

The mission of Oklahoma District Attorneys and their offices is to **PROTECT THE PUBLIC** through proactively **ADVOCATING** as ministers of justice for public safety and welfare and through **EDUCATING** and collaborating with communities, law enforcement, and policy makers while **SUPPORTING** our staff through personal and professional development and peer support.

District Attorneys

Mike Boring, Chair

Suzanne McClain Atwood, Executive Coordinator

421 N.W. 13th Street, Suite 290

Oklahoma City, OK 73103

(405) 264-5000

Oklahoma's District Attorneys

DAs are already generating more than half the funds to run their offices

DAs are businessmen and women, while also trying to be prosecutors

We can't afford to hire experience

More than half our prosecutors have less than five years of experience

Reduction measures already taken

Prosecutor average starting salary is \$44,543

Eliminated staff – authorized 1341 FTE, currently have 1109

Caseloads average 297 NEW cases a year in addition to existing load

UNABLE TO RECRUIT EXPERIENCED, QUALIFIED PEOPLE

Reduction measures already taken at DAC

Eliminated HR position

**Eliminated full time receptionist –
replaced with two part-time to save
benefits costs**

Amend training schedule

Delay IT purchases

Oklahoma's District Attorneys



Mike Boring
Chair, District Attorneys Council
District Attorney, District 1
Guymon, Oklahoma



Mike Fields
Vice Chair, District Attorneys Council
District Attorney, District 4
Enid, Oklahoma



Suzanne McClain Atwood
Executive Coordinator
District Attorneys Council
Oklahoma City, Oklahoma

Oklahoma's District Attorneys

As of January 2015



MIKE BORING
District #1
Beaver, Cimarron, Harper, &
Texas Counties



ANGELA MARSEE
District #2
Beckham, Custer, Roger Mills,
Washita, & Ellis Counties



JOHN WAMPLER
District #3
Jackson, Kiowa, Tillman,
Harmon, & Greer Counties



MIKE FIELDS
District #4
Blaine, Garfield, Canadian,
Grant, & Kingfisher Counties



FRED C. SMITH
District #5
Comanche & Cotton Counties



JASON HICKS
District #6
Stephens, Grady, Caddo, &
Jefferson Counties



DAVID PRATER
District #7
Oklahoma County



BRIAN HERMANSON
District #8
Kay & Noble Counties



LAURA THOMAS
District #9
Payne & Logan Counties



REX DUNCAN
District #10
Osage & Pawnee Counties



KEVIN BUCHANAN
District #11
Washington & Nowata
Counties



MATT BALLARD
District #12
Mayes, Rogers, & Craig
Counties



KENNY WRIGHT
District #13
Ottawa & Delaware Counties



STEVE KUNZWEILER
District #14
Tulsa County



ORVIL LOGE
District #15
Muskogee County



JEFF SMITH
District #16
LeFlore & Latimer Counties



MARK MATLOFF
District #17
Pushmataha, McCurtain, &
Choctaw Counties



FARLEY WARD
District #18
Haskell & Pittsburg Counties



EMILY REDMAN
District #19
Atoka, Coal, & Bryan Counties



CRAIG LADD
District #20
Carter, Johnston, Marshall,
Love, & Murray Counties



GREG MASHBURN
District #21
Cleveland, McClain, & Garvin
Counties



CHRIS ROSS
District #22
Pontotoc, Hughes, & Seminole
Counties



RICHARD SMOTHERMON
District #23
Lincoln & Pottawatomie
Counties



MAX COOK
District #24
Creek & Okfuskee Counties



ROB BARRIS
District #25
Okmulgee & McIntosh
Counties



CHRIS BORING
District #26
Woodward, Woods, Dewey,
Alfalfa, & Major Counties



BRIAN KUESTER
District #27
Wagoner, Adair, Sequoyah, &
Cherokee Counties

The District Attorneys Council



Mike Boring
Chair, District Attorneys Council
District Attorney, District 1
Guymon, Oklahoma



Mike Fields
Vice Chair, District Attorneys Council
District Attorney, District 4
Enid, Oklahoma



David Prater
Member, District Attorneys Council
District Attorney, District 7
Oklahoma City, Oklahoma



