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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 321

Revision Date: _____ Dept. Affected: Public Safety
 Title: Fingerprinting/Crime Records BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senator Halford
 Requestor: Senator Halford COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

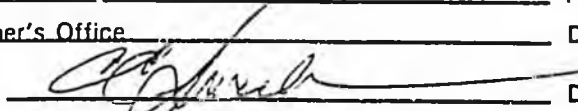
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

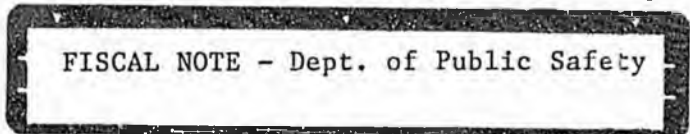
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact anticipated.

Prepared By: Lee Ann Lucas Phone: 465-4322
 Division: Commissioner's Office Date: 02/28/94
 Approved by Commissioner:  Date: 02/28/94
 Agency: Richard J. Burton, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 321

Revision Date: _____ Dept. Affected: Public Safety
 Title: Fingerprinting/Crime Records BRU: Statewide
 Component: Alaska Criminal Records
 Sponsor: Senator Halford
 Reque: Senator Halford COMPONENT SERIAL NO. 1190

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

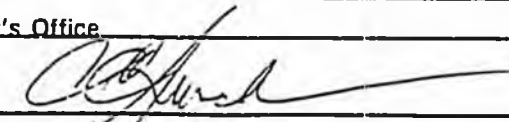
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 94) impact: \$ _____

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.)
 No fiscal impact anticipated.

Prepared By: Lee Ann Lucas Phone: 465-4322
 Division: Commissioner's Office Date: 02/28/94
 Approved by Commissioner:  Date: 02/28/94
 Agency: Richard J. Burton, Dept. of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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Revision Date:	_____	Dept. Affected:	Corrections
Title:	An Act relating to ... fingerprints	BRU:	Statewide Operations
Sponsor:	Sen, Halford	Component:	Institutions
Requestor:	Senate Finance	Component Serial #:	694-1884

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXP.	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0	.	.	.	.	.
TRAVEL						
CONTRACTUAL	0	.	.	.	.	.
SUPPLIES	0	.	.	.	.	.
EQUIPMENT	0	.	.	.	.	.
*LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0

CAPITAL EXP	0
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CHANGES IN REVENUES						
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FUND SOURCE

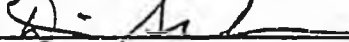
1002 Federal Receipts						
1003 GF Match						
1004 GF	0
1005 GF/Program Receipts						
1006 GF/MITIA						
Other						
TOTAL	0	.	.	.	.	.

Estimate of any current year (FY94) cost \$ 0

POSITIONS

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

ANALYSIS: Please see the attached explanation.

Prepared by: Diane Schenker, Special Assistant  Phone: 465-4643/786-2147
 Division: Office of the Commissioner Date: 3/16/94
 Approved by: J. Frank Prewitt, Jr., Comm 3/18/94
 Agency: Department of Corrections

Fiscal Note/DOC
CSSB 321(FIN)
March 15, 1994
Page 2 of 2

The bill requires that fingerprints be taken for persons arrested for an offense, with or without a warrant, when booked into a correctional facility, or at arraignment, adjudication, or sentencing. A court will order that the offender be fingerprinted at a correctional facility or other appropriate place. Mandatory fingerprinting for misdemeanants will not go into effect until FY96. The department cannot determine with accuracy the number of additional cases which will require fingerprinting, nor which of those cases will be assigned to the department, without further investigation. Any increase in resources needed to accomplish additional fingerprinting will be requested through the FY96 budget process.

The department is continuing to work with the Department of Public Safety to assess the actual number of cases which are not being satisfactorily fingerprinted now. Offenders taken directly to a magistrate, appearing in court on a summons, or sentenced to probation without a period of incarceration, as well as some warrant arrests and some probation violators are probably not being fingerprinted under current practice. The increase in workload to fingerprint these cases will require additional resources. It has not been determined which agencies, in which locations, will be the most appropriate to pick up the additional fingerprinting workloads.

It costs roughly \$10 per set of prints (for 20 minutes of a correctional officer's time plus supplies.) The department plans to begin using an automated fingerprint machine at the busiest booking facility, Sixth Avenue Correctional Center, which may reduce personnel and supply expenses per set of prints. The time estimated to fingerprint an offender does not include the time required to perform a pat search and property inventory for a prisoner prior to admission into a correctional facility.



