

S B

17

**SEVENTEENTH LEGISLATURE
SENATE JUDICIARY COMMITTEE BILL FILE**

BILL NUMBER: SB 17
 ABBREVIATED TITLE: Fingerprinting Minors

SPONSER: Fischer; Pearce ORIGINAL RECEIVED: 1-30 from State Affairs
 WRITTEN REQUEST TO SCHEDULE REC'D: 1-30 FROM: Fischer
 SPONSER'S STATEMENT REC'D: _____ FROM: _____
 SECTIONAL ANALYSIS RQST'D: _____ FROM: _____
 SECTIONAL ANALYSIS RECEIVED: With Bill

FISCAL NOTE (ORIGINAL)

RQST'D OF: _____ REC'D FROM: Public Sfty DATE: With Bill File
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____

FISCAL NOTE (C.S.)

RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____

FIVE DAY NOTICE GIVEN: _____ NOTICE OF HEARINGS GIVEN: _____
 COMMITTEES OF REFERRAL: FIRST: St Aff SECOND: Just THIRD: _____

COMMITTEE ACTION

DATE: 2-4 Considered - Prepare CS Expansion & limiting to enter into system.
2- add - many has fingerprinted - added
passed in Individual Rec.
SEE HB 103 - Read here 14 March 91

PERSONS TO BE NOTIFIED OF HEARING

1. SPONSOR Fischer - Sm by Newborn - Rm 423 - 6. _____
2. AGENCY Public Sfty - will attend 7. _____
3. house atty - 8. _____
4. _____ 9. _____
5. _____ 10. _____

ask Public Sfty - would this allow consideration of James Beard in adult sentencing?

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SB 17

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
---------	---	---	---	---	---	---

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: 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)		

Alaska State Legislature

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



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

State Senate

MEMORANDUM

TO: Senator Rick Halford, Chairman
Senate Judiciary Committee

FROM: Senator Paul Fischer *PF*

SUBJECT: Senate Bill 17
(Fingerprinting of Minors)

DATE: January 28, 1991

Today, the above referenced bill passed out of the Senate State Affairs committee and will be referred to your committee as the next committee of referral.

I would appreciate your scheduling Senate Bill 17 for a hearing before the Senate Judiciary Committee at your earliest possible convenience.

As a member of the Senate Judiciary Committee last session, I know you are very familiar with this legislation and are very much aware of the fact that it has been a priority of the coalition of law enforcement groups for several years. Both the Departments of Law and Public Safety are in support of this legislation.

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

For your information Senate Bill 17 is identical to the Judiciary Committee Substitute passed by the Senate last year.

Your consideration would be greatly appreciated.

PAF/sgn

Attachments

PROPOSED DRAFT

CS SENATE BILL NO. 17 ()

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

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

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

*Section 1. AS 47.10.097 is repealed and reenacted to read:

Sec. AS 47.10.097 FINGERPRINTING OF MINORS. (a) A minor may be fingerprinted by a law enforcement agency under the same circumstances as an adult.

(b) The fingerprints of a minor who is 14 years of age or older may be referenced to or entered into the Alaska automated fingerprint system if the minor

(1) is arrested for a criminal offense;

(2) is in custody for a criminal offense; or

(3) if identification of the minor is necessary

for the safety of the minor or of another person.

(c) Notwithstanding (b) of this section the fingerprints of a minor may be referenced to or entered into the Alaska automated fingerprint system by court order upon good cause shown.

(d) Fingerprint records under this section are not subject to AS 47.10.090.

*Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

a) A law enforcement officer may fingerprint a minor under the same circumstances that an adult may be fingerprinted.

b) The fingerprints of a minor ^{who is 14 years of age or older} may be referenced to or entered into the Alaska automated fingerprint system upon the following conditions:

1. The minor has been arrested, or
2. The minor is in custody,
3. Identification of the minor is necessary for the safety of the minor or of another person.
4. In response to a court order.

c. The fingerprints of a minor under the age of 14 may be referenced to or entered into the Alaska automated fingerprint system only in response to a court order. ~~upon good cause shown.~~

Ms4?

