

HB

88

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

MAY 9 2005

SENATE FINANCE
COMMITTEE

DATE: 4/25/05

FURTHER:

DATE TURNED
IN TO OFFICE: 9 May 2005

Finance Committee considered CS FOR HOUSE BILL NO. 88(RLS)

HB 88 CRIM LAW:MINORS, SCHOOLS, DRUGS,SENTENCES

"An Act relating to certain weapons offenses involving minors; relating to the definition of 'recreation or youth center' for purposes of misconduct involving a controlled substance; to aggravating factors in sentencing for certain offenses committed on school grounds, on a school bus, at a school-sponsored event, or in administrative offices of a school district; to mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other persons who committed an offense; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous S CS CS HB 88 (JUD)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:

Same Title

New Title

SCS House Bill:

Same Title

Technical Title
Change

New Title w/
SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
H&SS	7/21/05		*		#3
Law	7/21/05		*		#4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓		✓	
<i>[Signature]</i>			✓	
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>			✓	

MAY 9 2005

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: CSHB 88(FIN)
(H) Publish Date: 3/22/05

Revision Date/Time (Note if correction): _____ Dept Affected: Health | Social Ser.
Title: Relating to penalties for certain RDU: Juvenile Justice
weapons offenses involving minors Component: Probation Services
Sponsor: Governor
Requester: HFC Component No.: 2134

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*****	*****	*****	*****	*****	*****

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 (Specify Type--Do not abbreviate)						
TOTAL	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2005) cost: 00
Mark 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)

The legislation may or may not result in increased costs to the department

Prepared by: House Finance Committee Phone: 465-4945
Division: _____ Date/Time: 3/21/05 3:48 PM
Approved by: Rep. Meyer, Co-Chair House Finance Committee Date: 3/21/2005
Agency: Rep. Chenault, Co-Chair House Finance Committee

MAY 9 2005

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 4
Bill Version: CSHB 88(FIN)
(H) Publish Date: 3/22/05

Revision Date/Time (Note if correction): _____ Dept Affected LAW
Title Relating to penalties for certain RDU CRIMINAL
weapons offenses involving minors Component CDCO
Sponsor Governor
Requester HFC Component No _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grant. & Claims						
Miscellaneous						
TOTAL OPERATING	*****	*****	*****	*****	*****	*****

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 (Specify Type - Do not abt. equiv)						
TOTAL	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2005) cost: 00
Mark 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)

The legislation may or may not result in increased costs to the department

Prepared by House Finance Committee Phone 465-4945
Division _____ Date/Time 3/21/05 3:49 PM
Approved by Rep Meyer, Co-Chair House Finance Committee Date 3/21/2005
Agency Rep Chenault, Co-Chair House Finance Committee

Sectional Analysis of SCS CSHB 88(JUD) (Definition of "Recreation or Youth Center" for Purposes of Misconduct Involving a Controlled Substance; Aggravating Factors in Sentencing for Certain Offenses at School-Related Sites; Waiver of 16- and 17-Year Old Minors into Adult Court for Certain Weapons Offenses; Mitigating Factors in Sentencing for a Defendant's Assistance to Authorities to Detect, Apprehend, or Prosecute Other Offenders)

(Prepared by the Department of Law, April 25, 2005)

SCS CSHB 88(JUD) would expand, for purposes of misconduct involving a controlled substance, the definition of a recreation or youth center; would address certain weapons violations by children; would address assault and other crimes by adults in schools or at certain school-related sites; and would refine mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other offender :

Sec. 1: *Definition of "recreation or youth center" for purposes of misconduct involving a controlled substance:* This section would expand the definition of recreation or youth center in AS 11.71.900 for purposes of misconduct involving a controlled substance, so that a recreation or youth center would include certain facilities operated by a public or private organization licensed to provide shelter, training, or guidance for minors.

Sec. 2: *Certain offenses as aggravating factors for sentencing:* This section would amend AS 12.55.155(c), the list of aggravating factors to be considered at sentencing, to add an aggravating factor for an offense that is a violation of AS 11.41 (Offenses Against the Person) or AS 11.46.400 (Arson in the First Degree), if the offense occurred on school grounds, on a school bus, at a school-sponsored event, or in the administrative offices of a school district. The amendment also includes definitions of school bus, school district, and school grounds.

Sec. 3: *Mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other offenders:* This section would amend AS 12.55.155(d)(12), within the list of mitigating factors to be considered at sentencing, to clarify that if a defendant assists authorities to detect, apprehend, or prosecute other persons who committed an offense, the assistance does not count as a mitigating factor unless provided after commission of the offense for which the defendant is being sentenced.

Sec. 4: *Waiver of 16- and 17-year old minors into adult court for certain weapons offenses:* This section would amend AS 47.12.030(a), to add certain offenses under AS 11.61.190 (Misconduct Involving Weapons in the First Degree) to the list of offenses for which 16- and 17-year old minors are automatically waived into adult court. These crimes--using a firearm in a drug offense, or "drive-by" shootings that pose substantial risk to persons--are class A felony offenses.

Sec. 5: *Applicability:* This section would make secs. 1 - 4 of the Act applicable to offenses committed on or after the effective date of the Act.

Sec. 6: *Effective date:* This section would establish an effective date of July 1, 2005.

