

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

March 27, 2009

1:36 p.m.

MEMBERS PRESENT

Senator Hollis French, Chair
Senator Bill Wielechowski, Vice Chair
Senator Lesil McGuire
Senator Gene Therriault

MEMBERS ABSENT

COMMITTEE CALENDAR

SENATE BILL NO. 47

"An Act relating to the statute of limitations for certain sexual offenses and permitting causes of action for certain sexual offenses that would otherwise be barred by the statute of limitations to be brought during a certain one-year period."

HEARD AND HELD

SENATE BILL NO. 102

"An Act relating to compulsory school attendance; relating to the crime of contributing to the delinquency of a minor; and relating to school disciplinary action and truancy."

MOVED CSSB 102(JUD) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 47

SHORT TITLE: STATUTE OF LIMITATION FOR SEXUAL OFFENSES

SPONSOR(S): SENATOR(S) FRENCH

01/21/09	(S)	PREFILE RELEASED 1/9/09
01/21/09	(S)	READ THE FIRST TIME - REFERRALS
01/21/09	(S)	HSS, JUD
02/27/09	(S)	HSS AT 1:30 PM BUTROVICH 205
02/27/09	(S)	Moved SB 47 Out of Committee
02/27/09	(S)	MINUTE(HSS)
03/02/09	(S)	HSS RPT 3DP 1AM
03/02/09	(S)	DP: DAVIS, THOMAS, DYSON
03/02/09	(S)	AM: PASKVAN
03/02/09	(S)	HSS AT 1:30 PM BUTROVICH 205
03/02/09	(S)	Moved Out of Committee 2/27/09
03/02/09	(S)	MINUTE(HSS)

03/27/09 (S) JUD AT 1:30 PM BELTZ 211

BILL: SB 102

SHORT TITLE: RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY

SPONSOR(s): SENATOR(s) DAVIS

02/06/09 (S) READ THE FIRST TIME - REFERRALS
02/06/09 (S) EDC, JUD, FIN
02/23/09 (S) EDC AT 8:00 AM BELTZ 211
02/23/09 (S) Heard & Held
02/23/09 (S) MINUTE(EDC)
03/13/09 (S) EDC AT 8:00 AM BELTZ 211
03/13/09 (S) Moved CSSB 102(EDC) Out of Committee
03/13/09 (S) MINUTE(EDC)
03/16/09 (S) EDC RPT CS 1DP 2NR NEW TITLE
03/16/09 (S) DP: DAVIS
03/16/09 (S) NR: STEVENS, OLSON
03/27/09 (S) JUD AT 1:30 PM BELTZ 211

WITNESS REGISTER

ELSIE BOUDREAU, Representing herself
Director, Native American Outreach
Survivors Network for those Abused by Priests
Anchorage, AK,

POSITION STATEMENT: Testified in support of SB 47.

JOELLE CASTEIX, Representing herself
Southwest Regional Director
Survivors Network for those Abused by Priests
Orange County California

POSITION STATEMENT: Testified in support of SB 47.

SENATOR BETTYE DAVIS
Alaska State Legislature
Juneau AK

POSITION STATEMENT: Sponsor of SB 102.

THOMAS OBERMEYER, Staff
to Senator Davis
Alaska Capitol Building
Juneau AK

POSITION STATEMENT: Provided information related to SB 102.

ACTION NARRATIVE

[1:36:37 PM](#)

CHAIR HOLLIS FRENCH called the Senate Judiciary Standing Committee meeting to order at 1:36 p.m. Present at the call to order were Senators Therriault, McGuire and French. Senator Wielechowski was presenting a bill in the Finance Committee and joined the committee thereafter.

SB 47-STATUTE OF LIMITATION FOR SEXUAL OFFENSES

[1:37:13 PM](#)

CHAIR FRENCH announced the consideration of SB 47. Speaking as the sponsor, he stated the following:

Senate Bill 47 creates a one-year period during which civil action may be brought in felony sex assault cases that have been time-barred by the formerly restrictive statute of limitation laws in Alaska. In the 2001 legislative session, both the House and Senate voted unanimously to remove the statute of limitations for felony sex offenses that were still open to prosecution at that time. For instances of felony sex assault where the statute of limitations had expired, no recourse was given to the victims of the crime.

