DISTRICT ATTORNEY SALARIES

PROBLEM
Historically, whenever the State of New York has required a salary increase for District Attorneys, lawmakers have funded the counties’ cost for that state-imposed increase.

On April 1, 2016 the State Legislature approved the salary raises recommended by the New York State Commission on Legislative, Judicial, and Executive Compensation. This approval increased all state judge salaries in 2016, 2017, and 2018. State Judicial Law 183-a links judicial salaries with County DA’s salaries, requiring DA’s salaries to be equal to or higher than either the County Court Judge or Supreme Court Judge in a county depending on the population.

Despite a 50-year precedent for funding the local costs of DA salary increases, this State Legislature allocated no funding for counties to offset the cost of this mandate. The state-imposed raises have cost local taxpayers in each county approximately $75,000 annually, which is 1/3 of some counties’ total allowable property tax growth for all government operations. This is one more example of the State telling us to freeze property taxes, but then increasing county costs with another unfunded mandate.

2018-2019 STATE BUDGET
For the third consecutive year, the State’s Budget omits language requiring the State to pay the costs of a mandated district attorney pay increase. The State Budget did include a commission to study and recommend a future pay increase for State Officials (elected and appointed), however DA salaries are excluded from the commission’s purpose and study. NYSAC has urged the state to include DA salaries in this commission’s work.

COUNTY SOLUTION
County officials perform many essential public functions of state and local concern. Perhaps none more essential than ensuring law and order in our communities, which is upheld by our local prosecutors. DA’s are entitled to the fair and just compensation pursuant to law for fulfilling the state constitutional and statutory duties related to the enforcement of the State Penal Law. However, any state mandated increase to a local government official’s salary, as a matter of equity and fairness, must be met by the State.

While it is unfortunate that the projected $4 million cost per year for DA salary increases was not included in the State’s proposed $170 billion budget, it is not too late to correct this oversight. We encourage state lawmakers to include it as part of any state commission decision to increase the salaries for the members of the New York State Legislature.

For more information on the county position regarding this issue, visit www.nysac.org or call 518-465-1473 to speak to Patrick Cummings, NYSAC Counsel.