This act takes effect immediately under AS 01.10.070(c).

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:
Referred:

Sponsor(s): SENATORS FISCHER, Pearce

*Called to Chenoweth
1040 AM Feb 11*

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 *Domestic Violence*
* ~~Section 1. AS 18.65 is amended by adding a new section to read:~~

4 *47.10.097* ARTICLE 8. FINGERPRINTING
is repealed and re-enacted
5 Sec. ~~18.65.700~~. FINGERPRINTING OF MINORS. (a) A peace officer may fingerprint
6 a minor under the same circumstances as an adult.

7 (b) The fingerprints of a minor may be referenced to or entered into the Alaska
8 automated fingerprint system

9 (1) without a court order if the minor is 14 year of age or older and
10 (A) notwithstanding AS 47.10.095, the minor is arrested for a criminal
11 offense;

12 (B) the minor is in custody for a criminal offense; or

13 (C) identification of the minor is necessary for the safety of the minor or
14 of another person; or

Does not pick up under 14

1 (2) with a court order upon good cause shown.
2 (c) Fingerprint records under this section are not subject to AS 47.10.090.

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

4 (c) The department may reference to or enter into the Alaska automated fingerprint
5 identification system the fingerprints of a minor only *- don't need only.* when authorized by AS 18.65.700(b) or
6 (d) of this section [WHOSE FINGERPRINTS ARE TAKEN UNDER AS 47.10.097].

7 * Sec. 3. AS 47.10.097 is repealed.

8 * ~~Sec. 4. This Act takes effect immediately under AS 01.10.070(c).~~ *? May 6/2008*

47.10.097

a)

c)

7-LS0006D
Chenoweth
2/8/91

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:
Referred:

Sponsor(s): SENATORS FISCHER, Pearce

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 18.65 is amended by adding a new section to read:

4 **ARTICLE 8. FINGERPRINTING.**

5 **Sec. 18.65.700. FINGERPRINTING OF MINORS.** (a) A peace officer may fingerprint
6 a minor under the same circumstances as an adult.

7 (b) The fingerprints of a minor may be referenced to or entered into the Alaska
8 automated fingerprint system

9 (1) without a court order if the minor is 14 year of age or older and

10 (A) notwithstanding AS 47.10.095, the minor is arrested for a criminal
11 offense;

12 (B) the minor is in custody for a criminal offense; or

13 (C) identification of the minor is necessary for the safety of the minor or
14 of another person; or

1 (2) with a court order upon good cause shown.

2 (c) Fingerprint records under this section are not subject to AS 47.10.090.

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

4 (c) The department may reference to or enter into the Alaska automated fingerprint
5 identification system the fingerprints of a minor only when authorized by AS 18.65.700(b) or

6 (d) of this section [WHOSE FINGERPRINTS ARE TAKEN UNDER AS 47.10.097].

7 * Sec. 3. AS 47.10.097 is repealed.

8 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Deleted text

For readability

*This draft omits the good cause of court order
for minor under 14 -*

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

February 7, 1991

SUBJECT: Draft CSSB 17 (Judiciary), relating to the fingerprinting of minors

TO: Senator Rick Halford, Chair
Senate Judiciary Committee
ATTN: Doug Baily

FROM: Jack Chenoweth
Legislative Counsel

A word about the draft and its placement in the Alaska Statutes.

Current law (AS 47.10.097(a)) directs that "a minor in the custody of the department [of Health & Social Services] or a law enforcement agency . . ." may be fingerprinted. The explicit reference to departmental custody served as our justification for placing the current law in AS 47.10. Your redraft eliminates any reference to the department and addresses only what "law enforcement agencies" may do. Consequently, I've opted to move the material to a location that more directly addresses law enforcement. I opted for placement in AS 18.65 (rather than AS 44.41) because this provision seems to be directed at all law enforcement agencies--municipal police departments, village public safety officers, or whatever--rather than just to the Alaska State Troopers.

