

ALASKA LEGISLATURE COMMITTEES FILES 1993-1994 86672

7861 HOUSE JUDICIARY

Financial Assessment Unit Values

Table 1

NET Daily Income \$	Total Persons Supported (Including Defendant)							
	1	2	3	4	5	6	7	8
3	2	1	1	1	1	1	1	0
4	2	2	2	1	1	1	1	1
5	3	2	2	2	1	1	1	1
6	3	3	3	2	1	1	1	1
7	4	3	3	2	2	1	1	1
8	5	4	3	2	2	2	1	1
9	5	4	4	3	2	2	2	1
10	6	5	4	3	2	2	2	1
11	6	5	5	3	3	2	2	1
12	7	6	5	4	3	2	2	2
13	7	6	6	4	3	3	2	2
14	8	7	6	4	3	3	2	2
15	9	7	7	5	4	3	3	2
16	9	7	7	5	4	3	3	2
17	10	8	7	5	4	3	3	2
18	10	8	8	5	4	4	3	2
19	16	9	8	6	4	4	3	3
20	17	9	9	6	5	4	3	3
21	18	10	9	6	5	4	4	3
22	19	10	10	7	5	4	4	3
23	20	11	10	7	5	5	4	3
24	20	11	10	7	6	5	4	3
25	21	18	11	8	6	5	4	3
26	22	18	11	8	6	5	4	3
27	23	19	12	8	6	5	5	4
28	24	20	12	8	7	6	5	4
29	25	20	13	9	7	6	5	4
30	26	21	20	9	7	6	5	4
31	26	22	20	9	7	6	5	4
32	27	22	21	10	7	6	5	4
33	28	23	21	10	8	7	6	4
34	29	24	22	10	8	7	6	5
35	30	25	23	11	8	7	6	5
36	31	25	23	11	8	7	6	5
37	31	26	24	11	9	7	6	5
38	32	27	25	17	9	8	7	6
39	33	27	25	18	9	8	7	5
40	34	28	26	18	9	8	7	5

NET Daily Income \$	Total Persons Supported (Including Defendant)							
	1	2	3	4	5	6	7	8
41	35	29	27	18	10	8	7	5
42	36	29	27	19	10	8	7	6
43	37	30	28	19	10	9	7	6
44	37	31	29	20	10	9	7	6
45	38	32	29	20	16	9	8	6
46	39	32	30	21	16	9	8	6
47	40	33	31	21	16	9	8	6
48	41	34	31	22	17	10	8	6
49	42	34	32	22	17	10	8	7
50	43	35	33	23	18	10	8	7
51	43	36	33	23	18	15	9	7
52	44	36	34	23	18	16	9	7
53	45	37	34	24	19	16	9	7
54	46	38	35	24	19	16	9	7
55	47	39	36	25	19	17	9	7
56	48	39	36	25	20	17	9	7
57	48	40	37	26	20	17	14	8
58	49	41	38	26	20	17	15	8
59	50	41	38	27	21	18	15	8
60	51	42	39	27	21	18	15	8
61	52	43	40	27	21	18	15	8
62	53	43	40	28	22	19	16	8
63	54	44	41	28	22	19	16	13
64	54	45	42	29	22	19	16	13
65	55	46	42	29	23	20	16	13
66	56	46	43	30	23	20	17	13
67	57	47	44	30	23	20	17	13
68	58	48	44	31	24	20	17	14
69	59	48	45	31	24	21	17	14
70	60	49	46	32	25	21	18	14
71	60	50	46	32	25	21	18	14
72	61	50	47	32	25	22	18	14
73	62	51	47	33	26	22	18	15
74	63	52	48	33	26	22	19	15
75	64	53	49	34	26	23	19	15
76	65	53	49	34	27	23	19	15
77	65	54	50	35	27	23	19	15
78	66	55	51	35	27	23	20	16
79	67	55	51	36	28	24	20	16
80	68	56	52	36	28	24	20	16

NET Daily Income \$	Total Persons Supported (Including Defendant)							
	1	2	3	4	5	6	7	8
81	69	57	53	36	28	24	20	16
82	70	57	53	37	29	25	21	16
83	71	58	54	37	29	25	21	17
84	71	59	55	38	29	25	21	17
85	72	60	55	38	30	26	21	17
86	73	60	56	39	30	26	22	17
87	74	61	57	39	30	26	22	17
88	75	62	57	40	31	26	22	18
89	76	62	58	40	31	27	22	18
90	77	63	59	41	32	27	23	18
91	77	64	59	41	32	27	23	18
92	78	64	60	41	32	28	23	18
93	79	65	60	42	33	28	23	19
94	80	66	61	42	33	28	24	19
95	81	67	62	43	33	29	24	19
96	82	67	62	43	34	29	24	19
97	82	68	63	44	34	29	24	19
98	83	69	64	44	34	29	25	20
99	84	69	64	45	35	30	25	20
100	85	70	65	45	35	30	25	20

NVAL4
May 21, 1991

NET Daily Income Figures for Skilled Unemployed Defendants. Use these figures only if the defendant is unemployed.

Unskilled and Services	\$16.00
Landscape, "Burger King", General Laborer, Assembly, Etc.	
Clerical	\$22.00
Sales	\$22.00
Construction/Maintenance/Production	\$28.00
Managerial	\$33.00
Technical	\$39.00
Professional	\$44.00

Source: Maricopa County Small Employer Wage Survey 1989
Arizona Department of Economic Security Research Administration
April 1, 1991

Appendix C:

Day Fines Program for Milwaukee, Wisconsin

- **Benchmark Scale**

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
105-60	Abandoned Ice Box	4	0-5
105-65	Abandoned Vehicles	4	1-10
110-36	Abandonment of Shopping Carts	4	1-25
2-166(8)(a)	Alarm Companies—Faulty Alarms	7	0-25
2-166(6)(b)	Alarm Companies—Poor Response	7	0-25
106-2(2)	Alcoholic Drink Opened in Moving Vehicle	4	0-05
107-13	Amusement Machines and Devices, Coin Operated-Permit Minor to Operate	7	1-25
105-2	Assault and Battery	16	1-25
105-21(1)	Baseball, Basketball, Softball Prohibited between 10 PM-8 AM on City Play Areas, Playgrounds and Playfields	4	1-03
106-1.1	Begging	2	0-05
42-19	Billboards on Public Property	4	1-10
102-2	Bicycle License	2	1-02
102-2	Bicycle License—Parent or Guardian Permitting	2	1
102-8	Bicycle Horn or Warning Device	2	1
110-8	Breaking Street Lamps or Windows	2	1
250-5	Careless Use of Smoking Materials	13	8-250
105-34	Carrying Concealed Weapon	13	10-25
106-30	Cigarettes or Papers Transferred to Minor	2	1-2
110-1	Coin Machines—Tampering/Damage	5	3-25
106-23.2	Contributing to Delinquency	7	1-25
106-23	Curfew—Loitering of Minor under Age 17	3	0-01
106-23(1)	Curfew—Parents' Responsibility	3	1-10
106-23(2)	Curfew—Operator's Responsibility	7	1-10
106-23(3)	Curfew—Hotel's, Etc. Responsibility	7	1-10
110-3	Damage to Drinking Fountains	3	1-03
110-4	Damage to Public Property	3	1-03
105-35	Discharge of Firearms in City	16	1-25
106-1	Disorderly Conduct	5	0-10
101-43	Defacement, Unauthorized Removal and Possession of Traffic Control Signals	13	5-25
106-9.6	Display of Sexually Explicit Material or Devices to Minor	7	0-25
108-13(1)	Endurance Contests, Marathons, Etc.—Time of Participation	7	0-10
108-13(2)	Endurance Contests, Marathons, Etc.—Permit Required	7	0-10
5-3	Excavation/Installations on Public Places without Permit	6	1-13

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
81-99(5)	Failure to Comply with Precious Metal and Gem Dealers Regulations (First Offense)	21	3-50
81-99(5)	Failure to Comply with Precious Metal and Gem Dealers Regulations (Second Offense)	45	25-100
81-104(5)	Failure to Comply with Secondhand Dealers Regulations (First Offense)	21	3-50
81-104(5)	Failure to Comply with Secondhand Dealers Regulations (Second Offense)	45	25-100
5-3	Failure to Obtain Excavation Permit	5	1-13
100-67(4)	Failure to Pay Taxi Fare	5	0-25
105-47	Fireworks	7	5-25
75-17	False Communication for Emergency Medical Service	7	0-25
106-16	Fortune Telling Prohibited	4	1-25
110-32	Fraud on Hotel/Restaurant Keeper	5	0-25
84-20(15)	Fraud on Parking Lot Operators	5	3-25
107-2	Gambling/Inmate of Gambling House	7	0-10
105-70	Glue Sniffing/Transfer to Minor	7	5-25
106-8	Harassing/Obscene Phone Calls	7	3-10
2-138	Hindering an Officer	5	1-13
109-1(3)	Housing Discrimination	7	1-10
106-5	Indecent Exposure	7	3-13
106-3	Inmate of House of Prostitution	13	5-25
92-3	Junk Collectors and Dealers	16	13-50
110.12	Landlord Prohibit Forced Entry	10	1-25
106-21(2)	Library Card—Unlawful Use	5	1-10
106-21(3)	Library Materials—Fail to Return	5	1-10
106-21(4)	Library Materials—Theft	7	3-25
8-62(i)	Loiter on Drawbridge	3	1-5
106-31(1)(a)	Loitering or Prowling	7	0-25
106-31(1)(b)	Loitering—Window Peeping	7	0-25
106-31(1)(c)	Loitering—Public Rest Rooms, Lewd Acts	7	0-25
106-31(1)(d)	Loitering on School Property	7	0-25
106-31(1)(e)	Loitering in Public Buildings (Lodges)	7	0-25
106-31(1)(f)	Loitering in Restaurants, Taverns, Etc.	7	0-25
106-31(1)(g)	Loitering—Prostitution Related	13	0-25
106-11	Mashing	10	1-13
106-13	Massage Establishments	13	8-25
80-63	Noise Pollution	10	3-25
80-65(4)	Noise Nuisances Where Sound Level Measurements Not Practical	4	1-10

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
95-14	No Home Improvement License	4	1-13
106-7	Obscenity	10	5-25
5-32	Obstruction on Public Ways	6	1-13
105-55	Outdoor Magazine Solicitation	4	0-5
101-32.4	Parking Meters—Damaging/Tampering	5	3-25
92-1	Pawnbrokers License	16	13-50
106-3	Patron of House of Prostitution	4	0-05
110-1	Possession of Key to Open Meter	5	3-25
80-3	Private Visual Presentation Violation on Commercial Establishment	16	3-50
106-1.8(1)	Public Drinking	3	1-05
2-25(5)	Resisting or Obstructing Issuance of a Citation	5	1-13
110-35	Retail Theft—Value Not Over \$100	16	0-25
105-1	Riot, Disorderly Assemblage	4	0-03
84-41	Roller Skate Rentals—License Required and Restrictions	4	3-13
105-56	Sale on Public Premises	4	1-10
24-1-18	Signs Posted on Public Property	7	1-25
105-50	Smoking, Drinking and Radio or Tape Players on Buses	2	1-03
105-49	Smoking in Theater	2	1
105-69	Sniffing Harmful Substances/Transfer to Minor (Paint)	7	5-25
6-12	Snow Plowing Equipment License	4	1-05
6-8	Snow Removal	2	1-05
80-15	Spitting in Public Places	2	1
97-3	Tampering with Water Works Facilities and Theft of Water	16	0-50
100-52 thru 100-70	Taxi Cab Permit and Driver Regulations	4	1-5
110.12	Tenant Deny Access to Landlord	10	1-25
110-16	Theft	16	1-25
99.13(10)	Theft of Services/Tampering Cable System	31	0-25
84-48	Tires—Unserviceable Tire Generators and Transporters	31	8-250
110-10	Trespassing upon Buildings or Premises	4	0-25
101-20	Unnecessary Vehicle Noises Prohibited	3	2
110-15	Vandalism	16	0-25
105-66	Vehicle Repair on Street	4	1-10
110.33	Worthless Checking	16	3-50

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
ANIMAL ORDINANCES			
78-2	Keeping of Animals	4	1-10
78-3(1)	Kennels	7	1-10
78-3(2)	Animal Fancier Permits	7	1-10
78-4	Pet Shop License	7	1-10
78-5	Grooming Establishments	7	1-10
78-7	Sanitation of Commercial Animal Establishment	4	1-10
78-8	Current Dog and Cat License Required	3	1-10
78-9(1)	Permitting Animals to Run at Large	3	1-10
78-9(2)	Setting an Animal at Large	3	1-10
78-9(3)	Animal Litter	3	1-10
78-11	Harboring Vicious Animal	7	3-25
78-13	Animal Disturbing the Peace	5	3-25
78-14	Cruelty to Animals	7	3-25
78-22	Removal of Dead Animals	7	3-25
FIRE ORDINANCES			
2-159	False Fire Alarm (Per Count)	10	5-25
2-159.1	Driving over Firehose Prohibited	3	1-03
2-159.6	Fire or Police Officers - Obstruct, Hinder or Battery, Damage to Fire or Police Equipment	10	3-25
HEALTH/LITTER VIOLATIONS			
2-103	Right of Entry (Health Commissioner) (First Offense)	4	3-05
2-103	Right of Entry (Health Commissioner) (Second Offense)	7	3-10
64.01 thru 64.12	Mobile Home/Campground	7	1-25
68-2	Food Sanitation	13	3-25
68-3	Impure or Adulterated Food, Drugs, Water or Ice	13	3-25
68-4	Food License	13	3-25
74-1	Food Peddlers	7	1-25
75-1	Self-Service Laundries	4	1-25
75-20 and (6)	Swimming Pool/Places	7	3-25

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
76-20	Dry Cleaners	4	1-16
77-5 and 77-6	Pest Control Operators	4	3-5
78-2(2)	Bring or Keep Dangerous Animal in City	4	1-10
78-2(3)	Number of Animals Permitted	5	1-10
78-11(4)	Fail to Destroy Vicious Animal	7	3-25
78-12	Control Rabid Animals	7	1-10
78-16	Bird Feeding	3	1-10
78-17	Pigeon Harborage	4	0-10
79-2(1) thru 79-2(12)	Solid Waste Collection and Storage Regulations	3	1-25
79-3(2)	Waste Containers Required (Commercial)	3	1-25
79-4(1)(a)	Portable, Rodent-Resistant Waste Containers Required	3	1
79-4(1)(b)	Improper Garbage Disposal	3	1
79-5(1)(a)	Proper Location of Waste Containers; House Numbers Posted on Buildings Adjacent to Alleys	3	1
79-5(1)(b)	Access to Waste Containers	3	1
79-9(1) and 79-9(4)	Private Waste Container Regulations	4	1-25
79-10(1), 79-10(2), 79-10(3)	Unlawful Dumping or Littering	4	1-25
79-11	Litter on Public Street or Property	3	1-25
79-12	Littering Upon Any Premises	3	1
80-6(1)	Discharge of Offensive and Hazardous Substance—Public Nuisance	13	3-25
80-19	Nuisance Lights, Residential Property	6	4-25
80-29	Sandblasting	13	3-25
80-31	Compost Pile (Flies)	3	1-03
80-45, 80-46, 80-46.5	Dumps	4	1-10
80-48(2)	Lumber on Ground	3	1-03
80-49	Nuisance Vehicles	4	3-05
80-64(1) and 80-68	Noise (e.g. Industrial, Ventilation)	13	3-25
80-65(4)	Petition of Noise Nuisance (e.g. Music, Bands)	4	1-10
82-2	False Weights and Measures	13	3-25
82-14	Weights and Measures License	7	1-25
84-45	Filling Stations (Licensing)	7	1-25

