



THE OFFICE OF CRIMINAL DISTRICT ATTORNEY
GREG WILLIS

February 22, 2023

County Judge Chris Hill
Commissioner Susan Fletcher, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Darrell Hale, Precinct 3
Commissioner Duncan Webb, Precinct 4

Re: Request Competitive Pay for Highly-Critical Entry-Level Misdemeanor Prosecutor Positions

Dear Honorable Members of the Collin County Commissioners Court:

To have a fighting chance to compete with surrounding counties for prosecutors to hold abusive family violence offenders and dangerous drunk drivers accountable, **I conservatively ask for a \$10,000 salary supplement** for each of the 10 entry-level Misdemeanor Prosecutor positions in my office **using allocated but unspent FY 2023 funds**. Here's why.

Last Spring during the HR Salary Survey presentation, I publicly informed this Court that the current starting salary for Misdemeanor Prosecutors was not competitive compared with the counties that my office competes with for these applicants. I addressed this problem again during last year's Budget Workshop. At the time of the Budget Workshop, I had six to seven open entry-level Misdemeanor Prosecutor positions. Faced with not being able to fill these positions and receiving no new positions as part of the FY2023 Budget, I asked to trade two of these Misdemeanor Positions. In exchange for these positions, I asked for a Chief Felony Financial Crimes Prosecutor to address crimes of fraud, including those of a Financial, Election, and Elder nature.

The obstacle is that the positions are budgeted, but the budgeted salaries are below-market and noncompetitive. As a result, we have a repeating, unhelpful cycle: a yearly allocation from the General Fund to prosecutor compensation, but then a material portion of that reverts back to the General Fund. Taking into account **the last year and half** or so, FY2022 (\$722,331) and thus far in FY2023 (\$507,671), **over \$1.2 million dollars of budgeted but unspent prosecutor salaries either has reverted or will revert to the county's General Fund**. (See Exhibit 1 for a more detailed breakdown)

Today, with little change to Misdemeanor Prosecutor salaries, my office is in a **worse situation than last year**. Other counties have responded to market conditions, but Collin has not kept up. As a result, I have four Misdemeanor Prosecutor positions still open and that number would be six if I still had the two traded positions. In addition, I have eight open Felony Prosecutor positions. This is a total of **12 open attorney positions** at my office.

Ideally and typically, I would fill the open felony positions by promoting misdemeanor prosecutors. The enduring vacancies in our Misdemeanor Division due to below-market pay undermine our ability to

consistently promote. This in turn makes it impossible to fill our open felony spots. We have found it just as difficult to hire felony prosecutors from outside our office, as most experienced candidates from other offices make more substantially money than we can offer under our current salary structure.

The **best option we see** is to raise entry-level Misdemeanor Prosecutor salaries by providing a salary supplement so we can begin rebuilding the office from the ground up. This is based on the hope that once we hire qualified entry-level applicants, enough of them will thrive and promote.

Here's at least one way this could work. This salary supplement can be accomplished by applying surplus FY 2023 budgeted attorney salaries to those supplements. As of the date of this presentation (2-27-2023), the **current FY2023 surplus attorney salaries equal \$507,671.58** (of which Misdemeanor is **\$151,968.47**). My request is to **apply some of these allocated but unspent dollars to the current 10 entry-level Misdemeanor Prosecutor positions** (six occupied and four vacant).

In light of this, I **conservatively ask for a \$10,000 salary supplement** for each of the 10 entry-level Misdemeanor Prosecutor positions in my office. Per our budget department, the actual annual cost would be \$11,749 per position or \$117,490. **Applying only the Misdemeanor Prosecutor allocated but unspent funds as of today would completely cover this increase. (\$151,968.47 - 117,490.00 = \$34,478.47 left over)** And this increase will assist my office in filling these positions.

Assuming the supplement goes into effect April 1st, I'll note here that the FY2023 funds transfer would only be 1/2 of the \$117,490, or \$58,745, if all spots were filled and occupied throughout the final six months of the fiscal year.

The counties we regularly compete with for entry-level prosecutors (**we pay \$66,976**) and their starting salaries are: **Dallas County (\$80,108); Tarrant County (\$76,691); Denton County (\$70,208); Rockwall County (\$77,000); and Kaufman County (\$78,000)**. This salary supplement would enable us to compete with these counties. The Denton County District Attorney's Office hired two entry-level Misdemeanor prosecutors in mid-January. Please note the compensation comparison chart (Exhibit 2), showing Collin is 2nd to last among the recently court-approved nine comparison counties. The candidates are out there, we just need a **fighting chance** to compete with surrounding counties that offer higher salaries and lower costs of living.

It is not my intent to alter the entire Collin County salary structure or change our standard counties of comparison. Rather, this proposal is an on-the-ground market adjustment to make us competitive again.

Several important points to consider:

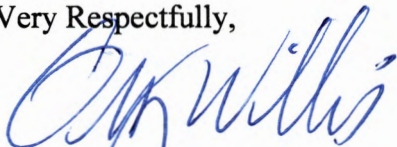
- My office has provided the actual real-time starting salaries of our comparison counties, understanding that HR may not have the time, resources, or contacts to determine the actual on-the-ground market.
- Many counties give the elected official the option of hiring in entry-level positions at a much higher rate than the minimum-posted salary.

- Unlike other county candidates, attorneys coming out of law school have a unique geographic flexibility to choose a county with the most competitive salary.
- Regarding our current salary structure:
 - an entry level Misdemeanor Prosecutor position in Collin County is grade 580, with a starting salary of \$66,976.
 - The Misdemeanor Chief position is three grades above at grade 583, with a starting salary of \$84,543.
 - Giving grade 580 a salary supplement of \$10,000 ($\$66,976 + \$10,000 = 76,976$), would still leave room for a significant pay raise when promoted to grade 583 (\$84,543).
 - There would still be a \$7,567 raise from Misdemeanor Prosecutor to Misdemeanor Chief. ($\$84,543 - \$76,976 = \$7,567$)

We are past the critical time to address this significant pay disparity. This is an emergency that affects the liberty and safety of our citizens, as these positions directly affect our current ability to keep Collin County communities safe from family violence abusers and dangerous drunk drivers. And as our misdemeanor staff form the pool from which we fill our open felony positions, addressing this alarming pay gap directly affects our ability to hold accountable murderers and child predators as well.

Innocent victims and their loved ones have suffered enough as it is. They should not also have their cases suffer from insufficient staffing because of below-market pay. As Sen. Joan Huffman (R-Houston) recently observed, "Prosecutors play an absolutely critical role in the criminal justice system, as they are charged with obtaining justice for victims of crime."

Very Respectfully,



Greg Willis
Criminal District Attorney
Collin County

Enclosures