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# STATE OF ALASKA THE LEGISLATURE

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JUNEAU, ALASKA 99811  
907-465-3800

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

SIS 358

H HESS	4/12/90
H HESS	4/18/90
H HESS	4/20/90
H. HESS	4/23/90

# HOUSE COMMITTEE REPORT

(7)

Date Referred: March 19, 1990

FURTHER REFERRALS:

JUDICIARY  
FINANCE

Date of Committee Action: 4/23/90

The HESS Committee considered:

CSSSSB 358 (FINANCE)

CS SS SENATE BILL NO. 358 (Fin)

FINGERPRINTING OF MINORS

"An Act relating to fingerprinting of minors; and providing for an effective date."

RECOMMENDATIONS:

- [X] be replaced with HCS CS SS SA 358 [X] the same title  
[ ] have attached amendment(s) [X] a new title  
[X] do pass  
[ ] do not pass  
[ ] no recommendation  
[ ] individual recommendations  
[ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- [ ] fiscal impact \_\_\_\_\_  
[ ] zero fiscal note \_\_\_\_\_  
[ ] zero with analysis \_\_\_\_\_

- 2 [X] fiscal note(s) 3/1/90 2/23/90/DPS.  
[ ] zero fiscal note(s) \_\_\_\_\_  
[X] zero fn/analysis 3/1/90 DHS

SIGNING DO PASS:

SIGNING:

(Check appropr. column)

Do Not  
Pass  
No Rec  
Amend

J. Ellis  
\_\_\_\_\_  
Cheri Davis  
\_\_\_\_\_  
Max Boya  
\_\_\_\_\_  
Byrd  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNING:	Do Not Pass	No Rec	Amend
<u>W. G. ...</u>		-	
_____			
_____			
_____			
_____			
_____			
_____			
_____			
_____			
_____			

J. Ellis  
Chairman's Signature

# Alaska State Legislature

Senator Paul Fischer  
Senate District D  
Box 784  
Soldotna, Alaska 99669  
(907) 262-9420 W  
262-9269



## State Senate

While in Juneau  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-3791

*Jim/Mina*

### MEMORANDUM

TO: Representatives Johnny Ellis, Chairmen  
House Health, Education and Social Services  
Committee

FROM: Senator Paul Fischer *PF*

SUBJECT: CSSS Senate Bill 358 (Finance)  
(fingerprinting of minors)

DATE: March 28, 1990

---

I would like to respectfully request that the above referenced bill be considered by the House Health, Education and Social Services Committee at the earliest possible time.

As you are aware this entire issue is of major concern to the various law enforcement agencies across the state.

In 1988, the legislature addressed this matter in depth, eventually passing compromise legislation that could be supported by the affected state agencies involved as well as provide a meaningful aid which was desired by law enforcement. However, it soon became evident to several of us in the legislature that the statute that was enacted in 1988 had never been implemented, thus the reason for the reintroduction of this legislation. As you know similar legislation was introduced on the House side by Representative Donley (HB 486) and is presently in your committee.

The Departments of Law and Public Safety are in full support of the legislation which passed the Senate. The Law Enforcement Coalition also supports the Senate version. This coalition is made up of members of the Alaska Association of Chiefs of Police, Alaska Peace Officers Association, and the Federal Bureau of Investigation National Academy Associates.

I am hopeful that we can pass Senate Bill 358, prior to adjournment, in order to complete the job we started in 1988.

Your consideration is appreciated.

