

OKLAHOMA'S DISTRICT ATTORNEYS & DISTRICT ATTORNEYS COUNCIL

Angela Marsee, Chair

Trent H. Baggett, Executive Coordinator

Kathryn Boyle Brewer, Assistant Executive Coordinator

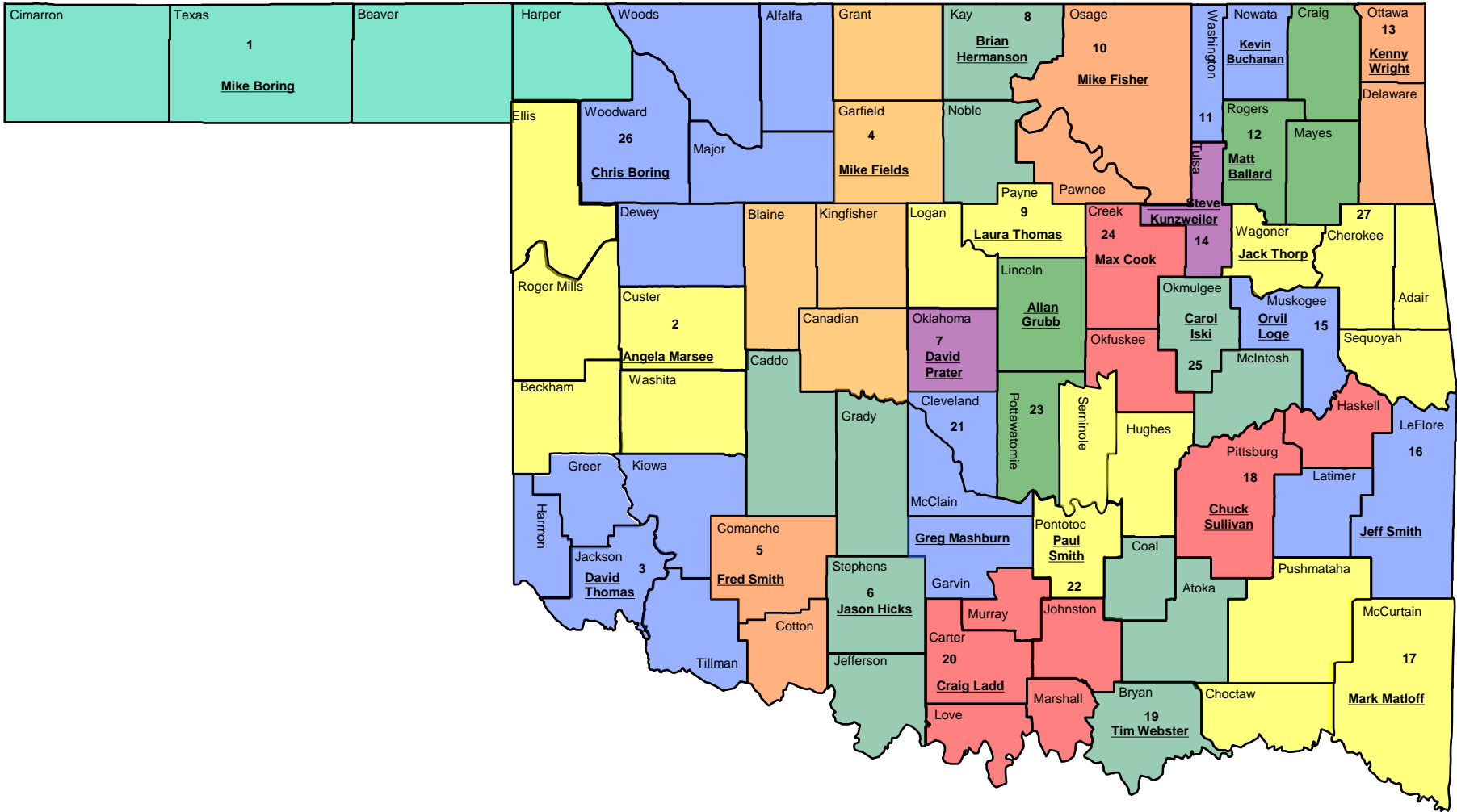
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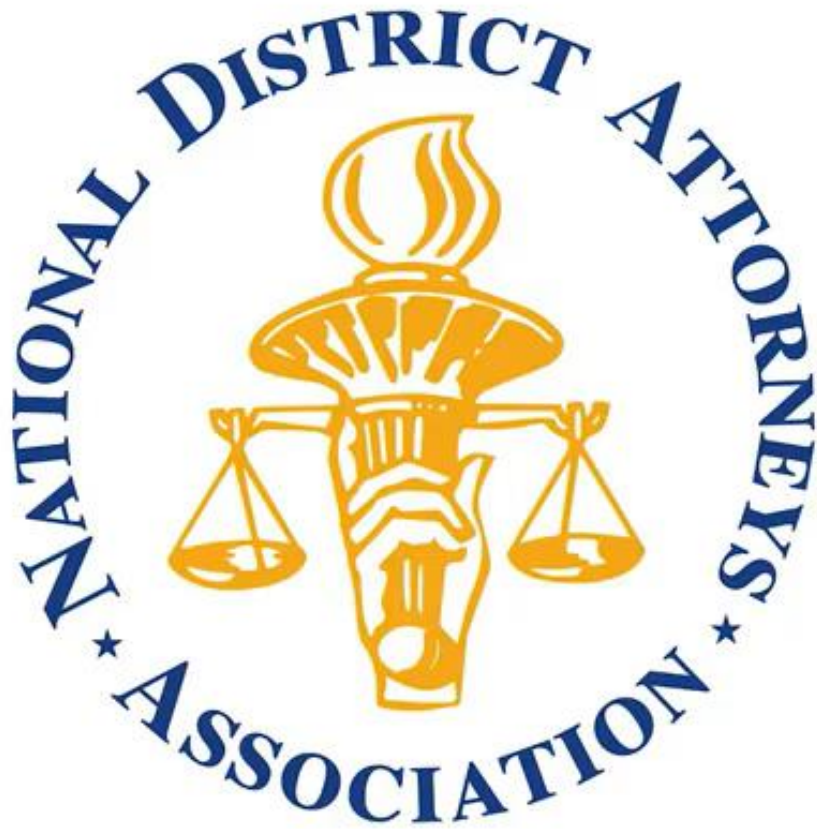
The mission of Oklahoma District Attorneys and their offices is to PROTECT THE PUBLIC through proactively ADVOCATING as MINISTERS OF JUSTICE for public safety and welfare and through EDUCATING and collaborating with communities, law enforcement, and policy makers while SUPPORTING our staff through personal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