ALASKA STATE LEGISLATURE

Senator Rick Halford

President of the Senate

MEMORANDUM

While in Session:
State Capitol
Juneau, AK 99801-1182
907-465-4958

While in Interim:
P.O. Box 670190
Chugiak, AK 99567
907-694-4958

TO: Representative Brian Porter, Chairman
House Judiciary Committee

Representative Jeannette James
Representative Pete Kott
Representative Gail Phillips
Representative Joe Green
Representative Cliff Davidson
Representative Jim Nordlund

FROM: Senator Rick Halford

DATE: March 23, 1994

SUBJECT: Sponsor Statement - CSSB 321 (FIN)

Senate Bill 321 relates to the taking of fingerprints and the uniform reporting of homicides to the Federal Bureau of Investigations and the Violent Crimes Apprehension Program (VICAP).

Today, fingerprints are used to identify and apprehend suspected criminals. However, in some instances criminals who either post bail immediately or are summoned to appear in court may never be officially fingerprinted. SB 321 specifies when and how fingerprints are taken in order to enhance the criminal records in our state.

The Violent Criminals Apprehension Programs (VICAP) was created in 1985 at the request of law enforcement agencies attempting to share information across the country. VICAP is a national computer data information center located in the Behavioral Sciences Unit at the Federal Bureau of Investigations in Quantico, VA. The program deals with solved or unsolved homicides, missing persons who are suspected homicide victims and unidentified bodies suspected to be victims of foul play. VICAP provides the tool which enables law enforcement agencies nationwide to close-in on and arrest the 4000 people who get away with murder each year -- literally. To date there have been 457 known serial murderers across the United States.

This legislation will increase the efficiency and effectiveness of the criminal justice system. I encourage all members to give Senate Bill 321 your favorable consideration.

SPONSOR STATEMENT

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 23, 1994

SUBJECT: Sectional Summary of CSSB 321(FIN). (Work Order No. 8-LS1649\X)

TO: Senator Rick Halford
Attn: Kelly Goode

FROM: Jerry Luckhaupt *JL*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 12.80 by adding a new section to require that whenever a person is arrested for an offense, appears before a court for an initial appearance or arraignment for an offense, or is sentenced or otherwise adjudicated for an offense the person's fingerprints shall be taken if they have not already been taken. The fingerprints shall be forwarded within five days to the Department of Public Safety. The Department of Public Safety is required to develop standard forms and procedures for the taking of fingerprints; also requires the department to make a reasonable effort to confirm the identity of a person whose fingerprints are received by the department and if the person has criminal record information under a different name the department shall promptly notify the appropriate agency or officer that took the fingerprints.

Section 2 of the bill amends AS 33.30.011 by adding a new paragraph (7) that requires the commissioner of public safety to provide for the fingerprinting of all persons charged with, or convicted of an offense, who are received at an correctional facility. The fingerprints shall be forwarded to the Department of Public Safety within five days.

Section 3 of the bill requires all law enforcement agencies to report homicides and suspected homicides to the Department of Public Safety within 25 days of the discovery of the homicide; the report shall contain information considered relevant

SECTIONAL SUMMARY

Senator Rick Halford
March 23, 1994
Page 2

by the Commissioner of Public Safety. If the department determines that the homicide or suspected homicide meets the Federal Bureau of Investigation's Violent Criminals Apprehension Program criteria, the law enforcement agency shall submit a VICAP form to the department; requires the department to compile the information received and compare that information to other homicides to discover similarities and in crimes and suspects - if similarities are found the department shall notify the reporting agencies; requires law enforcement agencies that terminate the investigation of a homicide to notify the department of the termination and the reason for the termination; requires the department to participate in the Federal Bureau of Investigation's Violent Criminals Apprehension Program and transmit the information received under this section to the FBI at least on a quarterly basis.

Section 4 of the bill provides a transitional section to cover the initial reporting of homicides and suspected homicides under AS 44.41.150.

Section 5 of the bill provides an applicability section for the fingerprinting requirements of the bill (section 1).

GPL:pl
94-240.plm

ALASKA PEACE OFFICERS ASSOCIATION

State APOA Office • P.O. Box 240106 • Anchorage, Alaska 99524-0106 • (907) 277-0515



February 25, 1994

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The Honorable Senator Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Re: Senate Bill 321

Dear Senator Halford,

As statewide president of the Alaska Peace Officers Association, I speak for over 1,100 law enforcement men and women who have dedicated their careers to the betterment of our Alaskan way of life. This is a task which grows increasingly difficult in an era of rising crime, especially murders.

We have supported legislation such as the Juvenile Waiver Bill, the Conspiracy Bill, and others because we feel such tools will help us identify and prosecute society's most dangerous offenders. We can thereby return our community to the semblance of law and order which is but a memory to Alaskans such as you and me who have lived here most of our lives.

It is for these reasons that the Alaska Peace Officers Association offers its support and endorsement of your Senate Bill 321 providing for fingerprinting of suspects and the uniform reporting of homicides in cooperation with the Federal Bureau of Investigations (FBI), and Violent Crimes Apprehension Program (VICAP).

