

CS FOR HOUSE BILL NO. 67(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/16/99
Referred: Finance

Sponsor(s): REPRESENTATIVES ROKEBERG, Dyson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to release of certain persons alleged to have committed certain
2 sexual offenses."

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

4 * **Section 1.** AS 12.30 is amended by adding a new section to read:

5 **Sec. 12.30.029. Release in sexual abuse and sexual assault cases.** (a)

6 Before ordering release before or after trial, or pending appeal, of a person charged
7 with or convicted of a crime under AS 11.41.410 - 11.41.438 or 11.41.450 - 11.41.458,
8 the court shall consider the safety of the alleged victim. To protect the alleged victim
9 and the public and to reasonably assure the person's appearance, the court may impose
10 bail and any of the conditions authorized under AS 12.30.020 and any other condition
11 necessary to protect the alleged victim and to assure the appearance of the person in
12 court.

13 (b) The court may impose any of the following conditions on a person charged
14 or convicted of an offense under AS 11.41.410 - 11.41.438 or 11.41.450 - 11.41.458

1 (1) that the person have no contact with the alleged victim except as
2 specifically allowed by the court;

3 (2) that the person reside in a place where the person is not likely to
4 come into contact with the alleged victim of the offense; and

5 (3) if the person is on medication, that the person take the medication
6 as prescribed.

7 (c) Before a judicial officer releases a person charged or convicted of an
8 offense under AS 11.41.410 - 11.41.438 or 11.41.450 - 11.41.458, the court shall

9 (1) assure that the alleged victim, or the alleged victim's parent or
10 guardian if the alleged victim is under 18 years of age, has been notified by a law
11 enforcement agency or the prosecuting attorney of the hearing where the release is
12 being considered, or a reasonable effort at notification has been made;

13 (2) solicit comments from the victim or the victim's parent or guardian
14 who is present and wishes to comment and consider those comments before making
15 a decision to release the person.

16 * **Sec. 2. APPLICABILITY.** This Act applies to criminal proceedings occurring on or after
17 the effective date of this Act regardless of whether the criminal offense occurred before, on,
18 or after the effective date of this Act.