THE
FOLLOWING
DOCUMENT(S)
ARE
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HB 88

ANCHORAGE SCHOOL DISTRICT
ANCHORAGE, ALASKA

MEMORANDUM

April 6, 2005

TO: LEGISLATORS
FROM: CAROL COMEAU *Carol Comeau*
SUPERINTENDENT
SUBJECT: SUPPORT FOR HOUSE BILL 88

The Anchorage School District strongly supports House Bill 88 sponsored by Governor Murkowski and the House Rules Committee. This is a sorely needed piece of legislation that will reinforce safety for students and staff in our schools.

As many of you know, we have had a number of incidents in the past few years where adults have entered a school and have physically assaulted school teachers and other employees while they were either in the classroom or in a large meeting area. All of these incidents occurred in front of students and other adults. These incidents resulted in the arrest of the person committing the assault. Two of these adults received jail sentences which have been served; another one is awaiting trial.

As a result of these incidents, we have increased security of the schools and have trespassed these individuals from the school district's property. They are only allowed to school for a conference after arranging the time and place with the school principal. This has worked well, and has allowed us to send a strong and public message that our employees must be allowed to do their jobs without fearing for their safety.

I applaud the leadership shown in bringing this legislation forward and urge all of you to support this much-needed legislation.

Please let me know if I can provide additional testimony.

2003 Youth Risk Behavior Survey (YRBS)



A Joint Project Between
Alaska Department of Health and Social Services,
Division of Public Health, Section of Epidemiology
P.O. Box 240249
Anchorage, AK 99524-0249
(907) 269-8000

and

Alaska Department of Education & Early Development,
Division of Teaching and Learning Support
801 West 10th Street, Suite 200
Juneau, AK 99801
(907) 465-2887

Authors
Tammy Green, MPH, CHES
John Middaugh, MD
Scott Saxon, BS
Charles J. Utermohle, Ph. D

Alaska Department of Health & Social Services

Joel Gilbertson, Commissioner

Division of Public Health
Doug Bruce, Director

Alaska Department of Education & Early Development

Roger Sampson, Commissioner
Karen Rehfeld, Deputy Commissioner

Alaska State Board of Education & Early Development

Richard I. Mauer, Chair
Esther J. Cox, First Vice-chair
Sylvia J. Reynolds, Second Vice-chair
Patsy Dewitt
Shirley J. Holloway
Rex A. Rock
Tim R. Scott
Col. David Jones, Military Advisor
Jeremy Waite, Student Advisor
Bryant Hopkins, Student Advisor

Acknowledgments

The 2003 Alaska Youth Risk Behavior Survey would not have been possible without the support of many individuals working cooperatively at all phases of the project. We would like to thank:

- School district superintendents and administrators, school boards, secondary school principals, teachers, parents and guardians who cooperated with and supported the survey
- The U.S. Centers for Disease Control and Prevention, Division of Adolescent and School Health, and Westat, Inc. for their technical assistance; and most importantly;
- The Alaska students who participated in the survey

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Introduction

As the State of Alaska moves into the 21st century, it is more important than ever to provide quality instruction to children across our state. Research tells us that many of our students struggle with issues and problems not addressed within the typical school day. In order to better understand and provide assistance with those issues, the Alaska Department of Health and Social Services conducted this survey to assess students' self-reported health risk behaviors.

With a better understanding of the risk behaviors that may lead to early morbidity and mortality, schools, agencies and communities will be better equipped to provide effective interventions, resources and quality prevention services. By addressing risk behaviors early and providing support and guidance, schools will provide students with a much greater opportunity to succeed in school and beyond.

This report describes the methods used to conduct and the results of the 2003 Alaska Youth Risk Behavior Survey (YRBS). The 2003 results are compared to the 1995 YRBS results for an overview of how risk behaviors have changed over the last several years among youth in Alaska. Where data are available, Alaska results are compared to U.S. 2001 YRBS results. The survey is intended to provide a better understanding of the health risk behaviors for students in public school settings. The YRBS asks students to self-report on their behaviors in six major areas of health that directly lead to morbidity and mortality in adult populations within our country.

How To Use This Report

The results of the YRBS can help detect changes in risk behaviors over time and provide an important piece of program evaluation. The information from the YRBS will identify and highlight the differences and similarities in risk behaviors among high school students in Alaska and the US. This information will help schools, communities and parents focus primary prevention efforts and better utilize limited resources.

Think of this report as a tool for starting discussions, for encouraging parent involvement, for educating the community, for planning and evaluating programs, for comparing Alaska students with other students nationwide and strengthening existing programs and policies.

- **Starting the Conversation.** Use this report to begin a conversation with young people about the personal choices they make or about the health of their community. Ask them if the results accurately reflect what they see happening around them. How do they explain the results? What ideas do they have about ways to promote healthy behaviors? From their perspective, what seems to be working and what isn't working?
- **Increasing Awareness.** This report provides an opportunity to make community members aware of the risks that their young people face. It can dispel myths and correct misinformation about the "average teenager." In addition, you can use the YRBS to **accentuate the positive**, and to celebrate the fact that many students are abstaining from behaviors that endanger their health and their ability to succeed.

- **Planning and Evaluating Programs.** The results of this report can serve as the basis for a school and/or community needs assessment. It can help identify strengths and weaknesses in current programs and can suggest strategies to address gaps in services to students. Identifying areas that need strengthening can expand professional development efforts within schools and in the larger community.
- **Alaska and National Comparisons.** The Centers for Disease Control and Prevention (CDC) conducts a biennial YRBS of a national sample of high school students. These results permit us to draw comparisons between Alaska and the nation.
- **Alaska Comparisons 1995 to 2003.** The Centers for Disease Control and Prevention provides a Trend Analysis Report to states who have conducted and received weighted data from the YRBS in multiple years. The report indicates where statistically significant trends exist for each standard YRBS question and helps states to determine if behaviors have increased, decreased, or stayed the same over time. We have noted the statistically significant changes throughout this document wherever applicable. They are noted with an * by the 2003 percentage value in the charts and graphs and stated as significant in the text.

