



THE STATE  
of ALASKA  
GOVERNOR MICHAEL J. DUNLEAVY

Office of the Governor

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Senator Bert Stedman, Co-Chair  
Senate Finance Committee  
State Capitol, Rm 518  
Juneau, AK 99801

Senator Natasha von Imhof, Co-Chair  
Senate Finance Committee  
State Capitol, Room 516  
Juneau, AK 99801

Dear Co-Chairs Stedman and von Imhof,

Below, please see the responses to questions asked during the Office of Management and Budget's presentation to the Senate Finance Committee on February 14 and 15, 2019.

1. *Senator Wielechowski: Can you quantify the loss of Federal Funds by department under the Governor's FY20 amended budget?*

See attached spreadsheet titled: *FY19 Mgt. Plan to FY20 Gov. Amend Federal Funds Comparison*

2. *Senators Stedman and von Imhof: On slide 11 please create a new slide that includes Federal and Other Funds.*

See attached chart titled: *Dept. Chart All Funds*

3. *Senator Olson: What was the Task Force's salary recommendation for VPSOs and how does that align with their current pay?*

The Senate Village Public Safety Officers (VPSO) Task Force Report to the Senate was issued on February 1, 2008. The report's recommendation, relating to VPSO salaries, was to "increase the base pay to \$21.00 per hour and program Consumer Price Index (CPI) increases into the budget annually."

The table on the next page shows the starting base pay for a VPSO from FY08 to FY19, the current fiscal year.

VPSO Starting Base Pay		
FY08	\$16.55	Task force report issued in 2nd half of FY
FY09	\$21.00	Task force recommended amount
FY10	\$21.63	3% cost of living increase
FY11	\$22.27	3% cost of living increase
FY14	\$25.27	Increase to reflect probation and parole monitoring
FY19	\$26.79	6% cost of living increase. New VPSOs also receive an early 1 step increase after graduating from the Alaska Law Enforcement Training program. That increase is in addition to the \$26.79 base pay.

Although the VPSO base pay did not see annual CPI increases, the starting pay has increased 62% since the task force report was issued. That is the equivalent of an annual increase of just over 2.4% after the base pay was raised to \$21.00 per the task force's recommendation.

4. *Senator Wielechowski: What are the changes being made to plea bargaining based on AG comments in other committees?*

The Attorney General modified the previous plea agreement policy regarding the resolution of certain sex offenses short of trial. Previously, Department of Law policy required the Criminal Division Deputy Attorney General or Criminal Division Director to approve all plea agreements in which a sex offense would be resolved as a non-sex offense. Such resolutions only occur when there are evidentiary reasons for the reduction. Under the current policy, the Attorney General will review and approve all such resolutions after initial approval by the Criminal Division Deputy Attorney General or Criminal Division Director.

5. *Senator Wilson asked about vacant positions in the department, stated by the department to be approximately 14 Criminal Division and 10 Civil Division positions, as well as the location of each vacant position.*

The department has compiled current information regarding vacant positions into an attachment to this correspondence. See attachment titled: SFIN 2-15 Dept. of Law Vacant Positions.

6. *Senator Hoffman: Please provide additional information about the apparent \$1.8 million dollar General Fund (GF) reduction between FY19 Management Plan to FY20 Governor Amended, and what the department will not be doing as a result of the reductions.*

The GF reduction in Law's FY20 budget is \$940,100, and is a combination of the following items:

- a. A fund change of \$750,000 that reduces the GF and increases inter-agency receipt authority as a result of a small billing rate increase in the Civil Division.
- b. Executive Branch 50% travel reduction: Law's GF portion of the decrement is \$190,100. The department will assess the impacts agency-wide; however, the Criminal Division is pursuing a waiver for court hearing travel which is necessary to meet our core mission of criminal prosecution.

The additional \$1,169,300 GF amount that appears to be reduced is the FY19 Authorized amount for a multi-year appropriation to respond to the North Pole/Flint Hills remedial actions; the appropriation is in the Natural Resources section of the Civil Division. This multi-year appropriation was supposed to sunset at the end of FY19 but the department has requested an extension through FY21 because the case is ongoing, with trial now scheduled for October 2019. The extension request can be found in the language section of Senate Bill 20. The department will carry forward the remaining balance in the FY20 Authorized budget if the extension is granted.

With the general fund reductions in the FY20 budget, the agency will continue operating as normal.

