

SB

14

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/6/95

FURTHER:

DATE TURNED INTO OFFICE: 3-15-95

The Finance Committee considered SENATE BILL NO. 14

"An Act relating to criminal mischief."

and recommends:

be replaced with _____ CS _____

adopt previous _____ CS SB 14 (Jud)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 same title
 technical change
 new: SCR _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	/	<i>[Signature]</i>	/		
<i>[Signature]</i>	/	<i>[Signature]</i>	/		
		<i>[Signature]</i>	/		
Co-Chair: <i>[Signature]</i>	/				
Co-Chair: <i>[Signature]</i>	/				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>New ?</i> DOA (Public Def.)	3/7/95		104.6

Larry said to send Sen. Walker said it was there.

PREVIOUS FISCAL NOTE(S):*

#	Department	Date	Zero	Fiscal
#7	DPS - DMU	2/1/95		96.4 (171.0 rev..)
#8	DPS - Troopers	1/31/95	0	
#9	DOC	1/25/95	0	
#10	DOLaw	3/2/95		81.7
#6	Courts	3/7/95		55.0

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 14 (JUD)

Revision Date: _____
 Title: "An Act relating to criminal mischief."
 Sponsor: Senator Lerman
 Requestor: _____

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	77.6	77.5	77.6	77.6	77.6	77.6
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	10.0	10.0	10.0	10.0	10.0	10.0
SUPPLIES	2.0	2.0	2.0	2.0	2.0	2.0
EQUIPMENT	15.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	104.6	89.6	89.6	89.6	89.6	89.6

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	104.6	89.6	89.6	89.6	89.6	89.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	104.6	89.6	89.6	89.6	89.6	89.6

Estimate of any current year (FY 95) cost: \$ 0

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	1	1	1	1	1	1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared by: John P. Salemi, Director
 Division: Public Defender Agency

Phone: (907) 264-4412
 Date: _____

Approved by Commissioner: Mark Rorer
 Agency: Department of Administration

Date: 3/11/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 14 (HUD)

ANALYSIS: (continued)

CSSB 14 requires that minors charged with Criminal Mischief in the Third or Fourth Degree be prosecuted as adults for those misdemeanor offenses in district court. This provision applies to criminal mischief "joyriding."

Under present law, these cases are handled by family court. Family court matters involving property offenses are often handled informally. Even if formally adjudicated, they are much less labor intensive than matters prosecuted in adult court.

The Department of Law estimates that they will prosecute 500 additional misdemeanors as a result of this change in the law. This is a significant revision of their original fiscal note on the introduced version of this bill wherein Law projected 99 new cases per year.

Law anticipates that most cases of this nature will be sited in Anchorage and environs. The cases will be processed as district court matters.

Given the Department of Law's projections, the Public Defender Agency anticipates a fiscal impact if this bill becomes law. As all of these additional cases will involve juvenile defendants, virtually all of them will meet the financial guidelines regarding qualification for Public Defender services. The PD expects to receive between 90 to 95 percent of the 500 new misdemeanors which the Department of Law will file.

PD staff attorneys who do misdemeanor work in Anchorage typically carry caseloads of between 100 and 150 cases. These lawyers process up to 500 misdemeanor cases per year. National caseload standards, developed by the National Advisory Commission on Criminal Justice Standards, establishes a 400-case-per-year maximum for a defense attorney doing misdemeanor level work.

Given the fact that the PD staff doing misdemeanors in Anchorage is already saturated with cases, a new entry-level misdemeanor position will have to be established to meet the new cases generated by this legislative proposal. In addition, one half-time legal secretary will be required to open these new cases, do word processing, file appropriate court documents, and handle calendaring matters.

BUDGET ANALYSIS

	<u>Anchorage Attorney II</u>	<u>Anchorage Legal Secretary I (PPT)</u>	<u>TOTAL</u>
Personal Services	60.6	17.0	77.6
Travel	0.0	0.0	0.0
Contractual	6.5	3.5	10.0
Supplies	1.0	1.0	2.0
Equipment (one time)	<u>6.5</u>	<u>8.5</u>	<u>15.0</u>
TOTAL	74.6	30.0	104.6

03/06/95

Position Information Inquiry/Update

14:13:38

Position: 02-02#111	Project: 0	Salary Costs: 43,644.00
Component: 02-55-07-01-00-00	Region:	Benefits Costs: 16,925.78
Scenario: 2 FY: 96	COLA %= 0.000	Total Costs: 60,569.78

Actuals not available (Status: UNKNOWN) | Retirement Code: A

00/00/00 | Step: A for 12.0 months & Step: B for 0.0 months (total: 12.00)
 Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
 Class/Sched Prefix: 0 Schedule: AA (actual:)
 Bargaining Unit: XE Range: 19 (actual:)
 Location Code: EBA Place: ANCHORAGE
 Job Class Code: P7143 Title: ATTORNEY II
 Seasonal Indic.: F Type:

Optional Override Salary Rates:

Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen:
 1=Premium pay info 2=Funding info 4=Code Translations 6=Calculations
 7=MISC NEW POS DATA 8=Detail Report 12=Exit w/o update Selection: 0

03/06/95

Position Information Inquiry/Update

14:14:05

Position: 02-02#112	Project: 0	Salary Costs: 12,378.00
Component: 02-65-07-01-00-00	Region:	Benefits Costs: 4,652.85
Scenario: 2 FY: 96	COLA %= 0.000	Total Costs: 17,030.85

Actuals not available (Status: UNKNOWN) | Retirement Code: A

00/00/00	Step: A for 6.0 months & Step: B for 0.0 months (total: 6.00)
0	Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
	Class/Sched Prefix: 2 Schedule: 2A (actual:)
	Bargaining Unit: GG Range: 10 (actual:)
	Location Code: EBA Place: ANCHORAGE
	Job Class Code: P1145 Title: LEGAL SECRETARY I
	Seasonal Indic.: P Type:

Optional Override Salary Rates:

Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen:
 1=Premium pay info 2=Funding info 4=Code Translations 6=Calculations
 7=MISC NEW POS DATA 8=Detail Report 12=Exit w/o update Selection: 0

FISCAL NOTE

No. 10

Bill Version: CS SB 14

(S) Publish Date: 3/6/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL (S) Publish Date: 3/6/95

Revision Date: 3/2/95 Dept. Affected: Department of Law
 Title: "An Act relating to criminal mischief." BRU: Prosecution
 Component: Third Judicial District
 Sponsor: Senator Leman
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 0087

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	51.4	51.4	51.4	51.4	51.4	51.4
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	12.0	12.0	12.0	12.0	12.0	12.0
SUPPLIES	3.3	3.3	3.3	3.3	3.3	3.3
EQUIPMENT	15.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	81.7	66.7	66.7	66.7	66.7	66.7

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	81.7	66.7	66.7	66.7	66.7	66.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	81.7	66.7	66.7	66.7	66.7	66.7

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME	2.0	2.0	2.0	2.0	2.0	2.0
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill will require that minors charged with criminal mischief in the third or fourth degree for joyriding be prosecuted as adults for those misdemeanor offenses in District Court.

Currently, these offenses are being handled by the Division of Family and Youth Services as juvenile matters. As a result, the Department of Law estimates that about 500 new misdemeanors will need to be prosecuted. In its previous comments on this bill, the department estimated that about 99 new offenses would occur; however, this number was in error because it did not include DFYS handled cases that did not come to the department's attention.

The majority of cases will occur in Anchorage and the surrounding area. Although the penalties most likely used by the District Court will be less severe than those used for adults, leading to many guilty pleas, it will still be necessary for a prosecutor to attend and participate in arraignments, arrange for pleas for those defendants who plead guilty, conduct trials for those who do not, and attend sentencings. Furthermore, the public expects that the department will fully prosecute these types of crimes, which are causing an increasing level of aggravation for the public. In view of the Department of Law's high workload levels and its

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 3/2/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 3/2/95
 Agency: Department of Law

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 14 (JUD)

ANALYSIS CONTINUATION:

budgetary constraints, one part-time Attorney III and one part-time Legal Secretary I will be required in the Anchorage District Attorney's Office to handle these new cases.

	(PPT) <u>Attorney III</u>	(PPT) <u>Legal Secretary I</u>	<u>Total</u>
Personal Services	34.6	16.8	51.4
Travel	0.0	0.0	0.0
Contractual	7.2	4.8	12.0
Supplies	2.1	1.2	3.3
Equipment	<u>6.5</u>	<u>8.5</u>	<u>15.0</u>
Total	50.4	31.3	81.7

03/02/95

11:16:42.4

PERSONAL SERVICES EXPENDITURES NEW POSITION DETAIL REPORT

PAGE:

2

DEPARTMENT OF LAW
SCENARIO: 2
COMPONENT #: 6501020300 NAME: THIRD JUDICIAL DISTRICT

DRU NAME: PROSECUTION

PCN	UNAUTH PCN	JOB CLASS TITLE	T S	LOCATION NAME	R C	B U	S	R&S MOS BUDG	SALARY	PREM PAY	BENES	PER.SERV. COSTS	G. F. AMOUNT	
indictments and overcoming a tougher defense due to the substantially increased penalties.												OTHER COSTS	0.00	
												TOTAL COSTS	53503.52	36603.52
												*** FUNDING DETAIL:		
												100% GENERAL FUND RECEIPTS	36603.52	
												TOTAL FUNDING	36603.52	
03#069		ATTORNEY III	F	ANCHORAGE	A	XE	AA	22A	12	53304	0	18385	71689.98	
**** JUSTIFICATION: This position will be needed to handle several hundred misdemeanor actions that will occur if alcohol or drug related offenses, now being handled administratively by the Division of Family and Youth Services, are moved to the District court for prosecution by state prosecutors.												TRAVEL COSTS	0.00	
												CONTRACTUAL COSTS	8600.00	
												SUPPLIES COSTS	3300.00	
												EQUIPMENT COSTS	6500.00	
												OTHER COSTS	0.00	
												TOTAL COSTS	90889.98	71689.98
												*** FUNDING DETAIL:		
												100% GENERAL FUND RECEIPTS	71689.98	
												TOTAL FUNDING	71689.98	
03#070		LEGAL SECRETARY I	F	ANCHORAGE	A	GG	2A	10A	12	25140	0	11463	36603.52	
**** JUSTIFICATION: This position will be needed to handle several hundred misdemeanor actions that will occur if alcohol or drug related offenses, now being handled administratively by the Division of Family and Youth Services, are moved to the District court for prosecution by state prosecutors.												TRAVEL COSTS	0.00	
												CONTRACTUAL COSTS	6000.00	
												SUPPLIES COSTS	2400.00	
												EQUIPMENT COSTS	8500.00	
												OTHER COSTS	0.00	
												TOTAL COSTS	53503.52	36603.52
												*** FUNDING DETAIL:		
												100% GENERAL FUND RECEIPTS	36603.52	
												TOTAL FUNDING	36603.52	
03#073		ATTORNEY III	P	ANCHORAGE	A	XE	AA	22A	6	26652	0	7917	34569.32	
**** JUSTIFICATION: If enacted, this bill will require that the Department of Law prosecute about 500 juveniles as adults in District Court for criminal mischief in the third and fourth degree, primarily for "joyriding". The majority of these offenses occur in Anchorage and the surrounding areas. Therefore this position is needed in Anchorage to handle these cases.												TRAVEL COSTS	0.00	
												CONTRACTUAL COSTS	7200.00	
												SUPPLIES COSTS	2100.00	
												EQUIPMENT COSTS	6500.00	
												OTHER COSTS	0.00	
												TOTAL COSTS	50362.32	34569.32
												*** FUNDING DETAIL:		
												100% GENERAL FUND RECEIPTS	34569.32	
												TOTAL FUNDING	34569.32	

3/4

03/02/95

11:16:42.6

PERSONAL SERVICES EXPENDITURES NEW POSITION DETAIL REPORT

PAGE: 3

DEPARTMENT OF LAW

SCENARIO: 2

COMPONENT #: 6501020300 NAME: THIRD JUDICIAL DISTRICT

BRU NAME: PROSECUTION

PCN	UH/AUTH PCN	JOB CLASS TITLE	T S	LOCATION NAME	R B S C U	R&S BUDG	MOS	SALARY	PRFM PAY	DEHS	PER. SERV. COSTS	G. F. AMOUNT
03/074		LEGAL SECRETARY I	P	ANCHORAGE	A GG 2A 10A	6	12370	0	4304		16762.25	

**** JUSTIFICATION:

If enacted, this bill will require that the Department of Law prosecute about 500 juveniles as adults in District Court for criminal mischief in the third and fourth degree, primarily for "joyriding". The majority of these offenses occur in Anchorage and the surrounding areas. Therefore this position is needed in Anchorage to handle these cases.

TRAVEL COSTS	0.00	
CONTRACTUAL COSTS	4800.00	
SUPPLIES COSTS	1200.00	
EQUIPMENT COSTS	8500.00	
OTHER COSTS	0.00	
TOTAL COSTS	31262.25	16762.25

*** FUNDING DETAIL:

1004 GENERAL FUND RECEIPTS	16762.25
TOTAL FUNDING	16762.25

**** COMPONENT TOTALS:

FULL TIME NEW POSITIONS	5
PART TIME/SEASONAL NEW POSITIONS	3
NON PERMANENT NEW POSITIONS	0
OTHER.....	0
=====	8

TOTAL PERSONAL SERVICES	385675.52
TOTAL COSTS INC. ASSOC COSTS	526175.52

NUMBER OF NEW POSITIONS IN COMPONENT: 8

FUNDING DATA: G.F. & G.F. MATCH:	385675.52
OTHER FUNDS:	0.00
TOTAL FUNDING:	385675.52

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FISCAL NOTE

No. 9

Bill Version: CS SB14 Sub

(S) Publish Date: 3/6/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS

Revision Date: 3/3/95 Dept. Affected: Corrections
 Title: An Act relating to Criminal mischief BRU: community Corrections, statewide pr
 Component: all
 Sponsor: Sen. Leman
 Requester: Senate Judiciary COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (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	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This committee substitute alters the impact of SB 14 from the standpoint of the Department of Corrections. DOC does not expect any fiscal impact as a result of of this bill.