SB 47 allows the victims of felony sex assault to have their day in court. Experts have found that there are several reasons that a victim, especially a child, would not report sex abuse for years after it occurred. Multiple studies have shown, for example, that victims of [childhood] sex assault are often extremely embarrassed by the abuse, and may not disclose the crime against them until adulthood.

The bill does not change the burden of proof, it does not change the rules of evidence, it does not change any of the standard procedures that apply in court when these cases are brought. It simply gives victims a one-year chance to bring their case forward or, in essence, forever hold their peace.

CHAIR FRENCH related that the two individuals who were online had testified in person when the bill was heard earlier this year in the Health and Social Services Committee. Because it is expensive and difficult to travel to Juneau for each hearing they will be testifying via teleconference today.

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JOELLE CASTEIX said she is 38 years old and a victim of childhood sexual abuse. She is also the Southwest Regional Director of Survivors Network for those Abused by Priests (SNAP). She works with hundreds of sex abuse victims including many in remote villages of Western Alaska. She is the mother of a two-year-old and his light and innocence make her goal at SNAP one of the most important in her life.

She cited Carolyn Jessop, the author of Escape, who states that, "Child sexual abuse is not about religion. It is about crime." These criminals seek environments, such as the Roman Catholic Church, where they will not be caught and where a child's fear, naivety, lack of education, and fear of punishment will keep them quiet and in the dark about the crimes committed against them.

MS. CASTEIX said she is an example of why a law like SB 47 works. She can show how similar laws in Delaware and California have saved thousands of children from abuse, exposed predators nationwide, aided law enforcement and prosecutors to put molesters in jail, and unearthed the cover-up that has shocked and disgusted this nation. She can show how SB 47 will protect thousands of vulnerable Alaska children who will still be at risk if these predators are not exposed. Because of a bill such as this, she was able to publicly expose her predator and the men and women who buried his criminal activity under thousands of pages of documents. She has done her best to see that her predator never hurt another child.

MS. CASTEIX described herself as a vulnerable child; there was alcoholism in her home and she was emotionally disturbed by the home life she endured. She found sanctuary in her diocesan high school and church in Southern California. What she and her parents did not know at that time was that eleven men at the school were sex offenders. The principal, vice-principal, two choir directors and a coach were credibly accused and/or sued for abuse. Eventually documents were released on the others.

MS. CASTEIX relayed that choir director Thomas Hodgman was her molester. Having knowledge of her home life and vulnerability, he asked her parents if she and could join other students to help him move. When she arrived she found she was the only kid there. Mr. Hodgman told her he couldn't wait to have her all to himself. She was scared, lost, and alone when he cornered her in his bedroom and tore off her shirt. "When he was done, I was bruised and bloody and had nowhere to turn." Mr. Hodgman threatened her and warned that no one would believe her if she

told anyone. She was 15 years old, and for the next two years she was raped repeatedly. She couldn't tell her parents and her friends said she "wanted it" so she decided to tell school officials. The vice-principal characterized it as being in love and told her to keep it a secret because most people wouldn't understand. She would likely be blamed. This female administrator said she'd seen other girls sent to juvenile hall for reporting their own rape. "I believed her because I was indoctrinated." Ms. Casteix said she had no idea that Mr. Hodgman was also molesting her friend, but the administrator knew.

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MS. CASTEIX said that when she found out she was pregnant she went to an abortion clinic by herself and ended her pregnancy. At that time a nurse told her she had a sexually transmitted disease and vaginal warts that could lead to cervical cancer and sterility. Although it took three months to have all the growths burned from her genitalia, no one called the police and no one called her parents. Her alienation increased after she told her parents. They called her loose and blamed her for seducing a nice man. She was 15 and he was in his 30s. When she was told she would go to Hell, she thought she was already there.

