OFFERED IN THE HOUSE
TO: HCS CSSB 54(FIN)

BY REPRESENTATIVE REINBOLD

Page 35, following line 29:

Insert a new bill section to read:

"* Sec. 62. AS 44.19.645(a) is amended to read:

(a) The commission shall evaluate the effect of sentencing laws and criminal justice practices on the criminal justice system to evaluate whether those sentencing laws and criminal justice practices provide for protection of the public, community condemnation of the offender, the rights of victims of crimes, the rights of the accused and the person convicted, restitution from the offender, and the principle of reformation. The commission shall make recommendations for improving criminal sentencing practices and criminal justice practices, including rehabilitation and restitution. The recommendations must put public safety and victims' rights at the center of reform, not saving money for the Department of Corrections. The commission shall annually make recommendations to the governor and the legislature on how savings from criminal justice reforms should be reinvested to maximize public safety [REDUCE RECIDIVISM]. In formulating its recommendations, the commission shall consider

(1) statutes, court rules, and court decisions relevant to sentencing of criminal defendants in misdemeanor and felony cases;

(2) sentencing practices of the judiciary, including use of presumptive sentences;

(3) means of promoting uniformity, proportionality, and accountability in sentencing;

(4) alternatives to traditional forms of incarceration;
(5) the efficacy of parole and probation in ensuring public safety, achieving rehabilitation, and reducing recidivism;

(6) the adequacy, availability, and effectiveness of treatment and rehabilitation programs;

(7) crime and incarceration rates, including the rate of violent crime and the abuse of controlled substances, in this state compared to other states, and best practices adopted by other states that have proven to be successful in reducing recidivism;

(8) the relationship between sentencing priorities and correctional resources;

(9) the effectiveness of the state's current methodologies for the collection and dissemination of criminal justice data; and

(10) whether the schedules for controlled substances in AS 11.71.140 - 11.71.190 are reasonable and appropriate, considering the criteria established in AS 11.71.120(c)."

Renumber the following bill sections accordingly.

Page 38, following line 2:

Insert a new bill section to read:

/* Sec. 65. AS 44.19.646 is amended to read:

Sec. 44.19.646. Methodology. In making recommendations, the commission shall

(1) solicit and consider information and views from a variety of constituencies to represent the broad spectrum of views that exist with respect to possible approaches to sentencing and administration of justice in the state; and

(2) base recommendations on the following factors:

(A) the seriousness of each offense in relation to other offenses;

(B) the effect of an offender's prior criminal history on sentencing;

(C) the need to rehabilitate criminal offenders;
(D) the need to confine offenders to prevent harm to the public;
(E) the extent to which criminal offenses harm victims and endanger the public safety and order;
(F) the effect of sentencing in deterring an offender or other members of society from future criminal conduct;
(G) the effect of sentencing as a community condemnation of criminal acts and as a reaffirmation of societal norms;
(H) the elimination of unjustified disparity in sentences;
(I) the sufficiency of state agency resources to administer the criminal justice system of the state;
(J) the effect of criminal justice laws and practices on reducing the rate of recidivism in the state;
(K) peer reviewed and data-driven research; [AND]
(L) the efficacy of evidence-based restorative justice initiatives on persons convicted of criminal violations and offenses, the victim, and the community; and

(3) ensure that all recommendations maximize public safety.
Page 43, line 25:
Delete "Section 66"
Insert "Section 68"

Page 44, line 5:
Delete "sec. 72"
Insert "sec. 74"
Delete "sec. 66"
Insert "sec. 68"

Page 44, line 8:
Delete "sec. 71(a)"
Insert "sec. 73(a)"

Page 44, line 10:
Delete "sec. 69"
Insert "sec. 71"
Delete "sec. 71(b)"
Insert "sec. 73(b)"

Page 44, line 12:
Delete "Section 68"
Insert "Section 70"

Page 44, line 13:
Delete "sec. 76"
Insert "sec. 78"

Page 44, line 15:
Delete "secs. 73 - 78"
Insert "secs. 75 - 80"