



Oklahoma Indigent Defense System

Mission:

To provide indigents with legal representation comparable to that obtainable by those who can afford counsel and to do so in the most cost-effective manner possible.

Agency Constitutional Mandates Requiring Adequate Funding

<ul style="list-style-type: none">• An Indigent defendant in a criminal prosecution has the absolute right to have counsel appointed for him.	<i>Gideon v. Wainwright</i> , 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d. 799 (1963).
<ul style="list-style-type: none">• The State must provide necessary expert services to an indigent defendant in a criminal prosecution.	<i>Ake v. Oklahoma</i> , 470 U.S. 68, 105 S.Ct. 1087, 84 L.Ed. 2d. 53 (1985) <i>This mandate extends to necessary investigative and translator services.</i> <i>Rojem v. Gibson</i> , 245 F.3d 1130 (10 th Cir.2001); <i>In re Murga</i> , 631 P.2d 735 (Okla. 1981).
<ul style="list-style-type: none">• The State cannot permit delays in appellate court proceedings due to a lack of indigent defense funding.	<i>Harris v Champion</i> , 15 F.3d 1538 (10 th Cir. 1994).
<ul style="list-style-type: none">• The State cannot permit delays in trial court proceedings due to a lack of indigent defense funding.	This constitutional mandate was reaffirmed by the Oklahoma Court of Criminal Appeals in <i>Bednar v. District Court of Kay County</i> , 2002 OK CR 41.

The Impact of Inadequate Funding For Indigent Defense Services Is Severe

The failure of the State to provide counsel or necessary expert, investigative and translator services to indigent criminal defendants, or the failure to provide sufficient funding to avoid delays to criminal proceedings all violate the United States and Oklahoma Constitutions. These violations will result in:

- 1) Reversals of convictions;
- 2) Release of individuals from custody, both pretrial and on appeal; and/or
- 3) Title 42 U.S.C. § 1983 civil rights liability on the part of state officials.

WITH THE RESPONSIBILITY FOR PROVIDING LEGAL REPRESENTATION IN OVER 58,000 CRIMINAL CASES, THE LACK OF SUFFICIENT FUNDING WILL RENDER THE OKLAHOMA INDIGENT DEFENSE SYSTEM UNABLE TO ENSURE STATE COMPLIANCE WITH THE FOREGOING CONSTITUTIONAL MANDATES. THIS LACK OF FUNDING WILL DISRUPT THE ENTIRE CRIMINAL JUSTICE SYSTEM AND WILL EXPOSE THE STATE TO FEDERAL COURT INTERVENTION AND CIVIL MONETARY LIABILITY.

Trial Program:

Non-Capital Trial Division

County Fiscal Year and Conflict Contracts

Satellite Offices: Norman, Clinton, Mangum, Okmulgee,
Sapulpa, Guymon

Capital Trial Division - Norman

Capital Trial Division - Tulsa

Appellate Program:

