

**State of Alaska**  
**FY2014 Governor's Operating Budget**

**Department of Law**  
**Criminal Division**  
**Results Delivery Unit Budget Summary**

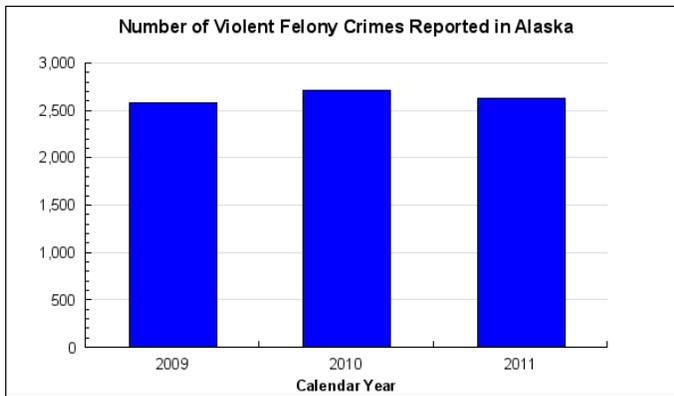
## Criminal Division Results Delivery Unit

### Contribution to Department's Mission

The mission of the Criminal Division is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska by upholding those convictions on appeal, and by providing legal services that support the efforts of criminal justice agencies.

### Results

(Additional performance information is available on the web at <http://omb.alaska.gov/results>.)



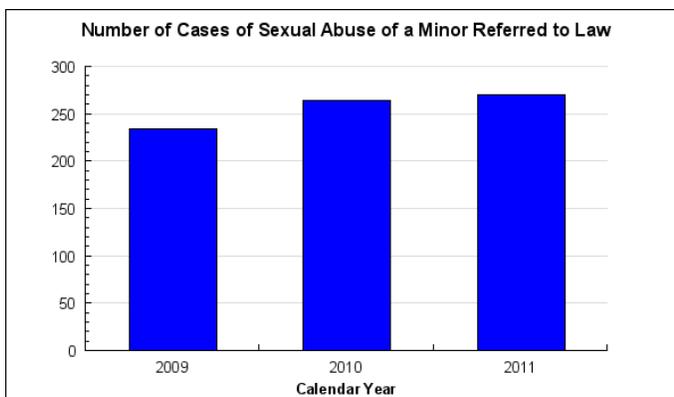
### Core Services

- Protecting the Safety and Physical and Financial Well-being of Alaskans

#### Measures by Core Service

(Additional performance information is available on the web at <http://omb.alaska.gov/results>.)

##### 1. Protecting the Safety and Physical and Financial Well-being of Alaskans



### Major RDU Accomplishments in 2012

#### Protecting the Safety and Physical and Financial Well Being of Alaskans

- Criminal Prosecutions. Total number of prosecutions and convictions during calendar year 2011:

Total felony cases accepted for prosecution: 5,477

Total felony cases convicted of a felony offense:	1,983
Total felony cases convicted of a misdemeanor offense:	1,706
Felony cases pending:	974
Total misdemeanor cases accepted for prosecution:	21,091
Total misdemeanor case convictions:	14,427
Misdemeanor cases pending:	1,285
Total criminal appeals:	528
Other matters	5,062

- Trial Advocacy. 24 attorneys attended the Trial Advocacy training course titled “Strategic Cross-Examination” held March 21 – 25, 2011, in Homer.

23 attorneys attended the Trial Advocacy training course titled “Strategic Cross-Examination and Witness Issues in Domestic Violence Cases” held April 18 – 22, 2011, in Anchorage.

110 attorneys attended the 2011 DA/Paralegal Conference held October 12 – 14, 2011, in Girdwood, AK. Topics included ethics training, update on new legislation, update on appellate court decisions with specific sessions for familial DNA, immunity, post-conviction relief, the necessity defense, and picking a jury in domestic violence cases.

