

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 104(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/6/95

Referred: Judiciary

Sponsor(s): REPRESENTATIVES KOTT, Bunde, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosures of information about certain minors."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * **Section 1.** AS 09.25.120(a) is amended to read:

4 (a) Every person has a right to inspect a public record in the state, including
5 public records in recorders' offices, except

6 (1) records of vital statistics and adoption proceedings **that** [WHICH]
7 shall be treated in the manner required by AS 18.50;

8 (2) records pertaining to juveniles; **however,**

9 **(A) notwithstanding AS 47.10.093(a), when a juvenile has**
10 **been arrested by a peace officer for commission of an offense that would**
11 **have been a felony if committed by an adult, the following information**
12 **about the juvenile may be disclosed by the entity employing the peace**
13 **officer:**

14 **(i) the juvenile's name;**

15 **(ii) the date and place of the offense; and**

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(iii) a description of the nature of the offense; and

(B) records pertaining to juveniles may be disclosed if

[UNLESS] disclosure is **otherwise** authorized by law;

(3) medical and related public health records;

(4) records required to be kept confidential by a federal law or regulation or by state law;

(5) to the extent the records are required to be kept confidential under 20 U.S.C. 1232g and the regulations adopted under 20 U.S.C. 1232g in order to secure or retain federal assistance;

(6) records or information compiled for law enforcement purposes, but only to the extent that the production of the law enforcement records or information

(A) could reasonably be expected to interfere with enforcement proceedings;

(B) would deprive a person of a right to a fair trial or an impartial adjudication;

(C) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness;

(D) could reasonably be expected to disclose the identity of a confidential source;

(E) would disclose confidential techniques and procedures for law enforcement investigations or prosecutions;

(F) would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumvention of the law; or

(G) could reasonably be expected to endanger the life or physical safety of an individual.