

**SB**

**2022**

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**SENATE COMMITTEE REPORT**  
**First Committee of Referral**

DATE: 2/4/04

FURTHER: Finance

Date of 5-Day Notice: 3/11/04  
 (in accordance with Uniform Rule 23)

DATE TURNED  
 IN TO OFFICE: 3/19/04

State Affairs Committee considered SENATE BILL NO. 292

**SB 292 USE CRIMINAL FINES FOR YOUTH COURTS**

"An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 292 (STA)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
HSS	3/11/04	✓			

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	X			

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB292-DHSS-DJJ-02-12-04

Revision Date/Time (Note if correction):  
 Title FUNDING FOR YOUTH COURTS

( ) Publish Date: \_\_\_\_\_

Dept. Affected: Health & Social Services

RDU Juvenile Justice

Component Delinquency Prevention

Sponsor STEDMAN

Requester SENATE (STA)

Component No. 248

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>

**CAPITAL EXPENDITURES**

**CHANGE IN REVENUES (0)**

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
<b>TOTAL</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>

Estimate of any current year (FY2004) cost: \_\_\_\_\_  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time					
Part-time					
Temporary					

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

On this fiscal note, the Division is reflecting the proposed appropriation of up to 25% of court-imposed fines for the youth courts. This is \$1,075.0 based upon the FY 03 collections. However, based on the proposed amendment suggested by the Division of Juvenile Justice, if the Division were to receive 10% of the total amount imposed and collected by the Alaska Court System, the amount would be \$430.0 annually based on FY 03 numbers.

Prepared by: Jana Heard & Tony Newman  
 Division: Juvenile Justice  
 Approved by: Joel S. Gilbertson, Commissioner  
 Agency: Department of Health and Social Services

Phone 465-1385  
 Date/Time 02/11/2004  
 Date 02/12/2004

## REDUCTION IN FEDERAL FUNDING FOR YOUTH COURTS

FY 2001-FY 2005

<u>Fiscal Year</u>	<u>Federal Funds</u>	<u>GF</u>	<u>Total Funds</u>	<u>% Federal</u>	<u>% GF</u>
2001	445,131	4,898	450,029	98.9	1.1
2002	474,337	32,973	(507,310)	93.5	6.5
2003	418,175	38,590	456,765	91.6	8.4
2004	34,300	251,000	285,300	12.0	88.0
2005	28,775	279,465	308,240	9.3	90.7

Source: Department of Health and Social Services, Division of Administrative Services  
Feb. 16, 2004

- The federal funds available are just 6% of what they were a few years ago.
- The increment of \$200,000 added by Rep. Hawker and the HESS subcommittee will bring youth courts back up to \$508,000.
- Even at this funding level, Youth Courts will have to continue their heavy reliance on donations and volunteer time from their communities.

## 2003 Youth Court Legislative Coalition INFORMATION SHEET

- **Youth Courts involve youth and communities throughout Alaska.**  
There are presently more than 15 youth courts statewide which directly involve nearly 1,000 volunteer Alaskan students in implementing restorative justice in their communities. These courts historically hear an average of over 900 cases a year.
- **Youth Courts foster a respect for the law through education and action.**  
Youth Courts provide criminal justice training to the volunteer members. The teen members are then empowered by their roles as judge, prosecutor, and defense attorney in actual cases involving their peers, gaining an invaluable appreciation for the law. Youth Courts enhance respect for the law in the offenders as well as in the student members.
- **Youth Courts produce a marked reduction in recidivism.**  
The Anchorage Youth Court produced a 74% reduction in recidivism, dramatically decreasing the amount of cases to be processed in the court systems. (Based on a study titled "The Impact of Teen Court on Young Offenders" by Jeffrey A. Butts, Janeen Buck, and Mark B. Coggeshall.) This was the highest success rate of the four courts studied in this recent nationwide study by the Urban Institute.
- **Youth Courts ease the caseload of state officials.**  
By providing diversion services for District and Superior Court Judges as well as Juvenile Probation Officers, Youth Courts allow these officials to focus on the most serious offenses or repeat offenders.
- **Youth Courts save the state money.**  
It is estimated that cases processed through Youth Courts cost less than half the amount of cases processed informally or through district and superior courts. In Alaska's largest youth court, the Anchorage Youth Court operates with a 6% recidivism spending only \$544 per defendant, far lower than the equivalent juvenile justice system and substantially more effective for the cost. (Note: McLaughlin Youth Center costs \$40,000 per year per patient. If AYC prevents just 7 juveniles from going to McLaughlin, it equals AYC's entire operating budget.)
- **The juvenile population is increasing.**  
The juvenile population in our state is expected to increase by 27% by 2015. With this dramatic increase in the juvenile population, juvenile delinquency will likely rise, making the sustainability of youth courts even more critical.
- **Alaska has already entrusted our Youth Courts with the most comprehensive legislation in the nation.**  
Alaska was identified in another recent national study as the one state with the most comprehensive Youth Court legislation, in that our statute AS 47.12.400 specifically entrusts Youth Courts with adjudicatory as well as dispositional authority. (See The Organization and Operation of Teen Courts in the United States, A Comparative Analysis of Legislation, Michele Heward, JD, Juvenile and Family Court Journal, Winter 2002.)