Youth Risk Behavior Survey Background

The Youth Risk Behavior Survey (YRBS) is part of an epidemiological surveillance system that was established in 1988 by the U.S. Centers for Disease Control and Prevention (CDC) to help monitor the prevalence of behaviors that not only influence adolescent health, but also put youth at risk for the most significant health and social problems that can occur during adolescence and adulthood.

The YRBS specifically investigates behaviors related to the leading causes of mortality, morbidity and social problems among youth in the United States. Among deaths occurring to youths aged 10-24 years, 70% are due to intentional and unintentional injuries (motor-vehicle crashes, homicide, suicide and other unintentional injuries).¹ Results from the 2003 YRBS demonstrate that numerous high school students are engaging in these behaviors increasing their likelihood of dying from these four causes. Additionally, many behaviors that contribute to preventable adult deaths are initiated during adolescence. Among adults in the U.S. over 25 years of age, 64.6% of deaths are caused by cardiovascular disease (41.0%) and cancer (23.6%).¹ Behaviors related to these causes of death include: use of tobacco; excessive consumption of fats, calories and sodium; insufficient consumption of milk, fiber, fruits and vegetables; and insufficient physical activity.

Voluntary behaviors directly contribute to the deaths, diseases and social problems described above. Examples of risk behaviors include: carrying a weapon, physical fighting, suicide attempts, drinking or using drugs, lack of seatbelt or helmet use and unprotected sexual intercourse.

The YRBS survey examines six categories of adolescent behavior:

- behaviors that result in unintentional and intentional injuries;
- tobacco use;
- alcohol and other drug use;
- sexual behaviors that can result in HIV infection, other sexually transmitted diseases (STD's) and unintended pregnancies;
- dietary behaviors; and
- physical activity.

The YRBS high school survey was first implemented at the national level in 1990. Since that time CDC has sponsored national and state surveys in 1991, 1993, 1995, 1997, 1999, 2001 and, most recently, in 2003. Alaska first participated in the YRBS in 1995 at both the high school and middle school levels and obtained weighted (representative) statewide data. Due to external factors, the YRBS was not administered in 1997. It was administered in 1999, however the 1999 sample did not include the Anchorage School District, the state's largest school district. Without Anchorage, the data were not representative of the state as a whole. The survey was administered in 2001 with the participation of Anchorage, but not enough student responses statewide were collected, and so no data were analyzed. A major obstacle in 2001 was the active parental consent law that had just gone into effect at the end of the 1999 survey administration. In 2003 the survey was administered statewide with active parental consent and weighted (representative) data were obtained. Comparisons with 1995 data, the only other representative statewide data, are highlighted throughout this report.

Methodology

The 2003 YRBS was a replica of the 1995 YRBS with the exception that active parental consent was used in 2003 and additional questions were added. As a result, the 2003 survey results are comparable to 1995.

A two-stage sample design was used to select the students eligible for participation. The first stage consisted of selecting schools. Schools were selected with probability proportional to the size of their enrollment. Alaska has a large number of small schools, which means more schools were needed to obtain the number of students required for the desired precision. Once a school was selected, classes were selected as the second stage. Eligible classes were those where a student would be enrolled in one and only one class at a time. For example second period or required English. This gave each student an equal opportunity of being selected. At any time a school district, an individual school, a student's parents, or a specific student had the opportunity to decline to participate.

The samples were scientifically selected with each eligible student in the school population having an equal probability of being selected. This sampling process is most often referred to as probability sampling. The size of a sample is related directly to the size of the eligible population, the estimated student response rate, and the desired precision of the results. The eligible student population was determined from the official 2002 October enrollment counts reported by the Alaska Department of Education & Early Development. The enrollment count was edited to include only students in grades 9 through 12. The school list was edited to remove boarding, correspondence, home study, alternative, and correctional schools. A sufficient number of students were selected to give a plus or minus five percent margin of error for each question.

The numbers sampled in each stage were adjusted upward in anticipation that some schools and students would fail to participate. To ensure that sample results can be generalized to the total population, the overall participation rate (school participation rate multiplied by the student participation rate) must be equal to or greater than 60 percent. The overall 2003 high school YRBS participation rate exceeded 60 percent and the results are weighted to represent risk behaviors of all students enrolled in Alaska public high schools in grades 9-12.

At the classroom level, teachers were given a script to read to students that established guidelines for student privacy and anonymity and the importance of the survey. Each student was given an unmarked envelope in which to seal his or her survey before turning it in. These survey envelopes remained sealed until received at a central state collection site. No individual identifiers were recorded on the surveys or sealed envelopes.

The Centers for Disease Control and Prevention (CDC) and Westat, Inc, a CDC contractor, analyzed the state survey data. Analysis included performance of extensive edit checks to identify survey inconsistencies. When inconsistencies were found, responses were excluded from the analysis. For example, if a student reported in one question having never been in a physical fight, but then reported in another question being hurt in a physical fight, the data on that student were excluded for the two questions related to physical fighting. These inconsistencies occurred with a frequency of less than 2% on average. There were only 14 questions which had logic inconsistencies higher than 5% and all were less than 11%.

At the same time that Alaska implemented the YRBS, a national YRBS was conducted at the high school level. Because the results of the national YRBS 2003 survey were not available at the time this report was written, when applicable, 2001 national YRBS results were used for comparison.