General Appeals Division

Homicide Direct Appeals Division

Capital Post Conviction Division

General Operations

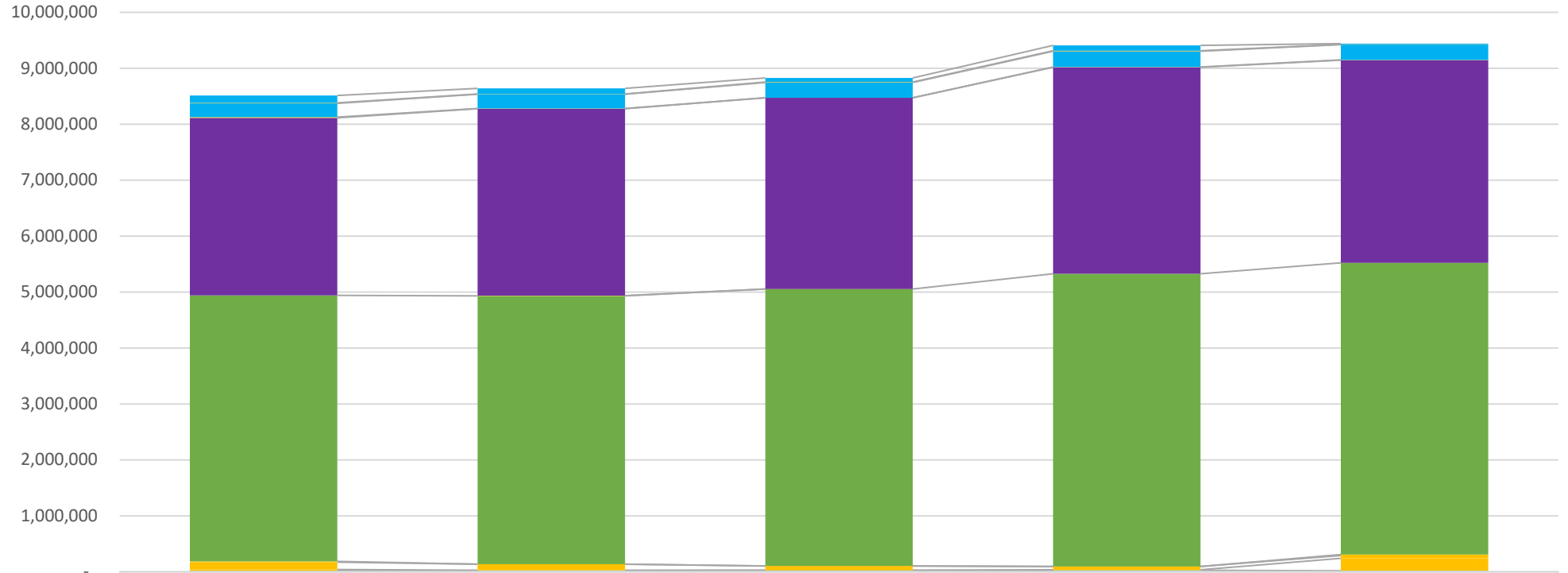
Executive Division

FY2022 Funding Increase Request

\$729,515 to Restore the Agency to FY2020 Funding Level

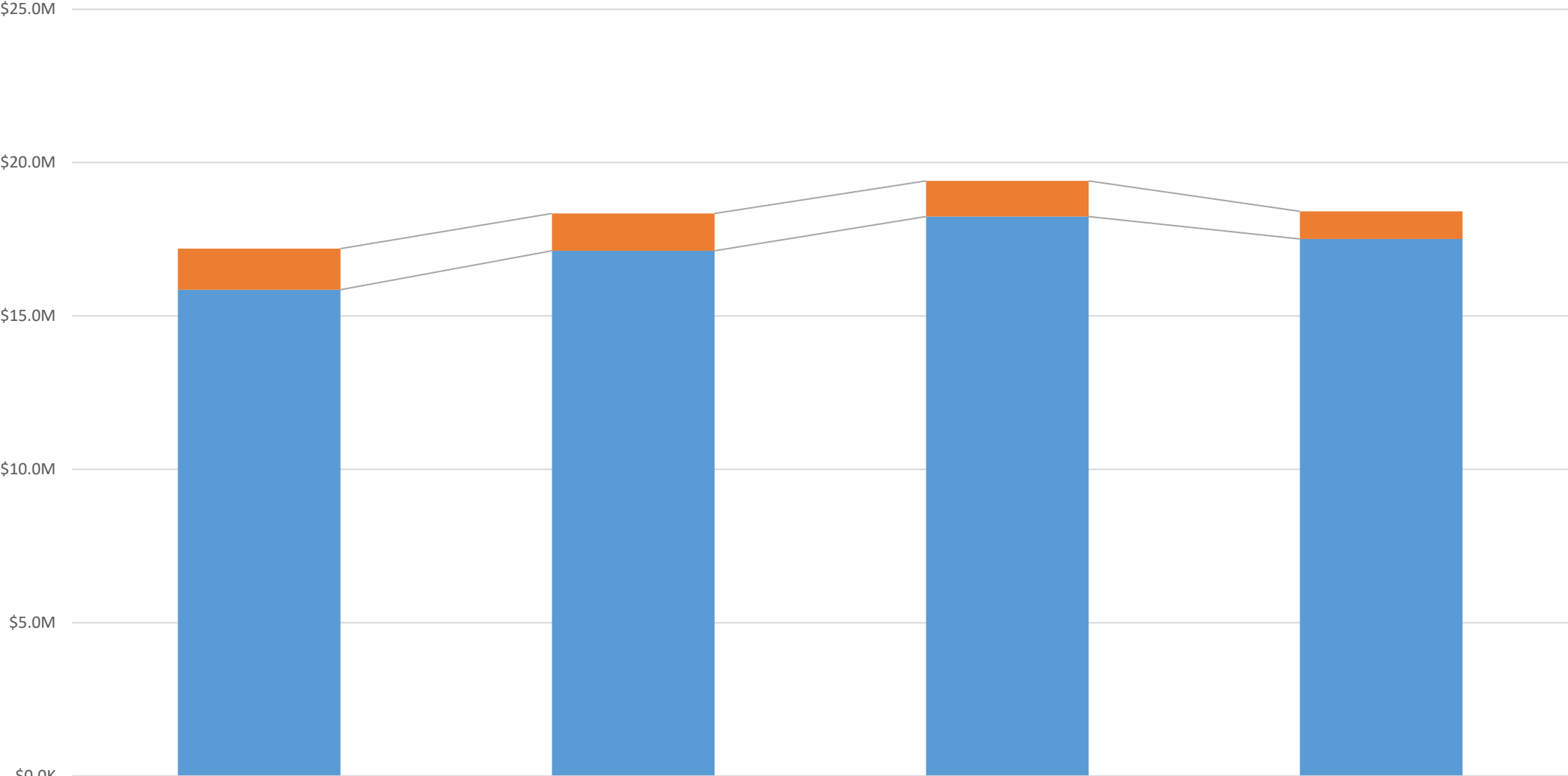
- Agency appropriation for FY2021 reduced by 4% from FY2020, amounting to \$729,515 decrease
- Carryover funds from year-to-year are critical to fully fund System services
- Due to FY2021 reduction, little carryover cash will be available for services in FY2022
- At current appropriation in FY2020, critical constitutional services will be unavailable