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
236-38(2)	Discharge/Cause Discharge Hazardous Substance on Public Street/Property	45	0-100
LIQUOR AND TAVERN VIOLATIONS			
84-43	Cigarette and Tobacco License	10	1-25
84-54	License and Permit Required, Video Game and Amusement Machines	10	1-25
87-2	Pool and Billiard Hall License	10	1-10
90-3(1)	License Required—Liquor Basic Requirement	16	0-25
90-3(2)	Separate License Required	16	0-25
90-4(1)	Class "A" Liquor Consumed Off Premises Original Container	7	0-25
90-4(2)	Class "B" Tavern—Consumed on Premises and Sale in Original Containers	7	0-25
90-4(2)(b)(2)	Consumption from Bottle on Class "B" Premises	4	1-25
90-4(3)	Class "B" Tavern—Service Bar—at Tables Only	16	0-25
90-4(4)(a)	Class "B" Manager's License Required	16	0-25
90-4(4)(b)	Manager's Responsibility	16	0-25
90-4(4)(c)	Licensee's Responsibility	16	0-25
90-4(6)(a)	Class "B" Fermented Malt License—License Required	10	0-25
90-4(7)	Special Class "B" Malt License—License Required	10	0-25
90-4(8)	Class "C" Malt Wholesaler License— License Required	10	0-25
90-4(9)	Special Class "C" Malt Wholesaler— License Required	10	0-25
90-4(10)	Class "D" (Bartender) Operator's License Required	16	0-25
90-4(11)	Class "D" (Bartender) Special Temporary License	16	0-25
90-5(2)	Truth of Statements and Affidavits— Falsifying	31	0-25
90-5(12)	Report of Changes Required	16	0-25
90-6(2)	Residency Requirements	16	0-25
90-8	Responsible Person Upon License Premises	10	0-25
90-9	Collusive Agreement/Hidden Partners	5	0-05
90-13	Class "B" Tavern —Number of Licenses Permitted	16	0-25

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALES (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
90-15(1)	Class "A" Liquor —Hours of Sale	16	0-25
90-15(2)	Class "A" Malt License—Hours of Sale	10	0-25
90-15(3)	Class "B" Tavern—Patrons After Hours	7	0-25
90-15(3)(b)	Hours for Sale in Original Package	7	0-25
90-16	Display of License	10	0-25
90-27(1)(c)	Immediate Entry for Police, Local and State Authorities	10	0-25
90-27(1)(d)	Safe Egress from All Entrance Doors and Serving Rooms	10	0-25
90-27(2)	Adjacent Rooms to Licensed Tavern	10	0-25
90-27(5)	illumination During Conduct of Business	10	0-25
90-28	Misleading Advertising Prohibited in Class "B" Taverns	10	0-25
90-32	Fraud on Tavern Keepers Prohibited	4	3-25
90-33(1)	Tavern Amusement License Required	4	0-25
90-33(2)	Instrumental Music License Required	4	0-25
90-33(3)	Prerecorded Music Dance License	4	0-25
90-33(4)	Prerecorded Music Machine Premises License (Recorded Spins)	7	0-25
90-33(5)	Tavern Dance Hall License Required	7	0-25
90-33(6)	Special Tavern Dancing Permit	7	0-25
90-36(1)(a)	Hours for Music—Tavern Amusement	7	0-25
90-36(1)(b)	Hours for Music—Tavern Ballroom Premises	7	0-25
90-36(1)(c)	Hours for Music—Instrumental, Tavern Dance, Phonograph	7	0-25
90-36(1)(d)	Hours for Music—Prerecorded Music	7	0-25
90-36(3)	Advertising of Dancing	7	0-25
90-36(4)	Posting of Occupancy Capacity	4	0-05
90-37(1)	Pharmacist's Liquor Permit—Application, Quantity	5	2-10
90-37(2)	Pharmacist's Liquor Permit—Qualifications, Resident	5	2-10
90-37(4)(a)	Pharmacist's Liquor Permit—Register to be Kept	5	2-10
90-37(4)(b)	Pharmacist's Liquor Permit—Sales to Be Recorded	5	2-10
90-37(5)	Pharmacist's Liquor Permit—Hours for Sale	5	2-10
90-38	Medical Prescriptions Limited—False Prescription	5	2-10
90-39(1)	Alcoholic Beverages Prohibited on Any Premises under Jurisdiction of Board of School Directors	5	0-10

**MILWAUKEE MUNICIPAL COURT DAY-FINE
BENCHMARK SCALE' (Cont'd)**

Section Number	Ordinance	Median Benchmarks	Benchmark Range
90-39(1)	Juvenile under Legal Drinking Age Prohibited from Having Alcoholic Beverages on Premises under Jurisdiction of School Directors	4	0-03
91-2	Soda License or Sticker Required	10	1-25
91-5(1)(2)	Transfer of License	10	1-25
PUBLIC DANCE HALL VIOLATIONS			
108-2	Public Dance Hall—License Required	4	1-05
108-4	Public Dance Hall—Posting License	4	1-05
108-7	Public Dance Hall—Filing Permit	4	1-05
108-7.5	Public Dance Hall—Responsibility of Permittee	4	0-05
108-10	Public Dance Hall—Permitting Persons under 17 Years on Premises, Misrepresenting Age	4	1-05
108-11	Public Dance Hall—Closing Hours	4	1-05
JUVENILES (14 to 18 Years of Age)			
	Non-traffic violations, except for violations of 90-18(2), 90-18(3), 90-19, and 90-39(1)	3	0-01

Appendix D:

Alaska Sentencing Commission: Survey
Data of Felony Sentences Imposed
Between 1986-91

FINES

out of 655 people, 29 received fines
+ sent's ranging from 18 mos to 8 years!

10% sample of judgment forms
'86-'91
Statewide

PSR/JDG DATA

Offense	Sen Len Mo.	Fine
04-11-01C	18	5000.00
04-11-010	36	500.00
04-11-010	36	500.00
28-54-210	36	5000.00
35-060	60	250.00
41-210	48	1000.00
41-220	24	500.00
41-220	48	250.00
41-220	36	3000.00
41-420	36	1000.00
41-420	60	2000.00
41-436	96	10000.00
41-436	36	500.00
41-510	60	250.00
46-300	36	1000.00
46-484	36	500.00
71-030	30	1500.00
71-030	72	10000.00
71-030	48	2000.00
71-030	48	2500.00
71-030	60	3000.00
71-030	36	5000.00
71-030	60	5000.00
71-030	60	5000.00
71-040	36	15000.00
71-040	36	2000.00
71-040	24	2500.00
71-040	36	5000.00
71-939	72	10000.00

3
hoolley
- driving

4
assault

2 rape 2
2 sex 76

13 drug
1500-15,000

Appendix E:

Alaska Sentencing Commission: Ranking of
Title 11 Criminal Offenses (July 1991)

Expanded Range		All Offenses												Defining Characteristics	
Sorted by Rank		Clas	Score	Adj Score	Not	Primary				Secondary					
Statutes						Interest	typ	leve	cul	Interes	type	leve	cul		
1	Murder 1 (1)(a)	41.100	U	288		person	24	3	4						causes death of any person
2	Murder 1 (1)(b)	41.100	U	288		person	24	3	4						compels person to commit suicide through duress
3	Murder 1 (2)	41.100	U	268	216 a	person	24	3	3						torture of child resulting in death
4	Murder 2 (a)(1)	41.110	U	216		person	24	3	3						knowing conduct to cause death or serious physical injury
5	Murder 2 (a)(2)	41.110	U	216		person	24	3	3						extreme indifference to the value of human life
6	Murder 2 (a)(3)	41.110	U	216		person	24	3	3						felony murder
7	Kidnapping (a)(1)(A)	41.300	U	192		Person	24	2	4						for ransom
8	Kidnapping (a)(1)(B)	41.300	U	192		Person	24	2	4						to use as shield for hostage
9	Kidnapping (a)(1)(C)	41.300	U	192		Person	24	2	4						inflict physical injury or sexual assault
10	Kidnapping (a)(1)(D)	41.300	U	192		Person	24	2	4						interfere w/government or political function
11	Kidnapping (a)(1)(E)	41.300	U	192		Person	24	2	4						facilitate commission of a felony
12	Kidnapping (a)(2)(A)	41.300	U	192		Person	24	2	4						holds person where unlikely to be found
	Kidnapping (a)(2)(B)	41.300	U	192		Person	24	2	4						holds person w/substantial risk of serious physical injury
	Sex Assault 1 (a)(2)	41.410	US	160		person	14	3	4						attempt causing serious physical injury
15	Sex Abuse Minor 1(a)(1)	41.434	US	156		person	13	3	4						offender (16), penetration w/victim under 13
16	Sex Abuse Minor 1(a)(2)	41.434	US	156		person	13	3	4						offender (18), penetration w/victim entrusted to care
17	Sex Abuse Minor 1(a)(3)	41.434	US	156		person	13	3	4						offender (18), penetration w/victim under 16
18	Sex Assault 1 (a)(1)	41.410	US	156		person	13	3	4						penetration
19	Sex Assault 1 (a)(3)	41.410	US	156		person	13	3	4						penetration w/mentally incapable or entrusted to care
20	Unlaw Exp Minor(a)(1)	41.455	B	156		Person	13	3	4						actual or simulated penetration - pornography
21	Unlaw Exp Minor(b)(1)	41.455	B	156		Person	13	3	4						parent allows child to be used
22	Manslaughter (a)(1)	41.120	A	144		person	24	3	2						causes death of another (not Murder I or II)
23	Arson 1	46.400	A	128		Property	6	3	4	person	14	2			2 Intentionally starts fire, recklessly endangering person
24	Escape 1	56.300	A	126		Pub Admi	7	3	4	person	14	1			3 uses deadly weapon
25	Promo Prostit 1(a)(2)	66.110	A	120	90	Pub Hlth	3	3	4	person	9	3			2 induces minor or person in one's custody into prostitution
26	Robbery 1 (a)(1)	41.500	A	120		person	14	2	3	property	3	3			4 armed w/deadly weapon
27	Robbery 1 (a)(2)	41.500	A	120		person	14	2	3	property	3	3			4 uses (or attempts to use) dangerous instrument
28	Robbery 1 (a)(3)	41.500	A	120		person	14	2	3	property	3	3			4 causes (or attempts to cause) serious physical injury
29	Crim. Misch. 1(a)(2)	46.480	B	116		Property	8	3	4	person	10	1			2 more than \$100,000 damage by "widely dangerous means"
30	Escape 2(1)(c) or (d)	56.310	B	112		Pub Admi	7	3	4	person	14	1			2 escapes while possessing firearm
31	Sex Abuse Minor 2(a)(2)	41.436	B	108		person	9	3	4						sexual contact w/under 13 years
32	Sex Abuse Minor 2(a)(3)	41.436	B	108		person	9	3	4						entrusted to offender's care (offender 18, victim 18): contact
33	Sex Abuse Minor 2(a)(4)	41.436	B	108		person	9	3	4						16 or older offender aids or encourages contact
34	Sex Abuse Minor 2(a)(5)	41.436	B	108		person	9	3	4						entrusted to offender's care (offender 18, victim 16): contact
35	Sex Assault 2(a)(1)	41.420	B	108		person	9	3	4						sexual contact
36	Sex Assault 2(a)(2)	41.420	B	108		person	9	3	4						sexual contact w/mentally incapable and entrusted to care
37	Sex Assault 2(a)(3)	41.420	B	108		person	9	3	4						sexual contact w/mentally incapable or incapacitated
38	Extortion (a)(1)	41.520	B	107		Person	10	2	4	Property	3	3			3 threatens physical harm
39	Escape 2(1)(a) or (b)	56.310	B	104		Pub Admi	7	3	4	person	13	1			2 felon escapes
40	Arson 2	46.410	B	100		Property	6	3	4	person	14	1			2 intentionally damages building, fire or explosion
41	Extortion (a)(2)	41.520	B	99		Person	9	2	4	Property	3	3			3 other threats
42	Robbery 2	41.510	B	96	1	person	10	2	3	property	3	3			4 uses (or threatens) force in taking of property
43	Theft 0		B	96		J,k Property	8	3	4						Over \$100,000
44	Crim. Misch. 1(a)(4)	46.480	B	92		Property	1	3	4	person	10	2			4 tempers w/food or drug w/intent to cause phys inj
45	Burglary 1(a)(1)	46.300	B	90	n	property	3	3	4	person	9	3			2 building is a dwelling
46	HICS 1 (a)(1)	71.010	U	90		Con Sub	10	3	3						delivers heroin to minor
47	HICS 1 (a)(2)	71.010	U	90	81	Con Sub	9	3	3						delivers cocaine, amphet. or barbs. to minor
48	HICS 1 (a)(3)	71.010	U	90		Con Sub	9	5	2						engages in continuing criminal enterprise
49	Terrorist threat (a)(2)	56.820	C	87		Pub Admi	4	3	4	person	13	1			3 place person in fear of death or phys. inj. - repeat threats
50	Bribe receiving: Pub Ser	56.110	E	84		Pub Admi	7	3	4						public servant solicits or accepts bribe
51	Bribery: Public Servant	56.100	B	84		Pub Admi	7	3	4						tribing a public servant
52	Perjury	56.200	B	84		Pub Admi	7	3	4						make false sworn statement