Survey Limitations

The 2003 YRBS provides descriptive data on the who, what, where and when of the self-reported behaviors in a number of major risk categories. The YRBS survey does not attempt to answer the questions of why and how. The descriptive data apply only to students attending public high schools (grades 9-12) in Alaska.

Participation in the Statewide Survey

The high school sample was drawn with a desired precision of ± 5 percent. The high school sample included 42 schools from 19 districts and sought 2,175 completed questionnaires. The overall response rate was 62 percent with 90 percent of the schools and 68 percent of the students participating. The high school survey results can be generalized to the eligible students in grades 9 - 12. Table 1 provides a comparison of the sampled student characteristics to those characteristics in the statewide enrollment as well as the characteristics in the eligible population. As can be seen the adjusted weighted percentages closely mirror the percentages of students by sex and grade, but not race/ethnicity. This is because the gender/grade characteristics reported by each participating class were used to calculate the final weighted value.

Table 1: High School Student Demographic Characteristics

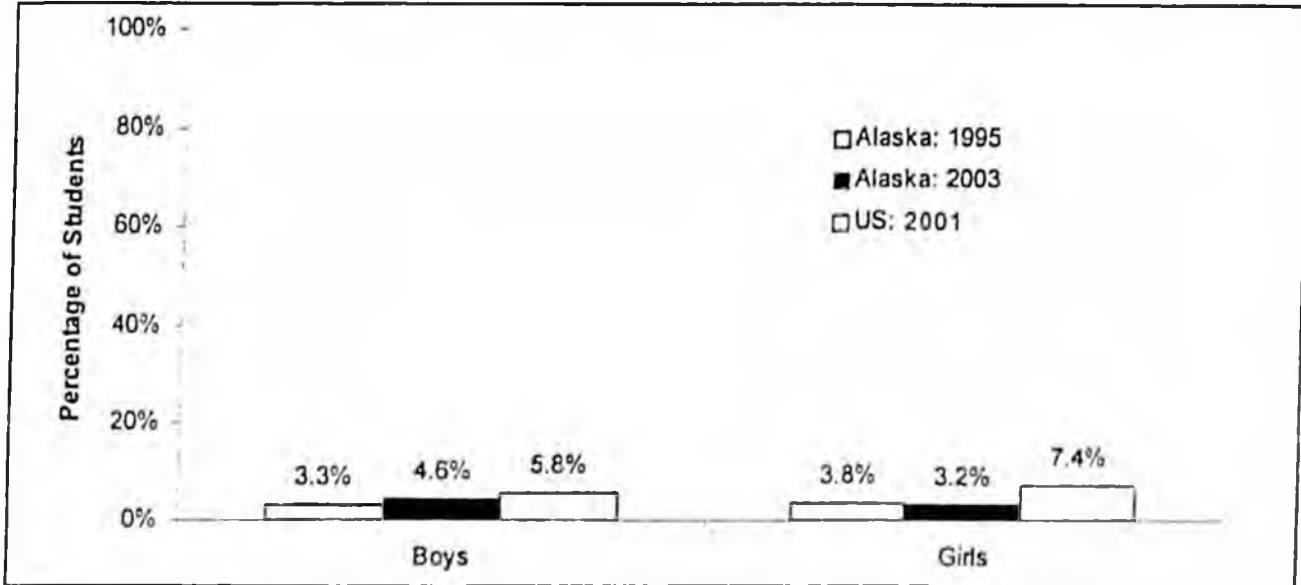
		% Total Statewide Enrollment	% Eligible for Sample Selection	% In Sample	Adjusted Weighted %
Sex	Female	48.1	47.8	47.9	48.1
	Male	51.9	52.2	51.4	51.9
	Refused Response	n/a	n/a	0.7	**
Grade	9th	29.7	30.2	34.4	30.0
	10th	25.6	25.8	21.1	25.7
	11th	22.7	22.8	24.4	22.7
	12th	22.0	21.2	18.4	21.1
	Other/Missing	n/a	n/a	1.6	0.5
Race/Ethnicity	Alaskan/American Native	23.0	22.9	19.9	23.0
	Asian/Pacific Islander	6.3	6.8	7.2	8.1
	African American/Black	4.3	4.4	2.9	1.8
	Hispanic	3.1	3.2	4.3	3.0
	White	61.4	61.5	60.7	61.4
	Multiple Races	2.0	1.2	4.2	2.7
	Refused Response	n/a	n/a	0.9	**

n/a indicates not available.