I opted to include a definition of "law enforcement agency" by cross-reference to an existing definition in AS 12.36. However, deletion of any reference to "the department" may raise the question whether the committee substitute authorizes the Department of Health & Social Services to fingerprint minors in the agency's custody, i.e. whether the department falls within the reach of the definition of "law enforcement agency" under AS 12.36.090(2). In other words, in its taking custody of delinquent minors, is the Department of Health & Social Services acting as "a public agency that performs as one of its principal functions an activity relating to crime prevention, control, or reduction or relating to the enforcement of the criminal law."? The committee may want to face that question squarely. I hope it will.

Senator Rick Halford

February 7, 1991

Page 2

To the extent this provision limits municipal police officers from acting in a different manner, the committee should consider a substantive cross-reference in the municipal code, AS 29, including, as applicable, a binder on home rule municipalities from acting other than in concert with this provision. While this addition may seem superfluous, it may put arguments over the reach of this provision at the local government level to rest.

What does the committee believe "upon good cause shown" means, given that we have moved well away from the suggested definition of that phrase as it had been proposed in the original measure?

JC:gc

91-064.glc

Enclosure

7450

7-LS0006ND
Chenoweth
2/1/91

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:
Referred:

Sponsor(s): SENATORS FISCHER, Pearce

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 18.65 is amended by adding a new section to read:

4 ARTICLE 8. FINGERPRINTING.

5 Sec. 18.65.700. FINGERPRINTING OF MINORS. (a) A law enforcement ^{officer} ~~agency~~ may
6 fingerprint a minor under the same circumstances as an adult.

7 (b) The fingerprints of a minor may be referenced to or entered into the Alaska
8 automated fingerprint system

9 (1) without a court order if the minor is 14 year of age or older and

10 (A) the minor is arrested for or is in custody for a criminal offense; or

11 (B) identification of the minor is necessary for the safety of the minor or
12 of another person; or

13 (2) with a court order upon good cause shown.

14 (c) Fingerprint records under this section are not subject to AS 47.10.090.

- 1 (d) In this section, "law enforcement agency" has the meaning given in AS 12.36.090.
- 2 * Sec. 2. AS 44.41.025(c) is amended to read:
- 3 (c) The department may reference to or enter into the Alaska automated fingerprint
- 4 identification system the fingerprints of a minor only when authorized by AS 18.65.700(b) or
- 5 (d) of this section [WHOSE FINGERPRINTS ARE TAKEN UNDER AS 47.10.097].
- 6 * Sec. 3. AS 47.10.097 is repealed.
- 7 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

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:
Referred:

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.

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: 3/6/91

Referred: Today's Calendar

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

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 ^{PEACE} [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].

*Good cause for a court order shall include
in custody etc or other.*

SENATE BILL NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS FISCHER, Pearce

*court order required unless there is
an arrest.*

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.

*we want to avoid court
order?
urgent delinquent*

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).

*was court order should exist only for a
search incident to an arrest.*

Paul Hamilton wants

- 1) Can judge print up court order if needed.
-) Can apply for court order in good cause - how if they have cause beyond amount.

Does defendant named good cause limit to the term for Future Those named?

See Court Rules - Is it still present.

Rodley would like to be able to print whenever in custody.