Oklahoma District Attorneys 2020





What Do DA's Do?



The District Attorneys Council



**Angela Marsee, District Attorney
Arapaho, Oklahoma
Chair**



**Matt Ballard
District Attorney
Claremore, Oklahoma
Vice—Chair**



**Greg Mashburn, District Attorney
Oklahoma City, Oklahoma
Member**



**David Prater, District Attorney
Oklahoma City, Oklahoma
Member**



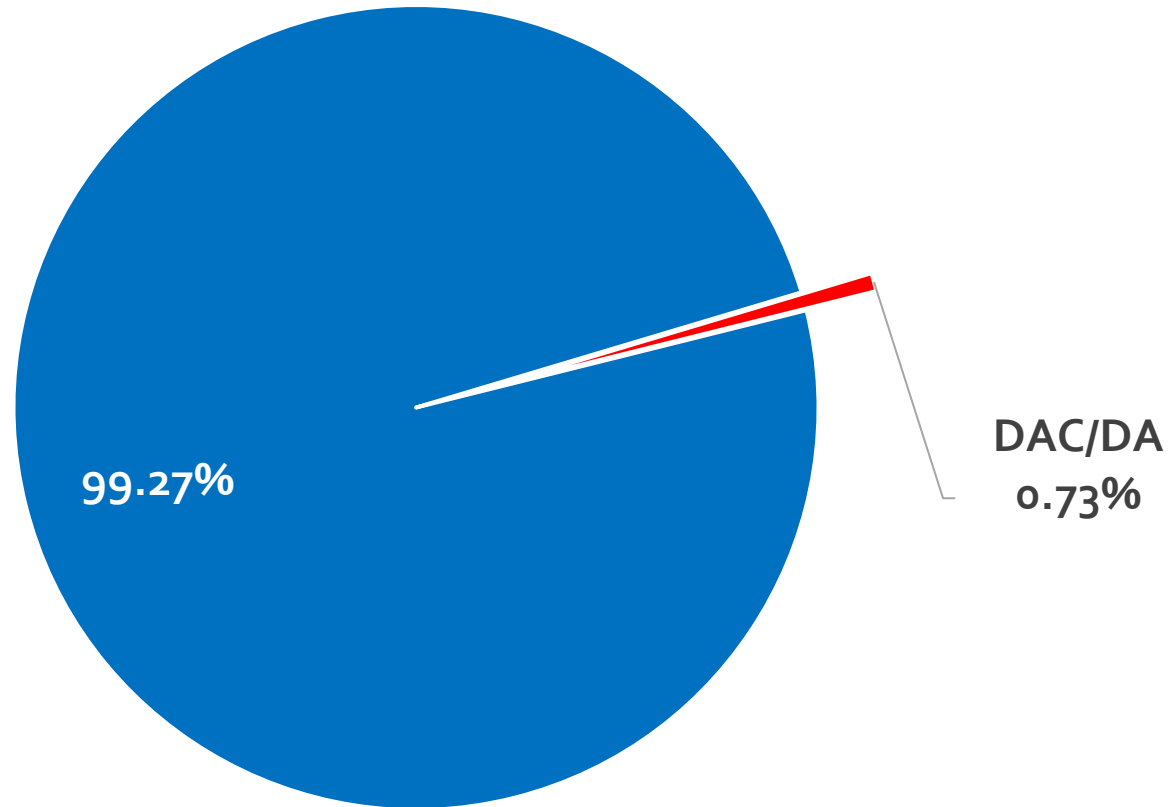
**Mike Hunter, Attorney General
Broken Arrow, Oklahoma
Member**

District Attorneys Council

- The DAC is a state agency whose primary duties and responsibilities are to process payroll for the approximately 1,000 staff of the DA system, conduct continuing legal education training conferences for all prosecutors, and to provide administrative support to District Attorneys and their staff.
- The DAC is comprised of 7 Divisions:
 - Executive Division
 - Finance Division
 - Victim Services Division
 - Federal Grants Division
 - Training & Outreach Division
 - Uninsured Vehicle Enforcement Diversion Division (UVED)
 - IT

DAC/DA Portion of The State Budget

FY 2021 Budget



■ FY 2021 State Budget

■ DAC/DA Portion

District Attorneys Council FY 2022 Budget Request

1. FY 21 Base Appropriation		\$56,642,149
2. Requested Additional Funding for Office Operations		
A. Restoration Of Cuts From FY 21:	\$2,137,633	
B. Necessary funding for Operations:	\$7,855,111	
3. Replace DA Case Management System:	\$2,587,500	
Approximate annual cost of Additional Funding		\$12,580,244
TOTAL REQUEST:		\$69,222,393