** indicates responses excluded from weighted calculations.

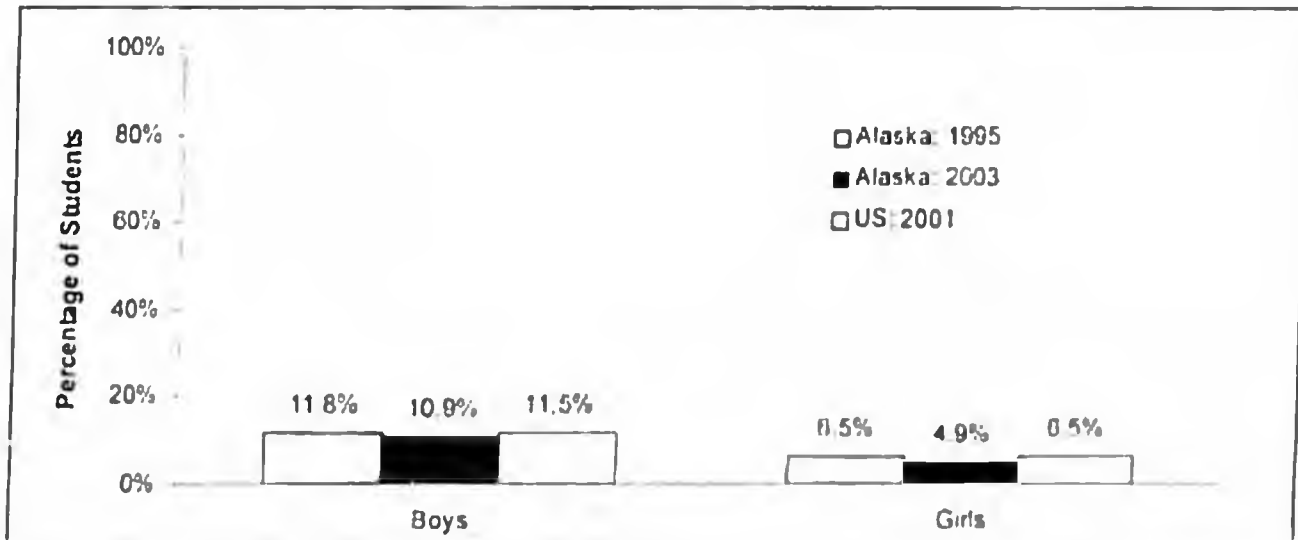
Did Not Go to School on One or More Days in Past 30 Days Because They Felt Unsafe

Among Alaska high school students fewer than 5% of either boys or girls did not go to school because they felt unsafe. Boys show a slight increase (1.3%) from 1995, as where among girls there appears to be no difference.



Threatened or Injured by a Weapon on School Property

Among Alaska high school students, 10.9% of boys and 4.9% of girls report having been threatened or injured with a weapon such as a gun, knife or club on school property within the past 12 months. There has been little or no change in this behavior since 1995. A smaller percentage of both Alaska boys and girls report having been threatened or injured with a weapon on school property than U.S. boys and girls report.



 **NCES**
National Center for
Education Statistics

Indicators of School Crime and Safety: 2004

BJS
Bureau of
Justice Statistics

U.S. Department of Education
Institute of Education Sciences
NCES 2005-002

U.S. Department of Justice
Office of Justice Programs
NCJ 205290



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National Center for
Education Statistics

BJS

Bureau of
Justice Statistics

U.S. Department of Education
Institute of Education Sciences
NCES 2005-002

U.S. Department of Justice
Office of Justice Programs
NCJ 205290

Indicators of School Crime and Safety: 2004

November 2004

Jill F. DeVoe
Education Statistics Services Institute

Katharin Peter
Phillip Kaufman
MPR Associates, Inc.

Amanda Miller
Margaret Noonan
Education Statistics Services Institute

Thomas D. Snyder
National Center for Education Statistics

Katrina Baum
Bureau of Justice Statistics

U.S. Department of Education
Rod Paige
Secretary

Institute of Education Sciences
Grover J. Whitehurst
Director

National Center for Education Statistics
Robert Lerner
Commissioner

U.S. Department of Justice
John Ashcroft
Attorney General

Office of Justice Programs
Deborah J. Daniels
Assistant Attorney General

Bureau of Justice Statistics
Lawrence A. Greenfeld
Director

The National Center for Education Statistics (NCES) is the primary federal entity for collecting, analyzing, and reporting data related to education in the United States and other nations. It fulfills a congressional mandate to collect, collate, analyze, and report full and complete statistics on the condition of education in the United States; conduct and publish reports and specialized analyses of the meaning and significance of such statistics; assist state and local education agencies in improving their statistical systems; and review and report on education activities in other countries.

The Bureau of Justice Statistics (BJS) is the primary federal entity for collecting, analyzing, publishing, and disseminating statistical information about crime, its perpetrators and victims, and the operation of the justice system at all levels of government. These data are critical to federal, state, and local policymakers in combating crime and ensuring that justice is both efficient and evenhanded.

November 2004

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Contact at NCES:

Thomas D. Snyder
(202) 502-7452
E-mail: Tom.Snyder@ed.gov

Contact at BJS:

Katrina Baum
(202) 307-5889
E-mail: Katrina.Baum@usdoj.gov



EXECUTIVE SUMMARY

For youth to fulfill their potential in school, schools should be safe and secure places for all students, teachers, and staff members. Without a safe learning environment, teachers may have difficulty teaching and students may have difficulty learning. Gauging the safety of the school environment, however, may be difficult given the large amount of attention devoted to isolated incidents of extreme school violence nationwide.

Ensuring safer schools requires establishing good indicators of the current state of school crime and safety across the nation and periodically monitoring and updating these indicators. *Indicators of School Crime and Safety* is designed to provide an annual snapshot of specific crime and safety indicators, covering topics such as victimization, fights, bullying, classroom disorder, teacher injury, weapons, and student perceptions of school safety. In addition to covering a wide range of topics, the indicators are based on information drawn from a wide range of sources, including surveys of students, teachers, and principals, and data collections by federal departments and agencies such as the National Center for Education Statistics (NCES), the Bureau of Justice Statistics (BJS), the Federal Bureau of Investigation (FBI), and the Centers for Disease Control and Prevention (CDC).

KEY FINDINGS

The key findings of the report are presented below.

