

State	Elected	Details	Full-Time	Part-Time	Benefits	Employed By:	Job Duties
Iowa	98	Prosecutors are elected to counties*	\$93,694**	\$57,012	No aggregate information is reported at the state level.	County	Please see <b>Addendum A</b>
Louisiana	42	Prosecutors are elected to districts comprising 1-3 parishes.	Prosecuting Attorneys receive \$50,000 per annum in state base pay.*The parish(es) in which the prosecutors work are responsible for providing all reasonable and necessary expenses to support the operation of the attorney's office**	\$50,000 base pay with the possibility of supplemental pay provided by, and at the discretion of, the parish(es) served	No information on the monetary value of benefits is available from the state. All elected prosecutors are provided with healthcare and retirement plans.	State	<b>La. Const. art. V, §26.</b> Except as otherwise provided by this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution by the state in his district, be the representative of the state before the grand jury in his district, and be the legal advisor to the grand jury. He shall perform other duties provided by law.***
Mississippi	104	22 District Attorneys; 82 County Prosecuting Attorneys	District Attorneys: \$118,374*; County Prosecuting Attorneys: \$12,900-28,500**	No part-time district attorneys; part-time county prosecuting attorneys are paid within the range set forth under Full-Time	No information on the monetary value of benefits is available from the state. All elected prosecutors are provided with healthcare and retirement plans.	District Attorneys: State; County Prosecuting Attorneys: County	The District Attorney's Office must prosecute and defend for the State, in all courts of the County, all cases, criminal or civil, arising under the provisions of the law. They also handle matters such as recovering monies from returned checks. Please see <b>Addendum B.</b> The County Prosecuting Attorney represents the State in all investigations for felony cases heard by the Justice Court Judges. The Prosecuting Attorney must also prosecute cases against persons charged within the Justice Court, and prosecute all State criminal cases within the County Court. When criminal cases are appealed from the County Court to the Circuit Court, the Prosecuting Attorney must again represent the State for matters.
Missouri	115	Prosecutors are elected to counties*	\$133,716**	Tied to the total property assessment of each county***	No information on the monetary value of benefits is available from the state. All elected prosecutors are provided with healthcare and retirement plans.	County	The job duties of Missouri prosecuting attorneys vary by county.
Oklahoma	27	Prosecutors are elected to districts comprising varying numbers of counties.	\$129,198.3*	No part-time prosecuting attorneys	No information on the monetary value of benefits is available from the state. All elected prosecutors are provided with healthcare and retirement plans.	State	Please see <b>Addendum C</b>

State	Elected	Details	Full-Time	Part-Time	Benefits	Employed By:	Job Duties
Tennessee	31	Prosecutors are elected to districts comprising various numbers of counties	\$124,900*			State	Please see Addendum D
Texas	330	Prosecutors are elected to districts comprising varying numbers of counties. <b>160 Elected Felony Prosecutors</b> <b>170 Elected County Attorneys</b>	Felony Prosecutors: \$140,000 per annum* County Attorneys: Set at county level-no aggregate information is maintained by the state**	Felony Prosecutors: \$112,000 per annum County Attorneys: May be part-time, set at county level-no aggregate information maintained by the state (please see the additional Texas notes below)	No information on the monetary value of benefits is available from the state. All elected prosecutors are provided with healthcare and retirement plans.	Felony Prosecutors: State County Attorneys: County with state supplemented salary	Texas Const. Art. 5, Sec. 21.: A County Attorney, for counties in which there is not a resident Criminal District Attorney, shall be elected by the qualified voters of each county, who shall be commissioned by the Governor, & hold his office for the term of 4 years. In case of vacancy, the Commissioners Court of the county shall have the power to appoint a County Attorney until the next general election. The County Attorneys shall represent the State in all cases in the District and inferior courts in their respective counties; but if any county shall be included in a district in which there shall be a District Attorney, the respective duties of District Attorneys and County Attorneys shall in such counties be regulated by the Legislature. The Legislature may provide for the election of District Attorneys in such districts, as may be deemed necessary, and make provision for the compensation of District Attorneys and County Attorneys. District Attorneys shall hold office for a term of 4 years, and until their successors have qualified. ***

**Iowa: Additional Notes**

- \* Currently, one county attorney has been elected in two counties and provides services to both.
- \*\* Salaries are paid 100% by counties with no further supplements provided by the state.

**Louisiana: Additional Notes**

- \* Salary guidelines for prosecuting attorneys were recently adopted by the state. There is a formula based upon a tier system and suggests salary ranges. The formula is as follows:
  - Tier 1: 1-4 staff under direct supervision of prosecutor \$140,000-\$175,000
  - Tier 2: 5-14 staff under direct supervision of prosecutor \$150,000-\$185,000
  - Tier 3: 15-50 staff under direct supervision of prosecutor \$155,000-\$195,000
  - Tier 4: 51+ staff under direct supervision of prosecutor \$160,000-\$199,000
- There are several factors to consider for setting salaries higher within each range including: 1) length of time in public service 2) length of time practicing law 3) number of public agencies represented by the prosecutor's office 4) revenue streams of the prosecutor's office and parish government, 6) cost of living within the district
- There are several questions used to consider setting salaries lower within each range including: 1) Do you have outside legal income? 2) Do you have income from a business? 3) Are you only in the office part-time? 4) What was the prior district attorney's salary?
- \*\* Prosecuting attorneys also have access to addition funding sources, provided for in legislation. These funds come through the local courts and create self-generating revenue through the collection of a portion of the fines, fees, and forfeitures related to prosecuted cases. These funds may be used to support the operation of the local office, including the enhancement of the prosecuting attorneys' salaries.
- \*\*\* La. Code Crim. P. art. 61: Subject to the supervision of the attorney general, as provided in Article 62, the district attorney has entire charge and control of every criminal prosecution instituted or pending in his district, and determines whom, when, and how he shall prosecute.

