



REPRESENTATIVE HARRIET ANAGNOSTIS DRUMMOND

Alaska State Legislature

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Session

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Senator MacKinnon and the Senate Finance Committee,

During the hearing for House Bill 316 on April 25th you asked the question as to whether the state should go back retroactively through criminal records and restrict public access to those records as is the intent of House Bill 316. The short answer is yes, the state should allow individuals with stand alone convictions to have a chance to restrict public access to those records.

The citizen initiative allowed for commercial use of marijuana, meaning the lawful cultivation, distribution, taxation, transportation and consumption without legal impact, if done within the regulations set by the state. Alaska voters decided that marijuana is not a threat to public safety and should be available in Alaska's markets. House Bill 316 will allow an individual who may have been discriminated against because of a conviction on their record to never have to be discriminated against for this reason again by retroactively restricting easy online public access to that individual's files.

Alaska is also one of the few states that have explicit privacy provisions in the state constitution. On the grounds that privacy shall not be infringed we feel is strong reason to be able to allow for applicants to request to exercise that constitutional right. Since there will hopefully be no more convictions of what is specified in the bill, retroactively restricting public access is only way to allow for that privacy right to be used.

Please keep in mind that both the Department of Public Safety and the Alaska Court System would only be restricting public access. There is nothing that will stop agents of the court, law enforcement, or the federal government from accessing those records. If HB 316 is to pass, the Alaska Court System will keep tangible records at the court house and just eliminate easy access from Court View online. The Department of Public Safety will, providing someone opts in, only not sell those records if the conviction was a standalone conviction. Retroactivity is acceptable in the case because Alaskans voted to allow marijuana for recreational use and as representatives of the people we should respect their privacy of prior use.

Sincerely,


Harriet Drummond