DAC/DA Appropriation

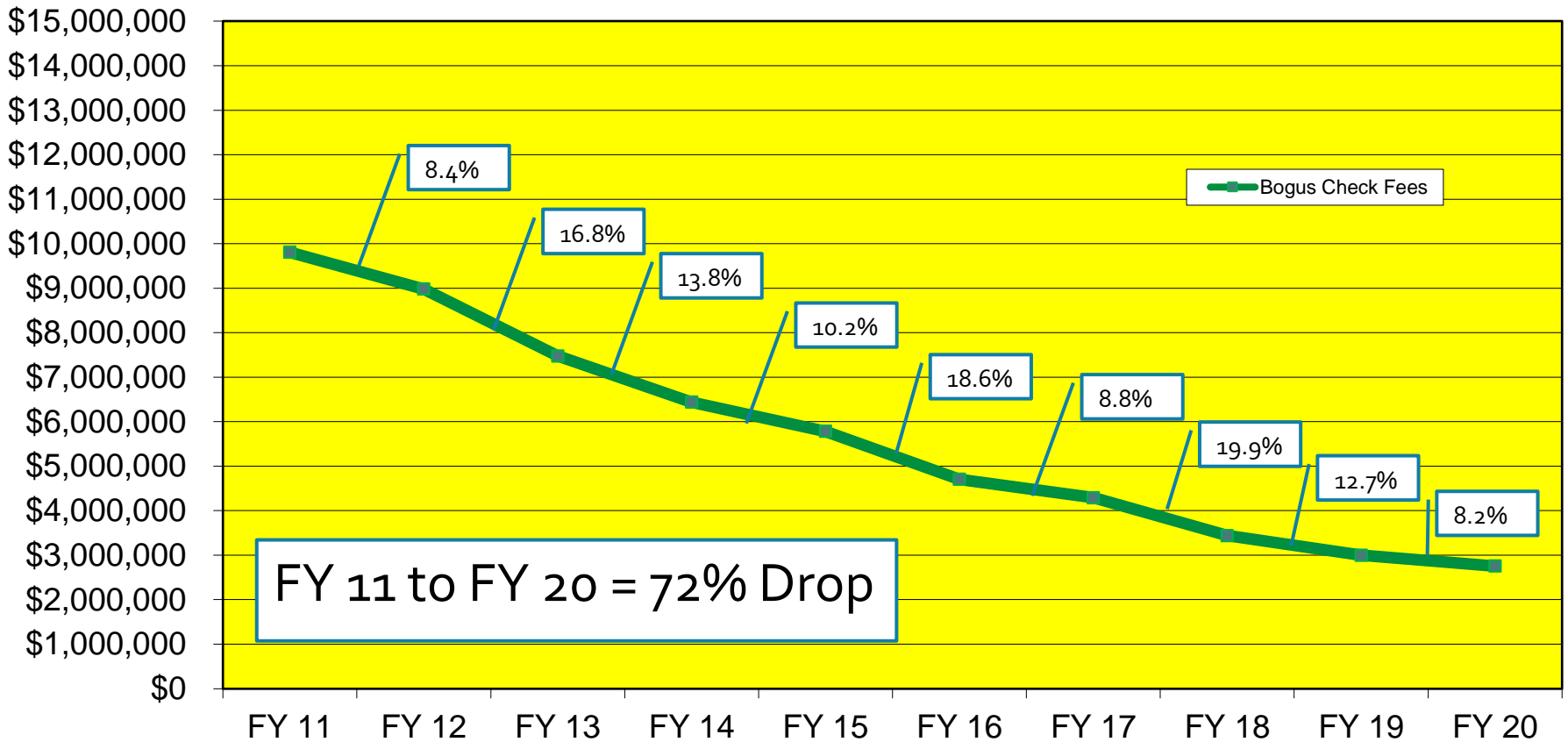
- Appropriation Request Is Less Than 50% Of Our Total Budget:
 - Total Budget For DAC/DAs \approx \$143,000,000
 - Total Appropriation Request \$69,222,393
- Other Funding Sources:
 - Federal Grants
 - False & Bogus Check Fees
 - Prosecution Assessments
 - Drug Asset Forfeitures
- Other Than Federal Grants, Balance Of DA Funding Is Primarily Dependent On Uncontrolled Factors.
 - (Crimes being committed, offenders being caught and found guilty, Courts ordering fees/assessments, etc., and offenders actually paying.)