Prepared by: Jerry Shriner
 Division: Comm. Office
 Approved by Commissioner: Margaret M. Peugh
 Agency: Department of Corrections

Phone: 465-4640
 Date: 1/25/95
 Date: 1/25/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

No. 8
BILL NO: Bill Version: C B145AC
(S) Publish Date: 3/6/95

Revision Date: _____ Dept. Affected: Public Safety
Title: Increased penalty for joyriding BRU: Alaska State Troopers
Component: Detachments
Sponsor: Senator Leman
Requestor: (S) Judiciary COMPONENT SERIAL NO. 0799

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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 95) impact: \$ -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.)
See attached analysis.

Prepared By: Francis C. Allan Phone: 269-5691
Division: Alaska State Troopers Date: 02/28/95
Approved by Commissioner: Ronald L. Otte Date: 3-2-95
Agency: Ronald L. Otte, Dept. of Public Safety

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Budget Section
Div. of Adm'n. Services
Dept. of Public Safety
Feb 3/6/95

Fiscal Analysis

CS FOR SENATE BILL NO. 14 (JUD)

This legislation amends the criminal mischief statutes under AS 11.46.484 to provide for a felony offense for persons 18 years of age and older who have had a prior conviction within seven years. The legislation also provides that minors accused of "joyriding" offenses are treated as adults for judicial purposes. The legislation also provides for driver's license revocations for persons committing "joyriding" offenses.

The Alaska State Troopers respond to approximately 700 vehicle thefts of all types per year. Over the last three years, about 200 cases per year result in an arrest. Virtually all of those cases result in a plea bargain, as the Department of Law reported that only 2 cases statewide led to trial.

More than half of trooper "joyriding" cases are committed by minors. Upon completion of the investigation, these cases are referred to the Department of Health and Social Services. This bill will simply allow troopers to refer those cases to the Department of Law for prosecution in district court instead of to the Department of Health and Social Services.

The intent of this bill is to make minors accountable for the large percentage of vehicle theft cases they are responsible for. Further, this bill allows additional penalties (license revocations) for "joyriding" cases. This bill will not effect trooper operations in such a fashion that a fiscal impact will occur. The investigative process for these cases will not change, simply the routing of the paperwork. As a practical matter, any small increase in felony cases due to this bill will preempt investigating a few lower priority misdemeanor cases.

FISCAL NOTE

No. 7

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO:

Bill Version: CS SB 146

(S) Publish Date: 3/6/95

Revision Date: 2/14/95
 Title: Increased penalties for jowriding
 Sponsor: Senator Leman
 Requestor: S. Judiciary

Dept. Affected: Public Safety
 BRU: Motor Vehicles
 Component: Driver Services
 COMPONENT SERIAL NO. 0500

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

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING						
PERSONAL SERVICES	56.0	56.0	56.0	56.0	56.0	56.0
TRAVEL						
CONTRACTUAL	19.4	19.4	19.4	19.4	19.4	19.4
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	20.0					
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	96.4	76.4	76.4	76.4	76.4	76.4
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES (1004 Revenue Code)	171.0	171.0	171.0	171.0	171.0	171.0

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	96.4	76.4	76.4	76.4	76.4	76.4
1005 GF/Program Receipts						
1006 GF/MHT/A						
Other						
TOTAL	96.4	76.4	76.4	76.4	76.4	76.4

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 3/1/95
 Approved by Commissioner: Ronald L. Otte Date: 3-2-95
 Agency: Ronald L. Otte, Dept. of Public Safety

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Budget Section
 Div. of Admin. Services
 Dept. of Public Safety

Fiscal Analysis
CSSB 14(JUD)

CSSB 14(JUD) will require the court to revoke a driver license of any person convicted under the provisions of this bill. The Department of Law estimates approximately 1,000 persons a year will be convicted of offense of joyriding or criminal mischief. The courts are required to revoke a driver's license whether the person is convicted of a felony or misdemeanor joyriding offense.

The Division of Motor Vehicles would be required to update the driving record of a person whose license is revoked. Existing law requires the Department to notify the person by certified mail as to the period of revocation. One full-time Administrative Clerk III will be required to process the revocation paperwork, and computer entry. It is estimated 90 percent of all persons whose license is suspended or revoked will reinstate their driving privilege. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended or revoked within 10 years preceding application for a driver's license. If the license was revoked or suspended more than one time within the 10 years preceding application for a driver's license, the reinstatement fee is increased to \$250.00. Each person who is reissued a license must pay a fee of \$15.00 for a new license. It is estimated the amount of additional new general fund program receipt revenue generated by this bill is approximately \$171.0.

OPERATING

	<u>FY96</u>	<u>FY97</u>
<u>Personal Services</u>		
Administrative Clerk III (Juneau)	\$38.0	\$38.0
Motor Vehicle Representative II (Anchorage) Part-time	18.0	18.0
<u>Contractual</u>		
Computer line charges (Mainframe Connection \$.05 per workstation)	\$1.0	\$1.0
Computer technical support (Configure system, install hardware & software)	5.0	5.0
Postage - certified mail - return receipt (1,000 revocation notices @ \$2.52 per notice)	2.5	2.5
Telephone lease and line charges	1.1	1.1
Office Space - Lease allocation (440 sq. ft. @ \$1.85 sq. ft.)	9.8	9.8
<u>Supplies</u>		
Routine office supplies	\$1.0	\$1.0
<u>Equipment</u>		
Complete Computer Workstations @ \$10.0 each (One time Costs)	\$20.0	
<u>TOTAL OPERATING</u>	\$96.4	\$76.4
<u>REVENUE</u>		
Reinstatement fee		
450 persons @ \$100.00	\$ 45.0	\$ 45.0
450 persons @ \$200.00	112.5	112.5
Reissue New License		
900 persons @ \$15.00	13.5	13.5
<u>TOTAL REVENUE</u>	\$171.0	\$171.0

POSITION INFORMATION HAS BEEN UPDATED AND FUNDING HAS BEEN UPDATED.

03/02/95

Position Information Inquiry/Update

10:55:47

Position: 12-125213 Project: 0 _____ Salary Costs: 24,972.00
 Component: 12-55-07-07-01-01 Region: _____ Benefits Costs: 12,994.88
 Scenario: 7 FY: 96 COLA %= 0.000 Total Costs: 37,966.88

 Actuals from Payroll (Status: FILLED) Retirement Code: A

A * Step: A for 12.0 months & Step: B for 0.0 months (total: 12.00)
 94/10/16 * Merit Date; use merit defaults? N (3.5 @ B & 3.5 @ C)
 1 * Class/Sched Prefix: 1 Schedule: 1A (actual: 1A)
 GG * Bargaining Unit: GG Range: 10 (actual: 10)
 AWA * Location Code: AWA Place: JUNEAU
 P1135 * Job Class Code: P1135 Title: ADMINISTRATIVE CLERK III _____
 F * Seasonal Indic.: F Type: FACL - FULL TIME / OMB AUTH _____

Optional Override Salary Rates:

Monthly Rate: 0.00 _____ for 0.0 months & rate of 0.00 _____ for 0.0 months
 Hourly Rate: 0.00 _____ for 0.0 months Frozen at this rate? (Y/N): N

Premium Pay Items/Amounts Budgeted

	Item Cost	----- Actual Costs -----	
		Y.T.D.	Prior Year
Overtime Hours: _____ 0.0	0.00	0	0
Graveyard Shift Diff. (months): _____ 0.00	0.00	0	0
Swing Shift Diff. (months): _____ 0.00	0.00	0	0
Hazard Pay (\$): _____ 0.00	0.00	0	0
Sea Duty Pay (\$): _____ 0.00	0.00	0	0
Standby Pay (\$): _____ 0.00	0.00	0	0
Higher Class Work Pay (\$): _____ 0.00	0.00		
Area Subsistence Pay (\$): _____ 0.00	0.00	0	0
Additional Salary (\$): _____ 0.00	0.00		
PLUS 0.00000 PERCENT C.O.L.A.	0.00		
Total Premium Pay Costs:	0.00	0	0

Press ENTER to update record; enter # or use PF key to go another screen:
 1=Position Inquiry/Update 2=Funding info 12=Exit w/o update Selection: 0_

POSITION INFORMATION HAS BEEN UPDATED AND FUNDING HAS BEEN UPDATED.

03/02/95

Position Information Inquiry/Update

10:58:02

Position: 12-125234 Project: 0 _____ Salary Costs: 11,778.00
Component: 12-55-07-07-01-01 Region: Benefits Costs: 6,276.40
Scenario: 7 FY: 96 COLA % = 0.000 Total Costs: 18,054.40

Actuals from Payroll (Status: FILLED) ° Retirement Code: A

A ° Step: A for 6.0 months & Step: B for 0.0 months (total: 6.00)
05/08/16 ° Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
: ° Class/Sched Prefix: 1 Schedule: 1A (actual: 1A)
GG ° Bargaining Unit: GG Range: 09 (actual: 08)
AWA ? ° Location Code: EBA Place: ANCHORAGE
P7549 ? ° Job Class Code: P7550 Title: MOTOR VEHICLE REP II _____
F ? ° Seasonal Indic.: S Type: FACL - FULL TIME / OMB AUTH

Optional Override Salary Rates:

Monthly Rate: 0.00 _____ for 0.0 months & rate of 0.00 _____ for 0.0 months
Hourly Rate: 0.00 _____ for 0.0 months Frozen at this rate? (Y/N): N

Premium Pay Items/Amounts Budgeted

	Item Cost	---- Actual Costs ---- Y.T.D.	Prior Year
Overtime Hours: _____ 0.0	0.00	0	0
Graveyard Shift Diff. (months): _____ 0.00	0.00	0	0
Swing Shift Diff. (months): _____ 0.00	0.00	0	0
Hazard Pay (\$): _____ 0.00	0.00	0	0
Sea Duty Pay (\$): _____ 0.00	0.00	0	0
Standby Pay (\$): _____ 0.00	0.00	0	0
Higher Class Work Pay (\$): _____ 0.00	0.00	0	0
Area Subsistence Pay (\$): _____ 0.00	0.00	0	0
Additional Salary (\$): _____ 0.00	0.00	0	0
PLUS 0.00000 PERCENT C.O.L.A.	0.00		
Total Premium Pay Costs:	0.00	0	0

Press ENTER to update record; enter # or use PF key to go another screen:

1=Position Inquiry/Update 2=Funding info 12=Exit w/o update Selection: 0_

FISCAL NOTE

No. 6

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO

Bill Version: CSSB/14/JUD

(S) Publish Date: 3/6/95

Revision Date: 03/02/95

Dept. Affected: Alaska Court System

Title: An Act relating to criminal mischief

BRU: Trial Courts

Components: _____

Sponsor: Sen. Leman

Requestor: _____

COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	51.6	51.6	51.6	51.6	51.6	51.6
TRAVEL						
CONTRACTUAL	1.4	1.4	1.4	1.4	1.4	1.4
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	1.0					
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	55.0	54.0	54.0	54.0	54.0	54.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	55.0	54.0	54.0	54.0	54.0	54.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	55.0	54.0	54.0	54.0	54.0	54.0

POSITIONS

FULL-TIME	1.0	1.0	1.0	1.0	1.0	1.0
PART-TIME	2.0	2.0	2.0	2.0	2.0	2.0
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel

Phone: 264-8228

Agency: Alaska Court System

Date: 03/02/95

Approved by: Arthur H. Snowden, II, Administrative Director

Agency: Alaska Court System

Date: 03/02/95

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Alaska Court System
Fiscal Analysis
CSSB 14 (JUD)

CSSB 14 (JUD) amends the criminal mischief statutes to provide that a person who is convicted of auto theft or joyriding shall have the person's driver's license, privilege to drive, or privilege to obtain a license revoked. Periods of revocation shall be not less than 30 days for a first conviction, not less than one year for a second conviction, and not less than three years for a third or subsequent conviction.

The bill also provides that when a minor is accused of joyriding, the minor shall be charged, prosecuted, and sentenced in the district court in the same manner as an adult.

According to the Department of Law, there were approximately 450 minors who were accused of joyriding in FY 94. Approximately ten percent of those cases were referred by the Division of Family and Youth Services to the superior court, and none of those cases actually went to trial. Thus, the actual costs to the court system were relatively low. If CSSB 14 (JUD) had been law, all 450 cases would have been filed in district court. This would have meant 450 additional arraignments, approximately 445 additional sentencing hearings, clerical costs associated with processing the case documents, and a trial rate of approximately two percent (the rate at which adults go to trial for this type of misdemeanor). The trials would result in additional judicial time and juror costs. The clerical costs would be offset somewhat by the reduction of clerical costs in juvenile court.

Imposition of a long license suspension will increase the trial rate for adults charged with auto theft or joyriding, resulting in increased judicial time and jury costs (loss of license is one reason that DWI cases have a higher trial rate than other class A misdemeanor cases). The exact size of this increase is speculative, and this note assumes that it is offset by the savings in superior court time resulting from the transfer of juvenile joyriding cases to district court.

