



Department of Law

Department Overview

Senate Finance Subcommittee

Kevin G. Clarkson
Attorney General

Ed Sniffen
Chief of Staff



MISSION

The Alaska Department of Law

- Provides legal services to state government
- Prosecutes crime

for the protection and benefit of Alaska's citizens



Civil Division Core Services

- Protecting Alaskans' safety and financial well-being
- Fostering conditions for responsible development of our natural resources
- Protecting the fiscal integrity of the State, and
- Promoting good governance

Civil Division: Protecting Alaskans



Commercial and Fair Business

- Chief Assistant Attorney General: Rebecca Cain
- Represents the Department of Commerce, Community and Economic Development and several boards and commissions.



Human Services

- Chief Assistant Attorney General: Stacie Kraly
- Protects vulnerable adults and provides advice and representation to the Department of Health and Social Services (DHSS)



Opinions, Appeals and Ethics

- Chief Assistant Attorney General: Dario Borghesan
- Defends the state in federal and state appellate courts including Child in Need of Aid (CINA) appeals



Child Protection

- Chief Assistant Attorney General: Carla Erickson
- Represents the Office of Children's Services (OCS) in all CINA proceedings

Civil Division:

Protecting Fiscal Integrity & Fostering Economic Development



Regulatory Affairs and Public Advocacy

- Chief Assistant Attorney General: Jeff Waller
- Protects the Alaskan public interest in public utility and pipeline proceedings before the Regulatory Commission of Alaska



Special Litigation

- Chief Assistant Attorney General: Margaret Paton-Walsh
- Handles high-profile, expedited and complex litigation, including constitutional challenges and elections matters
- Enforces Alaska antitrust and consumer protection laws

Civil Division:

Protecting Fiscal Integrity & Fostering Economic Development



Natural Resources

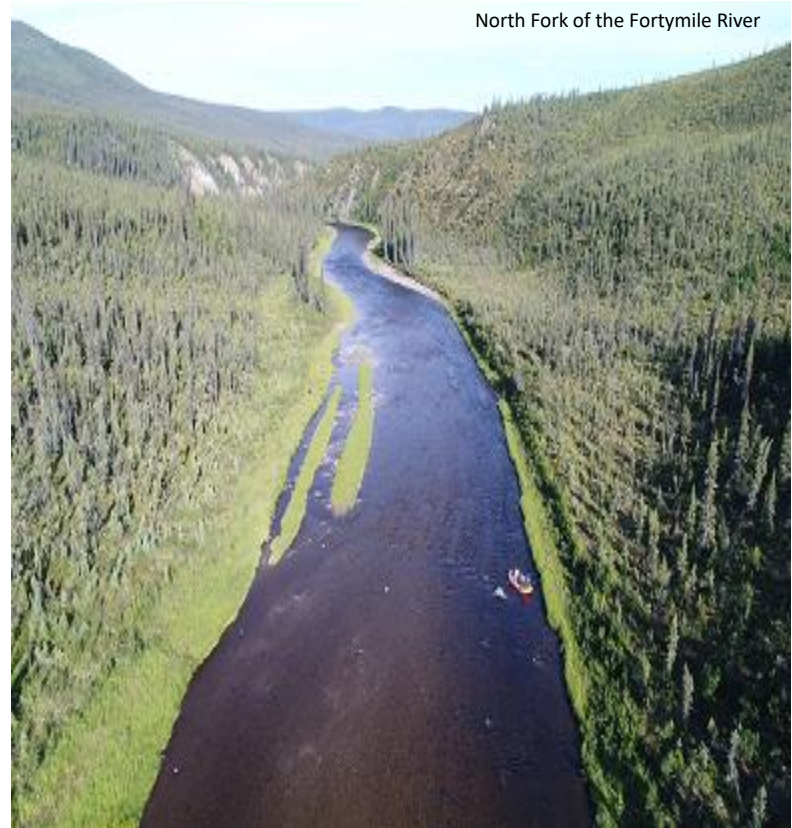
- Chief Assistant Attorney General: Anne Nelson
- Represents the state's interests in statehood defense, natural resource management and development, and fish and game management



Oil and Gas

- Chief Assistant Attorney General: John Ptacin
- provides legal advice to and represents the Department of Natural Resources and the Department of Revenue
- Ensures that the state receives its appropriate share of royalties and taxes from the oil and gas industry, and other businesses operating in the state.

