



**CITY OF FAIRBANKS**  
Jim Matherly, Mayor  
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March 5, 2021

Representative Bart LeBon  
Representative Steve Thompson  
Representative Mike Prax  
Representative Grier Hopkins  
Representative Adam Wool  
Representative Mike Cronk

Senator Scott Kawasaki  
Senator Robert Myers  
Senator Click Bishop

**Re: Misdemeanor Prosecutions**

Dear Interior Delegation:

I am writing to express the City's opposition to the provision of the Governor's proposed FY2022 budget that would charge home rule municipalities for the prosecution of state misdemeanor crimes within each jurisdiction. According to the information provided by the Department of Law, the Governor proposes to charge home rule municipalities in the Fourth Judicial District \$432,600 per year, with the bulk of that amount being charged to the City of Fairbanks.

First, and foremost, the state has a legal obligation to prosecute such crimes. Alaska Statute 44.23.020(b)(4) states that the Attorney General shall prosecute all cases involving violations of state law. Please note that the AG's office (local District Attorney's Office) prosecutes only state crimes. The City Attorney's Office prosecutes cases involving violation of City ordinances.

Comparing home rule communities throughout the state with Anchorage and Juneau is a case of "apples and oranges." Unlike Anchorage and Juneau, the City (of Fairbanks) and the Borough (Fairbanks North Star Borough) are not unified. The City's boundary is a postage stamp within the much larger area of the Borough. The Governor's proposal would create countless examples where a resident on one side of the street pays but the resident on the other side does not.

A large percentage of the City's budget goes to support the Fairbanks Police Department and the Fairbanks Emergency Communication Center. These two City departments work in close cooperation with the State Troopers, the local District Attorney's Office, federal law enforcement

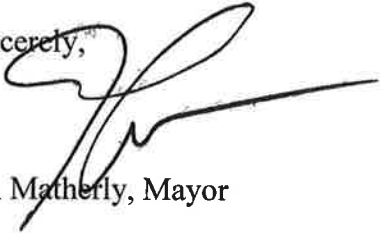
agencies, and the state court system toward common goals – enforcing the law, prosecuting violators, and ensuring the safety of all citizens. The Governor's proposal is short sighted in that it does not recognize the big role the City plays in law enforcement.

And, finally, the burden on the City and other affected municipalities greatly outweighs the benefit to the state. The City is on a calendar year budget cycle. Its budget for 2021 was passed in December of 2020. As you are aware, it was not easy to produce a balanced budget, as required by our charter. Had this prosecution charge been in place when the budget was being adopted, I would have been faced with making even more cuts to basic services.

I recognize that you face the difficult task of trying to address the state's financial issues. But at a time when local governments are receiving less financial support from the state, while shouldering more and more of the burden, the Governor's proposal would seriously impact the City with minimal benefit to the state.

Thank you for your time and consideration and for all the hard work you do on behalf of your constituents in the Interior.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Matherly', with a long horizontal stroke extending to the right.

Jim Matherly, Mayor