The VICAP program grew out of the experiences of state and local homicide investigators with suspects who they felt had killed before. When it was realized that no national resources on this subject existed, a task force was organized that resulted

The Honorable Senator Rick Halford

February, 25, 1994

Page 2

in the formation of the National Center for the Analysis of Violent Crime (NCAVC). VICAP was created as part of the NCAVC in 1985.

VICAP is essentially a national computer data information center which is located in the Behavioral Sciences Unit at the FBI training academy in Quantico, VA. Its mission is to collect and analyze reports of violent crime -- specifically murder. The program receives reports from all 50 states and several foreign countries. The types of homicides VICAP deals with fall into three categories:

- solved or unsolved homicides or attempts that are apparently random, sexually oriented, without motive or are suspected of being part of a series;

- missing persons who are suspected of being victims of foul play;

- unidentified dead bodies suspected of being victims of homicide.

An investigator with a murder that fits one of these criteria will complete a VICAP form which consists of several pages of questions dealing with all phases of the crime, from victimology to physical evidence. When the form arrives at VICAP headquarters, it is reviewed for accuracy and entered into a computer data base. Once a case goes into the data base it is compared continually against all other entries from other states on the basis of certain aspects of the crime such as the type of weapon, body recovery site, firearm caliber, similarity and location of injuries and many other details.

The purpose of this is to detect general patterns in homicide MO's, which will in turn allow VICAP personnel to pinpoint those crimes that may have been committed by the same offender and then notify the agencies involved. When a possible serial murderer has been identified, VICAP can assist the law enforcement agencies that may have relevant cases by coordinating a multi-agency investigation conference. This becomes especially important when the suspect or suspects have traveled throughout the country. This is often the case

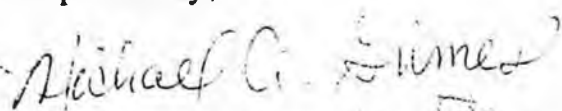
The Honorable Rick Halford
February 25, 1994
Page 3

in Alaska given a large military presence, a considerable number of seasonal workers and tourists, and our share of transients.

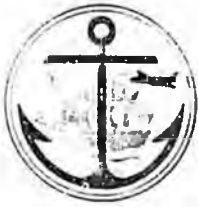
As you can imagine, the VICAP data base can only assist police officers to the extent that reliable information from all parts of the country are fed into it on a systematic basis. It is for this reason that we applaud the provisions of your uniform homicide reporting statute as proposed in AS 44.41.050. Requiring the fingerprinting of suspects will have a beneficial effect on law enforcement's ability to quickly detect and arrest those who have violated our laws. In time it will also augment the data base of Alaska's automated fingerprint computer identification system (AFIS).

Those of us who put our lives on the line every day applaud efforts such as yours that continue to provide us with the sort of tools which will help us effectively protect Alaskan citizens.

Respectfully,


Michael A. Grimes
Statewide President
Alaska Peace Officers Association

cc: The Honorable Representative Ramona Barnes
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182



Tom Link, Mayor

ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET ♦ ANCHORAGE, ALASKA 99507-1599
TELEPHONE (907) 786-8500



Service since 1921

February 24, 1994

Senator Rick Halford
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Dear Senator Halford,

I would like to thank you for introducing Senate Bill No. 321, an act relating to the taking of fingerprints. This bill is timely and quite necessary for a number of reasons.

The traditional role of fingerprints has been to identify and apprehend criminals. The use of fingerprints coupled with modern day technology continues to be a very effective means of catching criminals. I have attached a memorandum from Kathryn Monfreda, my head Identification Technician, outlining APD's experience with fingerprints and the Automated Fingerprint Identification System. You can see that our success has been quite good.

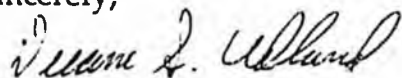
A less traditional role that public safety has been called upon to perform in recent years has been to do background checks on people for a variety of employment reasons, such as day care providers. Most recently the Brady Bill was thrust upon us, again underscoring the need for accurate fingerprint based criminal records.

Unfortunately, we are missing a significant number of fingerprints in Alaska for persons who have been arrested and convicted of crimes. Many people who are arrested never actually go to jail and get fingerprinted. We are missing out on a potential data base of prints that would lead to more crimes being solved as well as enhancing the accuracy of our criminal records system.

Your bill also specifies where and how fingerprints will be taken. That is a very important step in making sure that people don't drop through the cracks and escape detection or identification.

I also support the other aspects of your bill concerning mandatory reporting of homicides and the Violent Offenders Apprehension Program. I would be happy to assist you in any way that I can. I can be reached at 786-8552.

Sincerely,

A handwritten signature in cursive script that reads "Duane S. Udland".

