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NEWS

Senate bill targets 'Schneider loophole'

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By: **Steve Quinn**

A high-profile Anchorage assault case that saw [a 34-year-old man avoid jail time](https://www.ktva.com/story/39721855/justin-schneider-responds-to-civil-suit-denies-strangling-victim-unconscious) (<https://www.ktva.com/story/39721855/justin-schneider-responds-to-civil-suit-denies-strangling-victim-unconscious>) and cost a Superior Court judge his job has prompted one state senator to propose changes when lawmakers return to Juneau next week.

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Sen. Peter Micciche (R-Soldotna) filed Senate Bill 12 to fix gaps in Alaska's sexual offense laws, including what he calls the "Schneider loophole" after Anchorage defendant Justin Schneider.

That case gained national attention in September, when Judge Michael Corey approved a plea deal that [allowed Schneider to walk free](https://www.ktva.com/story/39123509/anchorage-man-pleads-guilty-in-choking-sexual-assault-case) (<https://www.ktva.com/story/39123509/anchorage-man-pleads-guilty-in-choking-sexual-assault-case>) after charging documents say he offered a woman a ride, then strangled her unconscious and masturbated on her.

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Schneider faced four felony charges including kidnapping and assault, and one misdemeanor count of harassment — offensive contact with fluids — for an August 2017 incident.

But Schneider struck a deal with the state, pleading guilty to a single felony assault charge in exchange for a sentence of two years with one suspended, [setting off enough outrage among voters to deny Corey retention](https://www.ktva.com/story/39194869/candidates-for-governor-react-to-justin-schneider-plea-deal) (https://www.ktva.com/story/39194869/candidates-for-governor-react-to-justin-schneider-plea-deal) during the Nov. 6 election.

Micciche says he began working with No More Free Passes, the grassroots group that led to Corey's ouster.

He is pursuing three changes with SB 12:

- Classify unwanted contact with semen as a sexual crime, which means perpetrators can be required to register as sex offenders for this crime;
- Require that strangulation to the point of unconsciousness is defined as assault in the first degree, which carries a sentence of 5 to 20 years; and
- Eliminate credit toward time served for electronic monitoring for sexual assault convictions.

"You know, I'm a guy with four daughters and when the results of the Schneider case became apparent, it was glaringly obvious that we had something we need to immediately correct," he said. "I don't think of my daughters every time, but it certainly serves as a good example that we absolutely have to do everything we can to no longer be number one in the country for domestic violence and sexual assault."

Public safety was a high profile election issue that cast a 2016 sweeping crime bill — SB 91 — into the spotlight for prospective repeal.

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"Alaskans know we are hot on the trail of improving the criminal justice system, working the SB 91 and other issues — repeal and replacement actions," Micciche said. "However, my view is that is something that could take some time."

Crime legislation often gets rolled into a single draft known as an omnibus bill. Micciche, who will serve on the Senate Judiciary Committee this year, said he hopes these changes don't have to wait for other bills to get legislative approval.

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"This is something that is easy to separate and something that is quite clearly an imperative passage at the beginning of this session to ensure the victims know that we hear them and that the legislature and the governor – which I am assuming his support at this point – are willing to act quickly to correct glaring omissions and loopholes in state law," he said.

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We got rid of half of the problem - who was the originator of the plea deal? they need to go too before they plea deal someone else out.

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Hey, Schnider, how's the job hunt going?

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