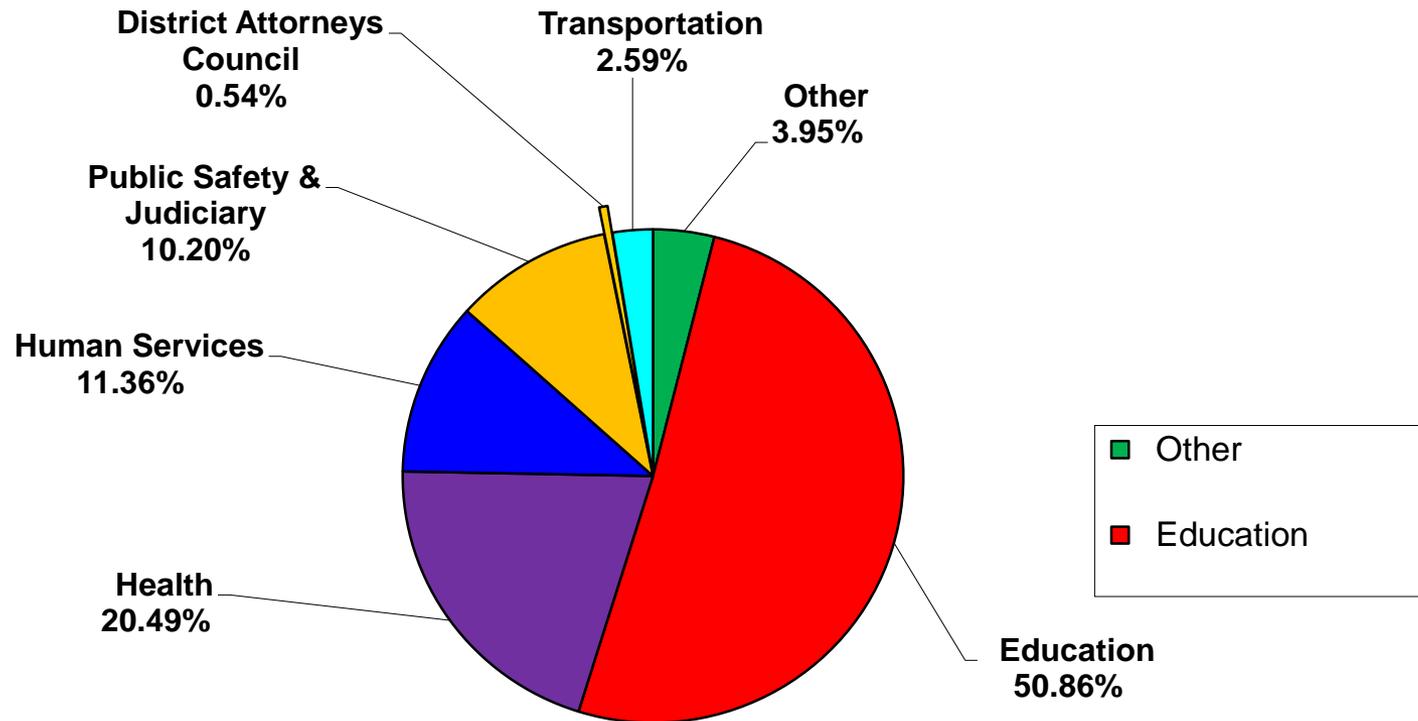
Scott Pruitt
Member, District Attorneys Council
Attorney General
Oklahoma City, Oklahoma



John Wampler
Member, District Attorneys Council
District Attorney, District 3
Altus, Oklahoma

Public Safety and the Judiciary
receive less than **11%** of the
State Budget

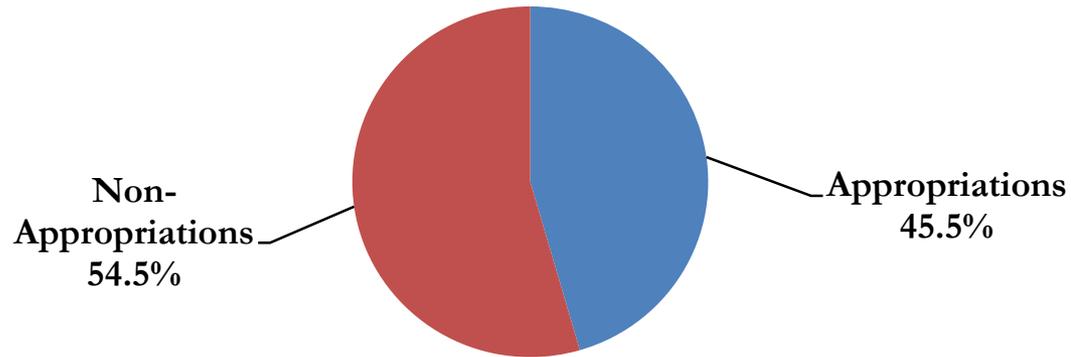
FY 2016 State Budget



State funds less than half

FY '15 Expenditures: \$79 million
State Appropriations: \$38 million

District Attorney Budget



State funds less than half

Remainder of budget must be generated

Bogus check funds still in serious decline

Payroll is 98% of budget

District Attorneys have increasingly become check collectors, probation officers, investigators, grant writers, and civil forfeiture attorneys in an attempt to keep doors open. “Prosecutor” continues to fall further and further down the list.

District Attorneys now begin each day worrying not about the murder case their office will try, but about how they will fund a prosecutor to handle it.

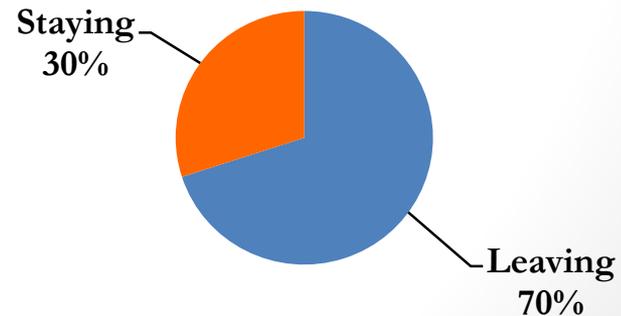
70% Turnover Rate

Between 2011 and 2014, the turnover rate for ADAs was 70%

Of the 310 ADAs, 152 or almost half have 5 years or less experience

If your son or daughter were raped, wouldn't you want the best attorney in the courtroom?

