
An Act relating to
Competency to
Stand Trial



Sponsor & Staff

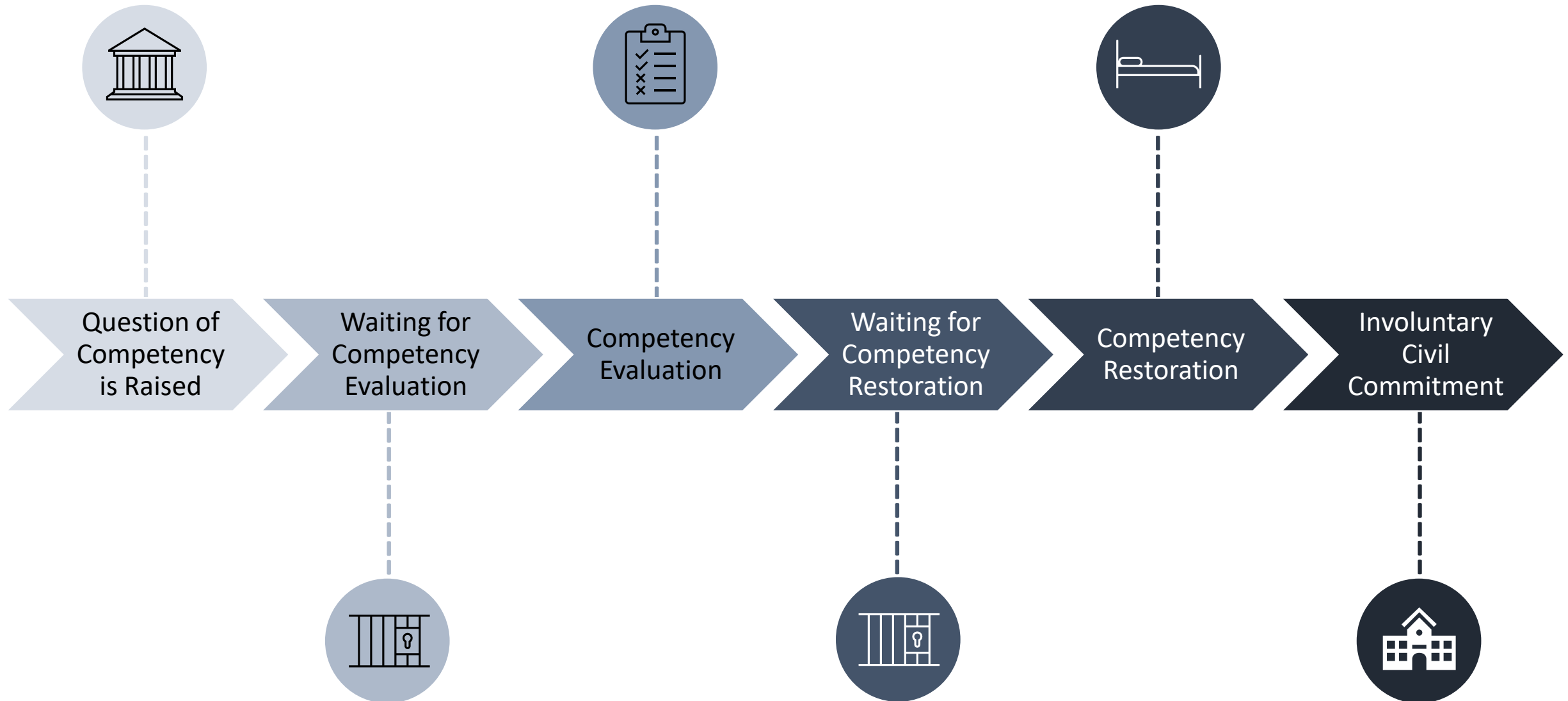
Representative Josephson

Alexander Schroeder

HB 80



The Competency Process



Why does Alaska Need HB 80?

‘The system was unable to protect anybody from him’: Family struggled to help violent, mentally ill son charged in Alaska Zoo killing

By Michelle Theriault Boots
Updated: November 20, 2018
Published: November 19, 2018

Alaska’s system for evaluating mentally ill defendants hits the breaking point

By Michelle Theriault Boots
Updated: March 11, 2019
Published: March 8, 2019

Mental competency process in Alaska’s criminal justice system can leave victims without closure, advocates say

Report: Problems continue to plague Alaska Psychiatric Institute

By Iris Samuels
Updated: February 8, 2022
Published: February 6, 2022

The Anchorage woman stabbed by a known offender at Loussac Library is fighting to walk again – and close the loopholes that let him go free

