Fiscal Note

State of Alaska 2016 L

2016 Legislative Session		Bill Version: Fiscal Note Number: () Publish Date:	SB 91		
Identifier:	SB091SS-DHSS-PS-2-6-16	Department: Department of Heal	th and Social Services		
Title:	OMNIBUS CRIM LAW & PROCEDURE;	CRIM LAW & PROCEDURE; Appropriation: Juvenile Justice			
	CORRECTIONS	Allocation: Probation Services			
Sponsor:	COGHILL	OMB Component Number: 2134			
Requester:	Senate STA				

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)									
		Included in							
	FY2017	Governor's							
	Appropriation	FY2017	Out-Year Cost Estimates						
	Requested	Request							
OPERATING EXPENDITURES	FY 2017	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022		
Personal Services									
Travel									
Services									
Commodities									
Capital Outlay									
Grants & Benefits									
Miscellaneous									
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
Fund Source (Operating Only))								
None									
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
Positions									
Full-time									
Part-time									
Temporary									
						I			
Change in Revenues									
Estimated SUPPLEMENTAL (F	•	0.0	(separate su	oplemental app	propriation requ	ired)			
(discuss reasons and fund sour	ce(s) in analysis	s section)							
Estimated CAPITAL (FY2017)	cost:	0.0	(separate ca	pital appropriat	tion reauired)				
(discuss reasons and fund source			(20)20.200 00						
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ASSOCIATED REGULATIONS				-					
Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No									
If yes, by what date are the regulations to be adopted, amended or repealed? n/a									
Why this fiscal note differs from previous version:									
Not applicable: initial version									

Not applicable; initial version.

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Division:	Juvenile Justice	Date:	02/05/2016 02:00 PM
Approved By:	Sana Efird, Asst. Commissioner, Finance and Management Services	Date:	02/06/16
Agency:	Health and Social Services		
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FISCAL NOTE ANALYSIS

STATE OF ALASKA 2016 LEGISLATIVE SESSION

BILL NO. SSSB091

Analysis

The changes proposed to criminal statute to increase the monetary threshold for certain property crimes will apply to juvenile offenders under the jurisdiction of the Division of Juvenile Justice. The changes will not negatively impact the work with juvenile offenders because the services provided by Division of Juvenile Justice are based upon risk and need, rather than purely on the level of criminal offense for which they were referred. The annual adjustment to the threshold level is cumbersome and will require an expense to annually train staff, and a significant staff effort to update written materials and reprogram the Division of Juvenile Justice offender database to reflect the adjustments to criminal threshold levels.

The changes proposed to criminal statute included in sections 8-9, 24-26, and 28-29 to reduce various criminal offenses to violations will have a large negative impact on the work of the Division of Juvenile Justice and the youth with whom the division works. Under AS 47.12.020, the Division of Juvenile Justice has jurisdiction over juveniles who "violate criminal law of the state or a municipality of the state." The proposed changes to several crimes, including Criminal Trespass 2, Disorderly Conduct, and Harassment 2, to violations (not crimes) and would remove these offenses from Division of Juvenile Justice jurisdiction. In FY2015, 187 individual juveniles were referred to the Division of Juvenile Justice for the crimes that would be removed from Division of Juvenile Justice jurisdiction under the bill. Although these are relatively minor criminal offenses, a referral to the Division allows for staff to conduct risk assessments, recognize trends (repeat offenders), and interview the youth, family, and potential victims to pursue appropriate services. Referrals to the Division of Juvenile Justice for these offenses gives DJJ and our community partners the opportunity and authority to intervene and attempt to disrupt a juvenile's cycle of criminal/delinquent conduct, rather than waiting until the juvenile advances to perhaps more serious criminal offenses.

The bill authorizes the option to detain persons who violate the newly downgrade offenses for up to 24 hours. No information is provided on who makes this determination or what criteria they use to make the decision on whether detention is necessary. Currently, DJJ houses juveniles serving mandatory sentences minimum sentences for criminal offenses managed by District Court, such as the Driving Under the Influence (DUI) mandatory 72-hour sentence. DJJ houses these juveniles under a court order, but our juvenile probation officers are not involved in case management or any follow up. DJJ offers these services because any juvenile held securely must comply with the standards of the federal Juvenile Justice Delinquency Prevention Act, including sight and sound separation from adult offenders.

ZERO FISCAL NOTE ASSUMPTIONS: At this point DJJ is assuming that the added expense of annually updating our written materials, training staff, and reprogram the DJJ juvenile offender database can be absorbed by existing staffing and/or be offset by the reduction in referrals to the division as a result removal of DJJ jurisdiction over several offenses. In addition, this fiscal analysis also assumes that juveniles ordered by District Court to serve a 24 hour sentence for the newly created violations at DJJ facilities can be absorbed into existing budgets.

(Revised 9/9/15 OMB/LFD)

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