

Agency Name:	Commission on Prosecution Coordination		
Agency Code:	E210	Section:	60



**Fiscal Year FY 2024-2025
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS <i>(FORM B1)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting General Fund Appropriations.
	<input type="checkbox"/>	Requesting Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.

NON-RECURRING REQUESTS <i>(FORM B2)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input checked="" type="checkbox"/>	Not requesting any changes.

CAPITAL REQUESTS <i>(FORM C)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.

PROVISOS <i>(FORM D)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
	<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Lisa H. Catalanotto	(803) 343-0765	lisacatalanotto@cpc.sc.gov
SECONDARY CONTACT:	Janise Dove	(803) 832-8273	jdove@cpc.sc.gov

I have reviewed and approved the enclosed FY 2024-2025 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

SIGN/DATE: TYPE/PRINT NAME:	<i>Agency Director</i>	<i>Board or Commission Chair</i>
	 Lisa H. Catalanotto	 ISAAC M. STONE

This form must be signed by the agency head – not a delegate.

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FORM D – PROVISO REVISION REQUEST

NUMBER	60.14
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	PCC: Solicitor Technology Funding Distribution
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	II. Offices of Circuit Solicitors
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Delete
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	None
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>DELETE - 60.14. (PCC: Solicitor Technology Funding Distribution) Existing proviso requires distribution of non-recurring funds appropriated in the FY 23 budget to Solicitor Technology Equipment and Software to be distributed equally among the sixteen Offices of Circuit Solicitor. A total of \$9,600,000 non-recurring was appropriated in FY 23 to be distributed at an amount of \$600,000 per circuit for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Proviso also requires each circuit solicitor to submit a report detailing the capabilities and all associated expenditures for the Prosecution Case Management System to the Commission on Prosecution Coordination who shall compile and submit the reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.</p> <p>SCPC REQUEST: DELETE proviso because the Solicitor Technology Funding was a non-recurring appropriation in the FY 23 budget that has been fully distributed to the Offices of Circuit Solicitor in accordance with the proviso and because the required one-time report will have been submitted as directed by December 31, 2023. No additional funding was appropriated in the FY 24 budget and no funding is expected for FY 25.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

No fiscal impact

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT

Existing Proviso: 60.14. (PCC: Solicitor Technology Funding Distribution) The amount appropriated in this act and authorized for Solicitor Technology Equipment and Software shall be apportioned in equal amounts among the sixteen circuits. Funding allocated for each circuit must be distributed for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Each Circuit Solicitor shall submit to the Commission on Prosecution Coordination a comprehensive report detailing the capabilities and all associated expenditures for the Prosecution Case Management System. The Commission on Prosecution Coordination shall compile, summarize, and submit these reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.

Proposed Deletion: DELETE 60.14. (PCC: Solicitor Technology Funding Distribution) ~~The amount appropriated in this act and authorized for Solicitor Technology Equipment and Software shall be apportioned in equal amounts among the sixteen circuits. Funding allocated for each circuit must be distributed for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Each Circuit Solicitor shall submit to the Commission on Prosecution Coordination a comprehensive report detailing the capabilities and all associated expenditures for the Prosecution Case Management System. The Commission on Prosecution Coordination shall compile, summarize, and submit these reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2023.~~

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

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FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION CONTINGENCY PLAN

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
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AMOUNT	\$1,415,081
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What is the General Fund 3% reduction amount? This amount should correspond to the reduction spreadsheet prepared by EBO.

ASSOCIATED FTE REDUCTIONS	0 FTEs
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How many FTEs would be reduced in association with this General Fund reduction?

PROGRAM / ACTIVITY IMPACT	<p>The SCCPC retains only 4% of the state funds appropriated to the agency. The remainder is pass-through funding that is distributed as required to the Offices of Solicitor or other entities. The agency cannot absorb a 4% cut without the total elimination of staff and statutorily required support services for the Offices of Solicitor. Thus, a 4% General Fund Budget reduction would be taken from pass-through funding allocated to the Offices of Solicitor for attorney positions. A reduction in the State’s prosecutors at a time when there is a critical need to significantly increase the number of these positions would be devastating to the Offices of Circuit Solicitor and managing court schedules that have become increasingly difficult to manage would become more so.</p>
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What programs or activities are supported by the General Funds identified?

SUMMARY	<p>A 4% reduction in General Funds currently appropriated to the agency would have to be taken from pass-through funding for the Offices of Circuit Solicitor. Only 4% of the appropriated funds sent to the SCCPC are retained by the agency with the remaining 96% being distributed to the sixteen Offices of Circuit Solicitor and the South Carolina Center for Fathers and Families. Therefore, taking the reduction from the portion of funding retained by the SCCPC would result in elimination of all agency staff and operations. If the agency’s budget is reduced by 4%, the amount distributed to the Offices of Circuit Solicitor would be cut by \$1,415,081 and result in the loss of at least one attorney position in each circuit. Such a reduction in staffing would be an extremely difficult burden to bear at a time when additional attorney positions are required to manage existing caseloads and court schedules and would adversely impact the quality of justice received by the citizens of South Carolina.</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS

The SCCPC retains only 4% of state funding allocated to the agency, with the remainder distributed to the Offices of Circuit Solicitor or other entities. Cost and operating expense reductions totaling \$50,000 could not be sustained within the agency, which operates a single small office. As the workloads and staffing of the Offices of Solicitor continue to increase, additional responsibilities are being imposed upon prosecutors by the General Assembly and the courts, and the law and criminal procedure have become more complex, the service, training, project management, and reporting demands imposed upon the SCCPC have also increased. Any reduction in costs and operating expenses by more than \$50,000 would be taken from the funds distributed to the Offices of Solicitor and adversely impact their prosecutions, programs, and services.