Duane S. Udland
Deputy Chief of Police
4501 South Bragaw
Anchorage, Alaska 99507

MUNICIPALITY OF ANCHORAGE

MEMORANDUM

DATE: February 22, 1994

TO: Deputy Chief Udland

FROM: Kathryn Monfreda, Identification Technician *Km*

RE: Automated Fingerprint Identification System Statistics

As your requested, the following are some of the statistics I have compiled relating to APD's use of the State AFIS system.

Number of APD latents entered in system (start-up to date):	2,551
Number of APD latent "Hit" in system:	554 (approx. 22%)
Number of additional latents identified/result of "hit":	476
Number of additional cases cleared/result of "hit":	44

We have had a few cases of particular interest that have been solved solely due to the use of AFIS. One particular case involved a sexual assault at a place of business. The perpetrator used the telephone after completing the sexual assault of a stranger. The U.I. Officer lifted a print off the phone, which was entered into AFIS, and identified. This same suspect had also committed at least one other sexual assault (on UAA campus), and identifying him through AFIS is likely to have prevented further sexual assaults.

Shortly before Christmas, 1993, we had a string of residential burglaries. The officers were pretty sure many of them were the work of one unidentified individual. After several burglaries were investigated, a U.I. Officer lifted a print from a beer bottle on the kitchen counter of one of the burglarized homes. I was able to search this print through AFIS, and identified the print as having been made by Jason Barnum. His description fit that of an individual seen fleeing the area of other homes. The suspect was soon contacted, and was ultimately charged not only with the burglary through which he was identified, but 27 additional residential burglaries.

I hope this information is useful to you. If I can provide any further information, please let me know.

Alaska Association Chiefs of Police



March 15, 1994

RECEIVED
MAR 29 1994
6:01.....

Senator Rick Halford
State Capitol
Juneau, Alaska, 99801-1182

Dear Senator Halford:

On behalf of the Alaska Association of Chiefs of Police I would like to offer our support for CSSB 321 (Draft of 3/14/94), which mandates taking the fingerprints of any person charged with a crime and the statewide reporting of homicides for better coordination of the criminal investigation.

Annually, the criminal history records of the State are used in making over 100,000 decisions that pertain to arrests, release from custody, sentencing, and employment in child supervisory positions. The accuracy and defensibility of these decisions depend directly on the authenticity and accurateness of the criminal history information used in making the decisions. The only feasible way to authenticate criminal history records is to substantiate them with fingerprints taken at the time of arrest or first court appearance.

Alaska has a long history of doing a poor job of fingerprinting accused criminals. Last year 60-70% of all persons arrested and processed at a State Correctional facility or a contract jail were never fingerprinted. Past audits and reviews by nationally recognized criminal justice consulting organizations have repeatedly identified Alaska's low percentage of fingerprint supported criminal history records as an impediment to accurate record keeping and a significant contributor toward future liability. In short, the State of Alaska may well suffer punitive damages from decisions based on such records.

Thank you for taking the time to introduce this important piece of legislation. If our association can be of any assistance on this issue please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ronald L. Otte", is written over a horizontal line.

Ronald L. Otte
President



**FBI NATIONAL ACADEMY ASSOCIATES
ALASKA CHAPTER**

March 2, 1994

Senator Rick Halford
State Capitol
Juneau, Ak 99801-1182

Dear Senator Halford,

I am writing to inform you of the Alaska Chapter of the FBI National Academy Associates' (FBINAA) strong support of Senate Bill No. 321, which incorporates provisions for fingerprinting and the coordination of homicide and violent crime investigations.

Inadequacies in the current system allow persons involved in criminal behavior to go undetected because fingerprints were not taken, or were of such poor quality that they were of little value for purposes of comparison and identification. As a result, missing or rejected fingerprints prevent the automated searching of 180,000 Alaskan records, 12 million Western States Identification records, and the reliable indexing and searching of the FBI's Interstate Identification Index (III) and National Crime Information Center (NCIC) which are used for national criminal records searches. This legislation will readily correct the problem by insuring that all persons charged with a crime are properly fingerprinted, whether they are arrested, summoned or released on bail.

The FBINAA also supports the provision in this bill that establishes within the Department of Public Safety the responsibility of coordinating Alaska's participation in the Violent Criminal Apprehension Program (VICAP). The VICAP program will provide Alaska law enforcement with a "Single Point of Contact" for reporting, collecting, collating, and analyzing investigative data on a series of homicides that have been perpetrated by the same suspect or suspects. This information can then be used to effectively coordinate multi-agency investigations that will enhance the expeditious identification and apprehension of those responsible for the crimes.

Thank you for your help on these and other important issues.

Sincerely Yours,

Glenn M. Flothe
President
Alaska Chapter FBINAA

RECEIVED

MAR 08 1994

Asst.

GMF/1p