By Tess Williams
Updated: June 26, 2022
Published: June 26, 2022

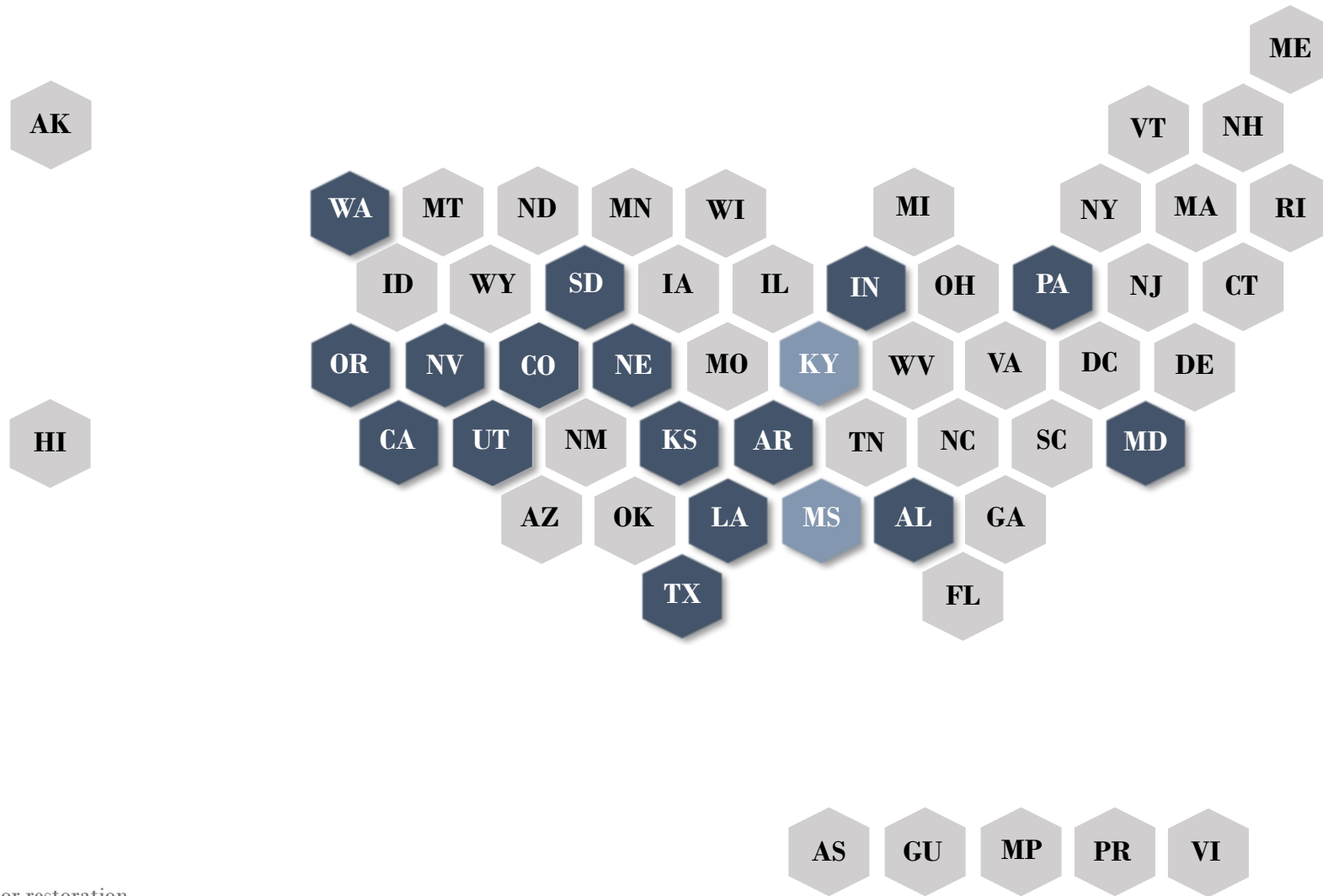
Overcrowding at API leaves man with mental illness in jail for nearly a year, as state court warns of ‘unacceptable’ wait times

