

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: 5  
 Bill Version: C SHB 132(JUD)  
 (H) Publish Date: 4/5/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title An Act relating to sentencing for RDU Legal and Advocacy Services  
certain crimes against elderly... Component Public Defender Agency  
 Sponsor Reps. Stoltze, McGuire  
 Requester House Judiciary Component No. 1631

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

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	94.0	94.0	94.0	94.0	94.0	94.0
Travel	3.2	3.2	3.2	3.2	3.2	3.2
Contractual	23.9	23.9	23.9	23.9	23.9	23.9
Supplies	1.8	1.8	1.8	1.8	1.8	1.8
Equipment	6.7	0.7	0.7	0.7	0.7	0.7
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>129.6</b>	<b>123.6</b>	<b>123.6</b>	<b>123.6</b>	<b>123.6</b>	<b>123.6</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	129.6	123.6	123.6	123.6	123.6	123.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>129.6</b>	<b>123.6</b>	<b>123.6</b>	<b>123.6</b>	<b>123.6</b>	<b>123.6</b>

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

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

This bill seeks to enhance penalties for numerous crimes against a person 65 years or older. From the 2002 census, it indicates people over 65 comprise 6% of Alaska's population. There are more than 25 crimes listed for enhancement if a victim is 65 or older. The Agency was appointed in over 6600 of these crimes in 2004 (6% of 6606 = 396 crimes against elderly, but some reduction in this number would be appropriate for crimes where the state would not be able to prove that the defendant was reckless with regard to the victim being 65 or older), with over 73% (4851) of them involving misdemeanor crimes that would become felonies. Felonies are much more costly to defend than misdemeanors. American Bar Association national standards provide that an attorney should not handle more than 400 misdemeanor cases a year, or 150 felonies a year. This shift from misdemeanor to felony will increase the Agency workload by one 2/3 attorney position, factoring in support staff.

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 Division Public Defender Agency Date/Time 2/25/05 2:26 PM  
 Approved by: Michael Tibbles, Deputy Commissioner Date 2/25/2005  
 Agency Department of Administration