

HOUSE CS FOR CS FOR SENATE BILL NO. 134(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 5/6/06

Referred: Rules

Sponsor(s): SENATORS BUNDE, Elton, Dyson, Wagoner, Seekins, Kookesh, French, Ellis, Gary Stevens, Olson, Stedman, Green, Guess, Ben Stevens

REPRESENTATIVES Neuman, McGuire

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a pilot project to review and investigate certain complaints from**
2 **victims of sexual assault in the first degree or sexual abuse of a minor in the first degree**
3 **concerning actions of justice agencies."**

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

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 OFFICE OF VICTIMS' RIGHTS PILOT PROGRAM CONCERNING CERTAIN
8 SEXUAL ASSAULT AND SEXUAL ABUSE CLAIMS. (a) The office of victims' rights
9 shall establish a pilot program to review and investigate complaints described in (d) of this
10 section, and shall report to the legislature under (g) of this section. The pilot program begins
11 September 1, 2006, and ends August 31, 2008.

12 (b) A law enforcement agency that receives or investigates a report of sexual abuse in
13 the first degree or sexual assault in the second degree shall provide the victim with the
14 information required by AS 12.61.010(a)(15) at the initial contact and any subsequent contact.

1 (c) Within two weeks after receiving a report of sexual assault in the first degree or
2 sexual abuse of a minor in the first degree, the law enforcement agency receiving the report
3 shall provide the office of victims' rights with the date of the report, the date the assault or
4 abuse is alleged to have occurred, the police report, and the name of the officer assigned to the
5 case.

6 (d) Upon receiving a complaint from a victim of sexual assault in the first degree or
7 sexual abuse of a minor in the first degree that the crime has not been timely or completely
8 investigated, the victims' advocate

9 (1) has jurisdiction to investigate the complaint and may assist with regard to
10 the victim's contacts with justice agencies under procedures set out in AS 24.65.100 -
11 24.65.130;

12 (2) shall consult with and make reports to justice agencies under procedures
13 set out in AS 24.65.140 and 24.65.150; and

14 (3) has the privileges and immunities set out in AS 24.65.190 and 24.65.200.

15 (e) The penalty set out in AS 24.65.210 applies to hindering, or refusing to comply
16 with the lawful demands of, the victims' advocate in connection with the program established
17 under this section.

18 (f) Regulations adopted by the victims' advocate under AS 24.65.090, as those
19 regulations may be amended, apply to the program established under this section to the extent
20 those regulations are not inconsistent with this section. The victims' advocate may adopt
21 additional regulations under AS 44.62 (Administrative Procedure Act) necessary to
22 implement this section.

23 (g) Not later than the first day of the first session of the Twenty-Sixth Alaska State
24 Legislature, the office of victims' rights shall present to the legislature a report of its
25 conclusions concerning complaints investigated under the program established under this
26 section. The report may include recommendations for legislative action.

27 (h) In this section,

28 (1) "justice agency" has the meaning given in AS 24.65.250;

29 (2) "office of victims' rights" means the office created in AS 24.65.010;

30 (3) "victim" has the meaning given in AS 24.65.250;

31 (4) "victims' advocate" means the position created in AS 24.65.010.

1 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **APPLICABILITY.** Section 1 of this Act applies to complaints made after the effective
4 date of this Act for offenses alleged to have been committed

5 (1) on or after the effective date of this Act; or

6 (2) before the effective date of this Act if the offense is alleged to have been
7 committed on or after July 10, 2003.