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SPONSOR STATEMENT

SSHB 11

*An Act relating to the confidentiality of certain records of criminal cases;
and providing for an effective date.*

“Every person is presumed innocent until proven guilty”. HB 11 directs the Alaska Court System to remove from its public internet website records of criminal cases that were acquitted of all charges, by dismissal of all charges, or by acquittal of some charges and dismissal of remaining charges after 60 days have elapsed from the date of acquittal or dismissal of the case.

CourtView, the Alaska Trial Courts online publicly accessible database, provides access for persons seeking information on the status of criminal and civil cases, the nature of criminal charges filed against persons, and the final outcome of litigation. CourtView forever shows the arrest and charging documents for persons who were never convicted, allowing society to scrutinize any individual, for any reason, and socially chastise the innocent. In spite of CourtView user warnings, that a charge is not to be considered a conviction, this public posting of a person’s name and charges can have dire consequences on the individual’s livelihood and inherent liberties. From housing to employment prospects, the innocent are socially judged guilty by the very presence of their names on CourtView regardless of the outcome of the case.

By very definition, a person is not a criminal if acquitted at trial, or if their case is dismissed by the courts. In American jurisprudence, we are considered innocent until proven guilty. HB 11 champions this principle. We ask that Alaskans who have not been found guilty of any wrong doing be given the right to emancipation of social distrust and inherent prejudices.