Declining Funding Sources

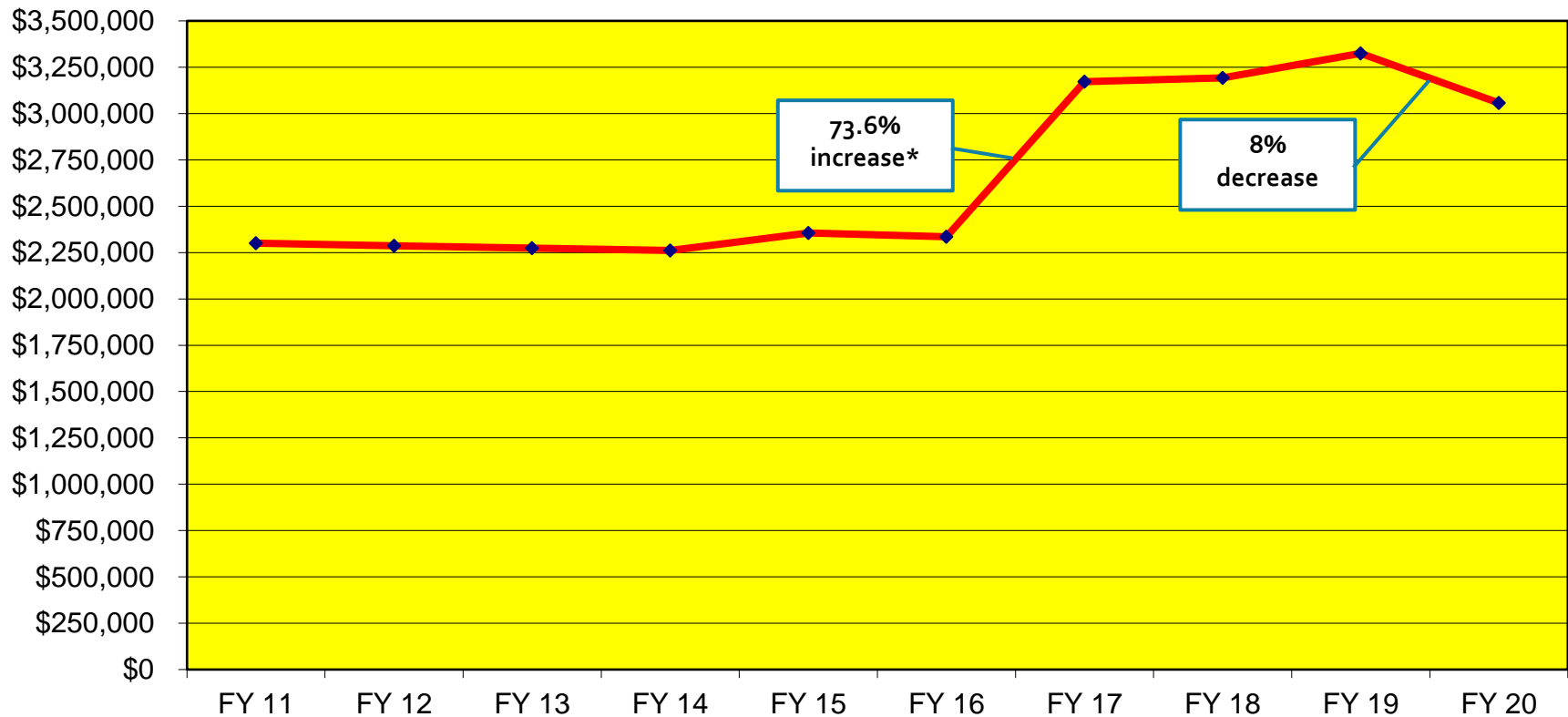
- FY 17 to FY 20
 - False & Bogus Check Fees 35.8% Decrease
 - Prosecution Assessments 3.6% Decrease
 - Drug Asset Forfeiture 10.6% Increase
 - Supervision Fee Collection 40.8% Decrease
 - 991 Fee Collection 11.66% Increase

- FY 19 to FY 20
 - False & Bogus Check Fees 8.2% Decrease
 - Prosecution Assessments 8.0% Decrease
 - Drug Asset Forfeiture 10.8% Increase
 - Supervision Fee Collection 29.1% Decrease
 - 991 Fee Collection 16.77% Decrease