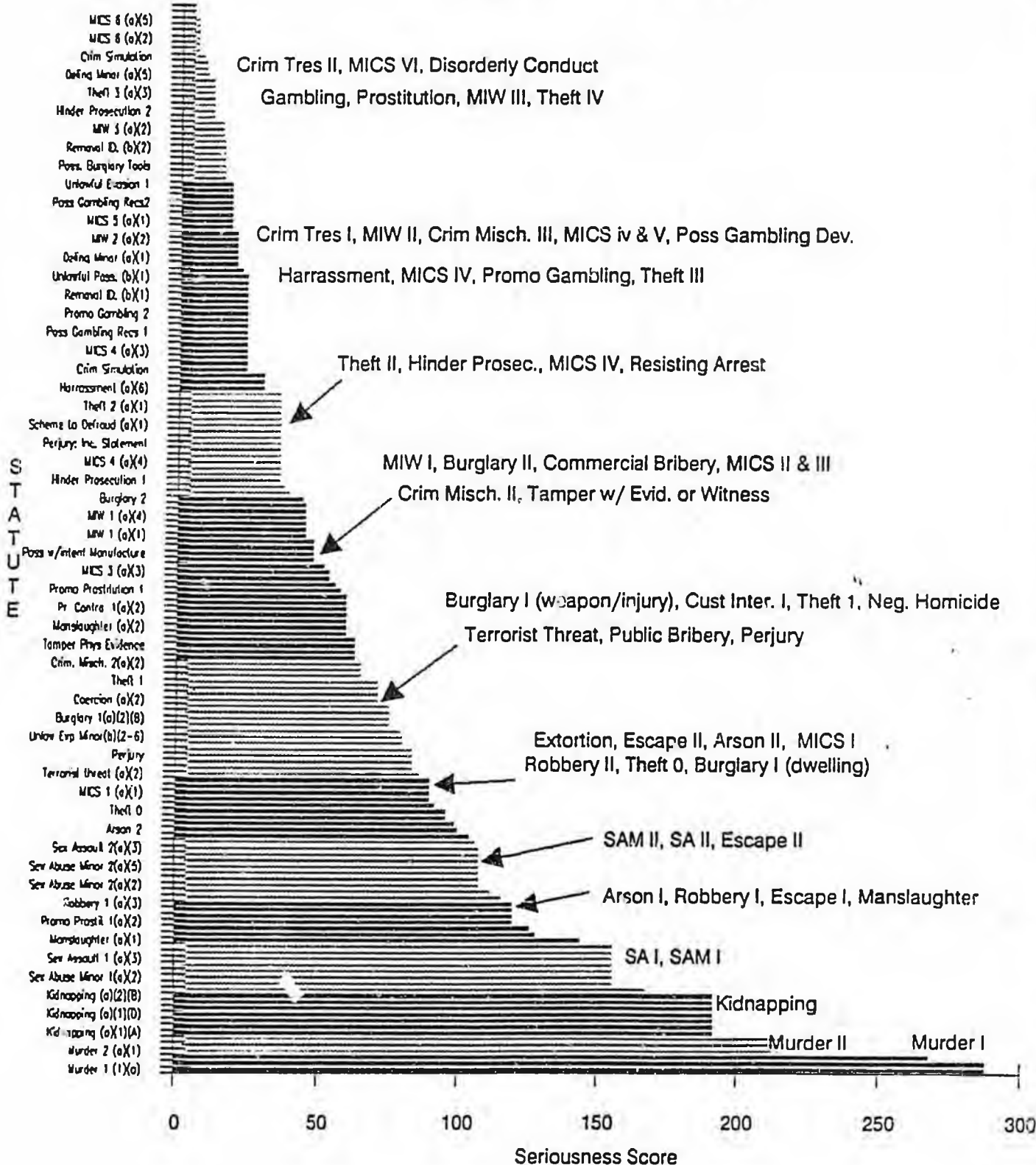
Expanded Range		All Offenses										Defining Characteristics		
Sorted by Rank Statutes		Clas	Score	Adj	Not	Primary Interest	typ	lev	cul	Secondary Interest	type		lev	cul
53	Terrorist Threat (a)(1)	56.820	C	84		Pub Admi	4	3	3	person	6	2	4	knowing makes false rept. - place person in fear of phys.
54	Unlaw Exp Minor(a)(2-6)	41.455	B	81		Person	9	3	3					other than penetration
55	Unlaw Exp Minor(b)(2-6)	41.455	B	81		Person	9	3	3					other than penetration
56	Coercion (a)(1)	41.530	C	80		Person	10	2	4					instills fear of physical harm
57	Burglary 1(a)(2)(A)	46.300	B	76		property	3	3	4	person	10	2	2	armed with firearm
58	Burglary 1(a)(2)(B)	46.300	B	76		property	3	3	4	person	10	2	2	causes (or attempts to cause) physical injury
59	Burglary 1(a)(2)(C)	46.300	B	76	1	property	3	3	4	person	10	2	2	uses (or threatens to use) dangerous instrument
60	Pr. Contra. 1(a)(1)	56.375	C	76		Pub Admi	4	3	4	person	14	1	2	promoting contraband in correctional facility: deadly weapon
61	Coercion (a)(2)	41.530	C	72		Person	9	2	4					other threats
62	Crim. Neg. Homicide	41.130	C	72		person	24	3	1					with crim. neg. causes death of another
63	Custodial Interfer 1	41.320	C	72	60	f	Person	5	3	4				out of state
64	Theft 1	46.120	B	72		J	property	6	3	4				\$25,000 - \$100,000
	Omni. Bribery	46.670	C	66		Property	3	3	4		5	2	3	bribes agent, fiduciary, lawyer, partner
	Connor. Bribe Receive	46.660	C	66		Property	3	3	4		5	2	3	accepts bribe as agent etc.
67	Crim. Misch. 2(a)(2)	46.482	C	66		Property	3	3	2	person	24	1	2	recklessly tamper w/airplane or pipeline
68	Interfer Official Proc	56.510	B	63		Pub Admi	7	3	3					threatening or bribing witnesses or jurors
69	Rec Bribe; Witness/Juror	56.520	B	63		Pub Admi	7	3	3					
70	Tamper Phys Evidence	56.610	C	63		Pub Admi	7	3	3					
71	Tamper Witness 1(a)(1)	56.540	C	63		Pub Admi	7	3	3					induces witness to testify falsely in official proceeding
72	Custodial Interfer 2	41.330	MA	60		Person	5	3	4					in state
73	Manlaughter (a)(2)	41.120	A	60	216	e	person	24	3	3				aids another to commit suicide
74	HICS 2	71.020	A	60		Con Sub	10	3	2					sells heroin to adults
75	HICS 3 (a)(1)	71.030	B	60	54		Con Sub	9	3	2				del or poss cocaine, amphet. or barb w/ intent to del
76	Pr. Contra. 1(a)(2)	56.375	C	60		Pub Admi	4	3	4	person	6	1	2	promoting contraband in correctional facility: facilitate escape
77	Sex Abuse Minor 2(a)(1)	41.436	B	60	108	g	person	9	3	4				penetration - 3 years younger; statutory rape
78	Sex Abuse Minor 3	41.438	C	60	8		person	5	3	4				contact w/person 13-15 and 3 yrs. younger than offender
79	Promo Prostitution 1	66.110	B	58		Pub Hlth	3	2	3	person	10	2	2	uses force
80	Reckless Endangerment	41.250	MA	56		person	14	2	2					creates substantial risk of serious physical injury to another
81	HICS 3 (a)(2)	71.030	B	54		Con Sub	6	3	3					delivers sch. IVA, VA, or VIA drug to minor
82	HICS 3 (a)(3)	71.030	B	54		Con Sub	9	2	3					18+ yr. old possess heroin or cocaine on or near school
83	Crim. Misch. 2(a)(3)	46.482	C	52		Property	0	2	2	person	10	1	2	recklessly create risk of \$100,000 damage by widely dangerous men
84	Del Limit Cntrl Sub	73.030	b	48		Con Sub	6	4	2					
85	Poss w/Intent Manufacture	73.020	C	48		Con Sub	6	4	2					
	Record False Instru	46.550	C	48		property	6	2	4					intent to offer contract or deed for recording
	b; Tamper witness 1(a)(2)	56.540	c	48		Pub Admi	4	3	4					induces witness to be absent from judicial proceeding
88	MIW 1 (a)(1)	61.200	C	45		Pub Orde	5	3	3					felon in possession
89	MIW 1 (a)(2)	61.200	C	45		Pub Orde	5	3	3					sells firearm to convicted felon
90	MIW 1 (a)(3)	61.200	C	45		Pub Orde	5	3	3					sells a prohibited weapon
91	MIW 1 (a)(4)	61.200	C	45		Pub Orde	5	3	3					sells firearm to drunk or psychotic person
92	MIW 1 (a)(5)	61.200	C	45		Pub Orde	5	3	3					removes serial number
93	MIW 1 (a)(6)	61.200	C	45		Pub Orde	5	3	3					knowingly possesses a firearm w/serial # removed
94	Burglary 2	46.310	C	44		property	2	3	4	person	10	1	2	enter building with intent to commit crime
95	Indecent Exp (child)	41.460	MA	40	30	h	Person	5	3	2				child
96	Theft 2 (a)(2)	46.130	C	38		property	2	3	4	person	14	1	1	firearm or explosive
97	Hinder Prosecution 1	56.770	C	36		Pub Admi	4	3	3					renders assistance to felon
98	Jury Tampering	56.590	C	36		Pub Admi	4	3	3					communicate with juror in order to influence
99	HICS 4 (a)(1)	71.040	C	36		Con Sub	6	3	2					deliver sch IVA or VA drug
100	HICS 4 (a)(4)	71.040	C	36		Con Sub	6	2	3					possess sch. IIIA, IVA, VA or VIA drugs on school
101	HICS 4 (a)(9)	71.040	C	36		Con Sub	6	3	2					obtains drugs thru fraud or forgery
102	Official Miscond	56.850	MA	36		Pub Admi	4	3	3					pub. serv. u/a acts, refrains from duty
103	Perjury: Inc. Statement	56.230	C	36		Pub Admi	4	3	3					perjury by making two inconsistent statements
104	Permitting Escape	56.370	C	36		Pub Admi	4	3	3					public servant allow escape of prisoner

Expanded Range	Sorted by Rank	Statutes	Clas	Score	Adj	Not	All Offenses							Defining Characteristics	
							Primary	Interes	Typ	leve	cul	Secondary			
												Interes	typ		leve
105 Resist/Interfer Arrest		56.700	MA	36			Pub Admi	4	3	3					by force, criminal misch., risk of physical injury
106 Scheme to Defraud (a)(1)		46.600	B	36			Property	3	3	4					defraud 5 people
107 Scheme to Defraud (a)(2)		46.600	B	36			Property	3	3	4					defraud 1 person more than \$10,000
108 Tamper Public Recs 1		56.815	C	36			Pub Admi	4	3	3					tampers to obtain benefit for self or injure or deprive
109 Theft 2 (a)(1)		46.130	C	36			property	3	3	4					\$500 or more but less than \$25,000
110 Theft 2 (a)(3)		46.130	C	36			property	2	3	4	person	6	1	2	taken from the person of another
111 Unsworn Falsification		56.210	MA	36			Pub Admi	4	3	3					makes false unsworn statement to public off.
112 Harassment (a)(6)		61.120	MB	30			Pub Orde	5	2	3					violation of domestic violence order; restraining communication
113 Indecent Exp (adult)		41.460	MB	30			Person	5	3	2					adult
114 MICS 4 (a)(5)		71.040	C	30			Con Sub	3	5	2					knowingly maintain a ship, boat, etc. where drugs are
115 Crim Simulation		46.530	C	24			Property	3	2	4					\$500+: alter, possess, use instr. intent to defraud
116 Escape 4		56.330	MA	24			Pub Admi	2	3	4					misdemeanant escapes
117 MICS 4 (a)(2)		71.040	C	24			Con Sub	3	4	2					delivers more than 1 oz. of marijuana
118 MICS 4 (a)(3)		71.040	C	24			Con Sub	6	2	2					possess certain amounts of various drugs
119 MICS 5 (a)(3)		71.050	MA	24			Con Sub	6	2	2					possess certain amounts of various drugs
120 Miscond. Juror		56.600	C	24			Pub Admi	4	3	2					Juror agrees to vote before case submitted to jury
121 Poss Gambling Recs 1		66.230	C	24			Pub Hlth	3	2	4					
122 Pr. Contra. 1(a)(3)		56.375	C	24			Pub Admi	2	3	4					contraband is a controlled substance
123 Promo Gambling 1		66.210	C	24			Pub Hlth	3	2	4					profits from gambling enterprise
124 Promo Gambling 2		61.120	MA	24			Pub Hlth	3	2	4					profits from unlawful gambling
125 Promo Prostit 2		66.120	C	24			Pub Hlth	3	2	4					owns or manages a prostitution enterprise or procures
126 Promo Prostit 3		66.130	MA	24			Pub Hlth	3	2	4					owns or manages a place of prostitution
127 Removal ID. (b)(1)		46.260	C	24			Property	3	2	4					\$500 - \$25,000
128 Theft 2 (a)(4)		46.130	C	24			property	2	3	4					\$50 - \$500 (convicted twice in five years)
129 Theft 3 (a)(1)		46.140	MA	24			property	2	3	4					\$50 - \$500
130 Unlawful Poss. (b)(1)		46.270	C	24			Property	3	2	4					\$500 or more
131 Criminal Trespass 1(a)		46.320	MA	22			property	2	2	3	person	10	1	1	enter land or dwelling w/ intent to commit crime; enter dwelling
132 Crim Non Support		51.120	MA	20			Family	5	2	2					desertion
133 Delinq Minor (a)(1)		51.130	MA	20			Family	5	2	2					act prohibited by state law
134 Delinq Minor (a)(3)		51.130	MA	20			Family	5	2	2					minor in room where drug sale occurs
135 HIW 2 (a)(1)		61.210	MA	20			Pub Orde	5	2	2					drunk in possession
136 HIW 2 (a)(2)		61.210	MA	20			Pub Orde	5	2	2					discharges firearm on roadway
137 HIW 2 (a)(3)		61.210	MA	20			Pub Orde	5	2	2					discharges w/reckless disregard for property or inj. to person
138 Crim: Misch. 3(a)(3)		46.404	MA	18			Property	2	3	3					uses rental car past return date
139 MICS 5 (a)(1)		71.050	MA	18			Con Sub	3	3	2					delivers 1/2 oz. or more of marijuana
140 MICS 5 (a)(2)		71.050	MA	18			Con Sub	3	3	2					sell less than 1/2 oz. of marijuana
141 Poss Gambling Device		66.260	MA	18			Pub Hlth	3	2	3					
142 Poss Gambling Recs2		66.240	MA	18			Pub Hlth	3	2	3					possesses a gambling record
143 Pr. Contra. 2(a)(2)		56.380	MA	18			Pub Admi	2	3	3					possesses contraband in correctional facility
144 Rec Unlawful Grats		56.120	MA	18			Pub Admi	2	3	3					public servant takes payment for act already committed
145 Unlawful Evasion 1		56.340	MA	18			Pub Admi	2	3	3					felon fails to return from furlough
146 Crim Simulation		46.530	MA	16			Property	2	2	4					\$50 - \$500: alter, possess, use with intent to defraud
147 Gambling		66.200	MB	16			Pub Hlth	2	2	4					
148 Poss. Burglary Tools		46.315	MA	16			Property	2	2	4					
149 Pr. Contra. 2(a)(1)		56.380	MA	16			Pub Admi	2	2	4					introduces other contraband
150 Prostitution		66.100	MB	16			Pub Hlth	2	2	4					
151 Removal ID. (b)(2)		46.260	MA	16			Property	2	2	4					\$50 - \$500
152 Unlawful Poss. (b)(2)		46.270	MA	16			Property	2	2	4					\$50 - \$500
153 HIW 3 (a)(1)		61.220	MB	15			Pub Orde	5	1	3					knowingly possesses concealed
154 HIW 3 (a)(2)		61.220	MB	15			Pub Orde	5	1	3					possesses loaded firearm in bar
155 HIW 3 (a)(3)		61.220	MB	15			Pub Orde	5	1	3					minor possesses w/o consent
156 Harassment		61.120	MB	12			Pub Orde	1	3	4					taunting, telephoning, physical contact