**Mississippi: Additional Notes**

- \* This is the current salary level set until January 1, 2016. The salary then increases to \$125,900. Additionally, a district attorney's salary may be supplemented by an amount not to exceed \$8,300 and the state provides for the necessary operating expenses of the office of the district attorney.
- \*\* The salary for county prosecuting attorneys varies by county population. A county board of supervisors may opt to pay the county prosecuting attorney an additional 10% of the maximum allowable salary prescribed by law. There are multiple exceptions to the salary range set forth in Miss. Code Ann. § 25-3-9 (2014)

**Missouri: Additional Notes**

- \* There are 114 counties and one independent city (St. Louis City) for which prosecutors are elected.
- \*\* This salary increases to \$139,059 on July 1, 2015. Compensation for county attorneys is equal to the compensation of an associate circuit judge. The compensation for Missouri associate circuit court judges is equal to 73% of the compensation for federal magistrates.
- \*\*\*For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to \$40,999,999	\$37,000
\$41,000,000 to \$53,999,999	\$38,000
\$54,000,000 to \$65,999,999	\$39,000
\$54,000,000 to \$85,999,999	\$41,000
\$86,000,000 to \$99,999,999	\$43,000

Assessed Valuation	Amount
\$100,000,000 to \$130,999,999	\$45,000
\$131,000,000 to \$159,999,999	\$47,000
\$160,000,000 to \$189,999,999	\$49,000
\$190,000,000 to \$249,999,999	\$51,000
\$250,000,000 to \$299,999,999	\$53,000
\$300,000,000 or more	\$55,000

**Oklahoma: Additional Notes**

\* The salaries of the district attorneys equal 98% of the salary of a district judge. In counties having a population of 400,000 or more, the salary of the district attorney may be supplemented by the county. This supplemental salary may not exceed 25% of the salary provided for the district attorney by the state.

**Tennessee: Additional Notes**

\*On September 1, 2006, and on July 1 for each subsequent year, the base salary shall be adjusted to reflect the average percentage pay increase provided for state employees by the general appropriations act.

**Texas Additional Notes**

\* Felony prosecutor salaries are set by the state and are tied to 100% of district judge salaries. Currently, there are 5 (five) part-time felony prosecutors that receive compensation at only 80% of district judge salaries. These felony prosecutors maintain private practices, as allowable by the Texas's Professional Prosecutor Act of 1979. At its discretion, a county can supplement any felony prosecutor or county attorney's salary

\*\* County Attorneys receive a supplement from the state, based on a formula that roughly equates to the size of their jurisdiction this formula is as follows: Any county attorney is entitled to 1/2 of the salary of the district judge (\$140,000)/the number of counties in the felony prosecutor's judicial district that overlays the county in which the county attorney is employed (capped at 3 counties).

\*\*\* Each prosecutor's office has its own statute under chapters 43, 44, and 45 of the Texas Government Code.

# Addendum A – Iowa

## COUNTY HOME RULE IMPLEMENTATION, §331.756

1

### **331.756 Duties of the county attorney.**

The county attorney shall:

1. Diligently enforce or cause to be enforced in the county, state laws and county ordinances, violations of which may be commenced or prosecuted in the name of the state, county, or as county attorney, except as otherwise provided.
2. Appear for the state and the county in all cases and proceedings in the courts of the county to which the state or the county is a party, except actions or proceedings resulting from a change of venue from another county, and appear in the appellate courts in all cases in which the county is a party, and appear in all actions or proceedings which are transferred on a change of venue to another county or which require the impaneling of a jury from another county and in which the county or the state is a party.
3. Prosecute all preliminary hearings for charges triable upon indictment.
4. Prosecute misdemeanors under chapter **664A**. The county attorney shall prosecute other misdemeanors when not otherwise engaged in the performance of other official duties.
5. *a.* Enforce all forfeited bonds and recognizances and prosecute all proceedings necessary for the recovery of debts, revenues, moneys, fines, penalties, restitution of court-appointed attorney fees ordered pursuant to **section 815.9**, including the expense of a public defender, and forfeitures accruing to the state, the county or a road district in the county, and all suits in the county against public service corporations which are brought in the name of the state. To assist in this duty, the county attorney may procure a designee to assist with collection efforts.
  - b.* If the designee is a professional collection services agency, the county attorney shall file with the clerk of the district court an indication of the satisfaction of each obligation to the full extent of all moneys collected in satisfaction of that obligation, including all fees and compensation retained by the designee incident to the collection and not paid into the office of the clerk.
  - c.* Before a county attorney designates another county official or agency to assist with collection of debts, revenues, moneys, fines, penalties, restitution of court-appointed attorney fees ordered pursuant to **section 815.9**, including the expense of a public defender, and forfeitures, the board of supervisors of the county must approve the designation.
  - d.* All fines, penalties, court costs, fees, and restitution for court-appointed attorney fees ordered pursuant to **section 815.9**, including the expenses of a public defender which are delinquent as defined in **section 602.8107** may be collected by the county attorney or the county attorney's designee. The county attorney or the county attorney's designee may collect delinquent obligations under an installment agreement pursuant to **section 321.210B**.
  - e.* As used in **this subsection**, "designee" means a professional collection services agency operated by a person or organization, including a private attorney, that is generally considered to have knowledge and special abilities not generally possessed by the state, a local government, or another county official or agency, or a county attorney or a county attorney's designee in another county where the fine, penalty, surcharge, or court cost was not imposed.
6. Commence, prosecute, and defend all actions and proceedings in which a county officer, in the officer's official capacity, or the county is interested or a party.
7. Give advice or a written opinion, without compensation, to the board and other county officers and to township officers, when requested by an officer, upon any matters in which the state, county, or township is interested, or relating to the duty of the officer in any matters in which the state, county, or township may have an interest, but the county attorney shall not appear before the board at a hearing in which the state or county is not interested.
8. Attend the grand jury when necessary for the purpose of examining witnesses before it or giving it legal advice. The county attorney shall procure subpoenas or other process for witnesses and prepare all informations and bills of indictment.
9. Give a receipt to all persons from whom the county attorney receives money in an official capacity and file a duplicate receipt with the county auditor.
10. Make reports relating to the duties and the administration of the county attorney's office to the governor when requested by the governor.

