

S

B

4

7

7

**COMMITTEE REPORT**  
**SENATE**

FURTHER:

Date February 17, 1964

February 17, 1964  
Mr. President

The Committee on WARRANTY considered HL 777

"TRUCK RAILROAD TO DOMESTIC VEHICLES"

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for CS 100
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman recommendation

TO: Senator Bill Ray

FROM: Paula d. Scavera

DATE: March 15, 1984

RE: SB 477

Attached is a proposed committee substitute that Senator Kerttula ~~will~~ like have replace his original bill. After conferring with the Department of Law, much of the original bill was not really accomplishing what was the real intention of the bill. That being to add Elderly Abuse within the definition of domestic violence. This bill is in your sub-committee.

#### SECTION 1

Within the section "Circumstances for arrest by private person or peace officer" of the Criminal Code add when the crime is committed to a parent or grandparent.

#### SECTION 2

Within the definition of "abuse" include also parents and grandparents as possible victims.

COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT  
POSITION PAPER

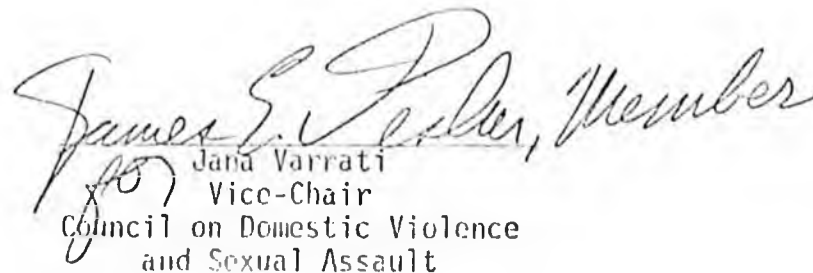
---

PROPOSED CS FOR SB 477

"An Act relating to arrests for and the definition of domestic violence."

The Council on Domestic Violence and Sexual Assault supports the proposed CS for SB 477 that amends AS 12.25.030(b) and AS 25.35.060 by adding a parent or grandparent, by blood, marriage, or adoption of the person who committed the crime. Adding this section protects parents and grandparents who do not live with the perpetrator by allowing an arrest without a warrant under specified circumstances and/or a restraining order to be issued for acts of violence committed against them. Incidences of violence have occurred between parents and adult children in which the parents are afraid for their safety and yet have little recourse to protect themselves if they do not live with the perpetrator. This change would allow them to get a domestic violence restraining order to protect themselves and/or allow peace officers to make arrests without warrants for harm, trespass or harassment. Although statistics on elder abuse in Alaska are not complete because of the newness of the legislation that requires reporting, people from different communities have indicated there is a need to protect parents and grand parents, particularly when they are elderly. Murders in Bethel and Nome within the last six months substantiate this need.

The Council agrees that the deletion of requiring arrest for domestic violence restraining order violations from the original SB 477 is warranted because AS 25.35.050 requires that officers shall use reasonable means to enforce a domestic violence restraining order and AS 12.25.030(b) authorizes arrests without warrants under AS 11.41, AS 11.46.330 or AS 11.61.120.

  
Jana Varrati  
Vice-Chair  
Council on Domestic Violence  
and Sexual Assault

Elder Abuse

- law enacted September 1983

Reports to DFYS: October - December 1983 (2nd quarter of the FY)

17 reports to date: 8 male, 9 female

type of abuse reported: abandonment - 0  
abuse - 10  
abuse/economic harm - 1  
economic harm - 3  
economic harm and neglect - 1  
neglect - 2

relationship of perpetrator to victim: wife - 1  
husband - 0  
son - 6  
daughter - 3  
other male family/household member - 2  
other female family/household member - 0  
other unrelated male - 2  
other unrelated female - 2  
other unrelated male & female - 1

type of service provided to victim\*\*: adult day care - 1  
homemaker services - 7  
community health aide services - 2  
TRO - 1  
housing assistance - 1  
guardianship - 1  
information/referral 3

