

SB

17

SENATE FINANCE COMMITTEE REPORT

DATE: 2/13/91

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 17

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

Died in JFC

and recommended:

- replace with _____ CS _____
 - or adopt _____ CS _____
 - attached amendment(s)
 - _____ letter of intent adopted
- same title
 - new title
 - technical title change (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

ATTACHES NEW FISCAL NOTE(S):

- fiscal note(s) Dept/Date: _____
- zero fiscal note(s) _____

APPROVES PREVIOUS:

- fiscal note(s) Dept/Date: _____
- zero fiscal note(s) _____

- appropriation-no fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

1. _____ 2. _____
 Co-Chairs: Signatures and Recommendations

SENATE COMMITTEE REPORT

DATE: 1/30/91

FURTHER:

Finance LS 0006/A

DATE TURNED INTO OFFICE: Feb 13, 1991

Judiciary Committee considered SENATE BILL NO. 17

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

u may
and recommended: *'s it be replaced*

- replace with CS SB 17 *jud* same title
- or adopt _____ CS _____ new title
- attached amendment(s) ~~replaced with~~ technical title change (HB only)
- _____ letter of intent adopted *+ do pass*

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

FIN

- ATTACHES NEW FISCAL NOTE(S):
- fiscal note(s) _____ Dept/Date: _____
 - zero fiscal note(s) _____
 - appropriation-no fiscal note

- APPROVES PREVIOUS:
- fiscal note(s) _____ Dept/Date: Public Safety - 1-25-91
 - zero fiscal note(s) _____
 - Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

1) Keith Boyer do pass

1) Frank [unclear] no Rec

1) [unclear] no Rec

1) Rick Hoagland do pass

Chair: Signature and Recommendation

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 1/21/91

FURTHER: Judiciary

Date of 5-Day Notice: 1-24-91
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 1/28/91

State Affairs Committee considered SENATE BILL NO. 17 ✓

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

and recommended:

and a majority of the
Committee recommends
do pass

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

Fiscal Note attached

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) PS - 10.0

zero fiscal note(s)

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

① *[Signature]*

① Paul Freese

~~[Signature]~~

② J. Duncan - No Rec.

② Pat Punchel novel

① Paul Freese do pass

Chair: Signature and Recommendation *per Duncan 1/28*

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act Relating to the
Fingerprinting of Minors
Sponsor: Sen. Fischer
Requestor: Senate State Affairs

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

COMPONENT SERIAL NO.	1	1	9	0
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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
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REVENUE	0	0	0	0	0	0
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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)	Changes in _____ () reflect NO FISCAL CHANGE from the original fiscal note. This fiscal note is appropriate.
(See attached).	<u>Feb 13 91</u> date <u>DBB</u> Comte Aide (initial)

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: 1/28/91

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
Cik IV - Range 9A (4.0 months)		

CS FOR SENATE BILL NO. 17 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 2/13/91
Referred: Finance

Sponsor(s): SENATORS FISCHER, Pearce

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 47.10.097 is repealed and reenacted to read:**

4 **Sec. 47.10.097. FINGERPRINTING OF MINORS. (a) A peace officer may fingerprint**
5 **a minor under the same circumstances as an adult may be fingerprinted.**

6 **(b) Fingerprint records taken under this section are not subject to AS 47.10.090.**

SENATE BILL NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS FISCHER, Pearce

Introduced: 1/21/91

Referred: State Affairs and Judiciary

A BILL

FOR AN ACT ENTITLED

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

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

3 * Section 1. AS 47.10.097(a) is amended to read:

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

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

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

14 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

ALASKA STATE LEGISLATURE
SENATE BILL NO. 17

HISTORY IN THE SENATE

1991
11/21
2/13
1/31
2/13

Read first time and referred to:
SA of Judiciary
add Finance

STA RPT() CS 3 DP 2 NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
 FN ___ OFN ___ To ___

Jud RPT Jud CS 3 DP 2 NR ___ DNP ___ AM
 New Title ___ Same Title ___ Previous FN ___
1 FN ___ OFN ___ To Finance