For the next 10 years she suffered endlessly, but then one day she decided she could either die or heal and become the person she always wanted to be. Choosing to live, she got help and forgave and forgot the issues she had with her family. She was able to move on, but she knew that there was something horribly wrong with a place that told kids to keep quiet about sexual abuse. When she approached the church, their attorney told her they knew nothing of her abuse. She knew that wasn't true and was saddened to learn that the only way to get to the truth was to use California's landmark civil window and sue the church. "After 2 years of mediation, stalling and mudslinging, 87 cases against the Diocese of Orange [County] were settled." Describing the financial settlement as a slap on the wrist, she said the true punishment and justice lay in the documents that exposed the scope and scale of abuse across the diocese. The documents showed that the church knew about the abuse and that church officials didn't care about anyone but themselves. "Priests, clergy, volunteers, and employees were transferred, asked to resign, and quietly hidden and the kids had to pay the price," she said. Dozens of men were exposed; they were working and volunteering in schools and daycare centers where they were grooming their victims and lying to parents.

As a result of the lawsuit, children in California, Arizona, Idaho and Nevada are safer because the predators who had been allowed to go free were exposed. She said the most important part is that girls will be free from Mr. Hodgman. "The church didn't care enough to protect them, but I did," she emphasized. She did this through a law similar to SB 47.

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MS. CASTEIX said that her case file includes a signed confession where Mr. Hodgman admits to raping her and her friend. The high school principal who never called the police also signed the confession. The file also contains a back-dated document in which the vice-principal admits to knowing of the abuse a year earlier and doing nothing. The file also contains a letter from the principal to the superintendent of schools. He stated that he reported the abuse to child services, but her parents were not called and child services has no record of the report.

MS. CASTEIX said only the truth will protect children and SB 47 is the window to the truth. There is no other way to force organizations to do the right thing. Because of the California law, 150 perpetrators and multi-state rings of priest shuffling were exposed. Delaware lifted its civil statute of limitations for two years and has done the same thing.

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Opponents of the bill will say that it will encourage false allegations. Conceding that some allegations are false, she noted that this is extremely rare in cases alleging abuse by clergy. In fact, the church's expert in this field said in an interview with the New York Times that of the more than 500 alleged child-molesting priests he had represented, less than three cases were false allegations. In the cases that have been settled in California, there are no records of false allegations. Finally, SB 47 does not change the burden of truth or any of the standard procedures that apply to civil lawsuits of this type.

Some may say that this law is unconstitutional, but according to Marci Hamilton, the Paul R. Verkuil Chair in Public Law at the Benjamin N. Cardozo School of Law, this law is constitutional.

[1:50:07 PM](#)

Opponents will say that this law will force more organizations into bankruptcy. But if those organizations are like the Jesuits and the Diocese of Fairbanks, and they acknowledge that they allowed scores of men to rape hundreds of children and they

expect the State of Alaska to pay for services for their victims, the bankruptcy is close to a free pass. Opponents may say that this lawsuit will take money away from other vital services that these organizations can provide, but she would ask if that gives the Catholic Church or other organizations permission to not be held accountable for crimes they acknowledge they committed. "A murderer may be the world's greatest soup kitchen director, but that doesn't mean he still doesn't have to pay his debt to society," she said.

What SB 47 will do is expose predators and those who have covered up for them. Civil windows allow victims to use the court system to name their abuser, warn communities, and give younger victims the strength to come forward and make a criminal report. It will also help law enforcement put serial molesters behind bars. Former priests Michael Baker and Michael Wempe both escaped prosecution as pedophiles because their victims were abused too long ago. But because of the [California] civil window, victims of both men were able to pursue their cases in civil court. Interestingly, it was after that that younger victims with solid evidence began to report their abuse to law enforcement. Now these two men and many others like them are behind bars. Without the window that never would have happened.

Law enforcement in Pennsylvania, South Carolina, Florida, and Wisconsin have used documents and depositions in Delaware civil window cases to investigate and prosecute predators including Robert Yurgal and Paul Daleo. Without the civil window, these men never would have been exposed.