Statehood Defense and Revenue Protection



Civil Division:

Protecting Fiscal Integrity & Fostering Economic Development



Environmental Law

- Chief Assistant Attorney General: Steve Mulder
- Represents the state's interest in clean water and air matters, and in hazardous waste discharge cases, including cleanup cost recovery



Transportation

- Chief Assistant Attorney General: Jeff Stark
- Represents the Department of Transportation & Public Facilities on the construction and operation of public facilities, and major development projects across the state



Torts and Workers' Compensation

- Chief Assistant Attorney General: Patti Shake
- Provides advice and defense to state agencies and employees in tort suits, and defends the state as an employer in workers' compensation claims

Civil Division:

Promoting Good Governance



Labor and State Affairs

- Chief Assistant Attorney General: Janell Hafner
- Provides advice and representation to the Governor and Lt. Governor's offices, the Division of Elections, and a wide variety of executive branch agencies, public corporations, and quasi-judicial boards and commissions



Legislation and Regulations

- Chief Assistant Attorney General: Susan Pollard
- Oversees all legislative drafting, coordinates review of proposed legislation and oversees regulations projects for all state agencies



Information and Project Support

- Chief Assistant Attorney General: Alan Birnbaum
- Advises agencies on the management, sharing, retention, and disclosure of information



Criminal Division

Mission

The mission of the Criminal Division is to seek justice, promote public safety, and further public respect for government through prompt, effective, and compassionate prosecution of cases. The Criminal Division will prosecute cases in a manner that advocates for the interests of the public including victims, respects the law enforcement agencies, responsibly stewards public resources, and holds offenders accountable while at the same time protecting the constitutional and legal rights of the accused.



Criminal Division

The Duty of a Prosecutor

- The primary duty of a lawyer engaged in public prosecution is not to convict, but to see that justice is done.

-Canons of professional ethics: Canon 5. American Bar Association (1908).

- The prosecutor may prosecute with earnestness and vigor – indeed he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.

-Justice George Southerland, Berger v. United States, 295 U.S. 78, 88 (1935).