## Addendum A – Iowa

11. Cooperate with the auditor of state to secure correction of a financial irregularity as provided in **section 11.53**.
12. Submit reports as to the condition and operation of the county attorney's office when required by the attorney general as provided in **section 13.2, subsection 1**, paragraph "h".
13. Reserved.
14. Hear and decide objections to a nomination filed with the county election commissioner as provided in **section 44.7**.
15. Review the report and recommendations of the ethics and campaign disclosure board and proceed to institute the recommended actions or advise the board that prosecution is not merited, as provided in **sections 68B.32C and 68B.32D**.
16. Prosecute or assist in the prosecution of actions to remove public officers from office as provided in **section 66.11**.
17. Institute legal proceedings against persons who violate laws administered by the division of labor services of the department of workforce development as provided in **section 91.11**.
18. Investigate complaints and prosecute violations of child labor laws as provided in **section 92.22**.
19. Prosecute violations of employment security laws and rules as provided in **section 96.17, subsection 2**.
20. Assist, at the request of the director of revenue, in the enforcement of cigar and tobacco tax laws as provided in **sections 453A.32 and 453A.49**.
21. Prosecute nuisances as provided in **section 99.24**.
22. Attend the hearing, interrogate witnesses, and advise a license-issuing authority relating to the revocation of a license for violation of gambling laws as provided in **section 99A.7**. The county attorney shall also represent the license-issuing authority in appeal proceedings taken under **section 99A.6**.
23. Represent the state fire marshal in legal proceedings as provided in **section 100.20**.
24. Prosecute, at the request of the director of the department of natural resources or an officer appointed by the director, violations of the state fish and game laws as provided in **section 481A.35**.
25. Assist the department of public safety in the enforcement of beer and liquor laws as provided in **section 123.14**. The county attorney shall also prosecute nuisances, forfeitures of abatement bonds, and foreclosures of the bonds as provided in **sections 123.62 and 123.86**.
26. Reserved.
27. Serve as attorney for the county health care facility administrator in matters relating to the administrator's service as a conservator or guardian for a resident of the health care facility as provided in **section 135C.24**.
28. Reserved.
29. At the request of the director of public health, commence legal action to enjoin the unlawful use of radiation-emitting equipment as provided in **section 136C.5**.
30. Reserved.
31. Prosecute violations of the Iowa veterinary practice Act as provided in **section 169.19**.
32. Assist the department of inspections and appeals in the enforcement of the rules setting minimum standards to protect consumers from foodborne illness adopted pursuant to **section 137F.2** and the Iowa hotel sanitation code, as provided in **sections 137C.30 and 137F.19**.
33. Institute legal procedures on behalf of the state to prevent violations of **chapter 9H** or **202B**.
34. Prosecute violations of the Iowa dairy industry laws as provided in **section 179.11**.
35. Prosecute persons who fail to file an annual or special report with the secretary of agriculture under the meat and poultry inspection Act as provided in **section 189A.17**.
36. Cooperate with the secretary of agriculture in the enforcement of label requirements for food packages as provided in **section 191.7**.
37. Prosecute violations of the Iowa commercial feed law as provided in **section 198.13, subsection 3**.

# Addendum A – Iowa

## COUNTY HOME RULE IMPLEMENTATION, §331.756

3

38. Cooperate with the secretary of agriculture in the enforcement of the agricultural seed laws as provided in **section 199.14**.
39. Prosecute violations of the Iowa fertilizer law as provided in **section 200.18, subsection 5**.
40. Prosecute violations of the Iowa drug, device, and cosmetic Act as requested by the board of pharmacy as provided in **section 126.7**.
41. Provide the Iowa department of corrections with information relating to the background and criminal acts committed by each person sentenced to a state correctional institution from the county as provided in **section 904.202**.
42. Reserved.
43. Proceed to collect, as requested by the county, the reasonable costs for the care, treatment, training, instruction, and support of a person with an intellectual disability from parents or other persons who are legally liable for the support of the person with an intellectual disability as provided in **section 222.82**.
44. Reserved.
45. Appear on behalf of the administrator of the division of mental health and disability services of the department of human services in support of an application to transfer a person with mental illness who becomes incorrigible and dangerous from a state hospital for persons with mental illness to the Iowa medical and classification center as provided in **section 226.30**.
46. Carry out duties relating to the hospitalization of persons for mental illness as provided in **section 229.12**.
47. Carry out duties relating to the collection of the costs for the care, treatment, and support of persons with mental illness as provided in **sections 230.25 and 230.27**.
48. Carry out duties relating to the care, guidance, and control of juveniles as provided in **chapter 232**.
49. Prosecute violations of law relating to the family investment program, medical assistance, and supplemental assistance as provided in **sections 239B.15, 249.13, and 249A.56**.
50. Commence legal proceedings to enforce the rights of children placed under foster care arrangements as provided in **section 233A.11**.
51. Commence legal proceedings, at the request of the superintendent of the Iowa juvenile home, to recover possession of a child as provided in **section 233B.12**.
52. Furnish, upon request of the governor, a copy of the minutes of evidence and other pertinent facts relating to an application for a pardon, reprieve, commutation, or remission of a fine or forfeiture as provided in **section 914.5**.
53. Reserved.
54. Reserved.
55. At the request of the state geologist, commence legal proceedings to obtain a copy of the map of a mine or mine extension as provided in **section 456.12**.
56. Enforce, upon complaint, the performance of duties by officers charged with the responsibilities of controlling or eradicating noxious weeds as provided in **section 317.23**.
57. Commence legal proceedings to remove billboards and signs which constitute a public nuisance as provided in **section 318.11**.
58. Reserved.
59. Assist, upon request, the department of transportation's general counsel in the prosecution of violations of common carrier laws and regulations as provided in **section 327C.30**.
60. Enforce the control of vegetation on railroad property by the railroad corporations as provided in **section 327F.29**.
61. Appoint a member of the civil service commission for deputy sheriffs as provided in **section 341A.2 or 341A.3**.
62. Represent the civil service commission for deputy sheriffs in civil suits initiated by the commission for the proper enforcement of the civil service law as provided in **section 341A.16**.
63. Present to the grand jury at its next session a copy of the report filed by the department of corrections of its inspection of the jails in the county as provided in **section 356.43**.

## Addendum A – Iowa

64. Represent the township trustees in counties having a population of less than twenty-five thousand except when the interests of the trustees and the county are adverse as provided in **section 359.18**.

64A. Reserved.

64B. Make a written report to the department of inspections and appeals within fifteen days of the end of each calendar quarter of the amount of funds which were owed to the state for indigent defense services and which were recouped pursuant to **subsection 5**.

65. Represent the assessor and the board of review in legal proceedings relating to assessments as provided in **section 441.41**.

66. Represent the state in litigation relating to the inheritance tax if requested by the department of revenue as provided in **section 450.1**.

67. Institute proceedings to enjoin persons from violating water treatment laws as provided in **section 455B.224**.

68. Conduct legal proceedings relating to the condemnation of private property as provided in **section 6B.2**.

69. Reserved.

70. Institute legal proceedings against violations of insurance laws as provided in **section 511.7**.

71. Assist, as requested by the attorney general, with the enforcement of the Iowa competition law as provided in **section 553.7**.

72. Initiate proceedings to enforce provisions relating to the recordation of conveyances and leases of agricultural land as provided in **section 558.44**.

