

HB

419

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 15, 1990

FURTHER REFERRALS:

Date of Committee Action: 3-26-90

The JUDICIARY Committee considered:

HB 419

HOUSF BILL NO. 419

CRIME STATISTICS RELATING TO MINORS

"An Act relating to the recording and collection of statistics relating to minors."

RECOMMENDATIONS:

- [] be replaced with CSHB 419 (HESS) [] the same title
[] have attached amendment(s) [] a new title
[] 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 _____

- [] fiscal note(s) _____
[] zero fiscal note(s) Pub. Safety 3-15-90
[] zero fn/analysis 2 HESS 3-15-90

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not
Pass
No Rec
Amend

	Do Not Pass	No Rec	Amend

Chairman's Signature

POSITION PAPER
House Bill 419

"An Act relating to the recording and collection of statistics relating to minors."

The purpose of this legislation is to help assure that city and municipal jails, rural lock-ups, and adult correctional facilities collect data on admission of minors sufficient to meet the requirements of the Juvenile Justice and Delinquency Prevention Act of 1984. In order to maintain eligibility for Federal Formula Grant Funds under PL93-415 Alaska must annually report the number of children detained in adult facilities and the reason and circumstances for the detention of a minor to an adult jail. The information to be recorded at each admission is specified and limited to the information required by federal law. The bill protects the confidentiality of these records and exempts them from public disclosure.

HB419 authorizes the Department of Health and Social Services to require state and local law enforcement agencies to use a standardized form to record each admission.

The Department of Health and Social Services is currently hampered in its effort to collect the annual data required for federal reporting. There are ninety-five (95) identified city or municipal adult jails, rural lock-ups, and adult correctional facilities which might under some circumstances admit a minor. Over half of those facilities either do not maintain any record when a juvenile is admitted or do not record sufficient data to determine the nature and circumstance of juvenile admissions. Without adequate data, the department is unable to clearly assess Alaska's level of compliance with federal law requiring removal of children from adult jail and lock-ups. Further, the department cannot adequately analyze the factors contributing to non-compliance and develop successful strategies to end the practice of confining children in adult jails.

It is proposed that HB419 be amended as follows: "(b) For the purpose of collecting statistics, the department shall establish and require state and local agencies which operate a jail or similar adult facility to use a standardized form to record and report each admission of a minor. The record shall include the name of the minor admitted, the minor's age and date of birth, the specific offense for which the minor was admitted, the date and time admitted, the date and time released, the sex of the minor, the ethnic origin of the minor, and other information required by federal law. Except for the notation of the date

and time of the minor's release, the record shall be prepared at the time of the minor's admission. Information and records obtained under this subsection are confidential and are not public records. They may be disclosed only for the purpose of compiling statistics and to carry out the requirements of federal law.

RECOMMENDED: *Russ Webb*
Russ Webb, Director
Division of Family and
Youth Services

DATE: *3/10/90*

APPROVED: *Myra M. Munson*
Myra M. Munson, Commissioner
Department of Health and
Social Services

DATE: *3/10/90*

CS House Bill 419 (HESS)

In the Legislature of the State of Alaska

Sixteenth Legislature - Second Session

A Bill

For an Act entitled: "An Act relating to the recording and collection
of statistics relating to minors."

Be it enacted by the Legislature of the State of Alaska:

* Section 1. AS 47.10.160 is amended by adding a new subsection to
read:

(b) For the purpose of collecting statistics, the department shall establish and require state and local agencies, which operate a jail or other detention facility, to use a standardized form to keep a record and report each admission of a minor. The record shall be limited to the name of the minor admitted, the minor's date of birth, the specific offense for which the minor was admitted, the date and time admitted, the date and time released, the sex of the minor, the ethnic origin of the minor, and other information required by federal law. Except for the notation of the date and time of the minor's release, the record shall be prepared at the time of the minor's admission. Information and records obtained under this subsection are confidential and are not public records. They may be disclosed only for the purpose of compiling statistics and in a manner that does not reveal the identity of the minor.