Alaska Court SystemFiscal AnalysisCSSB 14 (JUD)Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Court Clerk II, 10A, Anchorage, PFT, 12 months	\$24,012	\$11,416	\$35,428
District Court Judge, Pro Tem, 50% vested, Anchorage, PPT, 2 months	8,824	3,643	10,467
In-court Clerk, 12A, Anchorage, PPT, 2 months	4,518	1,188	<u>5,706</u>
Total Personal Services			51,602

This legislation will result in 450 new misdemeanor cases, which will require arraignments lasting an estimated 1/2 hour each and nine one-day misdemeanor trials. Approximately, 2 months of district court judge and in-court clerk time will be required for the arraignments and trials. Using existing staffing standards, one clerical position is required for every 350 case filings. Using this ratio, approximately one and one-quarter court clerks will be needed. However, clerical staffing needs are partially offset by the approximately 50 cases presently processed in juvenile court.

Contractual

Jury fees for 9 one-day trials with 6 jurors at \$25 a day per juror.	1,350
-----------------------------------------------------------------------	-------

Supplies

Office supplies for increased case filings and new employees	1,000
--------------------------------------------------------------	-------

Equipment (one-time cost)

Desk, chair and filing cabinet for the permanent full-time position	<u>1,000</u>
---------------------------------------------------------------------	--------------

Estimated Total Cost

\$54,952

FISCAL NOTE

No. 5

Bill Version: SB 14

(S) Publish Date: 3/6/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act relating to criminal mischief." BRU: Prosecution
 Component: All
 Sponsor: Senator Leman
 Requester: Senator Leman COMPONENT SERIAL NO. 0085-0090

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(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	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends the state criminal mischief statutes to raise the penalty for joyriding from a class A misdemeanor to a class C felony. The penalty for a second joyriding conviction would be raised from a class C felony to a class B felony.

In FY 93 the Department of Law handled 99 joyriding cases. The vast majority were misdemeanors. Only two of the cases went to trial on a contested basis where the defendant pled not guilty. In most of the cases the defendants either pled guilty or the charges were dropped in exchange for a plea of guilty to a more serious charge, normally driving while intoxicated or theft.

Making all of these cases felonies will greatly increase the workload of prosecutors, because they will all require grand jury proceedings that are not required now. It can also be anticipated that many more cases will go to trial, because defendants will not want to plead guilty to a felony offense, which makes them eligible for presumptive sentencing if they get another felony conviction. Plea bargaining these cases will not often be a viable option, because there is no other criminal mischief offense which applies, short of criminal mischief in the

Prepared by: Richard I. Pedues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/24/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 1/24/95
 Agency: Department of Law

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. __ SB 14

ANALYSIS CONTINUATION:

fourth degree (tampering with the property of another), which is a class B misdemeanor and thus a lower level crime than the current offense.

The number of new felonies that will occur as a result of adoption of this bill, when spread throughout the Prosecution BRU, does not warrant fiscal note costs at any particular location, and none have been shown. However, the Department of Law cautions that adding new crimes, or in this case increasing the penalty for certain existing crimes, usually has the cumulative effect of adding new burdens to an already overburdened prosecution staff. Serious felonies being referred to the department have increased by over 30% since FY89, while misdemeanors have risen by 50% during the same period. In the face of declining revenues and in the face of the increase in violent crimes, the most likely result of this change is that joyriding offenses will not be charged as often as they are now, as prosecutors struggle to handle as much as they can with limited resources.

FISCAL NOTE

No. 4

Bill Version: SB14

BILL

(S) Publish Date: 3/6/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act relating to Criminal mischief BRU: Community Corrections
 Sponsor: Sen. Leman Component: Dir. Office
 Requester: _____ COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	85.5	85.5	85.5	85.5	85.5	85.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	85.5	85.5	85.5	85.5	85.5	85.5

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	85.5	85.5	85.5	35.5	85.5	35.5
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	85.5	85.5	85.5	85.5	85.5	85.5

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill classifies the acts cited under AS 11.46.482 (a) as class B felonies in cases where there exist a prior conviction for the same or similar statutes in the preceding seven years and provides for a mandatory minimum sentence.

The impact of this bill on DOC depends, in large part, on the conduct of prosecutors, defense attorneys and judges. Perhaps as many as 100 offenders could receive enhanced sentences under this bill. DOC assumes maximum discretion will be used in these cases and the impact will result in far less than that.

It is assumed that 25 individuals will serve an average of 60 additional days incarceration and that the time will be served in a CRC at an average cost of \$57.00 per day.

$$25 \times 60 \times \$57 = \$85,500 \text{ total estimated annual cost.}$$

Prepared by: Jarry Shiner
 Division: Comm. Office
 Approved by Commissioner: [Signature]
 Agency: Department of Corrections

Phone: 465-4640
 Date: 1/25/95
 Date: 1/25/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

FISCAL NOTE

BILL N^o

No. 3

Bill Version: SB 14

(S) Publish Date: 3/6/95

Revision Date: _____

Dept. Affected: Public Safety

Title: "An Act relating to criminal mischief."

Alaska State Troopers

Component: Detachments

Sponsor: Senator Loren Leman

Requestor: (S) Judiciary

COMPONENT SERIAL NO. 0799

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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 () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 95) impact: \$ -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.)

See attached discussion

Prepared By: Francis C. Allan

Phone: 269-5691

Division: Alaska State Troopers

Date: 01/30/95

Approved by Commissioner: Ronald L. Otto

Date: 1-31-95

Agency: Ronald L. Otto, Dept. of Public Safety

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Fiscal Analysis
SB 14

This legislation amends the criminal mischief statutes to classify acts cited under AS 11.46.482(a) (joyriding), as class C felonies. It also provides that repeat offenders are charged with a class B felony.

The Alaska State Troopers respond to over 700 thefts of all types of vehicles per year. Since they are only misdemeanors, very limited investigative effort is currently expended in this area and very few cases are prosecuted. The Department of Law has indicated only two such cases went to trial. Most cases were not contested or the defendant pled out.

Changing the nature of the penalty from a misdemeanor to a class C felony will increase the amount of time spent on a joyriding case to respond to grand jury and evidentiary hearings which are not encountered at the misdemeanor level. Additionally, more felony cases tend to go to trial than misdemeanors due to the increased penalty.

The intent of this bill is to make the selection of joyriding cases more of a priority. Felony crimes against persons are the highest priority and take most resources. Vehicle theft has not historically been afforded priority treatment. AS a practical matter, the few new cases taken as a felony under this bill would preempt investigating a few more lower priority misdemeanor cases.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO:

No. 2
 Bill Version: SB14
 (S) Publish Date: 3/6/95

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to the offense of... joyriding. BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: Senator Leman
 Requestor: (S) Judiciary COMPONENT SERIAL NO. 0500

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

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING						
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-
Revenue Code						

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 95) 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.)

It is difficult for the Division of Motor Vehicles to estimate the fiscal impact of this bill. Current law, AS 28.15.181 requires the Court to revoke a driver's license for any felony conviction for the offense in which a commission of a motor vehicle was used. If enacted as written, this bill will have impact on the Division. Once it is determined how many felony convictions will occur, this fiscal note may be revised to reflect an accurate amount for the impact.

Prepared By: Juanita Hensley Phone: 465-2650
 Division: Chief, Driver Services Date: 2/1/95
 Approved by Commissioner: *Ronald L. Otte* Date: 2/1/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. (S) Publish Date: 3/6/95

Revision Date:

Dept. Affected: Alaska Court System

Title: An Act relating to criminal mischief

BRU: Trial Courts

Components:

Sponsor: Sen. Leman

Requestor:

COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	4.6	4.6	4.6	4.6	4.6	4.6
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	4.6	4.6	4.6	4.6	4.6	4.6

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	4.6	4.6	4.6	4.6	4.6	4.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	4.6	4.6	4.6	4.6	4.6	4.6

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$

None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: C. S. Christensen III, Staff Counsel

Agency: Alaska Court System

Phone: 264-8228

Date: 02/01/95

Approved by: Arthur H. Snowden, II, Administrative Director

Agency: Alaska Court System

Date: 02/01/95

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Alaska Court System
Fiscal Analysis
SB 14

This legislation amends the criminal mischief statutes to provide that joyriding is upgraded from a class A misdemeanor to a class C felony.

According to the Department of Law, this legislation would have affected 99 cases in FY 93. Of those 99 cases, two went to trial, with the trials lasting approximately one day. If those 99 cases had been charged as felonies, approximately five would have gone to trial (the trial rate for class C felonies without a presumptive or mandatory sentence is approximately five percent). These trials would have lasted approximately three days; this is because a felony case requires a much longer jury selection process than a misdemeanor case (12 jurors rather than six, plus alternates), and because the more severe consequences of a felony conviction generally result in more witnesses, longer examinations of witnesses, and more motion work.

This fiscal note is limited to the additional trial jury costs that will result from SB 14. It should be noted, however, that there will be additional grand jury work as 99 new cases are presented, as well as the costs to the system of transferring this caseload from the district court to the more busy, more expensive superior court. Because these costs are speculative, they have not been included.

Alaska Court System
Fiscal Analysis
SB 14

Contractual

Jury fees

This legislation will change the offense of joyriding from a misdemeanor to a class C felony. During FY 94, two 1-day, 7-juror misdemeanor trials were conducted. It is anticipated that the new legislation will result in 5 3-day, 13-juror, felony jury trials. Jury fees will increase as follows:

Five felony trials

Felony trials require 12-person juries and one alternate juror. Jurors are paid \$25 a day. The trials are anticipated to last three days.

\$4,875

Less the cost of existing misdemeanor trials

Misdemeanor trials require 6-person juries. Jurors are paid \$25 a day. The trials lasted one day each

300

Estimated net Increase in jury fees

\$4,575

FISCAL NOTES

SB 14 - Increased Penalties for Joyriding

<u>No.</u>	<u>Dept.</u>	<u>Date</u>	<u>SB 14</u>	<u>CSSB 14 (Jud)</u>
1.	Courts	2/01/95	\$ 4.6	
2.	DPS Drivers	2/01/95	0	
3.	DPS Troopers	1/31/95	0	
4.	DOC	1/25/95	85.5	
5.	DOLaw	1/24/95	0	
6.	Courts	3/02/95		\$ 55.0
7.	DPS Drivers	3/02/95		54.0 96.4 (171.0 rev.)
8.	DPS Troopers	3/02/95		0
9.	DOC	1/25/95		0
10.	DOLaw	3/02/95		81.7
New	DOA (PDA)	3/07/95		104.6 ?
New	Courts	3/02/95		55.0
<i>Heading</i>				
Total			\$ 90.1	\$ 390.3
				\$ 171.0 revenue

Senate Finance
Revised 3/9/95

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/16/95

FURTHER: Finance

Date of 5-Day Notice: January 26, 1995
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-6-95

Judiciary Committee considered SENATE BILL NO. 14

"An Act relating to criminal mischief."

OH Falls

and recommends:

- be replaced with CS SB 14 (JUD)
- adopt previous CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill: same title
- new title
- House Bill:**
- technical change
- new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Lynnda Wheeler</i>	<input checked="" type="checkbox"/>		
		<i>Mike Miller</i>	<input checked="" type="checkbox"/>		
		<i>Al Adams</i>	<input checked="" type="checkbox"/>		
CHAIR: <i>Chris Taylor</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
SB Corrections	1/25/95	<input checked="" type="checkbox"/>	85.5
SB Law	1/24/95	<input checked="" type="checkbox"/>	
SB Public Safety Detach	1/20/95	<input checked="" type="checkbox"/>	
SB " DMV	2/1/95	<input checked="" type="checkbox"/>	
SB Court System	2/1/95		4.6

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
CS Corrections	1/25	<input checked="" type="checkbox"/>	
CS Law	3/2		81.7
CS Public Safety	3/2	<input checked="" type="checkbox"/>	new analysis
CS DPS-DMV	3/2		96.4
CS Court System	3/2		55.6

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

DIVISION OF LEGAL SERVICE
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 14, 1995

SUBJECT: Sectional Summary of CSSB 14(JUD).
(Work Order No. 9-LS0142\R)

TO: Senator Loren Leman
Attn: Mary Vollendorf

FROM: Gerald P. Luckhaupt *GLP*
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 11.46.484(c) to provide that if a person is 18 years of age or older and is convicted of joyriding for the second or subsequent time within the previous seven years then the person's current conviction is a class C felony instead of a class A misdemeanor.

Section 2 of the bill amends AS 11.46.486(a) to provide that a person commits the crime of criminal mischief in the fourth degree when they ride in a police or emergency vehicle that is being used in violation of AS 11.46.482(a)(5) (being joyridden). This section corrects an omission made when joyriding a police or emergency vehicle was made a class C felony in 1991. The offense of riding in a vehicle being joyridden, AS 11.46.486(a) was not expanded to cover this new offense. This bill section corrects this oversight.

Section 3 of the bill amends AS 12.55.135(f) to provide that the mandatory minimum term of imprisonment of that section does not apply to a defendant under 18 years of age.

Section 4 of the bill amends AS 28.15.181(a) to provide that a conviction for joyriding (criminal mischief in the second or third degrees) is grounds for the revocation of the person's driving privileges as provided in section 5 of the bill.

Section 5 of the bill amends AS 28.15.181(b) relating to the length of a suspension and the procedure for suspension of driving privileges under AS 28.15.181(a).

