



Alaska State Legislature

Senator Matt Claman

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Senate Bill 53 Sponsor Statement

“An Act relating to involuntary commitment.”

Senate Bill 53 expands involuntary commitment law in Alaska by adding the option of a five-year involuntary commitment for a limited number of individuals who: (1) have been found incompetent to stand trial on a felony offense against the person, (2) have been previously subject to involuntary commitment orders, (3) have a history of felony offenses against the person, and (4) present a danger to themselves or others. Senate Bill 53 deals with a small number of individuals who fit the criteria for an involuntary hold and the additional criteria set forth by the legislation: a history of felony offenses against the person, a finding of incompetency to stand trial, and a need to protect the public for up to five years.

The involuntary commitment of John Hinckley followed his attempted assassination of President Ronald Reagan in 1981. He was found guilty by reason of insanity for the crime and held in mental institutions until his release in 2022. The published cases from the United States Courts pertaining to the long-term psychiatric hold of John Hinckley aided our office in our work on Senate Bill 53. Hinckley petitioned the court for his release from involuntary commitment four times over 40 years. The cases show the lessening of his restrictions as his psychiatric condition improved and the continuing authority to maintain the involuntary commitment.

Our office began working on this legislation in response to a constituent’s recent violent experience. In February 2022, Angela Harris was returning books at the Loussac Library in Anchorage when a man stabbed her in the back. The perpetrator had been found incompetent to stand trial two months earlier for attacks on other women. Senate Bill 53 addresses the problem presented by Angela’s experience. These changes would allow the state to seek involuntary commitment of individuals who have been found incompetent to stand trial, have a history of felony offenses against the person, and have already been subject to 30, 90 and 180-day involuntary holds.

Senate Bill 53 creates a requirement that the department submit an annual report to the attorney general, public defender, public advocate, and the Alaska Court System, that includes details of how many individuals are committed on five-year holds and how much time remains on each order of commitment.

Individuals who are committed under these provisions may petition the court for early discharge. A petition for early discharge requires that the court finds by clear and convincing evidence that, based on the respondent’s ongoing treatment, there is a basis to believe that the respondent is no longer a risk to harm themselves or others.

Senate Bill 53 creates an additional five-year commitment option. Persistent court hearings are stressful experiences for individuals suffering from severe psychiatric illnesses. A five-year commitment option for the limited number of individuals who meet the criteria will allow for longer term treatment plans and better coordination of care.