Prosecutor Turnover
2011-2014



70% Turnover Rate

Low salaries contribute to the inability to recruit and retain experienced, qualified attorneys

Caseloads are so large that the time they have to dedicate to each case is insufficient

70% Turnover Rate

Prosecutor pay is not competitive

Average starting salary for prosecutors is *less than* a starting salary for a Tulsa Police Department Officer and an OBN or OSBI agent
Officers and agents deserve every penny – so do your prosecutors

Prosecutors are required to have a law degree - some graduate from law school with student loan payments in excess of \$1,000 per month

70% Turnover Rate

Prosecutor pay is not competitive

	OBN	OSBI	OHP	Tulsa PD	ADA
Starting Salary	\$46,900	\$49,125	\$40,760	\$45,926	\$44,543
Salary at 3 years	\$64,749	\$63,907	\$53,425		\$53,650
Salary at 7 years			\$70,030		\$65,183
Average salary				\$73,203	\$64,825

Turnover rates are high: Prosecutor pay is not competitive

Assistant City Attorneys	OKC	Moore	Norman	Tulsa	ADA
Starting Salary	\$56,355	\$79,127	\$60,497	\$58,988	\$44,543

2014 Law Graduates	OU	OCU	Tulsa	ADA
Average starting salary	\$56,000	\$56,500	\$67,200	\$44,543

Other States	Arkansas	Colorado	ADA
Average starting salary	\$55,156	\$51,000	\$44,543

70% Turnover Rate

Caseloads are staggering

310 Assistant District Attorneys in Oklahoma

92,042 felony and misdemeanor cases filed in 2013

Average of 297 new cases per lawyer each year, not including existing caseload and other duties as prosecutors

High case loads leave insufficient time for legal review, *meetings with victims*, and case preparation



Consider the cost of prison diversion programs

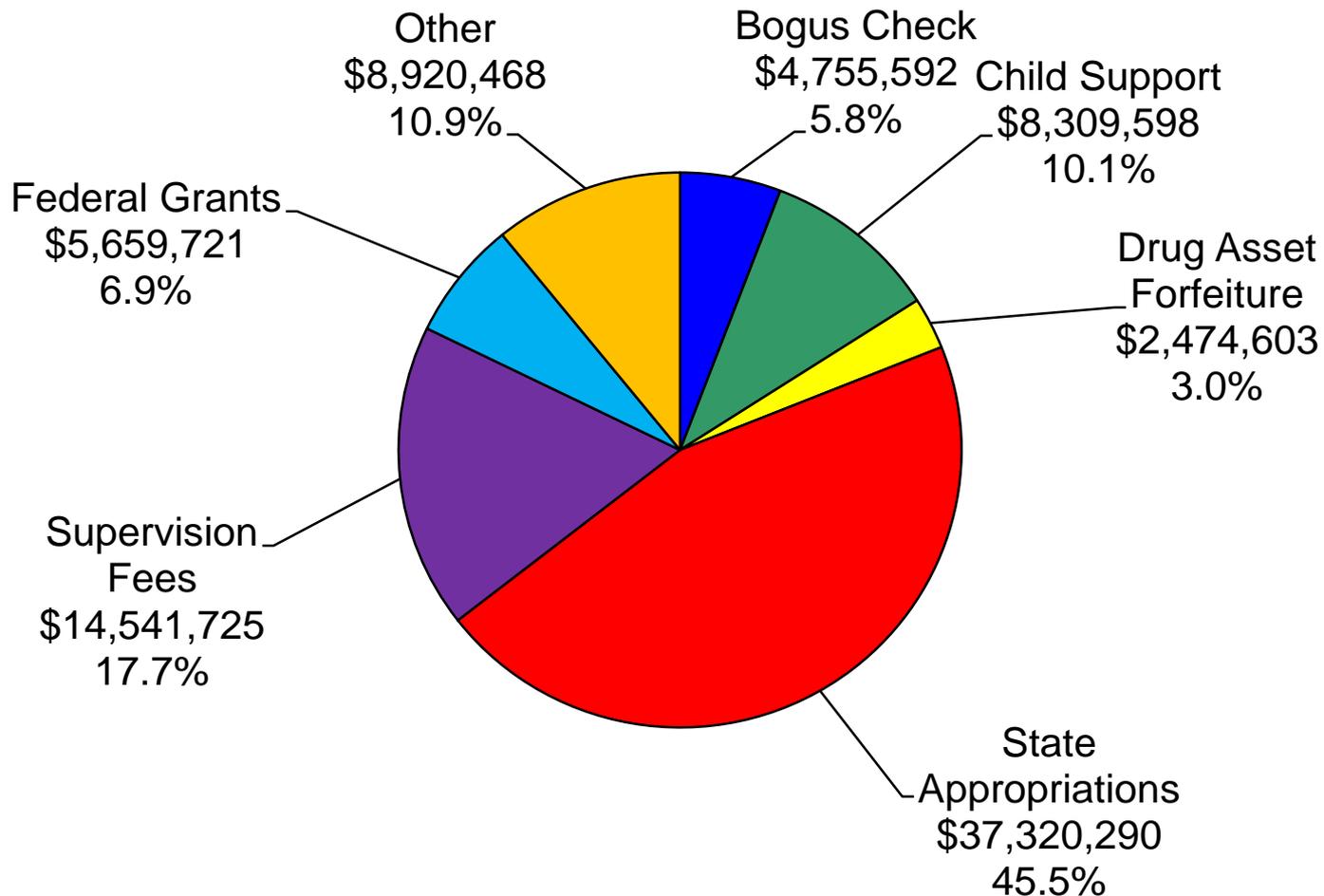
- Diversion courts help offenders and keep people out of prison, but cause incredible strain on prosecutors' budgets
- Prosecutors touch a traditional case file (where the defendant pleads guilty) an average of **5 times**
- Prosecutors touch a drug court file approximately **57 times**

