

# STATE ATTORNEY



**State Attorney**

Summary  
Budget FY19  
State

Chf Atty  
Jdg Ltr

		Base Budget FY18		Requested Budget FY19		Recommended Budget FY19	
		<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
<b>Recurring</b>							
	State Attorney Base Budget		576,162	-	576,162	-	576,162
	Reduction in Insurance cost for FY19				(10,684)		(10,684)
	Increase in Admin Rent (sq.footage Admin Bldg)				17,799		17,799
A	IT Director - Manatee Share 47.5% (Reimb.)				48,288		
2	Dedicated Full Time Coordinator for Manatee Cty			1	42,267		
B	Dedicated Full Time Coordinator for Manatee Cty				23,964		
					<u>66,231</u>		
C	Full Time MSO Deputy			1	159,022		
<b>Non-Recurring</b>							
	Training/Conference Room Audio/Visual		41,584				
	Professional Services for Audio/Visual Equipment		18,662				
D	Remote access cost for prosecutors- Court Technology				3,042		
	Training/Conference Room Audio/Visual Equipment						
			<u>636,408</u>		<u>-</u>		<u>859,860</u>
							<u>-</u>
							<u>583,277</u>



**Charles E. Williams**  
CHIEF JUDGE  
TWELFTH JUDICIAL CIRCUIT OF FLORIDA  
2002 RINGLING BLVD.  
SARASOTA, FLORIDA 34237  
TELEPHONE: (941) 861-7942  
FACSIMILE: (941) 861-7913  
LFudge@jud12.flcourts.org

March 2, 2018

Ms. Priscilla Whisenant Trace, Chairman  
Manatee County Board of County Commissioners  
1112 Manatee Ave. West  
Bradenton, Florida 34205

Dear Chairman Trace:

Pursuant to Florida Statute §29.008(2)(c)(2) and Manatee County Resolution R-13-31, I am certifying the local requirements for Manatee County for the fiscal year that begins October 1, 2018. In accordance with the above, I have contacted the 12<sup>th</sup> Circuit State Attorney, the 12<sup>th</sup> Circuit Public Defender, the Executive Director of the Second District Office of Criminal Conflict and Civil Regional Counsel and the Trial Court Administrator, or their representatives. According to Florida Statute §29.008(2):

*“(2) Counties shall pay reasonable and necessary salaries, costs, and expenses of the state courts system, including associated staff and expenses, to meet local requirements.*

*(a) Local requirements are those specialized programs, nonjudicial staff, and other expenses associated with specialized court programs, specialized prosecution needs, specialized defense needs, or resources required of a local jurisdiction as a result of special factors or circumstances. Local requirements exist:*

*1. When imposed pursuant to an express statutory directive, based on such factors as provided in paragraph (b); or*

*2. When:*

*a. The county has enacted an ordinance, adopted a local program, or funded activities with a financial or operational impact on the circuit or a county within the circuit; or*

*b. Circumstances in a given circuit or county result in or necessitate implementation of specialized programs, the provision of nonjudicial staff and expenses to specialized court programs, special prosecution needs, specialized defense needs, or the commitment of resources to the court's jurisdiction.”*

I am certifying that all programs and services currently funded by Manatee County under the provisions of Florida Statute §29.008 are necessary local requirements that need to continue to be funded at the same levels by Manatee County.

1. I am again requesting that the counseling services for Drug Court be completely funded from general revenue, not a hybrid of general revenue and grant funding awarded by the Manatee County Public Safety Coordinating Council. This request is endorsed by the Manatee County Public Safety Coordinating Council, as it would allow the grant funds that it awards each year to be distributed to new and innovative public safety programs and services in the community. Transitioning all of the drug court counseling services to general revenue funding will cost only \$155,000.

