

SB

249

ALASKA STATE LEGISLATURE

SENATOR HOLLIS FRENCH

SB 249- Criminal Justice Information

Sponsor Statement

Law enforcement in a state the size of Alaska presents numerous challenges. One way to overcome those challenges is to efficiently share public safety information that is available in separate agencies and departments that are not “talking” to one another.

Important examples of information not being shared now are conditions of bail, probation, and parole. These conditions can prohibit a wide range of activities that are otherwise lawful. For example, a judge can issue bail conditions that prohibit the defendant from driving a car, consuming alcohol, or simply being near a certain person or physical location.

Unfortunately, there is no provision in Alaska law that requires these conditions be listed in the Alaska Public Safety Information Network, or APSIN. Thus, our police officers and troopers have no practical way of knowing whether any person with whom they come into contact is or is not obeying their conditions of bail, probation or parole.

SB 249 is designed to close this gap and to provide another important tool to law enforcement.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSSB249(JUD)-Courts-3-2-06
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title An Act Relating to Criminal Justice Information RDU Alaska Court System
 Component Trial Courts
 Sponsor Senator French
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Because the court system is already working to implement the changes made by CSSB 249(JUD), we do not anticipate any fiscal impact from the passage of this bill.

Prepared by: Doug Wooliver, Administrative Attorney Phone 463-4750
 Division: Alaska Court System Date/Time 3-2-06 @ 1:00 pm
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date 3/2/2006
 Agency: Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB249CS(JUD)-DPS-APSIN-3-7-06
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title: "An Act relating to criminal justice information." RDU: Statewide Services
 Component: Alaska Public Safety Information Network
 Sponsor: Senator French
 Requester: Senate Rules Committee Component No. 528

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 9 of this bill adds language to AS 12.62.120(b)(9) to require criminal justice agencies to report to the Department of Public Safety (DPS) the conditions of parole or probation supervision that occur in connection with an arrestable offense.

Section 14 amends AS 12.62.120(b)(14) to require criminal justice agencies to report to DPS the release of a person on bail and the conditions of that release in connection with an arrestable offense.

These proposed additions to this statute are intended to make information regarding conditions of parole, probation and bail release more readily available, in order to accomplish better monitoring and enforcement.

Prepared by: Director David Schade Phone 907-269-0202
 Division: Statewide Services Date/Time 3/7/06 3:21 PM
 Approved by: Commissioner William Tandeske Date 3/7/2006
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB249CS(JUD)-DPS-APSIN-3-7-06

ANALYSIS CONTINUATION

DPS regulations require the events included in AS 12.62.120(b) to be reported to DPS and entered into the Alaska Public Safety Information Network (APSIN). An effective system of reporting would require the Alaska Court System and/or the Department of Corrections (DOC) to enter the bail, probation, and parole conditions to an individual's record in APSIN, where that updated information would be available to the criminal justice agencies that are authorized to have access to APSIN (e.g., law enforcement, corrections, prosecutors, the Department of Motor Vehicles).

In APSIN, there is a screen identified as "wants and warrants." It was designed to provide information about warrants and locates. For example, it includes information about officer safety, special warrant conditions, and missing persons. It has been expanded to include information about sex offenders who have not registered as required and to indicate when individuals are being monitored due to their status as foster parents. It is on this screen that DOC makes text field entries about felony conditions of probation.

However, this screen was not designed for the efficient entry or retrieval of information such as bail, probation, or parole conditions. The present configuration of APSIN, and the data entry processes in place in the court system and other agencies, do not result in a comprehensive repository of bail, probation, or parole condition entries. Even if DPS were to be provided with future funding to make the APSIN screens more useful for the entry of these conditions, the court system and other entities that enter data would have to undergo a substantial commitment to this process for the initial posting and the subsequent updating of relevant information to be accomplished in a timely manner.

As currently drafted, passage of this legislation will have no fiscal impact on the Department of Public Safety because modifications and expansions to APSIN, and increased reporting requirements for criminal justice agencies, are beyond the scope of what the legislation requires.