PAF/sgn

**Alaska Association of Chiefs of Police**



**Alaska Peace Officers Association, Inc.**



**Federal Bureau of Investigation National Academy  
Associates**



**Position Statement  
from The Law Enforcement Coalition  
Concerning Legislative Proposals  
before the  
Sixteenth Alaska Legislature  
January 1990**

## EXECUTIVE BOARDS FOR THE COALITION

### AACP

Mike Daugherty  
President  
Homer, 235-8113

Duane Udland  
Vice President  
Anchorage, 786-8552

George Novaky  
Secretary  
Anchorage, 786-8958

Glen Godfrey  
Treasurer  
Anchorage, 269-5511

Dan Anslinger  
Board Member  
Ketchikan, 225-6031

Richard Cummings  
Board Member  
Fairbanks, 452-1527

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Board Member  
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225-6631

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Vice President  
South Central Region  
262-4453

Richard Cummings  
Vice President  
Northern Region  
452-1527

Turk Mayfield  
Secretary/Treasurer  
Willow  
495-6413

JAN 29 1990

## FOREWORD

This is the third year that the Coalition, consisting of the Alaska Peace Officers Association, Inc., the Alaska Association of Chiefs of Police, and the F.B.I. National Academy Associates, have jointly identified what we feel are the two top priorities involving legislation affecting public safety statewide.

During the last legislative session the limiting of Municipal liability imposed by the Busby decision was passed into law in the form of SB 66. We feel that was a significant accomplishment and appreciate the support of the Sixteenth Alaska Legislature. We are very satisfied that our concerns were heard by the members who met with us.

The other two priorities listed in our Statement last session were Indemnification of Government Employees and Fingerprinting of Minors. We feel these two issues are critical as they continue to affect the jobs police officers are able to do for their communities.

We strongly urge that you support these issues. The interests of every citizen in the State is affected. We strive for ever increasing professionalism throughout our ranks and we ask that the legislature continue to support us by passing laws which enable us to better serve the people of Alaska.

There are other bills being introduced this session which we intend to support. Recriminalization of marijuana continues to receive our support and urging. We are working for and will support legislation in favor of conspiracy, retirement reforms for peace officers in various fields, and possession of a deadly weapon during a violation of a domestic violence writ. We anticipate there will be other bills we support and favor and we always look forward to sharing our concerns.

Thank you for your interest. We extend to you an invitation to call or meet with any member of the Executive Boards for the Coalition. The officers are listed at the end of our Statement.

## FINGERPRINTING OF MINORS

In 1988, Alaska State Statute 47.10.097 (Fingerprinting of Minors) was passed by the Legislature. This allows an officer to fingerprint a minor who is 16 years of age or older for entry into, or reference to, the Alaska Automated Fingerprint System (hereafter referred to as AAFIS) without a court order if the minor is convicted of, or adjudicated a delinquent for an offense that is a felony. However, we believe that the statute does not go far enough in that it does not allow for fingerprints to be taken, referenced, or entered into the AAFIS without a court order if the minor is only in custody and has not yet been adjudicated or convicted of a crime. This is what we wish to have amended.

Fingerprints are a primary tool for detection in many areas of criminal investigation. We believe, in the case of juveniles, a tremendous psychological deterrent to future criminal conduct. Statistics show that over the last 13 year period, juveniles constituted over 50% of the arrest rate for crimes such as burglary, larceny/theft, motor vehicle theft, and arson.

The "Coalition" believes that the true percentage of juvenile perpetrators is actually much higher. Detection, apprehension, and the rehabilitation process could advance much faster should law enforcement have access to fingerprint files of previously arrested youth between the ages of 14 and 17. We stress the rehabilitation process in this position statement as we strongly believe that the longer a juvenile is allowed to go undetected the more his or her conduct has been reinforced. This would, thereby, substantially diminish rehabilitation into productive adulthood.

The "Coalition" again urges the Legislature to pass into law a statute which would enable law enforcement to solve and prevent more crimes and ultimately better protect our citizens. We urge the Legislature to amend the 1988 statute to include the following:

1. A law enforcement officer may fingerprint and photograph any juvenile 14-17 years of age who has been arrested for any offense for which a person 18 years and older can be arrested, and
2. fingerprints taken from an arrested juvenile may then be entered and stored into AAFIS.

It is important to note that the Supreme Court of Alaska in 1987 removed the provisions governing the restrictions of fingerprinting and the photographing of minors from the "Children's Rules". After this ruling, the Attorney General's office recommended in a letter to the Youth Bureau of the Anchorage Police Department that they should, as a matter of policy, commence fingerprinting and photographing juveniles under the same conditions as for adults. They even included polygraphing arrested juveniles when necessary, however that is not what is of primary concern to us in this position statement.

