

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. 13<sup>th</sup> 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**

**Eliminate color printing**

**Delay IT purchases**

# Oklahoma's District Attorneys

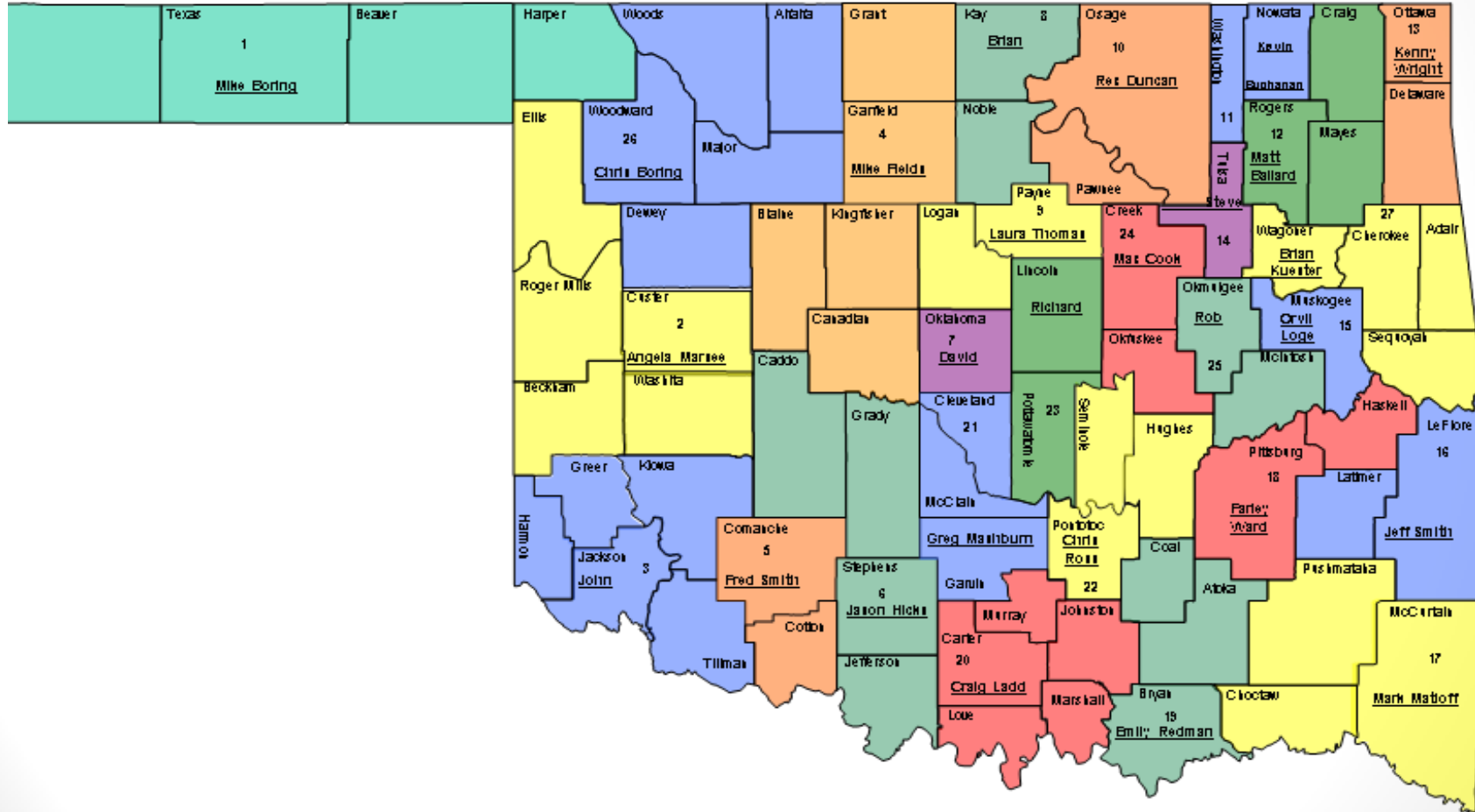


**Mike Boring**  
**Chair, District Attorneys Council**  
**District Attorney, District 1**  
**Guymon, Oklahoma**



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

