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Explanation of Changes
CSHB 15 Ver. JUD

“An Act relating to credits towards a sentence of imprisonment for certain persons under electronic monitoring”

CSHB15 Ver. JUD amends AS 12.55.027(a) in which the courts may grant credit towards a sentence of imprisonment for defendants under electronic monitoring or time spent in a treatment program. In contrast CSHB 15 Ver. P required the courts to grant credit towards a sentence of imprisonment for defendants under electronic monitoring or time spent in a treatment program.

CSHB15 Ver. JUD amends AS 12.55.027(d) in which a court may grant credit against a sentence of imprisonment for time spent under electronic monitoring if the person has not committed a criminal offense while under electronic monitoring and the court imposes substantial restrictions on the person's freedom of movement and behavior while under the electronic monitoring program, including requiring the person to be confined to a residence. In contrast CSHB 15 Ver. P required the court to grant credit against a sentence of imprisonment for time spent under electronic monitoring if the courts finds that the restrictions imposed on the person's liberty while under electronic monitoring is equivalent to incarceration including requiring the person to be confined to a private residence.

CSHB15 Ver. JUD specifies exceptions for confinement to a residence except for a court appearance, meeting with counsel, or a period during which the person is at a location ordered by the court for the purpose of employment, attending an educational or vocational training, performing community volunteer work, or attending a rehabilitative activity or medical appointment. In contrast, CSHB 15 Ver. P granted the exceptions for confinement to a private residence for attending counseling instead of rehabilitative activity.