The Supreme Court had given law enforcement the latitude they needed to protect the victims, as well as create the foundation for rehabilitation of those particular juveniles. We now ask that the Legislature assist in this same vein by considering the above recommendations.

A major concern from detractors of this proposal is that juveniles arrested for various crimes are too young to have realized the consequences of their mistakes. They conclude that by simple virtue of their age they should not then be subjected to fingerprinting and supposedly stigmatized for life. It must be countered that other than to certified law enforcement agencies, there is no access to juvenile files and that even access by other law enforcement agencies is extremely restricted. It is therefore our contention that this particular argument against juvenile fingerprinting is simply unwarranted and not a concern to the juvenile unless he or she becomes an habitual offender.

Unfortunately, it is a sad commentary of our present day society that an increasing number of crimes are being committed by juveniles. However, law enforcement needs to be able to use all the tools at their disposal to address and confront this growing problem and we are asking for your assistance in considering this important proposal.

... policy, a firm need not meet the customer's demand to resolve a complaint.

Company won't budge? Haunted by a question or complaint? Write the Troubleshooter, P.O. Box 149001, Anchorage, 99514-9001, or call 257-4343. Please include work and home phone numbers and photocopies of correspondence. Individual answers are not possible due to volume. Published letters will be edited.

Anchorage Daily News 2/23/90 E3

## Police arrest suspect in Safeway stabbing

By MARILEE ENGE

Daily News reporter

Anchorage police on Thursday arrested a man suspected of stabbing two Safeway employees earlier this week after identifying him through the state's fingerprint computer.

Mike Troy White, 27, was charged with attempted murder and two counts of first-degree assault for the Monday morning stabbings. He was booked into Cook Inlet Pre-Trial Facility on \$100,000 bail.

Employees of the University Center Safeway store saw a man shoplift some cigarettes about 6 a.m. Monday, police said. When Donald Tomlinson and Dustin Prince tried to stop the man at the door, he pulled

a hunting knife and stabbed them.

Tomlinson was knifed in the back and underwent surgery at Providence Hospital. He was in stable condition there on Thursday. Price was treated for a leg wound and released.

Investigators took a fingerprint from the scene, ran it through the computer and came up with White's name. Then they pulled a photograph of him from state records and showed a photo line-up to witnesses, who identified him, said police spokesman Sgt. Walt Monegan.

Thursday, police found White at the Eagle Crest, a men's half-way house and residence hotel on Ninth Avenue. They surrounded the building and arrested him inside about 6 p.m.

## Senate committee delays

The Associated Press

JUNEAU — A Senate committee vote on legislation that would ban flag desecration in Alaska was postponed Thursday because of a judge's ruling that the new federal flag-desecration law was unconstitutional.

The Senate Judiciary Committee had planned to approve the flag bill and

send it on its way. But the committee, led by Sen. Jan Fairs, said it will look at the new legislation.

"I don't think it's just for political purposes," Fairs said. "I don't think it's something that's just for the sake of Fairs, R-Anchorage District Judge

DON'T BE EMBARRASSED  
ABOUT  
PESTS

CONTROL  
THEM!



**PARATEX**

**PIED PIPE**

CALL US — 344-2538

465-4322

February 23, 1990

The Honorable Jan Faiks  
Chairwoman  
Senate Judiciary Committee  
P.O. Box V  
Juneau, AK 99811

RE: CS SSSB 358 (JUD), "An  
Act Relating to Finger-  
printing  
of Minors"

Dear Senator Faiks:

At the Senate Judiciary Committee meeting yesterday regard-  
ing SB 358, some questions were raised by committee members,  
and I was asked to provide some additional information.