By James Brooks
Updated: July 17, 2020
Published: July 17, 2020

Judges rule Alaska institute wait list prevents due process

July 21, 2020

Lawsuits over Competency Wait Times*

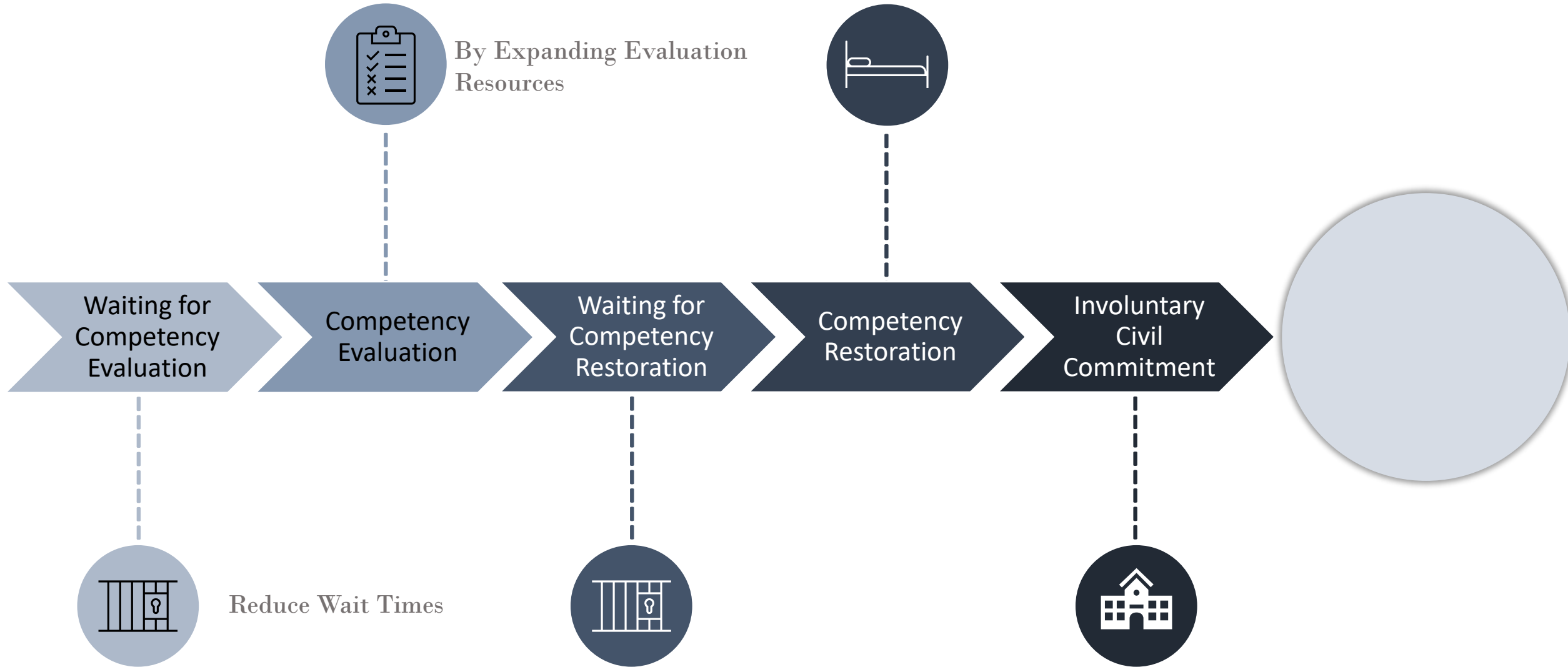


*Either for an evaluation or restoration.

What Does HB 80 Do?