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*

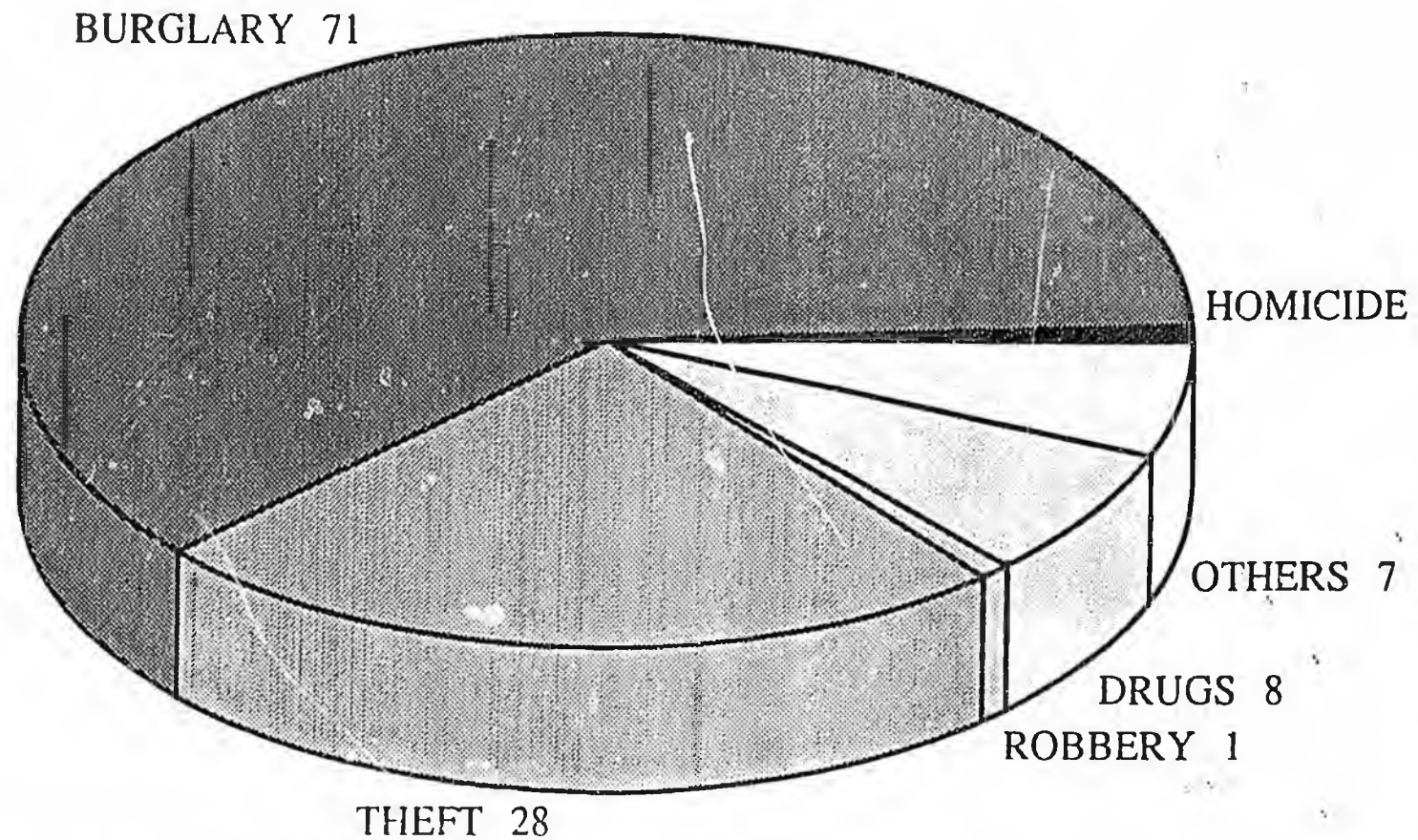
	1987	%	1988	%	1989	%
MAJOR FELONIES**						
Total Arrests	990		1100		2090	
Juveniles	96	9.7%	97	9%		
BURGLARY						
Total Arrests	1041		960		1004	
Juveniles	475	46.0%	509	49%	527	52.5%
LARCENY						
Total Arrests	4934		4398		4487	
Juveniles	1754	36.0%	1624	37%	1761	39.2%
MOTOR VEHICLE THEFT						
Total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

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".

Duane S. Udland
President

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

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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's vote, Alaska Sen. Jan Faiks, said, will look at the new law. "I don't think it's just for political purposes," Faiks, R-Anchorage, said. District Judge

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