HB

272

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/7/98

FURTHER: 5/9/98

DATE TURNED IN TO OFFICE: 5/09/98

Finance Committee considered CS FOR HOUSE BILL NO. 272(FIN)

"An Act relating to allowing the commissioner of corrections to allow a prisoner to serve a term of imprisonment or period of temporary commitment by electronic monitoring; and relating to the crime of escape."

and recommends:

[ ] be **replaced** with _____ CS _____ (_____)

[ ] 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:
[ ] same title
[ ] technical title
[ ] new: SCR"_____

SIGNING DO PASS	*DP*	*OTHER RECOMMENDATIONS*	*NR*	*DNP*	*AM*
Kelly E. Collier	✓				
Dean R Parnell	✗				
Ed Ogan	✗				
John Torgerson	✓				
Dave Donley	✓				
Co-Chair: Lee Ann Rhoades	✓	*Co-Chair:*			
Co-Chair: Bert Stedman	✓	*Co-Chair:*			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
Admin / PDA	3/4/98	Ø	
Corrections / Dir Off	4/14/98		130.3

[ ] **APPROPRIATION -- no fiscal note**

***include fiscal notes accompanying Governor's bill**

REPORTED OUT OF 5/9/98

FISCAL NOTE

No: 3

Bill Version: CSHB 272(FIN)

(H) Publish Date: 4/14/98

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Revision Date:

Title: An Act relating to allowing the commissioner of Corrections to allow a prisoner to serve a term of...

Sponsor: Representative Green

Requester:

Dept. Affected: Corrections

BRU: Administration and Operations

Component: Community Corrections Dir. Offi

Component Serial No. 1382

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	30.0	60.0	60.0	60.0	60.0	60.0
Travel						
Contractual	91.6	183.2	183.2	183.2	183.2	183.2
Supplies	6.2	12.4	12.4	12.4	12.4	12.4
Equipment	2.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	130.3	255.6	255.6	255.6	255.6	255.6
CAPITAL EXPENDITURES						
CHANGE IN REVENUES [ ]						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	30.0	60.0	60.0	60.0	60.0	60.0
1005 GF/Program Receipts	100.3	195.6	195.6	195.6	195.6	195.6
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	130.3	255.6	255.6	255.6	255.6	255.6

Estimate of any current year (FY97) cost:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

See Attachment:

Prepared by

Rep. Mark Hanley, Co-Chair — House Finance Committee

Phone 465-4939

Phone 465-4797

Rep. Gene Therriault, Co-Chair — House Finance Committee

Date 4/8/98

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FISCAL NOTE(S)

This fiscal analysis is based on the following:

*One pilot program will be established in Anchorage beginning in Jan. 1999. Program design will be developed June through December and the program will be implemented in January. Program costs are based on six months of operation for FY 99.
*The decision to designate an offender to the Electronic Monitoring program as an alternative to incarceration will be made by the Dept. of Corrections with guidance from the court through sentencing recommendations.
*No domestic violence or sex offenders will be put into the program.
*The program will have 60 slots available for a total of 21,900 person days of coverage annually.
*The Program will be administered through a contract with the private sector.

Personal Services:	**60.0**	
Probation Officer II in Anchorage at Sixth Avenue Correctional Center		60.0
Contractual Services:	**183.2**	
Communication: Local, long distance, postage, DHL, other related costs		1.5
Miscellaneous: Risk Management, other misc. costs		0.3
Rentals and Leases: Lease of Electronic Monitoring Equipment (estimated)		120.5
One drive by unit X $75.00 per month X 12 months		0.9
Electronic Monitoring equipment installer, maintenance contracts		60.0
Supply:	**12.4**	
Office Supplies: Consumable office supplies, duplicating supplies, etc.		1.0
Scientific Supplies: Alcohol/Drug test cups for immediate field testing		10.8
Data Processing Supplies: paper forms, diskettes, ribbons, etc.		0.2
Other Operating Supplies: law enforcement supplies, safety and electronic supplies		0.4
Equipment: (one time)	**2.5**	
Standard Personal Computer		
	Total Annual Cost	**255.6**
	FY 99	**130.3**

Electronic monitoring is used successfully in other jurisdictions as a cost-effective alternative to incarceration and has proven to be a good tool for enforcing curfews and monitoring offenders. The $11.70 per day cost of such a program in Alaska will avoid the much higher costs of the only other options currently available in our state - $100 per day in jail or $57 per day in a Community Residential Center.

There are various types of electronic equipment currently in use, including beepers, computerized-programmed contact devices using either voice or a worn device, transmitters, and continuously signaling devices. This fiscal note is based on known prices of one technology, "ankle or wrist bracelets", but is not intended to confine the use to any one technology. That is, the type of technology should be determined by an Implementation Planning Team, and could change as other technologies are developed or become available in the market place.

This fiscal note provides for a 6-month planning period for a pilot project in Anchorage and for 6 months of program implementation. The Implementation Planning Team will involve representatives from the courts, state and municipal prosecutors, Corrections, law enforcement, public defense and the private sector to assure program success.

FISCAL NOTE

No: 1

Bill Version: CSHB 272 (JUD)

(H) Publish Date: 3/4/98

STATE OF ALASKA

1998 LEGISLATIVE SESSION

5/2/98

Revision Date:

Title: "An Act to permit a court to order a defendant to serve A sentence by electronic monitoring..."

Sponsor: Representative Green

Requestor: H (JUD)

Department Affected: Administration

BRU: Legal and Advocacy Services

Component: Public Defender Agency

COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: $

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill authorizes judges to permit the service of a sentence for a misdemeanor crime by electronic monitoring rather than incarceration in a correctional facility. Because the costs of such monitoring are to be assessed to the defendant, it creates serious equal protection problems - reserving jail for the poor. It also makes tampering with the device or leaving the designated place of confinement a misdemeanor crime of unlawful evasion. Given the restriction on availability to those who can pay for it, and the current cost of such a program, it is unlikely that this will greatly increase the Agency caseload immediately. However, this technology is becoming more affordable and widespread. Future fiscal impact is uncertain.

Prepared by: Barbara K. Brink, Director

Phone: (907) 264-4414

Division: Public Defender Agency

Date:

Approved by Commissioner: Mark Boyer

Agency: Department of Administration

Date: 4/17/98

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