___ RPT() CS ___ DP ___ NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___ To ___

___ Rules Calendar() CS ___ AM ___ Other ___
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___

Read second time

___ CS Adopted () ___ New Title ___
___ Amended ___ Advanced ___

Read third time

___ Letter of Intent adopted
___ Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19

Received from the House

Version: _____

Concur in House amendment

Y ___ N ___ E ___ A ___
_____ Efd same or Y ___ N ___ E ___ A ___

Failed to concur in House amendment, ask House recede

Y ___ N ___ E ___ A ___

House failed to / receded from amendment

Y ___ N ___ E ___ A ___

CC appointed by Senate _____ Chair

CC appointed by House _____ Chair

(S) Granted Limited Powers of Free Conference

(H) Granted Limited Powers of Free Conference

19

(S) Adopted CC Rpt _____

Y ___ N ___ E ___ A ___
_____ Efd same or Y ___ N ___ E ___ A ___

(H) Adopted CC Rpt _____

Y ___ N ___ E ___ A ___
_____ Efd same or Y ___ N ___ E ___ A ___

To enrolling

Received from enrolling

Sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor

POSITION PAPER

CSSB NO. 17

For "An Act relating to the fingerprinting of minors"

This bill would allow the fingerprinting of youthful offenders upon admission to a youth facility for a criminal offense.

Analysis

Law enforcement agencies desire access to fingerprint records of arrested youth for investigative purposes. These agencies believe that additional crimes would be solved by matching the fingerprints of arrested youth with those taken at crime scenes.

Present law allows the fingerprinting of all youth sixteen years of age or older if convicted or adjudicated a delinquent for a felony offense, and the fingerprinting of any youth with a prior court order for good cause shown.

CSSB 17 would allow the fingerprinting of all youth upon arrest for a criminal offense in the same fashion as adult offenders are fingerprinted. Currently adult offenders are routinely fingerprinted by the Department of Corrections when the adult offender is booked into a correctional facility operated by the Department. Fingerprinting standards applied by the Department of Corrections are contained in 22 AAC 05.030, which reads in part "The commissioner will in his or her discretion require a person initially admitted to a facility on criminal charges to be fingerprinted as soon as practical."

There appears to be no uniform written standard which would apply in the fingerprinting of all adult offenders. CSSB 17 would appear to require that the Department of Health and Social Services adopt regulations and assume the burden and operating costs for fingerprinting minors when they are detained at youth facilities operated by the Department of Health and Social Services.

If CSSB 17 were implemented in the same fashion as regulations for the fingerprinting of adults, then the fingerprinting of juveniles would occur at the time a juvenile is admitted to a youth facility. Such a practice would create an additional cost to the Department for staff training, and the processing of fingerprint cards.

Because not all minors are detained subsequent to arrest CSSB 17 would result in less youth being fingerprinted than if SB 17 in it's original form were enacted.

DEPARTMENT POSITION

The Department supports the fingerprinting of youthful offenders for the purpose of enhancing the ability of law enforcement to identify minors that are involved in criminal activity.

Under CSSB 17 the Department, rather than the arresting law enforcement agency, would have the burden of adopting standards and practices for the taking of a minors fingerprints. CSSB 17 would not fully accomplish the goal of identifying minors involved in criminal activity, as fingerprinting would be limited to those accused juvenile offenders that are detained.

The Department supports in concept CSSB 17, in view of SB 17 being closer in effect to the accomplishment of the goal of law enforcement.

Michael Price

Michael Price, Director
Division of Family and Youth Services

3/7/91

Date

Theodore A. Mala

Theodore A. Mala, MD, MPH
Commissioner

3/7/91

Date

Alaska State Legislature

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



State Senate

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

FEB 21 1991

MEMORANDUM

TO: Senator Pat Pourchot, Co-Chairman
Senate Finance Committee

FROM: Senator Paul Fischer *PAF/sgn*

SUBJECT: Committee Substitute for Senate Bill 17 (Judiciary)
(fingerprinting of minors)

DATE: February 20, 1991

I would appreciate your scheduling the above referenced bill for a hearing before the Senate Finance Committee at the earliest possible time.