\*\* some received multiple services

how many victims requested that investigation be terminated: yes - 6  
no - 11

type of reporter: person mandated to make report: 12  
others: 5

how many cases confirmed by DFYS: confirmed: 9  
unconfirmed: 8

information obtained from DFYS form, information for which is obtained by the social worker; report forms are then submitted to the Department of Law

NOTE: this information obtained from Liz Muktarian, Director, Adult and Aging Services, March 29, 1984 by Carla Timpone for ANDVSA

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: SB 477  
Title: "An act relating to domestic violence."  
Sponsor: Senator Kerttula  
Requestor: senate Judiciary  
Date of Request: 3/23/84

FISCAL DETAIL

Agency Affected: Public Safety  
Program Category Affected: Administration of Justice  
BRU, Program or Subprogram(s) Affected: Alaska State Troopers S&S (Judicial Services Component)

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		70.3	149.1	158.0	167.5	177.6
200 TRAVEL		2.0	4.2	4.5	4.8	5.1
300 CONTRACTUAL		18.5	30.7	32.5	34.5	36.6
400 SUPPLIES		7.3	9.1	9.6	10.2	10.8
500 EQUIPMENT		42.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		140.9	193.1	204.6	217.0	230.1
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	140.9	193.1	204.6	217.0	230.1
FEDERAL FUNDS					
OTHER					
TOTAL					

POSITIONS:

FULL-TIME	3	3	3	3	3
PART-TIME					
TEMPORARY					

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Francis C. Allan Phone: 269-5691  
Division: Alaska State Troopers Date: 03/23/84  
Approved by Commissioner: Robert J. Sundberg Date: 3/27/84  
Agency: Public Safety

Distribution (by Agency preparing fiscal note):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

SB 477  
Fiscal Note Analysis

Based upon our experience with serving Domestic Violence relief writs, presently involving 90 - 100 per month, with the expansion into actual arrests for non-support, child custody violations, etc. we anticipate a substantial impact upon our Judicial Service component. Assuming an incidence rate of 100 per month statewide which would require four hours of Trooper time to locate, arrest and process each individual, 4,800 hours of effort will be required yearly. Each Trooper is budgeted for 1,950 hours of straight and 180 hours of overtime. Thus, at least two Troopers will be needed. Additionally, the substantial amount of paperwork needed in these situations will require a Clerk Typist II to prepare and process the forms and documents.

See the attached sheets and Form 13's for calculation details. Assumptions made in preparing the data for the fiscal note include a 6% inflation factor for each year after FY85, that no additional equipment will be needed after the first year and that since the next Academy class is filled to capacity a second class will need to be held mid-year. Thus, Academy costs will also need to be provided. It is assumed that the new Troopers would begin on January 1, 1985 - the absolute earliest that they could be recruited. (Academy costs and Trooper salaries can be RSA'd to the Academy during the year.)

SB 477  
FY85 COSTS

	Academy Costs*	Anchorage Trooper #1	Anchorage Trooper #2	Clerk Typist II	Total
100 - Personal Services		28,249	28,249	13,829	70,327
200 - Travel		1,000	1,000		2,000
300 - Contractual	4,000	6,964	6,964	598	18,526
400 - Supplies & Materials	400	2,925	2,925	1,000	7,250
500 - Equipment		20,300	20,300	2,168	42,768
Total	<u>4,400</u>	<u>59,438</u>	<u>59,438</u>	<u>17,595</u>	<u>140,871</u>

\* This cost represents the cost incurred by the State Trooper Training Academy in Sitka to train the two new Troopers.

