

SB

89

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
 APR 17 2007
 SENATE FINANCE COMMITTEE

DATE: 3/16/07

FURTHER:

DATE TURNED
 IN TO OFFICE: 4/17/07

Finance Committee considered SENATE BILL NO. 89

SB 89 ELECTRONIC MONITORING OF GANG PROBATIONER

"An Act relating to requiring electronic monitoring as a special condition of probation for offenders whose offense was related to a criminal street gang."

and recommends:

- be replaced with SCS or CS SB 89 (FIN)
- adopt previous SCS or CS _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

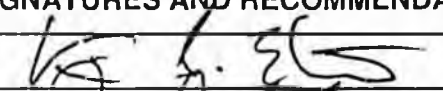


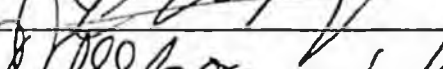

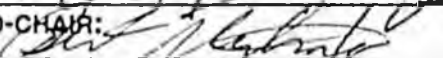

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DOC	4/16/07			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
Admin PDA	3/5/07		✓		4
Admin OPA	3/5/07		✓		3
Court	3/2/07		✓		2
Law	3/6/07			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	ELTON	✓			
	THOMAS	✓			
	DYSON	✓			
	HUGGINS	✓			
	OLSON			✓	
CO-CHAIR: 	HOFFMAN			✓	
CO-CHAIR: 	STEDMAN			✓	

FISCAL NOTE

REPORTED OUT
APR 17 2007
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSB 89(JUD)
 (S) Publish Date: 3/16/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title An Act relating to electronic monitoring of gang RDU Criminal
probationers. Component Criminal Justice Litigation
 Sponsor SENATOR(S) WIELECHOWSKI, McGuire
 Requester SENATE JUDICIARY Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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 ()						
------------------------	--	--	--	--	--	--

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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill would require electronic monitoring as a special condition of probation for offenders whose offense was related to a criminal street gang. The department does not anticipate any significant fiscal impact.

Prepared by: Robert Meiners, Acting Director
 Division: Administrative Services Division
 Approved by: Robert Meiners for Talis Colberg, Attorney General
 Agency: Department of Law

Phone: 465-5427
 Date/Time: 3/6/07 9:36 AM
 Date: 3/6/2007

FISCAL NOTE

STATE OF ALASKA
 2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSB 89(JUD)
 (S) Publish Date: 3/16/07

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Electronic monitoring of gang probationer RDU Alaska Court System
 Component Trial Courts
 Sponsor Senator Wielechowski
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING

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

Estimate of any current year (FY2007) cost: 00
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 Senate Bill 89 requires that a defendant be subject to electronic monitoring during the period of probation if the crime for which he or she was convicted was proven to be related to a criminal street gang. This bill would result in much closer monitoring of those probationers and likely lead to more petitions to revoke probation coming to the court. This increase in workload will mean an increase in the resources necessary to resolve those cases. However, because the number of cases likely to come before the court as a result of this new probationary condition is unknown, the extent of the bill's impact on the court system is too speculative to support a fiscal note at this time.

Prepared by: Doug Wooliver, Administrative Attorney Phone: 463-4750
 Division: Alaska Court System Date/Time: 3/2/07 8:30 AM
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date: 3/2/2007
 Agency: Alaska Court System

FISCAL NOTE

REPORTED OUT
APR 17 2007
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSSB 69(JUD)
 (S) Publish Date: 3/16/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An act relating to requiring electronic monitoring RDU Legal and Advocacy Services
as a special condition of probation... Component Office of Public Advocacy
 Sponsor Senator Wielechowski
 Requester Senate Judiciary Committee Component No. 43

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services
Travel
Contractual
Supplies
Equipment
Land & Structures
Grants & Claims
Miscellaneous
TOTAL OPERATING

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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 (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 This bill requires the court to impose, as a special condition of probation, electronic monitoring with GPS tracking for persons convicted of criminal offenses related to gang related activity. This requirement appears to cover the entire period of probation, which may last five to ten years, and does not provide guidance on who would bear the cost. The burden of this additional requirement could impact the negotiation process and affect the litigation and trial rate. It is not possible, however, to determine with any accuracy the potential fiscal impact of this requirement. The Agency, therefore, submits an indeterminate fiscal note.