# Oklahoma District Attorneys 2015



# 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

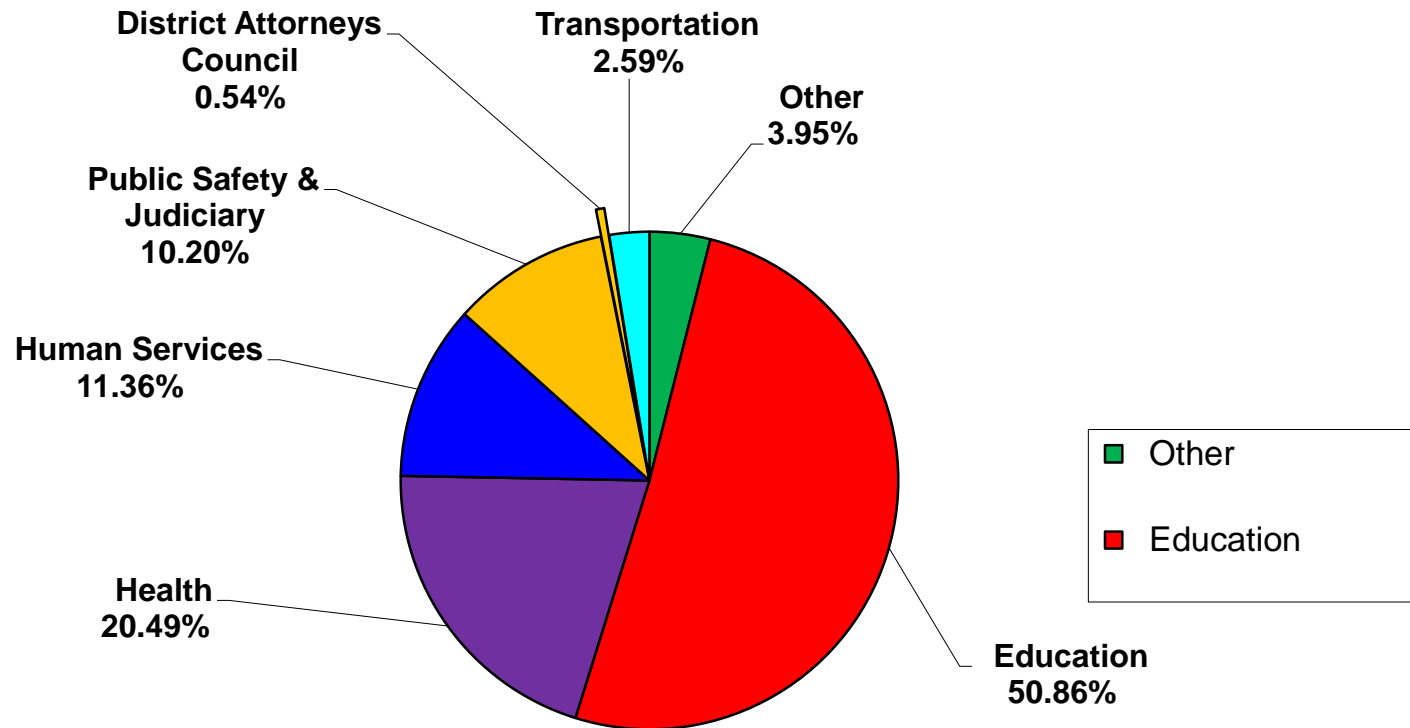


**John Wampler**  
Member, District Attorneys Council  
District Attorney, District 3  
Altus, Oklahoma



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

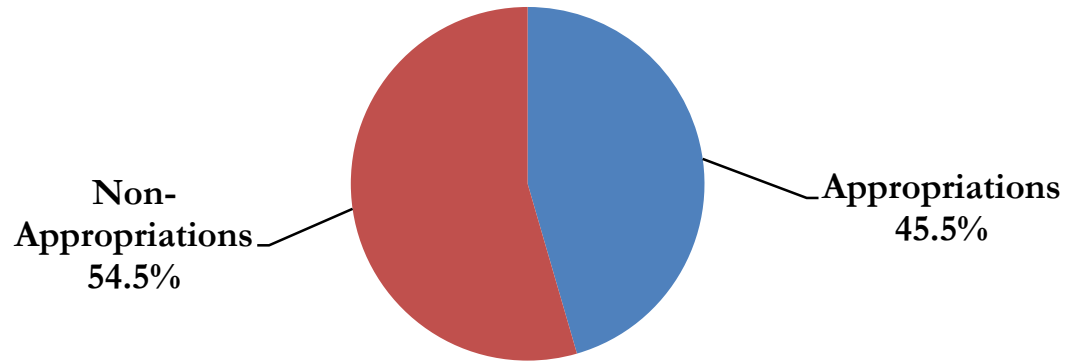
# FY 2016 State Budget



# 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.**

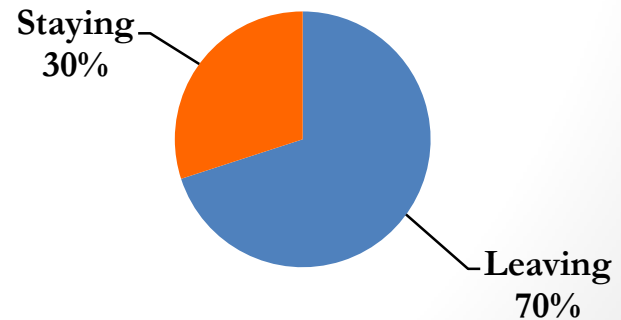
# 70% Turnover Rate

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	<b>\$44,543</b>

