

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 255(JUD)
 (H) Publish Date: 3/11/08
 Dept. Affected: Health & Social Services
 RDU Juvenile Justice
 Component Probation Services

ID(File name) HB255-DHSS-DJJ-12-21-07
 Title DUAL SENTENCING
 Sponsor JOHNSON
 Requester HOUSE (JUD)

Component No. 2134

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES							
CHANGE IN REVENUES (0)							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1037 GF/Mental Health							
Other(Specify Type-do not abbreviate)							
Other(Specify Type-do not abbreviate)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This bill broadens the criteria under which a juvenile may be "dual sentenced"--receiving both a juvenile order and an adult prison sentence. The bill lowers the age for which this option may be considered for offenders to age 12-15 for offenders who have committed murder, manslaughter, and rape; and does not require that offenders 16-17 have a previous adjudication for a felony offense, as is current law, for B felonies against a person. The bill also allows 16-17-year-olds who have committed Misconduct Involving Weapons in the First and Second degree to be considered eligible for dual sentencing, and clarifies that adult sentences may be suspended for juveniles who successfully complete juvenile orders.

Prepared by: Stephen F. McComb
 Division Juvenile Justice
 Approved by: Karleen Jackson, Commissioner
 Agency Department of Health and Social Services

Phone 907 261-4335
 Date/Time 11/30/2007
 Date 12/21/2007

ANALYSIS CONTINUATION

The Division of Juvenile Justice anticipates that fewer than a dozen juveniles a year would be assessed as appropriate for dual sentencing. While an average of 55 juveniles a year that do not currently meet the eligibility criteria for dual sentencing would potentially be eligible under this bill (because they meet the new offense and age criteria), only a portion of these youth will be assessed as posing serious enough risks to public safety to merit receiving a dual sentence. The number of youth that are actually dual sentenced will likely be further reduced because District Attorneys may be unwilling to process the case through a dual sentence, or a grand jury will be unwilling to indict the youth through the adult system. Moreover, most youth who are dual sentenced would be expected to complete their juvenile orders successfully and not proceed on to an adult sentence. Because the Division of Juvenile Justice will still manage these youth to the best of its ability whether or not they receive a dual sentence, this bill will not have a fiscal impact on the division.