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

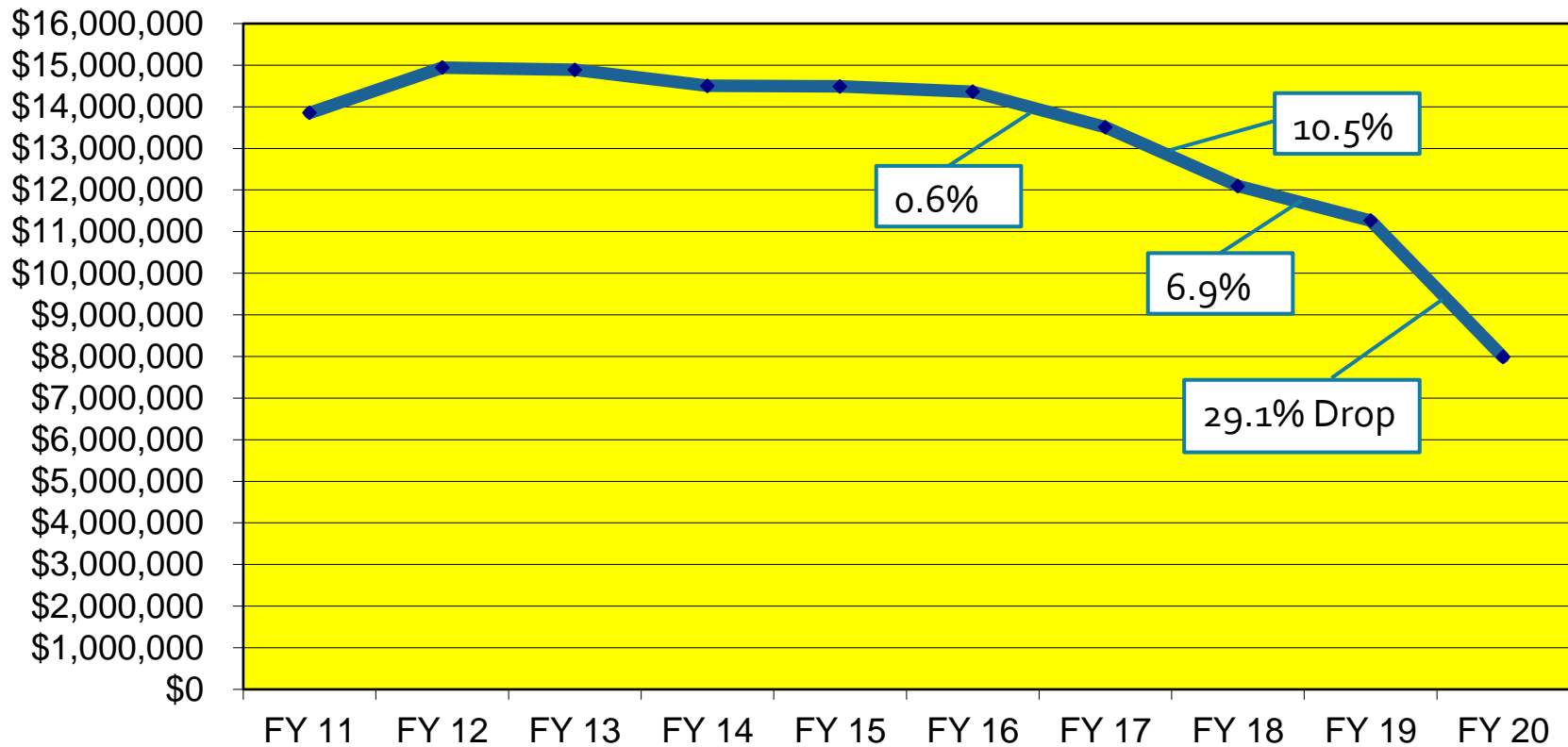


10 - Year Prosecution Assessments History of the District Attorneys Council



(*)Statutory Fee Increase For Felonies From \$25 to \$50 , and For Misdemeanors From \$15 to \$30 on July 1, 2016

10 - Year Supervision Fee History of the District Attorneys Council



10 - Year 991 Cost Fee History of the District Attorneys Council



Supervision and 991 Fees Remitted to State General Revenue

- In 2019, the Legislature appropriated the amount paid to District Attorneys by offenders through Probation Supervision and “991” fees.
- Beginning July 1, 2019, District Attorneys were ordered to continue to collect the fees from offenders and to remit those to the state for deposit in the General Revenue fund.
- **In FY 2020, the District Attorneys remitted to following amounts:**
 - Supervision Fees = \$7,980,988.91
 - 991 Fees = \$7,106,404.82
 - Total = \$15,087,393.73

Reasons For Reduced Funding Opportunities

- **Economic Consequences Of The Pandemic.**
- **Shifting Viewpoint Of Accountability For Payment Of Court-Ordered Monetary Obligations;**
 - Reduction In Court Assessments / Waiver;
 - Review Of Whether A Defendant's Inability To Pay Was Willful;
 - Economic Realities Of Poverty;
- **Technological Advances;**
 - Bogus Checks Vs. Debit Cards;
 - Venmo/Zelle/Other Money Transfer Options
- **Dependence On Third Parties, Federal Funding & Specialized Programs To Fill The Gap.**

