

**State of Alaska  
FY2006 Governor's Operating Budget**

**Department of Law  
Criminal Appeals/Special Litigation Component  
Component Budget Summary**

## Component: Criminal Appeals/Special Litigation Component

### Contribution to Department's Mission

This component contributes to the Department's mission by prosecuting and convicting criminal offenders in specialized areas of the law, and by upholding those convictions on appeal.

### Core Services

(A) The Office of Special Prosecutions and Appeals (OSPA) represents the state in all felony appellate proceedings challenging convictions obtained in the trial courts, and handles most state and federal post-conviction and habeas corpus proceedings. These post-trial procedures are constitutionally required; when convicted criminals file such actions the state must respond. Without these functions, the efforts of criminal justice agencies to detect and punish crime through investigation, trial, and conviction would be nullified.

(B) OSPA prosecutes economic and other complex crimes. In addition to filing criminal charges and conducting criminal trials, this office also gives day-to-day advice to special "white collar" investigation units. These prosecution services protect private investors, small businesses, and government agencies that are the victims of fraud or other wrongdoing. OSPA also handles civil litigation challenging statutes related to criminal justice, such as sex offender registration and DNA databank.

(C) OSPA prosecutes environmental crimes through a reimbursable services agreement with the Department of Environmental Conservation. These prosecution services protect the state's air and water quality by providing advice and assistance to state environmental investigators and by prosecuting appropriate criminal cases.

(D) OSPA prosecutes welfare cheaters through a reimbursable services agreement with the Department of Health and Social Services. These prosecution services protect the state's welfare system.

(E) OSPA prosecutes medical providers who cheat the Medicaid system, through a federal grant and matching state general funds. The unit can institute criminal prosecution for fraud or civil actions for overpayments. In addition, the unit is responsible for investigating and prosecuting abuse of patients in Medicaid-funded facilities.

(F) OSPA prosecutes selected fish and game cases, that are significant or have statewide importance. Funding is provided by the Fish and Game Fund.

(G) OSPA prosecutes criminal child support enforcement matters through a reimbursable services agreement from the Department of Revenue.

(H) OSPA prosecutes bootlegging and alcohol interdiction cases in Anchorage, Bethel, Nome and Kotzebue, and provides legal advice during investigations. Funding is through a reimbursable services agreement with Department of Public Safety, through a federal grant.

### FY2006 Resources Allocated to Achieve Results

**FY2006 Component Budget: \$3,898,200**

**Personnel:**

Full time	34
Part time	2
<b>Total</b>	<b>36</b>

### **Key Component Challenges**

See Key RDU challenges.

### **Significant Changes in Results to be Delivered in FY2006**

See Results at RDU level.

### **Major Component Accomplishments in 2004**

See Accomplishments at RDU level.

### **Statutory and Regulatory Authority**

AS 44.23.020

Contact Information
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**Criminal Appeals/Special Litigation Component  
Component Financial Summary**

*All dollars shown in thousands*

	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	2,515.4	2,811.4	3,109.5
72000 Travel	79.2	74.0	100.3
73000 Services	201.6	453.2	587.9
74000 Commodities	46.0	60.5	69.5
75000 Capital Outlay	13.9	31.0	31.0
77000 Grants, Benefits	246.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>3,102.1</b>	<b>3,430.1</b>	<b>3,898.2</b>
<b>Funding Sources:</b>			
1002 Federal Receipts	886.7	521.0	532.7
1003 General Fund Match	129.3	165.8	169.2
1004 General Fund Receipts	1,552.9	1,947.2	2,392.9
1007 Inter-Agency Receipts	460.6	660.4	667.7
1134 Fish and Game Criminal Fines and Penalties	72.6	135.7	135.7
<b>Funding Totals</b>	<b>3,102.1</b>	<b>3,430.1</b>	<b>3,898.2</b>

**Estimated Revenue Collections**

Description	Master Revenue Account	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
<b>Unrestricted Revenues</b>				
Fish and Game Fund	51045	57.5	0.0	0.0
<b>Unrestricted Total</b>		<b>57.5</b>	<b>0.0</b>	<b>0.0</b>
<b>Restricted Revenues</b>				
Federal Receipts	51010	886.7	521.0	532.7
Interagency Receipts	51015	460.6	660.4	667.7
Fish and Game Fund	51045	72.6	135.7	135.7
<b>Restricted Total</b>		<b>1,419.9</b>	<b>1,317.1</b>	<b>1,336.1</b>
<b>Total Estimated Revenues</b>		<b>1,477.4</b>	<b>1,317.1</b>	<b>1,336.1</b>

**Summary of Component Budget Changes  
From FY2005 Management Plan to FY2006 Governor**

*All dollars shown in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2005 Management Plan</b>	<b>2,113.0</b>	<b>521.0</b>	<b>796.1</b>	<b>3,430.1</b>
<b>Adjustments which will continue current level of service:</b>				
-FY 05 Bargaining Unit Contract Terms: GGU	4.1	2.5	1.0	7.6
-To Fourth Judicial District to Adjust Vacancy	-7.2	0.0	0.0	-7.2
-To Criminal Justice Litigation to Adjust Vacancy	-12.0	0.0	0.0	-12.0
-FY06 Cost Increases for Bargaining Units and Non-Covered Employees	24.6	7.7	6.3	38.6
-Adjustments for Personal Services Working Reserve Rates and SBS	0.0	1.5	0.0	1.5
<b>Proposed budget increases:</b>				
-Complete Funding for Underfunded Attorney Postions	86.4	0.0	0.0	86.4
-Cybercrime Unit	353.2	0.0	0.0	353.2
<b>FY2006 Governor</b>	<b>2,562.1</b>	<b>532.7</b>	<b>803.4</b>	<b>3,898.2</b>

**Criminal Appeals/Special Litigation Component  
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2005</u>	<u>FY2006</u>		
	<u>Management</u>	<u>Governor</u>		
	<u>Plan</u>			
Full-time	33	34	Annual Salaries	2,331,630
Part-time	1	2	COLA	10,219
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	1,061,988
			<i>Less 5.60% Vacancy Factor</i>	<i>(190,615)</i>
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>34</b>	<b>36</b>	<b>Total Personal Services</b>	<b>3,213,222</b>

**Position Classification Summary**

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk III	1	0	0	0	1
Attorney III	3	0	0	0	3
Attorney IV	10	0	0	0	10
Attorney V	7	1	0	0	8
Attorney VI	0	0	1	0	1
Internal Auditor IV	1	0	0	0	1
Investigator II	1	0	0	0	1
Investigator III	3	0	0	0	3
Law Office Assistant I	5	0	0	0	5
Law Office Assistant II	1	0	0	0	1
Paralegal II	2	0	0	0	2
<b>Totals</b>	<b>34</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>36</b>