

Senate Bill 54

An Overview

Jordan Shilling
Staff to Senator Coghill

SB 91

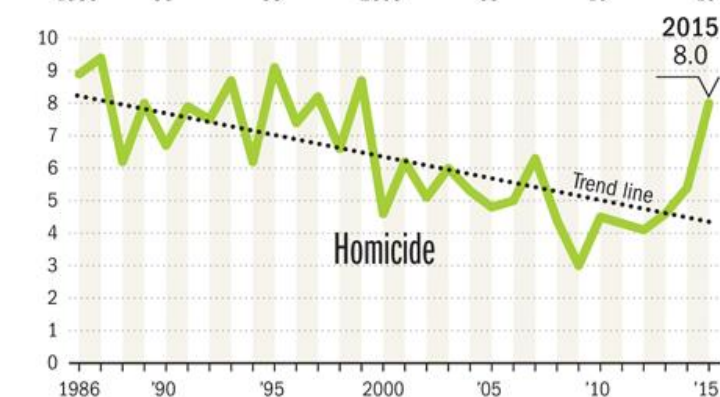
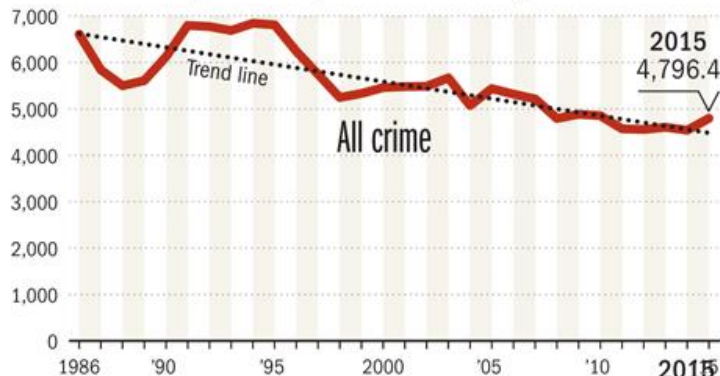
- Implements an evidence-based pretrial system.
- Focuses prison space on serious and violent offenders.
- Strengthens probation and parole supervision.
- Improves reentry programming.
- Ensures oversight and accountability.
- Reinvests in programs proven to reduce recidivism and protect public safety.

SB 91 (cont.)

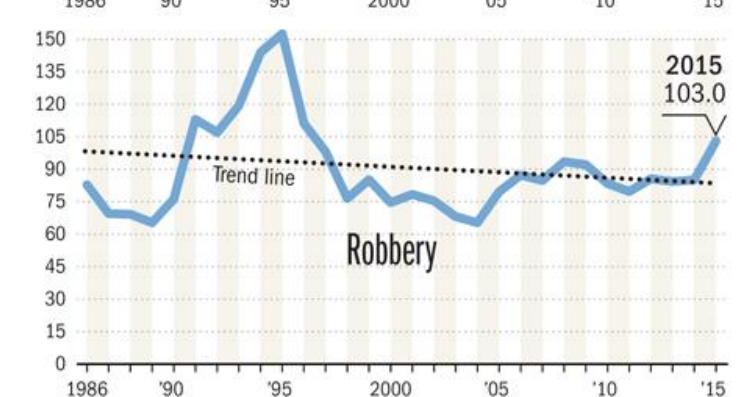
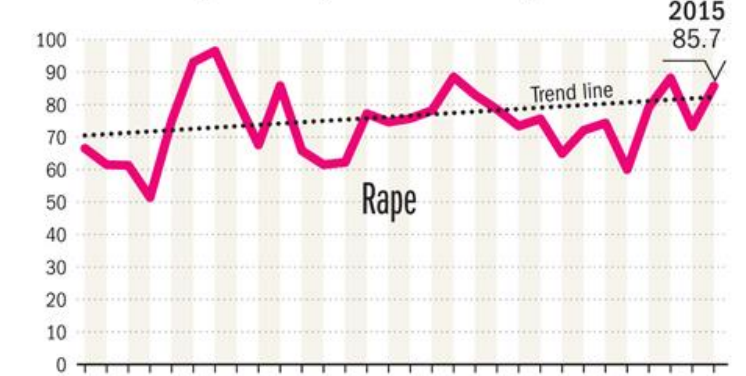
Reforms expected to reduce the prison population by 13% over 10 years. Projected to save \$380 million.