The state of Alaska is grappling every day with the aftereffects of child sexual abuse. She has personally seen the human wreckage in Western Alaska villages. The state or local government is paying for police, jails, court costs, counseling, parole, probation, poverty assistance, anger management, physical abuse, substance abuse, mental health care, hospitals, foster homes, child services, life skill education, nutrition assistance, unemployment, travel to essential services, death benefits, and the other needs that aid entire villages of adults who were sexually abused as children. This is because groups such as the Jesuits, the Diocese of Fairbanks and other organizations refuse to take responsibility for what they have done. They claim they run other essential services, but she questions what is more essential than the foregoing list. The church should take responsibility for its victims of sexual abuse. Now, at no cost to the state, those responsible can

provide services and care to those who they knowingly destroyed. Victims will be able to help themselves.

Finally, this is worth it if it exposes just one man who allowed a predator to rape children. Lawmakers have but one option, and that is to open the courthouse doors to sex crime victims and let them access the civil justice system. Let victims expose molesters, warn communities about the danger these men pose and punish those who helped them. At the end of the day, men and women just like herself will win and get the help they need. Parents and citizens who want to know if there is a child molester in their school or church or youth group will get information they need. Finally, law enforcement officials who know that lots of sexual predators escape detection and prosecution will see victims exposing molesters and warning parents and getting better.

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"Please, please don't let what happened to me happen to another child. But give Alaska's children the power that the civil window gave me."

MS. CASTEIX noted that she had provided the documents she referenced in her case as well as the coalition behind the Delaware civil window. They all believed in the two-year window and she encouraged the committee to do the same. Finally she suggested members read William Lobdell's memoir, Losing My Religion: How I lost My Faith Reporting on Religion in America- and Found Unexpected Peace. He chronicles his time dealing with victims of clergy sexual abuse while he was a journalist. He has said that his life was forever changed after listening to the men and women of St Michael and Stebbins tell their stories.

She urged support for SB 47.

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ELSIE BOUDREAU said she is representing herself. She provided her Yupik name and said she was named after her maternal grandmother. She is the youngest daughter of the late Edgar and Theresa Francis of Saint Marys, the granddaughter of Alfred and Natasha Francis of Pilot Station and the late George and Martha Abulhan (ph) Peterson of Old Andreafski. She is married and has two children.

MS. BOUDREAU thanked Senator French for introducing SB 47 as a survivor of child sexual abuse and as an advocate for those who are unable to speak their truth about the heinous crime

committed against them as children. She is also speaking on behalf of children today who still wholeheartedly trust that there is someone who cares and is looking out for their best interest. These children believe that if they were to get hurt, someone would do the right thing. "It is with them in mind and in heart that I speak today," she said. It is a meager attempt to make a difference in the life of even one child.

MS. BOUDREAU said child sexual leaves a mark on the soul and robs the child of trust; it forever changes their view of the world. The consequences run deep. It affects the child, the family, the community, and society as a whole. SB 47 would allow an opportunity for that child-victim to come forward, and it would also provide an opportunity for society as a whole to say that it cares and will do the right thing.

As an advocate she has heard the echoes of pain these child victims have shared in their stories of attempted suicide, of not knowing where to turn for help, of being told by the perpetrator that no one will believe them because they are Native, of being beaten by parents because they said something bad about a priest, and of turning to alcohol and other drugs to dull the pain. There are countless stories of deep-seated guilt and shame, and stories of being happy before the abuse and angry and lost afterwards. Other stories tell of incarceration and committing sexual assault crimes in the same fashion as their own abuse.

MS. BOUDREAU said although the pain is deep she does hear hope in some voices after they've told their story. Often it's for the first time and they are in their 30s, 40s, 50s, or even their 70s. She's glad they were finally able to tell their terrible secret and not take it to their graves.

[1:59:53 PM](#)

MS. BOUDREAU related that she was 10 years old when she was groomed for sexual abuse by a family friend who also happened to be a priest. Over the next nine years she was a pawn in a twisted game in which only her abuser knew the rules. She loved this man like a child loves a father and she thought he loved her. She vividly remembers sitting on his lap and French kissing for hours until her lips felt numb. She remembers walking along and holding hands and being pulled into an abandoned building to engage in French kissing. This priest and family friend called himself her brother, father, friend and lover. When she became interested in boys her own age, the priest forced her to go to confession in his room. She thought he was jealous and really

loved her. She felt special because this priest was showering her with God's love. "I didn't understand what sexuality was. I thought it was okay because he was a priest," she said. Now she lives with the knowledge that her first sexual experience was with a priest and that this man of God used her to satisfy his sick needs. "He did not love me." He left her alone and in pain and she had to piece things together and work to rid herself of the guilt and shame.