Expanded Range	Sorted by Rank	Statutes	Class	Score	Adj	Not	All Offenses				Secondary				Defining Characteristics
							Primary Interest	typ	leve	cul	Interes	type	leve	cul	
157	Hinder Prosecution 2	56.780	MB	12			Pub Admi	2	3	2					renders assist to person w/ crime punishable for + 90 days
158	Making False Report	56.800	MA	12			Pub Admi	2	3	2					false info re. crime, fire, flood
159	Tamper Witness 2	56.545	MA	12			Pub Admi	2	3	2					induces witness to be absent from official proceeding
160	Theft 3 (a)(3)	46.140	MA	12		m	property	1	3	4					less than \$50, convicted of theft twice in last five years
161	Theft 4	46.150	MB	12		j	property	1	3	4					less than \$50
162	Unlawful Evasion 2	56.350	MB	12			Pub Admi	2	3	2					misdemeanant fails to return from furlough
163	Doing Minor (a)(5)	51.130	MA	10			Family	5	1	2					under 16 absent from custody of parent or school
164	Criminal Trespass 2(a)(1)	46.330	MB	9			property	1	1	4	person	5	1	1	enter or remain unlawfully on premises
165	Criminal Trespass 2(a)(2)	46.330	MB	9			property	1	1	4	person	5	1	1	enter or remain unlawfully in a propelled vehicle
166	Crim Simulation	46.530	MB	8		o	Property	1	2	4					less than \$50
167	Disorderly Conduct	61.110	MB	6			Pub Orde	1	3	2					noise, fight in self defense, hazardous condition
168	MICS 6 (a)(1) 12	71.060	MB	6			Con Sub	3	1	2					marijuana possession in public
169	MICS 6 (a)(2)	71.060	MB	6			Con Sub	3	1	2					marijuana possession while driving
170	MICS 6 (a)(3)	71.060	MB	6			Con Sub	3	1	2					minor possesses marijuana
171	MICS 6 (a)(4)	71.060	MB	6			Con Sub	3	1	2					possess of 4 oz. or more of marijuana
172	MICS 6 (a)(5)	71.060	MB	6			Con Sub	3	1	2					refuse entry for inspection under AS 17.30
173	Removal ID. (b)(3)	46.260	MB	4		o	Property	1	1	4					less than \$50
174	Unlawful Poss. (b)(3)	46.270	MB	4		o	Property	1	1	4					less than \$50

Expanded Range				All Offenses											Defining Characteristics
Sorted by Rank			Adj	Primary				Secondary							
Statutes	Clas	Score	Not	Interest	typ	leve	cul	Interes	type	leve	cul				
Per Notes															
a: adjusted to reflect vulnerability of victim															
b: "extreme indifference" set to equal seriousness with "knowing"															
c: adjusted to reflect consensual nature of crime															
d: adjusted to reflect use of dangerous instrument															
e: adjusted to be consistent with other second degree assault															
f: adjusted to reflect removal of child from state															
g: scored as low emotional harm because minor does not feel victimized by sexual partner															
h: additive factor for child															
i: statute should be rewritten to separate uses (or attempts to use), causes (or attempts to cause)															
Prop Notes															
j: different ways of stealing the same amount are of equal seriousness. Theft includes bad checks, defrauding creditors, concealment of merchandise, fraudulent credit card use, forgery of checks, criminal mischief where only harm is to property															
k: Recommend new seriousness level be created for thefts over \$100,000															
l: Recommend check forgery be treated separately from other forgeries and included in "theft".															
m: adjusted to reflect habitual criminal conduct															
n: definition of burglary may need a return to old aggravators: occupied dwelling at night with firearm.															
o: preparatory and post crime acts such as removal of ID, possession of property with ID removed, and criminal simulation are ranked at equal seriousness.															

Statute Seriousness Ranking



Seriousness Categories

Level 1 Score 268-288

Murder 1

Level 2 216

Murder 2

Level 3 192

Kidnapping

Level 4 156-168

Sexual Assault 1

Sexual Abuse of a Minor 1

Unlawful Exploitation of a Minor 1

Level 5 120-144

Manslaughter (except assisting suicide)

Arson 1

Escape 1

Robbery 1

Level 6 108-116

Sexual Assault 2

Sexual Abuse of a Minor 2 (except statutory rape)

Unlawful Exploitation of a Minor 2

Escape 2 - while possessing firearm

Criminal Mischief 1 - intentionally damaging > \$100,000 by widely dangerous means

Level 7 90-107

Arson 2

Robbery 2

Escape 2 - unarmed escape by felon

Criminal Mischief 1 - tamper food or drug with intent to cause physical injury

Burglary 1 - dwelling

MICS 1 - delivers heroin or cocaine to minor
engages in continuing criminal enterprise

Promoting Prostitution 1 - minor or person in one's custody

Theft 0 - > \$100,000

Extortion

Level 8 72-87

Terroristic Threat - repeated threats of death or physical injury
false report causing fear of physical injury

Bribery of Public Servant - giving and receiving

Perjury

Coercion
Burglary 1 - armed with firearm
 causes (or attempts to cause) physical injury
 uses (or attempts to use) dangerous instrument
Promoting Contraband 1 - deadly weapon in jail
Criminally Negligent Homicide
Custodial Interference 1 - out of state
Theft 1

Level 9 44-66

Commercial Bribery - giving and receiving
Criminal Mischief 2 - tampering with airplane or pipeline
 recklessly damaging > \$100,000 by widely dangerous means
Interference with Official Proceedings - threatening or bribing witness or juror
Receiving a Bribe by Witness or Juror
Witness Tampering - testify falsely
 be absent from proceedings
Custodial Interference 2 - in state
MICS 2 - selling heroin to adults
MICS 3 - selling cocaine to adults
MICS 3 - deliver schedule 4,5,6 drug to minor
 adult possessing heroin or cocaine near school
Promoting Contraband 1 - to facilitate escape
Promoting Prostitution 1 - use of force on adult
Sexual Abuse of a Minor 2 - penetration >3 years younger than offender: statutory rape
Sexual Abuse of a Minor 3 - contact with 13-15 year old, >3 years younger than offender
Burglary 2
Deliver Imitation Controlled Substance
Possession with Intent to Manufacture
Record False Instrument - deed or contract
MTW 1

Level 10 36-40

Indecent Exposure to Child
Theft 2
Scheme to Defraud
Jury Tampering - communication with intent to influence
Tamper Public Records 1
Unsworn Falsification
Official Misconduct
Perjury by Inconsistent Statement
Permitting Escape
Hinder Prosecution 1 - assistance to felon

Level 11 18-30

Harassment - violation of DV order restraining communication
Indecent exposure to Adult
Escape 4
MICS 4 & 5
Misconduct by Juror - agree to vote before case submitted
Possession Gambling Records 1
Promoting Contraband 1(a)(3) - drugs
Promoting Gambling 1 & 2
Promoting Prostitution 2 & 3
Pre- and Post-Theft Crimes \$500-\$25,000 - crim. sim., removal ID, unlawf. poss.
Theft 3
Criminal Trespass 1
Criminal Nonsupport
Contribute to Delinquency of Minor - drugs or crimes
MIW 2
Possession Gambling Device
Possession Gambling Records 2
Promoting Contraband 2 - possession
Receiving Unlawful Gratuities - public servant
Unlawful Evasion 1 - felon fails to return from furlough

Level 12 4-16

Pre- and Post-Theft Crimes \$50-500
Gambling
Possession of Burglary Tools
Prostitution
MIW 3
Hinder Prosecution 2 - render assistance to misdemeanant
Making False Report
Theft 4
Unlawful Evasion 2 - misdemeanant fails to return from furlough
Contribute to Delinquency of Minor - encourage absence from school
Criminal Trespass 2
Pre- and Post-Theft Crimes < \$50
Disorderly Conduct
MICS 6

HB

120

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 3, 1993

FURTHER REFERRALS:

Date of Committee Action: 2-22-93

The JUDICIARY Committee considered:

HB 120

HOUSE BILL NO. 120

JURY LIST PREPARATION

"An Act changing the date by which jury lists must be prepared; requiring the use of the list of the current year's permanent fund dividend applicants in preparing the jury list; and changing the date by which state departments must submit certain lists to the Alaska Court System."

RECOMMENDATIONS: the same title
 be replaced with _____ a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact _____

fiscal note(s) _____

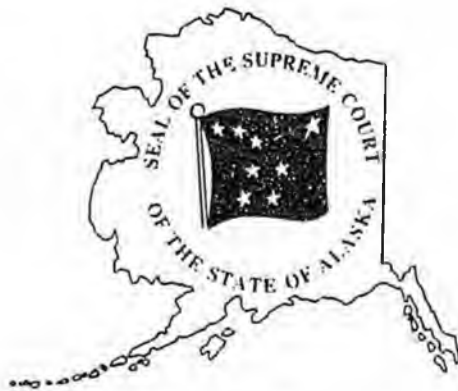
zero fiscal note Alaska Court System

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Brian D. Porter</i>	✓	<i>Cliff Dandee</i>		✓	
<i>Gail Phillips</i>	✓				
<i>Tom Woodhouse</i>	✓				
<i>Annette James</i>					
<i>Pete Ford</i>	✓				

Brian D. Porter

CHAIRMAN'S SIGNATURE



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

January 12, 1993

303 K Street
Anchorage, AK 99501
(907) 264-8228

Representative Brian Porter, Chairman
House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Porter:

Attached you will find copies of three pieces of court system legislation which were introduced during the Seventeenth Legislature, but were not passed into law. We ask that the Judiciary Committee reintroduce these bills on behalf of the supreme court.

1. CSHB 93 (HES), relating to the findings and recommendations of a neutral mediator when awarding shared custody.

HB 122
During the Seventeenth Legislature, a bill containing CSHB 93 (HES) passed the House and died in the Senate Rules Committee. The statutory change which it proposed was first made in the June, 1990 report of the Task Force on Mediation. This task force was formed by Chief Justice Matthews in December, 1988 in response to an instruction from the Fifteenth Legislature.

Currently, AS 25.20.090 reads in pertinent part:

In determining whether to award shared custody of a child the court shall consider

- (7) any findings and recommendations of a neutral mediator;

After study, the task force concluded that this statute as written endangers the

Representative Brian Porter
January 12, 1993
Page 2

mediation process and runs contrary to the majority view that mediation communications be kept confidential. The majority view also does not envision a mediator making a recommendation about the resolution of a dispute. To correct this problem, CSHB 93 (HES) proposed deleting from the statute the requirement that the findings and recommendations of a neutral mediator be considered by the court.

2. HB 141, relating to the introduction of bills by the supreme court.

HB 121
During the Seventeenth Legislature, this bill passed the House 39 - 0 and died in the Senate Judiciary Committee. It would have given the supreme court the authority to introduce legislation, similar to the authority enjoyed by the governor. Bills would be introduced with the inscription "Rules Committee by Request of the Alaska Supreme Court."

3. HB 172 Relating to the preparation of the jury list.

HB 120
This bill passed the House 34 - 0, and died in the Senate Judiciary Committee. At the present time, AS 09.20.05C instructs the administrative director to prepare a list of persons qualified for jury service by March 15 of each year. It is compiled from the list of applicants for the permanent fund dividend, which must be submitted by the Department of Revenue to the court system by the preceding January 15.

Putting the jury year on a calendar year basis would allow more efficient administration. Accordingly, HB 171 proposed requiring the administrative director to prepare the jury list by November 30, from a list submitted by the Department of Revenue no later than September 30.

Thank you for your courtesy. Please feel free to contact me if you have any questions or comments.

Very truly yours,



C. S. Christensen III
Staff Counsel

CSC:bh

Attachments



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

303 K Street
Anchorage, AK 99501
(907) 264-8228

February 19, 1993

The Honorable Brian Porter
Chairman, House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Porter:

Thank you for scheduling House Bill 120, relating to the preparation of the jury list. As you will recall, the Judiciary Committee introduced HB 120 at the request of the supreme court. An identical bill passed the House on a vote of 34 - 0 during the Seventeenth Legislature, but was not acted upon by the Senate.

At the present time, the administrative director of the court system is charged by AS 09.20.050 with preparing a list of persons qualified for jury service. This list must be prepared by March 15 of each year. It is compiled from a list of applicants for the permanent fund dividend, which must be submitted by the Department of Revenue to the court system by the preceding January 15.

It has been determined that jury service could be administered more efficiently if the jury year corresponded to the calendar year. Accordingly, HB 120 requires the administrative director to prepare a jury list by November 30, from a list submitted by the Department of Revenue no later than September 30. This will enable a new jury list to be used beginning on January 1 of each year. The bill has no fiscal impact, and the Department of Revenue has advised us that the dividend applicant list is available for distribution by September 30.

Thank you for your courtesy. Please feel free to contact me if you have any questions or comments.