7. *Senators Stedman and Wielechowski: Please provide additional information about the three positions in Law which became vacant after the transition and provide information on turnover in the last year by division and section, if possible.*

The Department of Law cannot comment on individual personnel matters; however, over the last year we have experienced turnover as follows:

- a. During calendar year 2018, the Criminal Division turned over 36.5% of its prosecutor positions, 40.6% of its paralegal positions, and 65.5% of its legal support staff. The overall turnover rate for the Criminal Division was approximately 44% (93 of 213 positions).

Retention of prosecutor and prosecutor staff is a challenge nationwide. The majority of prosecutor offices around the country report retention being a significant management issue. Alaska is no different. The prosecutor's office is a demanding and stressful work environment where employees routinely deal with human tragedy and face heavy workloads. Employees report leaving the prosecutor's office for a myriad of reasons including stress, workload, pay, and opportunities in the private or public sector. During the past year, an abnormally large number of prosecutors left the division for the United States Attorney's Office, as the Department of Justice significantly increased its personnel in 2018. It is unlikely that this level of turnover will repeat.

- b. During calendar year 2018, the Civil Division turned over 23% of its attorney positions, 20% of its Regulatory Affairs and Public Advocacy (RAPA) professional positions (1 out of 5), 2% of its paralegal positions, and 28% of its support staff. The

overall turnover rate for the Civil Division was approximately 20% (51 of 254 positions). Turnover rates are affected by many dynamics, including retirements, military transfers, other job opportunities, family health issues, job satisfaction and security, and others. Historically, annual turnover at the Civil Division has been roughly between 10% and 20%. Turnover rates during this last year were on the high side, due mostly to an unusually high number of retirements. Recruitment and retention is a priority for the division, and we are continually looking at ways to attract and retain the highest quality employees available.

8. *Senators Hoffman and Stedman: What is the capacity and vacancy rate of each correctional institution across the state?*

The system runs at 93-94% capacity.

Institution	Maximum Capacity
Anchorage Correctional Complex	863
Anvil Mountain Correctional Center	128
Fairbanks Correctional Center	259
Goose Creek Correctional Center	1,472
Hiland Mountain Correctional Center	404
Ketchikan Correctional Center	58
Lemon Creek Correctional Center	232
Mat-Su Pretrial	102
Point Mackenzie Correctional Farm	128
Spring Creek Correctional Center	551
Wildwood Correctional Center	441
Yukon Kuskokwim Correctional Center	200
<b>TOTAL</b>	<b>4,838</b>

9. *Senator Wilson: Are there any changes to the judicial services component in the Department of Public Safety's budget?*

No, there are no changes to this component in the FY20 Governor Amended budget.

10. *Senator Wilson: Has there been a cost analysis to reopen the Palmer Correctional Center?*

Reopening Palmer Correctional Center would require one-time costs of \$5.8 million. The department estimates it would cost \$15.3 million to operate the facility annually with both the minimum and medium security sections open.

11. *Senator Stedman: Please provide a full breakdown of the cost to build Goose Creek Correctional facility.*

Based on an auditor's report done by John P. Johns in 2011 for Senate Finance the cost to build Goose Creek Correctional Center (GCCC) was \$302 million. That amount is inclusive of the cost

of the water and wastewater utility plant and the debt service. Goose Creek opened in phases. In FY13 and FY14, the capacity was 312 inmates; in FY15, capacity increased dramatically to 1,408. Since FY16, the facility has been operating at a full available capacity of 1,472 inmates.

The budgets for Goose Creek Correctional Center were as follows for FY10-FY15:

FY10	\$468,600
FY11	\$530,800
FY12	\$4,185,700
FY13	\$32,255,800
FY14	\$52,496,600
FY15	\$49,989,000

The budget has stayed in the FY15 range since that time. Those costs are inclusive of employee and operational costs; however, they exclude healthcare, as well as educational and vocational programming.

*12. Senator Stedman: How much would it cost to build another prison – similar to Goose Creek?*

Goose Creek Correctional Center cost \$302 million to build in 2010-2011. Adjusted for inflation using CPI data at the Bureau of Labor Statistics, in 2019, this estimated amount is \$349 million.

*13. Senator Stedman: How much would it cost to remodel an existing facility?*

The department is unable to provide an estimate without more information on which existing facility might be remodeled and what the intent of the remodeling would be (e.g. add capacity, add treatment capacity, accommodate a different classification of inmate).

Please let me know if you have additional questions.

Sincerely,



Donna Arduin, Director  
Office of Management and Budget

Enclosures

1. FY19 Mgt. Plan to FY20 Gov. Amend Federal Funds Comparison
2. Dept. Chart All Funds
3. SFIN 2-15 Dept. of Law Vacant Positions

cc: Ms. Suzanne Cunningham, Director, Governor's Legislative Office  
Mr. David Teal, Director, Legislative Finance Division