1st & 2nd Quarter Expenses by Type of Expense



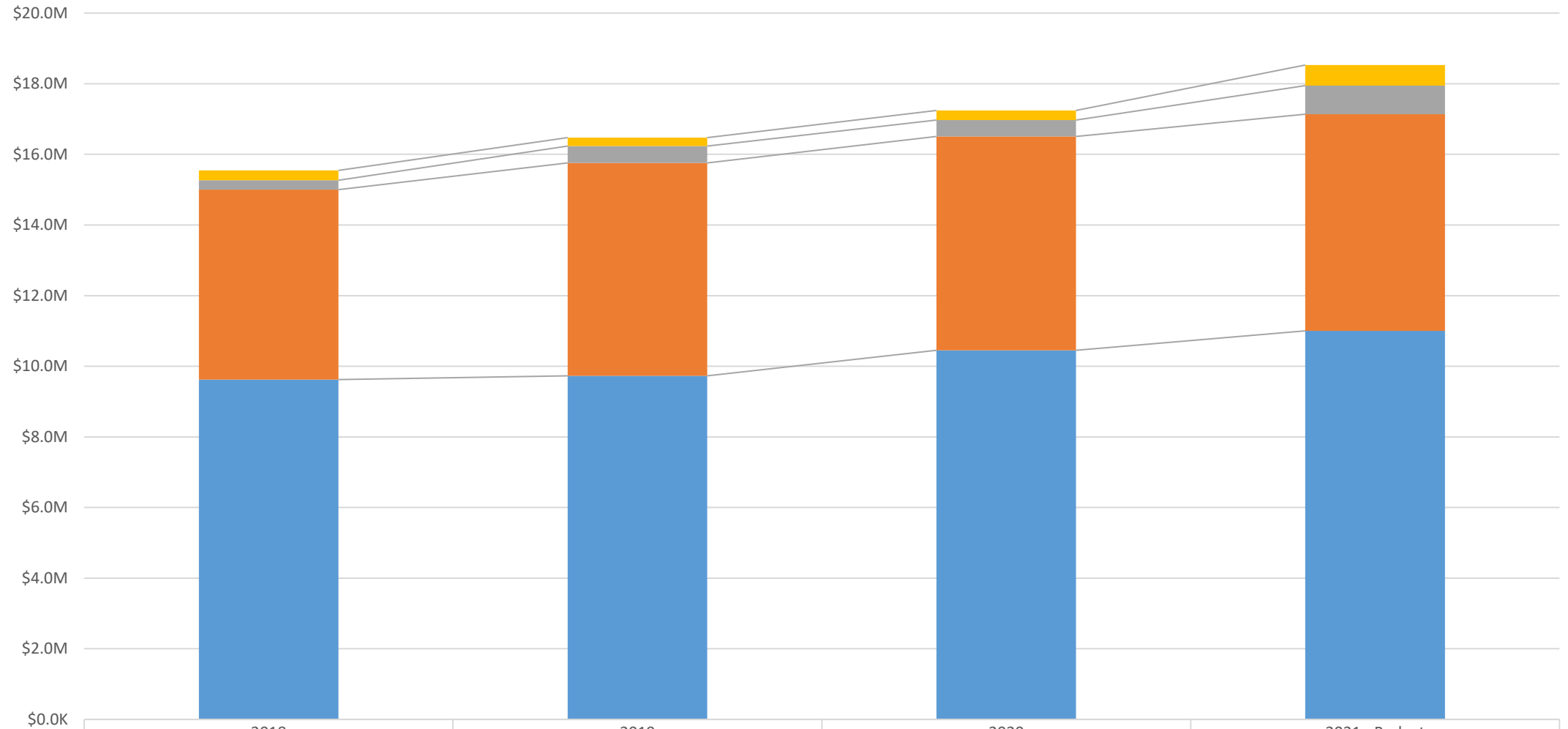
	2017	2018	2019	2020	2021
Travel	135,283	101,060	74,032	94,371	16,172
Specialized Supplies & Materials	6,185	5,545	10,019	8,344	3,462
Rent & Leases	244,929	253,258	268,348	282,058	271,213
Property, Furniture, Equip, Lease Purchase, & Debt	14,295	4,320	2,336	4,177	4,707
Professional Services	3,173,204	3,344,025	3,416,186	3,693,218	3,624,463
Prod, Safety, & Sec Exp		209	62		
Personnel	4,758,221	4,798,490	4,952,004	5,231,528	5,214,108
Other	12,461	338	363	496	20,297
Misc Admin Expenses	132,553	109,346	78,705	60,043	46,194
Maintenance & Repair	21,960	2,613	1,179	5,321	225,558
Library Equip & Resources	1,209	11,864	13,407	14,108	5,933
General Operating Expenses	14,375	10,186	10,017	13,346	9,515