Criminal Division

2/13/2020



Nome
John A. Earthman



Fairbanks
Joe Dallaire



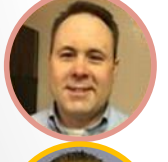
Bethel
Tom Hoffer



Palmer
Roman J. Kalytiak



Anchorage
John Novak



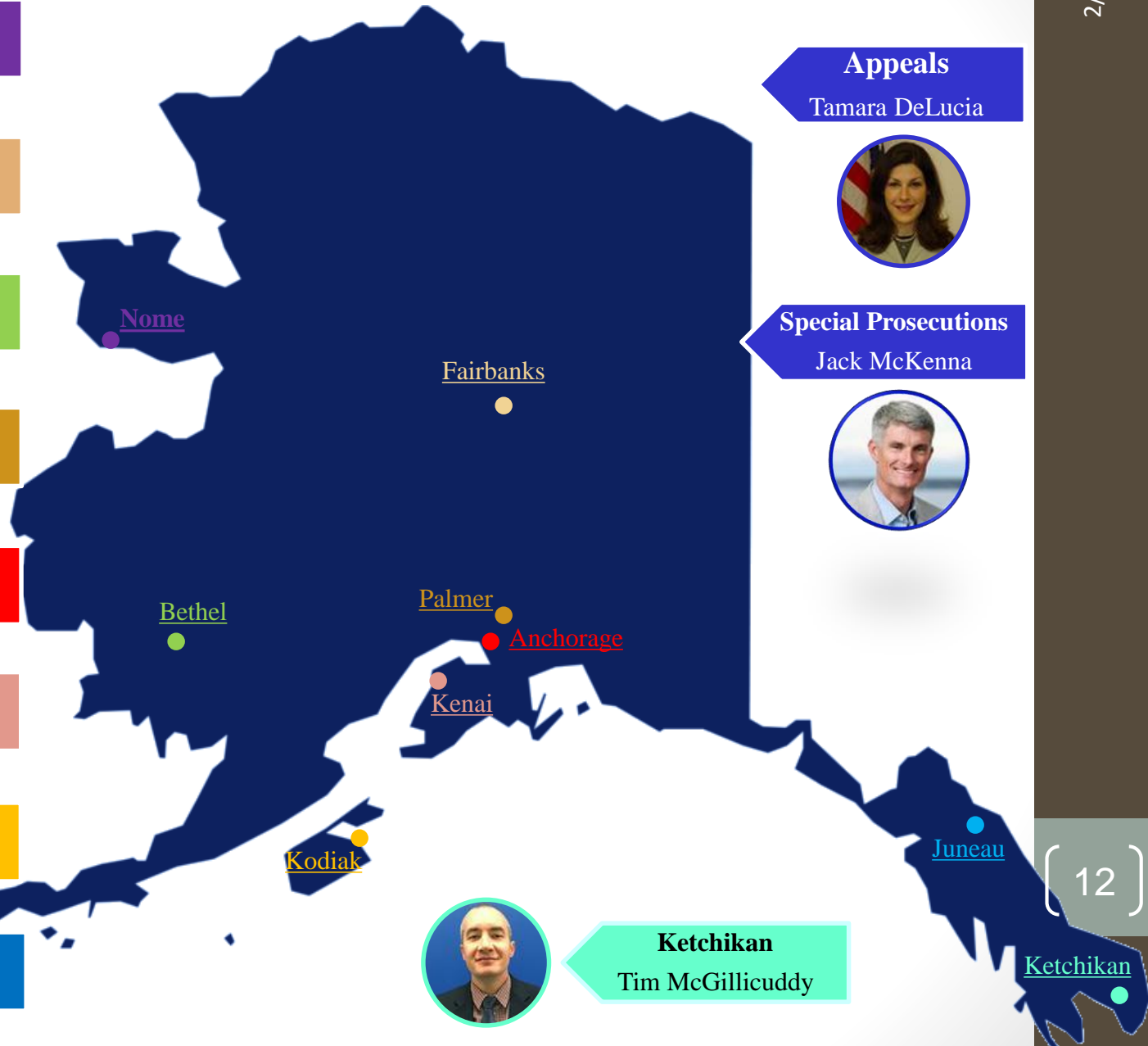
Kenai
Scot H. Leaders



Kodiak
Gustaf W. Olson



Juneau
Angela D. Kemp



Appeals
Tamara DeLucia



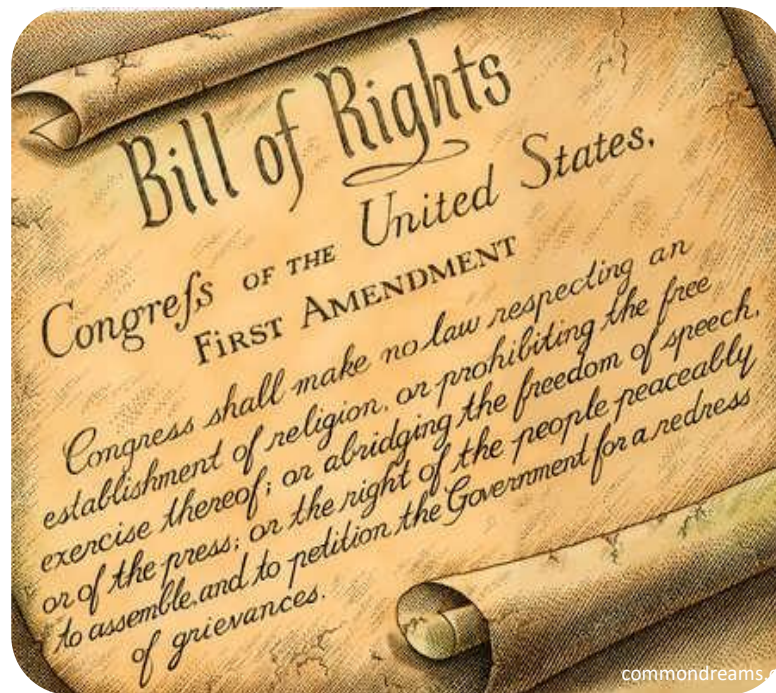
Special Prosecutions
Jack McKenna



Ketchikan
Tim McGillicuddy

Criminal Division: Core Services

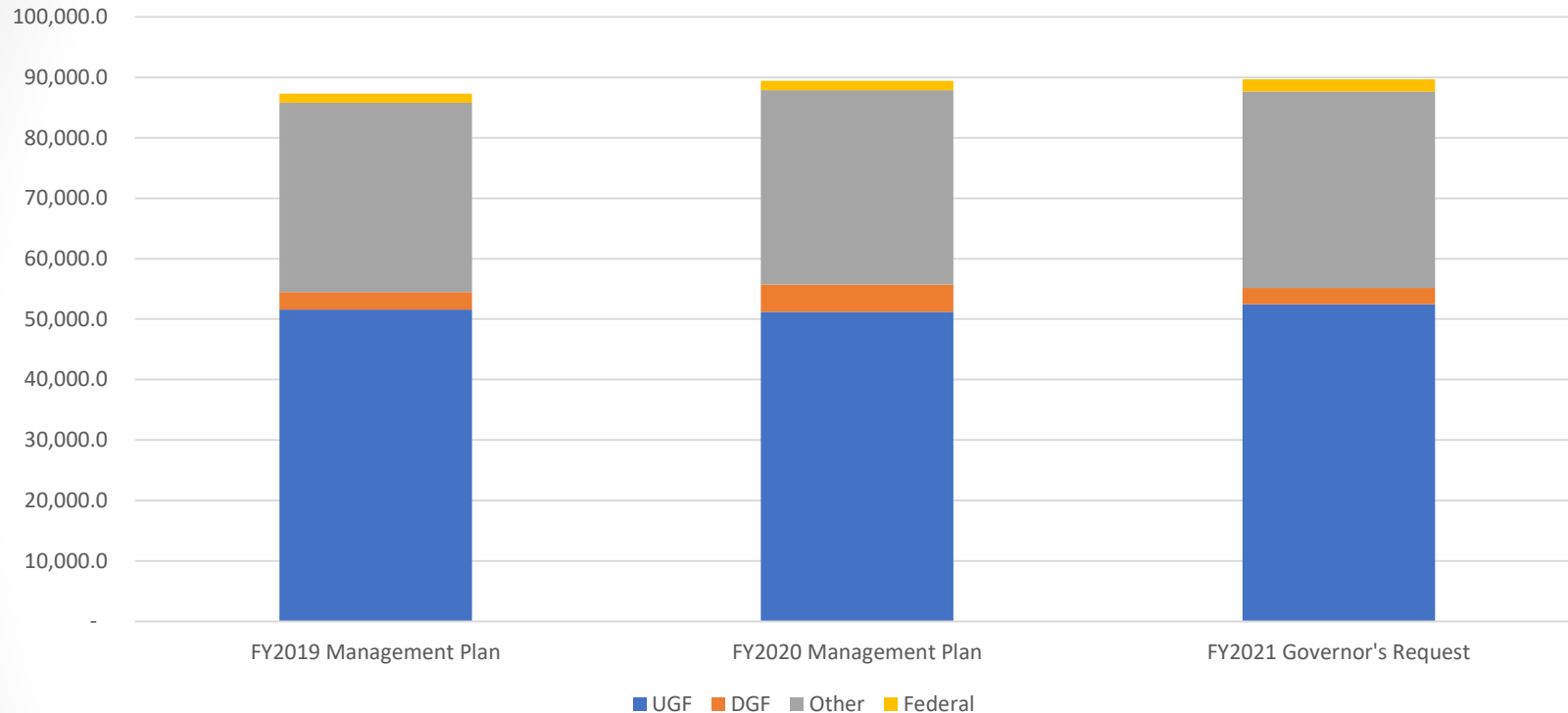
- Investigation Assistance
- Informal Referral
- Formal Referral
- Screening
- Pretrial Litigation
- Pretrial Resolution
- Trial
- Post-Trial Litigation



It is the duty and obligation of the District Attorney to ensure that every citizen's constitutional rights are safeguarded at every step of the criminal prosecution.

Department of Law FY2019-FY2021 Operating Budget Comparison

(amounts shown in thousands)



	FY2019 Management Plan	FY2020 Management Plan	FY2021 Governor's Request	Difference FY19 and FY21	% Difference FY19 and FY21
UGF	51,589.8	51,228.8	52,475.6	885.8	1.7%
DGF	2,882.2	4,510.4	2,691.0	(191.2)	-6.6%
Other	31,342.5	32,155.1	32,504.0	1,161.5	3.7%
Federal	1,498.5	1,518.7	2,026.2	527.7	35.2%