- Security Updates. The Kodiak District Attorney’s Office was moved to a safer location where it is no longer over a bar and is not at street level. This is a standard that the division is striving for in all its offices. The division is in the process of moving its Fairbanks office for safety reasons as well as improvements in space and work environment. The new Fairbanks office space will also not be at street level.
- Limited English Proficiency Improvements. The division completed a policy for working with persons with limited English proficiencies. The division provided training and created and distributed brochures in other languages. The division’s web page that relates to victims is now in multiple languages. The division is seeking to implement an automated system of notifying victims and witnesses of court delays in multiple languages.
- Staffing. Increased the number of attorneys in Barrow and Kotzebue from one to two in each location. Sitka is now the sole office in the division with only one attorney. The attorney in Barrow is funded through a multi-year grant from the North Slope Borough.

## Key RDU Challenges

### Protecting the Safety and Physical and Financial Well-being of Alaskans

- Increased Crime. In 2011, the division filed 5,477 felony charges as well as 21,091 misdemeanor cases statewide. This is a .03% decrease in felonies compared to CY 2010 and a .06% increase in misdemeanors.
- Steady Focus on DVSA Implementation. Implementing the Governor’s ten-year plan to combat domestic violence and sexual assault (DVSA) will likely increase the number of crimes of this nature which are reported to law enforcement, resulting in greater demand for prosecution and child protection efforts. The anomaly of higher rates in the aftermath of the Governor’s initiative is something for which we need to be prepared.
- DNA Testing. The state crime lab, at the present time, only conducts nuclear DNA testing. It is necessary to send Y chromosome and mitochondria DNA testing to out of state laboratories which takes more time at a greater cost.
- Address dramatic increase in time to disposition of felony trial cases. Unfortunately the average elapsed time to disposition for felony trial cases throughout the state continues to be too long. In Anchorage the elapsed time to disposition had nearly *quadrupled* – from 173 days to 669 days – between 1987 and 2007. The number of cases pending after the year in which it was screened is increasing. This is caused in part by the increasing delay in the time it takes to get matters to trial. In CY 2011, 67% of murders, 24% of kidnapping, 37% of sexual abuse of minor, and 39% of sexual assaults had been pending at the end of the year.

- Victim Notification. One of the victims' rights under the Alaska Constitution is to be provided information about, and be allowed to attend, all criminal or juvenile proceedings where the defendant has a right to be present. Currently this information is being provided to victims through notification from the victim witness paralegals in each of the district attorney's offices. Making this contact each time a hearing date changes takes a significant amount of time. Efforts are being made to upgrade the state's current Victim Information Notification Everyday (VINE) system, which currently notifies a victim if a defendant's custody status has changed. Upgrades to the VINE Court Notification System will provide victims or witnesses with 24-hour access to case status, hearing dates, and location information as well. This service will also be provided in the common languages requested for interpretation services in Alaska.
- Staffing. The number of prosecutors statewide is fewer than the number of judicial officers and defense attorneys. On average, prosecutors are outnumbered 1.2 to 1 by judges and magistrates. At times prosecutors cannot cover all the courts in session at one time. The department's long-term goal is to have parity with judicial officers and public defenders in all communities. For example, in Bethel there are seven prosecutors and ten judicial officers. It is often the case that during the mornings, when all the judicial officers are holding court, including magistrates, the prosecutors can not cover all the court rooms.
- Technology. The Criminal Division's case management system, Case Records Information Management and Exchange System (CRIMES), was implemented sixteen years ago. The case management system has reached a critical point as both the software and hardware have become seriously out of date. Although some hardware has been replaced, staff turnover, delays and performance shortfall in the software have caused problems. Efforts are being made to accomplish a needs assessment before replacing the system. The reporting deficiencies in the software are the reason that the division is using the 2011 calendar year rather than the 2012 fiscal year on reporting its data.

### **Significant Changes in Results to be Delivered in FY2014**

No changes in results delivered.