Total Revenue



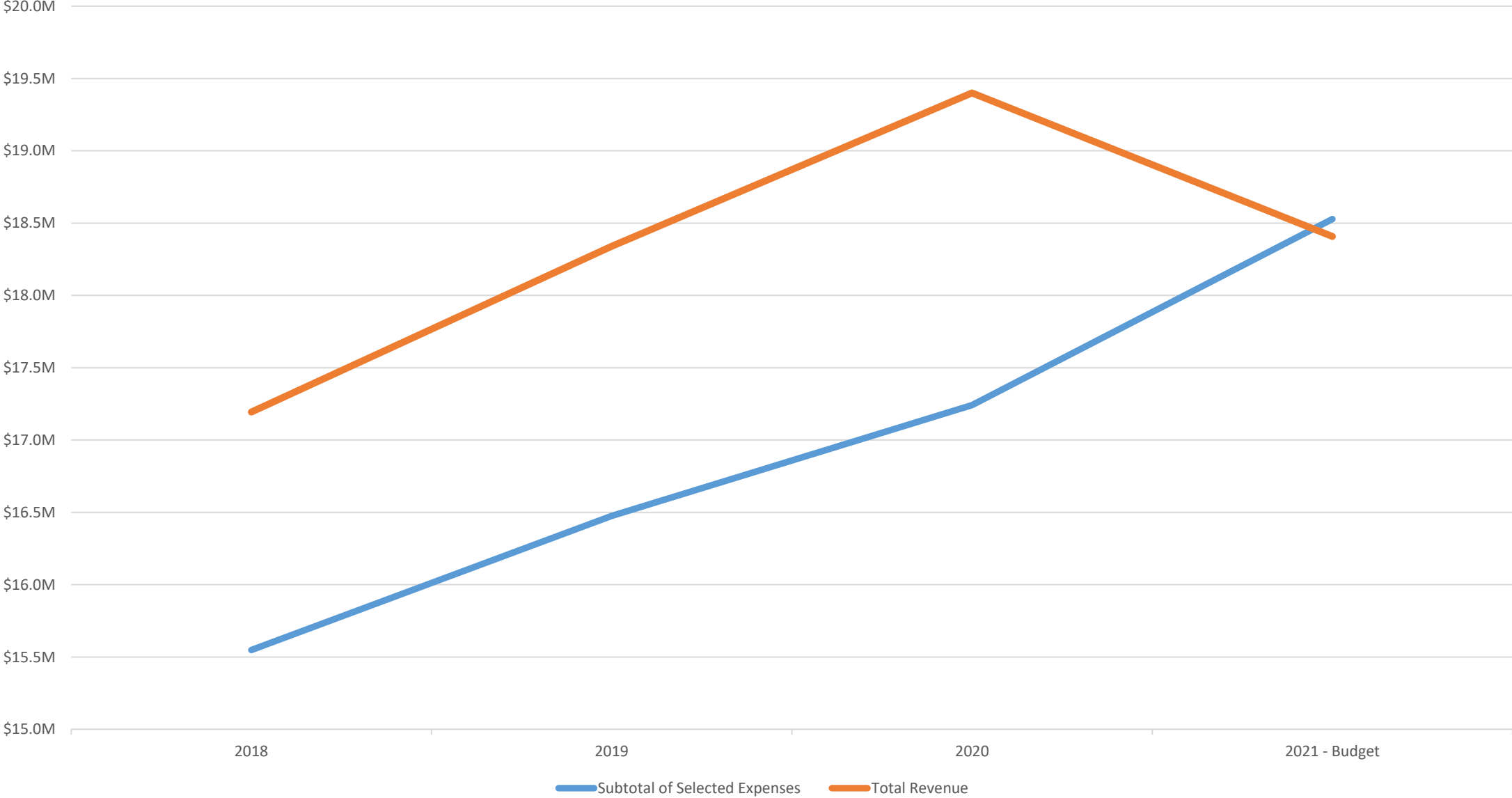
	2018	2019	2020	2021 - Budget
200 Revolving Fund	\$1.3M	\$1.2M	\$1.2M	\$900.0K
GRF Appropriations	\$15.9M	\$17.1M	\$18.2M	\$17.5M