Prepared by: Joshua P. Fink Phone 907-269-3501
 Division: Office of Public Advocacy Date/Time 3/4/07 at 2:34 p.m.
 Approved by: Rachael Petro, Deputy Commissioner Date 3/5/07 at 8:30am
 Agency: Administration

COMMITTEE COPY

FISCAL NOTE

STATE OF ALASKA
 2007 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSSB 89(JUD)
 (S) Publish Date: 3/16/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An act relating to requiring electronic monitoring as a special condition of probation... RDU: Legal and Advocacy Services
 Component: Public Defender Agency
 Sponsor: Senator Wielechowski
 Requester: Senate Judiciary Committee Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	*	*	*	*	*	*
Travel	*	*	*	*	*	*
Contractual	*	*	*	*	*	*
Supplies	*	*	*	*	*	*
Equipment	*	*	*	*	*	*
Land & Structures	*	*	*	*	*	*
Grants & Claims	*	*	*	*	*	*
Miscellaneous	*	*	*	*	*	*
TOTAL OPERATING	*	*	*	*	*	*

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	*	*	*	*	*	*

Estimate of any current year (FY2007) cost: 00

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill requires the court to impose, as a special condition of probation, electronic monitoring with GPS tracking for persons convicted of criminal offenses related to gang related activity. This requirement appears to cover the entire period of probation, which may last five to ten years, and does not provide guidance on who would bear the cost. The burden of this additional requirement could impact the negotiation process and affect the litigation and trial rate. It is not possible, however, to determine with any accuracy the potential fiscal impact of this requirement. The Agency, therefore, submits an indeterminate fiscal note.

Prepared by: Quinlan Steiner Phone 907-334-4400
 Division: Public Defender Agency Date/Time 3/4/07 at 2:34 p.m.
 Approved by: Rachael Petro, Deputy Commissioner Date 3/5/07 at 8:30am
 Agency: Administration

FISCAL NOTE

REPORTED OUT
APR 17 2007
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
 2007 LEGISLATIVE SESSION

Fiscal Note Number: CSSB089-DOC-A&O-4-11
 Bill Version: CSSB 89
 () Publish Date: _____

Revision Date/Time (Note if correction): 4/16/07 9:17 am Dept. Affected: Corrections
 Title An Act relating to electronic monitoring of a gang RDU Administration and Operations
probationer. Component Statewide Probation & Parole
 Sponsor Senator Wielechowski
 Requester Senate Judiciary Component No. 2826

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	107.8	107.8	107.8	*	*
Travel	0.0	2.0	2.0	2.0	*	*
Contractual	0.0	45.5	96.1	146.7	*	*
Supplies	0.0	13.1	2.4	2.4	*	*
Equipment	0.0	0.0	0.0	0.0	*	*
Land & Structures	0.0	0.0	0.0	0.0	*	*
Grants & Claims	0.0	0.0	0.0	0.0	*	*
Miscellaneous	0.0	0.0	0.0	0.0	*	*
TOTAL OPERATING	0.0	168.4	208.3	258.9	*	*

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1156)	0.0	18.7	46.6	74.6	*	*
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FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts	0.0	0.0	0.0	0.0	*	*
1003 GF Match	0.0	0.0	0.0	0.0	*	*
1004 GF	0.0	149.7	161.7	184.3	*	*
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	*	*
1037 GF/Mental Health	0.0	0.0	0.0	0.0	*	*
Other (Receipt Supported Services 1156)	0.0	18.7	46.6	74.6	*	*
TOTAL	0.0	168.4	208.3	258.9	*	*