Total	87,313.0	89,413.0	89,696.8	2,383.8	2.7%

Department of Law FY2021 Fund Source Breakdown by Fund Category

Agency Operating	UGF	DGF	GF Sub Total	Other	Fed	Total	PFT
Formula							
Non-Formula	52,475.6	2,691.0	55,166.6	32,504.0	2,026.2	89,696.8	531
*Duplicate				(28,667.2)		(28,667.2)	
Non-Duplicate Total	52,475.6	2,691.0	55,166.6	3,836.8	2,026.2	61,029.6	

UGF	1003 General Fund Match	519.5
	1004 General Fund	51,856.0
	1037 General Fund Mental Health	100.1
DGF	1005 General Fund Program Receipts	196.0
	1141 RCA Receipts	2,392.2
	1168 Tobacco Education/Cessation Receipts	102.8
Other	1007 Inter-Agency Receipts (Duplicate)	27,705.1
	1055 Inter-Agency Oil/Hazardous Receipts (Duplicate)	456.3
	1061 Capital Improvement Project Receipts (Duplicate)	505.8
	1105 Alsaka Permanent Fund Corporation Receipts	2,618.3
Fed	1108 State Designated Program Receipts	1,218.5
	1002 Federal Receipts	2,026.2

Significant Changes

- House Bill 49, Crimes; Sentencing Drugs; Theft; Reports
- Federal Grant: U.S. Department of Justice grant to expand rural prosecutions in AK;
- Reopening the Criminal Division's Utqiagvik office; Additional authority for state and local government partnership.

Thank you

Any questions?