

STATE OF ALASKA

DEPARTMENT OF LAW CRIMINAL DIVISION CENTRAL OFFICE

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February 3, 2010

Senator Hollis French
Chair, Senate Judiciary Committee
Alaska State Capitol, Room 417
Juneau, Alaska 99801

Re: Senate Bill 252 – Bail Reform

Dear Senator French:

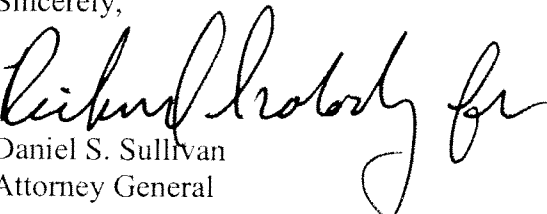
I am writing to respectfully request that you schedule Senate Bill 252 for a hearing in the Senate Judiciary Committee at your earliest convenience. SB 252 is one of several bills that the Governor has introduced to confront and help reduce the alarming and discouraging rate of sex offenses and crimes involving domestic violence in our state. This bill specifically relates to bail including bail in sex and domestic violence offenses.

This bill makes several important changes in Alaska's law relating to bail. In 1966 the Alaska Legislature enacted the Alaska Bail Act modeled after SB 1357, 89 Congress First Session. There have been only piecemeal revisions to this nearly 50 year old law. In 1984, the Federal government revised their bail statutes. This bill requires a person charged with a serious sex offense to prove that release conditions before trial will protect the victim and the public. It adopts standards for persons who may be appointed as third party custodians for the person released on bail. The bill prohibits a person found guilty of a serious sex offense from being released before sentencing or during an appeal of a conviction. It protects victims of domestic violence by setting standards that the court must find before allowing a perpetrator of domestic violence to return to the victims' residence. Additionally, it allows more time between a defendant's arrest and first appearance in court so that the police can investigate more fully, so that the prosecutor can make informed charging decision, present of better information and bail arguments in court and more time to contact the victim so he or she can appear at the bail hearing.

A sectional analysis is attached that describes each provision of the bill.

Thank you for your consideration of this request.

Sincerely,


Daniel S. Sullivan
Attorney General