Selected Expenses

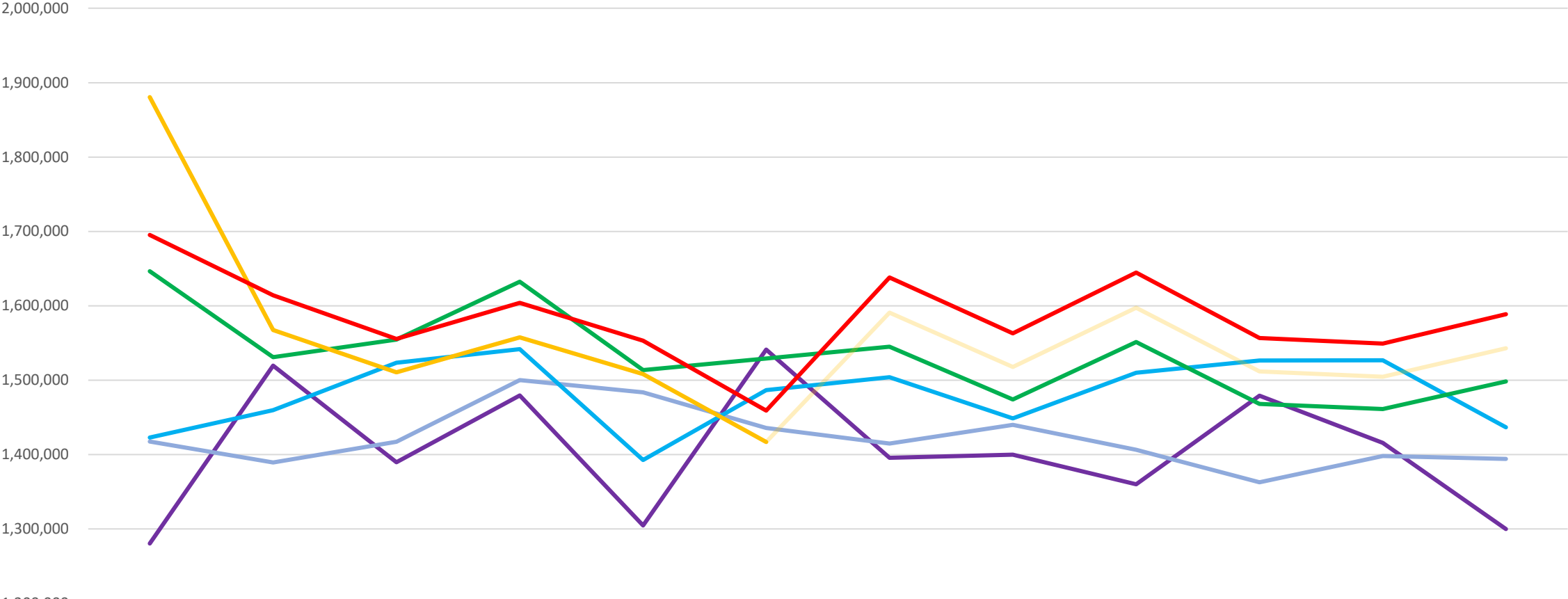


	2018	2019	2020	2021 - Budget
Expert Services	\$283.8K	\$238.8K	\$268.8K	\$578.0K
Conflict Contracts	\$263.5K	\$476.4K	\$464.7K	\$813.7K
County Contracts	\$5.4M	\$6.0M	\$6.1M	\$6.1M
Payroll	\$9.6M	\$9.7M	\$10.5M	\$11.0M