ANCHORAGE

TROOPER COSTS

PERSONAL SERVICES - 100

\$2,998 x 12 months =	\$35,976	
+ 180 hours OT	4,982	
SUB TOTAL	<u>\$40,958</u>	
+ .2533% Benefits	10,376	
+ SBS	2,550	
+ Health Benefits	<u>2,613</u>	
TOTAL PERSONAL SERVICES		\$56,497

TRAVEL & PER DIEM - 200

Average - This will vary		
TOTAL TRAVEL & PER DIEM		2,000

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Photo Processing, \$40 per month x 12	480	
PSEA Physical Exam, Average	300	
Uniform PSEA Cleaning Allowance*	540	
HWCF Vehicle - Monthly Cost Replacement		
\$369 per month + 1,755 miles x .34 =	<u>11,588</u>	
TOTAL CONTRACTUAL		13,928

SUPPLIES AND MATERIALS - 400

Uniforms/with all accessories; jacket, hats, handcuffs, etc.	1,900	
Film Supplies + Office Supplies	750	
Vehicle Accessories - Blanket, tire chains, snow tires, flares, etc.	<u>650</u>	
TOTAL SUPPLIES AND MATERIALS		3,300

EQUIPMENT - 500

Patrol - Vehicle - initial cost	12,000	
Light Bar	500	
Underhood Speaker	100	
Car Radio	3,000	
Siren/Amplifier	250	
MX 360 Radio-Portable w/charger	3,200	
Moving Radar Gun	600	
Firearms (revolver, shotgun, & rifle)	<u>650</u>	
TOTAL EQUIPMENT		<u>20,300</u>

TOTAL TROOPER COST TO THE BRU

\$ 96,025

ANCHORAGE  
CLERK TYPIST II

PERSONAL SERVICES - 100

\$1,471 x 12 months =	\$17,652	
+ 180 hours OT	2,444	
SUB TOTAL	<u>\$20,096</u>	
+ .17923% Benefits	3,602	
+ .0613 SBS	1,232	
+ Health Benefits	<u>2,728</u>	
TOTAL PERSONAL SERVICES		\$27,658

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Maintenance Agreement on Typewriter	<u>175</u>	
TOTAL CONTRACTUAL		1,195

SUPPLIES AND MATERIALS - 400

Forms	1,000	
Stationary, copy machine paper, etc.	<u>1,000</u>	
TOTAL SUPPLIES AND MATERIALS		2,000

EQUIPMENT - 500

Desk	576	
Chair	223	
Typewriter	<u>1,369</u>	
TOTAL EQUIPMENT		2,168

TOTAL TROOPER COST TO THE BRU		<u>\$ 33,021</u>
-------------------------------	--	------------------

1.	POSITION TITLE State Trooper			RANGE/STEP 76/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 6.5	RP NUMBER	PCN NUMBER	BRU PRIORITY 1	LOCATION ERA	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL	ADDITION	JUSTIFICATION						
4.	TYPE OF EXPENDITURE		AMOUNT						
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	20,480							
6.	Benefits	5,188							
7.	Supplemental Benefits	1,275							
8.	Fixed Benefits	1,306							
9.	TOTAL PERSONAL SERVICES	01	28,249						
10.	Travel	02	1,000						
11.	Contractual	03	6,964						
12.	Commodities	04	2,925						
13.	Equipment	05	20,300						
14.	Other								
15.	TOTAL COST		59,438						
<p>This position will be a fully trained Alaska State Trooper who will function out of the Judicial Services section located in the Anchorage Courthouse. This State Trooper will be assigned Domestic Violence actions involving making arrests for non-support, child custody violations, non-payment of medical bills related to domestic violence injuries and any other actions dictated by the court.</p> <p>Funding is requested for six - months only to allow for recruitment and training.</p>									
16.	RECEIPT CODE	FUNDING SOURCE							
17.		Federal Receipts	1002						
18.		G.F. Match	1003						
19.		General Funds	1004	59,438					
20.		I-A Receipts	1005						
21.		Program Receipts	1028						
21.		Other							
<p>FOR BSM USE ONLY 4A KEY NUMBER _____</p>									

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Administration of Justice  
BRU Alaska State Troopers S&S  
COMPONENT Judicial Services

**FY 85**

Page 1 of 3  
Revised Date \_\_\_\_\_

1.	POSITION TITLE State Trooper				RANGE/STEP 76/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 6.5	RP NUMBER	PCN NUMBER	BRU PRIORITY 2	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary			20,480						
6.	Benefits			5,188						
7.	Supplemental Benefits			1,275						
8.	Fixed Benefits			1,306						
9.	TOTAL PERSONAL SERVICES		01	28,249						
10.	Travel			1,000						
11.	Contractual			6,964						
12.	Commodities			2,925						
13.	Equipment			20,300						
14.	Other									
15.	TOTAL COST			59,438						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		59,438						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position will be a fully trained Alaska State Trooper who will function out of the Judicial Services section located in the Anchorage Courthouse. This State Trooper will be assigned Domestic Violence actions involving making arrests for non-support, child custody violations, non-payment of medical bills related to domestic violence injuries and any other actions dictated by the court.