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	0.0	1.0	1.0	1.0	*	*
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 The Department of Corrections will have a fiscal impact due to passage of this legislation. Passive Global Positioning System (GPS) tracking without Intensive Supervision Surveillance program (ISSP) would require one probation officer per every 40 probationers. This program has less contact monitoring but probationers are monitored by a computer and alarm system that contacts the probation officer if an offender goes in a prohibited area. Each offender would be required to pay \$17.04 per day to be on passive monitoring however, the department estimates only 30% of offenders will be able to pay.

 Data is not available on the exact number of offenders who would be impacted by this legislation. There are currently 96 offenders on probation that have gang related indicators, of these 36 are under intensive supervision. It is expected that the number of offenders in the (continued on Page 2)

Prepared by: Sharleen Griffin, Director Phone (907) 465-3339
 Division: Administrative Services Date/Time 4/16/07 9:16 AM
 Approved by: Dwayne Peoples, Deputy Commissioner Date 4/16/2007
 Agency: Department of Corrections

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

BILL NO. SB 89

ANALYSIS CONTINUATION

system is much higher than currently identified. The Juvenile System currently has 50 probationers and 23 pending probationers that may fit under this legislation. This indicates that a higher number will need to be under supervision in the future by DOC than currently estimated.

The fiscal note is calculated as follows; ten probationers in FY 2009, 25 probationers in FY 2010 and 40 probationers in FY 2011.

Please see below for costs the department has identified.

	FY 2009 PASSIVE GPS (w/out ISSP)	FY 2010 PASSIVE GPS (w/out ISSP)	FY 2011 PASSIVE GPS (w/out ISSP)
Ratio			
Number of Probation Officer's	1	1	1
Number of Offenders	40	40	40
Annual Costs			
Number of Positions	1	1	1
Personal Services	\$107,814.00	\$107,814.00	\$107,814.00
Travel	\$2,000.00	\$2,000.00	\$2,000.00
Services (exclude GPS)	\$11,700.00	\$11,700.00	\$11,700.00
Commodities*	\$13,100.00	\$2,400.00	\$2,400.00
TOTAL	\$134,614.00	\$123,914.00	\$123,914.00

*FY08 Includes One Time Start Up Costs of \$10,700 - Reduced in FY09.

Annual Revenues			
Number of Offenders	10	25	40
Daily Cost for Each Offender	\$17.04	\$17.04	\$17.04
Annual Cost for Each Offender	\$6,219.60	\$6,219.60	\$6,219.60
Estimate of Collections	30%	30%	30%
TOTAL	\$19,658.80	\$46,647.00	\$74,635.20

GPS Cost Per Offender / Per Day			
GPS Monitoring Cost	\$9.25	\$9.25	\$9.25
Weekly Cost for 1 Offender	\$64.75	\$64.75	\$64.75
Annual Cost for 1 Offender	\$3,367.00	\$3,367.00	\$3,367.00

Annual Contractual Cost for GPS			
Number of Offenders	10	25	40
Daily GPS Cost	\$9.25	\$9.25	\$9.25
Number of Days	365	365	365
TOTAL	\$33,762.50	\$84,406.25	\$135,050.00

TOTAL ESTIMATED COST **\$168,376.50** **\$208,320.25** **\$258,964.00**

General Funds	\$149,717.70	\$161,673.25	\$184,328.80
Revenues (Receipt Services)	\$18,658.80	\$46,647.00	\$74,635.20

25-LS0644L
Luckhaupt
4/11/07

CS FOR SENATE BILL NO. 89()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS WIELECHOWSKI, McGuire

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to requiring electronic monitoring as a special condition of probation
2 and parole for offenders whose offense was related to a criminal street gang."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 12.55.100 is amended by adding a new subsection to read:

5 (f) While on probation and as a special condition of probation for an offense
6 where the aggravating factor provided in AS 12.55.155(c)(29) has been proven or
7 admitted or the penalty for the offense was aggravated under AS 12.55.137, the court
8 shall require that the defendant submit to electronic monitoring. Electronic monitoring
9 under this section must provide for monitoring of the defendant's location and
10 movements by Global Positioning System technology. The court shall require a
11 defendant serving a period of probation with electronic monitoring as provided under
12 this section to pay all or a portion of the costs of the electronic monitoring, but only if
13 the defendant has sufficient financial resources to pay the costs or a portion of the
14 costs.