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**Criminal Division  
RDU Financial Summary by Component**

*All dollars shown in thousands*

	FY2012 Actuals				FY2013 Management Plan				FY2014 Governor			
	UGF+DGF Funds	Other Funds	Federal Funds	Total Funds	UGF+DGF Funds	Other Funds	Federal Funds	Total Funds	UGF+DGF Funds	Other Funds	Federal Funds	Total Funds
<b>Formula Expenditures</b> None.												
<b>Non-Formula Expenditures</b>												
First Judicial District	1,972.6	50.0	0.0	2,022.6	1,887.7	176.7	0.0	2,064.4	2,367.5	50.0	0.0	2,417.5
Second Judicial District	1,739.8	113.3	0.0	1,853.1	1,878.9	210.0	82.3	2,171.2	1,883.1	210.0	82.3	2,175.4
Third Judicial: Anchorage	7,548.0	220.2	0.0	7,768.2	7,605.6	379.4	105.6	8,090.6	7,680.9	256.1	105.6	8,042.6
Third JD: Outside Anchorage	5,642.0	85.0	0.0	5,727.0	5,366.0	86.8	290.4	5,743.2	5,451.1	86.8	290.4	5,828.3
Fourth Judicial District	5,414.4	306.5	0.0	5,720.9	5,458.6	385.6	55.5	5,899.7	6,062.8	385.6	55.5	6,503.9
Criminal Justice Litigation	1,843.8	855.8	0.0	2,699.6	2,122.4	674.0	0.0	2,796.4	2,293.7	877.6	0.0	3,171.3
Criminal Appeals/Special Lit	3,901.4	954.5	657.0	5,512.9	4,809.3	810.2	1,299.7	6,919.2	4,814.1	894.9	1,300.2	7,009.2
<b>Totals</b>	<b>28,062.0</b>	<b>2,585.3</b>	<b>657.0</b>	<b>31,304.3</b>	<b>29,128.5</b>	<b>2,722.7</b>	<b>1,833.5</b>	<b>33,684.7</b>	<b>30,553.2</b>	<b>2,761.0</b>	<b>1,834.0</b>	<b>35,148.2</b>

**Criminal Division**  
**Summary of RDU Budget Changes by Component**  
**From FY2013 Management Plan to FY2014 Governor**

*All dollars shown in thousands*

	<u>Unrestricted</u> <u>Gen (UGF)</u>	<u>Designated</u> <u>Gen (DGF)</u>	<u>Other Funds</u>	<u>Federal</u> <u>Funds</u>	<u>Total Funds</u>
<b>FY2013 Management Plan</b>	<b>29,128.5</b>	<b>0.0</b>	<b>2,722.7</b>	<b>1,833.5</b>	<b>33,684.7</b>
<b>Adjustments which will continue current level of service:</b>					
-First Judicial District	254.8	0.0	-126.7	0.0	128.1
-Second Judicial District	4.2	0.0	0.0	0.0	4.2
-Third Judicial: Anchorage	40.3	0.0	-123.3	0.0	-83.0
-Third JD: Outside Anchorage	85.1	0.0	0.0	0.0	85.1
-Fourth Judicial District	14.2	0.0	0.0	0.0	14.2
-Criminal Justice Litigation	-8.7	0.0	0.0	0.0	-8.7
-Criminal Appeals/Special Lit	-51.4	0.0	0.0	0.5	-50.9
<b>Proposed budget increases:</b>					
-First Judicial District	225.0	0.0	0.0	0.0	225.0
-Third Judicial: Anchorage	35.0	0.0	0.0	0.0	35.0
-Fourth Judicial District	590.0	0.0	0.0	0.0	590.0
-Criminal Justice Litigation	180.0	0.0	203.6	0.0	383.6
-Criminal Appeals/Special Lit	56.2	0.0	84.7	0.0	140.9
<b>FY2014 Governor</b>	<b>30,553.2</b>	<b>0.0</b>	<b>2,761.0</b>	<b>1,834.0</b>	<b>35,148.2</b>