2. In addition, the State Attorney's Office has separately made a budget request to Manatee County to fully fund its Drug Court Coordinator staff position. Due to the growth of the Drug Court program, this once part-time position funded by the County at 50% now requires the dedication of a full-time coordinator. This position is essential in carrying out the needs of this program as well as the needs of Veterans Court and TYLA Court, all local, specialized programs; therefore, their request includes the budget necessary to fully fund the position at 100%. The increase needed to support the full-time staff person is \$42,267

3. I am also renewing my request for Manatee County to fund a guardianship monitor. If you recall, last year we presented information to you during a work session that demonstrated the benefits incurred to Sarasota County residents because of the guardianship monitor working for the Court in Sarasota County. The guardianship monitor reviews every new guardianship case to make sure the ward is being well taken care of and reviews older guardianship cases to make sure that there are no unaddressed issues and that the ward is in the least restrictive situation possible. If you recall, in conjunction with the Clerk of the Circuit Court, we created a toll-free "hotline" that the public can use to anonymously report guardian abuse or concerns in Sarasota County that the guardianship monitor will investigate. The program has demonstrated such enormous benefits to the citizens that the Court is again requesting that Manatee County fund a similar position for the wards who reside here in Manatee County. The cost would be approximately \$40,000 for salary, plus benefits, plus \$1,000 in expense dollars to cover travel within the county.

In summary, our request is to fully fund the Drug Court counseling program with general revenue funds, fund the State Attorney's office for its Drug Court position, and fund a local guardianship monitor position. I am certifying that these requests are necessary local requirements to be funded by Manatee County.

I know I speak for all the agencies noted above that we are very grateful for the funding that we receive from Manatee County and trust that you and your fellow commissioners see the value of these programs to the citizens of our community.

Again, we thank you for your continued support.

Sincerely,



Charles E. Williams  
Chief Judge

cc: Mr. Ed Hunzeker, Manatee County Administrator  
Manatee County Commissioners  
Hon. Ed Brodsky, 12<sup>th</sup> Circuit State Attorney  
Hon. Larry Eger, 12<sup>th</sup> Circuit Public Defender  
Hon. Angel Colonnese, Manatee County Clerk of Circuit Court and Comptroller  
Hon. Ita Neymotin, Executive Director, Second District Office of Criminal Conflict and  
Civil Regional Counsel  
Mr. Walt Smith, Trial Court Administrator



ED BRODSKY  
**State Attorney**

Twelfth Judicial Circuit

*Serving Sarasota, Manatee and DeSoto Counties*

*Sarasota County*  
Criminal Justice Building  
2071 Ringling Boulevard  
Suite 400  
Sarasota, FL 34237-7000  
(941) 861-4400

*Venice Office*  
R.L. Anderson Building  
4000 South Tamiami Trail  
Room 135  
Venice, FL 34293-5028  
(941) 861-3200

*Manatee County*  
County Admin. Building  
1112 Manatee Avenue W.  
P.O. Box 1000  
Bradenton, FL 34206-1000  
(941) 747-3077

*DeSoto County*  
DeSoto County Courthouse  
115 East Oak Street  
Third Floor  
Arcadia, FL 32466-4446  
(863) 993-4881

*Please reply to:*

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May 30, 2018

**Manatee Board of County Commissioners**  
1112 Manatee Avenue West  
Bradenton, FL 34205

**The Honorable Priscilla Trace**  
Chairman, District 1;

**The Honorable Charles B. Smith**  
District 2;

**The Honorable Stephen R. Jonsson**  
District 3;

**The Honorable Robin DiSabatino**  
District 4;

**The Honorable Vanessa Baugh**  
District 5;

**The Honorable Carol Whitmore**  
At-Large;

**The Honorable Betsy Benac**  
At-Large;

**RECEIVED**

**MAY 30 2018**

Board of County Commissioners  
Manatee County

Dear County Commissioners,

As all of you prepare for the immediate and future needs of Manatee County and consider their fiscal impact, I thought it would be important and helpful to provide you with a relevant update about the Manatee County State Attorney's Office. The relevant authority pertaining to the county's obligation as it pertains to our office can be found in section 29.008 of the Florida Statutes, and Section 14, article 5 of the Florida Constitution. There it addresses 4 areas that I wish to discuss with you here. They are as follows, Space, Technology, Specialty Courts, and Security.