In response to the question regarding the number of juveniles  
arrested for criminal offenses in Alaska, I am enclosing a  
summary of those numbers for calendar years 1987 and 1988.  
These numbers are based upon Uniform Crime Report (UCR) data  
reported to the Department of Public Safety (DPS) by 24  
police agencies; we estimate that about 85 percent of the  
state's population is served by these 24 agencies.

As you may recall from the testimony given yesterday, the  
Alaska Automated Fingerprint Identification System (AAFIS)  
works in the following manner: A set of fingerprints taken  
from an arrested offender is entered into the computer, and  
compared with latent prints ("unknowns") collected from  
crime scenes. The computer searches the entire data base,  
and provides a list of prints that are possible matches  
("hits"), with the most likely matches listed first. The  
AAFIS operator then pulls and physically compares the  
original fingerprint card with the latent prints. A  
positive identification is based only on an actual  
comparison of the original prints.

As you know, the committee substitute adopted by the Judi-  
ciary Committee would allow the fingerprinting of juveniles  
aged 14 or older who are arrested for criminal offenses. A  
question was raised regarding the usefulness of fingerprints

Faiks

February 23, 1990

taken from offenders aged 14 and 15 given that these offenders will continue to grow, and the size of their fingers will therefore change over time. I have spoken with Mr. Peter Davis, Supervisor of the DPS Records and Identification Section, and Mr. John Sauve, Supervisor of AAFIS, regarding this matter. They have informed me that our present AAFIS is accurate to "plus or minus 18 percent of growth." Beyond 18 percent there is a loss of accuracy in the computer's ability to detect a match. This loss of accuracy is in direct proportion to the quality of the original print. (Some latent prints collected at crime scenes are partial or somewhat smudged.) This loss of accuracy may mean that an actual match may not be detected; it would not result in an incorrect "match."

Based on our experience, and that of other law enforcement agencies with Automated Fingerprint Identification Systems (AFIS), we believe that the fingerprints of virtually all 14- and 15-year-olds would be within 18 percent of the size of the person's adult fingerprint. The San Francisco Police Department has included the fingerprints of juvenile offenders in its AFIS since 1984. They have informed us that the slight difference in size between juvenile and adult prints has not presented a problem in obtaining matches in their system. [Here in Alaska from 1984 through 1989 the fingerprints of 124 persons arrested for the first time as adults were matched with unidentified latent fingerprints taken from the scenes of unsolved crimes which were committed when the arrestee was a juvenile.] We believe very strongly that the ability to obtain and enter into AAFIS the fingerprints of 14- and 15-year-old juveniles arrested for criminal offenses would be of tremendous assistance in solving crimes in Alaska.

I would like to emphasize a point made during yesterday's hearing. Fingerprint records maintained in AAFIS are entirely separate from criminal history records, which are contained in the Alaska Public Safety Information Network (APSIN). [The presence of a person's fingerprints in AAFIS does not mean that a person has a criminal record.] For example, AAFIS contains thousands of fingerprints submitted by persons seeking employment in or certification for certain fields, such as school bus drivers, teachers, law enforcement officers, and security guards, to name a few. Under AS 44.41.020, any person who wishes to do so may submit his or her fingerprints, or those of their minor children, for inclusion in AAFIS.]

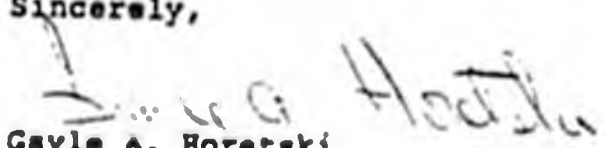
The Honorable Jan Paika

-3-

February 23, 1990

I hope this letter answers the questions raised by committee members yesterday. Please let me know if I can provide any further information.

