

STATE CAPITOL
P.O. Box 110001
Juneau, AK 99811-0001
907-465-3500



550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450

Governor Michael J. Dunleavy
STATE OF ALASKA

January 24, 2020

The Honorable Cathy Giessel
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Giessel:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill establishing an aggravator at sentencing for defendants who are contractors, volunteers, or employees of the Department of Corrections and bring contraband into a prison facility during the course of their employment.

Contractors, volunteers, and employees of the Department of Corrections are able to obtain security clearances, which assist them in the performance of their duties. These clearances require a certain level of trust. When a contractor, volunteer, or employee of the department violates that trust by using their clearance to bring contraband into our prisons an enhanced penalty should apply.

The bill will establish an aggravator at sentencing which the court may apply when a defendant is convicted of promoting contraband and the offense occurred in the course of the person's contractual, volunteer, or employment duties. The aggravator, if proven, would allow the court to sentence the person above the presumptive sentencing range for promoting contraband, up to the maximum term.

Contraband in our prisons seriously undermines the safety and security of correctional facilities. Those who are held in a position of trust know the rules and should be held to a higher standard.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Dunleavy".

Mike Dunleavy
Governor

Enclosure