This legislation passed the Senate last session with only one dissenting vote; however, it failed to be addressed by the House prior to adjournment.

As you are aware, the fingerprinting of minors has been a priority of the coalition of law enforcement groups for several years. Both the Departments of Law and Public Safety have expressed their support for this legislation.

It would be my desire that the Senate take a lead on this issue and pass it over to the other body, early in the Session.

For your committee files, I have provided the attached backup information.

Your consideration would be greatly appreciated.

PAF/sgn

Attachments

RECEIVED JAN 30 1989

Alaska Association Chiefs of Police



January 28, 1991

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

Dear Senator Fisher,

On behalf of the Alaska Association of Chiefs of Police I want to express our whole hearted support for Senate Bill 17. The ability to fingerprint juveniles would be an important law enforcement tool.

We know that the majority of property offenses are committed by juveniles. Senate Bill 17 would help apprehend juveniles while still young in an effort to correct their behavior before they become adult career criminals.

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

Sincerely,

A handwritten signature in cursive script, which appears to read "Duane S. Udland", is written over the typed name.

Duane S. Udland
President

BILL NO: SB 17

DATE: January 28, 1991

TITLE: An Act Relating to the
Fingerprinting of Minors


CONTACT: Gayle A. Horetski
Deputy Commissioner

DEPARTMENT OF
PUBLIC SAFETY

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 SB 17.


Richard L. Burton
Commissioner

JUVENILE ARRESTS*

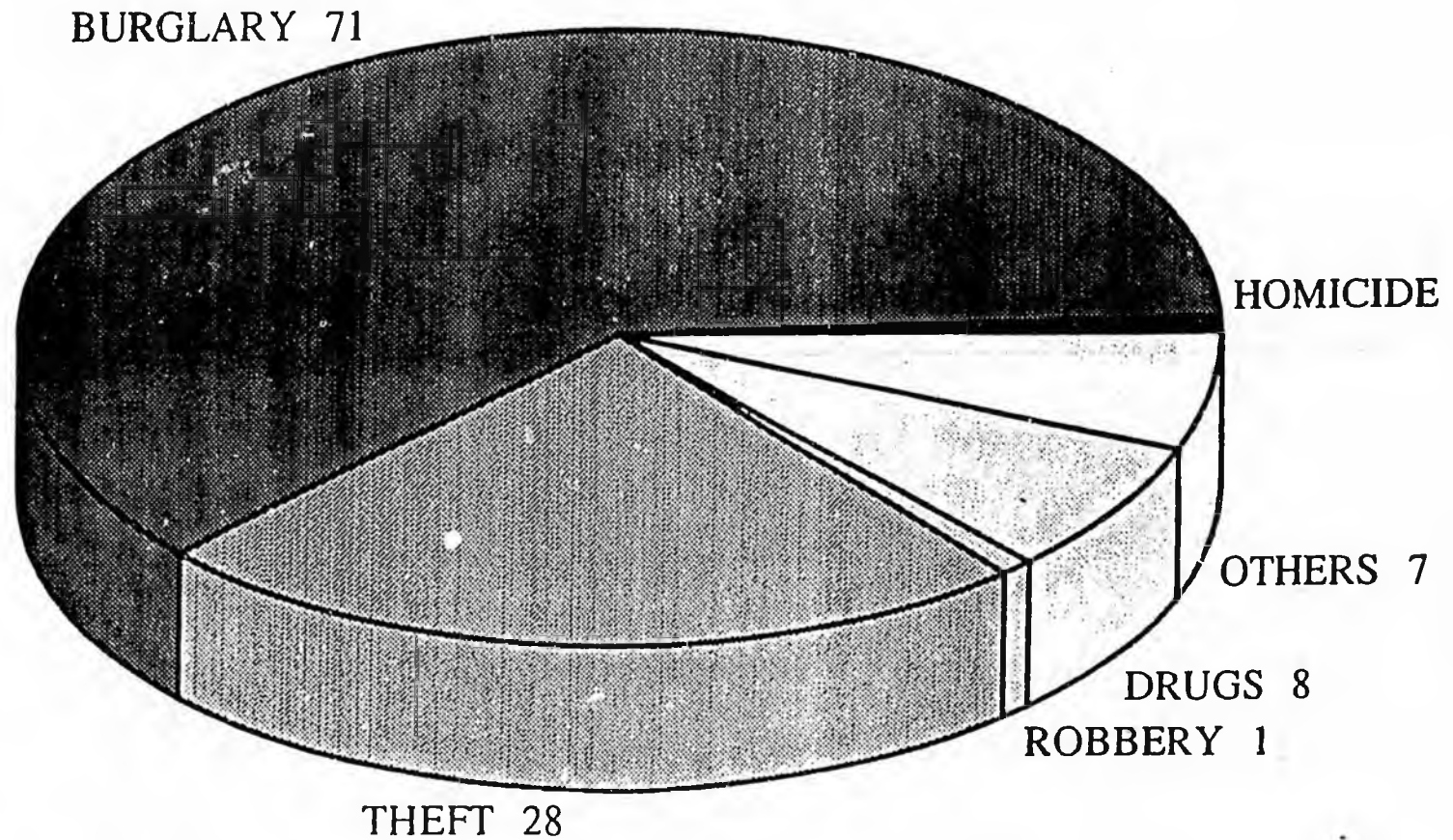
	1987	%	1988	%	1989	%
MAJOR FELONIES**						
Total Arrests	990		1100		2090	
Juveniles	96	9.7%	97	9%		
BURGLARY						
Total Arrests	1041		960		1004	
Juveniles	475	46.0%	509	49%	527	52.5%
LARCENY						
Total Arrests	4934		4398		4487	
Juveniles	1754	36.0%	1624	37%	1761	39.2%
MOTOR VEHICLE THEFT						
Total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