Total Revenue vs Subtotal of Selected Expenses

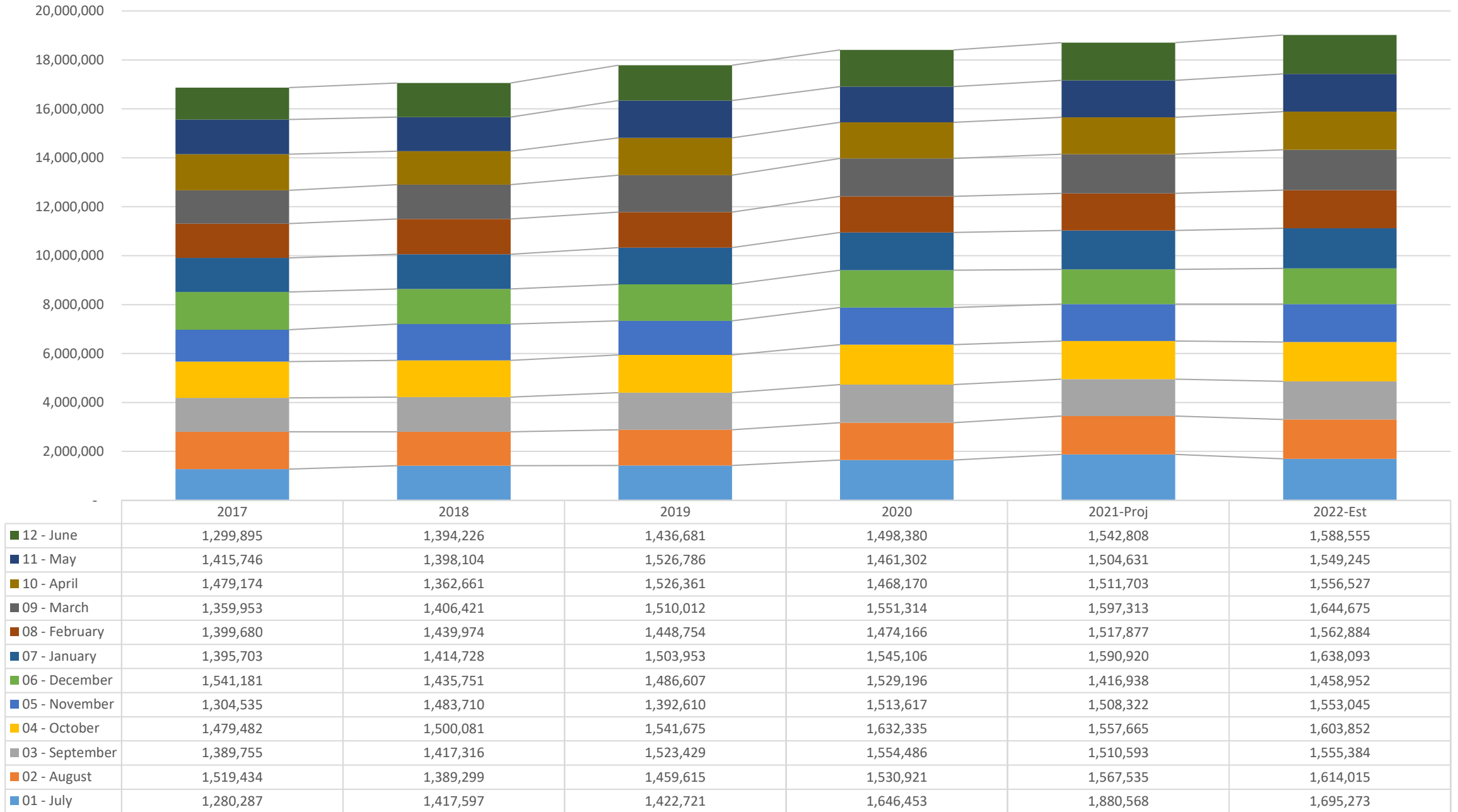


Monthly Cash Expenditures - All Funds



	1	2	3	4	5	6	7	8	9	10	11	12
2017	1,280,287	1,519,434	1,389,755	1,479,482	1,304,535	1,541,181	1,395,703	1,399,680	1,359,953	1,479,174	1,415,746	1,299,895
2018	1,417,597	1,389,299	1,417,316	1,500,081	1,483,710	1,435,751	1,414,728	1,439,974	1,406,421	1,362,661	1,398,104	1,394,226
2019	1,422,721	1,459,615	1,523,429	1,541,675	1,392,610	1,486,607	1,503,953	1,448,754	1,510,012	1,526,361	1,526,786	1,436,681
2020	1,646,453	1,530,921	1,554,486	1,632,335	1,513,617	1,529,196	1,545,106	1,474,166	1,551,314	1,468,170	1,461,302	1,498,380
2021	1,880,568	1,567,535	1,510,593	1,557,665	1,508,322	1,416,938						
2021-Proj	1,880,568	1,567,535	1,510,593	1,557,665	1,508,322	1,416,938	1,590,920	1,517,877	1,597,313	1,511,703	1,504,631	1,542,808
2022-Est	1,695,273	1,614,015	1,555,384	1,603,852	1,553,045	1,458,952	1,638,093	1,562,884	1,644,675	1,556,527	1,549,245	1,588,555

Annual Cash Expenses by Month



FY2022 Funding for IT Services

\$104,772 for Increases in IT Costs

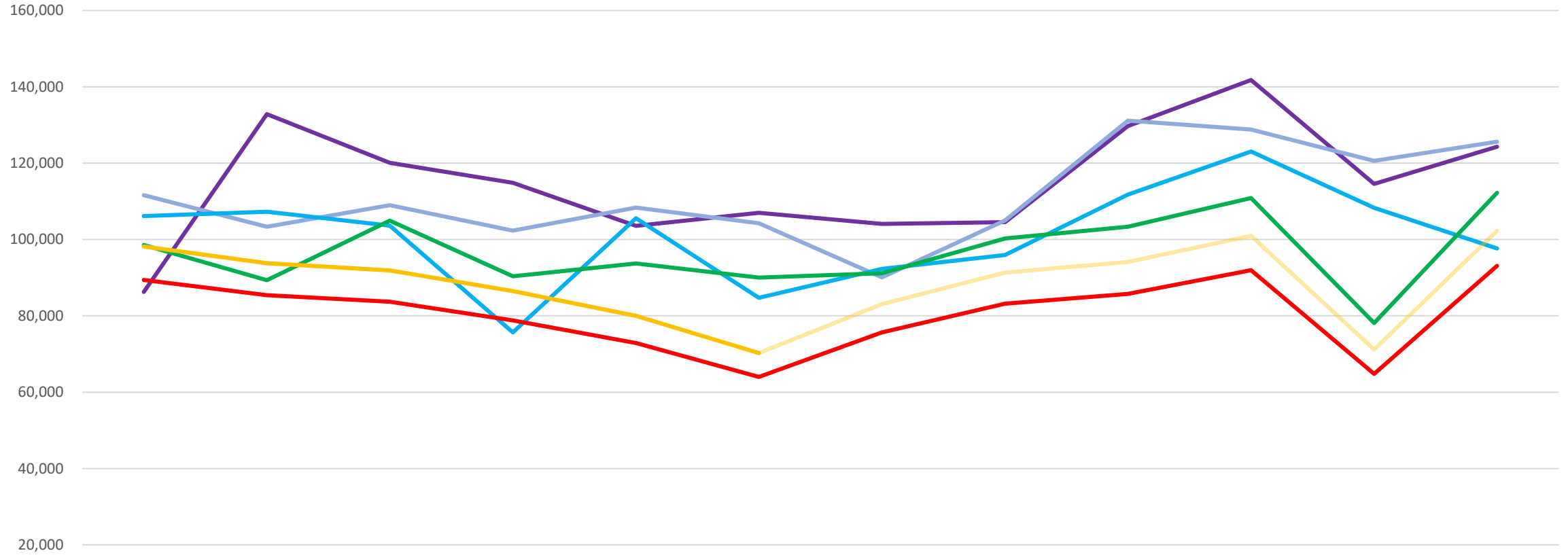
- Agency currently has outdated computers and IT infrastructure.
- Computers will not support the update to Windows 10. Updating to Windows 10 is a requirement, as Windows 7 is no longer supported by Microsoft and is a security risk
- Replacement of old computers, the agency currently owns, will need to be leased from NTT
- Leasing computers will require the agency to add additional annual costs
- OIDS “domain” collapse into/under OMES, which OMES estimates will cost OIDS roughly \$17k alone

