

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

**Department of Law
Third Judicial District: Outside Anchorage
Component Budget Summary**

Component: Third Judicial District: Outside Anchorage

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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 14 attorneys in four offices in Palmer, Kenai, Kodiak, and Dillingham. The one attorney in Dillingham is supervised by the Anchorage District Attorney's Office. In the fiscal year ending June 30, 2002, the offices dealt with over 6,500 cases (over 1,400 felony and more than 5,000 misdemeanors) that were referred for prosecution or probation revocation in Palmer, Kenai, Kodiak and Dillingham.

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

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 Kenai, in particular, caseloads have increased.

The prosecution office in Kenai has been at the same attorney staffing level since 1987. Yet in that time, the felony caseload has nearly doubled (217 cases to 400 cases). The Kenai office also handles over 2000 misdemeanor cases per year.

The shortage in attorney staff has caused a significant decrease in the percentage of felony convictions, from 34% to 22% in Kenai. The overall conviction rate (felonies plus misdemeanors) has also decreased 5% in Kenai which means that many more cases that the police sent to the Kenai DA's office 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 38% in Kenai.

The Palmer District Attorney's Office covers the entire Matanuska Valley, still the fastest growing area of the state. It also covers all criminal cases in Glennallen, Valdez and Cordova: communities where municipal prosecutors do not exist. This office presently has seven attorneys, including the District Attorney who must handle a heavy caseload as well as manage the office and be involved with community-police relations, local constituents, and groups with an interest in prosecution issues. In 2001 approximately 3500 criminal cases were referred to the office, or about 500 per attorney.

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

Third Judicial District: Outside Anchorage
Component Financial Summary

All dollars in thousands

| | FY2002 Actuals | FY2003 Authorized | FY2004 Governor |
|--------------------------------|----------------|-------------------|-----------------|
| Non-Formula Program: | | | |
| Component Expenditures: | | | |
| 71000 Personal Services | 2,109.9 | 2,164.6 | 2,260.3 |
| 72000 Travel | 119.5 | 114.5 | 116.4 |
| 73000 Contractual | 236.1 | 154.9 | 164.3 |
| 74000 Supplies | 44.4 | 33.0 | 34.8 |
| 75000 Equipment | 9.0 | 0.0 | 0.0 |
| 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 | 2,518.9 | 2,467.0 | 2,575.8 |
| Funding Sources: | | | |
| 1004 General Fund Receipts | 2,425.8 | 2,465.4 | 2,458.3 |
| 1007 Inter-Agency Receipts | 93.1 | 1.6 | 117.5 |
| Funding Totals | 2,518.9 | 2,467.0 | 2,575.8 |

Third Judicial District: Outside Anchorage

Proposed Changes in Levels of Service for FY2004

A change to the Multi-jurisdictional Task Force Drug Grant federal funds RSA'd to the department from Public Safety, required additional drug prosecution resources be added in Palmer. This component includes \$57,800 in interagency receipts transferred from Third Judicial:Anchorage.

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 | 2,465.4 | 0.0 | 1.6 | 2,467.0 |
| Adjustments which will continue current level of service: | | | | |
| -From Third Judicial: Anchorage for Palmer Drug Prosecution Unit | 0.0 | 0.0 | 57.8 | 57.8 |
| -Annualize FY2003 COLA Increase for GG/GP/SS Bargaining Units | 0.0 | 0.0 | 0.4 | 0.4 |
| -\$75 per Month Health Insurance Increase for Non-covered Staff | 11.4 | 0.0 | 0.7 | 12.1 |
| -To First Judicial District to adjust vacancy by fund source | -18.5 | 0.0 | 0.0 | -18.5 |
| Proposed budget increases: | | | | |
| -Funding for Palmer Drug Prosecution Unit | 0.0 | 0.0 | 57.0 | 57.0 |
| FY2004 Governor | 2,458.3 | 0.0 | 117.5 | 2,575.8 |

Third Judicial District: Outside Anchorage

Personal Services Information

| | Authorized Positions | | Personal Services Costs | |
|---------------|------------------------------------|----------------------------------|----------------------------------|------------------|
| | <u>FY2003</u> <u>Authorized</u> | <u>FY2004</u> <u>Governor</u> | | |
| Full-time | 30 | 30 | Annual Salaries | 1,756,859 |
| Part-time | 0 | 0 | Premium Pay | 0 |
| Nonpermanent | 0 | 0 | Annual Benefits | 544,973 |
| | | | <i>Less 1.80% Vacancy Factor</i> | (41,532) |
| | | | Lump Sum Premium Pay | 0 |
| Totals | 30 | 30 | Total Personal Services | 2,260,300 |

Position Classification Summary

| Job Class Title | Anchorage | Fairbanks | Juneau | Others | Total |
|-----------------------------|-----------|-----------|----------|-----------|-----------|
| Administrative Clerk II | 0 | 0 | 0 | 2 | 2 |
| Administrative Clerk III | 0 | 0 | 0 | 1 | 1 |
| Attorney III | 0 | 0 | 0 | 2 | 2 |
| Attorney IV | 0 | 0 | 0 | 8 | 8 |
| Attorney V | 0 | 0 | 0 | 4 | 4 |
| Law Office Assistant I | 0 | 0 | 0 | 5 | 5 |
| Law Office Assistant II | 0 | 0 | 0 | 2 | 2 |
| Victim/Witness Paralegal I | 0 | 0 | 0 | 1 | 1 |
| Victim/Witness Paralegal II | 0 | 0 | 0 | 5 | 5 |
| Totals | 0 | 0 | 0 | 30 | 30 |