73. Reserved.

74. Bid on real estate on behalf of the county when necessary to secure the county from loss as provided by **section 569.2**.

75. Reserved.

76. Reserved.

77. Prosecute a complaint to establish paternity and compel support for a child as provided in **section 600B.19**.

78. Give to an accused person a copy of each report of the findings of the criminalistics laboratory in the investigation of an indictable criminal charge against the accused as provided in **section 691.4**.

79. Notify state and local governmental agencies issuing licenses or permits, of a person's conviction of obscenity laws relating to minors as provided in **section 728.8**.

80. In the case of appeal from the district court, furnish the attorney general with a copy of the notice of appeal and pertinent material from the district court proceedings as provided in **section 814.8**.

81. Certify fees and mileage payable to witnesses subpoenaed by the county attorney before the district court as provided in **section 815.3**.

82. Carry out duties relating to extradition of fugitive defendants as provided in **chapter 820** and securing witnesses as provided in **chapter 819**.

83. Advise the director of the judicial district department of correctional services of the facts and circumstances surrounding the crime committed and the record and history of the defendant granted probation as provided in **section 907.8**.

83A. Carry out the duties imposed under **sections 915.12 and 915.13**.

83B. Establish a child protection assistance team in accordance with **section 915.35**.

84. Bring an action in the nature of quo warranto as provided in rule of civil procedure 1.1302.

85. Perform other duties required by law and duties assigned pursuant to **section 331.323**. [C97, SS15, §301; C24, 27, 31, 35, 39, §5180; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §336.2; S81, §331.756; 81 Acts, ch 117, §756; 82 Acts, ch 1021, §10, 12(1), ch 1100, §28, ch 1104, §59]

83 Acts, ch 96, §111, 112, 157, 159; 84 Acts, ch 1163, §2; 84 Acts, ch 1299, §9; 85 Acts, ch 195, §42; 86 Acts, ch 1001, §21; 86 Acts, ch 1112, §11; 86 Acts, ch 1155, §8; 86 Acts, ch 1238, §17; 86 Acts, ch 1245, §1117; 87 Acts, ch 30, §18; 87 Acts, ch 98, §4; 88 Acts, ch 1134, §73; 89 Acts, ch 197, §30; 90 Acts, ch 1165, §17; 92 Acts, ch 1242, §30, 31; 93 Acts, ch 97, §39; 93 Acts,

# Addendum A – Iowa

ch 110, §2 – 4; 93 Acts, ch 142, §12; 93 Acts, ch 163, §32; 94 Acts, ch 1023, §106; 94 Acts, ch 1170, §53; 94 Acts, ch 1173, §29, 30; 95 Acts, ch 49, §9; 95 Acts, ch 143, §9; 95 Acts, ch 169, §3; 96 Acts, ch 1034, §31; 96 Acts, ch 1111, §2; 96 Acts, ch 1129, §113; 96 Acts, ch 1131, §1; 96 Acts, ch 1186, §23; 97 Acts, ch 41, §32; 98 Acts, ch 1090, §69, 84; 98 Acts, ch 1162, §28, 30; 2002 Acts, ch 1119, §159; 2003 Acts, ch 107, §3; 2003 Acts, ch 115, §15, 19; 2003 Acts, ch 145, §286; 2004 Acts, ch 1101, §40; 2005 Acts, ch 167, §57, 66; 2006 Acts, ch 1010, §94; 2006 Acts, ch 1097, §18; 2006 Acts, ch 1115, §33; 2006 Acts, ch 1185, §121; 2007 Acts, ch 10, §175; 2007 Acts, ch 152, §51; 2007 Acts, ch 196, §7; 2007 Acts, ch 215, §219; 2008 Acts, ch 1032, §199; 2008 Acts, ch 1172, §22; 2011 Acts, ch 43, §3 – 5; 2011 Acts, ch 75, §39; 2012 Acts, ch 1019, §125; 2012 Acts, ch 1021, §70; 2013 Acts, ch 130, §32, 35

Referred to in §96.11

2013 amendment striking subsection 42 takes effect July 1, 2014; 2013 Acts, ch 130, §35

Subsection 42 stricken

# Addendum B – Mississippi

## Mississippi District Attorneys

### § 25-31-11. Powers and duties

(1) It shall be the duty of the district attorney to represent the state in all matters coming before the grand juries of the counties within his district and to appear in the circuit courts and prosecute for the state in his district all criminal prosecutions and all civil cases in which the state or any county within his district may be interested; but if two (2) or more counties are adversely interested, the district attorney shall not represent either. Any district attorney may also institute and prosecute to final judgment or decree any case in the name of the state against any person or corporation for any violation of the Constitution or the laws of this state, in order to enforce any penalties, fines or forfeitures imposed by law in any court of his district having jurisdiction, with like effect as if the suit was instituted by the Attorney General.

(2) The district attorney may transfer any case handled by him to a county prosecuting attorney when charges in such case no longer constitute a felony.

(3) The validity of any judgment or sentence shall not be affected by the division of jurisdiction under this section, and no judgment or sentence may be reversed or modified upon the basis that the case was not processed according to this section.

(4) A county prosecuting attorney or municipal prosecuting attorney may be designated by the district attorney to appear on behalf of the district attorney pursuant to an agreement relating to appearances in certain courts or proceedings in the county of the county prosecuting attorney or in the municipality of the municipal prosecuting attorney. Such agreement shall be filed with the circuit court clerk of any county where such agreement shall be operative. Such agreement shall be binding upon the district attorney and county prosecuting attorney or municipal prosecuting attorney until dissolved by either of them in writing upon five (5) days' notice.

(5) Where any statute of this state confers a jurisdiction, responsibility, duty, privilege or power upon a county attorney or county prosecuting attorney, either solely, jointly or alternatively with a district attorney, such county prosecuting attorney shall be responsible for the prosecution, handling, appearance, disposition or other duty conferred by such statute. Any such provision shall not be construed to bestow such responsibility, jurisdiction or power upon the district attorney where there is no elected county prosecuting attorney, and any such matter shall be handled pursuant to Section 19-3-49, Mississippi Code of 1972.

(6) The district attorney or his designated assistant, or the county prosecuting attorney or his designated assistant, shall assist the Attorney General in appeals from his district to the Mississippi Supreme Court and in other post judgment proceedings, and shall appear for oral argument before the Supreme Court when directed by the Supreme Court.

