

ALASKA STATE LEGISLATURE



SENATOR FRED DYSON SENATE DISTRICT F

CSSB 108(JUD) – Section Analysis

Section 1

Provides legislative intent directing the Court, to the extent practicable, to treat as *confidential* records of criminal cases disposed of before the effective date of the Act by acquittal of all charges, dismissal of all charges, or acquittal of some charges and dismissal of remaining charges, to the same extent that records are held confidential by this bill, under AS 22.35.030.

Section 2

Amends AS 22.35 by adding a new section, AS 22.35.030. *Records concerning criminal cases resulting in acquittal or dismissal confidential.*

This section establishes that a court record of a criminal case is confidential if 120 days have elapsed from the date of acquittal or dismissal and (1) the person was acquitted of all charges filed in the case; (2) all charges against the person have been dismissed by the prosecuting authority; or (3) the person was acquitted of some of the charges in the case, and the remaining charges were dismissed.

Provide exceptions for access to information made *confidential* for state agency employees responsible for health, safety, welfare, or placement of a child, a person with a physical or intellectual disability, or a person with a mental illness; employees that protect other vulnerable citizens, and state criminal justice information network users. The Department of Health and Social Services will adopt regulations to administer these exceptions.

Section 3

Establishes the Applicability of the Act to criminal charges concluded on or after the effective date of the Act by dismissal or by acquittal of the defendant.

Section 4

Establishes the effective date of the Act as October 1, 2014.