

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 9(JUD)
 (H) Publish Date: 4/10/09

Identifier (file name): HB9-DOC-OC-02-24-09 Dept. Affected: DOC
 Title: "An Act Authorizing Capital Punishment" RDU: Administration & Support
 Component: Office of the Commissioner
 Sponsor: Representatives Chenault, Ramras
 Requester: Governor Component Number: 694

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services				367.5	367.5	367.5	367.5
Travel				10.0	20.0	30.0	40.0
Contractual				2.5	5.0	5.0	5.0
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	380.0	392.5	402.5	412.5
CAPITAL EXPENDITURES			5,000.0				
CHANGE IN REVENUES ()							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF				380.0	392.5	402.5	412.5
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	380.0	392.5	402.5	412.5

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time				5	5	5	5
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

The Department of Corrections anticipates approximately 2 offenders annually to be sentenced under this legislation. The national average length of time for the appeals process is 13 years. The average annual cost of incarceration of an offender housed at Spring Creek Correctional Center (SCCC) is approximately \$51,012. The imposition of a death sentence on an offender who would be given a 99-year sentence under current law would result in a cost avoidance of \$51,012 per year once the sentence is carried out and until what would have been the end of the offender's natural life.

Any additional costs associated with execution would be addressed through the annual supplemental process. These costs would primarily be overtime and travel costs associated with the staffing of the death chamber during the fiscal years when an actual execution occurs.

Prepared by: Dwayne Peeples, Deputy Commissioner Phone 465-4670
 Division: Office of the Commissioner Date/Time 2/24/09 7:00 AM
 Approved by: Joesph Schmidt, Commissioner Date 2/24/2009
Office of the Commissioner

FISCAL NOTE #4

**STATE OF ALASKA
2009 LEGISLATIVE SESSION**

BILL NO. CSHB 9(JUD)

ANALYSIS CONTINUATION

Capital construction costs added in FY2012 are the anticipated costs associated with the building of a death chamber. These costs are based on construction of a 4,590 square foot stand-alone module to include:

Execution Room
Execution Equipment Room
Execution Witness Room
Public Lobby
Meeting and Contact Visitation Rooms
Non-Contact Visitation Video Station
Restrooms Staff / Inmate / Visitors
Medical Equipment
Medical Waste
Visitor Lockers / Screening
Metal Detector
Storage
Sally Ports Vehicle / Visitation

Annual Operating cost:

71000 Personal Services (FY10 rates employer rates applied, no overtime included):

Conversion of an existing housing unit at Spring Creek Correctional Center to meet a death row housing unit requires 2 security posts. These posts will consist of 5 existing staff and will require 5 new additional staffing of 1 Correctional Officer III and 4 Correctional Officer I/II positions.

72000 Travel:

Dept of Law has determined an average of 1 court hearing per year per inmate during the appeal process. The appeal process can take up to 13 years. Inmates must be transported back to judicial district for court hearing. It is the Department of Corrections responsibility to transport the offender back to the closest facility for each court appearance. Each round-trip is based on current costs for using the Public Safety King Air transportation or for a charter to each geographic region--Southeast, Interior, and Northwestern AK. Ground transportation within the Anchorage area, Mat-Su Valley, and Kenai Peninsula included. Travel is for the inmate and 2 transport officers, per diem and lodging for officers included.

73000 Contractual Services:

The services line is based on anticipated utility costs only. These are current estimates and are associated with the actual death chamber only.

74000 Commodities:

There is no increase anticipated for the daily costs of incarceration as these offenders would already be committed to the departments custody under existing legislation.