

Senate Bill 53

An Act relating to involuntary commitment.

Senate Health and Social Services
Tuesday, February 21st

Senator Matt Claman



Alaska Library Attack

- Angela Harris
 - Perpetrator found incompetent to stand trial two months earlier for attacks on other women
 - Statute is unclear on *who* has the responsibility to file for involuntary commitment
 - Involuntary commitment is limited to 180 days and a long-term dangerous patient requires repeated applications

D.C. Case: John Hinckley

- Assassination attempt on President Ronald Reagan in 1981
- Found not guilty by reason of insanity at trial
- Long term psychiatric hold immediately after trial
- Lessening of restrictions over time
- Numerous petitions for release heard by the court
- Released from commitment in 2022

Key Concepts

- Criminal charges: Title 12
 - Competency and incompetency
 - Restoration to competency if incompetent
- Civil proceedings: Title 47
 - Involuntary commitment
 - Danger to themselves or others

Duty to File for Involuntary Commitment

- Section 1:
 - AS 12.47.110 new subsection (f) to read:

"...the Department of Law shall file a petition seeking involuntary commitment of the defendant..."

Five-year involuntary commitment option

- 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
 - (4) present a danger to themselves or others

Maintaining individual rights & state management

- May petition for early discharge
 - Early discharge requirement: respondent is no longer a risk to harm themselves or others
- Department annual report on how many individuals are committed on five-year holds and time remaining