Violent Deaths at School

From July 1, 1999, through June 30, 2000, there were 32 school-associated violent deaths in the United States (*Indicator 1*). Twenty-four of these violent deaths were homicides and 8 were suicides. Sixteen of the 24 school-associated homicides involved school-aged children. These 16 homicides are a relatively small percentage (1 percent) of the total of 2,124 children ages 5–19 who were victims of homicide over the same period. Six of the 8 school-associated suicides from July 1, 1999, through June 30, 2000, involved school-aged children. Away from school, there were a total of 1,922 suicides of children ages 5–19 during the 2000 calendar year.

Nonfatal Student Victimization—Student Reports

The victimization rate for students ages 12–18 generally declined both at school and away from school between 1992 and 2002; this was true for the total crime rate as well as for thefts, serious violent crimes (including rape, sexual assault, robbery, and aggravated assault), and violent crimes (that is, serious violent crime plus simple assault) (*Indicator 2*). While this overall trend indicates a decline during this time frame, no difference was detected between 2001 and 2002 in the total crime rate, the rate of theft, or the rate of violent victimization either at or away from school.

- In 2002, students ages 12–18 were more likely to be victims of nonfatal serious violent crime away from school than at school (*Indicator 2*).¹ Students in this age range were victims of about 309,000 serious violent crimes away from school, compared with about 88,000 at school.
- In 2002, younger students (ages 12–14) were more likely than older students (ages 15–18) to be victims of crime at school, while older students were more likely than younger students to be victims away from school (*Indicator 2*).
- In 2003, 5 percent of students ages 12–18 reported being victims of nonfatal crimes, 4 percent reported being victims of theft, and 1 percent reported being victims of violent incidents (*Indicator 3*).
- ~~The percentage of students in grades 9–12 who have been threatened or injured with a weapon on school property fluctuated between 1993 and 2003, but will have a clear trend (*Indicator 4*). In all survey years from 1993 to 2003, 7–9 percent of students reported being threatened or injured with a weapon such as a gun, knife, or club on school property in the preceding 12 months.~~
- Between 1993 and 2003, the percentage of students in grades 9–12 who reported being in a fight anywhere declined from 42 percent to 33 percent (*Indicator 5*). Similarly, the percentage of students in grades 9–12 who reported fighting on school property declined over this period, from 16 percent to 13 percent.
- In 2003, 7 percent of students ages 12–18 reported that they had been bullied at school. The percentage of students in this age range who had been bullied increased from 5 percent in 1999 to 8 percent in 2001, but no differences were detected between 2001 and 2003 (*Indicator 6*).
- In 2003, public school students were more likely than private school students to report being bullied (7 vs. 5 percent) (*Indicator 6*). In the same year, rural students were more likely than their urban and suburban counterparts to report being bullied (10 percent of rural students vs. 7 percent each of urban and suburban students).

Violence and Crime at School—Public School Reports

In 1999–2000, 20 percent of all public schools experienced one or more serious violent crimes such as rape, sexual assault, robbery, and aggravated assault. Seventy-one percent of public schools reported violent incidents and 46 percent reported thefts (*Indicator 7*). This report also provides the number of disciplinary actions taken by school principals for reasons not related to academics. About 54 percent of public schools reported taking a serious disciplinary action in the 1999–2000 school year. Of those disciplinary actions, 83 percent were suspensions lasting 5 days or more, 11

¹These data are not adjusted by the number of hours that students spend on school property and the number of hours they spend elsewhere.

percent were removals with no services (i.e., expulsions), and 7 percent were transfers to specialized schools (*Indicator 8*).

- Secondary schools were more likely than other schools to experience a violent incident during the 1999–2000 school year (92 vs. 61–87 percent for elementary, middle, and combined schools) (*Indicator 7*).
- Two percent of public schools took a serious disciplinary action for the use of a firearm or explosive device, and 4 percent did so for the possession of a firearm or explosive device (*Indicator 8*).

Nonfatal Teacher Victimization at School—Teacher Reports

Annually, over the 5-year period from 1998 to 2002, teachers were the victims of approximately 234,000 total nonfatal crimes at school, including 144,000 thefts and 90,000 violent crimes (rape, sexual assault, robbery, aggravated assault, and simple assault) (*Indicator 9*).

- Over the 5-year period from 1998 to 2002, senior high school and middle/junior high school teachers were more likely than elementary school teachers to be victims of violent crimes (most of which were simple assaults) (30 and 26 crimes, respectively, vs. 12 crimes per 1,000 teachers) (*Indicator 9*).
- Teachers were differentially victimized by violent crimes at school according to where they taught (*Indicator 9*). Over the 5-year period from 1998 to 2002, urban teachers were more likely than rural and suburban teachers to be victims of violent crimes.
- In the 1999–2000 school year, 9 percent of all elementary and secondary school teachers were threatened with injury by a student, and 4 percent were physically attacked by a student (*Indicator 10*).

School Environment

The percentage of students who reported being afraid of being attacked at school or on the way to and from school decreased from 12 percent in 1995 to 6 percent in 2001. No difference was detected between the most recent survey years, 2001 and 2003, in the percentage of students who feared such an attack (*Indicator 12*). In 1999 and 2001, students were more likely to be afraid of being attacked at school or on the way to and from school than away from school; however, in 2003, no difference was detected in the percentage of students who reported fear of an attack at school and those fearing an attack away from school.