Youth Courts do important work, save the state money and have good track records.

**The time for sustainable funding is now.**



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March 16, 2004

Senator Gary Stevens  
Chair, Senate State Affairs  
Alaska State Capital  
Juneau, AK 99801

Dear Senator Stevens,

I am writing to lend my support to SB292 and invite you to consider the following information when hearing this bill in the State Affairs committee.

Presently there are 15 youth courts operating in Alaska directly involving nearly 1,000 volunteer students in implementing restorative justice in their communities, including Anchorage, Juneau, Wasilla/Palmer, Kodiak, Ketchikan, Nome and several others. Youth courts institute innovative methods of diversionary measures to the juvenile justice system while providing leadership development and community reinvestment in youth. We know that Alaska's youth volunteers donate annually nearly 125,000 hour of volunteer service, in addition to the over 18,000 hours of community service performed by juvenile defendants.

I wholeheartedly support the efforts of SB 292 and know that its existence is vital to Alaska's youth courts. Additional public supporters of this bill and HB303 include the Alaska Association of Student Government, Alaska Association of School Boards, Alaska Conference of Mayors and numerous others. However, I think the greatest source of support and hope comes from the young people who this bill will serve. In my office I have copies of nearly 70 letters written by youth court students and each one tells a personal story of why youth courts are important to them. I hope you are able to hear their stories someday and experience firsthand the profound impact youth courts have on a young person and community.

Thank you for your deep consideration of SB 292. As always, I remain available to answers questions if needed.

With sincere thanks,  
Krista M. Scully, Executive Director

1029 West Third Avenue, Suite 300, Anchorage, AK 99521 Ph: 907.278.1165 Fx: 907.333.7572  
AK Toll Free: 1.877.278.1165  
Email: [uyca@alaska.net](mailto:uyca@alaska.net) Web: [www.alaskayouthcourt.org](http://www.alaskayouthcourt.org)

Sitka Youth Court  
1203 Halibut Point Rd.  
Sitka, AK, 99835

Senator Gary Stevens, Chair  
Senate State Affairs Committee  
Alaska State Capitol  
Juneau, AK 99801

March 9, 2004

Senator Stevens:

As the interim director of the Sitka Youth Court, I am writing to express my support for Senate Bill 292, sponsored by Senator Stedman and currently before your committee. As you are likely aware, research into the effectiveness of youth courts at the national level reveals that such courts are an effective means of preventing recurrent criminal behavior. The average recidivism rate revealed in national studies of youth courts is estimated to be 14%. While such a rate is quite low, Alaskan youth courts appear to show even lower rates of recidivism, with the Anchorage Youth Court reporting a 6% recidivism rate and, as of March, 2003 the Sitka Youth Court reporting no reported recidivism (0%) over its entire existence (since November, 1999; though information gained after the Sitka Youth went inactive leads to a recidivism estimate of approximately 3%--still very low compared to other courts). Lower recidivism rates, as it is widely understood, result in cost savings to the State and communities in which youth courts are present via the reduction in frequency of misdemeanors, involvement with the justice system in general, and incarceration or out-of-home placement for repeat offenders.