Senator Loren Leman

March 14, 1995

Page 2

Section 6 of the bill amends AS 47.10.010(b) to provide that when a minor is charged with a violation of AS 11.46.484(a)(2) (misdemeanor joyriding) or 11.46.486(a)(3) (riding in a vehicle being joyridden), the minor will be prosecuted in district court not juvenile court.

GPL:klb

95-160.klb



SENATOR LOREN LEMAN

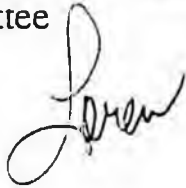
Northwest Anchorage

716 W 4th Ave. Ste 540. Anchorage AK 99501 258-8189

Session: State Capitol, Juneau AK 99601 465-2095

MEMORANDUM

TO: Senator Rick Halford, Co-Chairman
Senate Finance Committee

FROM: Senator Loren Lemman 

RE: Senate Bill 14

DATE: February 2, 1995

I respectfully request that you schedule Senate Bill 14, relating to criminal mischief, for a hearing in the Finance Committee at your earliest possible convenience.

Thank you for your consideration.



SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave., Ste. 540, Anchorage, AK 99501 274-2789

Session: State Capitol, Juneau AK 99801 465-2095

SPONSOR STATEMENT

SENATE BILL 14

"An Act relating to Criminal Mischief."

I have introduced Senate Bill 14 because of the recent increase in auto thefts, especially in urban areas, and the lack of convictions. Under the current law the crime of "joyriding" is a Class A misdemeanor, the second offense is a Class C felony. Joyriding is commonly associated with juveniles and SB 14 targets that group.

Juveniles account for more than half of all joyriding offenses. Without SB 14 there is no means to prosecute juveniles for this crime. Instead they are brought into the juvenile system and no real penalty is inflicted. Although locking away juveniles for this offense is not necessarily the answer, I believe this is a good start in making them responsible for their actions. A juvenile will be prosecuted, charged and sentenced the same as an adult. More importantly, a juvenile will also be responsible for paying restitution to the victim.

I urge you to support Senate Bill 14. This bill will help decrease the number of vehicles stolen, and the tremendous dollar losses suffered by insurance companies and the victims of theft.

Arrests Reported Through UCR

1990—1993

Arrest Charge	1990	1991	1992	1993	Adult	Juv.
Violent Crimes						
Murder	10	11	7	11	8	3
Manslaughter	1	1	1	2	2	0
Rape	31	34	27	49	42	7
Robbery	56	97	64	99	69	30
Felony Assault	187	172	244	365	281	54
Simple Assault	1,010	1,113	1,459	1,867	1,672	195
Property Crimes						
Burglary	167	161	193	223	106	117
Theft	2,538	3,108	3,121	3,187	1,842	1,345
Car Theft	254	194	191	209	95	114
Arson	5	7	7	21	8	13
Forgery & Counterfeiting	25	31	34	32	26	6
Fraud	35	47	39	55	51	4
Crim'l Mischief (Vandalism)	332	348	376	362	265	97
Drug Offenses						
Sale/Manufacturing	47	28	44	62	44	18
Possession/Use	157	184	254	193	152	41
Misc. Offenses						
Carrying Concealed Weapon	190	194	186	244	178	66
Prostitution & Vice	41	46	45	99	98	1
Sex'l Off'es Against Minors	41	39	54	65	55	10
Offenses Against the Family	42	38	56	65	64	1
Liquor Laws	135	98	69	143	102	41
Drunkenness						
Disorderly Conduct	305	216	265	316	279	37
All Other Offenses	4,442	5,547	6,045	4,262	4,046	216

This report provides a "body count" of arrests & does not reflect actual numbers of charges brought against an individual due to the UCR hierarchy rule.

AGENCY: Alaska State Troopers

MONTHS OF 1/92 to 12/92

OFFENSES KNOWN TO POLICE

CLASSIFICATION OF OFFENSES	OFFENSES REPORTED OR KNOWN	UNFOUNDED FALSE OR BASELESS	NUMBER OF ACTUAL OFFENSES	** OFFENSES CLEARED **	
				TOTAL	BY ARREST OR EXCEPTION OR JUVENILES ONLY
CRIMINAL HOMICIDE					
MURDER & NONNEG MANSL	18		18	15	1
MANSL BY NEGLIGENCE	5		5	2	
TOTAL	23		23	17	1
FORCIBLE RAPE					
RAPE BY FORCE	205	36	169	99	12
ATTMPTD FORCABLE RAPE	17		17	11	1
TOTAL	222	36	186	110	13
ROBBERY					
FIREARM	24	2	22	13	2
KNIFE/CUTTING INSTRMT	6		6	3	1
OTHR DANGEROUS WEAPON	1		1		
STRONG-ARM (HANDS, FISTS)	14		14	3	
TOTAL	45	2	43	19	3
ASSAULT					
FIREARM	253	19	234	193	20
KNIFE OR CUTTING INSTR.	209	13	196	167	17
OTHER DANGEROUS WEAPON	30		30	25	4
HANDS, FIST, FEET, AGGRAVTD	212	29	183	146	12
OTHER ASSAULTS - SIMPLE	2342	269	2073	1575	116
TOTAL	3046	330	2716	2106	169
BURGLARY					
FORCIBLE ENTRY	1239	79	1160	265	97
UNLAWFUL ENTRY - NO FORCE	474	35	439	139	45
ATTEMPTED FORCIBLE ENTRY	68		68	5	4
TOTAL	1781	114	1667	409	146
LARCENY					
THEFT (EX MOTOR VEHICLES)	4348	222	4126	774	259
TOTAL	4348	222	4126	774	259
MOTOR VEHICLE THEFT					
AUTOS	572	74	498	156	69
TRUCKS AND BUSES	44		44	13	4
OTHER VEHICLES	54		54	25	14
TOTAL	670	74	596	194	87
GRAND TOTAL	10135	778	9357	3629	678

PROPERTY STOLEN BY CLASSIFICATION

CLASSIFICATION OF OFFENSES	NUMBER OF ACTUAL OFFENSES		VALUE OF PROPERTY STOLEN	
MURDER/MANSLAUGHTER				
MURDER/NONNEG MANSLAUGHTER	18			
	TOTAL	18		
RAPE				
FORCIBLE RAPE	186			
	TOTAL	186		
ROBBERY				
HIGHWAY (STRT,ALLEYS,ETC)	2			
COMMERCIAL HOUSE	5		\$1,289.00	
GAS OR SERVICE STATION	3		\$451.00	
CHAIN STORE	9		\$3,597.00	
RESIDENCE	13		\$120.00	
BANK				
MISCELLANEOUS	11		\$240.00	
	TOTAL	43	\$5,697.00	
BURGLARY				
RESIDENCE (DWELLING)				
NIGHT (6PM - 6AM)	769		\$1,100,205.00	
DAY (6AM - 6PM)	249		\$563,737.00	
UNKNOWN				
NON-RESIDENCE (STORE ETC)				
NIGHT (6PM - 6AM)	487		\$1,512,051.00	
DAY (6AM - 6PM)	162		\$88,542.00	
UNKNOWN				
	TOTAL	1667	\$3,264,535.00	
LARCENIES BY VALUE (EX MV)				
\$200 AND OVER	1225		\$2,100,627.00	
\$50 TO \$200	425		\$46,321.00	
UNDER \$50	2476		\$6,237.00	
LARCENIES BY TYPE				
POCKET - PICKING	12		\$301.00	
PURSE - SNATCHING	16		\$5,065.00	
SHOPLIFTING	161		\$4,860.00	
FROM MOTOR VEHICLES	1164		\$399,923.00	
MOTOR VEH. PARTS & ACC.	53		\$23,121.00	
BICYCLES	94		\$20,774.00	
FROM BUILDINGS (EX C & H)	1252		\$662,551.00	
FROM ANY COIN-OP MACHINES	12		\$1,787.00	
ALL OTHER	1362		\$1,034,805.00	
	TOTAL	4126	\$4126	\$2,153,185.00
MOTOR VEHICLE THEFTS				
MOTOR VEHICLE THEFTS	596		\$1,914,082.00	
MOTOR VEHICLES RECOVERED				
STOLEN & REC'D LOCALLY	169			
STOLEN LOC & REC'D OTHER	11			
STOLEN OTHER & RECD LOCAL				
	TOTAL	596	180	\$1,914,082.00
GRAND TOTAL	6636			\$7,337,499.00

PROPERTY STOLEN/RECOVERED BY TYPE

TYPE OF PROPERTY	VALUE OF PROPERTY STOLEN	VALUE OF PROPERTY RECOVERED
-----	-----	-----
CURRENCY, NOTES, ETC.	\$561,668.00	\$77,191.00
JEWELRY & PRECIOUS METALS	\$649,274.00	\$33,468.00
CLOTHING AND FURS	\$108,072.00	\$9,869.00
LOCALLY STOLEN MOTOR VEH.	\$2,035,554.00	\$1,185,686.00
OFFICE EQUIPMENT	\$125,547.00	\$15,600.00
TV, RADIOS, CAMERAS, ETC.	\$1,460,756.00	\$31,951.00
FIREARMS	\$214,523.00	\$43,808.00
HOUSEHOLD GOODS	\$152,851.00	\$2,040.00
CONSUMABLE GOODS	\$34,642.00	\$6,320.00
LIVESTOCK	\$1,414.00	\$410.00
MISCELLANEOUS	\$1,993,198.00	\$262,173.00
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GRAND TOTAL	\$7,337,499.00	\$1,668,516.00

AGENCY: Anchorage PD

MONTHS OF 1/92 to 12/92

OFFENSES KNOWN TO POLICE

CLASSIFICATION OF OFFENSES	OFFENSES REPORTED OR KNOWN	UNFOUNDED FALSE OR BASELESS	NUMBER OF ACTUAL OFFENSES	** OFFENSES CLEARED ** BY ARREST OR EXCEPTION	
				TOTAL	JUVENILES ONLY
CRIMINAL HOMICIDE					
MURDER & MANNING MANSLS	18	1	17	9	
MANSLS BY NEGLIGENCE					
TOTAL	18	1	17	9	
FORCIBLE RAPE					
RAPE BY FORCE	221	5	216	18	2
ATTEMPTED FORCIBLE RAPE	37		37	4	
TOTAL	258	5	253	22	2
ROBBERY					
FIREARM	157		157	23	7
KNIFE/CUTTING INSTRMT	55		55	10	1
OTHR DANGEROUS WEAPON	36		36	7	2
STRONG-ARM (HANDS, FISTS)	236		236	24	5
TOTAL	484		484	64	15
ASSAULT					
FIREARM	294		294	106	13
KNIFE OR CUTTING INSTR.	300	1	299	156	23
OTHER DANGEROUS WEAPON	456	2	454	217	32
HANDS, FIST, FEET, AGGRAVTD	170		170	86	4
OTHER ASSAULTS - SIMPLE	2660	11	2649	1499	134
TOTAL	3880	14	3866	2064	206
BURGLARY					
FORCIBLE ENTRY	1793	4	1789	103	24
UNLAWFUL ENTRY - NO FORCE	665	4	661	57	23
ATTEMPTED FORCIBLE ENTRY	201	1	200	4	
TOTAL	2659	9	2650	164	47
LARCENY					
THEFT (EX MOTOR VEHICLES)	10818	35	10813	2785	876
TOTAL	10818	35	10813	2785	876
MOTOR VEHICLE THEFT					
AUTOS	1117	88	1069	131	42
TRUCKS AND BUSES	47	38	379	35	9
OTHER VEHICLES	168	5	163	4	1
TOTAL	1732	131	1611	170	52
GRAND TOTAL	19829	195	19694	5278	1198

PROPERTY STOLEN BY CLASSIFICATION

CLASSIFICATION OF OFFENSES	NUMBER OF ACTUAL OFFENSES		VALUE OF PROPERTY STOLEN
MURDER/MANSLAUGHTER			
MURDER/NONNEG MANSLAUGHTER	17		\$140,000.00
TOTAL	17		\$140,000.00
RAPE			
FORCIBLE RAPE	253		\$1,147.00
TOTAL	253		\$1,147.00
ROBBERY			
HIGHWAY (STRT, ALLEYS, ETC)	255		\$122,816.00
COMMERCIAL HOUSE	98		\$54,440.00
GAS OR SERVICE STATION	16		\$2,790.00
CHAIN STORE	50		\$4,297.00
RESIDENCE	47		\$33,201.00
BANK	11		\$23,334.00
MISCELLANEOUS	7		\$821.00
TOTAL	484		\$241,699.00
BURGLARY			
RESIDENCE (DWELLING)			
NIGHT (6PM - 6AM)	377		\$484,365.00
DAY (6AM - 6PM)	534		\$1,078,534.00
UNKNOWN	536		\$904,995.00
NON-RESIDENCE (STORE ETC)			
NIGHT (6PM - 6AM)	566		\$500,266.00
DAY (6AM - 6PM)	50		\$22,871.00
UNKNOWN	587		\$779,421.00
TOTAL	2650		\$3,770,452.00
LARCENIES BY VALUE (EX MV)			
\$200 AND OVER	4403		\$4,672,141.00
\$50 TO \$200	2425		\$302,844.00
UNDER \$50	3985		\$744,265.00
LARCENIES BY TYPE			
POCKET - PICKING	38		\$12,647.00
PURSE - SNATCHING	24		\$5,573.00
SHOPLIFTING	2746		\$303,763.00
FROM MOTOR VEHICLES	2283		\$1,618,320.00
MOTOR VEH. PARTS & ACC.	1779		\$1,271,999.00
BICYCLES	595		\$168,234.00
FROM BUILDINGS (EX C & H)	1126		\$619,333.00
FROM ANY COIN-OP MACHINES	59		\$6,313.00
ALL OTHER	2163		\$1,713,068.00
TOTAL	10813	10813	\$5,719,250.00
MOTOR VEHICLE THEFTS			
MOTOR VEHICLE THEFTS	1611		\$11,393,875.00
MOTOR VEHICLES RECOVERED			
STOLEN & REC'D LOCALLY	1339		
STOLEN LOC & REC'D OTHER	118		
STOLEN OTHER & RECD LOCAL	43		
TOTAL	1611	1500	\$11,393,875.00
GRAND TOTAL	15828		\$21,266,423.00