MS. BOUDREAU said that at age 19 she wrote the man a letter and stated that she never wanted to be alone with him again. She never was. She put that part of her life behind her not knowing that she could file a claim against him or the church. Neither did she know that the statute of limitations clock was ticking. It was only when her own daughter, who is now 15 years old, turned 10 years old that she realized that she could no longer shield the truth from her consciousness. Since she came forward and since she accepted that she was a victim, she has had memories of more detailed instances where she knows that it was too painful to remain in her body.

After she filed her lawsuit she learned that the church hierarchy knew that this priest had problems with young girls. They knew this long before she was born yet they did absolutely nothing to stop the abuse. They moved him around unsupervised and without warning so he was able to abuse others. Even after the priest admitted the sexual abuse, the church filed for dismissal based on the statute of limitations.

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MS. BOUDREAU said if she not come forward and made public her abuse, she would not know that this man also abused 16 other women. Her hope is that when these many child-victims come forward and start the process of ridding themselves of their pain, that this society will do the right thing and not turn its back.

SB 47 is a public safety issue that is about deterring future wrongdoing. It is about protection of children, not the perpetrators and those who allow such crimes to continue. Do the right thing and show you care, she said.

[2:04:37 PM](#)

CHAIR FRENCH directed attention to the position statement in opposition to the bill from the Society of Jesus, Oregon Province. Finding no further testimony he closed public testimony and asked for committee discussion.

SENATOR THERRIAULT asked Senator French if he'd had any discussion with the Court System, DOL, or DOC about the zero fiscal notes. At the very least he would think they would be indeterminate since the bill potentially exposes the State of Alaska to civil damages.

[2:06:14 PM](#)

CINDY SMITH, Staff to Senator French, related that she had discussions with the Court System and the Department of Corrections (DOC). She explained that DOC is in a custodial relationship with the people in its care, and there is case law that says that once you assume total control of somebody, there isn't a statute of limitations that would apply whether they are adults or children. DOC's position was that if there was conduct and they're liable, this bill wouldn't affect that in any way.

SENATOR THERRIAULT mentioned state-run programs and the possibility of abuse and observed that this window opens the potential for civil action. Because of that potential - speculative though it may be - the fiscal notes should be indeterminate rather than zero.

MS. SMITH replied she can't second guess, but risk management and other folks are aware the bill is being heard. She noted that the text in the Court System fiscal note speaks to why it anticipates no fiscal impact.

SENATOR FRENCH said he'd hold the bill to give Senator Therriault a chance to contact the individuals who prepared the fiscal notes so that there would be no underlying questions.

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CHAIR MCGUIRE thanked Ms. Casteix and Ms. Boudreau for coming forward to testify. It's never easy to testify before a committee like this and it's particularly difficult to lay out the sad facts of your life that you've turned around, she said.

CHAIR FRENCH echoed her statement and added that the presentation before Health and Social Services Committee was one of the more heartbreaking presentations he's participated in. He thanked the chair of that committee for giving the victims the space to tell their stories. That's a big part of the process."

CHAIR FRENCH announced he would hold SB 47 for a future hearing.

SB 102-RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY

CHAIR FRENCH announced the consideration of SB 102. [Before the committee was CSSB 102 (EDC).]

2:09:55 PM

SENATOR BETTYE DAVIS, Sponsor of SB 102, stated that this is a bill that increases the compulsory age for school attendance from age 16 to age 18. She said Mr. Obermeyer would read the sponsor statement into the record.

THOMAS OBERMEYER, Staff to Senator Davis, read the following: [Original punctuation provided.]