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

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

# 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

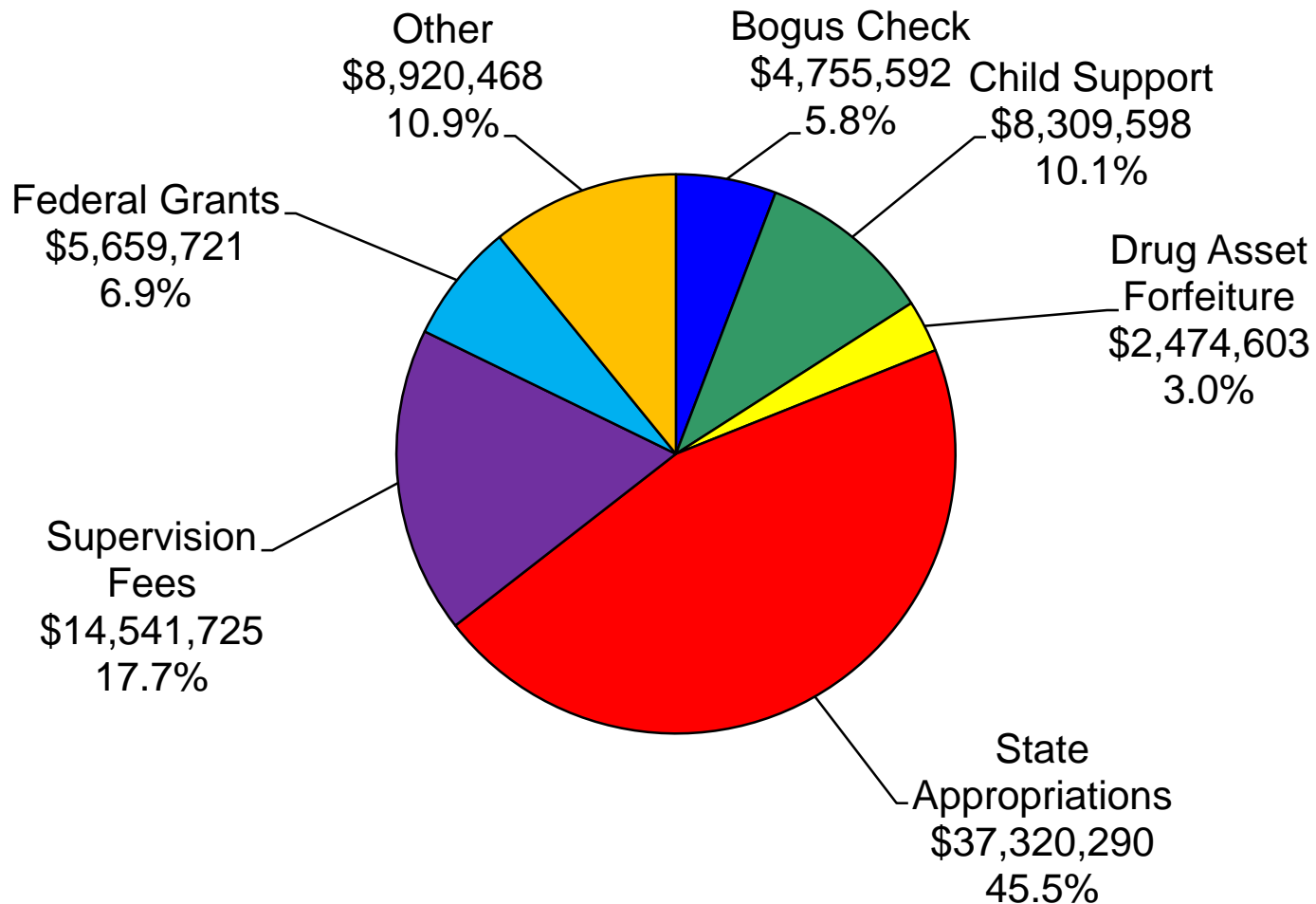
- Diversion courts help offenders and keep people out of prison, but cause incredible strain on prosecutors' budgets
- Prosecutors touch a traditional case file (where the defendant pleads guilty) an average of **5 times**
- Prosecutors touch a drug court file approximately **57 times**

