

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

No. 1
Bill Version: SSSB 5
(S) Publish Date: 3-5-99

Revision Date: 1/27/99
Title: "An Act relating to the crime of misprision of felony."
Sponsor: Senator Pearce
Requestor: (S) JUD

Department Affected: Administration
BRU: Legal and Advocacy Services
Component: Public Defender Agency
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
PERSONAL SERVICES	**	**	**	**	**	**
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	**	**	**	**	**	**
CAPITAL EXPENDITURES	**	**	**	**	**	**
CHANGE IN REVENUES ()	**	**	**	**	**	**

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts	**	**	**	**	**	**
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY 98) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill creates a new crime if a person witnesses or has knowledge of a felony and does not immediately report that crime to the police. The crime is a C felony if the crime not reported is an unclassified, A, or B felony crime against a person; otherwise it is an A misdemeanor.

It is impossible to predict the numbers of cases that may arise under this scheme. Turning every citizen who may be an inadvertent witness into a potential felon may have huge consequences.

Challenges based upon constitutional rights of privacy and protections against self-incrimination are certain. Problems of proof concerning what "knowledge" the accused possessed, what level of crime existed, and the interplay of evidentiary privileges all pose serious challenges to enforcement.

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Approved by Commissioner: Bob Poe
Agency: Department of Administration

Date: 2/3/99

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