

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 6
 Bill Version: CSHB 132(JUD)
 (H) Publish Date: 4/5/05

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Crimes Against the Elderly BRU Alaska Court System
 Component Trial Courts
 Sponsor Representative Stoltz
 Requester _____ Component No. _____

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	29.5	29.5	29.5	29.5	29.5	29.5
Travel	1.1	1.1	1.1	1.1	1.1	1.1
Contractual	23.6	23.6	23.6	23.6	23.6	23.6
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	54.2	54.2	54.2	54.2	54.2	54.2

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	54.2	54.2	54.2	54.2	54.2	54.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	54.2	54.2	54.2	54.2	54.2	54.2

Estimate of any current year (FY2005) cost: 0.0

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

House Bill 132 increases the penalties for certain crimes if the victim is a person 65 years of age or older. Although the bill raises the offense levels for many crimes against the elderly, the ones likely to impact the court system are those that will raise an offense from a class A misdemeanor to a class C felony. Felony crimes are more resource intensive for the court system because there are grand jury costs, they have a higher trial rate than misdemeanors and, because defendants are subject to supervised probation by the Department of Corrections, they are more likely to be back before the court for petitions to revoke probation. According to the Public Defender Agency, they were appointed in 4851 misdemeanor cases in 2004 that would be felonies under HB 132 in those cases where the victim was 65 years old or older. The Public Defender also notes that census data shows that roughly 6% of Alaska's population is 65 years of age or older. Assuming that crime victims

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 Agency: Alaska Court System

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BILL NO. CSHB 132(JUD)

ANALYSIS CONTINUATION

are represented proportionately across age categories, the Public Defender numbers suggest that roughly 291 (6% of 4851) crimes against the elderly would rise from misdemeanors to felonies under this bill . Because the Public Defender Agency represents slightly over 60% of felony defendants, the number of new felony offenses filed in the court system is likely to be roughly 450 cases a year.

However, notwithstanding the fact that those 65 years of age or older represent 6% of the state's population, it is not clear what percentage of crime victims actually fall into that category. Because of that uncertainty and because of proof problems associated with the defendant having to act with reckless disregard for the age of the victim, this note will conservatively assume that the passage of HB 132 will result in 200 (rather than 450) new felony cases filed with the court each year. Because roughly 4% of felony cases go to trial, this note reflects the trial costs associated with 8 new felony trials a year. This note does not reflect the additional grand jury time that will be required for these new felonies nor does it include extra costs associated with petitions to revoke probation.