

HB 103

HOUSE COMMITTEE REPORT

(11)

Date Referred: February 27, 1991

FURTHER REFERRALS:

Date of Committee Action: 3/4/91

The FINANCE Committee considered:

HB 103

HOUSE BILL NO. 103

FINGERPRINTING OF MINORS

"An Act relating to fingerprinting of minors."

RECOMMENDATIONS:

be replaced with CS HB 103 (fin) the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

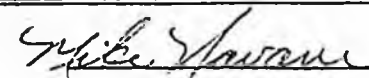
fiscal impact _____

fiscal note(s) Public Safety 2/20/91

zero fiscal note _____

zero fiscal note(s) LAW 2/20/91

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Mike Spawne		Mike Spawne		<input checked="" type="checkbox"/>	
Mike Spawne		William F. M. ...		<input checked="" type="checkbox"/>	
James A. Barnes		Jan ...		<input checked="" type="checkbox"/>	
Rec. Sec.	<input checked="" type="checkbox"/>				
...					
...	<input checked="" type="checkbox"/>				
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 CHAIRMAN'S SIGNATURE

CS FOR HOUSE BILL NO. 103 (FINANCE)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
 Referred:

Sponsor(s): REPRESENTATIVES DONLEY, Ulmer, Larson, Parnell, Barnes, Sharp, Martin, Leman, Zawacki,
 B.Davis, R.Phillips, M.A.Miller

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fingerprinting of minors."

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

3 * Section 1. AS 44.41.025(c) is amended to read:

4 (c) The department may enter into the Alaska automated fingerprint identification system
 5 the fingerprints of a minor whose fingerprints are taken under AS 47.10.097. The commissioner
 6 of public safety shall assure that fingerprints entered into the Alaska automated fingerprint
 7 system under AS 47.10.097 are not cross-referenced with a record showing that the minor
 8 has been arrested or adjudicated a delinquent.

9 * Sec. 2. AS 47.10.097(a) is amended to read:

10 (a) Except as provided in (b) of this section, a minor in the custody of the department
 11 or of a law enforcement agency may not be fingerprinted for reference to or entry into the Alaska
 12 automated fingerprint system without a court order upon good cause shown. Good cause exists
 13 if the minor is in custody for a criminal offense or if identification of the minor is necessary
 14 for the safety of the minor or of another person.

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

2 (b) A law enforcement officer may fingerprint a minor who is 14 [16] years of age or
3 older for reference to or entry into the Alaska automated fingerprint system without a court order
4 when the minor is arrested [CONVICTED OF, OR ADJUDICATED A DELINQUENT] for a
5 criminal [, AN] offense [THAT IS A FELONY].

STATE OF ALASKA
1991 LEGISLATIVE SESSION

No. 1

Bill Version: HB 103

(H) Publish Date: 2/20/91

Revision Date: _____
Title: An Act Relating to the
Fingerprinting of Minors
Sponsor: Rep. Donley
Requestor: House Judiciary

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

COMPONENT SERIAL NO.

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

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	10.0	10.0	10.0	10.0	10.0	10.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	10.0	10.0	10.0	10.0	10.0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	10.0	10.0	10.0	10.0	10.0	10.0
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	10.0	10.0	10.0	10.0	10.0	10.0

POSITIONS:

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

Estimate of current year impact _____

ANALYSIS: (Attach a separate page if necessary)

(See attached).

Prepared by: Ken Bischoff Phone: 465-4336
Division: Administrative Services Date: 1/25/91
Approved by Commissioner: Richard L. Burton
Agency: Department of Public Safety Date: 2/07/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

ANALYSIS:

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). The DPS 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.

This bill would have a positive impact on the ability of police to solve cases involving juvenile offenders. Over 40% of all persons arrested for burglary and theft are juveniles. Many other crimes remain unsolved, however, as fingerprint evidence frequently found at the scene is not matched to any suspect because juveniles are not fingerprinted. AAFIS records indicate that 22% of the crime scene prints identified by the system since 1985 have been from first-time adult arrests which matched latent prints taken from crimes committed when the offender was a juvenile. Of these cases 86% were for burglary and theft offenses. Had these persons been fingerprinted as juvenile offenders they could have been identified, solving 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 work load. 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 work load expected as a result of this bill is estimated as follows:

Estimated number of juvenile fingerprint cards	-	2700
Total time to complete 15 processing steps	-	504 hrs
Clk IV - Range 9A (4.0 months)		

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

No. 2
Bill Version: HB 103
(H) Publish Date: 2/20/91

Revision Date: _____ Department Affected: Department of Law
Title: "An Act relating to BRU: Prosecution/Legal Services
fingerprinting." Component: Prosecution/Criminal Justice Litigation
Sponsor: Representative Donley Legal Services/Operations
Requestor: House Judiciary COMPONENT SERIAL NO.

