

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: HB9-DOC-OC-03-15-09  
 Bill Version: \_\_\_\_\_  
 () Publish Date: \_\_\_\_\_

Identifier (file name): HB9-DOC-OC-03-15-09 Dept. Affected: DOC  
 Title "An Act Authorizing Capital Punishment" RDU Administration & Support  
 Component Office of the Commissioner  
 Sponsor Representatives Chenault, Ramras  
 Requester Governor Component Number 694

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services				367.5	367.5	367.5	367.5	
Travel				20.0	40.0	60.0	80.0	
Contractual				2.5	5.0	5.0	5.0	
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>390.0</b>	<b>412.5</b>	<b>432.5</b>	<b>452.5</b>	
<b>CAPITAL EXPENDITURES</b>			<b>5,000.0</b>					
<b>CHANGE IN REVENUES ( )</b>								

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF				390.0	412.5	432.5	452.5	
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>390.0</b>	<b>412.5</b>	<b>432.5</b>	<b>452.5</b>	

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

Full-time				5	5	5	5
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

The Department of Corrections anticipates up to four offenders will be sentenced each year under this legislation. The national average length of time for the appeals process is 13 years. The average annual cost of incarceration of an offender housed at Spring Creek Correctional Center (SCCC) is approximately \$51,012. The imposition of a death sentence on an offender who would be given a 99-year sentence under current law would result in a cost avoidance of \$51,012 per year once the sentence is carried out and until what would have been the end of the offender's natural life.

Any additional costs associated with execution would be addressed through the annual supplemental process. These costs would be the result of transport/security officer overtime and travel costs associated with the staffing of the death chamber during the fiscal year when an actual execution occurs.

Prepared by: Dwayne Peeples, Deputy Commissioner Phone 465-4670  
 Division Office of the Commissioner Date/Time 3/15/2009 1243 pm  
 Approved by: Joesph Schmidt, Commissioner Date 3/15/2009  
Office of the Commissioner

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### **ANALYSIS CONTINUATION**

**Capital Construction costs added in FY2012** are the anticipated costs associated with the building of a death chamber. These costs are based on construction of a 4,590 square foot stand-alone module to include:

- o Metal Detector
- o Public Lobby
- o Visitor Lockers / Screening
- o Meeting and Contact Visitation Rooms
- o Non-Contact Visitation Video Station
- o Separate restrooms for Staff / Inmate / Visitors
- o Sally Ports Vehicle
- o Execution Room
- o Execution Equipment Room
- o Medical Equipment
- o Medical Waste Collection and Disposal Area
- o Storage
- o Execution Witness Room

#### **Annual Operating Cost:**

##### **71000 Personal Services (FY10 rates employer rates applied, no overtime included):**

A housing unit located at SCCC will be converted to a death row housing unit. Two security posts will be required with each post consisting of five security officers--1 Correctional Officer III, and 4 Correctional Officer I/II positions. The department will utilize five existing positions and add five new positions to staff these posts.

##### **72000 Travel:**

The Department of Law has determined an average of one court hearing per year, per inmate during the appeal process. The appeal process can take up to 13 years. Inmates must be transported back to their judicial district for the court hearing. The Department of Corrections is responsible for transporting the offender to the closest secure facility for each court appearance. Each round-trip is based on current costs for the Public Safety King Air transportation or for a charter to each geographic region--Southeast, Interior, and Northwestern AK. Ground transportation within the Anchorage area, Mat-Su Valley, and Kenai Peninsula is included. Travel is for the inmate and two transport officers, per diem and lodging for the officers is included.

##### **73000 Contractual Services:**

The services line is based on anticipated utility costs only. These are current estimates and are associated with the actual death chamber only.

##### **74000 Commodities:**

There are no increases anticipated for the daily costs of incarceration as these offenders are already committed to the department's custody under existing legislation.