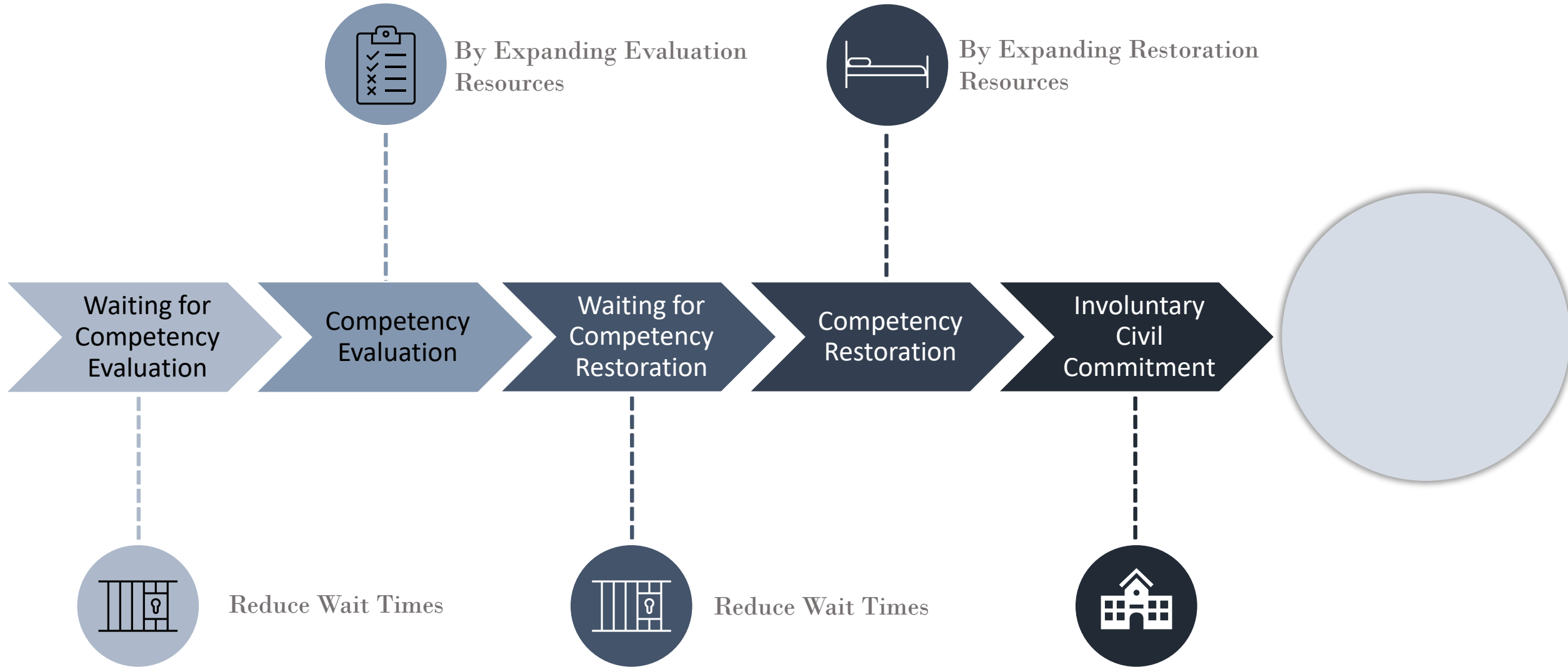
The Competency Process



Competency Evaluations

- Redefines who can conduct forensic evaluations
- Specifies when court can use previous/recent evaluations
- Allows evaluations to be conducted telephonically