Funding is requested for six - months only to allow for recruitment and training.

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Administration of Justice  
BRU Alaska State Troopers S&S  
COMPONENT Judicial Services

**FY 85**

Page 2 of 3  
Revised Date \_\_\_\_\_

1.	POSITION TITLE Clerk Typist II				RANGE/STEP 7/A	BARG. UNIT APEA/GGII	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 6.5	RP NUMBER	PCN NUMBER	BRU PRIORITY 3	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3 b					
	PERSONAL SERVICES									
5.	Salary		10,048							
6.	Benefits		1,801							
7.	Supplemental Benefits		616							
8.	Fixed Benefits		1,364							
9.	TOTAL PERSONAL SERVICES		01		13,829					
10.	Travel		02							
11.	Contractual		03		598					
12.	Commodities		04		1,000					
13.	Equipment		05		2,168					
14.	Other									
15.	TOTAL COST				17,595					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY										
4A KEY NUMBER _____										

A Clerk Typist position is needed in Judicial Services to process the multitude of forms and documents necessary to result in a Domestic Violence action. The current administrative staffing of Judicial Services is incapable of absorbing any additional work load. This position will type reports and forms, orders and other material involving Domestic Violence actions. This position will obtain, check and copy data and information as necessary.

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Administration of Justice  
BRU Alaska State Troopers S&S  
COMPONENT Judicial Services

Page 3 of 3  
Revised Date \_\_\_\_\_

**FY 85**

Proposed Letter of Intent for CSSB 477 (Senate Judiciary)

It is the understanding of the Senate Judiciary Committee that peace officers are not consistently arresting violators of temporary restraining orders (TROs) when the violations include: harrassment, (AS 11.61.120), trespass (AS 11.46.320 and AS 11.46.330) and assault (AS 11.41.230).

The Senate Judiciary Committee recommends that all municipal police departments, village safety detachments and Alaska State Trooper detachments educate peace officers about current laws regarding domestic violence.

# ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

110 SEWARD #13 JUNEAU ALASKA 99801

(907)586-2159

*Proposed CS*

## POSITION PAPER

SB477: An Act relating to arrests for and the definition of domestic violence

The Alaska Network on Domestic Violence and Sexual Assault, a non-profit corporation representing 20 programs statewide that provide services to victims of domestic violence and sexual assault, supports SB477, which would provide protection under the domestic violence statute to elderly victims of abuse.

Last year, the Legislature gave the Department of Health and Social Services statutory authority to receive and act on reports of abuse of the elderly. Since the law's enactment in September 1983, 17 cases of elderly abuse have been reported to the Department's Division of Adult and Aging Services. The majority of those cases involved the infliction of physical abuse upon the elderly person by a son or other male family member. This information corresponds with information received from domestic violence programs, who report that cases of elderly abuse most often involve the physical abuse of an elderly parent or grandparent by that person's son or grandson, and involves cases in which the victim and perpetrator live separately.

Under the current statute, a Temporary Restraining Order is available to victims of domestic violence only if they are living with the abuser or if they are or have been involved in a spousal relationship with the perpetrator. Under that definition, a Temporary Restraining Order, issued to protect the victim from further harm, is unavailable to the elderly person who is abused by a family member with whom they are not living.

Since, in the majority of incidences of elderly abuse, the victim is the parent or grandparent of the abuser and, since in most cases the victim and perpetrator are living separately, the change in the definition of domestic violence proposed by SB477 would offer the victim protection from further harm.