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* Sec. 2. AS 33.16.150 is amended by adding a new subsection to read:

(g) In addition to other conditions of parole imposed under this section for a prisoner serving a sentence for an offense where the aggravating factor provided in AS 12.55.155(c)(29) has been proven or admitted or the penalty for the offense was aggravated under AS 12.55.137, the board shall impose as a condition of special medical, discretionary, and mandatory parole a requirement that the prisoner submit to electronic monitoring. Electronic monitoring under this subsection must provide for monitoring of the prisoner's location and movements by Global Positioning System technology. The board shall require a prisoner serving a period of probation with electronic monitoring as provided under this section to pay all or a portion of the costs of the electronic monitoring, but only if the prisoner has sufficient financial resources to pay the costs or a portion of the costs.



Senator Bill Wielechowski Sponsor Statement

Senate Bill 89 "Electronic Monitoring of Gang Probationer"

"An Act relating to requiring electronic monitoring as a special condition of probation for offenders whose offense was related to a criminal street gang."

Anchorage has seen an increase in gang violence in recent years. The Anchorage Police Department has reported 20 gang related crimes so far in 2007. In 2006, the Police Department reported 122 gang-related cases.

This bill, which is a legislative priority for the Municipality of Anchorage, addresses a problem that has been documented by the Anchorage Police Department and prosecutors where gang members who have been convicted of violent gang-related crimes go back to gang activity when they are released on probation.

Senate Bill 89 would require people who are convicted of violent, gang-related crimes to wear electronic monitoring devices as a condition of their probation. The bill will help law enforcement officials to monitor the movement of violent offenders, and supervise their activity.

The scope of Senate Bill 89 is narrowly defined. It applies only to those people who have been convicted of violent crimes that are proven in a court of law to be gang related. It would not be used on other offenders.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

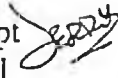
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 26, 2007

SUBJECT: SB 89 - Sectional Summary

TO: Senator Bill Wielechowski
Attn: George Ascott

FROM: Gerald P. Luckhaupt 
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. Amends AS ¹²16.55.100 by adding a new subsection that requires electronic monitoring (with GPS location and tracking ability) as a special condition of probation for offenders whose offense involved a criminal street gang.

GPL:med
07-129.med

Statutory Language Relating to Gangs

Sec. 12.55.137. Penalties for gang activities punishable as misdemeanors.

(a) If a person commits an offense that would be a class B misdemeanor and the person committed the offense for the benefit of, at the direction of, or in association with a criminal street gang, the offense is a class A misdemeanor.

(b) If a person commits an offense that would be a class A misdemeanor and the person committed the offense for the benefit of, at the direction of, or in association with a criminal street gang, the offense is a class C felony.

Sec. 12.55.155. Factors in aggravation and mitigation.

C (29) the defendant committed the offense for the benefit of, at the direction of, or in association with a criminal street gang;

(4) "criminal street gang" has the meaning given in AS 11.81.900 (b);

(13) "criminal street gang" means a group of three or more persons

(A) who have in common a name or identifying sign, symbol, tattoo or other physical marking, style of dress, or use of hand signs; and

(B) who, individually, jointly, or in combination, have committed or attempted to commit, within the preceding three years, for the benefit of, at the direction of, or in association with the group, two or more offenses under any of, or any combination of, the following:

(i) AS 11.41;

(ii) AS 11.46; or

(iii) a felony offense;

FRIDAY, MARCH 23

NEW DEADLINE MEANS LEGISLATURE MUST . . .