Reinvests \$99 million over 6 years into pretrial supervision, victims' services, violence prevention, substance abuse treatment, and re-entry services.

AK Crime Rates (1987 - 2016)



Source: Alaska Department of Public Safety, Criminal Records & Identification Bureau (1987-2016) **KEVIN POWELL** / Alaska Dispatch News



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SB 54 Summary

1. Violation of Conditions of Release (VCOR)
2. Sex Trafficking
3. C-Felony Sentencing
4. Sex Offender Probation
5. A-Misdemeanor Sentencing
6. B-Misdemeanor Sentencing (Theft 4)
7. No Valid Operator's License (NVOL)
8. Municipal Authority
9. Pretrial Risk Assessments

Violation of Conditions of Release (VCOR)

Sections 1, 2, 9

ACJC Recommendation (2015)

Reclassify VCOR as an arrestable, detainable violation, rather than a misdemeanor.

ACJC Recommendation (2017)

Return VCOR to a misdemeanor punishable by **0-5 days** *active* imprisonment.

SB 54 (Senate Judiciary CS)

Per ACJC 2017 recommendation.

Sex Trafficking

Sections 3, 4, 5, 13, 14, 18

ACJC Recommendation (2015)

N/A

ACJC Recommendation (2017)

Repeal loophole created by HB 349 and address over-broadness of sex trafficking statutes.

SB 54 (Senate Judiciary CS)

Per ACJC 2017 recommendation.

C-Felony

Section 6

ACJC Recommendation (2015)

Establish a presumptive range of **0-18 months** *suspended* imprisonment for first-time felony offenders.

ACJC Recommendation (2017)

Establish a presumptive range of **0-90 days** *active* imprisonment for first-felony offenders.

SB 54 (Senate Judiciary CS)

Establishes presumptive range of **0-365 days** *active* imprisonment for first-felony offenders.

Sex Offender Probation

Section 7

ACJC Recommendation (2015)

Establish a maximum probation term length of 5 years for felony sex offenders.

ACJC Recommendation (2017)

Require sex offenders serve a period of probation as part of their sentence.

SB 54 (Senate Judiciary CS)

Establishes mandatory minimum probation term lengths for felony sex offenders:

- 15 years for an unclassified felony
- 10 years for an A or B felony
- 5 years for a C felony

Class A Misdemeanors

Sections 8, 11, 12

ACJC Recommendation (2015)

Establish **0-30 day** presumptive sentencing range, allowing **0-1 year** for aggravators, including repeat criminal history.

ACJC Recommendation (2017)

Add an aggravating factor for class A misdemeanors that allows a **0-60 day** sentence for defendants with one prior similar conviction and **0-1 year** for third or subsequent convictions.

SB 54 (Senate Judiciary CS)

Per ACJC 2017 recommendation with the addition of a 5-year “look back” period.

Theft 4

Section 10

ACJC Recommendation (2015)

Reduce first- and second-time theft offenses under \$250 to non-jailable misdemeanors, and **0-5 days** *suspended* imprisonment for third or subsequent offenses.

ACJC Recommendation (2017)

Provide for **0-10 days** *active* imprisonment for third or subsequent offenses.

SB 54 (Senate Judiciary CS)

Provides for **0-5 days** *active* imprisonment for a second offense, and **0-10 days** *active* imprisonment for third or subsequent offense.

No Valid Operator's License (NVOL)

Section 15

ACJC Recommendation (2015)

Reclassify driving with a suspended license (DWLS) to a violation when the underlying suspension is not related to DUI.

ACJC Recommendation (2017)

Reclassify driving without a valid license to an infraction.

SB 54 (Senate Judiciary CS)

Per ACJC 2017 recommendation.

Municipal Authority

Section 16

ACJC Recommendation (2015)

Restrict municipalities from incarcerating beyond the penalty that can be imposed under state law.

ACJC Recommendation (2017)

Clarify that the restriction does not apply to non-criminal offenses.

SB 54 (Senate Judiciary CS)

Per ACJC 2017 recommendation.

Pretrial Risk Assessments

Section 17

ACJC Recommendation (2015)

Assess each defendant for risk prior to a pretrial release decision.

ACJC Recommendation (2017)

Limit assessment requirement to only defendants in custody after arrest.

SB 54 (Senate Judiciary CS)

Per ACJC 2017 recommendation.

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Questions?