Sincerely,

  
Gayle A. Horetzki  
Deputy Commissioner

Enclosure: a/s

cc: The Honorable Pat Rodey  
Vice-Chairman  
Senate Judiciary Committee

The Honorable Rick Halford  
Senate Judiciary Committee

The Honorable Drue Pearce  
Senate Judiciary Committee

The Honorable Mike Szymanaki  
Senate Judiciary Committee

JUVENILE ARRESTS \*

	1987	%	1988	%	87/88	%
<b>Major Felonies**</b>						
Total Arrests	990		1,100		2,090	
Juveniles	96	9.7%	97	9%	193	9%
<b>Burglary</b>						
Total Arrests	1,041		960		2,001	
Juveniles	475	46%	509	53%	984	49%
<b>Larceny</b>						
Total Arrests	4,934		4,398		9,332	
Juveniles	1,754	36%	1,624	37%	3,378	36%
<b>Motor Vehicle Theft</b>						
Total Arrests	331		481		812	
Juveniles	166	50%	214	44%	380	47%
Grand Totals					14,235 Arrests	
Juveniles					4,935	35%

\* Data obtained from 24 police agencies submitting Uniform Crime Reports (about 85% of Alaska's population is served by these 24 police agencies)

\*\* Major Felonies - Combined figures for Murder, Manslaughter, Rape, Robbery and Aggravated Assault

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Public Safety  
Title: Fingerprinting of Minors BRU: Alaska State Troopers  
Sponsor: Senators Fischer & Kelly Component: Detachments  
Requestor: Senate Judiciary

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	17.6	17.6	17.6	17.6	17.6	17.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	17.6	17.6	17.6	17.6	17.6	17.6

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	17.6	17.6	17.6	17.6	17.6	17.6
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	17.6	17.6	17.6	17.6	17.6	17.6

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This fiscal note is based upon the estimate of having State Troopers fingerprinting 1,500 juveniles per year. Each fingerprinting process will involve approximately 20 minutes for a total of approximately 500 hours per year. This equates to about 3 months of Trooper time statewide. The costs included on the fiscal note are based upon an average State Trooper position cost for three months. This would be a range 76, Step D.

Prepared by: Francis C. Allan Phone: 269-5691  
Division: Alaska State Troopers Date: 02/08/90

Approved by Commissioner: SAH Arthur English Date: 2-8-90  
Agency: Department of Public Safety Page 1 of 1

2/8/90

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CS SSSB 358 (Fin.) (a)  
PUBLISH DATE: 3/1/90

FISCAL NOTE

REQUEST:

Revision Date: February 6, 1990 Agency Affected: DH&SS  
Title: An Act Relating to Fingerprinting BRU: Youth Services  
of Minors  
Sponsor: Senators Fisher & Kelly Components: Probation Services  
Requestor: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Department in FY90. SSSB358 permits the fingerprinting of minors arrested for an offence that is a felony if committed by an adult. Fingerprinting of minors 16 years of age and older could be entered into the Alaska automated fingerprint identification system. Arresting law enforcement agencies would take the fingerprints and the Department of Public

Prepared by: Russ Webb Phone: 465-3170  
Division: Family and Youth Services Date: \_\_\_\_\_

Approved by Commissioner: [Signature] Date: 2/20/90  
Agency: \_\_\_\_\_

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Changes in CS SSSB 358 (Fin.)  
have no fiscal impact.  
This fiscal note is  
appropriate.

*JK*

Changes in SSSB 358 (Fin.) have no fiscal impact this fiscal note is appropriate. 2/20/90 JK

SSB358 An Act Relating to the Fingerprinting of Minors (con't.)

Safety would do the entries. This Department would not be fiscally impacted.

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CSSSB 358 (Fin)(b)  
PUBLISH DATE: 3/1/90

FISCAL NOTE

REQUEST:

Revision Date: 2/23/90  
Title: An Act Relating to the  
Fingerprinting of Minors  
Sponsor: Sen. Fischer  
Requestor: Senate Judiciary

Agency Affected: Public Safety  
BRU: DPS Statewide Support  
Component: AK Criminal Records  
& ID

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	9.1	9.1	9.1	9.1	9.1	9.1
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	9.1	9.1	9.1	9.1	9.1	9.1

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	9.1	9.1	9.1	9.1	9.1	9.1
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	9.1	9.1	9.1	9.1	9.1	9.1

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Records and Identification Section operates the Alaska Automated Fingerprint Identification System (AAFIS) and maintains criminal history record information used by police and other criminal justice agencies.