- Between 1993 and 2003, the percentage of students in grades 9–12 who reported carrying a weapon such as a gun, knife, or club on school property within the previous 30 days declined—from 12 percent to 6 percent (*Indicator 11*).
- In 2003, 4 percent of students ages 12–18 reported that they had avoided one or more places in school (*Indicator 13*). Between 1995 and 1999, the percentage of students ages 12–18 who avoided one or more places in school decreased from 9 to 5 percent, but no difference was detected in the percentage of students who did so in 1999, 2001, and 2003 (between 4 and 5 percent in each year).
- In 2003, 12 percent of students ages 12–18 reported that someone at school had used hate-related words against them (*Indicator 14*). That is, in the previous 6 months, someone at school had called them a derogatory word related to race, religion, ethnicity, disability, gender, or sexual orientation. During the same period, about 36 percent of students ages 12–18 saw hate-related graffiti at school.
- In 2003, 21 percent of students ages 12–18 reported that street gangs were present at their schools (*Indicator 15*). Students in urban schools were the most likely to report the presence of street gangs at their school (31 percent), followed by suburban students and rural students, who were the least likely to do so (18 and 12 percent, respectively).
- In 1999–2000, public school principals were asked to report how often certain disciplinary problems occurred at their schools. Twenty-nine percent reported that student bullying occurred on a daily or weekly basis and 19 percent reported that student acts of disrespect for teachers occurred at the same frequency (*Indicator 16*). Additionally, 13 percent reported student verbal abuse of teachers, 2 percent reported occurrences of student racial tensions, and 3 percent reported widespread disorder in the classrooms on a daily or weekly basis.
- In 2003, 5 percent of students in grades 9–12 had at least one drink of alcohol on school property in the 30 days prior to the survey, and 45 percent of students had at least one drink anywhere (*Indicator 17*).
- In 2003, 22 percent of students in grades 9–12 reported using marijuana anywhere during the previous 30 days, and 6 percent reported using marijuana on school property (*Indicator 18*).
- In 2003, 29 percent of students in grades 9–12 reported that someone had offered, sold, or given them an illegal drug on school property in the 12 months prior to the survey (*Indicator 19*).

TABLE. (Continued) Percentage of high school students who reported violence-related behaviors, by sex, race/ethnicity and grade — Youth Risk Behavior Survey, United States, 1991–2003*

Behavior	1991	1993	1995	1997	1999	2001	2003
	% (95% CI) [†]	% (95% CI)	% (95% CI)	% (95% CI)	% (95% CI)	% (95% CI)	% (95% CI)
In a physical fight on school property^{††}							
Overall	—	16.2 (±1.2)	15.5 (±1.6)	14.8 (±1.3)	14.2 (±1.2)	12.5 (±1.0)	12.8 (±1.5) ^{††}
Sex							
Female	—	8.6 (±1.4)	9.5 (±1.9)	8.6 (±1.5)	9.8 (±1.9)	7.2 (±0.9)	8.0 (±1.4) [†]
Male	—	23.5 (±1.4)	21.0 (±1.9)	20.0 (±2.0)	18.5 (±1.3)	18.0 (±1.5)	17.1 (±1.8) [†]
Race/Ethnicity							
White, non-Hispanic	—	15.0 (±1.3)	12.9 (±1.2)	13.3 (±1.7)	12.3 (±1.7)	11.2 (±1.2)	10.0 (±1.4) [†]
Black, non-Hispanic	—	22.0 (±2.7)	20.3 (±2.2)	20.7 (±2.4)	16.7 (±3.0)	16.8 (±2.5)	17.1 (±2.5) [†]
Hispanic	—	17.9 (±3.1)	21.1 (±3.3)	19.0 (±2.9)	15.7 (±1.8)	14.1 (±1.7)	16.7 (±2.2) [†]
Grade							
9th	—	23.1 (±3.0)	21.6 (±3.5)	21.3 (±2.5)	18.6 (±2.0)	17.3 (±1.5)	18.0 (±2.4) [†]
10th	—	17.2 (±2.1)	16.5 (±3.0)	17.0 (±3.3)	17.2 (±2.4)	13.5 (±1.7)	12.8 (±1.8) [†]
11th	—	13.8 (±2.5)	13.6 (±2.0)	12.5 (±1.7)	10.8 (±2.0)	9.4 (±1.4)	10.4 (±1.8) [†]
12th	—	11.4 (±1.3)	10.6 (±1.3)	9.5 (±1.4)	8.1 (±2.0)	7.5 (±1.1)	7.3 (±1.4) [†]
Threatened or injured with a weapon (e.g., a gun, knife, or club) on school property^{††}							
Overall	—	7.3 (±0.9)	8.4 (±1.1)	7.4 (±0.9)	7.7 (±0.8)	8.9 (±1.1)	9.2 (±1.5)
Sex							
Female	—	5.4 (±0.8)	5.8 (±1.4)	4.0 (±0.6)	5.8 (±1.3)	6.5 (±1.0)	6.5 (±1.2)
Male	—	9.2 (±1.3)	10.9 (±1.2)	10.2 (±1.4)	9.5 (±1.6)	11.5 (±1.3)	11.6 (±1.9)
Race/Ethnicity							
White, non-Hispanic	—	6.3 (±1.1)	7.0 (±1.0)	6.2 (±1.1)	6.6 (±0.7)	8.5 (±1.3)	7.8 (±1.5) [†]
Black, non-Hispanic	—	11.2 (±1.8)	11.0 (±3.3)	9.9 (±1.8)	7.6 (±1.7)	9.3 (±1.4)	10.9 (±1.6) ^{**}
Hispanic	—	8.6 (±1.5)	12.4 (±3.2)	9.0 (±1.2)	9.8 (±2.1)	8.0 (±2.1)	9.4 (±2.4)
Grade							
9th	—	0.4 (±1.8)	9.6 (±2.0)	10.1 (±2.0)	10.5 (±1.8)	12.7 (±1.7)	12.1 (±2.5) [†]
10th	—	7.3 (±1.2)	9.6 (±2.1)	7.9 (±2.2)	8.2 (±1.8)	9.1 (±1.5)	9.2 (±2.0)
11th	—	7.3 (±1.3)	7.7 (±1.3)	5.9 (±1.4)	6.1 (±0.9)	6.1 (±1.3)	7.3 (±1.4) ^{**}
12th	—	5.5 (±1.2)	6.7 (±1.1)	5.6 (±1.6)	5.1 (±1.6)	5.3 (±1.0)	6.3 (±1.9)
Did not go to school because of safety concerns[‡]							
Overall	—	4.4 (±0.7)	4.5 (±0.7)	4.0 (±0.6)	5.2 (±1.3)	6.6 (±1.0)	5.4 (±0.8) ^{††}
Sex							
Female	—	4.4 (±0.9)	4.3 (±1.1)	3.9 (±0.7)	5.7 (±1.5)	7.4 (±1.3)	5.3 (±1.0) [†]
Male	—	4.3 (±0.8)	4.7 (±1.1)	4.1 (±0.8)	4.8 (±1.6)	5.8 (±1.1)	5.5 (±1.0)
Race/Ethnicity							
White, non-Hispanic	—	3.0 (±0.7)	2.8 (±0.8)	2.4 (±0.6)	3.9 (±1.3)	5.0 (±1.2)	3.1 (±0.6) [†]
Black, non-Hispanic	—	7.1 (±1.4)	7.7 (±1.8)	6.8 (±1.5)	6.0 (±1.2)	9.8 (±1.5)	8.4 (±1.2)
Hispanic	—	10.1 (±1.7)	8.5 (±2.7)	7.2 (±1.7)	11.2 (±3.3)	10.2 (±1.3)	9.4 (±1.5)
Grade							
9th	—	6.1 (±0.8)	5.6 (±1.6)	5.5 (±1.0)	7.0 (±1.8)	8.8 (±1.7)	6.9 (±1.2)
10th	—	5.2 (±1.4)	5.0 (±1.2)	4.0 (±1.0)	4.8 (±1.4)	6.3 (±1.3)	5.2 (±1.1)
11th	—	3.3 (±1.0)	4.1 (±1.0)	4.2 (±1.7)	4.5 (±1.8)	5.9 (±1.2)	4.5 (±1.0) [†]
12th	—	7.0 (±1.0)	3.3 (±1.0)	2.6 (±0.8)	3.9 (±1.5)	4.4 (±0.7)	3.8 (±1.1)

