

HOUSE BILL NO. 139

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE

Introduced: 2/13/97

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the responsibility for victim notification concerning
2 discretionary parole and special medical parole and extending the termination date
3 of the Board of Parole."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 33.16.087(a) is amended to read:

6 (a) If the victim of a crime against a person or arson in the first degree
7 requests notice of a scheduled hearing to review or consider special medical parole for
8 a prisoner convicted of that crime, the department [BOARD] shall send notice of the
9 hearing to the victim at least 30 days before the hearing. The notice must be
10 accompanied by a copy of the prisoner's or commissioner's application for parole
11 submitted under AS 33.16.085. However, the copy of the application sent to the
12 victim may not include the prisoner's proposed residence and employment addresses.

13 * **Sec. 2.** AS 33.16.087(b) is amended to read:

1 (b) A victim who requests notice under this section shall maintain a current,
2 valid mailing address on file with the **department** [BOARD]. The **department**
3 [BOARD] shall send the notice required by this section to the last known address of
4 the victim. The victim's address may not be disclosed to the prisoner or the prisoner's
5 attorney.

6 * **Sec. 3.** AS 33.16.087(e) is amended to read:

7 (e) If the victim requests, the **department** [BOARD] shall make every
8 reasonable effort to notify the victim as soon as practicable in writing of **the board's**
9 [ITS] decision to grant or deny special medical parole . The notice under this
10 subsection must include the expected date of the prisoner's release, the geographic area
11 in which the prisoner is required to reside, and other pertinent information concerning
12 the prisoner's conditions of parole that may affect the victim.

13 * **Sec. 4.** AS 33.16.120(a) is amended to read:

14 (a) If the victim of a crime against a person or arson in the first degree
15 requests notice of a scheduled hearing to review or consider discretionary parole for
16 a prisoner convicted of that crime, the **department** [BOARD] shall send notice of the
17 hearing to the victim at least 30 days before the hearing. The notice must be
18 accompanied by a copy of the prisoner's application for parole submitted under
19 AS 33.16.130(a). However, the copy of the application sent to the victim may not
20 include the prisoner's proposed residence and employment addresses.

21 * **Sec. 5.** AS 33.16.120(b) is amended to read:

22 (b) A victim who requests notice under this section shall maintain a current,
23 valid mailing address on file with the **department** [BOARD]. The **department**
24 [BOARD] shall send the notice required by this section to the last known address of
25 the victim. The victim's address may not be disclosed to the prisoner or the prisoner's
26 attorney.

27 * **Sec. 6.** AS 33.16.120(e) is amended to read:

28 (e) If the victim requests, the **department** [BOARD] shall make every
29 reasonable effort to notify the victim as soon as practicable in writing of **the board's**
30 [ITS] decision to grant or deny discretionary parole or to release the prisoner under
31 AS 33.16.010(c). The notice under this subsection must include the expected date of

1 the prisoner's release, the geographic area in which the prisoner is required to reside,
2 and other pertinent information concerning the prisoner's conditions of parole that may
3 affect the victim.

4 * **Sec. 7.** AS 33.16.120(f) is amended to read:

5 (f) Upon request of the victim, if a prisoner is released under AS 33.16.010(c),
6 the **department** [BOARD] shall make every reasonable effort to notify the victim
7 before the prisoner's release date. Notification under this subsection must include the
8 expected date of the prisoner's release, the geographic area in which the prisoner is
9 required to reside, and other pertinent information concerning the prisoner's conditions
10 of parole that may affect the victim.

11 * **Sec. 8.** AS 33.16.120(g) is amended to read:

12 (g) A victim of a crime involving domestic violence shall be informed by the
13 **department** [BOARD] at least 30 days in advance of a scheduled hearing to review
14 or consider discretionary parole for a prisoner. The **department** [BOARD] shall
15 inform the victim of any decision to grant or deny discretionary parole or to release
16 the prisoner under AS 33.16.010(c). If the prisoner is to be released, the victim shall
17 be notified of the expected date of the release, the geographic area in which the
18 prisoner will reside, and any other information concerning conditions of parole that
19 may affect the victim. The victim shall also be informed of any changes in the
20 conditions of parole that may affect the victim. The **department** [BOARD] shall send
21 the notice required to the last known address of the victim. A person may not bring
22 a civil action for damages for a failure to comply with the provisions of this
23 subsection.

24 * **Sec. 9.** AS 44.66.010(a)(3) is amended to read:

25 (3) Board of Parole (AS 33.16.020) -- June 30, **2003** [1997];

26 * **Sec. 10.** Notwithstanding AS 44.66.010(c), the amendment to AS 44.66.010(a)(3), made
27 by sec. 6 of this Act, extends the Board of Parole for more than four years.