



NEWS

Third-party custodians becoming thing of the past in Anchorage

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Under Alaska's new pretrial bail system which went into effect on Jan. 1, 2018, court-appointed third-party custodians -- traditionally a friend or relative who takes responsibility for monitoring someone pending trial -- are gradually becoming a thing of the past in parts of the state, including Anchorage.

Now, the state's new Pretrial Enforcement Division (PED) officers will be tasked with supervising defendants determined to be more of a risk if released before trial.

"We still have cases that arise out of 2017 conduct that are just now being charged, then we could ask for the third party custodian," Assistant District Attorney Kevin Bergt explained.

He's currently prosecuting a case against Melissa Knight, the alleged ringleader of a large-scale meth and heroin operation Anchorage Police spent nearly two years investigating. Knight has had five bail hearings since her November arrest and is scheduled to appear again Monday.

Because Knight's case predates the changes to the bail system, her set bail includes a court-approved third-party custodian, a thing of the past for cases from 2018 and on.

In an email to KTVA, Geri Fox, Director of the PED explained:

"I believe the intent of the legislation is to limit the use of 3rd party custodians. The idea is that if there is an officer available - that is the preferred supervision.

There are areas where we do not have a full time Pretrial Officer or where EM is not available. In these areas, 3rd party custodians will remain an option.

I think there is some latitude in how this section of the statute will end up being interpreted in different locations. We will need to watch how the court interprets this, but generally, it seems the intent of the statute is to have officers provide supervision rather than friends or relatives of the defendant."

As for which system is better, Bergt says it's too early to tell.

"There's no perfect scenario when we talk about bail," he said.

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142

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