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

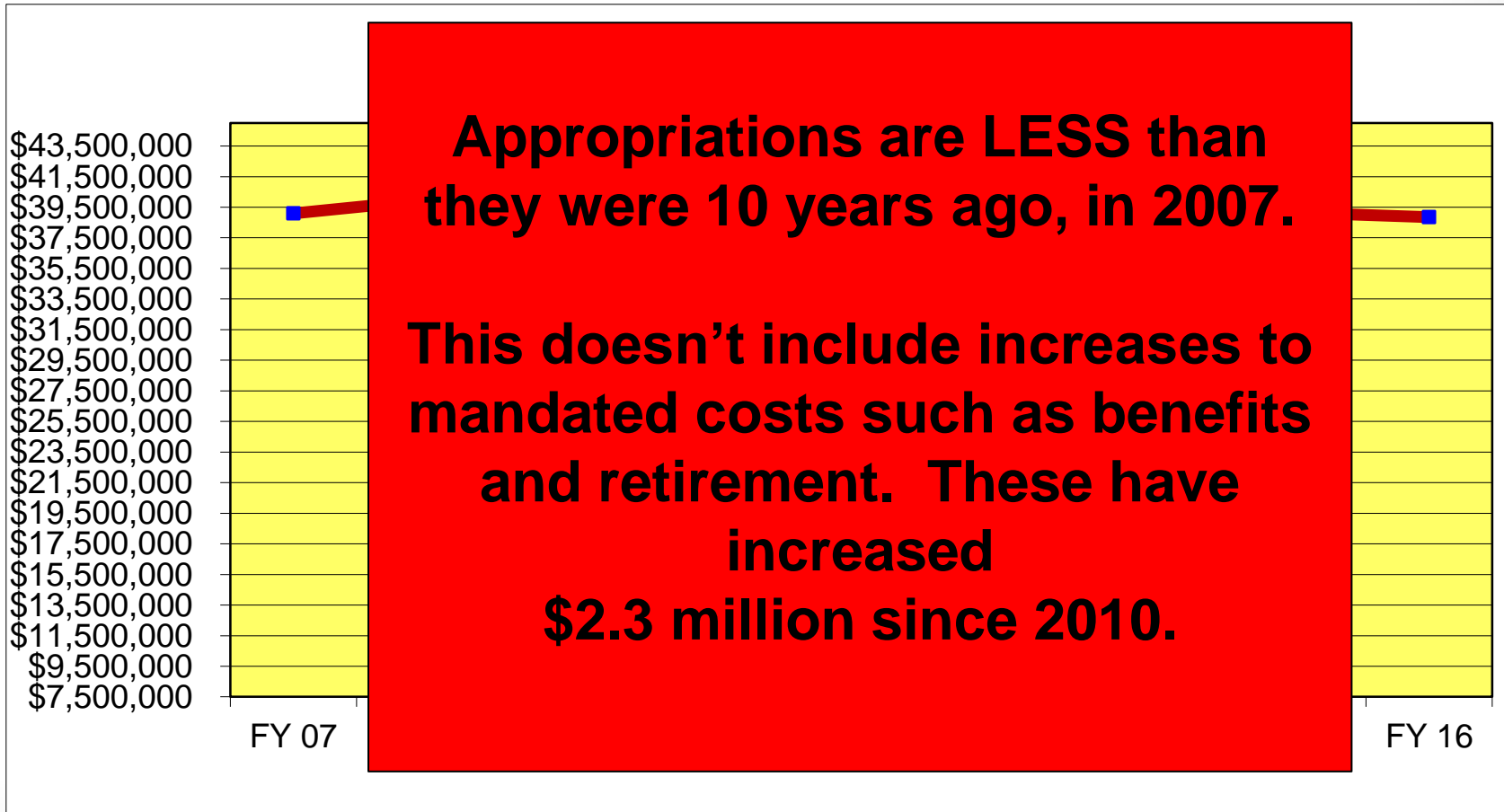
**Offenders, rather than tax payers, should be responsible for many of the costs associated with their prosecutions.**