(continued on attached)

Prepared by: Ken Bischoff  
Division: Administrative Services

Phone: 465-4336  
Date: 02/26/90

Approved by Commissioner: Arthur English  
Agency: Department of Public Safety

Date: 02/26/90  
Page 1 of 2

Changes in CSSSB 358 (Fin)  
have no fiscal impact  
This fiscal note is  
appropriate. 2/22/90 sub

FISCAL NOTE - CSSSSB 358  
Department of Public Safety  
(Analysis - Page 2 of 2)

This bill would allow the fingerprinting of juveniles age 14 or older who are arrested for criminal offenses. These fingerprints would be compared with latent (crime scene) prints contained in the Alaska Automated Fingerprint Identification System (AAFIS).

This bill should have a positive impact on the ability of police to solve cases involving juvenile offenders. A large percentage of theft and burglary offenses are committed by juveniles. Fingerprint evidence is frequently found at the scene of these offenses, but is not matched to any suspect because juveniles are not fingerprinted. AAFIS records indicate that a large number of theft and burglary offenses are cleared when adults are arrested and their fingerprints matched to latents from crimes committed when the offender was a juvenile. Had these persons been fingerprinted as juvenile offenders they could have been identified, clearing additional cases and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

Existing AAFIS staff are not able to keep current with their present workload. Additional funding is required in Personal Services to increase the staff months of a part-time position approved for this unit for FY91 under a fiscal note for HB 52 (Chp 7 SLA 1990). The increased workload expected as a result of this bill is estimated as follows:

Estimated Number of Juvenile Fingerprint Cards	=	2,700
Total time to complete 15 processing steps	=	436 hrs
Clerk IV - Range 9A (3.5 months)		
Salary		\$6,059
Benefits		<u>2,999</u>
Total Salary & Benefits		\$9,058

## FISCAL NOTE

**REQUEST:**

Revision Date: February 6, 1990  
 Title: An Act Relating to Fingerprinting  
of Minors  
 Sponsor: Senators Fisher & Kelly  
 Requestor: \_\_\_\_\_

Agency Affected: DH&SS  
 BRU: Youth Services  
 Components: Probation Services

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

**ANALYSIS :** (Attach a separate page if necessary)

This bill has no fiscal impact on the Department in FY90. SSSB358 permits the fingerprinting of minors arrested for an offence that is a felony if committed by an adult. Fingerprinting of minors 16 years of age and older could be entered into the Alaska automated fingerprint identification system. Arresting law enforcement agencies would take the fingerprints and the Department of Public

Prepared by: Russ Webb Phone: 465-3170  
 Division: Family and Youth Services Date: \_\_\_\_\_

Approved by Commissioner: *M. M. M...* Date: 2/20/90  
 Agency: \_\_\_\_\_

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

SSB358 An Act Relating to the Fingerprinting of Minors (con't.)

Safety would do the entries. This Department would not be fiscally impacted.

FISCAL NOTE

REQUEST:

Revision Date: February 6, 1990  
Title: An Act Relating to Fingerprinting  
of Minors  
Sponsor: Senators Fisher & Kelly  
Requestor: \_\_\_\_\_

Agency Affected: DH&SS  
BRU: Youth Services  
Components: Probation Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

This bill has no fiscal impact on the Department in FY90. SSSB358 permits the fingerprinting of minors arrested for an offence that is a felony if committed by an adult. Fingerprinting of minors 16 years of age and older could be entered into the Alaska automated fingerprint identification system. Arresting law enforcement agencies would take the fingerprints and the Department of Public

Prepared by: Russ Webb Phone: 465-3170  
Division: Family and Youth Services Date: \_\_\_\_\_

Approved by Commissioner: [Signature] Date: 2/20/90  
Agency: \_\_\_\_\_

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Changes in CS SSSB 358 (JAO)  
have no fiscal impact.  
This fiscal note is  
appropriate.

