

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: 9  
 Bill Version: CSHB 255(FIN)  
 (H) Publish Date: 3/19/08  
 Dept. Affected: Health & Social Services  
 RDU Juvenile Justice  
 Component Probation Services

ID(File name) HB255CS(JUD)-DHSS-PS-03-11-08  
 Title DUAL SENTENCING  
 Sponsor JOHNSON  
 Requester HOUSE FIN

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
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>							
<b>CHANGE IN REVENUES (0)</b>							

**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)							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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” with both a juvenile order and a criminal adult sentence. Currently, juvenile offenders may be dual sentenced if they are 16 to 17 years old and have either: 1) committed a felony offense against a person, and have also been previously adjudicated for a felony offense against a person; or 2) have committed sex abuse of a minor in the second degree. CSHB 255 (JUD) removes the requirement that offenders 16 to 17 have a previous adjudication for a B felony offense to be considered eligible for dual sentencing. This version of the bill adds Misconduct Involving Weapons I and II, and Arson II to the offenses that may allow a juvenile offender to be considered for dual sentencing. (Continued on Page 2)

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 Date/Time 03/11/2008  
 Date 03/11/2008

**ANALYSIS CONTINUATION**

CSHB 255(JUD) also extends juvenile jurisdiction for dual-sentenced juveniles through the age of 19 (up to the 20<sup>th</sup> birthday), and allows the Department to transfer dual-sentenced juveniles to the adult system once a petition has been filed to impose the adult sentence.

The Division of Juvenile Justice anticipates that 10 to 20 juveniles a year would be assessed as appropriate for dual sentencing under this committee substitute. An average of 38 juveniles a year who do not currently meet the eligibility criteria for dual sentencing would potentially be eligible under this version of the bill. However, only a portion of these youth will be assessed as enough of a public safety risk 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 youths 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.