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

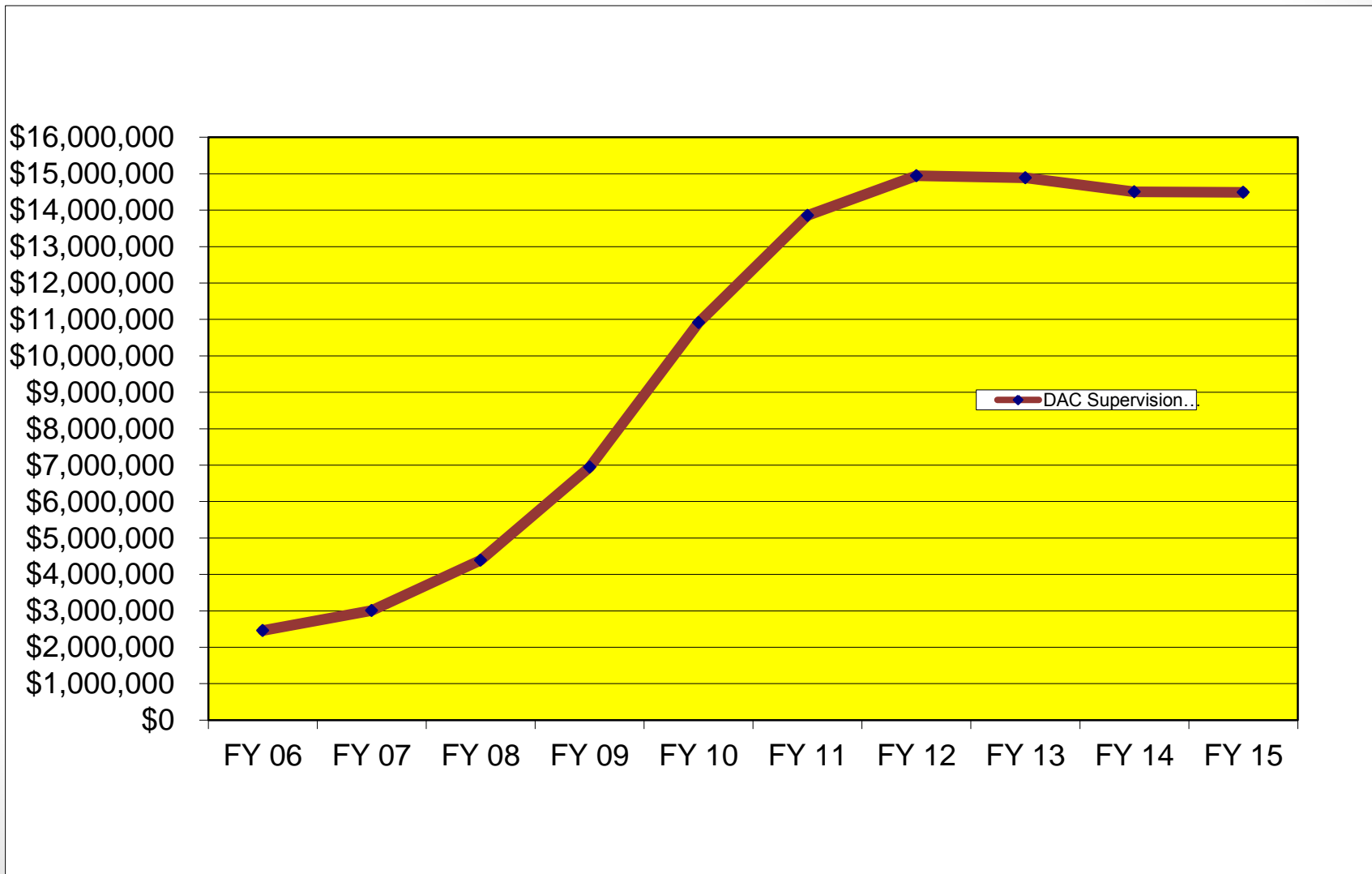
# FY 2016 District Attorney Funding



# 10-Year State Appropriation