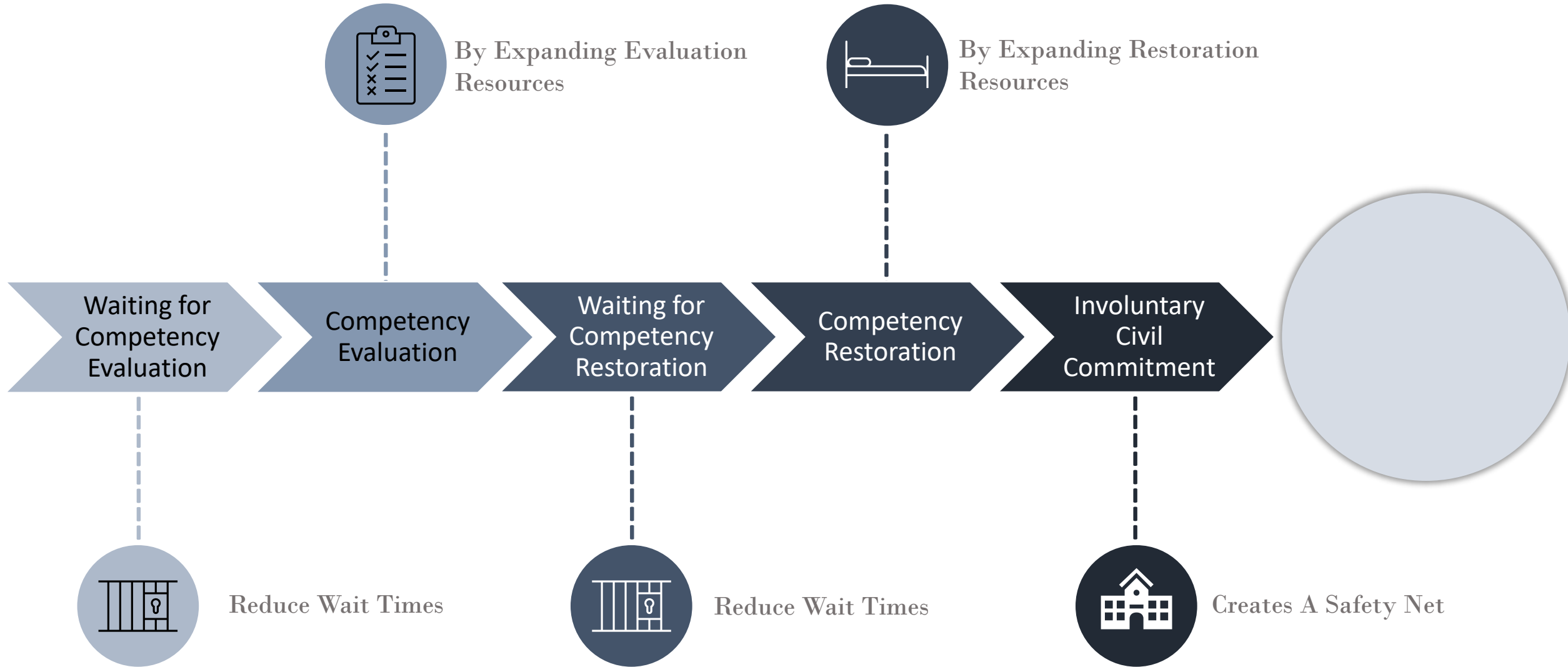
The Competency Process



Competency Restoration

- Changes timeframe of maximum restoration time
- Shifts required restoration requirements
- Codifies Sell Criteria

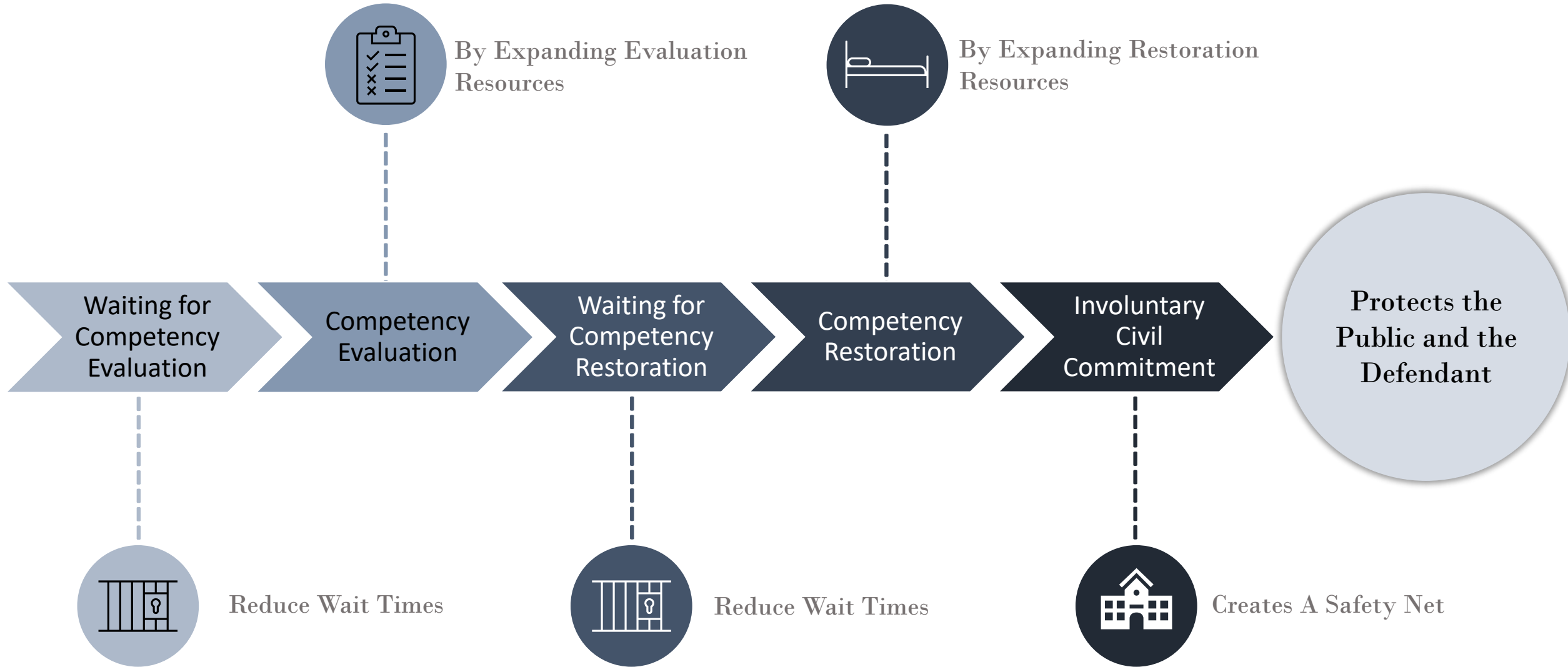
The Competency Process



Civil Commitment

- Requires DFCS to petition for commitment
- Gives victims access to commitment proceedings

The Competency Process



The Public and The Defendant

- The Public:
 - Can be assured the State is most effectively bringing defendants to competency.
- The Defendant:
 - Can be assured every resource is available to reduce time spent waiting.

Questions?