



Michael C. O'Malley
CUYAHOGA COUNTY PROSECUTOR

October 27, 2021

Council President Pernel Jones Jr.,
Finance Chair Councilman Dale Miller
Cuyahoga County Council
2079 East Ninth Street, 8th Fl.
Cleveland, Ohio 44115

Re: 2022/2023 Prosecutor's Budget Request

Dear Council President Pernel Jones Jr. and Finance Chair Councilman Dale Miller,

As you are aware, I received a proposed budget prepared by the County Fiscal Department for 2022, which, like others, did not include funds for the following items:

- Vacant/open positions that were not factored in the 12th pay of 2021.
- A partially implemented parity increase allotted for some employees in the 15th pay, as well as other planned parity increases that were to be funded with the current allocation.
- Necessary funding for expert witnesses and outside counsel approved by Council in 2021.
- An already approved contract increase for our Justice Matters Case Management System for one year (2022) of a five-year contract for an anticipated interface with the Common Pleas Court; and,
- An anticipated increase for the Microsoft enterprise software in 2022, 2023, and will continue into 2024 as it is a three-year contract.

Consistent with my enclosed letter to Executive Budish on April 28th of this year, I continue to request the 2021 budget that was approved for the Prosecutor's Office, one that should also include all the above unfunded items, as well as a cost-of-living adjustment applied to both years.

Recognizing that Cuyahoga County Council is the Funding Authority for the Prosecutor's Office and my status as another elected official I am obliged to participate in the process and make reasonable deliberate budget requests, which I firmly believe I have done in the past and am doing right now.



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Below are the additional requirements for the 2022/2023 budget above and beyond the current recommended budget:

General Office:

- Personnel Services to include vacant positions and parity
 - 2022 - \$3,130,125
 - 2023 - \$2,987,782
- Outside Counsel approved by Council
 - 2022 - \$100,000 pending Musial v. Cuyahoga County
- Correct the appropriations for expert witnesses for Jail and DCFS legal matters approved by Council during 2021
 - 2022 - \$602,875
 - 2023 - \$300,000
- Point Blank Contract approved 2021
 - 2022 - \$120,000
- Enterprise Software pending renewal
 - 2022 - \$40,000
 - 2023 - \$42,000

Child Support:

- Personnel Services to include vacant positions and parity
 - 2022 - \$276,736
 - 2023 - \$250,873

In response to Council's advance questions of October 26:

- Vacant positions as of the 21st pay of 2021 are as follows:
 - General Office – 15
 - Child Support Enforcement – 2
 - Children & Family Services – 2
- There is an expected decrease in the Special Revenue Funding because the DTAC (Hardest Hit Fund) project ended.
- The current level of staffing, plus filling vacancies, plus parity implementation make it impossible to accept the proposed Executive 2022/2023 Budget.

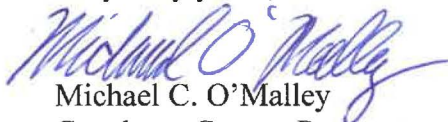
The Prosecutor's Office has acted fiscally responsible in the past and will continue to do so. Because the office responded to the pandemic by instituting a hiring freeze for over a year as well as delaying the implementation of parity increases, a large surplus of General Fund appropriations was returned to the County in 2020 and is projected to do the same in 2021.



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We cannot operate at the same level going forward and cannot afford to be penalized for prudent fiscal management.

Very truly yours,


Michael C. O'Malley
Cuyahoga County Prosecutor

Enclosure

Cc: Councilwoman Cheryl Stephens, Vice-President
Councilman Martin J. Sweeney
Councilwoman Yvonne M. Conwell
Councilman Jack Schron
Councilwoman Sunny M. Simon

Councilwoman Nan Baker
Councilwoman Shontel Brown
Councilman Michael J. Gallagher
Councilman Scott Tuma



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April 28, 2021

Armond Budish
Cuyahoga County Executive
2079 East Ninth Street
Cleveland, Ohio 44115

Dear County Executive Budish:

With first quarter 2021 projections being prepared, I write to discuss my Office's current and future funding. The Prosecutor's Office remains grateful for the necessary funding you and Council provided us in 2020 and in 2021 to bring our staff in parity with other county employees.

Presently, we have a large surplus in our general office salary line that is unquestionably related to the COVID pandemic. We have implemented two parity adjustments so far to our employees and plan on more adjustments and changes to the complement shortly. Our intention in this scheduled implementation was to adjust salaries somewhat slowly until we fully understood the effects the COVID pandemic on staffing and operations. Approximately \$2,000,000.00 will soon be allocated for remaining parity adjustments.

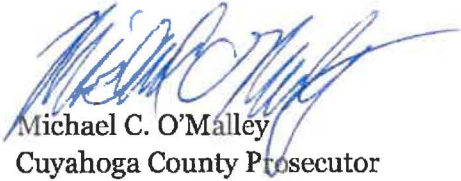
During the throes of the pandemic and with the suspension of jury trials and other proceedings in the various courts in which we practice, we also intentionally did not fill all personnel vacancies. Again, our goal was to remain fiscally responsible with spending while most court functions were suspended and until we reached a point in the pandemic where we could properly evaluate need, with the expectation that some needs could change due to the pandemic. As of April 12th, all Prosecutor's staff who were working remotely on a part-time basis have returned to the office, well ahead of most County agencies. Courts are now conducting limited jury trials and other in-person proceedings. Consequently, this is the appropriate time to begin our re-assessment of personnel needs and to complete our fiscal plan, including filling vacancies.

Having initiated this very responsible and reasonable fiscal approach, it is our expectation, in all fairness, that the Prosecutor's Office will receive in the next budget cycle the same funding provided for both parity adjustments and funding for positions left open

OFFICE OF THE PROSECUTING ATTORNEY
The Justice Center • Courts Tower • 1200 Ontario Street • Cleveland, Ohio 44113
(216) 443-7800 • Fax (216) 443-7601

during the pendency of COVID. That is, we do not expect a reduction in our personal services base simply because we now have a temporary surplus due to what we hope you'll agree are very pragmatic fiscal decisions.

Sincerely,



Michael C. O'Malley
Cuyahoga County Prosecutor