ORLEANS PARISH DISTRICT ATTORNEY
2020 Budget Proposal
City of New Orleans
Agenda

I. 2019 Department Accomplishments
II. 2020 Department Goals
III. 2019 Budget Summary and 2020 Budget Request
IV. 2020 New Initiatives
2019 Department Accomplishments
2019 Department Accomplishments

Still Louisiana’s busiest DA’s office

- The OPDA remains the busiest District Attorney’s office in Louisiana. We are on pace to screen 11,981 new criminal cases in 2019, a 13 percent increase over 2018, when once again we had the highest caseload in the state. Through Nov. 11, we have instituted 3,463 new cases into Criminal District Court in 2019.

- Our office accepted 84 percent of felony charges presented in 2018, and 87 percent of felony charges presented thus far in 2019. Our Municipal Court case acceptance rate of 53 percent in 2018 has risen to 61 percent in 2019.

- Higher acceptance rates are an indicator that the New Orleans Police Department and Louisiana State Police are improving investigations and submitting better cases for potential prosecution. **Our 2019 conviction rate at Criminal District Court is an impressive 93 percent.**
2019 Department Accomplishments

Diversion program expanded

- The OPDA’s Diversion program remains a model for success, not only within the state but nationally. **It boasts a three-year felony recidivism rate of only 1.5 percent among program graduates.**

- Our Diversion program provided jail alternatives to 876 clients serviced in 2018. Through Nov. 11, Diversion had been approved for 945 clients, a pace to reach 1,100 by the end of 2019.

- That would mark a 25 percent increase in approved Diversion clients, providing a remarkable ROI for the City in the form of a jail population reduced by hundreds.
2019 Department Accomplishments

*Diversion program expanded*

- A $600,000 funding restoration targeted to enhance the Diversion program for 2019 returned our budget to its 2016 level. And $300,000 in supplemental funding from a MacArthur Foundation grant was pledged to us by city officials in January 2019, but as of today still has not been issued to this office.
- Despite this, the OPDA prepared in good-faith anticipation of that promised supplemental funding, by hiring additional Diversion program staff needed to expand enrollment and supervise the new tier of higher-risk enrollees.
- The OPDA Diversion program has in 2019 added three licensed counselors (raising our total from 5 to 8), two administrators, and three case management screening prosecutors (one for drug offenses, one for general victim crimes and one to screen new high-risk Diversion candidates).
- Two Diversion program investigators also were added, one tasked with running client background checks and the other with supervising and assisting on-premise clients within the OPDA office.
2019 Department Accomplishments

*DA Cannizzaro continues driving down New Orleans’ homicide rate*

- New Orleans finished last year with 146 murders, our **lowest total in 47 years**. Through Nov. 11, the murder count of 94 has the City on pace to finish 2019 with 109 murders. That would eclipse last year’s total as the fewest since 1971.

- DA Leon Cannizzaro and his prosecutors deserve more credit for this success. **Since he was sworn in (January 2009), Cannizzaro has taken at least 704 New Orleans killers off the streets through successful homicide prosecutions.**
From 1987-2007, New Orleans exceeded 200 murders in a year 18 times, topped 300 murders six times, and recorded 424 murders in 1994. Since DA Cannizzaro took office in 2009 and prioritized the prosecution of violent offenders, New Orleans has topped 200 murders in a year only once, and is about to finish its seventh year in a row with 175 or fewer murders.

The DA’s innovative use of the Louisiana Racketeering Act dismantled dozens of New Orleans street gangs, saving untold numbers of lives by sending hundreds of gang-related murderers to prison. He has joined Prosecutors Against Gun Violence in calling for meaningful Congressional action to reduce the nationwide scourge of mass shootings, including those in the French Quarter we have successfully prosecuted.

Given the importance of this work, supporting the DA’s office with an enhanced budget that allows for the retention of our most experienced prosecutors would provide an enormous ROI for the City, and particularly help its vital tourism sector.
2019 Department Accomplishments

New, improved OPDA website

- Redesigned and launched new agency website (www.orleansda.com) in April 2019. The new website is customer friendly, more informative, optimized for mobile devices, loaded with helpful links and updated up to several times daily with new content. It provides better contact information, social media access, and detailed instructions for how the public can access important services offered by our office. The new website recorded 63,004 unique page views in its first 207 days (304 per day).
2020 Department Goals
2020 Department Goals

Goal 1: Continue to expand OPDA Diversion program to aid jail population reduction efforts

Helping the City reach its stated jail population reduction targets requires a meaningful budgetary commitment to the OPDA.