PROPERTY STOLEN/RECOVERED BY TYPE

TYPE OF PROPERTY	VALUE OF PROPERTY STOLEN	VALUE OF PROPERTY RECOVERED
-----	-----	-----
CURRENCY, NOTES, ETC.	\$950,143.00	\$33,714.00
JEWELRY & PRECIOUS METALS	\$1,720,911.00	\$151,717.00
CLOTHING AND FURS	\$727,443.00	\$88,717.00
LOCALLY STOLEN MOTOR VEH.	\$11,480,637.00	\$10,147,531.00
OFFICE EQUIPMENT	\$523,913.00	\$56,857.00
TV, RADIOS, CAMERAS, ETC.	\$2,585,641.00	\$110,757.00
FIREARMS	\$263,502.00	\$57,320.00
HOUSEHOLD GOODS	\$357,092.00	\$32,681.00
CONSUMABLE GOODS	\$111,684.00	\$27,040.00
LIVESTOCK	\$1,228.00	\$326.00
MISCELLANEOUS	\$2,544,229.00	\$361,010.00
-----	-----	-----
GRAND TOTAL	21,266,423.00	\$11,067,670.00

AGENCY: Fairbanks PD

MONTHS OF 1/92 to 12/92

OFFENSES KNOWN TO POLICE

CLASSIFICATION OF OFFENSES	OFFENSES REPORTED OR KNOWN	UNFOUNDED FALSE OR BASELESS	NUMBER OF ACTUAL OFFENSES	** OFFENSES CLEARED **	
				TOTAL	BY ARREST OR EXCEPTION JUVENILES ONLY
CRIMINAL HOMICIDE					
MURDER & NONNEG MANSL	2		2	2	
MANSL BY NEGLIGENCE					
TOTAL	2		2	2	
FORCIBLE RAPE					
RAPE BY FORCE	57	1	56	11	1
ATTEMPTD FORCABLE RAPE	4		4		
TOTAL	61	1	60	11	1
ROBBERY					
FIREARM	29	2	27	16	
KNIFE/CUTTING INSTRMT	9		9		
OTHR DANGEROUS WEAPON	2		2		
STRONG-ARM (HANDS, FISTS)	43	2	41	6	1
TOTAL	83	4	79	22	1
ASSAULT					
FIREARM	28		28	14	
KNIFE OR CUTTING INSTR.	49		49	22	2
OTHER DANGEROUS WEAPON	70		70	35	5
HANDS, FIST, FEET, AGGRAVTD	54		54	24	5
OTHER ASSAULTS - SIMPLE	401		401	231	32
TOTAL	602		602	326	44
BURGLARY					
FORCIBLE ENTRY	143		143	12	4
UNLAWFUL ENTRY - NO FORCE	94	1	93	7	4
ATTEMPTED FORCIBLE ENTRY	11	3	8	2	2
TOTAL	248	4	244	21	10
LARCENY					
THEFT(EX MOTOR VEHICLES)	1587	5	1582	525	191
TOTAL	1587	5	1582	525	191
MOTOR VEHICLE THEFT					
AUTOS	128	9	119	9	3
TRUCKS AND BUSES	88	7	81	6	2
OTHER VEHICLES	43	1	42	12	11
TOTAL	259	17	242	27	16
GRAND TOTAL	2842	31	2811	934	263

PROPERTY STOLEN BY CLASSIFICATION

CLASSIFICATION OF OFFENSES	NUMBER OF ACTUAL OFFENSES		VALUE OF PROPERTY STOLEN	
MURDER/MANSLAUGHTER				
MURDER, NONNEG MANSLAUGHTER		2		
	TOTAL	2		
RAPE				
FORCIBLE RAPE		60		\$88.00
	TOTAL	60		\$88.00
ROBBERY				
HIGHWAY (STRT, ALLEYS, ETC)		36		\$8,610.00
COMMERCIAL HOUSE		18		\$6,311.00
GAS OR SERVICE STATION		1		\$300.00
CHAIN STORE		13		\$3,156.00
RESIDENCE		3		\$518.00
BANK		1		\$3,480.00
MISCELLANEOUS		7		\$1,359.00
	TOTAL	79		\$28,734.00
BURGLARY				
RESIDENCE (DWELLING)				
NIGHT (6PM - 6AM)		42		\$43,026.00
DAY (6AM - 6PM)		36		\$34,646.00
UNKNOWN		35		\$73,364.00
NON-RESIDENCE (STORE ETC)				
NIGHT (6PM - 6AM)		81		\$131,855.00
DAY (6AM - 6PM)		10		\$7,810.00
UNKNOWN		40		\$46,372.00
	TOTAL	244		\$337,073.00
LARCENIES BY VALUE (EX MV)				
\$200 AND OVER		632		\$609,390.00
\$50 TO \$200		364		\$41,437.00
UNDER \$50		586		\$9,738.00
LARCENIES BY TYPE				
POCKET - PICKING		5		\$1,710.00
PURSE - SWATCHING		15		\$16,824.00
SHOPLIFTING		515		\$17,112.00
FROM MOTOR VEHICLES		295		\$159,202.00
MOTOR VEH. PARTS & ACC.		40		\$9,872.00
BICYCLES		174		\$42,735.00
FROM BUILDINGS (EX C & H)		196		\$94,871.00
FROM ANY COIN-OP MACHINES		4		\$645.00
ALL OTHER		338		\$317,594.00
	TOTAL	1582	1582	\$660,565.00
MOTOR VEHICLE THEFTS				
MOTOR VEHICLE THEFTS		242		\$1,398,224.00
MOTOR VEHICLES RECOVERED				
STOLEN & REC'D LOCALLY		147		
STOLEN LOC & REC'D OTHER		53		
STOLEN OTHER & RECD LOCAL		6		
	TOTAL	242	206	\$1,398,224.00
	GRAND TOTAL	2209		\$2,424,684.00

PROPERTY STOLEN/RECOVERED BY TYPE

TYPE OF PROPERTY	VALUE OF PROPERTY STOLEN	VALUE OF PROPERTY RECOVERED
-----	-----	-----
CURRENCY, NOTES, ETC.	\$209,800.00	\$11,424.00
JEWELRY & PRECIOUS METALS	\$167,253.00	\$9,653.00
CLOTHING AND FURS	\$189,147.00	\$8,308.00
LOCALLY STOLEN MOTOR VEH.	\$1,284,499.00	\$1,180,801.00
OFFICE EQUIPMENT	\$48,363.00	\$690.00
TV, RADIOS, CAMERAS, ETC.	\$155,831.00	\$18,134.00
FIREARMS	\$22,221.00	\$5,330.00
HOUSEHOLD GOODS	\$9,725.00	\$2,103.00
CONSUMABLE GOODS	\$13,642.00	\$3,962.00
LIVESTOCK	\$450.00	
MISCELLANEOUS	\$323,753.00	\$124,485.00

GRAND TOTAL	\$2,424,684.00	\$1,364,890.00

AGENCY: Juneau PD

MONTHS OF 1/92 to 12/92

OFFENSES KNOWN TO POLICE

CLASSIFICATION OF OFFENSES	OFFENSES REPORTED OR KNOWN	UNFOUNDED FALSE OR BASELESS	NUMBER OF ACTUAL OFFENSES	** OFFENSES CLEARED ** BY ARREST OR EXCEPTION JUVENILES	
				TOTAL	ONLY

CRIMINAL HOMICIDE					
MURDER & NONNEG MANSL					
MANSL BY NEGLIGENCE					
TOTAL					

FORCIBLE RAPE					
RAPE BY FORCE	5	2	3		
ATTMPTD FORCABLE RAPE					
TOTAL	5	2	3		

ROBBERY					
FIREARM	2		2		
KNIFE/CUTTING INSTRMT					
OTHR DANGEROUS WEAPON					
STRONG-ARM (HANDS, FISTS)					
TOTAL	2		2		

ASSAULT					
FIREARM	2		2	2	
KNIFE OR CUTTING INSTR.					
OTHER DANGEROUS WEAPON	15		15	11	
HANDS, FIST, FEET, AGGRAVTD	3		3	2	
OTHER ASSAULTS - SIMPLE	397		397	375	27
TOTAL	417		417	390	27

BURGLARY					
FORCIBLE ENTRY	106		106	8	1
UNLAWFUL ENTRY - NO FORCE	10		10	1	
ATTEMPTED FORCIBLE ENTRY	1		1		
TOTAL	117		117	9	1

LARCENY					
THEFT(EX MOTOR VEHICLES)	787		787	206	51
TOTAL	787		787	206	51

MOTOR VEHICLE THEFT					
AUTOS	39		39	7	2
TRUCKS AND BUSES	1		1		
OTHER VEHICLES	16		16	2	2
TOTAL	56		56	9	4

GRAND TOTAL	1384	2	1382	614	83

PROPERTY STOLEN BY CLASSIFICATION

CLASSIFICATION OF OFFENSES	NUMBER OF ACTUAL OFFENSES		VALUE OF PROPERTY STOLEN
MURDER/MANSLAUGHTER MURDER/NO W/NEG MANSLAUGHTER			
TOTAL			
RAPE FORCIBLE RAPE		3	
TOTAL			
		3	
ROBBERY HIGHWAY (STRT, ALLEYS, ETC) COMMERCIAL HOUSE GAS OR SERVICE STATION CHAIN STORE RESIDENCE BANK MISCELLANEOUS		2	\$900.00
TOTAL			
		2	\$900.00
BURGLARY RESIDENCE (DWELLING) NIGHT (6PM - 6AM) DAY (6AM - 6PM) UNKNOWN NON-RESIDENCE (STORE ETC.) NIGHT (6PM - 6AM) DAY (6AM - 6PM) UNKNOWN		10 17 10 29 15 36	\$4,820.00 \$5,919.00 \$5,873.00 \$22,232.00 \$2,491.00 \$25,196.00
TOTAL			
		117	\$67,531.00
LARCENIES BY VALUE (EX MV) \$200 AND OVER \$50 TO \$200 UNDER \$50		281 234 272	\$260,001.00 \$25,685.00 \$3,679.00
LARCENIES BY TYPE POCKET - PICKING PURSE - SNATCHING SHOPLIFTING FROM MOTOR VEHICLES MOTOR VEH. PARTS & ACC. BICYCLES FROM BUILDINGS (EX C & H) FROM ANY COIN-OP MACHINES ALL OTHER			169 130 1 158 206 123
			\$6,792.00 \$36,113.00 \$50.00 \$34,280.00 \$126,920.00 \$84,610.00
TOTAL			
	787	787	\$289,365.00
MOTOR VEHICLE THEFTS MOTOR VEHICLE THEFTS		56	\$181,900.00
MOTOR VEHICLES RECOVERED STOLEN & REC'D LOCALLY STOLEN LOC & REC'D OTHER STOLEN OTHER & RECD LOCAL			53
TOTAL			
	56	53	\$181,900.00
GRAND TOTAL			
	965		\$539,696.00

PROPERTY STOLEN/RECOVERED BY TYPE

TYPE OF PROPERTY -----	VALUE OF PROPERTY STOLEN -----	VALUE OF PROPERTY RECOVERED -----
CURRENCY, NOTES, ETC.	\$50,734.00	\$7,788.00
JEWELRY & PRECIOUS METALS	\$25,310.00	\$3,003.00
CLOTHING AND FURS	\$23,776.00	\$4,391.00
LOCALLY STOLEN MOTOR VEH.	\$183,400.00	\$176,000.00
OFFICE EQUIPMENT		
TV, RADIOS, CAMERAS, ETC.	\$53,706.00	\$2,534.00
FIREARMS	\$13,725.00	\$4,147.00
HOUSEHOLD GOODS	\$6,750.00	\$4,435.00
CONSUMABLE GOODS	\$1,294.00	\$709.00
LIVESTOCK	\$10.00	\$10.00
MISCELLANEOUS	\$180,991.00	\$60,109.00

GRAND TOTAL	\$539,696.00	\$263,126.00

M/V THEFTS TREND

	NUMBER OF OFFENSES	% CHANGE FROM PRIOR YEAR	RATE PER 100,000 % CHANGE FROM PRIOR YEAR
1988	2330		
1989	2367	+ 1.6%	-2.2%
1990	3004	+ 26.9%	+ 22.0%
1991	2964	-1.3%	-4.8%
1992	2881	-2.8%	-5.0%

Motor vehicle theft is defined as the theft or attempted theft of a motor vehicle.

1992 SUMMARY

A total of 2881 motor vehicles were reported stolen in 1992. This is a 2.8% decrease over the previous year.

Motor vehicle thefts accounted for 10.1% of the property crimes and 8.9% of the total crime index. Motor vehicle theft rate per 100,000 people was 513.4.

Automobiles had the highest percentage of motor vehicle thefts with 70.1% followed by trucks and buses with 19.3% and other vehicles making up 10.6%.

