

**State of Alaska**  
**FY2022 Governor's Operating Budget**

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

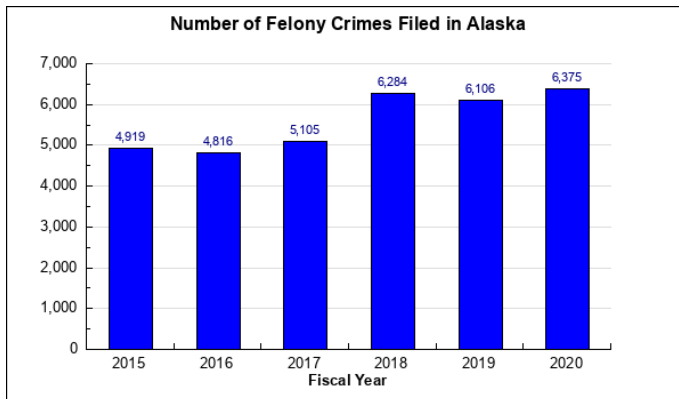
## Criminal Division Results Delivery Unit

### 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 <https://omb.alaska.gov/results>.)



### Measures by Core Service

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

### Major RDU Accomplishments in 2020

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

##### Criminal Division

Alaska's crime rate dropped 10.1% from calendar year (CY) 2018 to CY2019 and brings the crime rate to its second lowest point over the last five years. There are a number of factors that have likely contributed to this drop, including the Criminal Division's focus on felony prosecutions. Those filings were at their highest over the last six years in fiscal year (FY) 2020. FY2018-2020 saw significant increases in filings compared to previous years and the crime rate began dropping from its high in FY2018. Misdemeanor filings also increased in FY2020 to 22,226. This is the highest level of misdemeanor filings since FY2014. The increase in filings at the same time as a drop in the crime rates provides positive results in public safety for Alaska. This bodes well for public safety services if the Criminal Division is able to maintain its current level of resources.

COVID-19 presented significant challenges during the second half of FY2020. The division nimbly adjusted as 70% of its employees began to telecommute and many court hearings were postponed, including grand juries and jury trials. A combination of the division's electronic case management system and a recent shift to the use of laptops for all attorneys allowed most employees to continue much of their work away from the office. While COVID interrupted the back-end of the division's work by suspending jury trials, it did not prevent the division from reviewing cases and filing charges against those who violated state criminal laws as seen in the increased numbers of filings.

### Key RDU Challenges

The increase in case filings reflects greater service capacity achieved with increases in the number of resourced positions for the division over the last several years. The challenge now for the future is to improve recruitment and retention. One key component for both is increased training for both new and existing employees - prosecutors and support staff alike. Without improved recruitment and retention, the gains in positions is significantly diminished if those positions see significant and regular turnover.

The increases in felony filings also caused concern about burnout as misdemeanor filings increase simultaneously. The division is now handling the same total number of cases it filed in 2013, but with approximately 1,500 of those cases now filed at a felony level instead of a misdemeanor level. Greater resources and expertise are needed to effectively prosecute a felony versus a misdemeanor, which leads to the prioritization of felonies over other classes of charges.

In addition to these challenges, the division anticipates that processing the growing backlog of cases resulting from suspending jury trials due to COVID-19 will be a further strain on capacity.

### **Significant Changes in Results to be Delivered in FY2022**

The Criminal Division is continuously assessing how it can better prosecute criminal activity in order to increase public safety. The Criminal Division continues to work with stakeholders across the criminal justice field to evaluate, implement and refine changes to criminal law and the criminal justice system. The division will continue to focus resources on the most serious offenders and offenses. The division plans to develop pre-trial diversion programs to repay victims faster for losses or damage, and incentivize treatment for substance addiction. The division continues to work on interfaces with the Alaska Court System and law enforcement agencies around the state to better share resources, including analyzing trends in prosecution data to decrease pre-trial delay, improve communication with victims, eliminate duplicative efforts and reduce errors, and lessen the use of paper files.

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**Criminal Division  
RDU Financial Summary by Component**

*All dollars shown in thousands*

	FY2020 Actuals				FY2021 Management Plan				FY2022 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	1,999.4	30.1	0.0	2,029.5	2,384.6	39.8	0.0	2,424.4	2,392.7	351.1	0.0	2,743.8
Second Judicial District	1,468.7	42.6	0.0	1,511.3	2,337.2	300.0	0.0	2,637.2	2,441.5	493.5	0.0	2,935.0
Third Judicial: Anchorage	7,457.7	118.2	0.0	7,575.9	7,798.2	271.4	0.0	8,069.6	8,373.6	271.5	0.0	8,645.1
Third JD: Outside Anchorage	5,284.3	135.5	0.0	5,419.8	5,447.1	145.8	0.0	5,592.9	5,775.0	500.5	0.0	6,275.5
Fourth Judicial District	6,166.2	337.0	0.0	6,503.2	6,057.0	439.9	0.0	6,496.9	6,230.7	873.5	0.0	7,104.2
Criminal Justice Litigation	1,889.2	256.0	0.0	2,145.2	2,338.7	682.2	0.0	3,020.9	2,342.1	683.2	0.0	3,025.3
Criminal Appeals/Special Lit	5,192.1	1,350.1	1,555.0	8,097.2	4,730.0	1,311.7	2,026.4	8,068.1	5,306.8	1,313.0	2,032.5	8,652.3
<b>Totals</b>	<b>29,457.6</b>	<b>2,269.5</b>	<b>1,555.0</b>	<b>33,282.1</b>	<b>31,092.8</b>	<b>3,190.8</b>	<b>2,026.4</b>	<b>36,310.0</b>	<b>32,862.4</b>	<b>4,486.3</b>	<b>2,032.5</b>	<b>39,381.2</b>

**Criminal Division**  
**Summary of RDU Budget Changes by Component**  
**From FY2021 Management Plan to FY2022 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>FY2021 Management Plan</b>	<b>31,042.8</b>	<b>50.0</b>	<b>3,190.8</b>	<b>2,026.4</b>	<b>36,310.0</b>
<b>Adjustments which continue current level of service:</b>					
-First Judicial District	-306.9	0.0	311.3	0.0	4.4
-Second Judicial District	-380.7	0.0	193.5	0.0	-187.2
-Third Judicial: Anchorage	15.4	0.0	0.1	0.0	15.5
-Third JD: Outside Anchorage	-149.1	0.0	354.7	0.0	205.6
-Fourth Judicial District	-418.3	0.0	433.6	0.0	15.3
-Criminal Justice Litigation	3.4	0.0	1.0	0.0	4.4
-Criminal Appeals/Special Lit	5.8	0.0	1.3	6.1	13.2
<b>Proposed budget increases:</b>					
-First Judicial District	315.0	0.0	0.0	0.0	315.0
-Second Judicial District	485.0	0.0	0.0	0.0	485.0
-Third Judicial: Anchorage	560.0	0.0	0.0	0.0	560.0
-Third JD: Outside Anchorage	477.0	0.0	0.0	0.0	477.0
-Fourth Judicial District	592.0	0.0	0.0	0.0	592.0
-Criminal Appeals/Special Lit	571.0	0.0	0.0	0.0	571.0
<b>FY2022 Governor</b>	<b>32,812.4</b>	<b>50.0</b>	<b>4,486.3</b>	<b>2,032.5</b>	<b>39,381.2</b>