ALASKA AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM
(AAFIS)

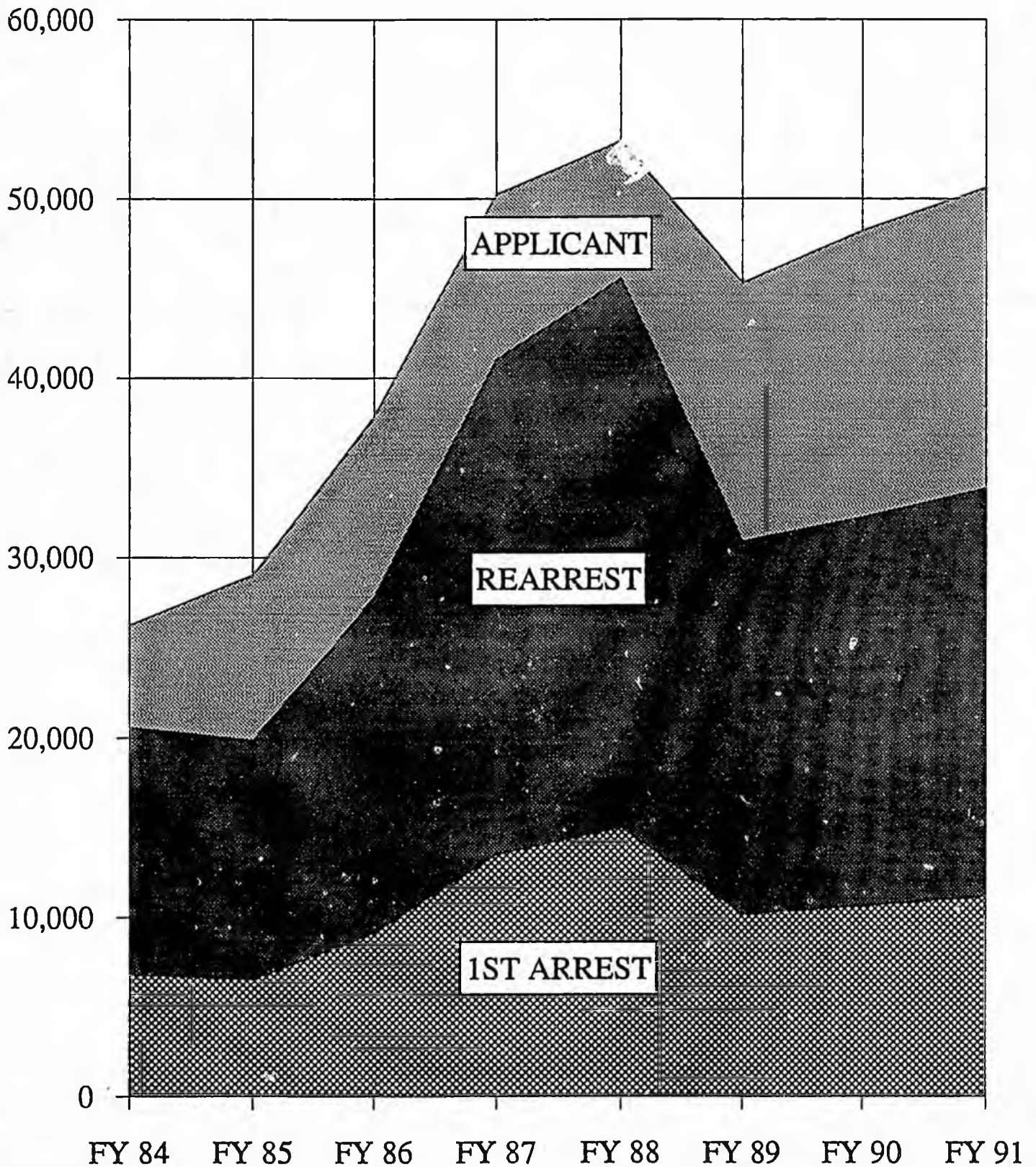
JUVENILE LATENT IDENTIFICATIONS 1985 - 1990



