	Pre-SB 91	SB 91	SB 54	HB 312	Governor's Bill	HB 49			
Probation and Parole (SB 34)									
Technical Violations and Administrative Sanctions	Court had discretion to impose up to the remainder of the suspended time if an offender violated their conditions of probation and parole board had same discretion for parole violations.	Established caps on the number of days a judge or the parole board can impose for a technical violation of probation or parole respectively. (Caps are 3, 5 and 10 days).			Eliminate ranges enacted by SB 91 returning discretion to the court and the parole board to impose a sanction they deemed appropriate; up to the remainder of the suspended time for probation or parole violations.	Caps are adjusted to 0- 3, 0-30, up to remainder of suspended time Administrative sanctions stay in law.			
	Probation or parole officers could attempt to use non-court sanctions gain compliance.	Administrative sanctions placed into statute and their use was mandated.			Non-court sanctions are removed from statute returning their use to probation officer discretion. <i>SB 34 sec. 1-2, 17-18</i>	НВ 49 sec. 57, 85			
Earned Compliance Credit (ECC)	Did not exist.	Created an earned compliance credit system where probation and parole is reduced by 30 days for every 30 days without a violation.	Requires sex DV offende complete tre before being released from probation of due to ECC	ers to eatment g m r parole	Reduce credits up to 1/3 period of probation or parole. Similar to statutory good time for prisoners. Sex offenders, unclassified offenses, felony crimes against a person and some domestic violence offenses will not be eligible for ECC. SB 34 sec. 6-7, 19-20	ECC not front loaded. Ratio is to 10-30, so same ratio as SB 34 and lower than current law. HB 49 sec. 74, 88			
Early Termination of Probation	Probation officer (PO) had discretion to ask the court to terminate probation for probationers if probation officer thought early termination was warranted.	Requires PO to recommend early termination after 1 year on probation for most felony offenses.	Increased po 18 months.	eriod to	Return to a true recommendation of the probation or parole officer and eliminate timeframes in which a recommendation is required. SB 34 sec. 3, 8, 16	Returns discretion back to PO to make a recommendation, but keeps the timelines in statute. HB 49 sec. 56, 84			
Discretionary Parole Eligibility	 Discretionary parole available to most offenders <i>except:</i> a) Non-sex class A felonies (Robbery 1, Assault 1, Arson 1); b) B felonies if the person had one or more prior felony convictions; c) C felonies if the person had two or more prior felony convictions; d) B and C sex felonies (Sexual Assault 2, Sexual Abuse of a Minor 2, Distribution of Child Pornography). 	Increased the number of offenders who are eligible for discretionary parole.			 Return to restricting what crimes are eligible for discretionary parole pre-SB 91. Crimes previously <i>not</i> eligible were: a) Non-sex class A felonies (Robbery 1, Assault 1, Arson 1); b) B felonies if the person had one or more prior felony convictions; c) C felonies if the person had two or more prior felony convictions; d) B and C sex felonies (Sexual Assault 2, Sexual Abuse of a Minor 2, Distribution of Child Pornography). <i>SB 34 sec. 10-11, 13-14</i> 	 Eligibility altered. The following offenses would <u>not</u> be eligible: 1.) Class A if one prior felony; 2.) Cass B if two prior felonies; 3.) Class C if three prior felonies; 4.) Sex felonies as defined under AS 12.55.185. 			
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	Pre-SB 91	SB 91	SB 54	HB 312	Governor's Bill	HB 145			
Probation and Parole (SB 34)									
Parole Release Factors	 Before releasing on discretionary parole the board required to consider whether: a) The prisoner will live and remain at liberty without violating any laws or conditions imposed by the board; b) The prisoner's rehabilitation and reintegration into society will be furthered by release on parole; c) The prisoner will not pose a threat of harm to public if released on parole; and d) The release of the prisoner on parole would not diminish the seriousness of the crime. 	Created a presumption of release. Board must find by clear and convincing evidence that prisoner is a threat to the public before denying release.			 Return discretion to the parole board to determine release based on pre-SB 91 law. AS 33.16.100(a) previously set forth the factors as: a) The prisoner will live and remain at liberty without violating any laws or conditions imposed by the board; b) The prisoner's rehabilitation and reintegration into society will be furthered by release on parole; c) The prisoner will not pose a threat of harm to public if released on parole; and d) The release of the prisoner on parole would not diminish the seriousness of the crime. SB 34 sec. 12 and 15 	Same as SB 34. HB 49 sec. 80-81			
When Eligible for Release	Murder, kidnapping, MICS 1 eligible after mandatory minimum or 1/3 of active jail sentence, whichever is greater. MICS 3 – dealing to kids or in a school zone eligible after <u>1/4</u>				Murder, kidnapping, MICS 1 eligible after mandatory minimum or $1/2$ of active jail sentence, whichever is greater. MICS 2 – B felony level drug dealing is eligible after serving $1/2$ of the sentence.	Unclassified felony would be eligible at 1/3 or the mandatory min (same as current law) B felony level drug dealers eligible at 1/3. HB 49 sec. 81			
Timing of Parole Hearings	Parolees required to apply for parole	Parole hearing automatic no longer requiring an application.			Removes automatic hearing and requires an application be filed. SB 34 sec. 9	Automatic hearing if the person has had no disciplinary actions while in custody, otherwise the person has to apply. HB 49 sec. 77			
Tolling of Parole while Violation Considered	The period of parole was tolled while a petition for a violation is pending.	The period of parole <i>only</i> tolls during the pendency of a violation that is for absconding. If the violation is in regards to any other conduct, there is no tolling.			The period of parole will once again toll while a petition is pending. SB 34 sec. 18	Same as SB 34. HB 49 sec. 87			

	Pre-SB 91	SB 91	SB 54	HB 312	Governor's Bill	HB 145
Admin Sanctions	Probation officers used some administrative sanctions but no mention in statute and no formal policy	Administrative sanctions specifically required by statute and formal policy developed			Administrative sanctions removed from statute. SB 34 sec. 8	Administrative sanctions kept in statute.

	Pre-SB 91	SB 91	SB 54	HB 312	Governor's Bill	HB 145	
Probation and Parole (SB 34)							
Electronic Monitoring	Time spent on EM was ineligible for good time credit.	Established good time credit for time spent on EM.			Eliminate good time credit for time spent on EM. SB 34 sec. 21	Good time credit for all prisoners is repealed. The amendment reestablishes good time, including for those on EM. HB 49 sec. 102	
Restoration of license after DUI	10 years of revocation Without new crime Proof of financial responsibility	10 years since revoked Without driving related crime Proof of financial responsibility			10 years since revoked Without driving offense or felony Proof of financial responsibility SB 34 sec 4-5	10 years since revoked No new criminal offenses Proof of financial responsibility. HB 49 sec. 76, 77	