

# Fiscal Note

State of Alaska  
2019 Legislative Session

Bill Version:	SB 33
Fiscal Note Number:	4
(S) Publish Date:	1/23/2019

Identifier: 0030-DOA-PDA-01-18-19  
 Title: ARREST;RELEASE;SENTENCING;PROBATION  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: Governor

Department: Department of Administration  
 Appropriation: Legal and Advocacy Services  
 Allocation: Public Defender Agency  
 OMB Component Number: 1631

### Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2020	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2020 Request	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>OPERATING EXPENDITURES</b>	<b>FY 2020</b>	<b>FY 2020</b>					
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

### Fund Source (Operating Only)

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

### Positions

Full-time							
Part-time							
Temporary							

### Change in Revenues

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2019) cost:** 0.0 *(separate supplemental appropriation required)*

**Estimated CAPITAL (FY2020) cost:** 0.0 *(separate capital appropriation required)*

**Does the bill create or modify a new fund or account?** No  
*(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)*

### 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 If yes, by what date are the regulations to be adopted, amended or repealed?

### Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

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Division:	Public Defender Agency	Date:	01/18/2019 12:00 PM
Approved By:	Cheryl Lowenstein, Director	Date:	01/18/19
Agency:	Office of Management and Budget		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2018 LEGISLATIVE SESSION**Analysis**

This bill eliminates the pre-trial services program which was designed to provide recommendations, based on risk assessments derived from objective and consistently applied criteria, for judges to use in making bail determinations. This bill also reinstates the wide-spread use of third-party custodians. These changes will likely increase incarceration, increase litigation, and increase overall case processing costs.

This bill increases limits on an incarcerated individual's ability to participate, in person, in their own court hearings, which will increase the necessity for travel to correctional institutions for defense attorneys and staff, and will result in increased litigation.

The bill increases incarceration by eliminating the use of electronic monitoring prior to conviction, reducing an accused's ability to engage in treatment programs, seek pro-social therapies, and maintain community and family engagement, all of which have been shown to reduce recidivism.

The Public Defender Agency anticipates an increase in workload and increased litigation and travel costs. The agency cannot accurately predict the extent of the fiscal impact of this legislation. Therefore, the agency submits an indeterminate fiscal note.