Very truly yours,

C. S. Christensen III
Staff Counsel

CSC:bh

FISCAL NOTE

**STATE OF ALASKA
1993 LEGISLATIVE SESSION**

Bill No. HB 120

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act changing the date by which jury BRU: Trial Courts
lists must be prepared Components: _____
 Sponsor: House Judiciary
 Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS						
1003 GF MATCH						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/PROGRAM RECEIPTS						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: None

ANALYSIS: (Attach a separate page if necessary)
 No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
 Division: Alaska Court System Date: 02/18/93

Approved by: Arthur H. Snowden, II, Administrative Director *AS*
 Agency: Alaska Court System Date: 02/18/93

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Rep. Brian Porter, Chairman

House Judiciary Committee

Date: February 22, 1993

Place: Capitol Room 120

HB 100 Prosecution of Juvenile Felons
HJR 15 100-Day Session Limit

Subject of Meeting: HB 120 Jury List Preparation
HB 151 Payment by Indigents for Legal Services

Please Print Name	Representing	Business/Personal Mailing Address	Zip	(H) Phone	(W) Phone	Do you Want to Testify?	Which Subject/ Which Bill?
✓ Randall Hines	HSS	P.O. Box 110630	99511	9-1410	465-3187	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 100
✓ SHARON GOW	ALASKA WOMEN'S LOBBY	P.O. Box 22156 JND	99802		463-6744	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 100
✓ Jeff Ann Lucas	DPS		99511	5-4	465-4322	<i>If questions</i> <input checked="" type="radio"/> Y <input checked="" type="radio"/> N	HB 100
✓ Tom Williams	DOR PFD Division	P.O. Box 110460	99511-0460		465 2323	<i>If questions</i> <input checked="" type="radio"/> Y <input type="radio"/> N	HB 120
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	

Rep. Brian Porter, Chairman

House Judiciary Committee

Date: February 22, 1993

Place: Capitol Room 120

HB 100 Prosecution of Juvenile Felons

HJR 15 100-Day Session Limit

Subject of Meeting: HB 120 Jury List Preparation
HB 151 Payment by Indigents for Legal Services

Please Print Name	Representing	Business/Personal Mailing Address	Zip	(H) Phone	(W) Phone	Do you Want to Testify?	Which Subject/ Which Bill?
CHRIS CHRISTENSEN	MUSIC COURT SYSTEM	303 K ST. ANCH	99501		264-8228	(Y) N	HB 120 HB 151
DEAN GUANEZI	LAW	BOX KC Tuleau			3428	Y N	HB 100 if questions
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

H B

1 2 2



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

April 1, 1993

303 K Street
Anchorage, AK 99501
(907) 264-8228

The Honorable Brian Porter
Chairman, House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Porter:

Thank you for scheduling a hearing on House Bill 122, relating to the findings and recommendations of a neutral mediator when awarding shared child custody. As you will recall, this bill was introduced by the Judiciary Committee at the request of the Alaska Supreme Court.

In December, 1988, Chief Justice Warren Matthews created the Task Force on Mediation in response to an instruction from the Fifteenth Legislature. The purpose of the task force was to evaluate the potential benefits of mediation to consumers and to the court system. In its report, issued in June, 1990, the task force recommended the statutory change contained in HB 122.

Currently, AS 25.20.090 reads in pertinent part:

In determining whether to award shared custody of a child the court shall consider

. . . .

(7) any findings and recommendations of a neutral mediator;

. . . .

After study, the task force concluded that this statute as written endangers the mediation process and runs contrary to the majority view that mediation communications be kept confidential. The majority view also does not envision a mediator making a

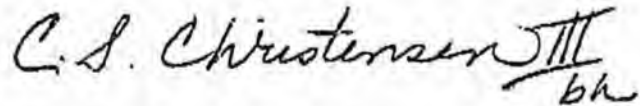
The Honorable Brian Porter
April 1, 1993
Page 2

recommendation about the resolution of a dispute, should mediation be terminated without agreement. The mediator's role is to guide the parties to a mutual decision, and not to impose a decision upon the parties, even in the form of a recommendation, if they cannot reach a decision.

To correct this problem, HB 122 would simply delete from the statute the requirement that the findings and recommendations of a neutral mediator be considered by the court.

Thank you for your courtesy. Please contact me if you have any questions or comments concerning this legislation.

Very truly yours,



C. S. Christensen III
Staff Counsel

CSC:bh

Sec. 25.20.090. Factors for consideration in awarding shared child custody. In determining whether to award shared custody of a child the court shall consider

- (1) the child's preference if the child is of sufficient age and capacity to form a preference;
- (2) the needs of the child;
- (3) the stability of the home environment likely to be offered by each parent;
- (4) the education of the child;
- (5) the advantages of keeping the child in the community where the child presently resides;
- (6) the optimal time for the child to spend with each parent considering
 - (A) the actual time spent with each parent;
 - (B) the proximity of each parent to the other and to the school in which the child is enrolled;
 - (C) the feasibility of travel between the parents;
 - (D) special needs unique to the child that may be better met by one parent than the other;
 - (E) which parent is more likely to encourage frequent and continuing contact with the other parent;
- (7) any findings and recommendations of a neutral mediator;
- (8) any evidence of domestic violence, child abuse, or child neglect in the proposed custodial household or a history of violence between the parents;
- (9) evidence that substance abuse by either parent or other members of the household directly affects the emotional or physical well-being of the child;
- (10) other factors the court considers pertinent. (§ 6 ch 88 SLA 1982; am § 1 ch 52 SLA 1989)

Effect of amendments. — The 1989 amendment, effective August 24, 1989, rewrote paragraph (8), added present para-

graph (9), and redesignated former paragraph (9) as present paragraph (10).

NOTES TO DECISIONS

Quoted in *McClain v. McClain*, 716 P.2d 381 (Alaska 1986); *Bell v. Bell*, 794 P.2d 97 (Alaska 1990).

Sec. 25.20.100. Reasons for denial to be set out. If a parent or the guardian ad litem requests shared custody of a child and the court denies the request, the reasons for the denial shall be stated on the record. (§ 6 ch 88 SLA 1982)

8-LS0529A
Lauterbach
1/28/93

HOUSE BILL NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Introduced:
Referred:

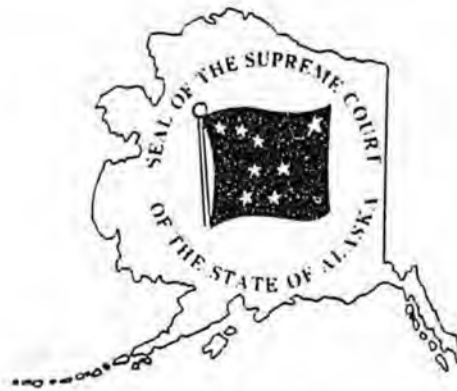
A BILL

FOR AN ACT ENTITLED

1 "An Act eliminating a requirement that a court consider the findings and
2 recommendations of a neutral mediator when awarding shared child custody."

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

4 * Section 1. AS 25.20.090(7) is repealed.



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

January 12, 1993

303 K Street
Anchorage, AK 99501
(907) 264-8228

Representative Brian Porter, Chairman
House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Porter:

Attached you will find copies of three pieces of court system legislation which were introduced during the Seventeenth Legislature, but were not passed into law. We ask that the Judiciary Committee reintroduce these bills on behalf of the supreme court.

1. CSHB 93 (HES), relating to the findings and recommendations of a neutral mediator when awarding shared custody.

HB 122
During the Seventeenth Legislature, a bill containing CSHB 93 (HES) passed the House and died in the Senate Rules Committee. The statutory change which it proposed was first made in the June, 1990 report of the Task Force on Mediation. This task force was formed by Chief Justice Matthews in December, 1988 in response to an instruction from the Fifteenth Legislature.

Currently, AS 25.20.090 reads in pertinent part:

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.....

- (7) any findings and recommendations of a neutral mediator;

.....

After study, the task force concluded that this statute as written endangers the

Representative Brian Porter
January 12, 1993
Page 2

mediation process and runs contrary to the majority view that mediation communications be kept confidential. The majority view also does not envision a mediator making a recommendation about the resolution of a dispute. To correct this problem, CSHB 93 (HES) proposed deleting from the statute the requirement that the findings and recommendations of a neutral mediator be considered by the court.

2. HB 141, relating to the introduction of bills by the supreme court.

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3. HB 172 Relating to the preparation of the jury list.

HB 120
This bill passed the House 34 - 0, and died in the Senate Judiciary Committee. At the present time, AS 09.20.050 instructs the administrative director to prepare a list of persons qualified for jury service by March 15 of each year. It is compiled from the list of applicants for the permanent fund dividend, which must be submitted by the Department of Revenue to the court system by the preceding January 15.

Putting the jury year on a calendar year basis would allow more efficient administration. Accordingly, HB 171 proposed requiring the administrative director to prepare the jury list by November 30, from a list submitted by the Department of Revenue no later than September 30.

Thank you for your courtesy. Please feel free to contact me if you have any questions or comments.

Very truly yours,



C. S. Christensen III
Staff Counsel

CSC:bh

Attachments



Alaska State Legislature

Please enter into the record my testimony to the House Judiciary
committee name

committee on HB 122, dated March 3, 1993
bill/subject

Please make available teleconference
ref: HB 122 prior to further
movement of the proposed
legislation.

Signed: Ermit Portcheller, Jr.
Testifier

Representing (Optional)
F.O. Box 2544 PALMER, ALASKA
Address 99645
745-3689 / 373-0831
Phone No.

HOUSE COMMITTEE REPORT

(9)

Date Referred: February 3, 1993

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 3-17-93

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 122

HOUSE BILL NO. 122

CHILD CUSTODY PROCEDURES

"An Act eliminating a requirement that a court consider the findings and recommendations of a neutral mediator when awarding shared child custody."

- RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title
- [] have attached amendments(s)
- [x] do pass
- [] do not pass
- [] no recommendations
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[x] zero fiscal note Courtsystem

[] zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Al Vega</i>	<input checked="" type="checkbox"/>	<i>Peer Post</i>		<input checked="" type="checkbox"/>	
<i>Greg ...</i>	<input checked="" type="checkbox"/>				
<i>Carl Bunde</i>	<input checked="" type="checkbox"/>				
<i>Harley Allberg</i>	<input checked="" type="checkbox"/>				
<i>Scott ...</i>	<input checked="" type="checkbox"/>				
<i>Robert Davis</i>	<input checked="" type="checkbox"/>				
<i>Wendy ...</i>	<input checked="" type="checkbox"/>				
<i>Tom Bruce</i>	<input checked="" type="checkbox"/>				

Carl Bunde
 CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill No. HE-122

Revision Date: _____ Department Affected: Alaska Court System
 Title: Child custody procedures BRU: Trial Courts
 Components: _____
 Sponsor: House Judiciary
 Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS						
1003 GF MATCH						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/PROGRAM RECEIPTS						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: None

ANALYSIS: (Attach a separate page if necessary)
 No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228
 Division: Alaska Court System Date: 03/01/93

Approved by: Arthur H. Snowden, II, Administrative Director *AS*
 Agency: Alaska Court System Date: 03/01/93

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

H B

1 2 7

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 127

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act setting presumptive terms of imprisonment..." BRU: Public Defender Agency
 Component: Public Defender Agency
 Sponsor: Representative Kott
 Requestor: House Judiciary COMPONENT SERIAL NO. 1631

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	*	*	*	*	*	*
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL						
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REVENUE FUND SOURCE:	*	*	*	*	*	*
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	*	*	*	*	*	*

POSITIONS

FULL-TIME	*	*	*	*	*	*
PART-TIME						
TEMPORARY	*	*	*	*	*	*

Estimate of current year (FY93) impact: \$ None

ANALYSIS: (attach a separate page if necessary.)

See attached.

Prepared By: John Salemi, Public Defender Phone: 279-7541
 Division: Public Defender Agency Date: _____

Approved by Commissioner: Nancy Bear Usera Date: 3/16/93
 Agency: Department of Administration

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

CONTINUATION OF FISCAL NOTE ANALYSIS

For HB 127

HB 127 is a legislative proposal which makes significant changes in Alaska's sentencing law. As to felony offenses, this bill creates mandatory jail sentences for first time offenders for class B and C felonies if the individual possessed a firearm during the commission of the offense. A first time convicted class B felon, for example, would be required to serve two years, without parole, under this proposal.

This bill also creates a mandatory minimum sentence of 30 days in prison for an individual convicted of Assault in the Fourth Degree where the victim is a peace officer, fire fighter, correctional officer, etc.

Fiscal Impact

If this bill passes into law, there will be a fiscal impact as concerns the Public Defender Agency. Experience has shown that establishment of mandatory minimum sentences and/or presumptive sentences intensifies litigation and increases the number of trials necessary to resolve cases. Because the Public Defender does not have the capacity to estimate the increase in its workload based on these changes in the law, no quantifiable fiscal impact is projected for purpose of this analysis.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 127

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act setting presumptive terms of imprisonment..." BRU: Office of Public Advocacy
 Component: Office of Public Advocacy
 Sponsor: Representative Kott
 Requestor: House Jud COMPONENT SERIAL NO. 43

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
-----------------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY93) impact: \$ None

ANALYSIS: (attach a separate page if necessary.)

Prepared By: Brant McGee, Public Advocate Phone: 274-1684
 Division: Office of Public Advocacy Date: _____

Approved by Commissioner: Nancy Bear Usura *NBEU* Date: 3/16/93
 Agency: Department of Administration

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Alaska State Legislature
House of Representatives

COMMITTEES:
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& SOCIAL SERVICES
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STATE AFFAIRS

SPECIAL COMMITTEES:
MILITARY & VETERANS AFFAIRS
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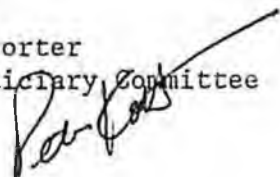
DURING SESSION:
STATE CAPITOL
JUNEAU, AK 99811
PHONE (907) 465-3777

Representative Pete Kott

MEMORANDUM

DATE: February 19, 1993

TO: Representative Porter
Chair, House Judiciary Committee

FROM: Rep. Pete Kott 

RE: Request for hearing
HB 127, Presumptive Terms for Firearms Possession

Please schedule HB 127 for a hearing before the House Judiciary Committee as soon as possible.

HB 127 makes changes to Title 12 so that first convictions for class B and class C felonies carry a presumptive term of imprisonment if the offender was in possession of a firearm at the time of the offense. The presumptive term for a class B felony would be two years and for a class C felony, one year. HB 127 also requires a mandatory minimum term of imprisonment of 30 days upon conviction for assault in the fourth degree if the offender was in possession of a firearm at the time of the offense.

As you requested, the following items are attached:

Sectional analysis
Fiscal note from the Department of Corrections
Sponsor statement

If you have any questions on this bill, please call me or my Legislative Assistant, Jack Phelps, at 465-3777.



REQUEST FOR SCHEDULING

Alaska State Legislature
House of Representatives

COMMITTEES:
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& SOCIAL SERVICES
JUDICIARY
STATE AFFAIRS

SPECIAL COMMITTEES:
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PHONE (907) 694-7943

DURING SESSION:
STATE CAPITOL
JUNEAU, AK 99811
PHONE (907) 465-3777

Representative Pete Kott

SPONSOR STATEMENT

HB 127

Presumptive & Mandatory Sentencing

HB 127 makes changes to Title 12, Code of Criminal Procedure so that first convictions for class B and class C felonies carry a presumptive term of imprisonment if the offender was in possession of a firearm at the time of the offense. The presumptive term for a class B felony would be two years and for a class C felony, one year. HB 127 also requires a mandatory minimum term of imprisonment of 30 days upon conviction for assault in the fourth degree if the offender was in possession of a firearm at the time of the offense. The terms prescribed are currently provided in each case if the attack is against certain officials and emergency responders.