### Space

We currently maintain office space in the Manatee County Administration building floor #6, and a small portion of floor #5. Most recently, the county has provided renovations to our space by providing new blinds, new ceiling tiles, our library has been provided with new carpeting and 4 new conference tables. Our file room was also laminated with new flooring. New office name plates have been installed and a reconstruction of our reception station is currently underway. We understand new door knobs will soon be installed and another construction project will take place within our office to redesign and modernize existing office space to enlarge a supply room, remake our conference room and create a newer kitchen area for staff to utilize. The improvements are needed but it remains that the entire office space could be freshened up to include replacement of the original carpet that remains throughout the office.

These changes have been exciting to see come to our office and we are thankful for our space accommodations and the improvements that have been made. We began discussions with Mr. Hunzeker, county commissioners and county staff to address concern about our future growth needs and our concern that we have outgrown our space. Our office in conjunction with the county hired the staff of David Bishop with Ugarte & associates to conduct a comprehensive space study of our offices and design recommended improvements to our work space. Those recommendations were made and prepared by Mr. David Bishop in a report dated September 22, 2016. In his Executive Summary Report, Mr. Bishop determined a need for an additional 3,470 square feet of space to accommodate the current and future needs of our office. He however concluded by saying: "While the space planning effort has produced some additional support and office space, the current allocation in the building is insufficient to maximize productivity." A copy of his report is attached herein.

We are currently at capacity and need room for future growth so we can continue to meet the future needs of our community, the courts, law enforcement, and victims of crime.

## Technology

Our technological needs continue to grow as we look to modernizing our computer systems and converting from a paper case-file system to a paperless system. We have closely worked with the courts and the various law enforcement agencies to modernize our receipt and transmission of records from one agency to the other electronically. Efficiencies will be realized by all departments and agencies through the transmission of electronic data, records and reports.

This is largely facilitated by our STAC system coordinators and the oversight of our Information Systems Director. The Information Systems Director's duties include serving and acting as a liaison and interacting with Criminal Justice Information Systems Data Processing Departments. Diagnose and recommend solutions to problems concerning ongoing projects. Develop new data processing reports and/or modification of existing reports to better serve the needs of the State Attorney. Act as a representative on any board or committee on a local or state level concerning new program development that affects this Office. Translate manual systems of operation into equivalent automated systems and have knowledge of the capabilities and limitations of electronic data processing. Compile available data from existing electronic data processing and manual criminal justice systems for presentation, system analysis and system modification. Develop a strategic plan that outlines the direction of information technology pertaining to the Office of the State Attorney and other criminal justice information systems. Manage the implementation of automation projects. Develop return on investment analysis reports for desired and for desired and ongoing projects. Advise executive staff on security and office efficiency. Manage and direct the overall IT office environment. Perform related work as required.

A. Since the passage of Revision 7 to Article V in 1998, and the phase-in schedule with Counties becoming responsible to provide the funding necessary for IT staff effective July 1, 2000, the Office of the State Attorney continued to employ IT staff using state budget. With the growing resource demands and additional looming budget cuts for our office, it has become necessary for us to ask that the County fulfill their statutory obligation and provide us with reimbursement for our IT Director as well as our Multimedia Specialist (already funded by Manatee County). Because our IT Director's duties are split between counties (Manatee 47.5%, Sarasota 47.5% and DeSoto 5%) we are seeking reimbursement for 47.5 percent of his salary, \$48,288.00.

## Specialty Courts

As commissioners, you have witnessed first-hand the tremendous value of reforming lives addicted to drugs, turning them away from a life of crime and allowing them to be productive members of our community. Drugs take on toll on the individual, their family,



friends, employer and their community. Our efforts through the Drug Court program transforms lives. We are dedicated to our continued support of Manatee County's Drug Court program. We have facilitated and encouraged expanding to serve as many qualified candidates as possible. Through the expansion of the program, we have seen needed growth to support the program.

The Drug Court Program operates in both Sarasota and Manatee Counties and requires the dedication of one Assistant State Attorney; therefore, the salary reimbursement request is apportioned between both counties, with \$53,861 being requested from Sarasota County and \$53,861 being requested from Manatee County.

**B.** Because the program now requires the dedication of one full-time coordinator in Manatee County and one full-time coordinator in Sarasota County, our budget reflects an increase which is attributed the cost of the annual salary of our full-time Manatee County Drug Court Coordinator, a position necessary in carrying out the specialized needs required of the program. We are seeking \$66,231.00 for this position.

