

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSSSSB 91(FIN)
Fiscal Note Number:	23
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Identifier: CSSSSB091-DOC-PTS-04-07-16
 Title: OMNIBUS CRIM LAW & PROCEDURE;
 CORRECTIONS
 Sponsor: COGHILL
 Requester: (S)FINANCE

Department: Department of Corrections
 Appropriation: Population Management
 Allocation: Pre-Trial Services
 OMB Component Number:

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2017 Request	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES	FY 2017	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Personal Services	2,293.8		7,168.0	7,168.0	7,168.0	7,168.0	7,168.0
Travel	43.2		134.9	134.9	134.9	134.9	134.9
Services	577.6		1,805.0	1,805.0	1,805.0	1,805.0	1,805.0
Commodities	345.5		1,079.8	1,079.8	1,079.8	1,079.8	1,079.8
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	3,260.1	0.0	10,187.7	10,187.7	10,187.7	10,187.7	10,187.7

Fund Source (Operating Only)

1004 Gen Fund	3,260.1		10,187.7	10,187.7	10,187.7	10,187.7	10,187.7
Total	3,260.1	0.0	10,187.7	10,187.7	10,187.7	10,187.7	10,187.7

Positions

Full-time	29.0		29.0	***	***	***	***
Part-time							
Temporary							

Change in Revenues

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Estimated SUPPLEMENTAL (FY2016) cost: 0.0 (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
 If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/17

Why this fiscal note differs from previous version:

This fiscal note has been revised to reflect the need for regulation requirements as identified in this legislation.

Prepared By:	April Wilkerson	Phone:	(907)465-3460
Division:	Administrative Services - Department of Corrections	Date:	04/07/2016 12:30 PM
Approved By:	Dean Williams	Date:	04/07/16
Agency:	Department of Corrections		

REPORTED OUT OF
SFC 04/07/2016

FISCAL NOTE ANALYSIS

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Analysis

This legislation makes several changes to sentencing, probation, parole and bail statutes and establishes Pre-Trial Services within the Department of Corrections.

Pre-Trial Services

This section establishes a Pre-trial Services Program within the Department of Corrections. This program requires pre-trial risk assessments for all defendants to be submitted to the Courts within 24 hours of arrest and may include basic community supervision. This requires the adoption of a pre-trial risk assessment tool that does not require a defendant to be interviewed, but instead relies only on factors that could be found in public safety and court records; A pre-trial officer will conduct risk assessment scoring on all defendants prior to their first appearance before a judicial officer; and make recommendations to the court regarding the release/detain decision, and appropriate conditions of release; provide basic supervision through phone contact to monitor compliance with release conditions for higher-risk defendants and some moderate-risk defendants who have been released; and provide "enhanced supervision" which involves face-to-face supervision or state-monitored electronic monitoring for highest-risk defendants who are released.

The following assumptions were made to calculate pre-trial costs and represent the minimum needs to successfully implement the program and includes assumptions to partner with local entities to assist with remote supervision as appropriate.

Approximately 32,000 persons would be processed annually and require a risk assessment, of which 70% (or 22,500 persons) would release pre-trial. Of the pre-trial releases approximately 66% (or 14,850 persons) would release to basic supervision with an average length of supervision of 4.66 months (based on current Department of Corrections reporting) for 5,767 persons on supervision at any given time. In addition, this legislation allows for enhanced supervision of which it is assumed that approximately 10% of the population released pre-trial population (or 2,250 persons) would release to enhanced supervision or electronic monitoring with an average length of supervision of 4.66 months (based on Department of Corrections data) for 874 persons on enhanced supervision at any given time.

It is anticipated this program will require 80 full-time positions and \$10,187.7 in funding (or 49 full-time positions and \$5,845.7 without enhanced supervision/electronic monitoring) over two years allowing for the establishment of policy and training criteria for the program. Three regional offices would be established in Anchorage, Juneau and Palmer to oversee the persons placed into this Program. Based on these assumptions above the funding break-out for each of these areas is anticipated to be:

Offender Assessments of 32,000 persons annually (required within 24-hours / no face to face interviews):

\$1,793.9 – Personal Services
 \$ 30.0 – Travel and training
 \$ 451.5 – Contractual Services (including indirect costs)
 \$ 105.0 – Supplies (excludes OTI startup costs)
 \$2,380.4 – Total

19 Positions would include:

1-Pre-Trial Director (range 21),
 3-Pre-Trial Officer Supervisors for each regional office (range 18),
 12-*Pre-Trial Officer positions (range 16) ,
 3-Criminal Justice Technician I/II (range 12/14)

*Pre-Trial Officers would assist with basic supervision.

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Analysis Continued

Pre-Trial Services (continued)

Basic Supervision of 14,850 persons annually (estimated 5,767 daily with 175 caseloads per officer):

\$2,619.0 – Personal Services

\$ 52.4 – Travel and training

\$ 644.0 – Contractual Services (including indirect costs)

\$ 149.8 – Supplies (excludes one-time start-up costs)

\$3,465.2 - Total

30 Positions would include:

21-Pre-Trial Officer positions,

6-Criminal Justice Technician I/II,

3-Office Assistant

Enhanced Supervision of 2,250 persons annually (estimated 874 daily with 45 caseloads per officer):

\$2,755.0 – Personal Services

\$ 52.5 – Travel and training

\$ 709.5 – Contractual Services (including indirect costs)

\$ 825.0 – Supplies (excludes one-time start-up costs)

\$4,342.0 - Total

31 Positions would include:

3-Pre-Trial Officer Supervisors to oversee each regional office,

19-Pre-Trial Officer positions,

6-Criminal Justice Technician I/II,

3-Office Assistant

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In FY2017 the department would require partial funding (approximately 30%) to establish programmatic policy and training criteria needs. This would require the following:

\$2,293.8 – Personal Services
\$ 43.2 – Travel and training
\$ 577.6 – Contractual Services (including indirect costs)
\$ 345.5 – Supplies (excludes one-time start-up costs)
\$3,260.1 – Total

Initial 29 positions would include:

1-Pre-Trial Director,
3-Pre-Trial Officer Supervisors to oversee each regional office,
18-Pre-Trial Officer positions (6 for each regional office),
3-Criminal Justice Technician I/II,
4-Office Assistant

The remaining funding and positions would be necessary in FY2018 to fully deploy the program. This would require the following:

\$4,345.3 – Personal Services
\$ 73.0 – Travel and training
\$1,111.6 – Contractual Services (including indirect costs)
\$ 753.5 – Supplies (excludes one-time start-up costs)
\$6,283.4 – Total

Remaining 51 positions would include:

3-Pre-Trial Officer Supervisors to oversee enhanced supervision within each regional office,
34-Pre-Trial Officer positions,
12-Criminal Justice Technician I/II,
2-Office Assistant

Additional positions needed for FY2018 would be offset by positions made available through the reduction of the incarcerated population, however, the department is currently unable to identify how many positions could potentially be transferred to the new Pre-Trial Services component to reduce the future increment request.