CK

page 2

FISCAL NOTE - CSSSSB 358  
Department of Public Safety  
(Analysis - Page 2 of 2)

This bill would allow the fingerprinting of juveniles age 14 or older who are arrested for criminal offenses. These fingerprints would be compared with latent (crime scene) prints contained in the Alaska Automated Fingerprint Identification System (AAFIS).

This bill should have a positive impact on the ability of police to solve cases involving juvenile offenders. A large percentage of theft and burglary offenses are committed by juveniles. Fingerprint evidence is frequently found at the scene of these offenses, but is not matched to any suspect because juveniles are not fingerprinted. AAFIS records indicate that a large number of theft and burglary offenses are cleared when adults are arrested and their fingerprints matched to latents from crimes committed when the offender was a juvenile. Had these persons been fingerprinted as juvenile offenders they could have been identified, clearing additional cases and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

Existing AAFIS staff are not able to keep current with their present workload. Additional funding is required in Personal Services to increase the staff months of a part-time position approved for this unit for FY91 under a fiscal note for HB 52 (Chp 7 SLA 1990). The increased workload expected as a result of this bill is estimated as follows:

Estimated Number of Juvenile Fingerprint Cards	-	2,700
Total time to complete 15 processing steps	-	436 hrs

Clerk IV - Range 9A (3.5 months)

Salary	\$6,059
Benefits	<u>2,999</u>
Total Salary & Benefits	\$9,058

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CSSSSB 358 (Jud)(b)  
PUBLISH DATE: 2/27/90

FISCAL NOTE

REQUEST:

Revision Date: 2/23/90  
Title: An Act Relating to the  
Fingerprinting of Minors  
Sponsor: Sen. Fischer  
Requestor: Senate Judiciary

Agency Affected: Public Safety  
BRU: DPS Statewide Support  
Component: AK Criminal Records  
& ID

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	9.1	9.1	9.1	9.1	9.1	9.1
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	9.1	9.1	9.1	9.1	9.1	9.1

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	9.1	9.1	9.1	9.1	9.1	9.1
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	9.1	9.1	9.1	9.1	9.1	9.1

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Records and Identification Section operates the Alaska Automated Fingerprint Identification System (AAFIS) and maintains criminal history record information used by police and other criminal justice agencies.

(continued on attached)

Prepared by: Ken Bischoff Phone: 465-4336  
Division: Administrative Services Date: 02/26/90  
Approved by Commissioner: Arthur English Date: 02/26/90  
Agency: Department of Public Safety

FISCAL NOTE - CSSSSB 358  
Department of Public Safety  
(Analysis - Page 2 of 2)

This bill would allow the fingerprinting of juveniles age 14 or older who are arrested for criminal offenses. These fingerprints would be compared with latent (crime scene) prints contained in the Alaska Automated Fingerprint Identification System (AAFIS).

This bill should have a positive impact on the ability of police to solve cases involving juvenile offenders. A large percentage of theft and burglary offenses are committed by juveniles. Fingerprint evidence is frequently found at the scene of these offenses, but is not matched to any suspect because juveniles are not fingerprinted. AAFIS records indicate that a large number of theft and burglary offenses are cleared when adults are arrested and their fingerprints matched to latents from crimes committed when the offender was a juvenile. Had these persons been fingerprinted as juvenile offenders they could have been identified, clearing additional cases and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

Existing AAFIS staff are not able to keep current with their present workload. Additional funding is required in Personal Services to increase the staff months of a part-time position approved for this unit for FY91 under a fiscal note for HB 52 (Chp 7 SLA 1990). The increased workload expected as a result of this bill is estimated as follows:

Estimated Number of Juvenile Fingerprint Cards	-	2,700
Total time to complete 15 processing steps	-	436 hrs
Clerk IV - Range 9A (3.5 months)		
Salary		\$6,059
Benefits		<u>2,999</u>
Total Salary & Benefits		\$9,058