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

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FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	Protection of Citizens and Communities through the Administration of Justice
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	Unknown
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What is the expected savings to South Carolina's businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark "X" for all that apply:</p> <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Repeal or revision of regulations.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Reduction of agency fees or fines to businesses or citizens.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Greater efficiency in agency services or reduction in compliance burden.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other</td> </tr> </table>	<input type="checkbox"/>	Repeal or revision of regulations.	<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.	<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.	<input type="checkbox"/>	Other
<input type="checkbox"/>	Repeal or revision of regulations.								
<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.								
<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.								
<input type="checkbox"/>	Other								

METHOD OF CALCULATION	Survey of sixteen Offices of Circuit Solicitor
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	N/A
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	N/A
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

	<p>The SCCPC is unable to identify any spending excess, fees, or fines that should be reduced, or any regulations that should be amended or eliminated. The SCCPC does not charge fees for the services provided; rather, it incurs expenses to provide its core services, and those expenses, particularly those related to technology and software, have increased, and continue to do so.</p> <p>The circuit solicitors receive revenue from fines and fees as directed by statute; however, those revenue collections have significantly declined. Even before COVID-19 first appeared in South Carolina, statewide court fee collections steadily declined each year since FY 15. FY 23 revenue from statutory court fines and fees is 24% less than in FY 15, and the cumulative loss in revenue from court fines and fees for the solicitors' offices since FY 19 (comparing the revenue collected that FY before COVID-19 began impacting court operations) through FY 22 is \$5.2 Million.</p> <p>In addition to court fee revenue losses, revenue from expungement application fees and diversion/drug court participation fees have also significantly declined because of COVID-19, declining application numbers, and exemptions for payment of these fees.</p> <p>The solicitors' revenue from court fees and fines, program participation fees, and application fees primarily support the solicitors' diversion and drug/treatment court programs. The revenue losses experienced have resulted in reductions in staff to support the operation of diversion and treatment court programs and the number of persons that can be admitted into and served by these programs.</p> <p>While revenue losses continue to limit the operations and programs of the Offices of Solicitor, prosecutor caseloads continue to increase. In the period between the 2010 census and the 2020 census, population in South Carolina has grown 10.66%. Unfortunately, the number of arrests during that same length of time increased 13.23%,</p>
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SUMMARY

exceeding population growth. The difficulty and complexity of cases has also increased as more and more cases involve violent crimes.

The Offices of Solicitor must have adequate numbers of prosecutors and staff to handle the increased volume of criminal cases and the ability to retain experience and talent. The growing number of warrants sent to the Offices of Solicitor annually, the increasing complexity of cases, growth in docket backlog, increasing operational expenses (particularly for technology), have made the ability to adequately staff and obtain necessary technology resources for their offices increasingly difficult.

Perhaps the biggest change in criminal justice over the past ten years has been the use of technology by criminals. Cell phone and social media use is prevalent in our society and criminals take advantage of it. They use cell phones and social media to plan, execute, photograph, and publish their crimes. They also use technology to threaten, bully and exploit people. The Offices of Solicitor must continually implement the most current technology advances to keep pace with the technology used by criminals. The lack of sophisticated technology not only hinders the ability of solicitors to combat crime, but it also causes decreased efficiency, accessibility to case files and tracking capability that further compounds the increase in docket backlog.

The State has recognized these challenges and has begun to address the funding needs of the Offices of Solicitor and the SCCPC through the state budget. \$9.6 Million in non-recurring funding was appropriated to the circuit solicitors for FY 23 for case management system upgrades. Several solicitors' offices have already procured contracts with new case management system vendors and/or are utilizing the funds for maintenance and enhancement costs. The technology improvements that have or will be implemented by the solicitors through their case management systems will enable them to better combat crime, assist law enforcement, address docket backlog, and maintain security of sensitive information.

Additionally, \$14.53 Million in recurring funding was appropriated to the circuit solicitors for the recruitment and retention of assistant solicitors. This critical funding will help restore the efficient processing of cases by balancing the time spent by prosecutors and public defenders running court, preparing cases for court, and triaging cases as they come into the system.

The State has also provided funding over the last two fiscal years to improve the technology posture of the SCCPC. Both recurring and non-recurring funding has been appropriated to assist with the agency's development of its database project for the collection of statewide prosecution data. The development phase of this project is well underway, which includes the design and implementation of an e-forms documentation system by the agency's contracted partner. The completed database will incorporate interface capabilities between the SCCPC and the Offices of Circuit Solicitor which will eliminate manual data entry by the solicitors' offices of information contained in the solicitors' case management systems as well as duplicate data entry by both the solicitors' offices and the SCCPC, which will increase efficiency and accuracy in the collection of prosecution data. Upon implementation, the database will streamline and maximize the accurate and efficient collection of existing statewide data to meet reporting requirements, analyze case data and trends, and measure the programmatic effectiveness of the Offices of Circuit Solicitor. The database will also provide the Circuit Solicitors with better access to statewide prosecution data which will enable them to better assess their programs, identify and track criminal activity trends, and develop targeted strategies for improving the management of their offices and suppressing criminal activity in their communities.

Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?