Reasons For Reduced Funding Opportunities

- **Shifting Perception Of How To Fund The Criminal Justice System;**
 - Historically Funded By A Combination Of Sources;
 - Only A Fraction Of The Budget For DA's Offices Funded Through General Appropriation;
 - Remainder Of The Budget Supplemented By Fees And Costs Paid Directly By Defendant's;
 - Length Of Supervision On Deferred Sentences (24 Mo. To 18 Mo.)
 - Crimes Classified As Felonies Were Changed To Misdemeanor
 - This Results In Prosecution Assessment Reduction (\$50 vs. \$30)
 - Efforts From Out-of-State Entities To Shape Political Climate.

16 YEAR DAC APPROPRIATION HISTORY

YEAR	APPROPRIATION	CUT/INCREASE	BUYING POWER*	FTE
2006	\$30,592,742		\$40.7M	946.6
2007	\$39,092,742	\$8.5M	\$50.6M	964
2008	\$39,920,210	\$0.8M	\$49.7M	984.8
2009	\$42,820,210	\$2.9M	\$53.5M	986.7
2010	\$36,836,083	<\$6M>	\$45.3M	992.7
2011	\$34,257,560	<\$2.6M>	\$40.8M	973.8
2012	\$32,887,258	<\$1.4M>	\$38.4M	969.5
2013	\$34,187,258	\$1.3M	\$39.4M	969.9
2014	\$39,687,258	\$5.5M	\$45M	977.3
2015	\$39,139,475	<\$0.5M>	\$44.3M	969.6
2016	\$37,129,645	<\$2M>	\$41.5M	978.3
2017	\$34,468,684	<\$2.6M>	\$37.7M	973.9
2018	\$32,572,351	<\$2M>	\$34.8M	955.9
2019	\$36,073,093	\$3.5M	\$37.8M	950.4
2020	\$58,779,782	\$22.7M* (\approx +\$1.1M)	\$61M	951.5
2021	\$56,642,149	<\$2,137,633>		945.5

(*) Based on Smartasset.com

Challenging Issues

- **McGirt v. Oklahoma (140 S. Ct. 2452)**

- The United States Supreme Court held that the Creek Nation Reservation still exists and any “Indian” who commits a crime on reservation lands shall not be tried by the state of Oklahoma, but by either the tribe or by the United States government. The same rule applies if any victim is “Indian.”
- The decision impacts jurisdiction for thousands of prior convictions, creating uncertainty for victims of crime.
- Addressing appeals, assisting victims, coordinating jurisdictional transfer and locating case information takes significant time, manpower and resources.
- In addition to addressing prior convictions, additional procedural mechanisms and coordination with tribal partners, law enforcement and the US Attorney is required to ensure jurisdiction is proper in new cases.
- Additional cases are currently pending with the Oklahoma Court of Criminal Appeals to determine whether the decision should be extended to apply to other tribal reservation lands and the full criminal and civil implications are unknown.

Challenging Issues

- **COVID-19 Pandemic:**

- The pandemic has impacted our ability to serve the citizens in our communities, including victims of crime and other stakeholders in the criminal justice system.
- Hearings and jury trials have been delayed, impacting criminal, civil, and juvenile cases.
- Social distancing measures, quarantine and staffing issues have created additional docketing, physical space, procedural and management hurdles to overcome.

COVID-19 Expenses & Reimbursement

- **4 Requests For Reimbursement:**

- Request #1 \$42,005.36 Salary Reimbursement For Hours Dedicated To COVID Response Including DAC-IT Staff, DAC Legal Staff And Executive Staff.
- Request #2 \$6,831.85 Salary Reimbursement For Hours Dedicated To COVID By DAC Legal Staff And In PPE Supplies (Gloves, Disinfectant, Paper Towels).
- Request #3 \$18,187.96 Reimbursement Of PPE Supplies Used By DAC And The DA Districts Including Masks, Thermometers, Cleaner, Gloves And Hand Soap.
- Request #4 \$10,382.10 Reimbursement For PPE (Masks & Gloves).

- **Total Amount Of Reimbursement Requested & Received: \$77,407.27**

QUESTIONS?
