

DISTRICT ATTORNEYS AND STAFF

5-YEAR STRATEGIC PLAN

FOR THE FISCAL YEARS 2019-2023

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MISSION STATEMENT

The mission of the District Attorneys of the State of Mississippi is to protect the public’s safety and to promote order by the pursuit of justice and enforcement of the laws of the State of Mississippi through vigorous and impartial prosecution of persons who commit felony crimes within their districts and by providing quality services to victims, witnesses, law enforcement and the citizens of their districts. Each of the 22 elected District Attorneys swears or affirms the following oath:

I, [NAME OF DISTRICT ATTORNEY], do solemnly swear that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of District Attorney; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

Further, each of the 22 elected District Attorneys is required to act as a “minister of justice” and to comply with rule 3.8 of the Rules of Professional Conduct and the many United States and Mississippi Supreme Court decisions defining constitutionally required actions in the prosecution of criminal cases. The oath taken by each District Attorney, the Rules of Professional Conduct and the United States and Mississippi Constitutions and case law interpreting same, serve as a guide to the manner in which each district attorney operates.

PHILOSOPHY

The District Attorneys of the State of Mississippi should perform their duties ethically, diligently, passionately, and with compassion for the victims of crimes.

RELEVANT STATEWIDE GOALS AND BENCHMARKS

Statewide Goal #1: To protect the public's safety and to promote order by prosecuting felony violations of the criminal laws of the State of Mississippi and assisting victims of crime.

Relevant Benchmarks #1:

1. Number of new cases presented to grand jury.
2. Number of victims notified of support services and assisted with applications for financial assistance.
3. Number of prosecuting attorneys who obtained 12 hours of continuing legal education.

OVERVIEW OF THE DISTRICT ATTORNEYS' STRATEGIC PLAN:

The primary goal of every District Attorney and Assistant District Attorney within the State of Mississippi is the fulfillment of his or her oath, which is to protect the public by faithfully, fairly and impartially prosecuting all felony crimes committed within his or her jurisdiction. Each District Attorney takes an oath to do his or her job without regard to preference, politics or favoritism, but in accordance with the law of the State of Mississippi, and the Constitution of the United States and the Rules of Court as indicated above.

The District Attorney's Office in each district uses the resources provided by the State of Mississippi and the counties to prosecute all felonies within its jurisdictional defined boundary. Every felony prosecution is mandated to be presented to the citizens on the grand jury for each county represented, unless specifically waived by the defendant. Every case presented requires a file review by an attorney, usually additional investigative work by an investigator in the District Attorney's Office, preparation of a grand jury docket, issuance and service of subpoenas for each case, and testimony of witnesses before the grand jury. Every victim of a crime of violence is notified of support services and is assisted with applying for financial assistance. Further, the cases involving victims of violent crimes are prosecuted in accordance with the law of the State of Mississippi.

Every prosecutor in the State of Mississippi is a licensed lawyer. The professional certification requirements of prosecutors require each to obtain 12 Continuing Legal Education hours in each fiscal year. This Continuing Legal Education requirement ensures that prosecutors stay up to date as to changes in U.S. Constitutional and Mississippi law and provides the latest techniques in prosecuting felony crimes.

There are twenty-two (22) district attorneys in the state which are funded by the State of Mississippi. Further, there are assistant district attorneys and criminal investigators spread over the 22 districts. Those individuals use State money for travel between offices to achieve the mission set forth in Goal #1 above.

EXTERNAL FACTORS AFFECTING PERFORMANCE (EXTERNAL ASSESSMENT)

The District Attorneys of Mississippi do not fit the typical “agency” profile envisioned by Mississippi Code Annotated Section 27-103-129 and, therefore, this Strategic Plan will not fit the standard agency model. The District Attorneys are elected officials who serve in 22 separate and distinct districts throughout the state. Each District Attorney operates with differing case loads, areas of service, types of crimes, operational budgets, number of prosecutors, number of staff members, and different judges requiring different procedures. In addition, since the District Attorneys are 22 separate offices, there is no central internal management system to evaluate the performance of the offices as to efficiency.

