

Report on the

**Office of District Attorney
30th Judicial Circuit**

St. Clair County, Alabama

October 1, 2015 through December 31, 2020

Filed: June 4, 2021



**Department of
Examiners of Public Accounts**

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Rachel Laurie Riddle, Chief Examiner



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Honorable Rachel Laurie Riddle
Chief Examiner of Public Accounts
Montgomery, Alabama 36130

Dear Madam:

An examination was conducted on the Office of District Attorney, 30th Judicial Circuit, St. Clair County, Alabama, for the period October 1, 2015 through December 31, 2020. Under the authority of the *Code of Alabama 1975*, Section 41-5A-19, I hereby swear to and submit this report to you on the results of the examination.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Roderick Edwards'.

Roderick Edwards
Examiner of Public Accounts

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Department of
Examiners of Public Accounts

SUMMARY

**Office of District Attorney
30th Judicial Circuit
St. Clair County, Alabama
October 1, 2015 through December 31, 2020**

The Office of District Attorney, 30th Judicial Circuit, St. Clair County, Alabama, (hereinafter referred to as the “District Attorney”) is responsible for law enforcement activities in the county. This includes the operation and administration of duties for which they were elected or appointed, in accordance with the *Code of Alabama 1975*, Section 12-17-184, which includes, but is not limited to: (1) To attend on the grand juries, advise them in relation to matters of law, and examine and swear witnesses before them; (2) To draw up all indictments and to prosecute all indictable offenses; (3) To prosecute and defend any civil action in the circuit court in the prosecution or defense of which the state is interested; and (4) To, at any time the grand jury is not in session, issue subpoenas and to administer oaths to individuals and examine them as to any violation of the criminal laws of the state. In addition, the District Attorney is responsible for the Restitution Recovery Division which accounts for restitution, District Attorney fees, and Circuit Court fees for cases in default in the Circuit Court. The Restitution Recovery Division was established by Act Number 95-725, Acts of Alabama. The District Attorney is also responsible for the Worthless Check Unit which accounts for fees from service charges and restitution collected for processing worthless checks and the Worthless Check Fund which accounts for fees received from the Worthless Check Unit for processing worthless checks and disbursements. The Worthless Check Unit is established by the *Code of Alabama 1975*, Section 12-17-224 and the Worthless Check Fund is authorized by the *Code of Alabama 1975*, Section 12-17-224 (a) (2) (e) (2) (iii). Act Number 2009-649, Acts of Alabama, provides for the establishment of a Pre-Trial Diversion program in St. Clair County.

Honorable Richard J. Minor served as District Attorney from the beginning of the examination period through January 15, 2019. Honorable Lyle Harmon served as District Attorney from January 16, 2019 through the end of the examination period.

This report presents the results of an examination of the Office of District Attorney and a review of the District Attorney’s compliance with applicable laws and regulations of the State of Alabama in accordance with the requirements of the Department of Examiners of Public Accounts under the authority of the *Code of Alabama 1975*, Section 41-5A-12.

Tests performed during the examination did not disclose any significant instances of noncompliance with applicable state or local laws and regulations.

EXIT CONFERENCE

The Officials were invited to an exit conference to discuss the results of this examination. Honorable Lyle Harmon, District Attorney attended the exit conference. Representing the Department of Examiners of Public Accounts were: Amanda Hensley, Audit Manager; and Roderick Edwards, Examiner. The results of the examination were discussed via telephone with Honorable Richard J. Minor, former District Attorney.

Financial Information

Summary of Receipts, Disbursements and Cash Balances
October 1, 2015 through December 31, 2020

	District Attorney's Fund	Worthless Check Fund	Worthless Check Unit	Pre-Trial Diversion Fund	Forensics Fund	Total
Receipts						
District Attorney Fees	\$ 1,178,627.85	\$	\$ 117,165.75	\$		\$ 1,295,793.60
Bail Bond Fees	433,944.35					433,944.35
Restitution	665,260.92					665,260.92
Merchant Restitution and Fees			78,166.39			78,166.39
Pre-Trial Diversion Fees				260,460.98		260,460.98
County Commission	457,320.00					457,320.00
ADECA Grant	4,050.45					4,050.45
Community Corrections				57,000.00		57,000.00
Other	179,930.72	101.19	73.65	461.28		180,566.84
Total Receipts	2,919,134.29	101.19	195,405.79	317,922.26		3,432,563.53
Disbursements						
Personnel Costs	2,124,013.14	45,000.00		265,000.00		2,434,013.14
Travel and Training	165,287.36					165,287.36
Dues	23,130.29					23,130.29
Repairs and Maintenance	8,936.47					8,936.47
Telephone and Communications	32,504.35					32,504.35
Supplies, Materials and Operating	183,618.28	14,588.16				198,206.44
Auto Maintenance and Fuel	25,877.50					25,877.50
Office Supplies	69,458.70					69,458.70
Intergovernmental	12,954.72					12,954.72
Advertising and Publications	36,292.37					36,292.37
Capital Outlay	32,509.14					32,509.14
Restitution			78,744.58			78,744.58
Other			89.34			89.34
Total Disbursements	2,714,582.32	59,588.16	78,833.92	265,000.00		3,118,004.40
Excess of Receipts Over/(Under) Disbursements	204,551.97	(59,486.97)	116,571.87	52,922.26		314,559.13
Operating Transfers In/(Out)						
Transfers In	78,730.60	117,133.99				195,864.59
Transfers Out		(78,730.60)	(117,133.99)			(195,864.59)
Total Operating Transfers	78,730.60	38,403.39	(117,133.99)			
Excess of Receipts and Transfers In Over/ (Under) Disbursements and Transfers Out	283,282.57	(21,083.58)	(562.12)	52,922.26		314,559.13
Cash Balances - October 1, 2015	652,634.89	38,621.73	4,013.26	90,499.14	4,323.57	790,092.59
Cash Balances - December 31, 2020	\$ 935,917.46	\$ 17,538.15	\$ 3,451.14	\$ 143,421.40	\$ 4,323.57	\$ 1,104,651.72

Description and Source of Funds

The following is a brief summary and description of the different funds that are utilized by the Office of District Attorney, 30th Judicial Circuit, St. Clair County, Alabama, for the period October 1, 2015 through December 31, 2020.

- ◆ **District Attorney's Fund** – accounts for court fees received from the Circuit Clerks in St. Clair County; cost recovery collections for the District and Circuit Courts of the 30th Judicial Circuit in accordance with Act Number 95-725, Acts of Alabama, and miscellaneous collections not accounted for by the other funds.

- ◆ **Worthless Check Fund** – accounts for fees received from the Worthless Check Unit for processing worthless checks and disbursements made to defray the reasonable expenses incurred by the District Attorney and the administrative expenses of the program. The fund is authorized by the *Code of Alabama 1975*, Section 12-17-224 (a) (2) (e) (2) (iii).

- ◆ **Worthless Check Unit Fund** – accounts for fees from service charges and restitution collected for processing worthless checks. The Worthless Check Units is established by the *Code of Alabama 1975*, Section 12-17-224.

- ◆ **Forensics Fund** – accounts for 10% of the condemnation awards received from the courts to be expended for forensic science labs in Jacksonville and Birmingham, Alabama.

- ◆ **Pre-Trial Diversion Fund** – accounts for fees collected for the administration of the Pre-Trial Diversion Program. The Pre-Trial Diversion Program was established by Act Number 2009-649, Acts of Alabama.