SB 102 increases the Alaska compulsory school attendance age from 7-16 to 7-18. At the same time it necessarily amends the crime of contributing to the delinquency of a minor from the maximum age 16 to 18. This bill will not preclude parents from homeschooling children, or using charter or alternative schools, or any other of the twelve enumerated exceptions to compulsory education under AS14.30.010(b), including completion of grade 12 or graduation from a secondary school before age 18.

3283 Alaska students dropped out and 62.4% graduated in the 2007-2008 school year per the Alaska Department of Education and Early Development (DEED). Nationally, the graduation rate is 70% or higher. The highest dropout rates in Alaska are among minorities with Alaska Natives at double the rate of others. These numbers have not changed much in many years and Alaska's compulsory school attendance age has not changed in decades.

17 states have increased the compulsory school attendance age to 18. 9 states maintain age 17, and 23 states maintain age 16, per the US Department of Labor February 10, 2009. The legislative intent by states which have increased compulsory school attendance age to 18 is to encourage more students to stay in school long enough to graduate, attend institutions of higher education, and decrease dropout rates, juvenile crime, and teen pregnancy. Studies have shown that students without a diploma earn less than 75% of those with a diploma; they are more likely to live in poverty, go to jail, and have health problems.

National Education Association's "12-Point Action Plan for Reducing the School Dropout Rate" lists as a first priority to *"mandate high school graduation or equivalency as compulsory for everyone below the age of 21."* It reports:

"Just as we established compulsory attendance to the age of 16 or 17 in the beginning of the 20th century, it is appropriate and critical to eradicate the idea of 'dropping out' before achieving a diploma. To compete in the 21st century, all of our citizens, at minimum, need a high school education."

Increasing compulsory school attendance age is the first step in reducing dropouts and increasing graduation rates. The NEA also recommended high school graduation centers for students 19-21; individual attention in smaller learning communities; expanding graduation options in partnership with community colleges in career and technical fields and with alternative schools to provide other ways to earn a high school diploma; increasing workforce readiness programs; acting early to provide high-quality universal preschool and full-day kindergarten; involving families in students' learning at school and home; monitoring academic progress during the school year to prevent falling behind; involving the entire community in dropout prevention; providing educators with the training and resources to prevent dropouts; and asking Congress to invest \$10 billion over 10 years to support dropout prevention programs and states which make high school graduation compulsory.

Remedial programs, work-study programs, alternative schools, and parental support to age 18 have proven effective in other states. Opponents to increasing compulsory school age who are concerned about forcing students to be in the classroom against their will argue that these students may become disruptive and require more time and expense on behavior and truancy problems. For those students who want to work or are not as academically inclined, school districts are encouraged to continue accredited alternative schools and work-study programs to help students earn credits toward a diploma while they often work at the same time. Students will want to come to school, stay in

school, and graduate, if academic problems are identified early and they helped long before they dropout. Coupled with early efforts to retain, train, and graduate, SB 102 can bring hope and success to thousands of Alaskan students who otherwise might not stay in school and graduate

[2:14:56 PM](#)

CHAIR FRENCH, noting that he was born in October and graduated from high school when he was 17, asked if this bill would have required him return to school in September after he had graduated.

MR OBERMEYER said no, and directed attention to page 3, lines 20-21. There is an exception if the person "has completed the 12th grade or has graduated from a secondary school." Anchorage School District Superintendent Carol Cuomo asked the sponsor to insert that phrase, he added.

[2:15:57 PM](#)

SENATOR WIELECHOWSKI joined the committee.

CHAIR FRENCH commented that Alaska's high school graduation rates are terrible and if this works he's all for it. However, he will continue to ask if raising the age will produce more graduates.

SENATOR DAVIS said data indicates that this might help a little. Most states have compulsory school attendance until age 17; Alaska is one of the few that has compulsory attendance until just age 16. "But you can't just raise the age and not do the other things," she said. Alternative programs, good role models, and working with kids in the lower grades are all important. Ideally the community, the high schools, and the university will work together to produce more graduates. The rates are simply too low.