FISCAL NOTE

REQUEST:

Revision Date: 4/10/90  
Title: An Act Relating to the  
Fingerprinting of Minors  
Sponsor: Sen. Fischer  
Requestor: Senate Finance

Agency Affected: Public Safety  
BRU: DPS Statewide Support  
Component: AK Criminal Records  
& ID

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	9.1	9.1	9.1	9.1	9.1	9.1
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		9.1	9.1	9.1	9.1	9.1

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	9.1	9.1	9.1	9.1	9.1	9.1
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	9.1	9.1	9.1	9.1	9.1	9.1

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Records and Identification Section operates the Alaska Automated Fingerprint Identification System (AAFIS) and maintains criminal history record information used by police and other criminal justice agencies.

(continued on attached)

Prepared by: Ken Bischoff  
Division: Administrative Services

Phone: 465-4336  
Date: 04/10/90

Approved by Commissioner: S.A.H. Arthur English  
Agency: Department of Public Safety

Date: 04/10/90  
Page 1 of 2

*Ken*  
*4/10/90*

FISCAL NOTE - CSSSSB 358 (Fin)  
Department of Public Safety  
(Analysis - Page 2 of 2)

This bill would allow the fingerprinting of juveniles age 14 or older who are arrested for criminal offenses. These fingerprints would be compared with latent (crime scene) prints contained in the Alaska Automated Fingerprint Identification System (AAFIS).

This bill should have a positive impact on the ability of police to solve cases involving juvenile offenders. A large percentage of theft and burglary offenses are committed by juveniles. Fingerprint evidence is frequently found at the scene of these offenses, but is not matched to any suspect because juveniles are not fingerprinted. AAFIS records indicate that a large number of theft and burglary offenses are cleared when adults are arrested and their fingerprints matched to latents from crimes committed when the offender was a juvenile. Had these persons been fingerprinted as juvenile offenders they could have been identified, clearing additional cases and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

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Benefits		<u>2,999</u>
Total Salary & Benefits		\$9,058

Original sponsor(s): SEN. FISCHER, Kelly

1 IN THE SENATE BY THE HESS COMMITTEE  
2 HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 358 (HESS)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to fingerprinting of minors; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. INTENT. It is the intent of the amendment made to AS 44.-  
10 41.025(c) by sec. 2 of this Act that, consistent with the current manner of  
11 managing the Alaska automated fingerprint system, the commissioner of  
12 public safety manage and strictly limit use of the fingerprints of minors  
13 taken under AS 47.10.097 for purposes of identification. The commissioner  
14 may not maintain those fingerprints for the purpose of developing or aug-  
15 menting a criminal record for the minor.

16 \* Sec. 2. AS 44.41.025(c) is amended to read:

17 (c) The department may enter into the Alaska automated finger-  
18 print identification system the fingerprints of a minor whose finger-  
19 prints are taken under AS 47.10.097. The commissioner of public  
20 safety shall assure that fingerprints entered into the Alaska auto-  
21 mated fingerprint system under AS 47.10.097 are not cross-referenced  
22 with a record showing that the minor has been arrested or adjudicated  
23 a delinquent.

24 \* Sec. 3. AS 47.10.097(a) is amended to read:

25 (a) Except as provided in (b) of this section, a minor in the  
26 custody of the department or of a law enforcement agency may not be  
27 fingerprinted for reference to or entry into the Alaska automated  
28 fingerprint system without a court order upon good cause shown. Good  
29 cause exists if the minor is in custody for an offense that is a

1 felony or if identification of the minor is necessary for the safety  
2 of the minor or of other persons.

3 \* Sec. 4. AS 47.10.097(b) is amended to read:

4 (b) A law enforcement officer may fingerprint a minor who is 14  
5 [16] years of age or older for reference to or entry into the Alaska  
6 automated fingerprint system without a court order when the minor is  
7 arrested [CONVICTED OF, OR ADJUDICATED A DELINQUENT] for [,] an of-  
8 fense that is a felony.

9 \* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).  
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