- Once again, vital and long-neglected needs within the OPDA’s office have had to be deferred in 2019. The significant investment made for Diversion program expansion this year had to come from within our restored 2016 budget levels. This financial blow has worsened in the continued absence of the supplemental $300,000 grant funding pledged by the City in January 2019.

- Adding a new tier of selected violent/high-risk offenders, and broadening the population of other defendants offered Diversion, has expanded the population pool by 36 percent in 2019. Though next year’s expansion will be smaller, our goal is to retain the necessary staff and programming to maintain the outstanding recidivism rate, while offering Diversion to even more potential clients.
2020 Department Goals

Goal 2: Fortify Juvenile Division staff, expand Juvenile Diversion as an alternative to youth incarceration

The OPDA seeks an immediate $300,000 appropriation specifically to address gaps in its Juvenile Court Division and Juvenile Diversion program.

- Policy initiatives of recent years intended to mitigate consequences for juvenile offenders in New Orleans backfired on our citizens in a profound way in 2018-19. Residents from all areas of the city expressed frustration with the frequency and expense incurred by teen-centric crimes such as auto burglaries and car thefts. Two women – Lakeview’s Jeannot Plessy and Mid-City’s Zelda Townsend lost their lives, murdered by teen offenders during the commission of these so-called “non-violent” crimes.

- DA Cannizzaro on May 16 proposed an eight-point plan to curb the tide of juvenile crime. By June 1, several of the suggestions had been implemented, including more involvement of Juvenile Court judges in detention decisions and authorization of the NOPD to enforce the existing curfew ordinance. Auto burglaries dropped from 270 in the two months before the enhanced enforcement measures to only 42 in the first two months they were in effect.

- The OPDA requests $300,000 to address Juvenile Division staffing shortages. With the implementation of the state’s “Raise The Age” law placing 17-year-olds into Juvenile Court starting in 2020, there is urgency to add to the Juvenile Division three prosecutors, one investigator and one Juvenile Diversion counselor. One prosecutor would fill a courtroom vacancy, another would be tasked to case management (to more quickly and efficiently screen cases for potential prosecution, reducing pretrial detention time for many). The third would head the Juvenile Restorative Justice unit, to negotiate alternative case outcomes that satisfy crime victims and divert young offenders from juvenile detention or transfer to adult court.
The OPDA has operated at a 2016 budget level in 2016 and 2019, and on $600,000 less than that in both 2017 and 2018. No other vital city agency has had to endure such severe financial duress while serving the New Orleans public over the past four years.

An estimated 2,700 classified New Orleans municipal employees were given a 10 percent raise taking effect in 2019, as were New Orleans firefighters. NOPD officers got a 10 percent raise in 2017, on top of a 15 percent pay hike received in 2015. Yet no similar wage increase funding has been appropriated for OPDA employees who serve the same citizens with courage and dedication in our busy courtrooms.

The state “warrant” paid directly to assistant district attorneys in Louisiana is $45,000, an amount unchanged for the past 10 years. The state legislature this summer approved a meager 5 percent warrant increase to $47,500 starting next year. Yet without additional funding to supplement salaries, the OPDA is losing the city’s best and most experienced prosecutors to neighboring parishes and agencies who offer lighter caseloads and substantially higher wages.

Potential new hires, usually coming out of law school with more than $100,000 in student loan debt, understandably are rejecting starting salaries of only $45,000. Consider this city offers starting salaries of more than $56,000 to rookie NOPD officers completing one year of service, and has found even that amount inadequate for robust police recruitment.
2020 Department Goals

Goal 4: See the City meaningfully invest in our improved efficiency

New Orleans’ funding commitment to OPDA is shamefully inadequate.

- Jefferson Parish, with a DA’s office two-thirds the size of Orleans Parish based on attorneys and caseload, devoted a $13.1 million appropriation to its prosecutors office in 2017, or 2.6 percent of its $500 million general fund. New Orleans allotted less than half that – $6.1 million – to its DA’s office, just 1 percent of its $615 million general fund. The OPDA remains the worst-funded DA’s office by percentage of general fund of the six most-populous parishes in the state.

- The 2019 appropriation of $6.6 million merely restored our office to its 2016 budget level. But the significant costs of Diversion expansion and federal litigation for disputed cases from the 1980s and 1990s predating this administration means the OPDA has gone yet another year unable to offer competitive salaries for staff retention or new hires. We are unable to replace outdated or inoperable equipment, computers and vehicles. Nor can we move forward with a planned data migration into a mostly paperless, digital platform that ultimately could reduce detention time in jail.
2020 Department Goals

Goal 4: See the City meaningfully invest in our experience and efficiency

- Our inability to pay competitive wages results in high staff turnover detrimental to courtroom efficiency. We currently have Senior attorneys assigned to only 10 of 12 sections of Criminal District Court, and 6 of the 10 have less than two years of experience. It used to take 3-5 years before an attorney could be promoted to head a section as Senior counsel. Budget-related attrition has left us with only 9 Junior attorneys to assist in the 12 sections of court, and they currently average 47 days of experience.