District Attorneys support fully the continued use of drug courts and other alternative courts – but these courts *must* be funded

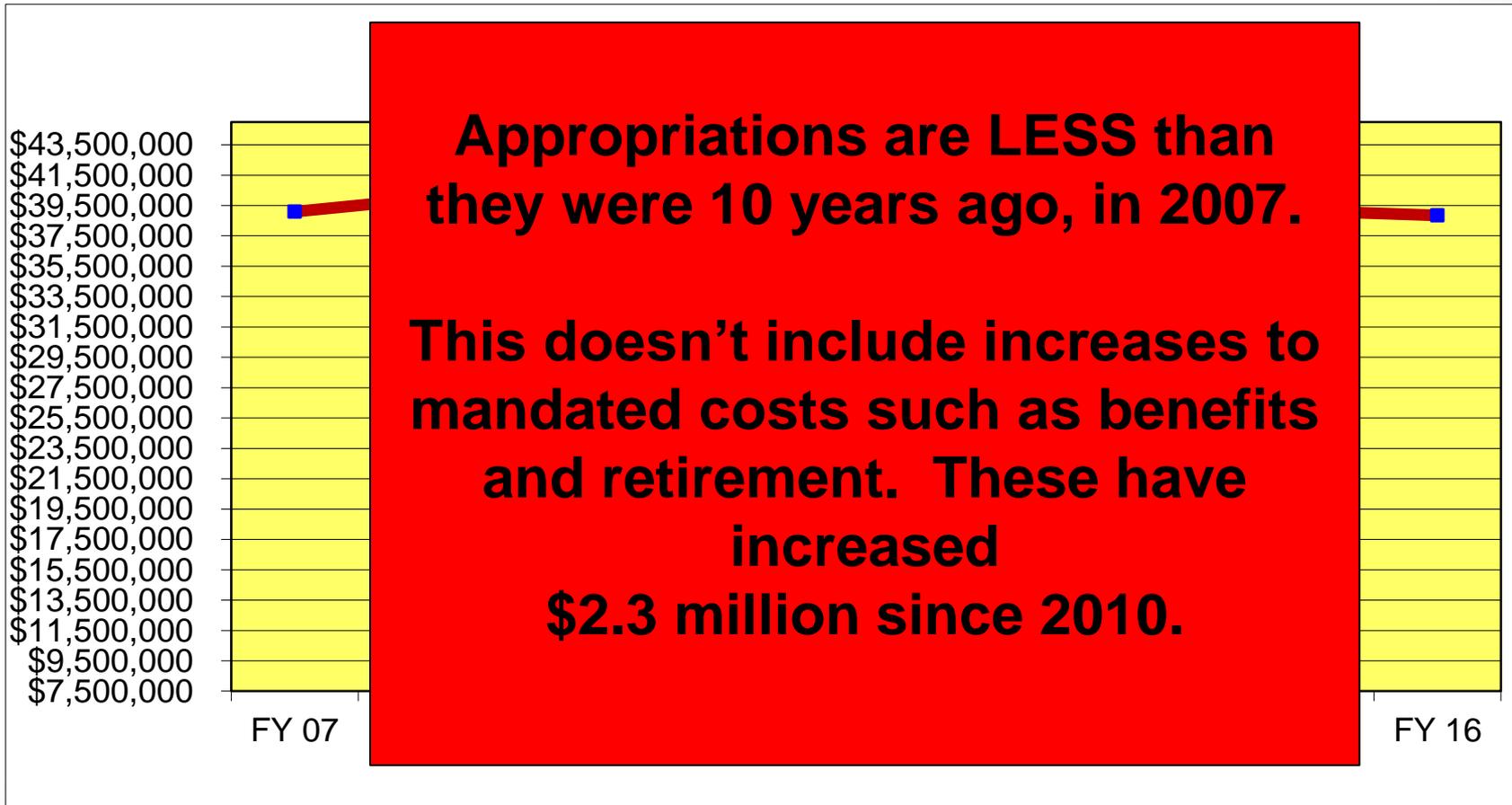
Offenders, rather than tax payers, should be responsible for many of the costs associated with their prosecutions.

Unfortunately, what little funds the prosecutors have are split between competing entities.