History of the District Attorneys Council

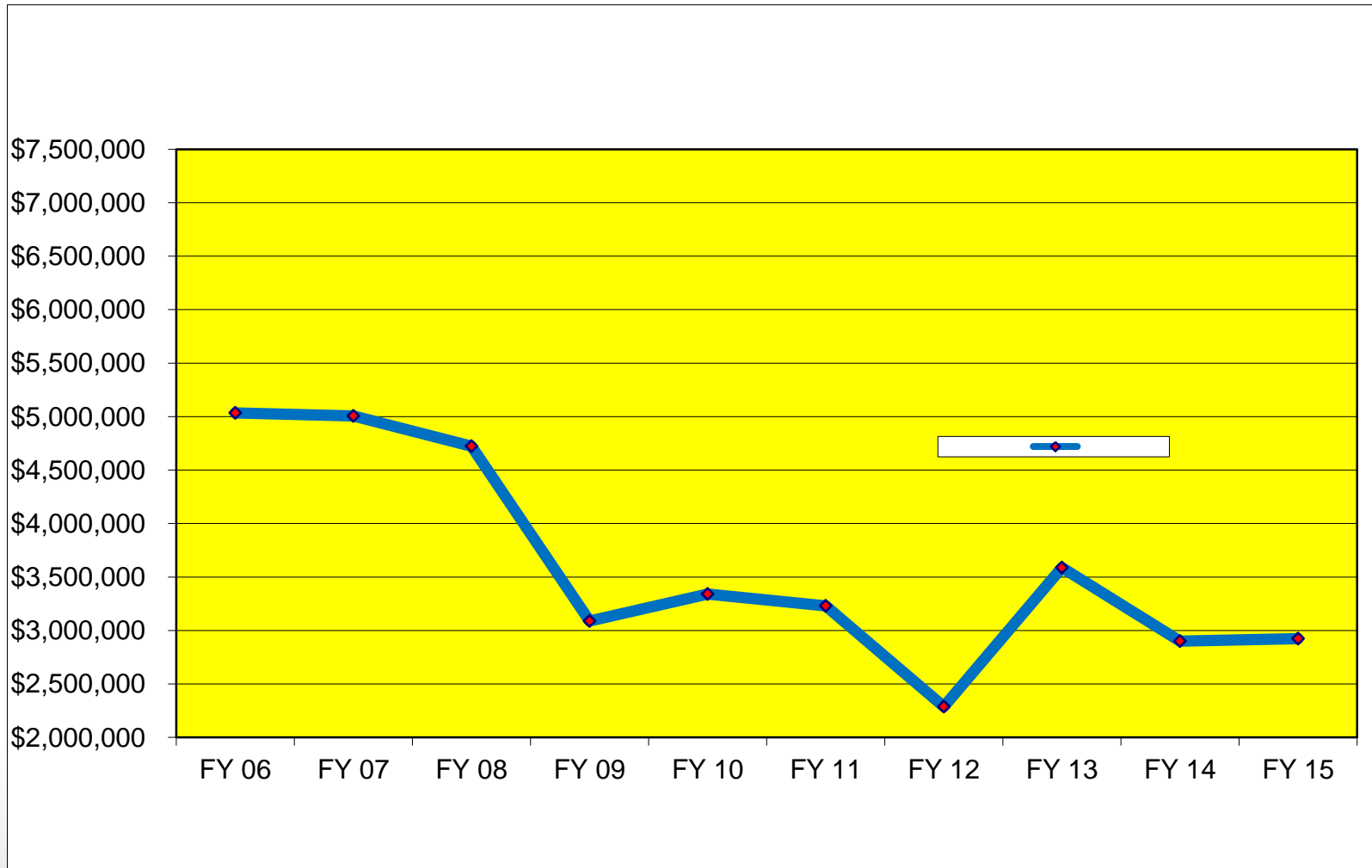


# 10-Year Supervision Fee History of the District Attorneys Council

