



Alaska State Legislature

Senator Matt Claman

Session: State Capitol, Juneau, AK 99801 Phone: 465-4919

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Senate Bill 53

Sponsor Statement – Version S

“An Act relating to competency to stand trial; relating to involuntary commitments; relating to victims’ rights during certain civil commitment proceedings; and amending Rule 42 (a), Alaska Rules of Criminal Procedure.”

Senate Bill 53 expands involuntary commitment law in Title 47 by adding the option of a five-year involuntary commitment for a limited number of individuals who: (1) have been found incompetent to stand trial on a felony offense against the person or arson, (2) have been previously subject to involuntary commitment orders, (3) have a history of felony offenses against the person or arson, and (4) present a danger to themselves or others. Senate Bill 53 deals with individuals who fit the criteria for an involuntary hold and the dangerous criteria set forth in the legislation.

The involuntary commitment of John Hinckley followed his attempted assassination of President Ronald Reagan in 1981. He was found guilty by reason of insanity for the crime and held in mental institutions until his release in 2022. The published case history of the long-term psychiatric hold of John Hinckley aided our office in our work on this bill. Hinckley petitioned the court for his release from involuntary commitment four times over 40 years. The cases show the history of restrictions as his psychiatric condition improved and the continuing authority to maintain the involuntary commitment.

In February 2022, Angela Harris was returning books at the Loussac Library in Anchorage when a man stabbed her in the back. The perpetrator had been found incompetent to stand trial two months earlier for attacks on other women. SB 53 addresses the problem presented by Angela’s experience. These changes will allow the state to seek involuntary commitment of individuals who have been found incompetent to stand trial, have a history of felony offenses against the person or arson, and have already been subject to 30, 90 and 180-day involuntary holds.

Individuals committed under these provisions may petition the court for early discharge. A petition for early discharge requires that the court finds, based on the respondent’s ongoing treatment, there is a basis to find that the respondent is no longer a danger to themselves or others.

The legislation adds notification for victims of: the time and place of the civil commitment hearing; the length of time for which the respondent is committed; and when the respondent is discharged from commitment. SB 53 creates a five-year commitment option. Persistent court hearings are stressful for individuals suffering from severe psychiatric illnesses. A five-year commitment option will allow for longer term treatment plans and better coordination of care.

SB 53 also reduces the number of psychiatrists and psychologists required for evaluation under the insanity defense from two to one; adds a requirement that attorneys must file a written motion for a competency evaluation; increases the time for competency restoration from one to two years in serious cases; and it provides that the court can release defendants on bail for competency examination, evaluation, and treatment.