The number of homicides nationally and in Alaska is increasing, and a high percentage of those murders are committed with firearms. One of the fundamental responsibilities of civil government is to protect the innocent. Our response, therefore, must be to the illegal use of firearms, not to their lawful use. An appropriate measure is suggested by HB 127 which would stiffen the penalty for those inclined to use a firearm while engaged in criminal activity. While this bill does not address murder directly, its implementation could save lives by getting tougher with those who perpetrate less serious crimes while in possession of a firearm.

Danger to the public welfare is greatly increased when those engaged in criminal action are carrying firearms. HB 127 sends a strong message that Alaska will not tolerate the unlawful use of firearms in our state.



SPONSOR STATEMENT

SECTIONAL ANALYSIS

HB 127

Presumptive and Mandatory Sentences for the Commission of Certain Crimes

Section 1

Amends AS 12.55.125(d) to provide for a presumptive sentence of two years imprisonment for a first felony conviction of a class B felony if the defendant possessed a firearm during the commission of the offense.

Section 2

Amends AS 12.55.125(e) to provide for a presumptive sentence of one year imprisonment for a first felony conviction of a class C felony if the defendant possessed a firearm during the commission of the offense.

Section 3

Amends AS 12.55.135(d) to provided for a mandatory minimum sentence of 30 days imprisonment for a conviction of assault in the fourth degree if the defendant possessed a firearm during the commission of the offense. Assault in the fourth degree is a class A misdemeanor.

ALASKA PEACE OFFICERS ASSOCIATION



Anchorage Chapter
P. O. Box 103824
Anchorage, AK 99510
Phone _____

March 10, 1993

Representative Pete Kott
Alaska State Legislature
State Capitol Building
Juneau, Alaska 99801

Dear Representative Kott,

The Alaska Peace Officers Association, Anchorage Chapter, endorses House Bill 127 which sets presumptive prison terms for criminals who use a firearm in the commission of their crime. It is common knowledge that crime is on the rise. However, the greatest increase in crime is that involving the use of weapons. Last year statistics show that felony assaults were up 42% in Anchorage and armed robberies were up 5%.

Clearly, the only way to ensure the public's safety is through the isolation of the offender. When lawbreakers are in jail, the public is protected. Your bill sends violent offenders a clear message: violent crime will result in mandatory jail terms.

Sincerely,

John Charbonneau, President
Alaska Peace Officers Association
Anchorage Chapter

BILL NO: HB 127

DATE: March 10, 1993

TITLE: "An Act setting presumptive terms of imprisonment. . ."

CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

POSITION PAPER - Department of Public Safety

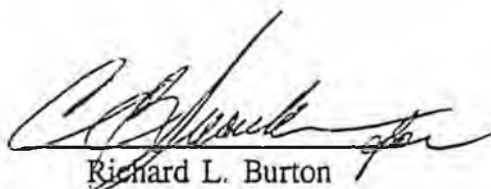
HB 127 is intended to impress upon citizens the seriousness of committing a crime while in possession of a firearm and providing additional protection for the citizens of the state by imposing a minimum sentence for individuals who commit a Class B or Class C felony for the first time or an assault in the fourth degree, while armed with a firearm.

Section one of this legislation amends AS 12.55.125, Sentences of Imprisonment for Felonies, paragraph (d) to provide that 1) if the defendant is convicted of a class B felony and 2) was in possession of firearm during the commission of the offense and 3) if the offense is the first felony conviction, that the sentence would be two (2) years.

Section two (2) amends AS 12.55.125(e) to provide that if 1) the defendant is convicted of a class C felony and 2) the defendant was in possession of a firearm during the commission of the offense and 3) if the offense was his first felony conviction, the sentence would be one (1) year.

Section three (3) amends 12.55.135(d) to provide that 1) if the defendant is convicted of fourth degree assault and 2) was in possession of a firearm during the offense, the sentence will be thirty (30) days.

This legislation will not impact the Department of Public Safety. Information obtained during the investigation of an offense whereby the defendant was in possession of a firearm would be routinely included in police reports and therefore would not be any additional burden.


Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 127

Revision Date: _____ Dept. Affected: Corrections
 Title: "An Act setting presumptive terms of imprisonment..." BRU: Institution: Stwd Programs
 Component: Institutions: Stwd Programs
 Sponsor: Representative Kott
 Requestor: Representative Kott/ House Judiciary COMPONENT SERIAL NO. 1860: 1858

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2
CAPITAL						

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2	1,706.2

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (F793) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary)
 Please see the attached fiscal analysis.

Prepared by: Dana LaTour, Special Assistant *D LaTour* Phone: 465-3376
 Division: Commissioner's Office Date: 3-15-93
 Approved by Commissioner: Lloyd G. Rupp *D LaTour for* Date: 3-15-93
 Agency: Department of Corrections

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Section 1 of the bill provides that a defendant convicted of a class B felony offense, if it is a first time felony conviction and a firearm was possessed during the commission of the crime, will be sentenced to a presumptive term of two years. Currently, the average sentence length for such an offense is 3 months.

Section 2 of the legislation provides for a presumptive term of one year for defendants convicted of a class C felony if the offense is a first felony conviction and the defendant possessed a firearm during the commission of the crime. Typically, defendants receiving a first time felony conviction for a class C felony will not serve any jail time.

Section 3 amends AS 12.55.135(d) to provide that a defendant convicted of assault in the fourth degree who possessed a firearm during the commission of the offense will be sentenced to a mandatory minimum sentence of 30 days.

Because the Department of Corrections does not have a management information system, and there is no coordinated collection of criminal justice data between the departments of Law, Public Safety, Corrections and the Court System it is extremely difficult to determine the actual number of defendants who would be impacted by this legislation. The Departments of Law and Public Safety both have expressed that a significant number of those charged with class B and class C felonies are in possession of a weapon during the commission of the crime, especially Drug, Assault, Sexual Assault, Robbery, and Burglary offenses.

Class B felonies that would likely be impacted by this bill are: Assault II, Sexual Assault II, Robbery II, Misconduct involving a Controlled Substance III, and Burglary I.

Felony	Number Sentenced in 1992	% Possessing Firearms	Assumed #
Assault II	49	50%	25
Sexual assault II	24	25%	6
Robbery II	16	25%	4
MICS III	119	10%	12
Burglary I	70	25%	17
Total			64

Under the provisions of this legislation, the presumptive sentence length of imprisonment would be 2 years or 24 months. Subtracting one-third of the sentence for mandatory good time, the length of sentence served would be 16 months. The average sentence served under current law is 3 months. This would result in an increase of 13 months or 396 days.

32 offenders (64 offenders x 50% first time felony convictions) x 396 additional days x \$100 day = \$1,267,200

Class C felonies that would likely be impacted by this bill are:

Felony	Number Sentenced in 1992	% Possessing Firearm	Assumed #
Sexual Assault III	4	25%	1
Burglary II(commercial)	80	25%	20
MICS IV	96	10%	10
Total			31

Under the provisions of this legislation, the presumptive sentence length of imprisonment would be 1 year or 12 months. Subtracting one-third of the sentence for mandatory good time, the length of sentence served would be 8 months or 244 days. Under current law, first time offenders do not typically serve any time.

16 offenders (32 offenders x 50% first time felony convictions) x 244 additional days x \$100 day = 390,400

In 1992 there were 546 offenders sentenced for Assault in the 4th degree. Assuming that 5% of the offenders possessed a firearm during the assault, then 27 offenders would be sentenced to serve 30 days of imprisonment. It is assumed that these offenders would be placed in a Community Residential Center at an average cost of \$60 per day.

27 offenders x 30 days x \$60 day = \$48,600

Total Fiscal Impact

Section 1	\$1,267,200
Section 2	\$ 390,400
Section 3	\$ 48,600
Total	\$1,706,200

H B

1 2 8

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 19, 1993

FURTHER REFERRALS:

Finance

Date of Committee Action: 4-7-93

The JUDICIARY Committee considered:

SSHB 128

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 128 EARLY ACKNOWLEDGEMENT OF PATERNITY

"An Act relating to early acknowledgement of paternity for the child of an unmarried mother."

RECOMMENDATIONS:

be replaced with _____

SS
CSHB 128 (HES)

the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal impact _____

fiscal note(s) HES 3/19/93

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	<u>OTHER</u> RECOMMENDATIONS	DNP	NR	AM
<i>Brian D. Porter</i>	<input checked="" type="checkbox"/>	<i>Pat K... [unclear]</i>		<input checked="" type="checkbox"/>	
<i>Jim Dond... [unclear]</i>	<input checked="" type="checkbox"/>	<i>Jannette James</i>		<input checked="" type="checkbox"/>	

Brian D. Porter
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. SS HB 128

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act Relating to Early Acknowledgement of Paternity BRU: State Health Services
 Sponsor: B. Davis Component: Bureau of Vital Statistics
 Requestor: _____ COMPONENT SERIAL NO. #961

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	12.6	0.0	0.0	0.0	0.0	0.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	12.6	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE						
---------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	12.6	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	12.6	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

FY 94

One time cost for redesign and printing 20,000 affidavits of paternity forms	2.0
One time legal drafting, design and printing costs for informational pamphlet	10.0
Initial mailing cost for 5,000 pamphlets, and AFDC/Medicaid applications	0.6
	12.6

Prepared by: Peter M. Nakamura, MD, MPH
 Division: Division of Public Health

Phone: (907) 465-3000
 Date: 3/15/93

Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Date: 3/16/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CS SS HB 128 (HES)

Revision Date: 3/23/93 Dept. Affected: Health and Social Services
 Title: An Act Relating to Early Acknowledgement of Paternity BRU: State Health Services
 Sponsor: B. Davis Component: Bureau of Vital Statistics
 Requestor: _____ COMPONENT SERIAL NO. #961

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	12.6	0.0	0.0	0.0	0.0	0.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	12.6	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE						
---------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	12.6	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	12.6	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

FY 94

One time cost for redesign and printing 20,000 affidavits of paternity forms	2.0
One time legal drafting, design and printing costs for informational pamphlet	10.0
Initial mailing cost for 5,000 pamphlets, and AFDC/Medicaid applications	0.6
	12.6

slow

Prepared by: Peter M. Nakamura, MD, MPH
 Division: Division of Public Health

Phone: (907) 465-3090
 Date: 3/15/93

Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Date: 3/23/93

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ALASKA STATE LEGISLATURE

3111 C STREET
ANCHORAGE, ALASKA 99503
(907) 561-2039
FAX: (907) 561-1691


STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3875
FAX: 907-465-2294

MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS DISTRICT 21

MEMORANDUM

TO: REP. REP. BRIAN PORTER, CHAIR
HOUSE JUDICIARY COMMITTEE

FR: REP. BETTYE DAVIS 

DT: MARCH 19, 1993

RE: SCHEDULING OF CSHB 128 (HESS)

I respectfully request that CSHB 128 (HESS), Early Acknowledgment of Paternity, be scheduled at your earliest convenience. I have attached a copy of the bill, sponsor statement and pertinent background information for your review.

If you have any questions, please feel free to contact me or Renee Chatman of my staff at x3875. Thank you.



ALASKA STATE LEGISLATURE

3111 C STREET
ANCHORAGE, ALASKA 99503
(907) 561-2039
FAX: (907) 561-1691

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3875
FAX: 907-465-2294

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& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS DISTRICT 21

SPONSOR STATEMENT

CSSSHB 128 (HES) - "RELATING TO EARLY ACKNOWLEDGEMENT OF PATERNITY FOR THE CHILD OF AN UNMARRIED MOTHER."

Non-support of children has become a national epidemic with one-fourth of children in the United States now living with a single parent and an estimated 60 percent spending at least part of their childhood in a single-parent home. In almost half of these cases, the absent parent does not pay child support. Many of these children are born out-of-wedlock and paternity is established in only 30 percent of such cases. That interprets into 70 percent of out-of-wedlock births where there is no proof of paternity and no means to collect child support.

CSSSHB 128 adds language to A.S. 18.50 and requires the state registrar to prepare a paternity acknowledgment form to be used at the time of birth. The form, signed by both parents, will list the father's full name and social security number, and requires the signature of a notary public. The bill also lays out specific responsibilities of hospitals or midwives (should the birth occurs outside the hospital setting) to get the proper information on the form and to distribute appropriate paternity materials from the Department of Health and Social Services.

This legislation is an attempt to get acknowledgment at the time when a father is particularly willing to develop a relationship with the child, which benefits both parties. The child will have the security of knowing who his/her father is and could gain access to support from Social Security, survivor and veteran benefits and worker's compensation. The child would also be entitled to the father's inheritance, health insurance and have access to the family medical history. The father, in turn, maintains the legal right to have access to his child even though he is not married to the mother.



Sponsor Statement
CSSSHB 128 (HES)

As of December 1992, there were 36,396 cases pending in the Alaska Child Support Enforcement Division and 7,199 of those cases are directly related to paternity verification. Establishing paternity early on will better enable the state to collect child support in the future and could subsequently reduce the number of families needing public assistance.

CSSSHB 128 (HES) is a step towards giving children in this state a better start in life and the support they deserve from both parents.

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

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

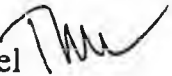
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 23, 1993

SUBJECT: Sectional Summary of HB 128 (Early Acknowledgement of Paternity)

TO: Representative Bettye Davis

FROM: Terri Lauterbach 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

This summary is brief. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please let me know.

Section 1. Instructs the state registrar to prepare a form for use in acknowledging paternity under AS 25.20.055, which is enacted in sec. 2 of the bill.

Sec. 2. Requires hospitals to give to unmarried women who give birth in the hospital (or en route to the hospital) information about acknowledgement of paternity and an application for Medicaid and AFDC. If a birth is not in a hospital (or en route to a hospital), the attending physician, nurse-midwife, or direct-entry midwife must perform this duty.

TML:gc
93-154.glc

Conservatives' ^{3/16/93} new 'index' finds society slipping

By PETER A. BROWN

Scripps Howard News Service

WASHINGTON — Conservatives have come up with a way to quantify the decline in cultural values they have long sought to make a political issue.

William Bennett, a Cabinet member in the Reagan and Bush administrations, Monday announced an "Index of Leading Cultural Indicators" which he said shows that "over the last three decades we have experienced substantial social regression."

The index measures, among other things, welfare caseloads, out-of-wedlock births, crime rates, divorce rates, single-parent families and Scholastic Aptitude Test scores.

Employees of three conservative groups — Bennett's Empower America, The Heritage Foundation and the Free Congress Foundation — analyzed the data and compared the changes on a per-capita basis.

They found, for instance, that out-of-wedlock births were 5.3 percent of the nation's total in 1960 but 28 percent in 1990 — a more than 500 percent increase, when the population grew only 41 percent during the same period.