Knuckle down

LAST FRIDAY, WE would like to point out, was the 60th day of the 2007 legislative session in Juneau.

Were this Legislature working under a 90-day limit, this lawmaking session would now be two-thirds of the way toward adjournment.

It is clear now that legislators are not going to complete this year's business within the next few weeks. Obviously, despite the posturing by some in Juneau, this Legislature is on a 121-day course — looking at adjournment two months from now, not just in one. Too bad.

Next year, legislators will be under the gun — a voter-enacted law that puts a 90-day limit on the amount of time they can spend in their regular session. Some had hoped, given that mandate, that lawmakers would speed up their activities this year — if for no other reason than to get in training for 2008.

Unfortunately, some legislators are making noises that indicate they plan to ignore the new law next year. Too busy. Too much work to do. Not enough time. Too much this and too much that. To which we say, too much political hokey.

If there are legislators who can't knuckle down to business, can't work in the evenings and on weekends, and can't obey the law, then let them pack their bags and get a job in the real world. There are plenty of others who would be willing to abide by the will of the people and pledge to do all the legislative business necessary in a 90-day time frame.

The limit is nothing new. Alaska legislators in the past have worked under a 60-day limit. Others have done very well within 90 days, before the four-month time frame became the rule.

It's a matter of discipline. It's a matter of mind-set. It's a matter of commitment to doing the job.

Now, 60 days have gone by. We'll see how many remain before adjournment comes:

Ankle monitors

SEN. BILL WIELECHOWSKI is pushing a bill to put ankle monitors on paroled gang members to keep them from rejoining their gangs.

The Anchorage Democrat says the measure is a top priority of the Municipality of Anchorage, prosecutors and Anchorage police, who say parolees often go directly back to gang life.

Allowing them to be tracked while released, especially if resuming gang life is a violation of parole, would be a useful tool in stemming the growing problem of gangs in Anchorage.

Once a gang member is taken off the streets, authorities should have any means practical to keep them from resuming their old ways and committing the same crimes all over again. Ankle monitors are one good solution.

The bill deserves to be passed.

Alaska has critical shortage of physicians

Health system m

By SEN. LISA MURKOWSKI

Our nation is facing a physician shortage crisis, and in Alaska our situation has become increasingly magnified.

Alaska has the sixth lowest ratio of physicians to population of the United States. Outside of Anchorage, the ratio is the worst in the nation. To reach the national average by 2025, Alaska needs a net increase of 980 physicians statewide, or 49 more physicians per year. And our critical need for physicians is further magnified given that our state has the second-fastest-growing senior population in the nation.

Unfortunately, Alaska has no medical school. In addition, Alaska has both the lowest per capita number of medical school slots in the country and the lowest number of residency spots.

To shine an even greater spotlight on this crisis, I recently convened a field hearing in

Anchorage of the Health, Education, Labor, and Pensions (HELP) Committee, on which I sit in the U.S. Senate, to examine the physician shortage crisis facing Alaska and other parts of rural America.

During the hearing we heard the dire predictions that a "perfect storm" is forming, and the health care crisis will only get much worse before it gets better.

So where are our doctors going?

We're losing our doctors through attrition: one-third of physicians are 55 years old and older and are likely to retire just as the baby boom generation moves into its time of greatest medical need. Additionally, for the last quarter of a century, medical schools have kept their student enrollments virtually flat.

And, we're also losing our doctors through frustration. Low Medicare and Medicaid reimbursement rates, coupled with complex regulations and paperwork leave physicians aggravated and disappointed with the practice of medicine. Recent federal reductions in Alaskan Medicare reimbursement rates have been so severe that primary care physicians report Medicare pays them only 37 cents to 40 cents for every dollar it costs to treat a patient.