* Linear and quadratic trend analyses were conducted by using a logistic regression model controlling for sex, race/ethnicity, and grade. Prevalence estimates shown here were not standardized by demographic variables.

† Confidence interval.

‡ On ≥1 of the 30 days preceding the survey.

† Significant (p<0.05) linear effect.

** Significant quadratic effect.

†† One or more times during the 12 months preceding the survey.

‡‡ Injuries had to be treated by a doctor or nurse.

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HB 88



FRANK H. MURKOWSKI
GOVERNOR

GOVERNOR@GOV.STATE.AK.US

P.O. Box 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 18, 2005

The Honorable John Harris
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill, the School Violence Prevention Act of 2005, that addresses certain weapons violations by children and assault and other crimes by adults in schools. Violence by students and adults in schools is simply unacceptable.

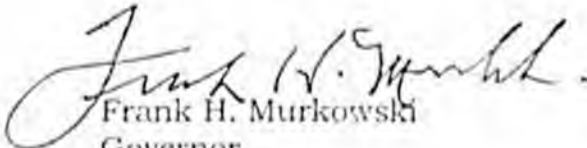
This bill would provide that minors who are 16 or 17 years old and commit certain felony misconduct involving weapons are automatically waived to adult court. This will deter such potentially lethal activity with a weapon by holding these minors accountable to the same legal consequences adults face for this conduct. When minors engage in a dispute and weapons are brought into the situation, the negative effects are magnified for all involved.

This bill also addresses violence by adults at school. It would adopt an aggravating factor in sentencing for those convicted of a crime against a person, such as assault, on a school employee on school grounds or at a school-sponsored event.

The enactment of this legislation will send the message that Alaskans will not tolerate violence in our schools, either by minors or adults. All children and teachers in this state should have a safe environment in which to work and learn.

I urge your prompt and favorable action on this measure.

Sincerely yours,


Frank H. Murkowski
Governor

Enclosure

SENATE COMMITTEE REPORT

DATE: 4/11/05

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 4/25/05

Judiciary Committee considered CS FOR HOUSE BILL NO. 88(RLS)

HB 88 CRIM LAW:MINORS, SCHOOLS, DRUGS,SENTENCES

"An Act relating to certain weapons offenses involving minors; relating to the definition of 'recreation or youth center' for purposes of misconduct involving a controlled substance; to aggravating factors in sentencing for certain offenses committed on school grounds, on a school bus, at a school-sponsored event, or in administrative offices of a school district; to mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other persons who committed an offense; and providing for an effective date."

and recommends:

- be replaced with S CS CSHB 88 (JUD)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
H.FIN/HSS	3/21/05		✓		3
H.FIN/LAW	3/21/05		✓		4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
French			✓	
Gness			✗	
Therriault	✗			
Huggins	✗			
CHAIR:	✓			

French
Gness
Therriault
Huggins
Seelins