#### Security

Security has been an issue raised to me by my staff time and time again as we continue to deal with security-related issues that create risk of harm to one or more of the employees of the State Attorney's Office. All our offices throughout the circuit provide security except for our Manatee County Office. Our South County office in Venice currently has no security but we have been advised security will be implemented once the courthouse redesign is completed. For comparison purposes only, the Manatee County Sheriff's Office is an office with many well-armed deputies with full arrest powers and security is equally important to them. When a visitor arrives, they are met by armed deputies and put through security screening before being allowed inside of their agency. Our office, handles their criminal referrals for prosecution and that of the other county's law enforcement agencies, yet we have no security presence on our floors. Similarly, the other agencies handling criminal cases in Manatee County are also provided with security. From the judiciary to the Public Defender's Office to the Manatee Clerk of Court, they are all provided with deputies with security screening equipment.

Pursuant to section 29.008, Florida Statutes, the County is required by s.14, Art. V of the State Constitution to fund the cost of security of facilities for the State Attorney's Office. "Security" includes but is not limited to, all reasonable and necessary costs of services of law enforcement officers or licensed security guards and all electronic, cellular, or digital monitoring and screening devices necessary to ensure the safety and security of all persons visiting or working in a facility; to provide for security of the facility, including protection of property owned by the county or the state; and for security of prisoners brought to any facility. This includes bailiffs while providing courtroom and other security for each judge and other quasi-judicial officers.

Recently, the 2d DCA affirmed the counties responsibility to provide security by stating “[c]ounties shall be required to fund the cost of ... security of facilities for the trial courts, public defenders' offices, state attorneys' offices, and the offices of the clerks of the circuit and county courts performing court-related functions.” Art. V, § 14(c), Fla. Const.; see also § 29.008(1) (same). *Thomas M. Knight, Sheriff of Sarasota County v. Chief Judge of Florida’s Twelfth Judicial Circuit; and Karen E. Rushing, Clerk of the Circuit Court of Sarasota County, Florida*, 235 So.3d 996 (2017).

On February 10, 2017, my staff and I met with County facilities employees regarding inadequate space. At this meeting our office also expressed concern over the lack of security provided to our office and stressed our need for security going forward. That meeting was followed up with an email to Tom Yarger, Construction Services Manager, again reminding County staff of our need. It was noted that security is provided to the Courts and to the Public Defender’s Office but no security is provided to the State Attorney’s Office. That information was then to be forwarded to Charlie Bishop and the Deputy Administrator for their consideration.

On October 19, 2017, Heather Doyle, Chief Assistant State Attorney, and I met with County Administrator, Ed Hunzeker, to again address our need for security. A folder full of narratives detailing safety issues were provided to the County Administrator. Subsequently, Mr. Hunzeker advised, “If you want security, I’ll get you security.” A follow up meeting was scheduled but was later declined by the County. To date no security has been provided. In the past two days we have encountered two incidents. Yesterday, a defendant became very agitated and used profanity towards our staff and tried to enter our office through a locked door. Today, a man yelled at two support staff members because he felt his case was not moving fast enough. The staff members required a supervisor to come assist them as they both felt threatened and vulnerable with absolutely no protection or security. Other incidents include verbal abuse, threats and individuals that are angry and become disruptive. In one incident, a woman came right up to our floor and advised our receptionist that she had a cooler containing biohazardous material. Law enforcement was summoned. I have attached for your consideration some of the incidents as documented by our staff.

C. Consequently, due to the safety issues already encountered and to ensure going forward the safety and security of all persons visiting or working for the Office of the State Attorney, 12<sup>th</sup> Judicial Circuit, we request a Manatee County Sheriff’s Office FTE position be created for a deputy, with full arrest and trespass powers, to be assigned to our office along with all reasonable and necessary equipment as is warranted.

In closing, I appreciate the work that each of you do daily along with our County Administrator, Ed Hunzeker, and our County Attorney, Mr. Palmer, as well as all our county officials. I look forward to working together with all of you as we address the long-term needs and future growth of Manatee County and the State Attorney's Office.