They found that single-parent families were 9.1 percent of all families with children in 1960, but 28.6 percent in 1991. And the percent of children

who receive Aid to Families with Dependent Children, the major welfare program, jumped from 3.5 percent in 1960 to 12.9 percent in 1991.

Bennett said that despite revisions in the SAT grading system, scores still have dropped about 8 percent since 1960. He said SAT scores dropped at the same time that government spending on education — adjusted for inflation — more than doubled.

Bennett offered a series of ideas to reverse the trends: using the Internal Revenue Service to collect child support from "dead-beat dads"; having hospitals establish paternity at the time of birth; tripling the personal income tax exemption for children; rescinding no-fault divorce laws for parents with children; and much tougher sentences for criminals.

Bennett said that he did not think the large increases in government spending during the 1960-90 period had caused the societal decline spotlighted by his index.

But he said he felt that the government programs may have created harmful incentives by shifting the emphasis from family and private solutions to problems.

"The thesis is: Government can't do it all and in fact, government can't do very much" about these problems, he said.

Affidavit # _____

Certificate # _____

AFFIDAVIT OF PATERNITY (LEGITIMATION)

If no father is listed on the birth certificate of a child born out of wedlock, Alaska Law (AS 18.50.160) permits the listing of the natural father. Both the mother and the father must sign the affidavit. The last name to be given to the child must be listed in Item 11.

**Facts as
Shown on
Original
Certificate**

1. FIRST MIDDLE LAST NAME OF CHILD	2. CHILD'S DATE OF BIRTH
3. CITY OF BIRTH: HOSPITAL	4. MAIDEN NAME OF MOTHER

**Natural
Father of
Child**

5. FIRST MIDDLE LAST NAME OF FATHER	6. SOCIAL SECURITY NO.
7. FATHER'S BIRTHDATE:	8. FATHER'S STATE OF BIRTH:
9. FATHER'S RACE	10. FATHER'S EDUCATION:

Please give careful consideration to the name you wish your child to have. This is a one-time opportunity and any future changes will require a court order as a legal change of name through the superior court.

11. HOW IS CHILD'S NAME TO APPEAR ON THE BIRTH CERTIFICATE?

BOTH PARENTS MUST SIGN BEFORE A NOTARY PUBLIC

I certify that I am the natural mother; that the above information is true; that there is no legal father; that I make this affidavit for the purpose of showing the natural father; and showing a change of child's name if so indicated.

Mother's Signature: _____

Address: _____

Subscribed to before me on this _____

day of _____ 19____

Notary for: _____ (State)

My commission expires: _____

I certify that the above information is true; that I make this affidavit for the purpose of showing that I am the natural father and providing for a change of the child's name if so indicated.

Father's Signature: _____

Address: _____

Subscribed to before me on this _____

day of _____ 19____

Notary for: _____ (State)

My commission expires: _____

Mail to: Bureau of Vital Statistics, P.O. Box 110675, Juneau, Alaska 99811-0675

Sec. 18.50.150. Form of certificate. The form of certificates, reports, and other returns required by this chapter, or by regulations adopted under it, must include as a minimum the items recommended by the federal agency responsible for national vital statistics subject to approval of any modification by the state registrar. The bureau shall prescribe and furnish forms. (§ 12 ch 118 SLA 1960)

Sec. 18.50.160. Birth registration. (a) A certificate of birth for each live birth that occurs in the state shall be filed with the local registrar of the registration district in which the birth occurred, as provided in this section, within seven days after the birth. When a birth occurs on a moving conveyance a birth certificate shall be filed in the district in which the child was first removed from the conveyance.

(b) When a birth occurs in an institution, the person in charge of the institution or a designated representative of the person in charge of the institution shall obtain the personal data, prepare the certificate, secure signatures required on the certificate, and shall file it with the local registrar. The physician in attendance shall certify to the facts of birth and provide the medical information required by the certificate within five days after the birth.

(c) When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority:

(1) the physician in attendance at or immediately after the birth; or in the absence of a physician;

(2) a person other than a parent in attendance at or immediately after the birth; or

(3) a parent, or, if a parent is unable, the person in charge of the premises where the birth occurs.

(d) If the mother was married at the time of conception or birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction, in which case the name of the father, if determined by the court, shall be entered.

(e) If the mother was not married at the time of conception or birth, the name of the father may not be entered on the certificate of birth unless paternity has been determined by a court of competent jurisdiction, or both the mother and father request the entry, or otherwise as specified by statute.

(f) In the case of a child born out of wedlock, the certificate of birth shall be filed in accordance with (a), (b), and (c) of this section unless the state registrar directs another procedure. (§ 13 ch 118 SLA 1960; am § 83 ch 127 SLA 1974; am § 28 ch 37 SLA 1986)



Child Support Report

Office of Child Support Enforcement

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Paternity Establishment at Birth:

Capturing the Happy Hour

The chances of establishing paternity are greater at the time of a child's birth than at any other time says Jan Clements, Policy Section Chief of Virginia's IV-D office. This propitious moment for obtaining voluntary paternity acknowledgements has been referred to as "the happy hour," the moment when the father is bursting with pride and is most willing to accept his paternity and its obligations.

Capturing a child's legal paternity at this opportune time seems to many to be common sense. Enforcement personnel have long known that, as the child grows and the parents' relationship weakens or deteriorates, the chances of establishing legal paternity progressively worsen. From a programmatic perspective, and in the wider social sense, high numbers of nonmarital births mean growing welfare dependency and growing IV-D caseloads. The backdrop to this picture is often a costly and time-consuming paternity establishment process through overburdened courts.

Benefits of Paternity

Apart from the possibility of the father's immediate care and support of the baby, legal paternity confers a multitude of other rights and benefits which new parents may not know. With paternity established:

- The child has a right to the father's name and such support that is based on his work history, such as Social Security and other survivor's benefits, veteran's benefits, and workman's compensation.
- The child can receive any inheritance, life and health insurance, and a right to access family health information.



Tim Hershberger, 1-day old Patrick John Hershberger, and Brenda Blackall. Photo: Butterworth Hospital, Grand Rapids, Michigan 1991.

- The father now has a legal right, though not married to the mother, to establish and maintain a relationship with his child.
- In the developing bonds of care and support, the child stands to gain a whole family, reaching to both the mother's and father's sides.

(continued on page 2)



U.S. Department of
Health and Human Services
Administration for Children and Families
Office of Child Support Enforcement

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From the Deputy Director



Allie Page Matthews

It's about the treatment of people—it always is. Whether it's in the highest negotiations for world peace or in simply asking for a glass of water in a restaurant, how you treat people tells a great deal about you.

A long time ago when I worked in the office of then-Congressman George Bush, I was struck with the simple kindheartedness that prevailed in that office.

I felt a part of a team. I was included because the idea was the thing that brought you to the table, not rank or position. There were no territorial battles, we were all treated equally, and our business was about solving problems.

And I could get help if I needed it from the people around me. There was none of this "Use them up and toss them away" attitude that seems to be prevalent today in a lot of places.

Every management book in the world will now tell you that the way I was treated is plain good management, but to me it's more a matter of how you live your life. Do you display kindness or rudeness? Do you offer help or criticism? Do you bring hope or despair?

I pray child support offices all over this country will choose to treat people at every level as I was treated in the Bush office. I want us to be what government should be. ■

Paternity At Birth

(continued from page 1)

The Programs

Mindful of these considerations, several states have passed legislation and instituted programs for establishing paternity in the hospital at the time of the child's birth. Child support enforcement programs in Virginia, Washington, and Michigan, for example, have voluntary consent processes in which the father and mother can acknowledge and sign a document that legally establishes paternity.

*The programs
include carefully
informed consent...*

Washington State, Kent County (Grand Rapids), Michigan, and Virginia have had hospital-based paternity efforts for about a year. Washington, the first state to establish such a program, currently has 80 participating hospitals and expects 7,000 sworn paternity affidavits to be signed by the end of 1991. Averaging 88 affidavits per hospital, this represents 80 percent of the fathers who were given the

opportunity to acknowledge paternity when their babies were born.

Kent County (Grand Rapids), Michigan, has one large participating hospital and expects to have 791 affidavits signed by the end of a 14-month period. This represents 52 percent of fathers given the chance to establish their paternity in the hospital. Virginia has five hospitals participating in its paternity establishment program and is expecting to add four more, moving toward a statewide program in its 35-40 birthing hospitals. According to Jane Clements, one invaluable ingredient has been the endorsement of the Virginia Hospital Association, which has promoted the program in its newsletter.

How They Work

The three state programs share several similar practices. In Washington State, hospital personnel, e.g., the doctor, midwife, social worker, or an administrative employee, "provide the opportunity" to the father and mother to acknowledge paternity, and medical records personnel obtain the acknowledgments as part of the birth registration process. In Virginia, a social worker presents the

Special Issue for Front Line Workers

January's *Child Support Report* will be a special issue for frontline workers. To ensure that they see it, please circulate your copies as widely as you can and let us know if you need more for distribution to local offices.

We would also be glad to add to our regular mailing list any local CSE offices that do not now receive *CSR*. Please let us know on 202-401-9383. ■



opportunity and the hospital's medical records clerk who prepares the birth certificate, obtains the paternity acknowledgments. In Grand Rapids, the medical records clerk performs both functions, with some of the groundwork laid by a social worker.

All three programs provide training to hospital personnel involved in paternity establishment—medical records clerks, vital statistics registrars, and supervisors. Also, the usual practice is for state CSE programs to pay the hospital a nominal fee of \$10 to \$20 per acknowledgment, which is eligible for federal financial participation. Clements points out that the fee can in no way compensate for the time the hospital spends with the patients, basically donated time.

Questions of Law

The programs include carefully informed consent, providing the mother and father with information which explains the benefits of paternity establishment and the availability of support enforcement services. Kent County has a resource person available at the agency for the hospital to refer any additional questions to, particularly of a legal nature.

How is legal paternity formalized? In Virginia and Washington, paternity is finally established when the hospital-notarized affidavits or declarations of paternity are filed with the state vital records departments. In Washington, the father has several opportunities to later contest the acknowledgment or the support order that results. In Grand Rapids, paternity is legally established when the affidavits are filed with the court.

Community Outreach

Kent County has done a lot of outreach with pregnant, unmarried women, so they and the fathers will be prepared when they enter the hospital. It distributes brochures to doctors' offices, health clinics, hospital-run prenatal clinics, and schools with unwed mothers. The



Brochure from Kent County Michigan

hope is that if unmarried fathers have information and have had time to discuss and think about the benefits of paternity to their child, they may be more receptive to acknowledging it when they come to the hospital. In Virginia, posters placed in the hospitals encourage

employees to obtain training in the hope that they can help "market" the program.

Cost Savings

In operational terms, the cost savings to state IV-D program can be substantial. Virginia estimates that in-hospital paternity establishment saves about \$440 per case over the cost of getting paternity processed through the courts. In one year, the Virginia CSE program has realized an estimated savings of \$126,700 for 288 hospital-established paternities.

The true benefits of "happy hour" paternity establishment are, of course, for the children. Says Nancy Sterk, District Manager with the Office of Child Support in Kent County, Michigan, "The children can leave the hospital with two legal parents instead of one, starting life on a positive basis." And, with paternity established at birth, and a support order entered soon after, the mother has earlier access to child support enforcement services, if and when she and her child need them.

For further information about these in-hospital paternity establishment programs, contact: **Kent County, Michigan:** Nancy Sterk, 616-247-6230; **Virginia:** Jane Clements, 804-662-7469; and **Washington:** John Hoover, 206-586-3555. ■



The Washington Post

AN INDEPENDENT NEWSPAPER

Who Pays for Children?

THE NON-SUPPORT of children has become a national epidemic. A fourth of U.S. children now live with a single parent, and an estimated 60 percent will spend at least part of their childhood in a single-parent home. In nearly half such cases the absent parent, generally the father, won't pay support. More than 40 percent of women raising children on their own have never been awarded child support, and only about a quarter get the full amounts to which they are entitled.

This splitting apart of the family as a financial unit is a major reason why a fifth of the children in the country are poor today, and an eighth are on welfare. The recurrent question is how, besides making welfare payments, the government should respond. Part of the cautious traditional response has been that this is a state and local issue from which Big Brother should keep its distance. A striking proposal now in play on Capitol Hill would abandon that tradition on grounds that only the national government has the resources to combat what has become a national emergency. The problem is such that normal political lines have been blurred. In the House, where the idea has got to the point of hearings, the principal sponsors are the unlikely pair of liberal Thomas Downey and conservative Henry Hyde.

The proposal is to federalize the patchy child support system—the collection, disbursement and periodic adjustment of child support awards—and to make failure to pay on the part of an able parent a federal crime. Awards would still be made in state courts, but increasingly according to federal standards—and state welfare agencies would be given powerful financial incentives to see that the number of such awards increased. The Internal Revenue Service would then become the enforcer of every child support

award in the country, collecting the money just as it does taxes, through withholding, with similar penalties for evasion. Unemployed fathers who had no income would be enrolled at federal expense in a job preparation program and might eventually be given public-sector jobs from which support would be subtracted.

The likely increase in support would reduce welfare costs. The government would reduce them further by guaranteeing every cooperating single parent in the country a minimum level of child support; if for lack of income or other reason the payment from the other parent fell short, the federal government would make up the difference. The result would be a partial federalization of the welfare system as well and a greater payoff for welfare mothers who went to work. They would still lose the welfare part of their benefits as they began to earn, but not the child support part. The lower welfare costs would also provide some fiscal relief for the states.

At the federal level, the system would be costly—the amount depending on the guarantees—and it's not going anywhere this year. Messrs. Downey and Hyde didn't even introduce it as a bill, but as a concept; that's what the Downey Ways and Means subcommittee is holding hearings on. But it's a provocative idea. The government undertakes to shift more resources to children, poor ones especially, but only after making their parents also take more responsibility for them. There's something in that for everyone. A shift of power over domestic relations to the federal level may yet unnerve some people—making non-support of children a federal crime in the same way non-payment of taxes is. You have to ask yourself, which is the greater offense—and who pays when the parents don't?