Furthermore, one of the important factors which is often not emphasized in discussions about youth courts is that they also have a positive impact on children who are already succeeding in school. By recruiting youth volunteers (estimated at 1,000 in Alaska) to serve as attorneys and other court officials, youth courts promote learning about the legal system, help students prepare for college by participating in meaningful volunteer activities, and help adolescents take an active role in building the strength of their communities.

Youth courts around the State of Alaska are faced with a loss of funding in the coming years. Unfortunately, the Sitka Youth Court, which as mentioned had maintained an extremely low recidivism rate and, as such, was a valuable asset to Sitka, has already had to come to terms with a lack of basic funding and, in March of 2003, went inactive. It is my belief that, without adequate sustainable funding, other youth courts in the State will shortly face the same fate as my hometown's court. Senate Bill 292, as sponsored by Senator Stedman will provide the opportunity for other courts to avoid becoming inactive and prevent other towns from having to face the loss of their cost-saving, valuable, and morally-just program.

I therefore urge you to consider supporting the bill before your committee as written and helping ensure its passage through the Senate. With your support, we can help children, families, and communities in all corners of Alaska.

Sincerely,

Tim Lower

Senator Gary Stevens, Chair  
Senate State Affairs Committee  
Alaska State Capitol  
Juneau, AK 99801

February 26, 2004

Dear Senator Stevens,

The purpose of this letter is to demonstrate my strong support for Senate Bill 292, a companion bill to Rep. Ogg's HB 303. This bill will help youth courts around Alaska have stable funding and stop relying on unpredictable grants. It is an effective way to make use of service fees in court to serve and educate the future of Alaska, "Our youth."

Ketchikan Youth Court (KYC) established in 1999, is just one example of the very highly successful diversion programs called youth courts. KYC services over 100 offenders and youth court members each year in Ketchikan. KYC operates on a small budget of \$26,000.00 per year. Our goal is to provide restorative justice to the community, victims, and offenders. 37% of our caseload is comprised of Native Alaskan participants. Upon completion of our program, KYC participants have demonstrated a 13% recidivism, or re-offending rate. This is 10% better than the traditional court system and the program costs 50% less.

Our KYC members have done over 8,000 hours of service in Ketchikan. These projects have included roadside cleanup, bus shelter maintenance, wood hauling, helping with the Annual Halloween Event at the Plaza, Annual Diabetes Fundraiser, Health Fair, Law Day, the Blue Berry Festival, and mentoring elementary age students. We see the results of our program by the number of youth who get involved in the youth court training, community service projects, and go on to college to pursue law degrees.

I hope you will take the time to think about helping youth courts statewide. Senate Bill 292 can help sustain our programs. The youth of Ketchikan have spoken. Many who have been in the program stated that they want to see this program continue! Our City and Borough has given up a small portion of money to help us, but they are assuring us that next year things will get even worse. Our local business and organization sponsors are becoming depleted too. We know Ketchikan has a bright future, and we want to continue to make a difference. We need your support on Senate Bill 292.

Sincerely,

Cheryl Fultz  
Board Member of Ketchikan Youth Court  
15488 Betton Road  
Ketchikan, Alaska 99901

# ALASKA STATE LEGISLATURE

## SENATOR BERT K. STEDMAN

### SESSION

State Capitol, Rm 30  
Juneau, Alaska 99801-1182  
(907) 465-3873 Phone  
(907) 465-3922 Fax  
(877) 463-3873 Toll Free  
Senator\_Bert\_Stedman@legis.state.ak.us

### INTERIM

50 Front Street  
Ketchikan, AK 99901-6442  
Phone (907) 225-8088  
Fax (907) 225-0713

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## Sponsor Statement

### SB 292

**“An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines.”**

Youth Courts are an effective approach to dealing with the problem of juvenile crime. Since their inception in the 1980s, Alaska's youth courts have proven to significantly reduce recidivism rates. Through the use of volunteer support, they also save costs in the justice system.