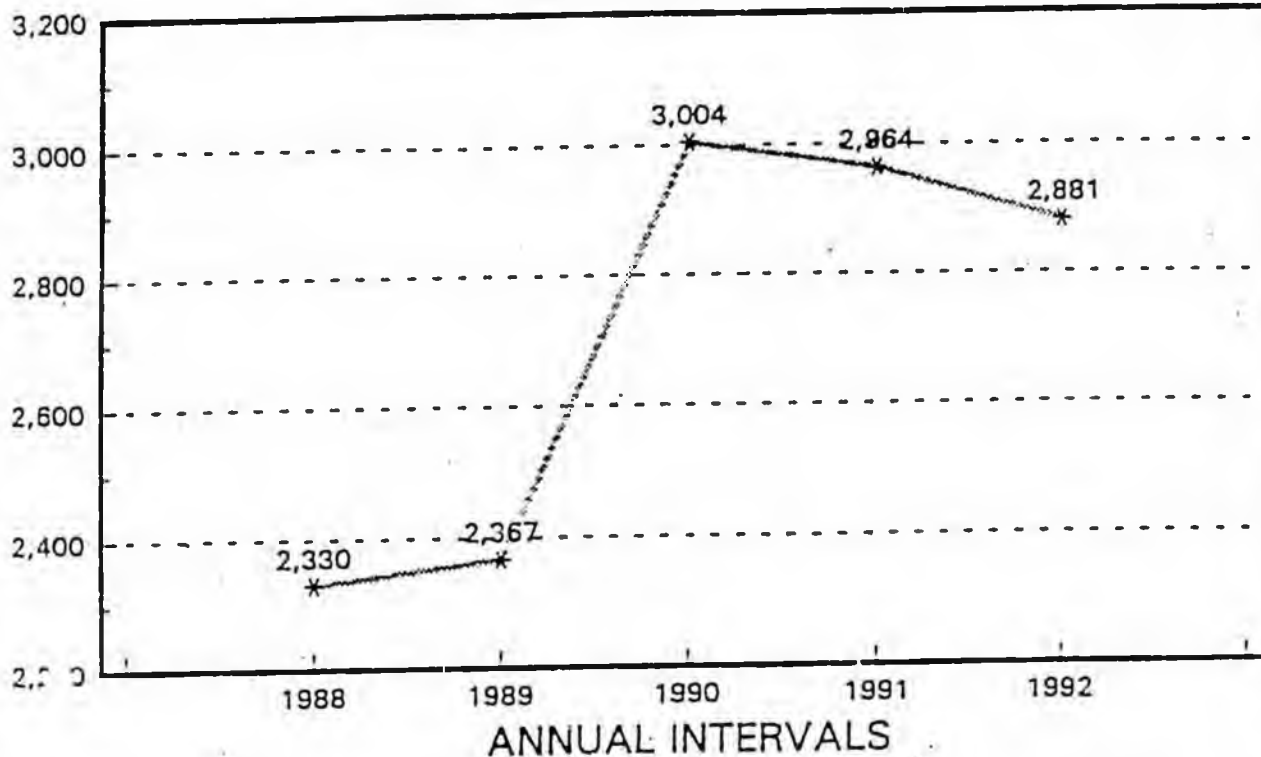
Fifteen year-olds had 14.5% of the arrests made for motor vehicle thefts followed by 13-14 year-olds having 13.6%.

The most motor vehicle thefts occurred in July with 277, and April had the least with 185.

Due to the rounding factor employed in the software, percentages presented will not always total 100%.

MOTOR VEHICLE THEFT TREND

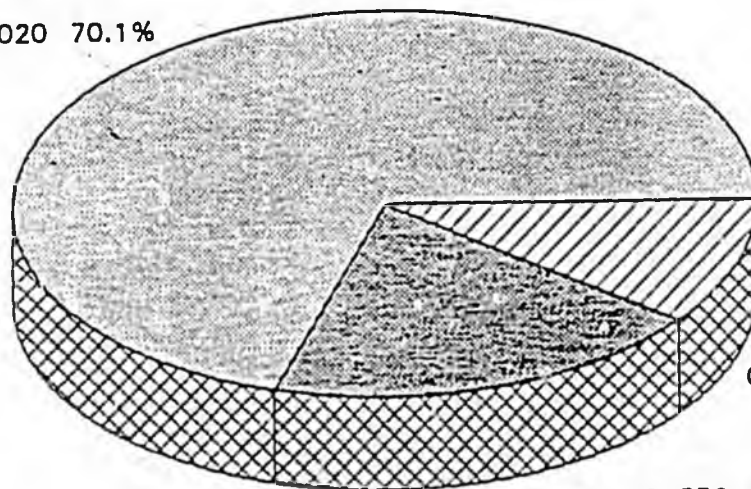
1988 through 1992



MOTOR VEHICLE THEFT 1992

Type of Vehicle

AUTO 2,020 70.1%

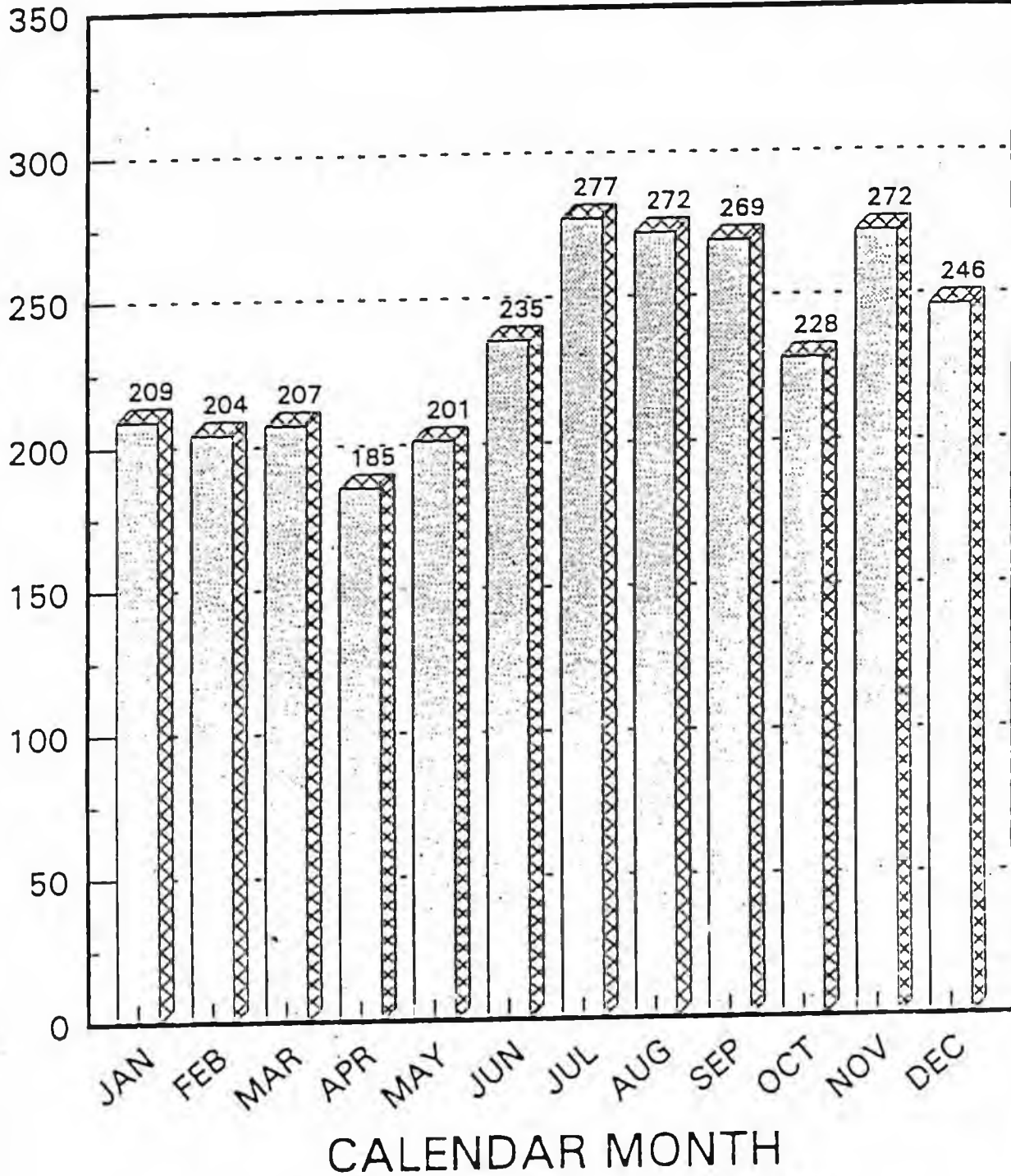


OTHER 305 10.6%

TRUCK/BUS 556 19.3%

MOTOR VEHICLE THEFT BY MONTH

1992



The reported count of 76 for Ketchikan PD was not used as the figure was not broken down into months.

M/V THEFT ARRESTS 1992
AGE, SEX

AGE GROUP	SEX	NUMBER
12 and under.	M	5
	F	0
13-14	M	48
	F	13
15	M	58
	F	7
16	M	36
	F	1
17	M	47
	F	2
18	M	30
	F	1
19	M	17
	F	2
20	M	16
	F	1
21	M	16
	F	3
22	M	10
	F	2
23	M	7
	F	4
24	M	10
	F	0
25-29	M	41
	F	3

M/V THEFT ARRESTS 1992 (cont.)

AGE GROUP	SEX	NUMBER
30-34	M	27
	F	6
35-39	M	15
	F	3
40-44	M	7
	F	1
45-49	M	3
	F	1
50-54	M	2
	F	0
55-59	M	1
	F	0
60-64	M	1
	F	0
65 AND OVER	M	0
	F	0
TOTALS	M	397
	F	50

RACE OF OFFENDERS ARRESTED	
RACE	NUMBER
White	279
Black	61
Indian	103
Asian	4
TOTALS	447



Stop
stealing
our **cars**

Anchorage
AUTO
thefts
soar in
'94



By
~~John~~
O'Harra

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ust after 2 a.m. that Tuesday, the streets of Spenard were almost deserted. A light snow had fallen during the dark January night, and few people were about. The taxi trade had hit slack time.

Several drivers had returned to Yellow Cab headquarters at Spenard Road and 36th Avenue for a break. Others were cruising the streets for fares. One cab was idling outside the office in the zero-to-10-degree weather. The driver had just stepped inside.

Suddenly, a man who'd been loitering at the corner jumped into the empty cab. In seconds, he accelerated the Chevy Caprice onto Spenard Road, then whipped eastbound on 36th Avenue. Then he was gone.

He'd stolen the car.

More than six times every day, someone steals a vehicle in Anchorage, often under identical circumstances — car or truck idling outside the door, temporarily unattended by the driver. Last year, a record 2,415 vehicles were reported stolen in Anchorage — up 75 percent from the previous year, and a big increase over the five-year average of 1,450 vehicles stolen per year, according to Anchorage police.

"A lot of them are opportunistic," says police Detective Rod Bennett, the only full-time car theft investigator in the city. "If they see them running, they jump in — and away they go."

Most of the time, owners find out their cars have been stolen when they discover an empty parking slot. But this time, cab dispatcher Dave Million saw the taxi wheel out — and he alerted the other drivers. As the cabbies scrambled for their taxis, Million called police and reported the theft. It was 2:19 a.m. on Jan. 10.

Continued on Page 10

CAR THEFT

(Continued from Page 9)

"We were right on him," Milion said. "Four or five cars joined the pursuit in the dark Spenard streets. Milion put out the word to other car companies. Within half a minute, police cruisers and a couple dozen cars were converging on the deserted grid of Midtown streets just east of Spenard.

The chase was short. According to Anchorage police, canines relayed information through Milion to 911 dispatchers — tracking the cab as it continued east on 16th, north on A Street, then back west on 14th.

There Anchorage police found the taxi pushed into a snow bank on the side of the road at about 2:22 a.m. — about three minutes after it had been stolen. Leading from the car in the new snow were fresh tracks.

"It snowed about an hour prior, so there was a pretty much perfect set of foot prints," said Officer Rodney Ryan.

Meanwhile, Milion relayed word to police dispatchers that canines had seen a man running up Third Avenue. Ryan and Officer Keith Curdell, using a police dog, converged on an apartment building. Within minutes, they'd taken 21-year-old Matthew Renteria into custody and charged him with misdemeanor criminal mischief — joy riding.

"I got a look at his shoe prints, and they

matched perfectly," Ryan said.

The cab was returned and back in service with only minor scrapes, according to Milion.

Over the past year, hundreds of Anchorage residents have experienced similar car thefts. Only a handful of vehicles in Anchorage disappear without a trace, suggesting that few "professional" car thieves operate here. Almost all victims get their vehicle back eventually, though often with several hundred dollars' worth of damage — dents, broken windows, torn interiors.

In the end, only a fraction of car thefts result in anyone getting arrested or charged.

As a can dispatcher, Milion says, he frequently gets called by people who have had their cars stolen. They ask that canines sweep an eye out. Milion said he's disgusted and frustrated by what he's seen.

"It happens all the time," he says. "I never would have believed it until I started driving cabs. And the reason it happens is because they never do anything. It's just joy riding."

Other victims echo Milion.

"It made me mad because you have to steal a car several times before it's a 'blony,'" says Anchorage resident Jennifer Villarreal, whose car has been stolen twice. "Even if the thief gets caught, nothing's going to happen to him. ... I don't think that's right."

YOUR PRECIOUS CAR

It's probably the largest single investment you'll ever make besides buying a house. Its price tag can rival a year's salary. Yet you park it out in the open, on a tinner, ready to be driven off. At best, it's perpetually within a minute of being stolen by anyone willing to shatter the window and rip open the steering column to engage the ignition.