FY2022 Funding Increase Request

\$ 1.3M to Replace Legal Representation Fees Currently
Assessed by District Courts

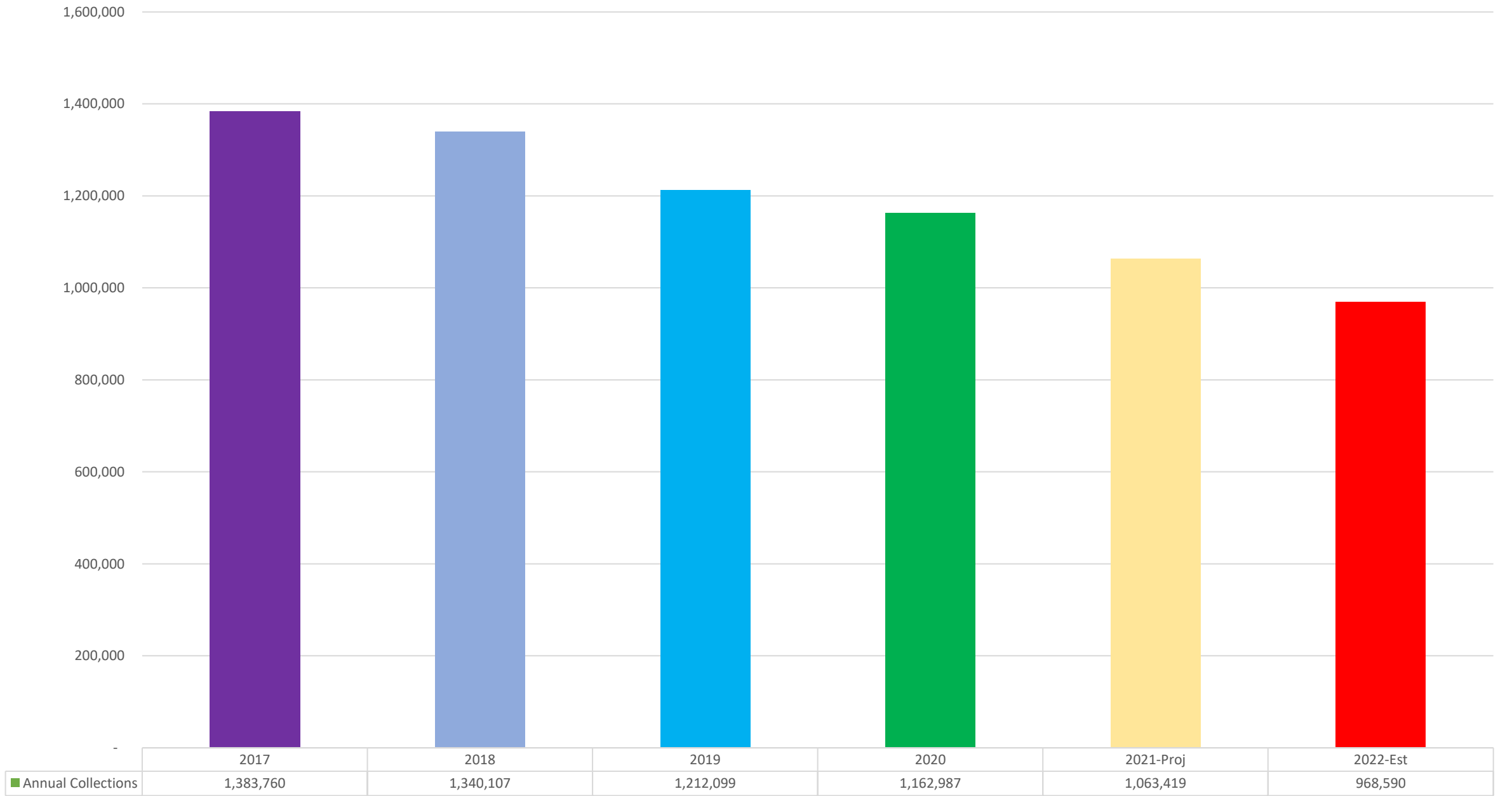
- Agency partially funded by legal representation fees assessed by courts, pursuant to 22 O.S. § 1355.14
- Fees collected by courts, remitted to agency and deposited in Indigent Defense System Revolving Fund
- Funding source is general unpredictable, and has entered into study decline
- Agency would relinquish entitlement to any future fees assessed
- Fees would be transmitted directly to General Revenue Fund, requiring amendment of 22 O.S. § 1355.14