Deadbeat Dads

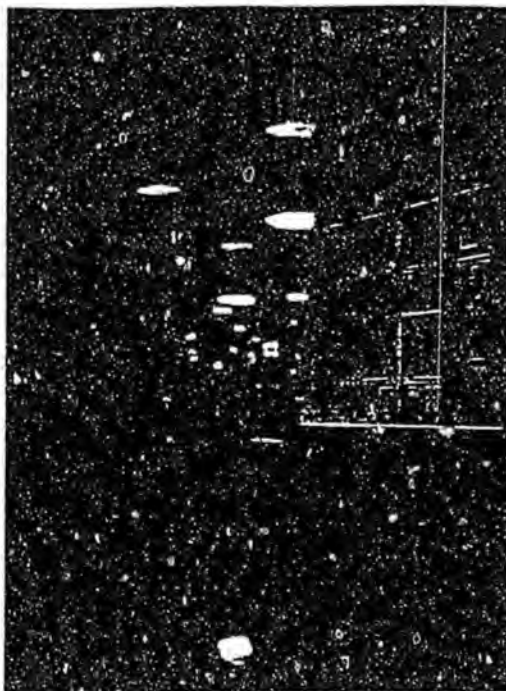
BY STEVEN WALDMAN

John Lock goes to court in Chicago next week to explain why he owes back child support, but his ex-wife Esther isn't expecting much. They have, after all, been through more than 100 court hearings about child support and their divorce over the past 19 years. And, according to the state of Illinois, he still owes more than \$160,000 for his four children. She's feeling needy now because she lost her job as a social worker 17 months ago, but she remembers more desperate times, like February 1977. "Our electricity was being turned off," she recalls. "We were lighting the house with candles. We were on what we called the 'white diet'—a lot of rice and cereal. No medical coverage, no dental." Her ex-husband, then a dentist, was living in the affluent suburb of Highland Park with his new family. "I knew he didn't want the kids so I figured I'd use it

as a scare tactic," says Esther. She gave their two teenage sons overnight packs and dropped them off in front of their father's house in subzero weather. He called the police. "He told the Highland Park police that there were two boys outside trespassing," she says. "I'm not proud of it, but I was desperate."

John Lock admits he called the police but says he had to because one of his sons was on the verge of "kicking the door down." He concedes he didn't pay the \$1,100 monthly child support for nine years, and admits he fled to Costa Rica for three years because he was "physically, emotionally, financially devastated." But he says he had paid regularly prior to 1977, owes "significantly less" than the state claims and thinks that his ex-wife and the state of Illinois are obsessed with trying to put him in jail. He no longer practices dentistry and works part time delivering flowers in Ida, Mich. "The kids were my world," he wrote in a recent letter to *Newsweek*. "I did my best to give them a nice life." In an interview, he added, "This has gone on to a point where there's no hope." His oldest son, Byron, now 32, agrees. He says he still can't comprehend his father's behavior. "We were his children," he says. "Why would he want to hurt us? That's what was so confusing about the whole deal—why would a father turn his back on a child?"

In battles like these, nobody ever comes out a winner. Fierce struggles over child support pit parent against parent and inevitably spray the children with emotional shrapnel. Increasingly, the private family traumas are spilling into public view. Posters of most-wanted deadbeat dads began peppering subways and bulletin boards in Massachusetts this month, and police quickly arrested the fathers. They also hauled in Frederick Grimaldi, who



IRA WYMAN FOR NEWSWEEK

Checking out delinquent dads in Saugus, Mass. (above), Rose Brown and son Tony in Louisville, Ky. (right), and a Baltimore city sheriff arrests a man for nonpayment of support

owes \$22,144 and was working in Florida as, of all things, a deputy sheriff, according to Massachusetts officials. Grimaldi has pleaded not guilty to charges of criminal nonpayment, and his lawyer says he owes just \$19,000, some of which accumulated while Grimaldi was unemployed. Next month an association of state child-support enforcement agencies will release its second annual national Wanted list, which will include a Louisiana attorney who owes \$123,000 and a Tennessee man who

owes his quadriplegic daughter \$21,500. These small steps reflect a growing awareness on the part of public officials of just how potent an issue this has become. Consultants for former Louisiana governor Buddy Roemer were surprised to discover that in focus groups during the 1991 campaign, middle-class voters spontaneously mentioned child support as one of their most important concerns. Bill Clinton, in campaign speeches, regularly urges tougher enforcement.

It's easy to understand why: of the 5 million women who are supposed to receive child support, only half reported receiving full payment, according to a 1990 U.S. Census Bureau study. One quarter of the women got partial payment, and one quarter got nothing. An additional 2.7 million women said they wanted support but were never able to obtain an award. Deadbeatness cuts across income groups: college graduates are about as likely to have a negligent ex-spouse or ex-boyfriend as high-school grads. It even spans gender lines. Fifteen percent of custodial parents are now men, and mothers in those cases have an equally dismal record of supporting their children. The consequences of nonpayment are staggering. On average, the family income of the mother retaining custody drops 23 percent after divorce or separation—a disparity that could be wiped out for many families if full child-support payments were made. Families headed by a mother alone are six times as likely to be poor as those with two parents.

These dreary statistics have recently led social-policy thinkers of many ideological stripes to the same conclusion: child support is key both to fighting poverty and to sustaining middle-class fam-

SEEKING NEW SOLUTIONS



RICH FF JHMAN

As Leslie Fernen and Jeffrey Smith took turns holding their newborn baby boy last week at Swedish Hospital Medical Center in Seattle, staffer Dorothy Mitchell handed them a brochure. Because they are not married, Mitchell explained, Smith would have to sign a paternity statement if he wanted his name on the birth certificate. This enables the state to "go after you if you were to break up," she added—"but we don't even want to think about that now."

The proud parents may not want to think about it, but the state of Washington sure does. About one in every four children is born outside a marriage, and enforcing child support is most difficult in cases where paternity has not been established. So Washington decided to get men on the hook while they're most proud of fatherhood. In about 40 percent of out-of-wedlock births the father is now acknowledging paternity at the hospital. Smith was one who gladly signed.

Washington's program is one of many innovative approaches states have devised to beef up collections. Taken as a whole, the record of the government's network of locally run, federally financed agencies is pathetic. But prodded by major laws passed by Congress in 1984 and 1988, the agencies have pursued several avenues of reform:

Hit 'Em Where They Work. Government officials thought they had the magic bullet in the mid-1980s: take the child support directly out of the father's paycheck. But this approach loses track of people like

Kent Patterson of Seattle, who switched construction jobs 24 times in 11 months. In 1990, Washington state began requiring many employers to give the names and social-security numbers of all hires to the child-support agency so it could track them. By 1994 all states are also supposed to garnish paychecks automatically, without waiting for the father to become delinquent.

Putting Blood in the Stone. You can lead a deadbeat to court, but you can't make him pay if he doesn't have any money. So several states have begun requiring fathers to join job-search programs. A Grand Rapids, Mich., program found jobs for 432 of 1,077 employees during an eight-month period—and their child-support payments jumped by more than 300 percent.

Private Eyes. Agency workers juggling 1,000 cases can often spend only a few minutes on each case. So some states, and increasing numbers of desperate mothers, are turning to private collection services for help. They are often quite effective, but firms can take a big cut of whatever they collect, while the government collects it all (in theory) for free. Parents can increase their odds by consulting groups like the Association for Children for Enforcement of Support (1-800-537-7072) and the National Child Support Advocacy Coalition (P.O. Box 420, Hendersonville, Tenn. 37077). Noncustodial parents can try the National Council for Children's Rights (202-547-MCCR).

The Big Fix. Some child-support experts believe the state-by-state enforcement system is too bureaucratic to ever work well. One proposed solution: turn it over to the IRS. Some advocates go further with a proposal called child-support assurance. The government steps up enforcement, but if the father doesn't pay fully, the state fills the gap. States could then eliminate one of the counterproductive parts of the current law: when poor men do pay support, the state keeps most of it to help finance its welfare operation. Like many of these reforms, the goal here is somewhat unusual for the government: forcing parents, instead of the state, to take care of kids.

S.W. with LORRAINE IANNELLO

in the beginning he was just hurt because I left him," Willis says. "He didn't want to go back into it and bring back up that hurt." Despite his long absence, Itchner carried his kids' pictures in his wallet for more than a decade and on a few occasions drove by their house or to a nearby park and watched them from a distance. His daughter Jewel, who has for several years kept Itchner's service medals in a box by her night stand, recently started a correspondence with him. During a recent interview he pulled out photographs of the girls at the ages of 4 and 2. "You look at these pictures," Itchner says. His eyes well up. "And you look at these," he points to pictures of them at 13 and 15. "How much have they gone through? How much have I missed? How much have they missed from not being with me? All three of us have lost out on the deal, and now we're trying to get it back."

In truth, some men never really develop any relationship with their children, so not paying child support doesn't arouse guilty feelings. Roger Hollenbeck of Des Plaines, Ill., met Rose Brown at a pig roast in Louisville, Ky., in 1980. He describes the relationship as a brief fling (she says they lived together seven months) and was furious to learn she was pregnant because she had told him that a medical condition made that impossible. He left town a few months later and over the next 10 years missed \$21,000 in payments. Hollenbeck's explanation for why he didn't pay: he didn't realize he owed any child support. (This seems unlikely, since the IRS in 1985 intercepted his tax refund for nonpayment of child support.) Under threat of a jail sentence, Hollenbeck recently paid \$10,000 of back support and spoke with his son. "Do you hate my mother?" the boy asked, according to Hollenbeck. "I said, 'No. We were friends, and I moved away.'"



But asked later what kind of relationship he expects he will have with his son, Hollenbeck says, "absolutely nothing. I know that sounds cold to say, but facts are facts."

Some fathers make so little money that their child-support payments feel like an enormous burden. Since payments are usually based on a percentage of parental income, however, even wealthy fathers can feel the pinch. Washington, D.C., lawyer Grier Raclin currently pays \$4,150 per month to his ex-wife Victoria Reggie, a well-paid Washington lawyer who is about to marry Sen. Edward M. Kennedy. Despite their lucrative jobs, the parents regularly bickered over child support, according to correspondence filed in court. Raclin tried to get reimbursed for camping gear he had bought for a trip with his son. "I absolutely refuse," Reggie replied in October 1990. "I have already paid \$100 for Cub Scouts—an activity for which you said you would be responsible—and I will not pay for the gear you decided you need to take Curran camping . . . If you try to deduct anything from the



DAVID WALBERG

The father of Eric and Ailsa Marcelles of Malrose Park, Ill., fell thousands of dollars behind in support. He says his wife kept him away from the kids.

mother can turn to the local government for free—and enter a surreal world where social workers juggle 1,000 cases at a time, a prosecutor might handle 100 cases a week and fathers evade pursuit for years by merely moving a few miles away across state lines. "There's a fiction that we're working everybody's cases," says Darryll Grubbs, until recently a top official of the Texas child-support-enforcement division. "Good Lord. We're not coming close." Jim Harrelston, until last November an investigator in Ft. Worth, Texas, was supposed to look through his 2,800 cases and chase the most delinquent parents. In fact, he usually ended up responding to whichever irate mother called the most, and he got 30 to 40 calls a day. The squeaky-wheel system pays little attention to which mother is neediest, and the caseload can push overwhelmed employees to the edge. "There's nothing I can do!" one fuming caseworker yelled at a parent on the phone in Prince Georges County, Md. "I can't make him a good person!"

Among the many difficulties caseworkers face, one is frighteningly basic: figuring out who the father is. A startling 27 percent of all American children are born out of wedlock; two thirds of all black kids are. Identifying the father is much easier now than 10 years ago because blood tests show, with 98 or 99 percent certainty, whether a man fathered a child. Yet the system solves fewer than half its paternity cases. Many welfare mothers



Carolyn and Jewel Itchner have kept the service medals of their father, Draw (right), even though they haven't seen him for 12 years



WILSON—NEWSWEEK (TOP), SLOAN—NEWSWEEK

don't cooperate, fearing they'll lose benefits if the father is found, but even when they do identify the man, states must find him and get him into court, a process that can take years. Sometimes the results are ghoulish: a Maryland judge decided that a man who had fathered a child through a sexual assault should legally be considered the father, paying child support—and getting visitation rights.

Knowing who the father is doesn't mean knowing where he is, how much he earns or how to collect from him. Roughly one third of all child-support cases involve parents living in different states—and women in such cases were twice as likely to get nothing as those with the father nearby, according to a 1990 General Accounting Office study.

The system is routinely maddening for women, but can sometimes be merciless to men, too. Fathers who want to have visitation orders enforced or who've hit hard times and want to have their support payments reduced will have to hire their own lawyers, even if they have no money; most states represent mothers for free in collection cases, fathers not at all. One Las Vegas man ended up paying for a judicial mistake for a decade. He had been dating a woman in Derry, N.H., for just about two months when she announced she was pregnant. He married her, but a year later, he says, he came home to discover she had cleaned out the house and left. Bitter and suspicious about the experience, he asked the court for a blood test to see if he was actually the father of the baby girl, but

the court denied the request out of fear that doing so would taint the child with the "implication of illegitimacy." He paid \$100 a month in child support sporadically, falling about \$5,500 behind at one point. He saw the girl a total of four or five weeks over the next 10 years and shifted between feeling defiant and guilty. "I never treated her like a real father treats a real daughter," he says. "You see dads all bright and aglow; I never had that. I kept thinking I was a bad dad." Finally, at the prompting of his new wife, he tricked his daughter into taking a blood test while she was visiting him in Las Vegas—and the test showed he was not her father.

Despite the many examples of governmental foul-ups, the system works much better than it did 10 years ago. Although the average support award is just \$57.59 per week, most courts have increased payment levels because Congress in 1984 required states to write specific child-support guidelines. As the issue has become politically hot, it has even seeped into electoral politics, in sometimes troubling ways. A fathers'-rights group in Las Vegas is running a slate of candidates in the elections for family-court judges, backing only those who, the group thinks, will lean more toward fathers in custody and support cases.

Reforming child-support policy may prevent a few families from entering into the war zone inhabited by people like John Chappell of Port St. Lucie, Fla., and his ex-wife Linda Place of Springfield, Va. She says he owes his three children more than \$20,000 in child support and reimbursement of medical expenses. Eleven-year-old Matthew spends weeks at a time in a hospital with a serious immune disorder; Place has so far been unable to afford specialized treatment at Duke University. Chappell used to earn \$26,000 a year as a medical-bill collector, but he was, until last Friday, unemployed. Place believes he was intentionally not working to avoid paying the \$540 a month and medical expenses. "There's

nothing wrong with him that he could not maintain a job," says Place, who works 32 hours a week as a nurse and often sleeps in a cot by Matthew's bed. "He's removed himself from the situation so it's not real anymore. He doesn't go to the hospital every day and see Matthew with IVs and needles."

Chappell complains bitterly that his ex-wife is pursuing him out of "raw hate" and turning the children against him. He says his new job in a convenience store will enable him to pay more. "To me, this is a battle between her and me—not the kids," he says. He's right that the parents are the combatants, but he shouldn't delude himself about the names of the casualties. Matthew is growing up thinking that his debilitating illness might be better treated if only his father would pay more in child support. Chappell's oldest son, Chris, speaks in more emotional terms. "Not getting stuff hurts," says 14-year-old Chris, "but thinking that Dad doesn't care enough to support you—that really hurts. I don't think I'm ever going to forgive him. It's just too hard." Chris visited his father in Florida just last summer, and Chappell brought him on a special afternoon outing—to court. There, Chris got to watch the judge chastise his father for failure to pay child support, put him in handcuffs and lead him off to jail. ■