In Alaska, youth courts are used to hear cases involving first time misdemeanors and violations. These courts provide intervention in cases that often do not receive adequate attention in the traditional juvenile justice system. This has proven to prevent many initial cases from developing into serious behavioral and criminal problems later in youth development. Offenders are tried by a jury of their peers, an approach that makes the process a good educational tool for all participants, in addition to being an effective administration of justice. Youth courts relate consequences to actions, encouraging offenders to accept responsibility for their behavior. In the rare cases when an offender repeats a crime, they are referred back to the traditional juvenile justice system. However, Alaska's youth courts have been very successful in preventing repeat offenses. In Anchorage, for example, the youth court recidivism rate is just 6%, compared to 23% in the traditional system.

Because youth court cases cost 50% less than cases heard in district and superior courts, this approach is very cost effective. Unfortunately, the lack of stable funding now threatens the future of the youth court programs. Grants that pay for office space, training and operating expenses are being significantly reduced in the federal budget. This bill allows the legislature to appropriate funds to youth courts and provides a much-needed source of financial support. SB 292, as a companion bill to Representative Ogg's HB 303, is a solution that will enable Alaska's youth courts to continue providing their uniquely effective services to the state.

#### DISTRICT A

Ketchikan • Sitka • Petersburg • Wrangell  
Pelican • Elfin Cove • Port Alexander • Saxman • Meyers Chuck • Thorne Bay • Coffman Cove • Hollis

Senator Gary Stevens, Chair  
Senate State Affairs Committee  
State Capitol, Room 125  
Juneau, AK 99801-1182

March 5, 2004

Dear Senator Stevens,

The purpose of this letter is to demonstrate my strong support for Senate Bill 292, a companion bill to Rep. Ogg's HB 303. This bill will help youth courts around Alaska have stable funding and stop relying on unpredictable grants. It is an effective way to make use of service fees in court to serve and educate the future of Alaska, "Our youth."

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Sincerely,

Cheryl Fultz  
Board Member of Ketchikan Youth Court  
15488 Betton Road  
Ketchikan, Alaska 99901

MAR 15 2004

Sitka Youth Court  
1203 Halibut Point Rd.  
Sitka, AK, 99835

Senator Gary Stevens, Chair  
Senate State Affairs Committee  
Alaska State Capitol  
Juneau, AK 99801

March 9, 2004

Senator Stevens:

*Handwritten scribble*  
*FILE*

As the interim director of the Sitka Youth Court, I am writing to express my support for Senate Bill 292, sponsored by Senator Stedman and currently before your committee. As you are likely aware, research into the effectiveness of youth courts at the national level reveals that such courts are an effective means of preventing recurrent criminal behavior. The average recidivism rate revealed in national studies of youth courts is estimated to be 14%. While such a rate is quite low, Alaskan youth courts appear to show even lower rates of recidivism, with the Anchorage Youth Court reporting a 6% recidivism rate and, as of March, 2003 the Sitka Youth Court reporting no reported recidivism (0%) over its entire existence (since November, 1999; though information gained after the Sitka Youth went inactive leads to a recidivism estimate of approximately 3%--still very low compared to other courts). Lower recidivism rates, as it is widely understood, result in cost savings to the State and communities in which youth courts are present via the reduction in frequency of misdemeanors, involvement with the justice system in general, and incarceration or out-of-home placement for repeat offenders.

However, and one of the important factors which is often not emphasized in discussions about youth courts, is that youth courts also have a positive impact on children who are already succeeding in school. By recruiting youth volunteers (estimated at 1,000 in Alaska) to serve as attorneys and other court officials, youth courts promote learning about the legal system, help students prepare for college by participating in meaningful volunteer activities, and help adolescents take an active role in building the strength of their communities.

Youth courts around the State of Alaska are faced with a loss of funding the coming years. Unfortunately, the Sitka Youth Court, which as mentioned had maintained an extremely low recidivism rate and, as such, was a valuable asset to Sitka, has already had to come to terms with a lack of basic funding and, in March of 2003, went inactive. It is my belief that, without adequate sustainable funding, other youth courts in the State will shortly face the same fate as my hometown's court. Senate Bill 292, as sponsored by Senator Stedman will provide the opportunity for other courts to avoid becoming inactive and prevent other towns from having to face the loss of their cost-saving, valuable, and morally-just program.

I therefore urge you to consider supporting the bill before your committee as written and helping ensure its passage through the Senate. With your support, we can help children, families, and communities in all corners of Alaska.

Sincerely,  
*Tim Lower*  
Tim Lower