- Our deficient salaries led to the resignation of 13 ADAs in 2016, 11 in 2017, 24 in 2018 and 37 so far in 2019. That is a loss of 85 prosecutors in the past four years to other parishes and agencies offering higher salaries and lighter caseloads.

- This repetitive cycle of training new prosecutors impacts our ability to efficiently move cases and people through the criminal justice system. With proper funding to address these efficiency needs, our goal would be to realize a 50 percent reduction in the pretrial timespan to refuse or institute prosecutions, and a 15 percent reduction on the back-end time between the institution of prosecution to the conclusion of a case. These gains would favorably impact the city’s efforts to reduce jail population.
2020 Budget Request
# 2019 Budget Summary and 2020 Budget Request

## 2019 Approved Budget

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<th>Personal Services</th>
<th>Other Operating</th>
<th>Total</th>
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## 2019 FTEs

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## 2020 Budget Request

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## 2020 Proposed New FTEs

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### 2020 Revenue and Other Funds

#### Revenue

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<th>Revenue Source</th>
<th>2019 Projected</th>
<th>2020 Projected</th>
<th>Difference</th>
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<tr>
<td>Statutorially authorized fines &amp; fees</td>
<td>$1,028,901</td>
<td>$926,257</td>
<td>$(102,644)</td>
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#### Grants

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<th>Grant</th>
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<td>State – Victim Advocate Warrant</td>
<td>$120K</td>
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<td>Federal Grants</td>
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<td>Multi-Agency Gang Task Force</td>
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#### Special Funds

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2020 New Initiatives
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<tr>
<th>Description</th>
<th>Benefit (if applicable)</th>
<th>Number of Positions</th>
<th>Personal Services Cost</th>
<th>Other Operating Cost</th>
<th>Total Requested Increase</th>
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<tbody>
<tr>
<td>Enhance Juvenile Division operations by adding 5 - staff members- 3 ADAs, 1 Investigator, 1 Diversion Counselor</td>
<td>Alleviate a screening backlog and allow for a more efficient adjudication of all juvenile cases</td>
<td>5</td>
<td>$300K</td>
<td>$0</td>
<td>$300K</td>
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<tr>
<td>Federal Civil Litigation</td>
<td>The issues alleged and the complexities involved in the litigation require the DA to seek outside expertise to ensure a positive result and limit/eliminate any judgments against the Office and City.</td>
<td>0</td>
<td>$0</td>
<td>200K</td>
<td>$200K</td>
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Critical needs

We implore the City to address these critical needs within the next 2-3 years

Sufficient funding and competitive salaries needed to fill these positions:

- Trial attorneys (9 attorneys short)
- Appeals attorneys (4 attorneys short)
- Juvenile attorneys (4 attorneys short)
- Case management/Screening (4 attorneys short)
- Municipal-Magistrate Court (5 attorneys short in order to return to afternoon/evening commissioners’ courts)
- Investigators (5 short, including 1 for Juvenile Division; starting salary unchanged for last 15 years)
- Diversion Counselors (2 more needed by 2021)
- Victim-Witness counselor advocates (2 more needed)
- Public Records (1 full-time position needed)
- Records Room (1 full-time file scanner needed)
- Information Technology (1 full-time tech short)
- Grant writer (1 full- or part-time employee needed)
- Statistician (1 full-time statistician needed)
Critical needs

*We implore the City to address these critical needs within the next 2-3 years*

**External building space** -- Needed for expanded Diversion program counseling (est. $120,000 per year). The 2017 budget cut forced us to abandon our previous off-site Diversion office and relocate counseling services to our first-floor cubicles. The situation is untenable with Diversion clients and victim-witness clients forced into the same space.

**Investigators’ vehicle fleet** – Of our 42 City vehicles, 32 are at least 10-16 years old and have at least 175,000 miles on them or more. These vehicles are used to locate victims and witnesses, conduct interviews, escort victims/witnesses to court, serve subpoenas and search warrants, transport detainees to holding facilities and court, perform extraditions of out-of-state defendants and provide security and relocations of victims/witnesses as needed. Replacement vehicles badly needed at estimated cost of $960,000.

**Computers/IT** – Nearly all the computers in the OPDA building are now 10-12 years old and virtually obsolete. Replacement cost for these PCs, laptops and outmoded scanners, servers, SAN (storage area network) and hard drives estimated at $200,000, but would greatly enhance efficiency of case dispositions.