



NEWS

Suspected repeat car thieves qualify for mandatory release

Wednesday, March 7th 2018, 2:53 pm AKST by Daniella Rivera

Updated: Wednesday, March 7th 2018, 7:15 pm AKST



Hours after Anchorage Police released a Nixle alert notifying the public they arrested two suspected repeat car thieves, a judge told the pair they qualified for mandatory release without bail under the state's new bail system.

APD says officers caught Shane Muse, 28, and Crystal Tui, 25, in a stolen SUV Tuesday. Officers used a pit maneuver to stop the vehicle and took Tui, the driver, and her passenger, Muse, into custody.

According to court documents, a search of the vehicle turned up a stolen handgun with a bullet in the chamber.

Neither Muse or Tui have convictions in the state of Alaska, but Tui has a pending vehicle theft case from 2017.

Court documents say Muse has several robbery convictions in the state of Hawaii. He also has a pending forgery case and a pending vehicle theft case from 2017 in Alaska.

Assistant District Attorney Kevin Bergt says Muse has been on the run for two weeks after skipping his scheduled trial in the forgery case.

But because the state's new Pretrial Risk Assessment tool doesn't take into account out-of-state criminal history or pending criminal charges in a defendant's overall score, both Muse and Tui qualified for mandatory release. Muse scored a two out of 10, and Tui scored a zero.

"I understand that there's a criteria that's used by pretrial enforcement, but I'm here to tell the court that Mr. Muse presents a risk, a serious risk, to the public. That being said, if the court's hands are tied, then the court's hands are tied and you have to set bail the way that you're instructed by our new laws," Bergt told the judge.

The judge said while the state's new bail system doesn't allow her to set monetary bail, she can impose conditions.

A public defender pushed for fewer restrictions for Tui, saying, "The [Pretrial Enforcement Division] office said that they're not recommending supervision in her case; I think that for someone with a zero, there shouldn't be any ankle monitor or other restrictive condition."

The judge ordered electronic monitoring, curfews and restrictions from guns for Muse and Tui, among other conditions of release.

Muse, however, remains in custody due to a warrant in his 2017 forgery case. Because that alleged offense predates the new bail system, his low score on the pretrial assessment tool doesn't set limitations on bail in that case, which is currently set at \$5000 cash with a third-party custodian.

These arrests come less than a month after a [multi-agency announcement](http://www.ktva.com/story/37570541/anchorage-vehicle-thefts-lead-to-federal-gun-charges) (<http://www.ktva.com/story/37570541/anchorage-vehicle-thefts-lead-to-federal-gun-charges>) of an initiative to file federal gun charges against felons charged in car thefts and found to be in the

possession of a firearm.

KTVA reached out to the U.S. Attorney's Office in Alaska Wednesday to see if they plan to file federal charges in this case.

In an email, Chloe Martin with public affairs wrote, in part, "It's the policy of the Department of Justice that we cannot confirm or deny the existence of an investigation, or until such an investigation culminates in an indictment."

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