(7) The several district attorneys shall submit reports of revenues and expenditures and shall submit budget requests as required for State General Fund agencies. For purposes of budget control, the several offices of district attorney shall be considered General Fund agencies and the budget and accounts of the several offices, including salaries, travel expenses, office expenses and any other expenditures or revenues, shall be consolidated for all districts as far as such consolidation is practical.

All revenue or funds allocated or expended by a district attorney, whether such funds are appropriated from state funds, or whether such funds are received from county funds, grants or otherwise, shall be reported to the Legislative Budget Office.

(8) A district attorney shall be authorized to assign the duties of employees regardless of the source of funding for such employees.

**HISTORY:** SOURCES: Codes, Hutchinson's 1848, ch. 22, art 3 (4); 1857, ch. 6, art 70; 1871, § 214; 1880, § 256; 1892, § 1555; 1906, § 1661; Hemingway's 1917, § 1398; 1930, § 4363; 1942, § 3920; Laws, 1978, ch. 509, § 9; Laws, 1979, ch. 490, § 2; Laws, 1984, ch. 488, § 175; Laws, 2009, ch. 455, § 4, eff from and after July 1, 2009.

## Addendum B – Mississippi

### § 25-31-13. District attorney to attend deliberations of grand jury

The district attorney shall attend the deliberations of the grand jury whenever he may be required by the grand jury, and shall give the necessary information as to the law governing each case, in order that the same may be presented in the manner required by law.

**HISTORY:** SOURCES: Codes, Hutchinson's 1848, ch. 65, art 11 (1); 1857, ch. 6, art 70; 1871, § 214; 1880, § 256; 1892, § 1556; 1906, § 1663; Hemingway's 1917, § 1400; 1930, § 4364; 1942, § 3921.

### § 25-31-15. District attorney to pass on public accounts

All accounts of a public nature, before they are allowed by the circuit court, shall be presented to the district attorney; and his opinion concerning the validity of the same, and whether the same should be allowed or disallowed, shall be obtained in writing and presented to the court.

**HISTORY:** SOURCES: Codes, Hutchinson's 1848, ch. 22, art 3 (4); 1857, ch. 6, art 70; 1880, § 256; 1892, § 1557; 1906, § 1664; Hemingway's 1917, § 1401; 1930, § 4365; 1942, § 3922.

### § 25-31-19. To represent state tax and public service commissions

The several district attorneys, with the Attorney General, are hereby authorized to institute or defend any suits arising out of any act or order of the tax commission or the public service commission affecting the laws and revenues of the state, and are also clothed with such other authority as is conferred upon them at common law.

**HISTORY:** SOURCES: Codes, Hemingway's 1921 Supp, § 3488a; 1930, § 3673; 1942, § 3844; Laws, 1918, ch. 238.

### § 25-31-17. District attorney to give opinions and prosecute public debtors

It shall be the duty of the district attorney, when requested by the county depository or the board of supervisors, or the clerk thereof, to give his opinion in writing upon all cases concerning the revenue or expenses of the county, and with the approval of the Attorney General to institute and prosecute to effect, before the proper court, all persons indebted to the state or any county within his district.

**HISTORY:** SOURCES: Codes, Hutchinson's 1848, ch. 22, art 3 (4); 1857, ch. 6, art 71; 1880, § 257; 1892, § 1558; 1906, § 1665; Hemingway's 1917, § 1402; 1930, § 4366; 1942, § 3923.

### § 25-31-21. Pro tempore appointment and compensation of appointees

If, at the time of impaneling the grand jury in any circuit court, the district attorney be absent or unable to perform his duties or, if after impaneling of the grand jury, the district attorney be absent or unable to perform his duties or be disqualified, the court shall forthwith appoint some attorney at law to act for the state in the place of the district attorney during his absence or inability or disqualification, and the person appointed shall have the power to discharge all the duties of the office during the absence or inability or disqualification of the district attorney, and shall receive a reasonable compensation for his services, to be allowed by the court and certified to the auditor, who shall issue his warrant therefor. Such allowance shall be deducted from the salary of the district attorney, and shall not exceed the amount of the salary of the district attorney for the number of days allotted by law for the term of the court at which such appointees shall act.

**HISTORY:** SOURCES: Codes, Hutchinson's 1848, ch. 65, art 11 (3); 1857, ch. 6, art 72; 1871, § 216; 1880, § 258; 1892, § 1559; 1906, § 1666; Hemingway's 1917, § 1403; 1930, § 4367; 1942, § 3924; Laws, 1898, ch. 58.

### § 25-31-23. Duty as to fines

The district attorney, at each term of the circuit court, shall carefully examine the minutes of the preceding terms and the execution docket, to see that executions have been issued for all fines, penalties, and forfeitures adjudged at such terms, and that the same have been properly proceeded on and returned, and what fines, penalties, and forfeitures have been collected; and he shall, at the close of every term, make out a statement of all fines, forfeitures, and penalties adjudged and made final at such term; and also of all fines, penalties, and forfeitures collected or received by the sheriff or other officer, stating each case and the amount, and shall deliver the same to the clerk of the board of supervisors of the county. He shall proceed against the officers and their sureties for any neglect of duty of which they may be guilty.

**HISTORY:** SOURCES: Codes, 1857, ch. 61, art. 309; 1880, § 1789; 1892, § 1560; 1906, § 1667; Hemingway's 1917, § 1404; 1930, § 4368; 1942, § 3925.

### § 25-31-25. District attorney to institute and prosecute suits to vacate fraudulent conveyances

When it may be necessary and proper for the enforcement or collection of any judgment or debt in favor of the state, or any officer thereof in his official capacity, or of any county, the district attorney with the approval of the attorney general shall institute and prosecute, in behalf of the creditor, a suit or suits to set aside and annul any conveyance or other device fraudulently made by the debtor, or any one for him, to hinder, delay, or defraud the creditor.

**HISTORY:** SOURCES: Codes, 1892, § 1561; 1906, § 1668; Hemingway's 1917, § 1405; 1930, § 4369; 1942, § 3926.

**Oklahoma Statutes Citationized**  
**Title 19. Counties and County Officers**  
**Chapter 7A - District Attorneys**  
**Section 215.4 - Duties**

Cite as: O.S. §, \_\_\_

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The district attorney, assistant district attorneys, or special assistant district attorneys authorized by subsection C of Section 215.37M of this title, shall appear in all trial courts and prosecute all actions for crime committed in the district, whether the venue is changed or not; the district attorney or assistant district attorneys shall prosecute or defend in all courts, state and federal, in any county in this state, all civil actions or proceedings in which any county in the district is interested, or a party unless representation for the county is provided pursuant to subsection A of Section 215.37M of this title; and the district attorney or assistant district attorneys shall assist the grand jury, if required, pursuant to Section 215.13 of this title. The district attorney may at all times request the assistance of district attorneys, assistant district attorneys, district attorney investigators from other districts, or any attorney employed by the District Attorneys Council who then may appear and assist in the prosecution of actions for crime or assist in investigation of crime in like manner as assistants or investigators in the district.