Monthly 200 Fund Collections

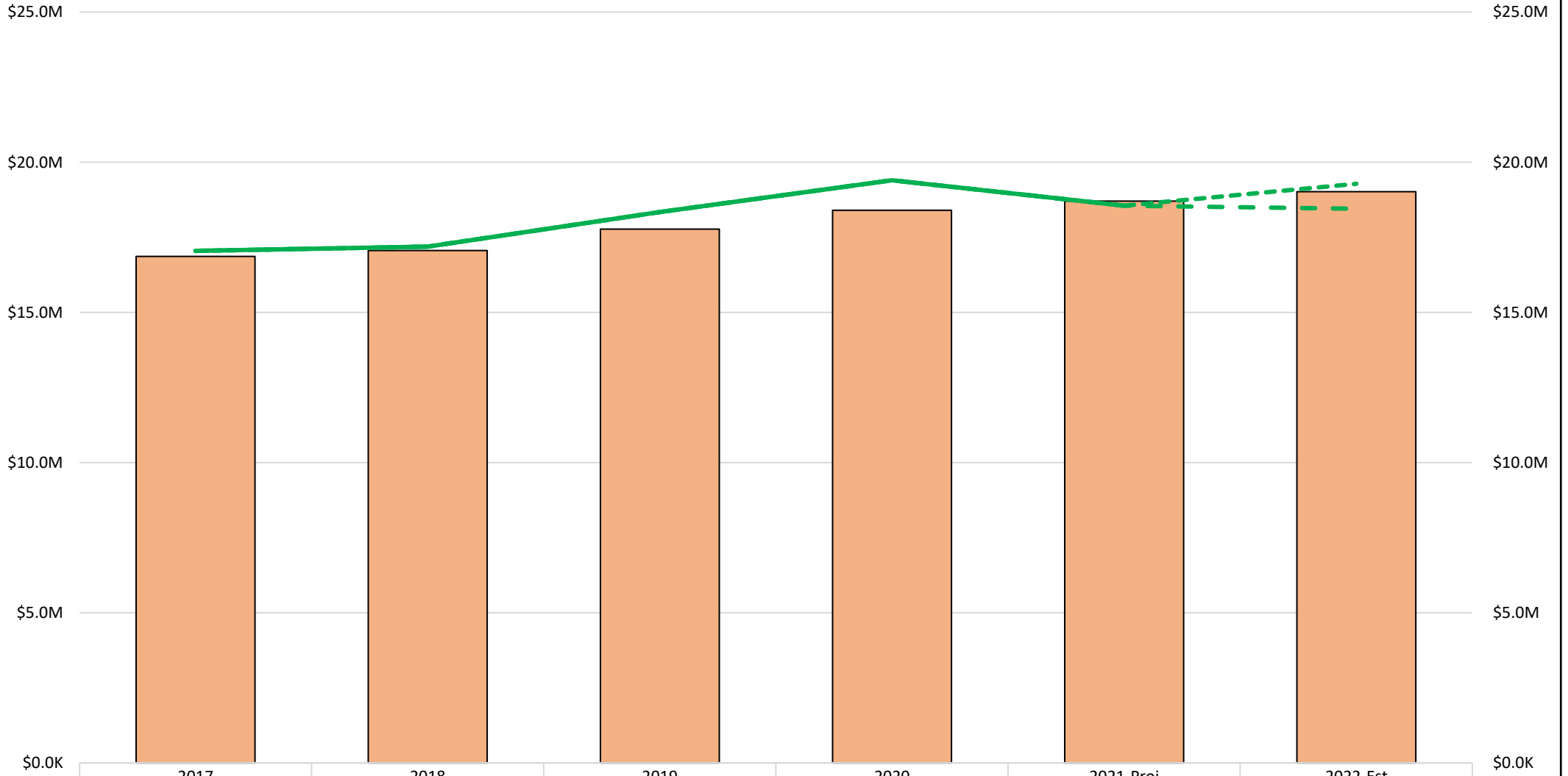


	July	August	September	October	November	December	January	February	March	April	May	June
2017	86,278	132,853	120,101	114,860	103,575	107,013	104,076	104,562	129,738	141,803	114,575	124,326
2018	111,601	103,339	108,962	102,331	108,361	104,273	90,095	104,981	131,157	128,796	120,619	125,592
2019	106,115	107,269	103,644	75,688	105,559	84,726	92,323	95,969	111,776	123,079	108,327	97,626
2020	98,558	89,352	104,946	90,354	93,731	90,030	91,174	100,278	103,358	110,846	78,113	112,247
2021	98,154	93,776	91,887	86,485	79,983	70,267						
2021-Proj	98,154	93,776	91,887	86,485	79,983	70,267	83,044	91,335	94,141	100,962	71,147	102,238
2022-Est	89,401	85,414	83,693	78,773	72,851	64,001	75,638	83,191	85,746	91,959	64,803	93,121

Annual 200 Fund Collections



Annual Cash Expenses and Total Revenues by Year



	2017	2018	2019	2020	2021-Proj	2022-Est
Total Expenses	\$16.9M	\$17.1M	\$17.8M	\$18.4M	\$18.7M	\$19.0M
Total Revenue	\$17.0M	\$17.2M	\$18.3M	\$19.4M	\$18.6M	
"Flat" Budget	\$17.0M	\$17.2M	\$18.3M	\$19.4M	\$18.6M	\$18.5M
FY20 Levels w/ IT Increase	\$17.0M	\$17.2M	\$18.3M	\$19.4M	\$18.6M	\$19.3M