Efficiency in prosecuting cases, while important, is secondary to the goal of protecting the public according to the law. It is impossible to articulate, maintain, and prepare performance standards that measure efficiency in a criminal justice process which demands, as its only goal, justice for the innocent and accountability for the guilty.

There are many external factors that affect the efficiency of the performance of the duty to prosecute felony crime. A few of those factors are the number and types of crimes committed within any period of time, the way circuit judges handle their dockets, and the strategies defense attorneys use in the representation of their clients.

The number of cases handled each year depends on the number of crimes committed and the law enforcement response to the crimes committed. For example, the number of cases handled and presented by the 22 District Attorneys is determined by the number of cases solved by law enforcement agencies.

The cases that were indicted by the citizens on the grand juries in the 82 counties were tried, pled or otherwise resolved in compliance with the following external factors (most of which are outside the control of the District Attorney): the United States Constitution, the Mississippi Constitution, the law of the State of Mississippi, case law interpreting same, the Rules of Professional conduct, the Uniform County and Circuit Court Rules, the Rules of Civil Procedure to the extent they apply, the Rules of Evidence, the local practices of individual circuit court judges, the completion of the case investigation by local law enforcement agencies not under the control of the District Attorney's Office, the schedule of court witnesses and law enforcement not under the control of the District Attorney, the collection, processing, and examination of evidence by law enforcement and crime laboratories not under the control of the District Attorney and the lack of sufficient resources to move cases more expeditiously.

Some felony cases require more work than others. As an example, murders, crimes of violence and child victim cases require a team of four or five employees to handle that one case.

Problems in locating crime victims is at times an external factor that affects the ability of the District Attorney to communicate with victims and advise them concerning the services and resources available to them. Further, there is a large volume of crimes which victimize citizens in the various 22 districts which are not included in the definition of "violent crime" in MCA 97-3-2. While nearly impossible to quantify, each office of the 22 districts regularly prosecutes those criminals for violating the laws not included in that definition and each office provides victim support services to those victims and many others whose cases cannot be quantified as well.

INTERNAL ASSESSMENT TO EVALUATE PERFORMANCE

Since each office is elected to represent a separate Circuit Court District, each office is independently operated and has different needs and objectives based on the areas served. What is common to each District Attorney is the desire to make his or her community a safer place to live by bringing to justice those persons within the community who commit felony crimes. Each District Attorney seeks to do this with passion, integrity, efficiency and diligence. The District Attorneys of the State of Mississippi will evaluate their individual offices on an annual basis to determine whether they are meeting their goals, and will make necessary adjustments to assure that the goals are being met.

SPECIFIC GOALS AND OBJECTIVES

Goal A: To protect the public's safety and promote order by prosecuting felony violations of the criminal laws of the State of Mississippi and by assisting victims of crime.

Objective A.1. Present felony criminal cases to grand jury.

Outcome: Estimate number of new cases where action was taken by the grand jury.

A.1.1. Strategy: Review all felony case files submitted by law enforcement and prepare for presentation to grand jury.

Output: Number of cases presented to grand jury.

Efficiency: Number of employees involved with investigation and case preparation in presenting cases to the grand jury.

Explanatory: Reduction or increase of crime rate due to external factors.

Objective A.2. Assist victims of violent crimes by notification of support services and applications for financial assistance.

Outcome: Percentage of crime victims offered assistance to total new crime victims for this fiscal year.

A.2.1. Strategy: Notify all violent crime victims of support services and assist them with applications for financial assistance.

Output: Number of crime victims assisted.

Efficiency: Number of employees involved with notification of support services.

Explanatory: Ability to locate victims and their cooperation.

Objective A.3. Attorneys will handle the prosecution of all felony criminal cases efficiently and professionally.

Outcome: Percentage of Attorneys obtaining twelve (12) hours of Continuing Legal Education (CLE) credits to total number of attorneys (current staff paid through appropriation).

A.3.1. Strategy: Attend prosecutor training dealing with the obstacles and issues prosecutors face in handling felony criminal cases.

Output: Number of attorneys obtaining 12 hours in each fiscal year for professional certification requirements.

Efficiency: Number of attorneys in “Outputs” above who derived new information used in prosecuting or evaluating cases.