At worst, the key is still in the car, the door unlocked, the engine warmed and idling, ready to roll.

Someone steals a car every 30 seconds in the United States — adding up to 1.5 million stolen vehicles in 1993 and 1.6 million in 1992. The annual cost of those thefts is staggering — an estimated \$7.5 billion for 1992, according to the Chicago-based National Crime Insurance Bureau.

The majority of vehicles are stolen in urbanized, non-crime states like California, where some 320,000 vehicles were reported stolen in 1992, a rate of 1,037 thefts per 100,000 residents. New York, Texas and Florida fall close behind.

Even in those states, the highest rates appear right where you'd think: in the major urban areas. Newark, New Jersey, leads the nation with 5,019 cars stolen per 100,000 residents. Los Angeles has a rate of about 1,550. New York's was 1,722.

By comparison, auto theft rates in Alaska and Anchorage are minuscule, sim-

How to keep your car

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iven enough time and cover, just about anyone can steal your car or truck.

A vehicle parked in a dark, isolated lot is an easy mark for a determined thief, regardless of what alarm system might be installed. On the other hand, simply locking your car and parking it under a light in your driveway could discourage many others.

The trick is to make stealing your car as difficult and public and time-consuming as possible. This might seem obvious to streetwise residents of Los Angeles or New Jersey, but Alaskans haven't had to worry much about car security.

But times are changing. Here are some tips for the wise:

- **Close your windows, lock your car and take your keys.** Some 13 percent of all stolen vehicles are taken with the keys inside, according to the National Crime Insurance Bureau. If you leave your car running on a cold day (a practice not recommended by police), at least lock the door with a separate key.

- **Park your car in a place that can be easily seen** — under a street light, in your driveway, close to a store entrance — rather than in the far reaches of a parking lot. Given a choice, a thief will steal the car most hidden from view.

- **Consider purchasing a security device.**

- **Bar locks:** These can secure your steering wheel, gear shifter or brakes. Similar to heavy steel bike locks, they're only as strong

as the item they're locked around. (Consumer Reports testers found they could remove one from a steering column by cutting the steering wheel.) They range in price from \$15 to \$150.

- **Steering collars:** Many makes of cars can be started simply by ripping open the steering column to get at the ignition switch. Steel collars can be attached to prevent this. They range in price from about \$100 to \$200.

- **Alarms:** Over the past few years, dozens of alarms have gone on the market. They range from highly sophisticated systems that set off sirens and flash lights after detecting any disturbance to the car, to much simpler models that simply blare a horn if someone breaks open the driver's door. They range widely in price, with most models costing \$200 to \$400. They usually must be installed by a professional.

- **Engine disablers:** Several devices will prevent the engine from starting, or will turn it off after it's been started. Some work electrically, installed in the circuit between the ignition switch and the starter. Others work mechanically and cut off the flow of fuel to the engine.

- **Tracking systems:** These devices transmit a radio signal that can be tracked by someone else using a receiver. They cost hundreds of dollars and work on the same principle as an emergency beacon for aircraft or fishing boats.

SOURCES: Consumer Reports and National Crime Information Bureau.

...to rural, thinly populated areas of the Lower 48. Statewide figures for 1992, the most recent year available, show only 2,915 vehicles stolen in Alaska (a figure that includes snowmachines) for a rate of .007 per 100,000 residents. Anchorage, with 1,611 vehicles stolen in 1992, accounted for more than half of Alaska's total. The city's rate of .007 stolen cars per 100,000 residents was an eighth of Newark's and a third of L.A.'s.

"Thefts in Alaska really aren't that bad," says John Hoch, spokesman for the Chicago-based insurance crime bureau. "A lot of cities would be happy to have Anchorage's theft rates."

Over the past two years, the rate has jugged up, down, up. In 1993, 1,387 vehicles were stolen in Anchorage — a 14 percent decline from the 1,611 taken in 1992. But the number exploded last year, when a record 2,415 were reported taken. That increase is consistent with what's happening in the Lower 48: where mid-sized towns are beginning to catch up with the cities.

"Since 1990, vehicle theft has actually dropped in all major metropolitan areas," says Hoch. "What's really skyrocketing are the small towns and suburbs and places like Anchorage."

Why is that? Hoch believes urban residents have begun to take precautions — installing alarms, carefully locking vehicles. But people in places like Anchorage still don't believe that their car will be stolen. Not here. Not on their friendly neighborhood streets.

But they're wrong.

IS YOUR CAR NEXT?

Marveen Coggins, a legislative aide for Anchorage Rep. Cynthia Toohey, is working on new legislation to combat car thieves. She's quantified: She's had two stolen.

The first theft occurred in Colorado, when thieves drove her Chev Blazer out of a parking garage. It was later recovered packed to the brim with stolen furs, stereos and drug paraphernalia.

The second theft was two years ago on Anchorage's west side. Her husband, Wayne Coggins, had started their 1992 Honda Accord in the carport outside their fashionable townhouse. He then did something familiar to every Anchorage driver in winter — stepped back inside while the car warmed up.

When he returned a few minutes later, his vehicle was gone.

Police later found another stolen car abandoned near a garbage bin in the alley, suggesting that the thieves had come cruising through the neighborhood searching for an easy mark.

Police took the car's description. But what else could be done?

"We actually drove around late at night," says Marveen Coggins. "Two or three days later, we found it parked at the Sullivan Arena. The car was just sitting

there. It had been abandoned."

Police told her they believed it had been used in robberies, and had been reported as a "suspicious" vehicle on the east side. Still, there was no damage.

Jennifer Villarreal wasn't so lucky. Villarreal had owned her 1989 Acura Integra for only a few months before it was stolen on Oct. 15 — parked safe and snug on a quiet neighborhood street in front of her parents' west-side home.

"It was parked outside my house and all the doors were locked and everything," she says. "I woke up the next day and I was getting ready to go to work — and it was just gone."

At first, Villarreal says, she was dumfounded. After all, she had done nothing that would have put her car at risk.

"I thought maybe my maid took it or it got towed or something," she says. "I couldn't believe what I was seeing."

Like Coggins, Villarreal called police, who put the car's description in the computer — and went to answer the next call. There was nothing for a 23-year-old to do, except borrow some wheels.

SO WHO TOOK IT?

Nationally, car thieves come in three varieties, according to Hoch. An estimated 70 percent are joy riders, opportunists who see an unattended car and jump in, almost always abandoning it within hours or days. As a result, about 62 percent of all stolen vehicles are recovered, according to the National Crime Insurance Bureau.

The other 30 percent of thefts often involve drug users who take the car and strip it for parts — radios, air bags, tires. These people target slightly older cars or cars with easily interchangeable parts, then take them to "chop shops," where the vehicles are quickly reduced to a pile of auto equipment. Others operate in rings, working systematically. Or attempt to smuggle the whole vehicle out of the country.

In general, the insurance industry and law enforcement go after the professionals, who cause the biggest dollar losses. "You

can make more money by selling parts than by selling it whole," Hoch says. "Plus, you get rid of the evidence, too."

Detective Bennett says he concentrates on potential felonies — when the stolen vehicle sustains more than \$500 damage, or when police believe the vehicle was stolen by pros to be sold. In 1992, only 26 of Anchorage's 2,415 reported car thefts rose to that level. The majority of those cases went to patrol officers for investigation. "They're the first line of defense," Bennett says.

During the fall, some 20 snowmachines were stolen, too. "These snowmachines are the ones that are driving us nuts now — not the cars," Bennett says. "It's like open season. ... You leave a snowmachine out in the open, it's going to disappear."

Bennett's work is tedious and time-consuming, often involving a step-by-step tracking of suspicious auto parts. Many times it's a flail or nothing, he says. Either they stumble across the entire vehicle, or it just disappears.

"It's not that exotic," he says. "It's not a quick process where you can come out and go from point A to point B."

One of his typical cases last year involved a 1990 four-wheel-drive pickup truck. A woman reported it stolen and told police she thought her ex-boyfriend had taken it, which he denied. Eventually, Bennett found the truck in a compound behind a local body shop. All of it. In pieces. It had been systematically deconstructed. Trying to prove

who took the vehicle has been a nightmare.

"It went down the line through about 10 people or so," he says. "Now we're trying to trace the parts back." No one has been charged in connection with the case.

Most of Anchorage's stolen cars — 93 percent in 1993 — are recovered quickly. These thefts usually involve simple joy riding. With more than 2,400 vehicles reported stolen in 1994, only 49 were still listed as missing in police computers as of early

January, according to police records.

"The good news is that we recover 80 to 90 percent of these vehicles," says Anchorage police Sgt. Steve Warner, head of crime prevention. "So if your car gets stolen, you probably will get it back. But it

Continued on Page 13

... You have to steal a car

(several times) before it's a felony.



Even if the (thief) gets caught, nothing's going to happen to him. ... I don't think that's right.

— Jennifer Villarreal

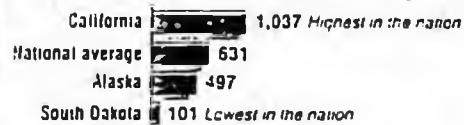


JIM LAVRAKAS / Anchorage Daily News photo

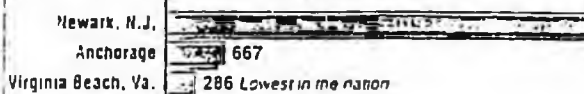
Anchorage police look over a truck stolen by teenagers in 1990.

How Alaska motor vehicle thefts compare to Outside

1992, thefts per 100,000 people, by state



1992, thefts per 100,000 people, by city



Source: FBI Statistical Abstract of the United States

Factoids

- In the United States, a car is stolen every 20 seconds
- According to 1992 statistics, a car is stolen about every 14 hours in Vermont.
- In California, it happens every 1.5 minutes.
- In Alaska, a car is stolen every three hours.

Source: National Crime Crime State Rankings 1994

10 most stolen cars in 1994

Rank	Year	Make and model
1	1984	Oldsmobile Cutlass Supreme
2	1993	Jeep Grand Cherokee 4x4
3	1987	Oldsmobile Cutlass Supreme
4	1986	Oldsmobile Cutlass Supreme
5	1988	Honda Accord LX
6	1985	Oldsmobile Cutlass Supreme
7	1992	Honda Accord EX
8	1984	Buick Regal
9	1990	Honda Accord EX
10	1991	Honda Accord EX

Source: CCC Information Services

RON ENGSTROM / Anchorage Daily News

CAR THEFT

Continued from Page 11

will probably have been damaged. These people who steal cars don't take real good care of them.

Under present law, taking a vehicle without permission is usually a Class A misdemeanor, punishable by up to a year in prison. Certain factors can make it a felony — previous convictions or more than \$500 damage. In practice, few of Anchorage's hundreds of joy riding cases result in arrest or conviction.

The city prosecutor's office filed only 129 joy-riding cases last year. Joy riding is among the most difficult cases to prove, because once the car is stolen, it can go among a dozen people in two or three days, says Acting Municipal Prosecutor Carmen Clark-Weeks.

"Then you have to prove beyond a reasonable doubt that the defendant was driving the car knowing it was stolen or that he had enough information to believe it was stolen," adds Bonnie Lemon, head of the misdemeanor unit of the Anchorage district attorney's office.

Often the accused produces elaborate explanations involving numerous people, some of them identified by first name. Scenarios develop in which the accused "borrowed" the vehicle from an acquaintance, who borrowed it from a friend, who borrowed it from someone else.

In the end, Lembo says, it's often just not cost-effective to sort out all the stories — especially when the car has been recovered.

"How are we ever going to prove what happened, except by treating it like a murder case? It's just disproportionate to the crime. We figure the getting the car back solves the problem."

One solution might be to make the crime of car theft a felony — resulting in more serious penalties and the possibility of lengthy jail time. During the last legislative session, several bills were proposed that would have made the penalties for joy riding more serious. Several new versions have been proposed for the new legislature.

"It just seems inconsistent that somebody can steal a car, and it would be passed off as joy riding, and he essentially gets a slap on the wrist," says Anchorage Sen. Luren Leman, author of one of the bills. "This is an attempt to raise it to the level it rightfully deserves. You steal a car — and it would be a felony."

But Leman and other legislators also say they're worried about the potential cost of creating a new felony. According to a 1994 Department of Correction analysis, prosecuting as few as 130 joy-riding cases as felonies rather than misdemeanors could cost an additional \$1.4 million for trials, presentencing reports and incarceration.

Given the state's budget forecast, the cost of making joy riding a felony might doom the legislation even if lawmakers

Continued on Page 14





PAUL SQUIDERS / Anchorage Daily News file photo



Anchorage police and airport immigration officers joined in pursuit of a stolen truck through back streets and yards near Lake Hood in December 1992. Duley Lyons, 19, was arrested after wrecking the truck. Damage was estimated at \$5,000.

CAR THEFT

(Continued from Page 12)

"I think it's a good idea. That's why the bill hasn't moved the last three years," Leman says. "But we can't make an impact on some of these people because they say there's no consequence to joy riding. Well, we want to make it a big deal and stop it."

Legislative aide Coggins is trying to find "creative" approaches that won't cost as much.

"I would rather revamp our entire system of justice to emphasize restitution," Leman says. "But what do you do when a kid trashes a \$20,000 car and doesn't have the money to pay for it? You can only get so much community service."

WHAT CAN YOU DO?

In the end, preventing car theft may be up to the individual.

"What've got to do the 'What if my car gets stolen?' scenario to yourself," says Hoch. "You need to realize that you are vulnerable and your car has a potential of being stolen."