HOUSE COMMITTEE REPORT

3/15

(7)

Date Referred: January 17, 1990

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: 3/14/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 419

HOUSE BILL NO. 419

CRIME STATISTICS RELATING TO MINORS

"An Act relating to the recording and collection of statistics relating to minors."

RECOMMENDATIONS:

- be replaced with CS HB 419 (HESS) the same title
- have attached amendment(s) a new title
- 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 0 fiscal note(s) _____
- zero fiscal note Pub Safety zero fiscal note(s) _____
- zero with analysis D HESS zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(check approp. column)

Do Not
PASS No Rec Amend

<u>J. Ellis</u> <u>ELLIS</u>	<u>Stu Jones</u>	<u>GOLL</u>	<u>X</u>
<u>W. Markey</u> <u>GRUENBERG</u>			
<u>D. Jacko</u> <u>JACKO</u>			

J. Ellis
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: DH & SS
 Title: An act relating to the recording and collection of statistics relating to minors and BRU: Purchased Services and Youth Services
 Sponsor: Judiciary Committee Components: Preventative Services and 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-
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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 of Health and Social Services in FY 90. The bill will require the promulgation of regulation by the Department. That requirement was anticipated by the Department and resources have been identified from federal formula grant receipts that the Department is already required by the federal government to allocate to jail monitoring and removal efforts.

Prepared by: Russ Webb, Director Phone: 465-3170
 Division: Family and Youth Services Date: 2/15/90

Approved by Commissioner: Myra M. Johnson Date: 2/15/90
 Agency: Department of Health and Social Services

Distribution (by preparer):

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

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Public Safety
 Title: Recording and collection of
crime statistics relating to minors
 Sponsor: House Judiciary BRU: _____
 Requestor: House HESS Component: _____

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

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/PROG RCPT						
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)

Passage of this legislation is not expected to have any fiscal impact on the Department of Public Safety.

MLL
1/24/90

Prepared by: Capt. C. Roger McCoy, Special Assistant Phone: 465-4322
 Division: Office of the Commissioner Date: 1/24/90

Approved by Commissioner: Arthur English Date: 1-24-90
 Agency: Department of Public Safety Page 1 of 1

Original sponsor(s): Judiciary Committee

1 IN THE HOUSE BY THE HESS COMMITTEE

2 CS FOR HOUSE BILL NO. 419 (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 the recording and collection of
7 statistics relating to minors."

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

9 * Section 1. AS 47.10.160 is amended by adding a new subsection to
10 read:

11 (b) For the purpose of collecting statistics, the department
12 shall establish and require state and local agencies that operate a
13 jail or other detention facility to use a standardized form to keep a
14 record and report the admission of a minor. The record shall be
15 limited to the name of the minor admitted, the minor's date of birth,
16 the specific offense for which the minor was admitted, the date and
17 time admitted, the date and time released, the sex of the minor, the
18 ethnic origin of the minor, and other information required by federal
19 law. Except for the notation of the date and time of the minor's
20 release, the record shall be prepared at the time of the minor's
21 admission. Information and records obtained under this subsection are
22 confidential and are not public records. They may be disclosed only
23 for the purpose of compiling statistics and in a manner that does not
24 reveal the identity of the minor.

BY THE JUDICIARY COMMITTEE

1 IN THE HOUSE

2

HOUSE BILL NO. 419

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 the recording and collection of
7 statistics relating to minors."

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

9 * Section 1. AS 47.10.160 is amended by adding a new subsection to
10 read:

11 (b) For the purpose of collecting statistics, the department
12 shall establish and require state and local law enforcement agencies
13 to use a standardized form to keep a record of each minor admitted to
14 a jail or juvenile detention facility. The record shall be limited to
15 the name of the minor admitted, the minor's date of birth, the reason
16 for the minor's admission, the date admitted, the date released, the
17 sex of the minor admitted, the ethnic origin of the minor admitted,
18 and other information required by federal law. Except for the nota-
19 tion of the date of the minor's release, the record shall be prepared
20 at the time of the minor's admission. Information and records obtain-
21 ed under this subsection are confidential and are not public records.
22 They may be disclosed only for the purpose of compiling statistics and
23 in a manner that does not reveal the identity of the minor.