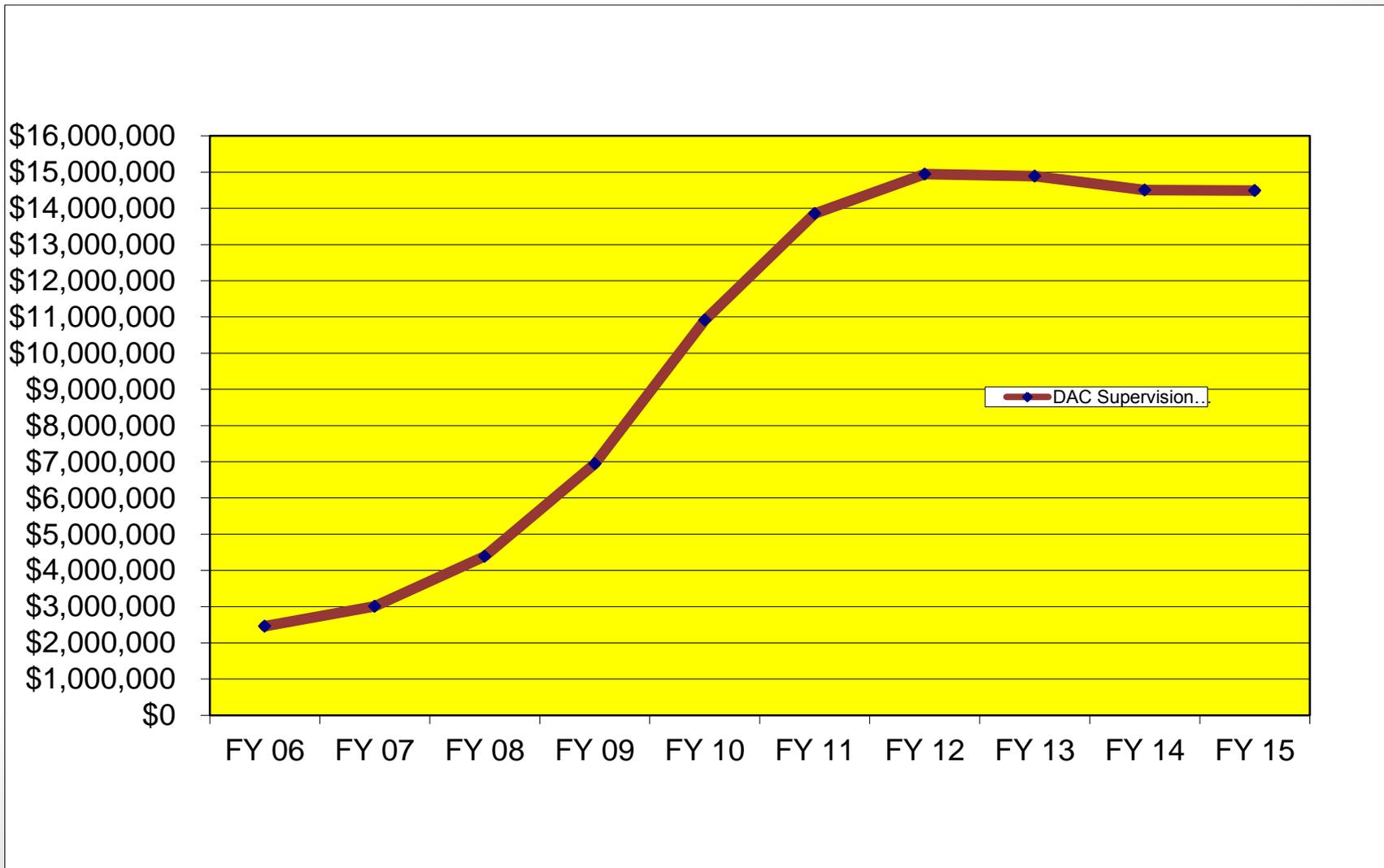
FY 2016 District Attorney Funding



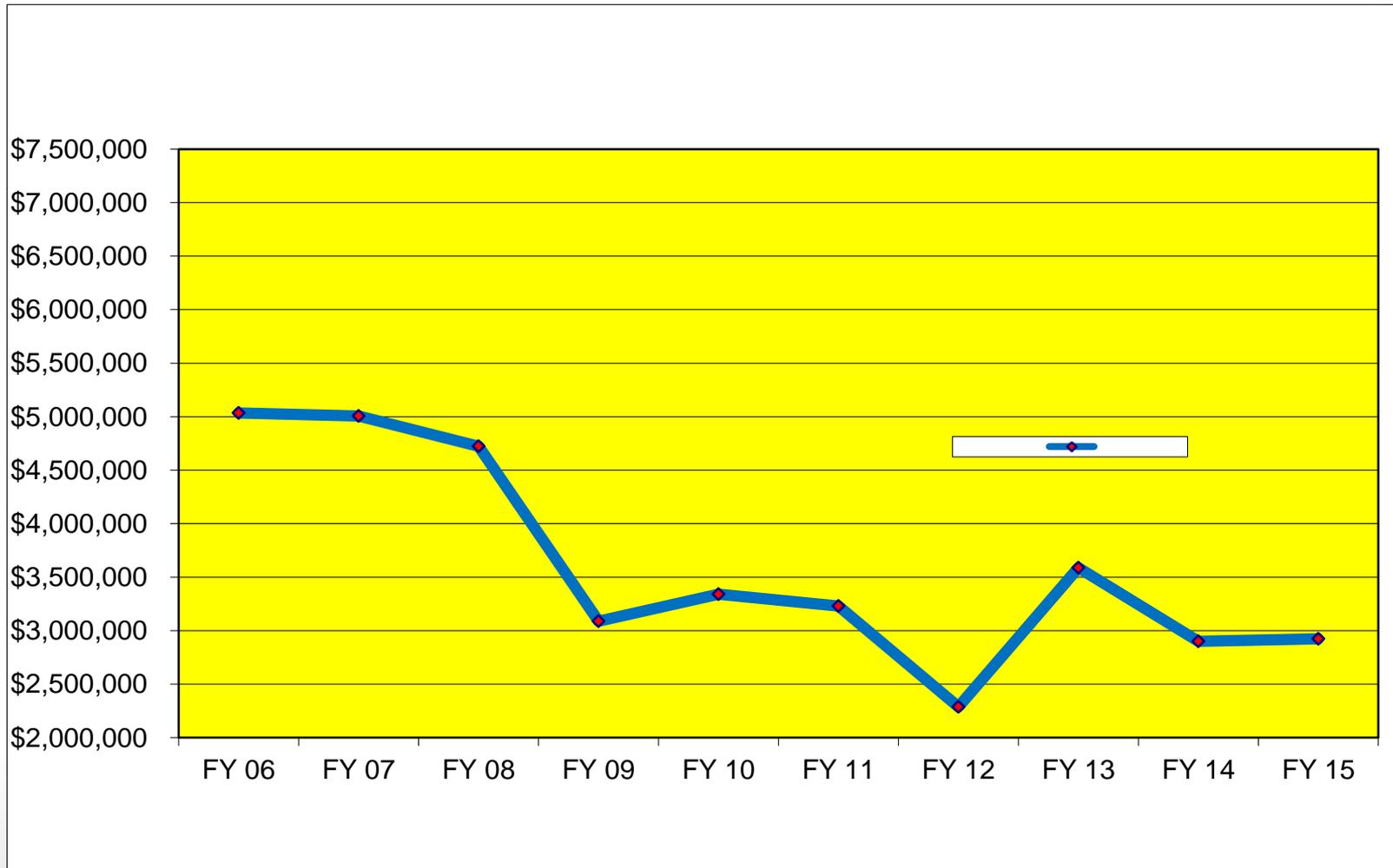
10-Year State Appropriation