LATENT IDENTIFIED BY SEARCHING A FIRST TIME ARREST CARD AGAINST THE UNSOLVED
LATENT DATA BASE. (CRIME WAS COMMITTED WHEN THE PERPETRATOR WAS A JUVENILE.)

JFC. 91 3-8-91 DPS

TEN PRINT WORKLOAD BY FISCAL YEAR



FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. _____ CSSB NO. 17

Revision Date: 2/13/91 Department Affected: Health and Social Services
Title: "AN Act relating to fingerprinting of minors" BRU: Youth Services
Component: McLaughlin Youth Center, Johnson Youth Center, Nome Youth Center, Bethel Youth Center

Sponsor: Senators FISHER, Pearce

Requestor: _____ COMPONENT SERIAL NO.

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Farbanks Youth Facility

Expenditures/Revenues: (Thousands of Dollars)

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	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	10.0	10.0	10.0	10.0	10.0	10.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	4.0	4.0	4.0	4.0	4.0	4.0
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	25.0	25.0	25.0	25.0	25.0	25.0

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	25.0	25.0	25.0	25.0	25.0	25.0
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	25.0	25.0	25.0	25.0	25.0	25.0

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: NONE

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHMENT FOR FISCAL NOTE ANALYSIS.

Prepared By: Micheal L. Price, Director Phone: 465-3170

Division: Family and Youth Services Date: 2/5/91

Approved by Commissioner: Frederic A. Mala, MD, MPH

Agency: Department of Health and Social Services Date: 2/7/91

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

FISCAL NOTE ANALYSIS

CSSB 17

(page 2 of 2)

The following cost analysis is based on a projection of 1400 minors who would require fingerprinting services upon admission to youth facilities operated by the Department. This results in a processing cost of approximately \$17.00 per minor which compares favorably with the fingerprint processing cost of the Department of Public Safety

PERSONAL SERVICES \$10,000

The personal services cost is overtime pay for all youth facility detention staff to attend fingerprint training. Overtime pay is used to cover the absence of the staff member, and in some cases for attendance to the training itself.

Training would establish the necessary skill level in the taking of fingerprints, to avoid rejections from the Department of Public Safety due to failure to meet standards for clarity.

CONTRACTUAL SERVICES \$10,000

Contractual costs include the purchase of trainer services and postage.

SUPPLIES \$1,000

Supplies costs include the purchase of materials to fingerprint 1400 minors.

EQUIPMENT \$4,000

Equipment costs include the purchase and maintenance of fingerprinting devices at each of the five youth facilities.