

# Fiscal Note

State of Alaska  
2019 Legislative Session

|                     |              |
|---------------------|--------------|
| Bill Version:       | CSSB 34(JUD) |
| Fiscal Note Number: | 6            |
| (S) Publish Date:   | 4/24/2019    |

Identifier: SB34-DOC-PP-03-08-19  
 Title: PROBATION; PAROLE; SENTENCES; CREDITS  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: (S)STA

Department: Department of Corrections  
 Appropriation: Population Management  
 Allocation: Probation and Parole Director's Office  
 OMB Component Number: 2684

## 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        |
| <b>OPERATING EXPENDITURES</b> | <b>FY 2020</b>          | <b>FY 2020</b>            | <b>FY 2021</b>          | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> | <b>FY 2025</b> |
| Personal Services             | 546.0                   |                           | 546.0                   | 546.0          | 546.0          | 546.0          | 546.0          |
| Travel                        |                         |                           |                         |                |                |                |                |
| Services                      |                         |                           |                         |                |                |                |                |
| Commodities                   |                         |                           |                         |                |                |                |                |
| Capital Outlay                |                         |                           |                         |                |                |                |                |
| Grants & Benefits             |                         |                           |                         |                |                |                |                |
| Miscellaneous                 | 57.6                    |                           | 86.4                    | 172.8          | 172.8          | 172.8          | 172.8          |
| <b>Total Operating</b>        | <b>603.6</b>            | <b>0.0</b>                | <b>632.4</b>            | <b>718.8</b>   | <b>718.8</b>   | <b>718.8</b>   | <b>718.8</b>   |

## Fund Source (Operating Only)

|                     |              |            |              |              |              |              |              |
|---------------------|--------------|------------|--------------|--------------|--------------|--------------|--------------|
| 1004 Gen Fund (UGF) | 603.6        |            | 632.4        | 718.8        | 718.8        | 718.8        | 718.8        |
| <b>Total</b>        | <b>603.6</b> | <b>0.0</b> | <b>632.4</b> | <b>718.8</b> | <b>718.8</b> | <b>718.8</b> | <b>718.8</b> |

## Positions

|           |     |  |     |     |     |     |     |
|-----------|-----|--|-----|-----|-----|-----|-----|
| Full-time | 5.0 |  | 5.0 | 5.0 | 5.0 | 5.0 | 5.0 |
| Part-time |     |  |     |     |     |     |     |
| Temporary |     |  |     |     |     |     |     |

## Change in Revenues

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <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> |

**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 impact on Parole Board moved to Parole Board fiscal note. Based on the 2.13.19 Governor's FY2020 request.

|              |  |        |               |
|--------------|--|--------|---------------|
| Prepared By: | Teri West, Deputy Director                           | Phone: | (907)465-3311 |
| Division:    | Administration and Support                           | Date:  | 03/08/2019    |
| Approved By: | Sylvan Robb, Admin Services Director for Corrections | Date:  | 03/08/19      |
| Agency:      | Office of Management and Budget                      |        |               |

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2019 LEGISLATIVE SESSION

## Analysis

The bill allows the court to change the period of probation, but removes the ability to terminate probation. It removes the ability for a probation officer to recommend that probation be terminated. The department does not have data that would enable a projection of the fiscal impact of this change, but it seems likely that with fewer terminations allowed, offenders will spend longer on probation. The cost of probation is \$9.57 per day per probationer.

In different sections, the bill reduces the earned compliance credits (ECC) for probation and parole to one-third the prior amount. The department's data combines probation and parole so the impact of these sections is presented together. With the reduction in ECC, the department projects that offenders will remain on probation and parole 93 additional days. In year one, this is projected to impact 65 offenders for a total of 6,018 additional days of supervision at a cost of \$57.6. In year two, this is projected to impact 97 offenders for a total of 9,027 additional days of supervision at a cost of \$86.4. In year three, this is projected to impact 195 offenders for a total of 18,054 additional days of supervision at a cost of \$172.8.

The bill stipulates that a probationer found in violation of the conditions of probation forfeits any credits earned thus extending the period of their probation at a cost of \$9.57 per day. The department does not have data that allow it to project the number of individuals impacted by this change and thus the fiscal impact.

The bill changes the manner in which toll time is calculated. While this is likely to have an impact on the department, it does not have sufficient data to project that impact.

The bill stipulates that a parolee found in violation of the conditions of parole forfeits any credits earned thus extending the period of their parole at a cost of \$9.57 per day. The department does not have data that allow it to project the number of individuals impacted by this change.

The bill repeals mandatory early termination of probation and returns discretion to the judge. This is likely to result in some probationers spending additional time on probation at a cost of \$9.57 per day. The department is unable to project how many probationers are likely to be impacted by this change or the change in the average length of probation.

This bill leads to an increase in the probation and parole caseloads. Because statute limits officers' caseloads to 75 cases, the department will require additional officers to accommodate the increased caseload. It will necessitate a new Adult Probation Officer II in Anchorage, Juneau, Ketchikan, Kodiak, and Kotzebue. These five new positions cost \$546.0.