Right now most 16 year olds believe that they don't need to do anything other than pass the exit exam. Many of these kids don't realize that passing a 10th grade test doesn't mean they have enough high school credits to receive a high school diploma. They need to be educated to the fact that they will earn more money throughout their working life if they at least have a high school education or GED (general equivalency diploma). Noting that people who pass the GED in Alaska are not counted as having graduated from high school, she suggested that perhaps that

should be changed. This bill won't cure all the ills; it's just one of the steps, she said.

SENATOR MCGUIRE said she too has looked at the evidence on raising the age and it's inconclusive. Her thought is to use this as a tool because the rates can't get worse. The sponsor identified the perception of demarcation at age 16. If that perception could be raised to age 18 and it is in conjunction with programs that target job training and preparation, there is a chance more students will stay in school. Mentioning truancy officers as an important component, she said she wants to do what's needed to keep these officers in the schools. In her high school they saved hundreds of students who were falling away. She applauded the sponsor for taking on the issue.

[2:20:41 PM](#)

SENATOR MCGUIRE moved to adopt CS for SB 102, labeled 26-LS0514\R, as the working document. There being no objection, version R was before the committee.

CHAIR FRENCH noted the \$16 million fiscal note.

SENATOR DAVIS explained that that's the amount that the school would have expended had all the dropouts stayed in school. It doesn't necessarily mean that all the students that have dropped out will return to school.

[2:22:10 PM](#)

CHAIR FRENCH asked if school districts still employ truant officers.

SENATOR DAVIS said Juneau has a good truant officer program; the officers go into the home and work with the families. This bill does not require truant officers.

CHAIR FRENCH asked the sponsor or her staff to mention the letters of support.

MR. OBERMEYER explained the calculations in the DEED fiscal note. Although there is no way to know how many students would return to school if this bill were to pass, their parents would know they are supposed to be in school and help them return. Truant officers are a good idea but that alone won't solve the problem. It has to be a communal effort between the school, the family and the community. School districts generally realize this, he said.

[2:24:59 PM](#)

SENATOR MCGUIRE asked if the Anchorage school district has resource officers rather than truant officers.

SENATOR DAVIS said she doesn't recall the term but they aren't called truant officers.

SENATOR MCGUIRE said the resource officers at Dimond High School absolutely did not allow children to fall through the cracks and she would encourage the committee to keep a focus on that. We have the attitude that it's okay to let a 16 year old decide whether or not to stay in school, but these people are part of our community and society and this is an opportunity to give these students some life tools. The cost associated with this bill is an investment in our culture, our state, and our society. These people are going to live among us and if they don't have skill sets and are not productive they likely won't end up in good places. We need to send a message that the current dropout rate is unacceptable. She characterized the bill as a good strong policy statement.

[2:28:22 PM](#)

SENATOR DAVIS said even though the bill says age 18, there are still ways for students to legally get around that. Responding to Senator French's request to mention some of the letters of support she highlighted the school board, the teacher's association, and the principal's association. On several occasions she spoke with the commissioner and he has said it might work. He's coming around, she said.

CHAIR FRENCH said the fact sheet provided by the Alliance for Excellent Education has some good statistics about who succeeds, who fails, and the cost of failure. It echoes Senator McGuire's argument that you pay for putting a failed unit out in society in a variety of ways and over a long period of time. He said the \$16 million fiscal note needs to be put in perspective. He wished her well in the finance committee.

SENATOR MCGUIRE suggested the sponsor add some scientific information about brain development in her testimony. The human brain isn't fully developed until roughly 25 years of age and the decision making frontal lobe is one of the last parts to develop. The sometimes erratic decisions a 16-year-old might make are very different than even two years later. She offered to locate the study because it adds science to why it's important to help young people not make decisions they might regret when they're older.

CHAIR FRENCH commented that you can see the value in giving parents one more tool to keep their kids in school beyond age 16.

2:32:00 PM

CHAIR FRENCH closed public testimony.

SENATOR MCGUIRE moved to report SB 102 from committee with individual recommendations and attached fiscal note(s). There being no objection, CSSB 102(JUD) moved from the Senate Judiciary Standing Committee.

2:32:35 PM

There being no further business to come before the committee, Chair French adjourned the Senate Judiciary Standing Committee meeting at 2:32 pm.