History of the District Attorneys Council



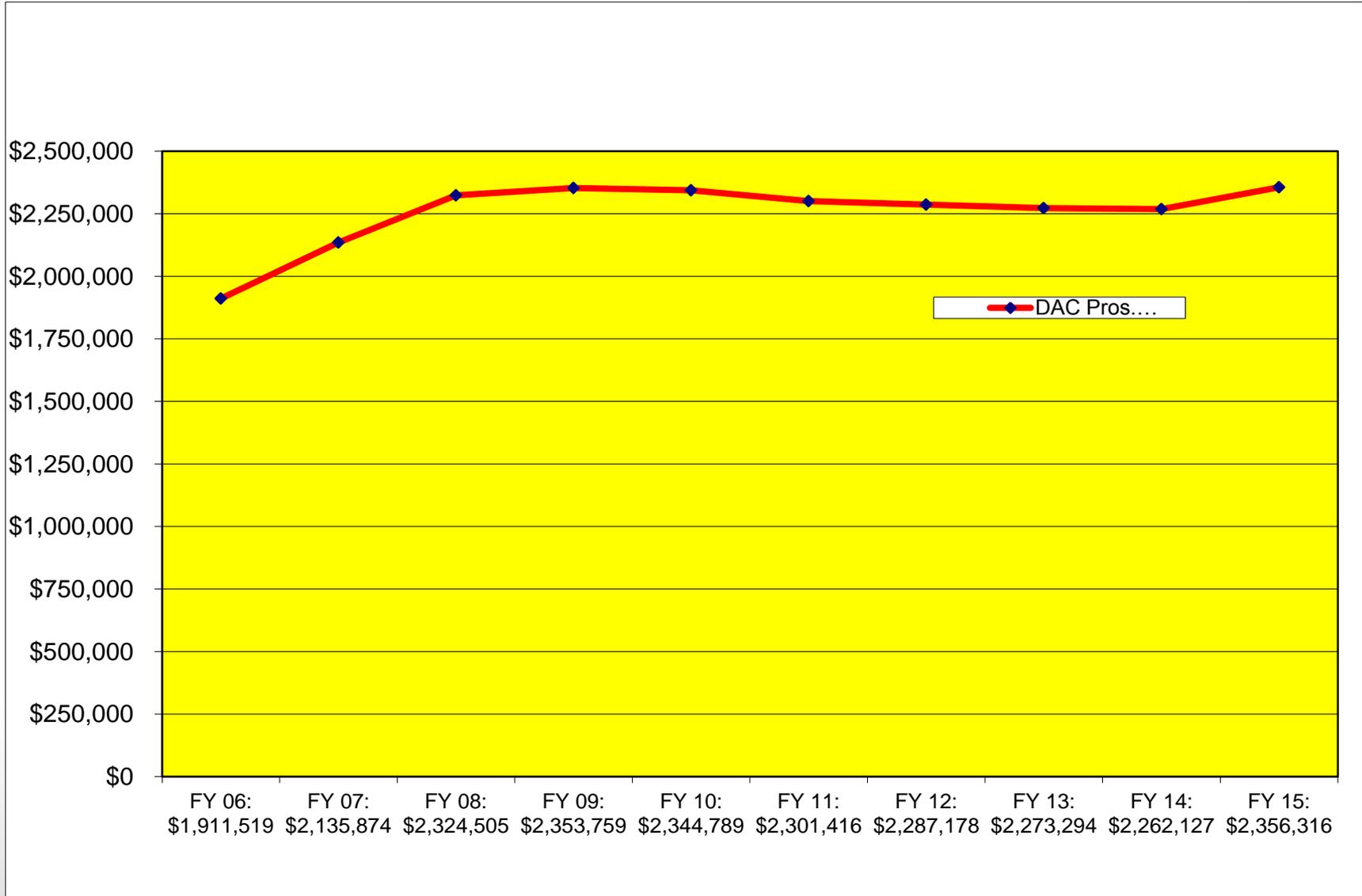
10-Year Supervision Fee History of the District Attorneys Council



