

HB

526



Trial Courts

State of Alaska
THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA 99501

WILLIAM D. HITCHCOCK
Master, Trial Courts

January 31, 1980

The Honorable Charles Parr
House of Representatives
Pouch V Mail Stop 3100
Juneau, Alaska 99811

Dear Mr. Parr,

I am writing in regard to House Bill #526, introduced on January 14, 1980, and referred to your committee. This bill would amend AS 47.10.080(b)(1) which is the statutory provision dealing with institutional commitment of juveniles.

There are two significant, and I believe deleterious, aspects to this bill. First, the commitment for institutional placement would appear to only be mandatory for juveniles whose immediate dispositions are based on Class A, B or unclassified felonies under Title 11. Second, the Department of Health and Social Services would have almost unlimited discretion to place juveniles in any setting if their crimes are non-felony in nature.

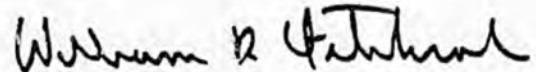
This greatly broadens the administrative discretion of the Department in classifying juveniles institutionalized by the court, and in a large sense gives them the authority to override the findings of the court. As I read the bill, the Department would have unfettered discretion to classify a juvenile deemed by the court to be a danger to society in a non-secure setting so long as his immediate crime is a misdemeanor.

The distinction as to the type of crime is of questionable validity. Most juveniles institutionalized by the court whose immediate appearance is for a misdemeanor-type offense have prior records which involve felonious crimes. To predicate the restrictions

of placement solely on the type of immediate delinquent offense on which the juvenile is before the court is both short sighted and foolhardy.

I strongly urge defeat of this piece of legislation.

Very truly yours,

A handwritten signature in cursive script, appearing to read "William D. Hitchcock".

William D. Hitchcock
Master, Juvenile Court
Third Judicial District