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9 3

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

This bill involves fingerprinting of minors in custody, which is a concern of law enforcement agencies and the Division of Family and Youth Services. There will not be a fiscal impact for the Department of Law.

Prepared By: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: February 15, 1991
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law Date: February 15, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Alaska State Legislature



House of Representatives House Judiciary Committee

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

SPONSOR STATEMENT

House Bill 103 allows law enforcement authorities to place the fingerprints of minors who are arrested for committing a crime in the state fingerprint computer. The legislation will help prevent criminal behavior by giving police officers the tools necessary to solve crimes and by allowing the early apprehension of repeat juvenile offenders.

One of the single most important investigative tools available to law enforcement officers is the ability to match unidentified fingerprints taken from a crime scene with known fingerprints that are stored in the state fingerprint computer. This tool increases the ability of police to protect the public, and helps ensure that people who have committed criminal acts are identified, apprehended, and convicted. However, because the fingerprints of minors are rarely allowed to be placed in the state fingerprint computer, this tool is not available to solve crimes committed by juveniles. Since the majority of burglary arrests in Alaska are of juveniles between the ages of 14 and 18, the restriction on placing minors' fingerprints in the computer significantly hinders the ability of police to solve crimes.

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 that were committed when the arrestee was a juvenile. It is likely that these offenders could have been identified and arrested earlier, and before they committed criminal acts as adults, if authority existed to place the fingerprints of minors in the state fingerprint computer.

The legislation has been a priority of the Alaska Peace Officers' Association for many years, and is strongly supported by the Alaska Association of Chiefs of Police, the Department of Public Safety, and the Department of Law.

Alaska Association Chiefs of Police



February 2, 1991

Representative Dave Donley
Alaska State Legislature
P. O. Box V (MS 3100)
Juneau, AK 99811

Dear Representative Donley,

On behalf of the Alaska Association of Chiefs of Police I want to express our whole hearted support for House Bill 103. The ability to Fingerprint juveniles would be an important law enforcement tool.

We know that the majority of property offenses are committed by juveniles. House Bill 103 would help apprehend juveniles while still young. This would greatly aid efforts to correct their behavior before they become adult career criminals. It would also help us recover stolen property and return it to victims.

If we can do anything to assist you in the passage of this bill, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Duane S. Udland".

Duane S. Udland
President

BILL NO: HB 103

DATE: February 7, 1991

TITLE: An Act Relating to the Fingerprinting of Minors

CONTACT: Gayle A. Horetski
Deputy Commissioner

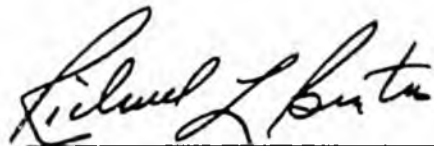
DEPARTMENT OF
PUBLIC SAFETY

POSITION PAPER

This bill would allow the fingerprinting of juveniles age 14 and older who are arrested for criminal offenses. The fingerprints would be taken for comparison 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. Over 40% of all persons arrested for theft and burglary offenses are juveniles (see attached chart). Fingerprint evidence is frequently found at crime scenes, but is not matched to any suspect because juveniles are not fingerprinted. 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. AAFIS records indicate that 22% of the crime scene prints identified by the system since 1985 have been from first-time adult arrests which matched latent prints taken from the scenes of crimes committed when the offender was a juvenile. See attached graph. Had these persons been fingerprinted as juvenile offenders they could have been identified, solving additional cases, and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

The Department of Public Safety supports HB 103.



Richard L. Burton
Commissioner

Pub. Safety. Position Paper

JUVENILE ARRESTS*

	1987	%	1988	%	1989	%
MAJOR FELONIES**						
Total Arrests	990		1100		2090	
Juveniles	96	9.7%	97	9%		
BURGLARY						
Total Arrests	1041		960		1004	
Juveniles	475	46.0%	509	49%	527	52.5%
LARCENY						
Total Arrests	4934		4398		4487	
Juveniles	1754	36.0%	1624	37%	1761	39.2%
MOTOR VEHICLE THEFT						
Total Arrests	331		481		512	
Juveniles	166	50.0%	214	44%	272	53.0%

*Data obtained from the 24 agencies submitting UCR figures to DPS.

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