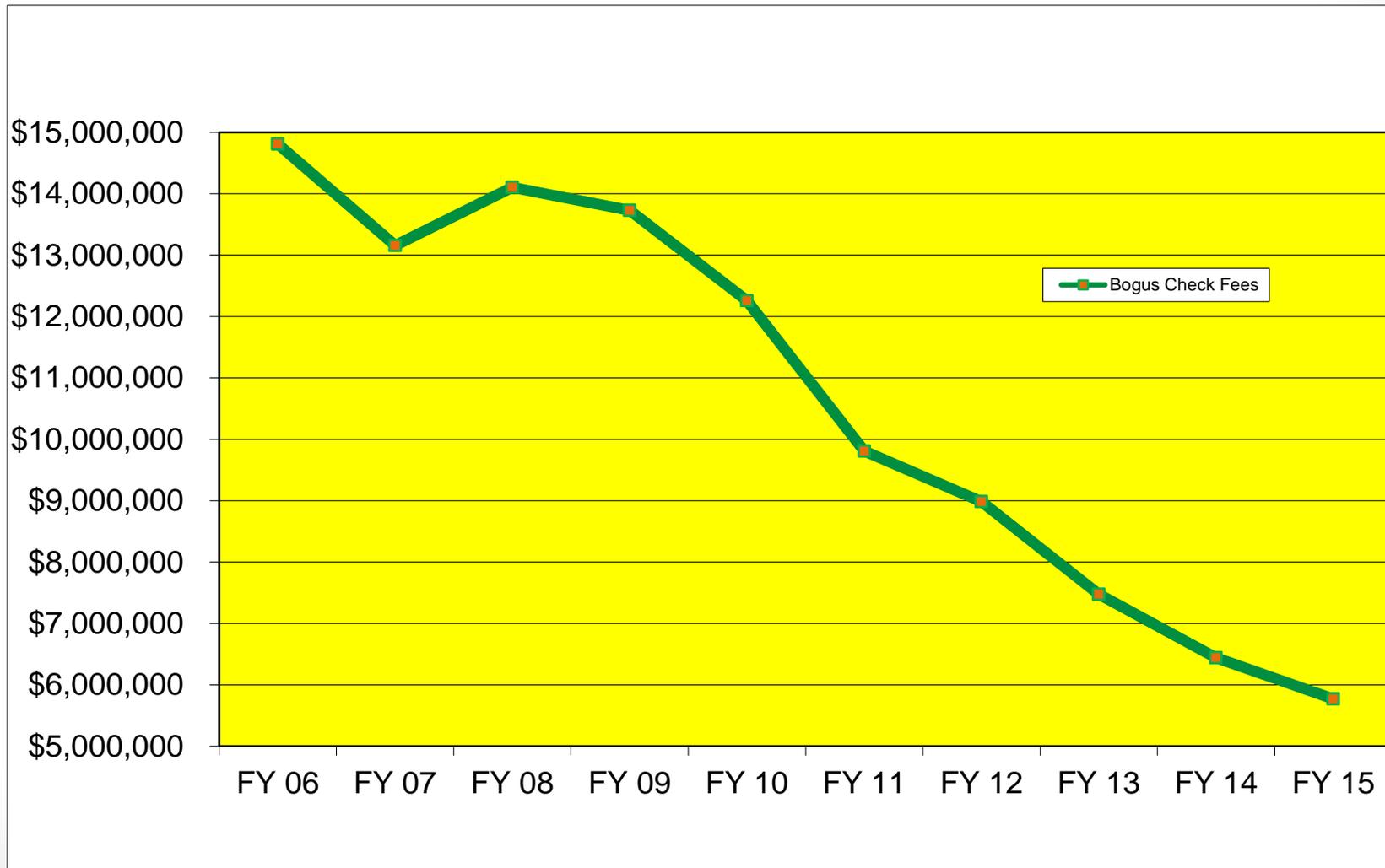
10-Year Drug Asset Forfeiture Fees History of the District Attorneys Council