According to police and insurance investigators, a professional car thief can quickly take your car, even to the point of disarming alarm systems or multiple locks. But most of the time the car thief doesn't know much more about stealing cars than you do.

"Sure, if a professional wants your car, he's going to have it," said Hoch. "But there aren't that many professionals out there. People have got to protect themselves against the joy riders."

"If somebody wants you to be a victim, you're going to be a victim," adds police Sgt. Warner. "But most criminals don't target specific people. They're looking for opportunity. So why give them opportunities to steal your car?"

Eliminating opportunity begins with locking your car.

The first and best anti-theft device is a key," says Hoch.

Other anti-theft strategies follow the same common-sense tack: Don't leave the key in the ignition. Don't leave the car running with the door unlocked. Don't park in dark, isolated places. Don't leave it overnight away from your home.

Police also urge owners to keep the automobile title outside the car. A thief could forge your signature and have the title transferred into a new name within hours of stealing the car.

In addition, police and consumer advocates urge people to install some sort of anti-theft device. A locking bar can prevent someone from turning the steering wheel. Alarm systems — ranging in price from under \$100 to nearly \$2,000 — can help signal a car theft. Some companies have even started manufacturing transmitter-receivers, devices that broadcast a radio signal so a stolen car can be tracked and recovered.

All these strategies can be overcome by

a determined thief, according to police. But they all make stealing your car more time-consuming and more difficult. A joy rider acting on impulse might turn away from a locked car or flee at the sound of an alarm.

AND THEN THERE'S BAD LUCK

Jennifer Villarreal's car was missing for only a few days. Sgt. Warner was heading home on Oct. 21 — three days after the car was taken — and saw it zip past him at high speed, westbound on Northern Lights Boulevard. Not knowing the car was stolen, and intending to issue a warning, Warner pulled up behind it at the Forest Park traffic light and snapped on his red flashing light.

The two men in the car panicked.

Accelerating through the red light, they turned right in Forest Park from the left-hand lane. As Warner followed, he saw the car speed up the residential street, prompting him to break off his pursuit. The driver ran the stop sign — nearly hitting another car — and zoomed out of sight. Warner kept following at a distance. He saw the car

turn eastbound on Hillcrest Drive, then enter the parking lot behind West High School. Warner trapped the car in the lot.

Two men in their 20s jumped out and ran into the dark. Warner ran after them, then found one trying to hide behind a building. He finally chased him to a fence with his gun drawn, and took him into custody.

According to police, 18-year-old Anthony Zucchero was charged with knowingly riding in a stolen vehicle, fourth-degree criminal mischief. But Zucchero didn't show up for his trial in District Court on Jan. 5 and a \$1,000 warrant was issued for his arrest.

The Acura Integra had \$1,700 worth of damage — a dent in the front panel, torn steering column, ruined starter. There were empty tequila bottles and other trash inside. "It was just thrashed," Villarreal says.

But there was something else about it — a sense of violation.

"It was creepy when I was checking it out — it was really creepy," she says. "I thought I would be a lot happier when I got it back than I was."

Likewise, Coggins says she felt a similar sense of distaste when she got back her Chevy Blazer years earlier in Colorado — she had left her personal journal in the vehicle. She was repulsed.

"They had apparently kind of lived in it for a while, and I felt like my area had been violated, that my privacy had been violated," she says. "I literally used disinfectant all over it, because it just felt dirty."

Villarreal took her car to a body shop on Dowling Road, where it was parked on the side of the road with other vehicles awaiting repairs. Within a couple days, the car had disappeared from there, too. Stolen again. This time it was gone for a month. It finally showed up in the YMCA parking



ANNE RAUP / Anchorage Daily News file photo

Last month, Renee Pagel of Anchorage punched a man who was part of a group that tried to steal her car, according to police.

lot about mid-December.

A couple weeks ago, she finally got it back, repaired at last. It drives OK. But Villarreal doesn't feel as good about it as she once did. The whole experience — having the first cultural skid his trial after being charged with a relatively minor offence, and then having the car disappear again — has disgusted her.

"And the whole time I had to make car payments, too," she says. "That's what really irritated me."

■ Doug O'Hara is a We Alaskans staff writer.



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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 14

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: An Act relating to criminal mischief BRU: Trial Courts
 Components: _____
 Sponsor: Sen. Laman
 Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	4.6	4.6	4.6	4.6	4.6	4.6
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	4.6	4.6	4.6	4.6	4.6	4.6

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	4.6	4.6	4.6	4.6	4.6	4.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	4.6	4.6	4.6	4.6	4.6	4.6

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
 Agency: Alaska Court System Date: 02/01/95

Approved by: Arthur H. Snowden, II, Administrative Director *AS* Date: 02/01/95
 Agency: Alaska Court System

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Alaska Court System
Fiscal Analysis
SB 14

This legislation amends the criminal mischief statutes to provide that joyriding is upgraded from a class A misdemeanor to a class C felony.

According to the Department of Law, this legislation would have affected 99 cases in FY 93. Those 99 cases, two went to trial, with the trials lasting approximately one day. If those 99 cases had been charged as felonies, approximately five would have gone to trial (the trial rate for class C felonies without a presumptive or mandatory sentence is approximately five percent). These trials would have lasted approximately three days; this is because a felony case requires a much longer jury selection process than a misdemeanor case (12 jurors rather than six, plus alternates), and because the more severe consequences of a felony conviction generally result in more witnesses, longer examinations of witnesses, and more motion work.

This fiscal note is limited to the additional trial jury costs that will result from SB 14. It should be noted, however, that there will be additional grand jury work as 99 new cases are presented, as well as the costs to the system of transferring this caseload from the district court to the more busy, more expensive superior court. Because these costs are speculative, they have not been included.

Alaska Court System
Fiscal Analysis
SB 14

Contractual

Jury fees

This legislation will change the offense of joyriding from a misdemeanor to a class C felony. During FY 94, two 1-day, 7-juror misdemeanor trials were conducted. It is anticipated that the new legislation will result in 5 3-day, 13-juror, felony jury trials. Jury fees will increase as follows:

Five felony trials

Felony trials require 12-person juries and one alternate juror. Jurors are paid \$25 a day. The trials are anticipated to last three days.

\$4,875

Less the cost of existing misdemeanor trials

Misdemeanor trials require 6-person juries. Jurors are paid \$25 a day. The trials lasted one day each

300

Estimated net increase in jury fees

\$4,575

2/1/95 #12
(S) JUD, FIN

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: SB 14

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to the offense of...joyriding. BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: Senator Leman
 Requestor: (S) Judiciary COMPONENT SERIAL NO. 0500

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

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING						
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-
Revenue Code						

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 95) 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.)

It is difficult for the Division of Motor Vehicles to estimate the fiscal impact of this bill. Current law, AS 28.15.181 requires the Court to revoke a driver's license for any felony conviction for the offense in which a commission of a motor vehicle was used. If enacted as written, this bill will have impact on the Division. Once it is determined how many felony convictions will occur, this fiscal note may be revised to reflect an accurate amount for the impact.

Prepared By: Juanita Hensley Phone: 465-2650
 Division: Chief, Driver Services Date: 2/1/95
 Approved by Commissioner: *Ronald L. Otte* Date: 2/1/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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FISCAL NOTE

211195(S)JUD,
FIN

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: SB14

#3

Revision Date: _____
Title: "An Act relating to criminal mischief."

Dept. Affected: Public Safety
Alaska State Troopers
Component: Detachments

Sponsor: Senator Loren Leman
Requestor: (S) Judiciary

COMPONENT SERIAL NO. 0799

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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-
Revenue Code						

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 95) impact: \$ -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.)

See attached discussion

Prepared By: Francis C. Allan
Division: Alaska State Troopers
Approved by Commissioner: Ronald L. Olte
Agency: Ronald L. Olte, Dept. of Public Safety

Phone: 269-5691
Date: 01/30/95
Date: 1-31-95

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Fiscal Analysis
SB 14

This legislation amends the criminal mischief statutes to classify acts cited under AS 11.46.482(a) (joyriding), as class C felonies. It also provides that repeat offenders are charged with a class B felony.

The Alaska State Troopers respond to over 700 thefts of all types of vehicles per year. Since they are only misdemeanors, very limited investigative effort is currently expended in this area and very few cases are prosecuted. The Department of Law has indicated only two such cases went to trial. Most cases were not contested or the defendant pled out.

Changing the nature of the penalty from a misdemeanor to a class C felony will increase the amount of time spent on a joyriding case to respond to grand jury and evidentiary hearings which are not encountered at the misdemeanor level. Additionally, more felony cases tend to go to trial than misdemeanors due to the increased penalty.

The intent of this bill is to make the selection of joyriding cases more of a priority. Felony crimes against persons are the highest priority and take most resources. Vehicle theft has not historically been afforded priority treatment. AS a practical matter, the few new cases taken as a felony under this bill would preempt investigating a few more lower priority misdemeanor cases.

1127195 H4
(9) JUD
THEFT

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 14 1

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act relating to Criminal mischief BRU: Community Corrections
 Component: Dir. Office
 Sponsor: Sen. Leman
 Requester: _____ COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	85.5	85.5	85.5	85.5	85.5	85.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	85.5	85.5	85.5	85.5	85.5	85.5

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	85.5	85.5	85.5	85.5	85.5	85.5
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	85.5	85.5	85.5	85.5	85.5	85.5

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill classifies the acts cited under AS 11.46.482 (a) as class B felonies in cases where there exist a prior conviction for the same or similar statutes in the preceding seven years and provides for a mandatory minimum sentence.

The impact of this bill on DOC depends, in large part, on the conduct of prosecutors, defense attorneys and judges. Perhaps as many as 100 offenders could receive enhanced sentences under this bill. DOC assumes maximum discretion will be used in these cases and the impact will result in far less than that.

It is assumed that 25 individuals will serve an average of 60 additional days incarceration and that the time will be served in a CRC at an average cost of \$57.00 per day.

$$25 \times 60 \times \$57 = \$85,500 \text{ total estimated annual cost.}$$

Prepared by: Jerry Shriner
 Division: Comm. Office
 Approved by Commissioner: *Wayne H. Pugh*
 Agency: Department of Corrections

Phone: 465-4640
 Date: 1/25/95
 Date: 1/25/95

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1127195 #5
 (S) JUD
 THEN FIN

FISCAL NOTE

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

BILL NO. SB 14

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act relating to criminal mischief." BRU: Prosecution
 Component: All

Sponsor: Senator Leman
 Requester: Senator Leman COMPONENT SERIAL NO. 0085-0090

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (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	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends the state criminal mischief statutes to raise the penalty for joyriding from a class A misdemeanor to a class C felony. The penalty for a second joyriding conviction would be raised from a class C felony to a class B felony.

In FY 93 the Department of Law handled 99 joyriding cases. The vast majority were misdemeanors. Only two of the cases went to trial on a contested basis where the defendant pled not guilty. In most of the cases the defendants either pled guilty or the charges were dropped in exchange for a plea of guilty to a more serious charge, normally driving while intoxicated or theft.

Making all of these cases felonies will greatly increase the workload of prosecutors, because they will all require grand jury proceedings that are not required now. It can also be anticipated that many more cases will go to trial, because defendants will not want to plead guilty to a felony offense, which makes them eligible for presumptive sentencing if they get another felony conviction. Plea bargaining these cases will not often be a viable option, because there is no other criminal mischief offense which applies, short of criminal mischief in the

Prepared by: Richard I. Penues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/24/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 1/24/95
 Agency: Department of Law

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. __ SB 14

ANALYSIS CONTINUATION:

fourth degree (tampering with the property of another), which is a class B misdemeanor and thus a lower level crime than the current offense.

The number of new felonies that will occur as a result of adoption of this bill, when spread throughout the Prosecution BRU, does not warrant fiscal note costs at any particular location, and none have been shown. However, the Department of Law cautions that adding new crimes, or in this case increasing the penalty for certain existing crimes, usually has the cumulative effect of adding new burdens to an already overburdened prosecution staff. Serious felonies being referred to the department have increased by over 30% since FY89, while misdemeanors have risen by 50% during the same period. In the face of declining revenues and in the face of the increase in violent crimes, the most likely result of this change is that joyriding offenses will not be charged as often as they are now, as prosecutors struggle to handle as much as they can with limited resources.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/16/95

FURTHER: Finance

Date of 5-Day Notice: January 26, 1995
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-6-95

Judiciary Committee considered SENATE BILL NO. 14

"An Act relating to criminal mischief."

Oil Falls

and recommends:

- be replaced with CS SB 14 (JUD)
- adopt previous CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill: same title
- new title
- House Bill: technical change
- new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Linda Wheeler</i>	<input checked="" type="checkbox"/>		
		<i>Mike Miller</i>	<input checked="" type="checkbox"/>		
		<i>Al Adams</i>	<input checked="" type="checkbox"/>		
CHAIR: <i>Chris Taylor</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

~~PREVIOUS~~ FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
SB Corrections	1/25/95	<input checked="" type="checkbox"/>	85.5
SB Law	1/24/95	<input checked="" type="checkbox"/>	
SB Public Safety Detach	1/20/95	<input checked="" type="checkbox"/>	
SB " DMV	2/1/95	<input checked="" type="checkbox"/>	
SB Court System	2/1/95		4.6

Department	Date	Zero	Fiscal
CS Corrections	1/25	<input checked="" type="checkbox"/>	
CS Law	3/2		81.7
CS Public Safety	3/2	<input checked="" type="checkbox"/>	new analysis
CS DPS-DMV	3/2		96.4
CS Court System	3/2		55.6

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill