level of \$ 72,000 each year of the 2007-2009 biennium for the Law Enforcement and Prosecutorial Programs appropriation. 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 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 | 2005-2006 | 2006-2007 | 2006-2007 | 2007-2008 | | | 2008-2009 | | |
|---------------------------------------|-----------|-----------|------------|------------|--------|-----------|------------|--------|-----------|
| | Actual | Budget | Authorized | Base Level | Agency | Executive | Base Level | Agency | Executive |
| Law Enforcement/Prosecutorial 5900046 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 |
| Total | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 |
| Funding Sources | | | | | | | | | |
| Special Revenue 4000030 | 72,000 | 72,000 | | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 |
| Total Funding | 72,000 | 72,000 | | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 |
| Excess Appropriation/(Funding) | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| Grand Total | 72,000 | 72,000 | | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 | 72,000 |

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. This appropriation is funded from the State Central Services Fund. The Base Level for this Agency is \$816,322 in FY08 and FY09. Of the total Agency Request for this appropriation, Change Level requests totals \$ 10,456 for FY2008 and \$ 14,782 for FY 2009.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax maximum increase limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

In regular Operating Expenses, \$ 3,106 for FY08 and \$3,332 in FY09 is requested as a result of an anticipated five percent (5%) increase in office space rent expense and an increase in telephone services that are provided by Department of Information System.

In Conference and Travel Expenses, \$3,000 in each year is requested for training expenses and cost associated with attending several conferences. The Prosecutor Coordinator is a board member of both the National Association of Prosecutor Coordinators' and the National District Attorneys Association.

The information technology expense of \$4,350 is requested in FY08 and \$8,450 in FY09 for additional computers, and network services expense for Internet and e-mail services.

The Executive Recommendation provides for 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 | 2005-2006 | 2006-2007 | 2006-2007 | 2007-2008 | | | 2008-2009 | | |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | Actual | Budget | Authorized | Base Level | Agency | Executive | Base Level | Agency | Executive |
| Regular Salaries 5010000 | 509,616 | 531,281 | 545,153 | 531,281 | 531,281 | 531,281 | 531,281 | 531,281 | 531,281 |
| #Positions | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| Personal Services Matching 5010003 | 156,644 | 168,997 | 148,570 | 173,287 | 173,287 | 173,287 | 173,287 | 173,287 | 173,287 |
| Operating Expenses 5020002 | 113,798 | 110,062 | 110,062 | 110,062 | 117,518 | 117,518 | 110,062 | 121,844 | 121,844 |
| Conference & Travel Expenses 5050009 | 1,692 | 1,692 | 1,692 | 1,692 | 4,692 | 4,692 | 1,692 | 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 | 10,261 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 792,011 | 812,032 | 805,477 | 816,322 | 826,778 | 826,778 | 816,322 | 831,104 | 831,104 |
| Funding Sources | | | | | | | | | |
| State Central Services 4000035 | 736,461 | 754,981 | | 759,271 | 769,727 | 769,727 | 759,271 | 774,053 | 774,053 |
| Special State Asset Forfeiture 4000465 | 55,550 | 57,051 | | 57,051 | 57,051 | 57,051 | 57,051 | 57,051 | 57,051 |
| Total Funding | 792,011 | 812,032 | | 816,322 | 826,778 | 826,778 | 816,322 | 831,104 | 831,104 |
| Excess Appropriation/(Funding) | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| Grand Total | 792,011 | 812,032 | | 816,322 | 826,778 | 826,778 | 816,322 | 831,104 | 831,104 |

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

FY06 Authorized amount for Operating Expenses was \$124,442.

Change Level by Appropriation

Appropriation: 090-Prosecutor Coordinator Oprs

Funding Sources: HSC-State Central Services Fund

Agency Request

| Change Level | | 2007-2008 | Pos | Cumulative | % of BL | 2008-2009 | Pos | Cumulative | % of BL |
|--------------|-------------------|----------------|-----------|----------------|--------------|----------------|-----------|----------------|--------------|
| BL | Base Level | 816,322 | 12 | 816,322 | 100.0 | 816,322 | 12 | 816,322 | 100.0 |
| C01 | Existing Program | 6,106 | 0 | 822,428 | 100.7 | 6,332 | 0 | 822,654 | 100.7 |
| C08 | Technology | 4,350 | 0 | 826,778 | 101.2 | 8,450 | 0 | 831,104 | 101.8 |

Executive Recommendation

| Change Level | | 2007-2008 | Pos | Cumulative | % of BL | 2008-2009 | Pos | Cumulative | % of BL |
|--------------|-------------------|----------------|-----------|----------------|--------------|----------------|-----------|----------------|--------------|
| BL | Base Level | 816,322 | 12 | 816,322 | 100.0 | 816,322 | 12 | 816,322 | 100.0 |
| C01 | Existing Program | 6,106 | 0 | 822,428 | 100.7 | 6,332 | 0 | 822,654 | 100.7 |
| C08 | Technology | 4,350 | 0 | 826,778 | 101.2 | 8,450 | 0 | 831,104 | 101.8 |

Justification

| | |
|-----|---|
| C01 | The Agency is requesting an increase in Operating Expenses for telephone and rent from Catlet-Prien Firm in the Tower Building. An increase in Conference and Travel Expenses to allow the Agency to attend training and meeting at the National Association of Prosecutor Coordinators (NASPC), National District Attorneys Association (NDAA), and the National Office for Victim Assistance (NOVA). The Agency Director is a board member of both NAPC and NDAA. |
| C08 | The Agency is requesting to replace several outdated computers used for training Prosecutors and staff who manage the statewide hot check recovery and case management programs. In FY2009, the Agency wants to replace several computers that were purchased in 2003. The Department of Information System's network expenses for Internet and e-mail services will increase. |