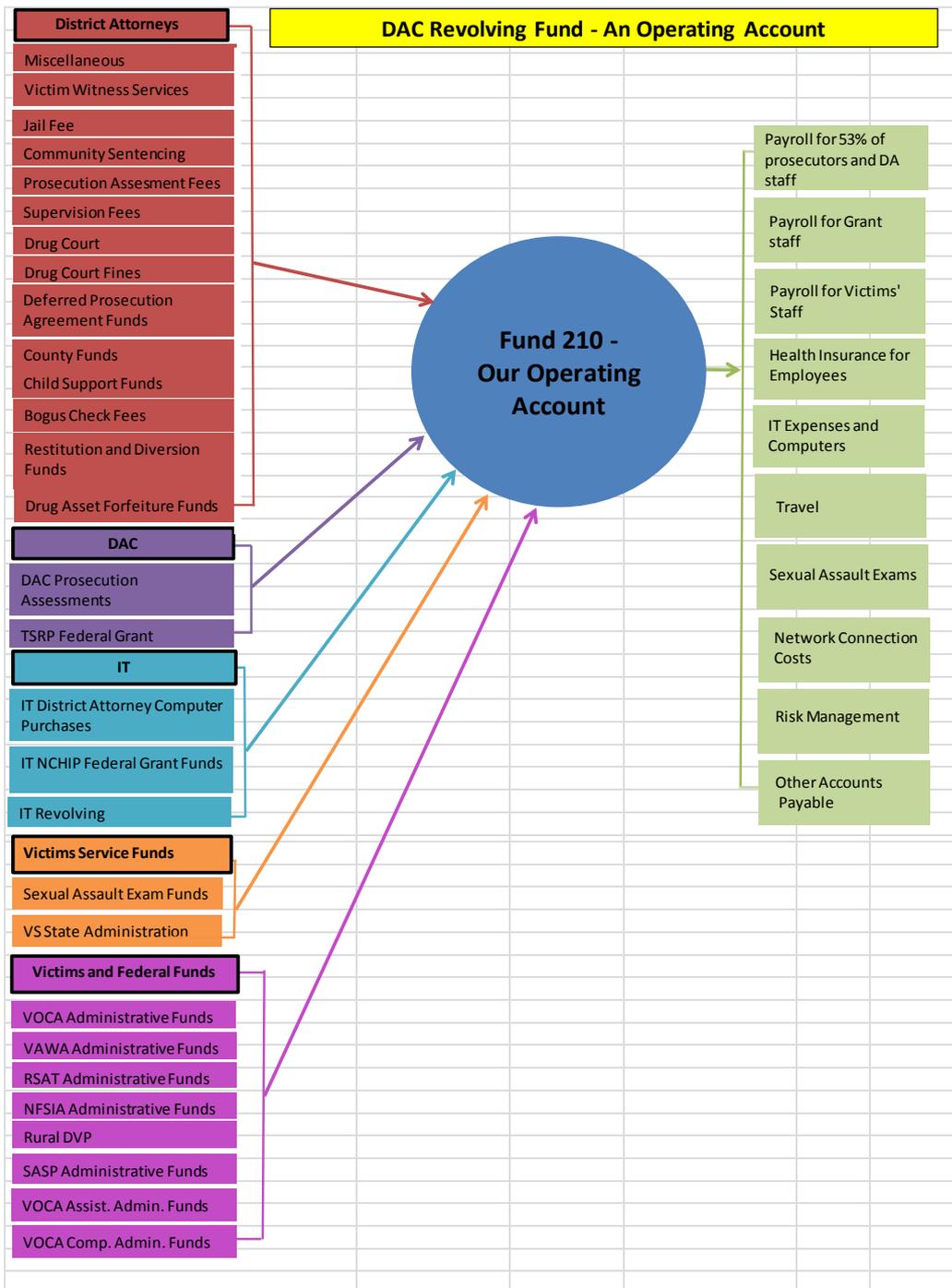


10-Year Prosecution Assessment History of the District Attorneys Council



10-Year Bogus Check Fee History of the District Attorneys Council





Effect of a 5% Cut

- 26 staff reduced or eliminated
- 2 districts consider furloughs

Effect of a 10% Cut

- 43.5 staff reduced or eliminated
- 6 districts consider furloughs
- Assign priorities to the types of cases we prosecute with some property crimes not being prosecuted
- Cancel or significantly curtail all non-essential programs, diversion courts and other services to focus on our core responsibilities: prosecuting juvenile, deprived child, mental health, traffic, misdemeanor and felony crime while trying to provide legal advice and services to other elected county officers.

Questions?



We have been asked to do more with less and have valiantly done so. These impending cuts will hasten the day when we can no longer effectively serve and protect the public that relies on us to do so.

District Attorney Jeff Smith

To illustrate the scope of this problem, I would ask the House, Senate and Governor's office to envision cutting their respective staff attorney force by 25% and thereafter, reduce salaries for those remaining to match our average ADA salaries. Then, just as prosecutors are doing more with less, imagine maintaining this staffing level if the House amended its current rule limiting each representative to eight bills and allowed filing an unlimited number of bills, like the Senate. This is the equivalent to the job you are asking of Oklahoma's Assistant District Attorneys.

District Attorney Rex Duncan