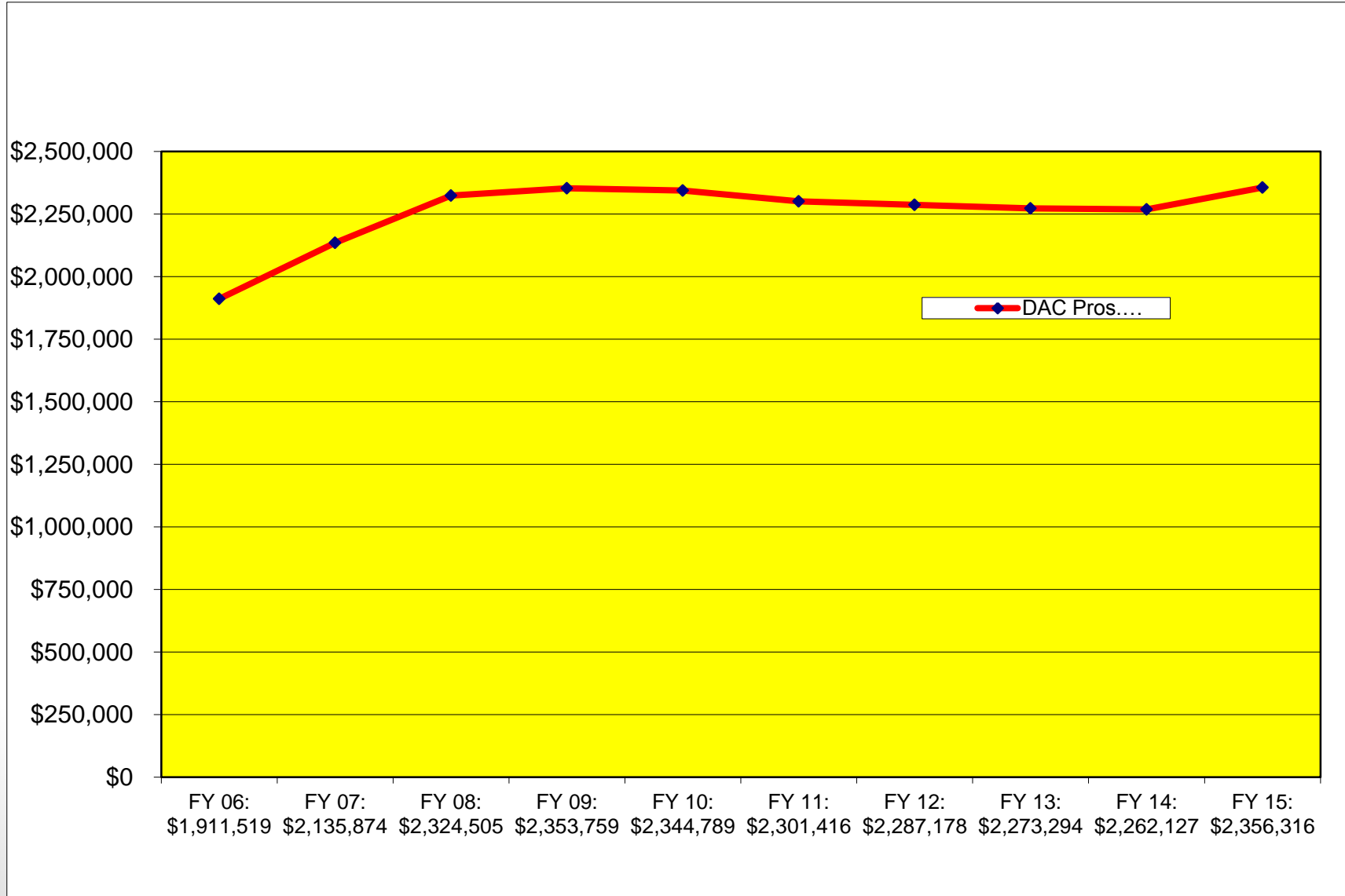




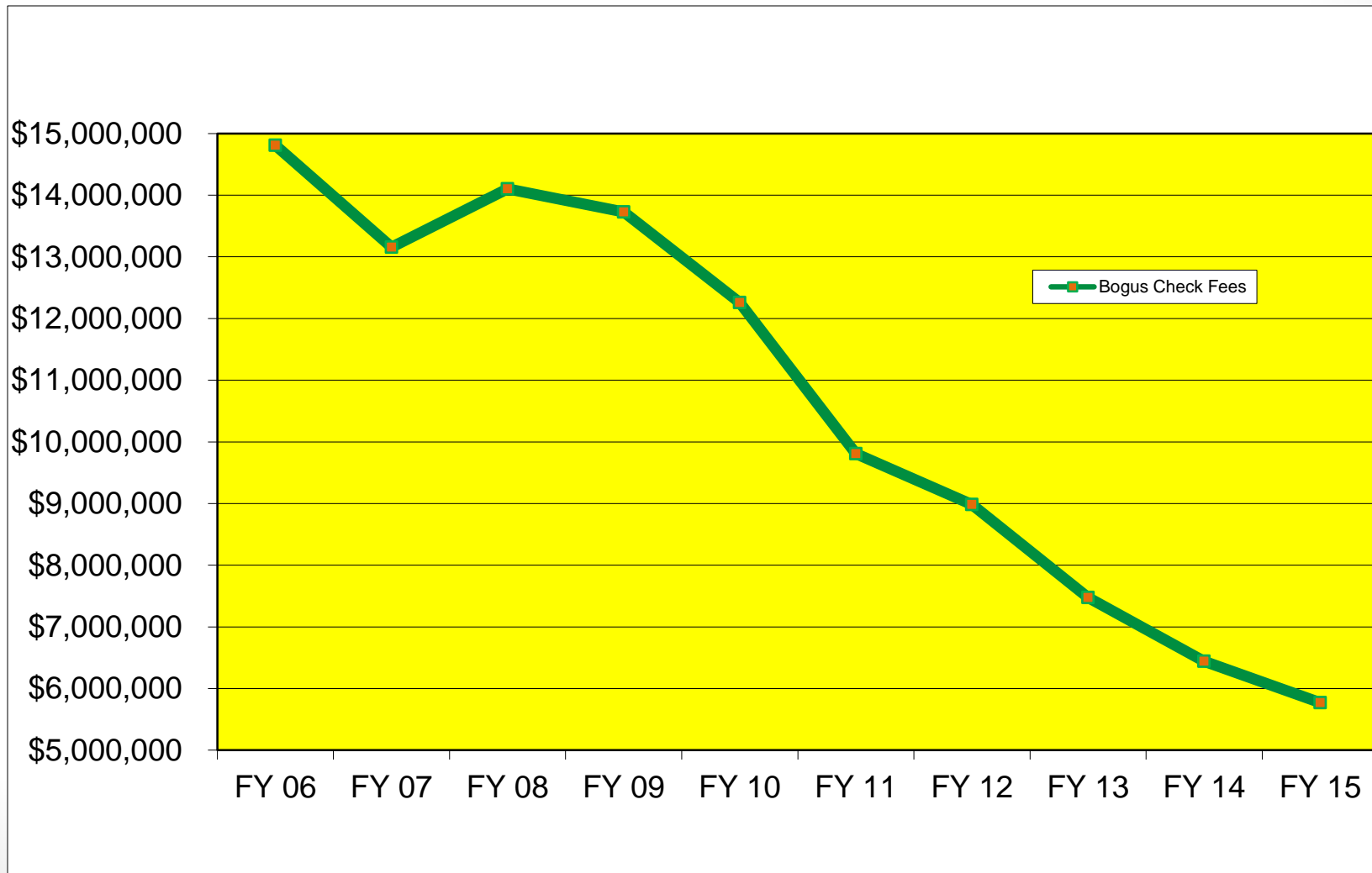
# 10-Year Drug Asset Forfeiture Fees History of the District Attorneys Council

