

Fiscal Note

State of Alaska
2019 Legislative Session

Bill Version:	CSSB 33(JUD)
Fiscal Note Number:	8
(S) Publish Date:	4/24/2019

Identifier: SB33CS(STA)-DOC-IDO-03-22-19
 Title: ARREST;RELEASE;SENTENCING;PROBATION
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: (S)JUD

Department: Department of Corrections
 Appropriation: Population Management
 Allocation: Institution Director's Office
 OMB Component Number: 1381

Expenditures/Revenues

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

	FY2020	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2020 Request	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
OPERATING EXPENDITURES	FY 2020	FY 2020					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous	4,200.5		4,200.5	4,200.5	4,200.5	4,200.5	4,200.5
Total Operating	4,200.5	0.0	4,200.5	4,200.5	4,200.5	4,200.5	4,200.5

Fund Source (Operating Only)

1004 Gen Fund (UGF)	4,200.5		4,200.5	4,200.5	4,200.5	4,200.5	4,200.5
Total	4,200.5	0.0	4,200.5	4,200.5	4,200.5	4,200.5	4,200.5

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2019) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2020) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - 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? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Updated to reflect changes in CS and changed from indeterminate. Based on the 2.13.19 Governor's FY2020 request.

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Division:	Administration and Support	Date:	03/22/2019
Approved By:	Sylvan Robb, Admin Services Director for Corrections	Date:	03/22/19
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2019 LEGISLATIVE SESSION

Analysis

This bill extends the period of time before a person must be taken before a judge or magistrate from 24 to 48 hours. The department does not have data that explicitly documents when a defendant has an appearance before a judge or magistrate. However, doubling the length of time allowed before this hearing is required to occur is likely to result in increasing the daily average inmate count and thus a modest increased cost for incarceration.

This bill changes the pretrial release and retention procedures. CY2018 saw a number of changes in time spent incarcerated: 1) Depending on the offense type, in CY2018 defendants spent between 1 and 47 fewer days incarcerated than they would have in CY2016 prior to SB91 and the creation of the Pretrial Enforcement Division (PED). 2) In CY2018 more defendants were released pretrial than in CY2016. And 3) In CY2018 defendants assigned to pretrial supervision were incarcerated an average of 5.91 fewer days than non-PED unsentenced defendants. The department projects that with this bill defendants will still be assigned to pretrial supervision, but not at the rate attained in CY2018.

The department projects this bill will result in 4,350 pretrial defendants being incarcerated an average of 2.74 days longer which will result in an increase in both the number of incarcerated inmates and the duration of the pretrial incarceration. The department projects this will increase the daily offender population by 32.7 with a cost of \$2,014.0 for each year.

This bill eliminates credit granted against a sentence of imprisonment for time spent on electronic monitoring (EM) or in treatment. The department assumes that all credit previous granted will now be served in a facility. In CY2018 2,050 individuals spent at least one day on EM. The department projects 363 defendants who had received credit for EM will spend an average of 36.6 days incarcerated. The department projects this will result in an increase in the daily average prison population of 35.5 inmates with a cost of \$2,186.5 each year.

This bill establishes contemporaneous two-way video conference as a possible appearance mode for some hearings types of hearings when available. The department currently has video conferencing equipment in all of its facilities.