***Historical Data***

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Laws 1965, HB 801, c. 256, § 4; Amended by Laws 1967, HB 591, c. 265, § 4, emerg. eff. May 8, 1967; Amended by Laws 1988, HB 1973, c. 109, § 2, eff. November 1, 1988; Amended by Laws 1989, HB 1543, c. 179, § 1, eff. November 1, 1989; Amended by Laws 1992, HB 2425, c. 316, § 59, emerg. eff. July 1, 1992; Amended by Laws 1992, HB 1977, c. 327, § 9, emerg. eff. July 1, 1992; Amended by Laws 1996, HB 2918, c. 24, § 2, emerg. eff. April 3, 1996; Amended by Laws 2008, HB 3275, c. 334, § 1, eff. November 1, 2008 (superseded document available).

# Addendum D – Tennessee

## Tennessee District Attorneys

### 8-7-103. Duties.

Each district attorney general:

- (1) Shall prosecute in the courts of the district all violations of the state criminal statutes and perform all prosecutorial functions attendant thereto, including prosecuting cases in a municipal court where the municipality provides sufficient personnel to the district attorney general for that purpose;
- (2) Shall prosecute in the federal court all criminal cases removed from a state court in the district to any inferior court;
- (3) May cooperate and assist, upon the request or direction of the attorney general and reporter, in the bringing, prosecution, defense, preparation, and trial of all cases in the circuit and chancery courts in which the attorney general and reporter is required to appear for the protection of the state or the public interest;
- (4) Shall give an opinion, without charge, whenever called upon by any county officer in the district, upon a question of criminal law relating to the duties of the county officer's office;
- (5) Shall submit to the office of executive director for the district attorneys general conference within ninety (90) days after the end of each fiscal year, a written report specifying:
  - (A) Each source from which funds were received by the office of the district attorney general during the fiscal year;
  - (B) The amount of funds received from each source; and
  - (C) The disposition of such funds;
- (6) Shall have discretion in the performance of duties and responsibilities in the allocation of resources available to such district attorney general, any other provision of law notwithstanding; and
- (7) Shall have authority to delegate the foregoing duties and responsibilities to an assistant district attorney general.

**HISTORY:** Code 1858, § 3961 (deriv. Acts 1823, ch. 13, § 2; 1829, ch. 43, § 1; 1833, ch. 43, § 1; 1835-1836, ch. 15, § 21; 1835-1836, ch. 28, §§ 1, 3; 1839-1840, ch. 160, § 5; 1841-1842, ch. 59, §§ 2, 3; 1841-1842, ch. 129, §§ 1, 4; 1841-1842, ch. 147, § 2; 1843-1844, ch. 103, §§ 2, 4; 1843-1844, ch. 215, § 3; 1847-1848, ch. 129, § 1; 1849-1850, ch. 247, § 3; 1851-1852, ch. 167, §§ 1, 2; 1853-1854, ch. 115, § 2); impl. am. Acts 1875, ch. 91; Acts 1899, ch. 271, §§ 1, 2; Shan., § 5768; mod. Code 1932, § 9966; modified; impl. am. Acts 1937, ch. 33, § 50; impl. am. Acts 1959, ch. 9, § 14; impl. am. Acts 1963, ch. 10, § 1; impl. am. Acts 1978, ch. 934, § 22; Acts 1979, ch. 226, § 23; 1979, ch. 318, § 23; T.C.A. (orig. ed.), § 8-702; impl. am. Acts 1979, ch. 68, § 3; Acts 1988, ch. 913, § 1; 1990, ch. 974, § 4; 1996, ch. 996, § 2; 1998, ch. 1080, § 3.



## PROSECUTING ATTORNEY

STATE OF ARKANSAS | SIXTH JUDICIAL DISTRICT

LARRY JEGLEY

TO: Arkansas Independent Citizens Commission  
The Hon. Larry Ross, Chairman  
The Hon. Chuck Banks, Vice-Chairman  
The Hon. Barbara Graves  
The Hon. Stuart Hill  
The Hon. Brenda James  
The Hon. Stephen Tipton  
The Hon. Mitch Berry

FROM: Larry Jegley, President, Arkansas Prosecuting Attorneys Association

RE: Prosecuting Attorneys

DATE: April 15, 2015

Transmitted herewith for your review is an overview of the responsibilities of Arkansas' 28 elected Prosecuting Attorneys, along with data relevant to compensation, to aid you in the discharge of your duties. We look forward to visiting with you and answering any questions you may have.

On behalf of the Arkansas Prosecuting Attorneys Association, I thank you for your consideration.

**STATE OF ARKANSAS  
OFFICE OF PROSECUTING ATTORNEY**

**1. GENERAL:**

There are 28 Judicial Districts in the State of Arkansas, each with an elected Prosecuting Attorney, as required by the Arkansas Constitution. (Ark. Const. Article VII, § 24, Amendment 80 § 20.) Qualifications for the position of elected Prosecuting Attorney include a law degree, a minimum four years of law practice, and elector of the Judicial District. Elections for the position of Prosecuting Attorney are nonpartisan (as are judges' elections), and each term is four years. "The Office of Prosecuting Attorney is a constitutional office which operates in a quasi-judicial capacity. . . The Framers of our constitution have charged an incumbent prosecutor with the grave responsibility of filing informations against those he deems guilty and refusing to file against those he believes innocent." *Venhaus v. Brown*, 286 Ark 229 (1985). The Prosecuting Attorney alone is entrusted with many decisions only otherwise made by a judge or jury. Therefore, the designation "quasi-judicial" is appropriate.

The 28 Prosecuting Attorneys in the State of Arkansas have an average of 25 years' licensure as lawyers. They are responsible for managing and supervising 245 Deputy Prosecuting Attorneys and 401 staff members including victim assistance caseworkers, investigators, and support personnel. Funding for operations comes from both the State (\$15,346,788) and the counties (\$15,130,847) the latter amount directly managed by the elected prosecutor. In 2013 (the most recent AOC data available) the Prosecuting Attorneys were responsible for 84,460 circuit court felony cases, 26,545 juvenile court cases. 2,256 mental health commitments and 1,093,653 district court filings, plus 20,525 felony hearing in district courts.