Respectfully submitted,



Ed Brodsky  
State Attorney

Cc:

**Edwin J. Hunzeker,**  
County Administrator;

**Mitchell Palmer,**  
County Attorney

<b>STATE ATTORNEY'S OFFICE</b>			
<b>BUDGET CONTINUATION - FY 2019</b>			
<b>March 2018 - Page 1</b>			
<b><u>GL Account Key 001-0017902</u></b>			
534000	Other Contractual Services	120,092.00	
541001	Telephone	15,000	
544000	Rents and Leases	TBD*	
545000	Insurance	TBD*	
546004	Building Repair and Maintenance	9,100	
			144,192.00
<b><u>GL Account Key 194-0018002</u></b>			
534000	Other Contractual Expenses	160,893	
541003	In House Communication charges	TBD*	
544000	Equipment Rents & Leases	56,200	
544003	Data System Recovery Charges	TBD*	
546001	Equipment Repair & Maintenance	8,300	
546003	Automated Systems Maintenance	TBD*	
552000	Operating Supplies	25,000	
552005	Software	4,000	
564000	Machinery and Equipment (OCO)	3,042	
			257,435
	<b>TOTAL BOTH COST CENTERS</b>		401,627
	*TBD - Internal Charges set by County		

**\*STATE ATTORNEY'S OFFICE  
BUDGET CONTINUATION - FY 2019  
March 2018 - Page 2**

**General Revenue - GL Account Key: 001-0017902**

534000 - Other Contractual Services: Pursuant to Florida Statutes 29.008, this cost is for salary reimbursement for staff supporting Drug Court, a specialized court program.

The Drug Court Program operates in both Sarasota and Manatee Counties and requires the dedication of one Assistant State Attorney; therefore, the salary reimbursement request is apportioned between both counties, with \$53,861 being requested from Sarasota County and \$53,861 being requested from Manatee County.

Because the program now requires the dedication of one full-time coordinator in Manatee County and one full-time coordinator in Sarasota County, our budget reflects an increase which is attributed the cost of the annual salary of our full-time Manatee County Drug Court Coordinator, a position necessary in carrying out the specialized needs required of the program.

\$ 53,861.00 Mid-level Assistant State Attorney Annual Salary including Benefits = \$107,722.56; Apportioned between Sarasota and Manatee County = \$53,861.28.

\$ 66,231.00 Drug Court Coordinator Annual Salary including Benefits  
Full-time position dedicated to drug court.

\$120,092.00 Request for this issue - Annual Salaries with Benefits

541001 – Telephone: This request is for costs related to telephone charges including the cost of necessary cell phones required for key personnel who are subject to 24 hours call. Total request for this issue: \$15,000

544000 – Rents and Leases: Internal charges set by the County.

545000 – Insurance: Internal charges set by the County.

546004 – Building Repair and Maintenance: This request covers the cost of necessary maintenance and floor improvements such as painting and electrical work not covered by the County Maintenance Department.

Request for this issue: \$9,100.00

Technology – GL Account Key: 194-0018002

534000 – Other Contractual Services:

New Issue: Pursuant to Florida Statutes 29.008, this request is for reimbursement for the staff necessary to carry out the IT functions of the State Attorney's Office. Since passing of Revision 7 to Article V in 1998, and the phase-in schedule with Counties becoming responsible to provide the funding necessary for IT staff effective July 1, 2000, the Office of the State Attorney continued to employ IT staff using state budget. With the growing resource demands and additional looming budget cuts for our office, it has become necessary for us to ask that the County fulfill their statutory obligation and provide us with reimbursement for our IT Director as well as our Multimedia Specialist already funded by Manatee County. Because our IT Director's duties are split between counties (Manatee 47.5%, Sarasota 47.5% and DeSoto 5%) we are seeking reimbursement for 47.5 percent of his salary.

\$ 71,379.00 Multimedia Specialist at 100%  
\$ 48,288.00 IT Director at 47.5%  
\$119,667.00 Request for this issue.