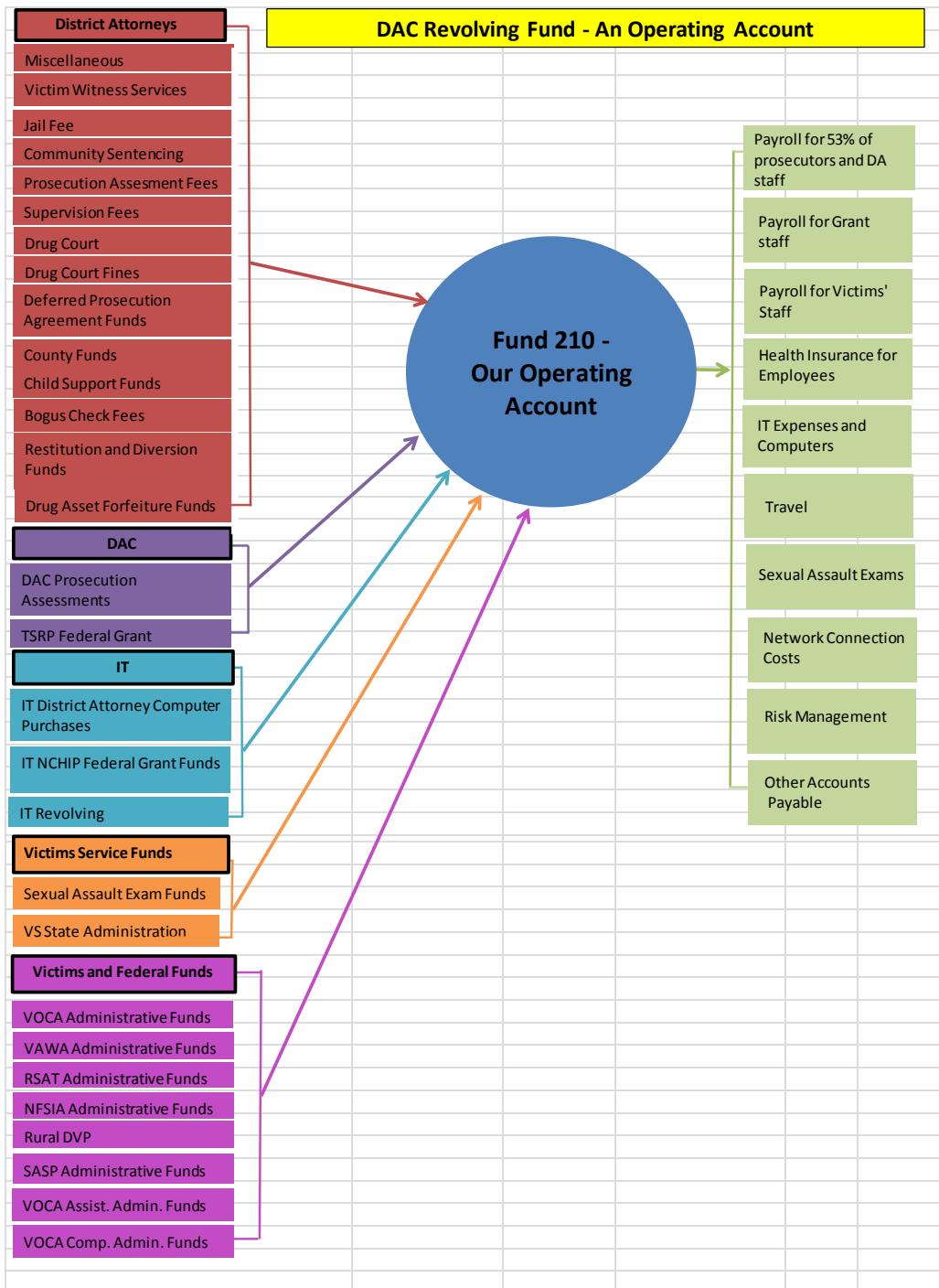


# 10-Year Prosecution Assessment History of the District Attorneys Council



# 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*