Although the Legislature has periodically created task forces and boards to conduct studies and analyses of judicial salaries, no systemic analysis of Prosecuting Attorney salaries has ever been undertaken. All elected Prosecutors are classified as either Division "A" prosecutors or Division "B" prosecutors. There are 25 Division "A" prosecutors in the State of Arkansas; Division "A" Prosecutors are not allowed to practice private law. There are 3 Division "B" Prosecutors in the state; Division "B" prosecutors are allowed a limited civil practice, and traditionally have practiced in areas underserved by the legal profession. Division "B" prosecutors' salaries are roughly 85% of the salary of Division "A" prosecutors. The 2015 Legislature has directed an interim study of the effect of making all elected Arkansas Prosecutors Division "A".

Historically, Prosecuting Attorney salaries in both Arkansas and nationally have tracked closely with the salaries of general jurisdiction judges, traditionally falling at a point between the salaries of general and limited jurisdiction judges. Prosecutor salaries were approximately 4% less than the salaries of circuit judges in the 1970s, 7% less in the early 80's, and 9% less in the early 90's. In the early 2000's, the salaries of Arkansas Prosecutors dropped to about 17% less than the salaries of the judges. In 2009, the Legislature recognized the need to realign salaries, but was only able to close the gap by 4%, effecting salaries that were 13% less than the salaries of the circuit judges. With the implementation of Amendment 80 in 2007, State District Judge salaries moved up and ahead of prosecutors' salaries.

Prosecuting Attorney salaries in the State of Arkansas have been flat for the past several years, with COLAs of 2% and 1% the last 2 years, and no salary increases in the three years preceding those. Today, Prosecutors earn less than both State District Judges and Circuit Judges.

## **II. DUTIES (CRIMINAL)**

### **GENERAL:**

Prosecuting Attorneys represent the State in all matters, Capital, Felony and Misdemeanor, in the Circuit and District Courts. A defendant may only be brought to answer for an alleged offense by information, citation, or indictment, and the prosecutor has the sole authority to decide, in an act of discretion, whether and what charges go forward. Likewise, the prosecutor's authority extends to any decision not to go forward. In addition to myriad pre-charging duties and process, the office of Prosecuting Attorney is responsible for preparing all charging instruments, attending all bond hearings, numerous pretrial hearings, mental competency hearings, omnibus hearings, participating in plea negotiations, preparing extensively for all pre-trial proceedings, and conducting trials. Additionally, a significant amount of time is required of the prosecuting attorney for trial preparation with witnesses, law enforcement officers, victims and their family members.

### **JUVENILES:**

The Prosecuting Attorney has sole authority to file a delinquency petition or other instrument seeking help for a juvenile who has committed an act which, if committed by an adult, would be

a criminal offense. The prosecutor is charged with the duty to seek relief, emergency or otherwise, with the Juvenile Division of Circuit Court for dependency/neglect or families in need of service (FINS). Ark Code 9-27-310. In limited, serious cases, it is the sole responsibility of the Prosecuting Attorney to determine whether a juvenile may be investigated and ultimately prosecuted as an adult in Circuit Court for particularly serious crimes enumerated by law. Ark Code 9-27-318

#### **SPECIALTY COURTS:**

Prosecutors determine whether an individual qualifies for one of several treatment-based courts, such as Drug Court, Veterans' Court, Hope Court, Sobriety Court, and other programs aimed at rehabilitation, not incarceration. The law trusts such decisions to the sole discretion of the Prosecuting Attorney. Ark Code 16-98-301.

#### **VICTIM ASSISTANCE:**

Prosecutors serve as advocates for and representatives of victims of crime and their families in criminal cases in matters of negotiating pleas, restitution, truth in sentencing, reparations claims, and in many other areas, including seeking assistance from the State Crime Victims Reparations Board and counseling services. Ark. Code § 5-4-205; § 16-21-106.

#### **PROBATION AND PAROLE:**

It is the duty of the Prosecuting Attorney to determine whether a defendant is appropriate and eligible for probation rather than incarceration, to communicate with Probation Officers and, if necessary, file petitions to revoke probation when a person violates terms and conditions of their probation. Likewise, prosecutors communicate with parole officers regarding offenders who have been released from prison, and seek revocation for violators where necessary. Prosecutors also assist victims and their families when a defendant becomes eligible for parole, and testify on the victim's behalf at parole hearings. Ark. Code § 16-93-702.

#### **IMMUNITY AND COOPERATION AGREEMENTS:**

The Prosecutor has the authority to enter into cooperation agreements with individuals who desire to assist law enforcement and, with the approval of the court, to grant immunity from prosecution where appropriate. Ark. Code § 16-43-601

### **INTERSTATE DETAINERS, EXTRADITIONS, AND SUBPOENAS:**

The Prosecutor is responsible for matters of interstate jurisdiction regarding subpoenas of or detention and extradition of individuals outside the state's borders, including Governor's Warrants. Ark. Code § 16-95-101; 16-94-201.

### **ORDERS OF PROTECTION:**

Prosecuting Attorneys are responsible for assisting victims of Domestic Violence in seeking Orders of Protection and enforcement under the Domestic Abuse Act. Ark. Code § 9-15-101.

### **SEX OFFENDERS:**

Prosecutors are responsible for the review of all matters pertaining to individuals who are registered sex offenders. Ark. Code § 16-93-207

### **ABC PERMITS:**

All applications for the granting/changing of alcohol permits by the State Alcoholic Beverage Control Board must be submitted to the Prosecutor for review and input. Ark. Code § 3-2-206.

### **PETITIONS TO SEAL/EXPUNGE:**

All requests by individuals for expungement or sealing of their criminal convictions must be investigated and responded to by the Prosecuting Attorney. Ark. Code § 16-90-1413.

### **INVESTIGATIVE SUBPOENAS:**

"The Prosecuting Attorneys and their deputies may issue subpoenas in all criminal matters they are investigating and may administer oaths for the purpose of taking the testimony of witnesses subpoenaed before them." Ark. Code § 16-43-212.

### **HOMICIDE INVESTIGATIONS:**

Arkansas law requires that the Prosecuting Attorney be timely notified of all violent deaths, assist law enforcement in the investigation of any death, and is responsible for seeking exhumation of the deceased where appropriate. Ark. Code § 12-12-315; 12-12-321. The Prosecutor is also responsible for oversight and review of cases in which law enforcement officer uses deadly physical force against a citizen.