Information Systems Director

Duties of the position: Serve as liaison with Interacting Criminal Justice Information Systems Data Processing Departments. Diagnose and recommend solutions to problems concerning ongoing projects. Develop new data processing reports and/or modification of existing reports to better serve the needs of the State Attorney. Act as a representative on any board or committee on a local or state level concerning new program development that affects this Office. Translate manual systems of operation into equivalent automated systems and have knowledge of the capabilities and limitations of electronic data processing. Compile available data from existing electronic data processing and manual criminal justice systems for presentation, system analysis and system modification. Develop a strategic plan that outlines the direction of information technology pertaining to the Office of the State Attorney and other criminal justice information systems. Manage the implementation of automation projects. Develop return on investment analysis reports for desired and for desired and ongoing projects. Advise executive staff on security and office efficiency. Manage and direct the overall IT office environment. Perform related work as required.

IT Professional/Media Specialist

Duties of this position, including but not limited to:  
Develop and prepare multimedia material to be used in trial work and other courtroom presentations which includes the ability to copy, edit, convert evidence media; copy and convert other media types; duplicate media; scan photos or other evidence for assistant state attorneys; create and print presentation size exhibits as needed; copy depositions;

**STATE ATTORNEY'S OFFICE**  
**BUDGET CONTINUATION - FY 2019**  
**March 2018 - Page 4**

redact; technical support of trial, training or meetings including the setup of equipment, setup for video conferencing, record presentation speaker, assist speaker with use of AV equipment as needed; interact with staff to assist in creation of viewing multimedia, and interact with IT staff for supporting training material. Administer and maintain the State Attorney's systems and applications, work cooperatively with a project or IT support team; lead and assist in the development and enhancement of new or existing IT systems; lead and assist in the development and enhancement of team members; troubleshoot problems arising from the existing and new implemented IT systems, software and hardware including end user support; support team members on projects and tasks; lead and assist in process improvement projects throughout the organization and business process reengineering efforts; assist in research and documentation of IT systems and provide reports about IT systems performance, team performance measures and disaster recovery; make recommendations for improvement to IT systems, software and hardware and quotes when necessary.

This cost is also for system upgrades, modifications and programming required for our case management system, STAC; this would include programming needed for interface capabilities between our system and other agencies and in complying with the legislative mandate for electronic filing of documents related to the ePortal and eService and for IT services and consultation regarding security, disaster recovery, business to IT alignment and desktop support.

Request for this issue: \$41,226.00

544000 – Rents and Leases: This request is for \$40,800 to cover the lease of multifunctional devices which are networked with fax, scanning, and printing capabilities. This equipment is needed for the day to day operations of our office and in complying with eFiling and eService mandates. The lease covers maintenance which includes all service, parts, labor, toner and black and white printing. Requesting \$15,400 for off-site storage of our files. Yarnall stores, retrieves, enters database information, provides supplies and transportation for our closed files.

Request for this issue: \$56,200.00

**STATE ATTORNEY'S OFFICE**  
**BUDGET CONTINUATION - FY 2019**  
**March 2018 - Page 5**

541003 – InHouse Communication Charges: Internal charges set by the County.

544003 – DataSystem Recovery Charge: Internal charges set by the county.

546001- Equipment repairs and maintenance: This request is for maintenance agreements and repair and maintenance of multifunctional networked devices, printers, hardware and fax machines performed by private vendors. Total issue: \$8,300.

546003 – Automated Systems Maintenance: This is for maintenance supplied by the Manatee County IT department. Internal charges set by the county.

552000 – Operating Supplies: This request is for technology and communication costs consisting of technology supplies, i.e. computer/printer paper, fax/printer toner cartridges, CDs, DVDs and other related technology and communication supply costs.  
Request for this issue: \$25,000.00

552005 - Software: This request is for the purchase of items such as network cards and software up-grades. Although the computers come loaded with software, there is a need to purchase software to handle the daily operations of our office; to connect to other county and state networks and to connect to other State Attorney Office locations within the 12<sup>th</sup> Circuit.  
Request for this issue: \$4,000.00

**D.** 546000 – Machinery and Equipment (OCO): We are requesting \$3,042 for equipment costs identified for needed remote access connections for our prosecutors and for any unforeseen circumstances.