

**State of Alaska
FY2004 Governor's Operating Budget**

**Department of Law
Fourth Judicial District
Component Budget Summary**

Component: Fourth Judicial District

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) District Attorney offices prosecute all violations of state criminal law in Alaska, with the exception of specialized prosecutions undertaken by the Office of Special Prosecutions and Appeals. In addition to filing criminal charges and conducting criminal trials, the offices give day-to-day advice to state and local law enforcement agencies conducting criminal investigations, serve as legal advisor to grand juries, and handle sentence appeals and probation revocation actions. Prosecution services protect the public by convicting criminal offenders and placing them under appropriate controls, and by revoking probation if they do not comply with conditions of supervision. Without these services, Alaskans would not be able to live in safe and healthy communities.

(B) The District Attorney offices provide victim-witness assistance services such as travel and per diem expenses, court-mandated witness fees, information on court procedures required by statute and the Alaska Constitution, and assistance with domestic violence orders and violent crimes compensation procedures. The District Attorney offices also prepare victims and witnesses to testify in court.

Two-thirds of all travel costs in the BRU are due to transportation and per diem for witnesses needed for court proceedings. Demands on the victim-witness assistants increased substantially over the last several years as a result of victims' rights laws that passed in 1989 and 1991, as a result of the passage of the Victims' Rights Amendment to the Alaska Constitution in 1994 and the Domestic Violence Prevention and Victim Protection Act of 1996. Victim-witness services are an indispensable element in the daily operation of the criminal justice system.

(C) The services are delivered by 13 attorneys in Fairbanks, who provide regular assistance and supervision to the office in Barrow, and by six attorneys (one federally funded) in Bethel. In the fiscal year ending June 30, 2002, over 8,000 criminal cases (1,300 felonies and 7,000 misdemeanors) were referred for prosecution or probation revocation.

Component Goals and Strategies

The primary goal of this component is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska.

Key Component Issues for FY2003 – 2004

The Department of Law is in the process of moving the Fairbanks District Attorney's office from its long-time location at the old Fairbanks Courthouse to newly remodeled space in the Northward Building. The move is necessary because the State is closing the old courthouse and because better access to the new Rabinowitz courthouse is needed. \$60,000 of the funding needed to complete the move and begin paying lease costs needs to be added to the Department budget. Maintenance of the old courthouse was previously handled by the Department of Transportation and Public Facilities. \$134,000 in savings that agency will accrue as a result of the "cold closure" of the old building will be transferred to Law in the FY 2004 budget. Through July 1, 2002, the Fairbanks DA was not charged with occupancy of the space in the old courthouse and consequently has no budget for moving and leasehold expenses.

Although the press has proclaimed a decrease in crimes reported, there has been no slowdown in felony crimes being investigated and referred to the Criminal Division of the Department of Law for prosecution. Because the police always had more crimes reported than could be investigated, any downturn in reported crimes just gives them more breathing room to complete investigations that might have otherwise been left incomplete. The result is that cases sent to the Criminal Division for prosecution have not decreased, and in Fairbanks in particular, caseloads have increased.

The prosecution office in Fairbanks has been at the same attorney staffing level since 1987. Yet in that time, the felony caseload has increased over 50% in Fairbanks (528 cases to over 800 cases). The Fairbanks office also handles 4000 misdemeanor cases per year.

The shortage in attorney staff has caused a significant decrease in the percentage of felony convictions, from 41% to 27% in Fairbanks. The overall conviction rate (felonies plus misdemeanors) has also decreased 2% in Fairbanks, which means that many more cases that the police sent to us in 2001 for felony prosecution are being resolved as misdemeanors as compared with 1987. This is ironic given that the percentage of violent felonies has increased from 1987 to 2001. In 1987, only 27% of the felonies referred for prosecution involved crimes of violence. In 2002, that percentage had increased to 36% in Fairbanks.

Major Component Accomplishments in 2002

Major accomplishments are reflected in the performance measures at the BRU level.

Statutory and Regulatory Authority

AS 44.23.020

Fourth Judicial District
Component Financial Summary

All dollars in thousands

	FY2002 Actuals	FY2003 Authorized	FY2004 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	2,569.2	2,683.3	2,792.6
72000 Travel	199.5	229.2	229.2
73000 Contractual	149.9	161.9	296.3
74000 Supplies	49.4	64.1	64.1
75000 Equipment	10.8	6.5	6.5
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,978.8	3,145.0	3,388.7
Funding Sources:			
1004 General Fund Receipts	2,876.2	2,843.1	3,085.0
1007 Inter-Agency Receipts	102.6	301.9	303.7
Funding Totals	2,978.8	3,145.0	3,388.7

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Proposed Changes in Levels of Service for FY2004

The additional lease costs for the Fairbanks District Attorney's office space in the Northward Building will require an increment of \$60,000 in general funds for FY 2004 and the approval of \$134,000 in transferred general funds from DOTPF.

Summary of Component Budget Changes

From FY2003 Authorized to FY2004 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2003 Authorized	2,843.1	0.0	301.9	3,145.0
Adjustments which will continue current level of service:				
-From Criminal Justice Litigation to adjust vacancy ADN# 0330129	26.5	0.0	0.0	26.5
-From DOT for Fairbanks Lease Costs	134.4	0.0	0.0	134.4
-Annualize FY2003 COLA Increase for GG/GP/SS Bargaining Units	0.0	0.0	1.0	1.0
-\$75 per Month Health Insurance Increase for Non-covered Staff	15.1	0.0	0.8	15.9
-From Criminal Justice Litigation to adjust vacancy by fund source	65.9	0.0	0.0	65.9
FY2004 Governor	3,085.0	0.0	303.7	3,388.7

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Personal Services Information

	Authorized Positions		Personal Services Costs	
	<u>FY2003</u> <u>Authorized</u>	<u>FY2004</u> <u>Governor</u>		
Full-time	37	37	Annual Salaries	2,254,222
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	685,368
			<i>Less 5.00% Vacancy Factor</i>	(146,990)
			Lump Sum Premium Pay	0
Totals	37	37	Total Personal Services	2,792,600

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	0	3	0	0	3
Administrative Clerk III	0	0	0	1	1
Attorney III	0	3	0	1	4
Attorney IV	0	8	0	4	12
Attorney V	0	1	0	1	2
Attorney VI	0	1	0	0	1
Law Office Assistant I	0	4	0	1	5
Law Office Assistant II	0	1	0	1	2
Law Office Manager I	0	1	0	0	1
Victim/Witness Paralegal I	0	2	0	1	3
Victim/Witness Paralegal II	0	1	0	2	3
Totals	0	25	0	12	37