

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 8
 Bill Version: SCS CSHB 90(FIN)
 (S) Publish Date: 5/12/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title "An Act relating to credit toward service of a RDU Statewide Support
sentence of imprisonment; relating to violation of probation . . . Component Laboratory Services
 Sponsor Representative Samuels
 Requester Senate Finance Committee Component No. 527

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	305.5	313.5	321.5	329.5	337.5	345.5
Travel	8.0	8.0	8.0	8.0	8.0	8.0
Contractual	122.3	14.8	14.8	14.8	14.8	14.8
Supplies	73.2	73.2	73.2	73.2	73.2	73.2
Equipment	31.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	540.0	409.5	417.5	425.5	433.5	441.5

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	540.0	409.5	417.5	425.5	433.5	441.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	540.0	409.5	417.5	425.5	433.5	441.5

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY2008 budget proposal:

POSITIONS

Full-time	4	4	4	4	4	4
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation significantly expands the Alaska state crime lab responsibilities regarding DNA by requiring the collection of DNA from persons (not including minors) who have been arrested for qualifying offenses (crimes against persons or felonies under AS 11 or AS 28.35, or under a law or ordinance with similar elements) and suggesting a 90-day turnaround. The law presently allows for the collection of DNA only from persons who have been convicted of qualifying offenses, juveniles who have been adjudicated as delinquent for qualifying offenses, persons convicted of offenses that require sex offender registration, and persons whose DNA is collected for non-criminal purposes (e.g., voluntary donors and anonymous donors for validation and statistical purposes). The Department must take into consideration existing convicted offender backlog reduction (2740) while trying to meet a 90-day turnaround target for arrestee and convicted offender sample processing effective FY2009. contd. on page 2

Prepared by: David Schade, Director Phone (907)269-0202
 Division: Department of Public Safety Date/Time 5/11/07 5:04 PM
 Approved by: Walt Monegan, Commissioner Date 5/11/2007
 Agency: Department of Public Safety

ANALYSIS CONTINUATION

This analysis assumes that this legislation is intended to apply only to adults who are arrested for qualifying offenses after the effective date of the legislation, and is not intended to apply to all adults against whom charges are pending at the effective date of the bill. Collecting DNA from adults who are arrested for qualifying offenses will require programming and data entry changes in APSIN, which is Alaska's criminal history system. The DNA indicator in APSIN, which presently can be entered on the APSIN record of each person from whom DNA is required (and is later updated to indicate when DNA is on file), must be modified to add that DNA is required from adults when they are arrested for a qualifying offense, and not only when they are convicted of a qualifying offense. This will require the development of different indicators. The APSIN arrest information must then be linked to the crime lab case management system (LIMS). This is necessary because crime lab personnel must determine the authority for submitting a sample so they can verify the sample and identify which section of the DNA registration system (the federal DNA database, CODIS) the analysis should be entered into: the qualifying conviction section or the arrestee section. The legislation requires that "the material in the system" (referred to here as samples) that is submitted upon arrest must be removed if no charges are brought, charges are reduced to reflect non-qualifying offenses, or they are dismissed. Presently it is rare to remove DNA samples from the database, since relatively few qualifying convictions are reversed. However, when samples are required at the time of arrest, programming and procedures for removing DNA from the database must be developed, because it is very common to reduce, amend, dismiss, or decline to charge on allegations that are initially brought upon arrest.

APSIN and LIMS programming changes and costs assume that (1) the existing DNA database (CODIS) can accommodate DNA submitted upon arrest; (2) modifications must be made to the APSIN replacement system that is currently being written; and (3) programming changes in other systems will be made and funded by those agencies. These are one-time costs that are included only in FY2008, although the costs could extend into FY2009 if other agencies make system changes that extend into FY2009 and must be integrated with APSIN. Programming includes the development of the web service (DPS to LIMS) by an Analyst/Programmer IV, which will take 1.5 months (already included in DPS budget); development of the web service by LIMS contractor (\$13,500); modifications to LIMS for notification, monitoring, and follow-up (\$20,000); modifications to APSIN (estimate based on previous DNA projects)(\$27,000); modifications to new APSIN (web service enabled system)(\$27,000); and an addition of interfaces to legacy APSIN due to obsolescent technology (\$20,000).

In addition to the programming changes, the increase in samples, the continuous entering and removal of samples, and a 90-day turnaround, will require additional personnel and resources at the crime lab. The estimated number of samples to be processed monthly will increase by 205 (2460 per year). This estimate was obtained by calculating the number of times a person was arrested under AS 11.41 (crime against a person), a felony under AS 11, or a felony under AS 28.35 with a disposition in APSIN over a two year period subtracting arrests of persons that would have been required to submit samples anyway because they were ultimately convicted of qualifying convictions or already were already required to provide a sample under the existing law based on prior convictions.

This increase of 2460 samples per year is approximately a 70% increase in the number of samples currently being received by the lab. This would require a full-time (CODIS) administrator (\$103,800), 2 full time DNA Criminalist II analysts (\$72,700 per position, totaling \$145,400), and a full time Forensic Technician (\$56,300). Cost analyses for salary do include associated benefit packages and step increases have been pro-rated at a total for all 4 positions at \$8000 per year for FY2009 through FY2013. A travel allowance per PCN totals \$8,000 per year (\$2,000 each for training, testifying, etc). Each new PCN requires a computer and monitor at a one-time cost of \$8000 (\$2,000 per PCN that does include licensing and software).

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ANALYSIS CONTINUATION

Yearly basic office supplies and needs associated with each PCN total \$12,000 (\$3,000 per PCN). Contractual services associated with each PCN total \$14,800 (pro-rated at \$3,700 per PCN yearly). Lab equipment to accommodate the additional samples and the additional technicians will include an additional thermalcycler (\$8,000), an additional centrifuge (\$5,000), and additional secure on-site sample storage (\$10,000). Those items will not require additional maintenance agreements. Additional DNA sample kits (buccal swab kits), which are provided by the lab and mailed to the sites where samples are collected (principally corrections and AST field offices) are \$3.00 per kit. An additional 2750 kits will be distributed per year at a cost of \$8,300 for kits, and \$3,700 for postage, which is based on an average cost of mailing (\$13.50 per 100 kits). More kits are distributed than are collected, due to spoilage, errors, distribution uncertainties, etc. The cost of supplies (e.g. reagents) per sample is \$20 per sample, for a total of \$49,200 for 2460 samples per year.