One physician testified at the HELP



Murkowski



Committee have to see o en minutes i ey. As a re stopped accu ly. In fact, o field hearing one neighbor city of Anch Medicare pa

Each we and e-mails f find a doctor enough to fi weeks or mo faced with th ly do one of t least cost effi emergency r entirely.

A residen ing that he is Anchorage if crue doctor w joked that he ing a heart o gets him in to

The phys — and the r ble. Congress tially millions That is why I plan to allevi care access cr duod the fu that provides

The Anchorage Tim

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Alaska State Legislature
Juneau, AK 99801

RE: Senate Bill 89

March 2, 2007

Dear Members:

It has come to my attention that Senate Bill 89, *Electronic Monitoring of Gang Probationers*, is currently under consideration. I would like to add my voice in strong support of this legislation.

While Fairbanks currently does not experience the scope and extent of gang violence that has been evidenced in Anchorage, I'm somewhat concerned that it is only a matter of time before such activity migrates northward.

We need to act swiftly to deter gang activity and its associated violence, before this problem becomes entrenched throughout Alaska. Senate Bill 89 provides a positive step in keeping those who have been convicted of gang-related crimes of violence from returning to- and associating with- other gang members upon release from prison. Common sense dictates that such associations will likely lead to repeated negative (and often violent) behavior.

Please feel free to call me if you would like to discuss this issue further.

Sincerely,

A handwritten signature in black ink that reads "Daniel P. Hoffman".

Daniel P. Hoffman, Chief
Fairbanks Police Department



Municipality of Anchorage

4501 Bragow Street • Anchorage, Alaska 99507-1599 • Telephone (907) 780-8500 • <http://www.muni.org>



Mayor Mark Begich

Anchorage Police Department

February 12, 2007

Representative Bob Buch
State Capitol, Room 430
Juneau, Alaska 99801

Re: APD Support for Electronic Ankle Monitors

Dear Representative Buch:

As Chief of the Anchorage Police Department, I endorse the concept of electronic monitoring as a special condition of probation for offenders whose crimes were for the benefit of, at the direction of, or in association with a criminal street gang. This was a public safety priority contained in the Municipality of Anchorage's legislative package.

While the technology is no substitute for regular visits by human monitors, the combination of such visits with the electronic monitoring of the convicted person's movements and location will help ensure that conditions of probation are adhered to. Key to the employment of such devices will be the reasonableness that there is a clear link between the offense and the restriction. It is certainly reasonable to expect convicted violent gang members to keep authorities informed as to their whereabouts.

The fact that this bill uses the court as the deciding factor as to whether the threshold articulated in AS 12.55.155 (c)(29) and AS 12.55.137 was met ensures the defendant's due process rights are adhered to prior to requiring the defendant to submit to the electronic monitoring. As a Police Chief, it is important to me that such conditions of probation are determined after the case has been adjudicated.

Once again, I endorse the concept of electronic monitoring as a special condition of probation for individuals who have been convicted of a crime where the aggravating factors regarding criminal street gangs are proven.

Sincerely,

Rob Heun
Chief of Police

Community, Security, Prosperity

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 2/21/07

FURTHER: Finance

Date of 5-Day Notice: 3/1/07
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/16/07

Judiciary Committee considered SENATE BILL NO. 89

SB 89 ELECTRONIC MONITORING OF GANG PROBATIONER

"An Act relating to requiring electronic monitoring as a special condition of probation for offenders whose offense was related to a criminal street gang."

and recommends:

- be replaced with SCS or CS SB89 (JUD)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<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#
Law	3/6/07			✓	1
Courts	3/2/07		✓		2
	2/7				
Admin/OPA	3/5/07		✓		3
Admin/PO	3/5/07		✓		4

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

Revised Correct. 3/13 ✓
 APPROPRIATION - no fiscal note 5

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Wielechowski	✓			
	Huggins	✓			
CHAIR:	French	✓			