**DRUG TASK FORCES:**

Multi-Jurisdictional/Drug Task forces are the responsibility of the Prosecutor, who in many districts serves as the Director of the Task Force. Ark. Code § 16-21-147.

**STATE CRIME LABORATORY:**

Only the written authorization of the Prosecutor or court order will authorize the State Crime Lab to release any information to non-law enforcement individuals. Ark. Code § 12-12-312.

**CITIZENS COMPLAINTS:**

Each year the Prosecuting Attorneys handle tens of thousands of citizens' complaints, the results of which can range from no action to warning letters to arrest warrants.

**CHILD SAFETY:** Prosecutors are Mandated Reporters for suspected child abuse or maltreatment, and liaison with Child Advocacy Centers and medical institutions (such as Arkansas Children's Hospital) on such matters. Ark. Code § 12-18-402. The Prosecutor is also responsible for assisting in the development of safety plans to ensure the well-being of children riding school buses, and is charged with receiving reports and acting upon cases where motorists illegally pass buses loading and unloading children. Ark. Code § 6-19-110.

**III. PROSECUTING ATTORNEY (CIVIL)****QUORUM COURT:**

The Prosecuting Attorney is legal counsel to the Quorum Court, unless (as in a few counties) a County Civil Attorney Office has been established. Ark. Code § 14-14-902.

**MENTAL HEALTH COMMITMENTS:**

It is the Prosecutor's responsibility to represent the Petitioner (and the community) in cases seeking the involuntary commitment of persons due to serious mental disease or defect. Ark Code § 20-47-208. The Prosecutor also has the responsibility to seek the commitment for treatment of those who are homicidal, suicidal, or gravely disabled due to mental illness or substance addiction. Ark. Code § 20-64-815.

### **CIVIL FORFEITURE:**

Where law enforcement officers seize instruments or proceeds of felonious criminal activity, especially in illegal drug trafficking, the Prosecutor is responsible for reviewing the case and, if appropriate, seeking forfeiture of such assets constituting the fruits of crime.

Ark. Code § 5-64-505.

### **COUNTY COMMISSIONS:**

The Prosecuting Attorney is legal counsel to the county board of election commissions. Ark Code § 7-4-106. The Prosecutor also serves as counsel the County in all Tax Assessment Appeals. Ark Code § 16-27-318.

### **REMOVAL OF ELECTED OFFICIALS:**

Where it may become necessary to remove an elected official from office, it is the responsibility of the Prosecuting Attorney. Ark. Code § 14-14-1308.

## **IV. MISCELLANEOUS**

### **TRAINING/PROFESSIONAL STANDARDS:**

Not only are Prosecuting Attorneys responsible for the training and continuing education of their Deputy Prosecutors, Victim Assistance Caseworkers, Investigators and other staff, but they also assist in training law enforcement and other agencies striving for the highest professional standards.

### **LAW ENFORCEMENT COUNSEL:**

Within limits, Prosecutors advise frontline law enforcement on many issues involved with criminal investigations, including Search Warrants, Probable Cause Affidavits, questioning of suspects, interviews witnesses and the like. In addition, Prosecutors have the authority to authorize the release (upon a citation to appear) of individuals who have been arrested, or to make a recommendation of an appropriate bond, along with conditions of release. Ark Rule Criminal Pro 5.2.

**SPECIAL RESPONSIBILITIES:**

Prosecuting Attorneys are the only attorneys singled out as having “special responsibilities” as lawyers in the Rules of Professional Conduct for Attorneys. ARPC Rule 3.8. In brief, the Rule requires Prosecutors to seek to insure that justice and fairness prevail in all cases.

**ARKANSAS CITIZENS SALARY COMMISSION**  
**PROSECUTING ATTORNEYS: SUMMARY**

• **SALARY**

<u>A. Actual</u>	<u>Circuit Judge</u>	<u>Pros. Atty.</u>	<u>%</u>
FY 2003-04	118,128	99,258	84%
FY 2014-15	140,372	123,162	87.7%

B. Adjusted (avg. state emp)

FY 2003-04	118,782	99,808	84%
FY2014-15	165,406	147,891*	89.4%

\*includes actual FY 09-10 P.A. adjustment of 8%

C. Commission

2015 actual/request	160,000	152,000	95%
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• **Other Jurisdictions**

A. Prosecutor Salary Keyed to Judge Salary

Alabama-	\$ 1000 less than Judge (99.3%/149,500)
Kansas-	100%(awaiting information)
Missouri-	100% (133,032)
Oklahoma-	98% (129,198)
S.Carolina-	100% (awaiting information)
Texas-	100% (140,00)
Pennsylvania-	\$ 1000 less than Judge (99.4%/174,000)
New York-	100% (152,000-190,000)
(Georgia & Montana have keyed salaries under study)	

B. Other States

Iowa-	61,346 - 179,757
Louisiana-	90,000-190,000
Tennessee-	144,180

C. United States Attorney (Federal Prosecutor)

158,700

- **Retirement**

	<u>Plan</u>	<u>Contribution</u>	<u>Eligibility</u>	<u>Benefit</u>
Prosecuting Attorney	APERS	6%	28 yrs	50% +/-
Circuit Judges	AJRS	5%	25 yrs	80%

- **Of Note**

- Out of 121 circuit judges, 49 were Prosecuting Attorneys or Deputy Prosecutors (40+%).

## State Employee and Prosecuting Attorney Comparison

FY	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15
Actual	99,258	101,498	103,930	106,398	108,256	110,696	119,552	119,552	119,552	119,552	121,943	123,162
	2.23%	2.21%	2.35%	2.32%	1.97%	1.97%	8%	0%	0%	0%	2.0%	1.0%
Adjusted	99,808	102,503	105,578	108,745	114,182	119,891	125,286	129,261	132,264	136,232	141,681	143,098
	2.7%	2.7%	3.0%	3.0%	5%	5%	4.5%	3.5%	2.0%	3.0%	4.0%	1.0%
Adjusted, but with FY 09-10 actual increase of 8%												
							8%	3.5%	2.0%	3.0%	4.0%	1.0%
							129,482	134,014	136,694	140,795	146,427	147,891
Adjusted, with proposed FY 09-10 increase of 15%												
							15%	3.5%	2.0%	3.0%	4.0%	1.0%
							137,875	142,700	145,554	149,921	155,918	157,477