

**ALASKA STATE LEGISLATURE**  
**SENATE JUDICIARY STANDING COMMITTEE**

February 17, 2012

1:31 p.m.

**MEMBERS PRESENT**

Senator Hollis French, Chair  
Senator Bill Wielechowski, Vice Chair  
Senator Joe Paskvan  
Senator Lesil McGuire

**MEMBERS ABSENT**

Senator John Coghill

**COMMITTEE CALENDAR**

SENATE BILL NO. 195

"An Act establishing a maximum caseload for probation and parole officers."

- HEARD & HELD

SENATE BILL NO. 110

"An Act relating to human trafficking; and relating to sentencing and conditions of probation in criminal cases involving sex offenses."

- HEARD & HELD

SENATE JOINT RESOLUTION NO. 13

Urging the United States Congress and the President of the United States to work to amend the Constitution of the United States to prohibit corporations, unions, and individuals from making unlimited independent expenditures supporting or opposing candidates for public office.

- MOVED SJR 13 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 195

SHORT TITLE: PROBATION AND PAROLE OFFICERS' CASELOADS

SPONSOR(S): SENATOR(S) MCGUIRE

02/08/12           (S)           READ THE FIRST TIME - REFERRALS

02/08/12 (S) JUD, FIN  
02/17/12 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 110

SHORT TITLE: HUMAN TRAFFICKING/SEX OFFENSES

SPONSOR(s): SENATOR(s) WIELECHOWSKI

03/21/11 (S) READ THE FIRST TIME - REFERRALS  
03/21/11 (S) JUD, FIN  
03/30/11 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)  
03/30/11 (S) Heard & Held  
03/30/11 (S) MINUTE(JUD)  
02/17/12 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SJR 13

SHORT TITLE: AMEND U.S. CONST RE CAMPAIGN MONEY

SPONSOR(s): SENATOR(s) WIELECHOWSKI

02/01/12 (S) READ THE FIRST TIME - REFERRALS  
02/01/12 (S) JUD  
02/17/12 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

RONALD TAYLOR, Director  
Division of Probation and Parole  
Department of Corrections (DOC)  
Anchorage, AK

**POSITION STATEMENT:** Testified in support of SB 195.

LINDA GERBER, Probation Officer II  
Department of Corrections  
Anchorage, AK

**POSITION STATEMENT:** Testified in support of SB 195.

WARREN WATERS, Probation Officer II  
Department of Corrections (DOC)  
Anchorage, AK

**POSITION STATEMENT:** Testified in support of SB 195.

TRAVIS MORRIS, Probation Officer II  
Department of Corrections (DOC)  
Anchorage, AK

**POSITION STATEMENT:** Testified in support of SB 195.

LEILA SHEFFIELD, Probation Officer II  
Department of Corrections (DOC)

Bethel, AK

**POSITION STATEMENT:** Testified in support of SB 195.

DONNA WHITE, representing herself

Anchorage, AK

**POSITION STATEMENT:** Testified on SB 195 and commended the sponsor for opening the dialog.

DOUG GARDNER, Director

Legislative Legal Services

Legislative Affairs Agency

Juneau, AK

**POSITION STATEMENT:** Responded to questions as drafter of SB 110.

SUZANNE LA PIERRE, representing herself

Anchorage, AK

**POSITION STATEMENT:** Offered suggestions on SB 110.

QUINLAN STEINER, Public Defender

Public Defender Agency

Department of Administration (DOA)

Anchorage, AK

**POSITION STATEMENT:** Raised concerns about the unintended consequences of SB 110.

DR. REGINA CHENNAULT, representing herself

Anchorage, AK

**POSITION STATEMENT:** Stated support for SB 110.

ANNE CARPENETI, Assistant Attorney General

Criminal Division

Department of Law (DOL)

Juneau, AK

**POSITION STATEMENT:** Raised concerns with SB 110.

CHRISTINA MOUNCE

Juneau Chapter, Move to Amend

Juneau, AK

**POSITION STATEMENT:** Testified in support of SJR 13.

LARRY HURLOCK, representing himself

Juneau, AK

**POSITION STATEMENT:** Testified in support of SJR 13.

ROBERT BUSCH, representing himself

Anchorage, AK

**POSITION STATEMENT:** Testified in support of SJR 13.

KATE VEH, representing herself  
Kenai, AK

**POSITION STATEMENT:** Stated emphatic support for SJR 13.

SCOTT SHAW, representing himself  
Soldotna, AK

**POSITION STATEMENT:** Stated support for SJR 13.

PATRICK COYAVISTO, representing himself  
Kenai, AK

**POSITION STATEMENT:** Stated support for SJR 13.

MARK HAYES, Campaign Coordinator  
Public Citizen's Democracy is for People

**POSITION STATEMENT:** Testified in support of SJR 13.

#### **ACTION NARRATIVE**

[1:31:49 PM](#)

**CHAIR HOLLIS FRENCH** called the Senate Judiciary Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Wielechowski, McGuire and Senator French. Senator Paskvan arrived soon thereafter.

#### **SB 195-PROBATION AND PAROLE OFFICERS' CASELOADS**

[1:32:16 PM](#)

CHAIR FRENCH announced the consideration of SB 195.

[1:32:22 PM](#)

SENATOR MCGUIRE, sponsor of SB 195, said the impetus for the bill was concern about burgeoning caseloads for probation and parole officers, and the possibility of establishing ratios. The bill is intended to start a dialog with the Department of Public Safety (DPS) and the Department of Corrections (DOC).

SB 195 would establish in statute a maximum of 60 cases for probation and parole officers at any given time. Parole officers in the Anchorage area are often responsible for more than 100 cases in prisons, jails, and community resident centers, leaving little time to improve the quality of the individual that is returned to civilian life. This legislation alone won't reduce recidivism, but it can be part of the solution along with other resources that provide evidence-based programing for offenders and training for officers.

The PEW Center Public Safety Performance Project on States reported that in FY08 about nine of every ten dollars spent on corrections is devoted to state prisons, although nearly 70 percent of offenders are supervised in the community. The issues associated with large caseloads include: an inability to do field observations or home visits; an inability to attend court hearings; and high officer turnover rates due to burnout.

SENATOR MCGUIRE reported that in the last five years, four other states limited caseloads by statute and three of those states set the limit of 60 parolees per officer. She concluded that SB 195 will start a conversation about the effectiveness and systemic costs of the corrections system in this state.

[1:39:45 PM](#)

RONALD TAYLOR, Director, Division of Probation and Parole, Department of Corrections (DOC), stated that working with the sponsor and the committee will be a proactive opportunity.

CHAIR FRENCH asked how he came to be in his current position.

MR. TAYLOR related that he supervised the Alaska Alcohol Safety Action Program (ASAP) for 18 years, and in September transferred to DOC as division director. He noted that he also served as executive director of the Board of Parole for three years.

CHAIR FRENCH asked if he would be in charge of more than the probation and parole officers covered under the bill.

MR. TAYLOR replied he was in charge of the field and electronic monitoring officers covered under the bill, and the community residential centers throughout the state.

CHAIR FRENCH asked about the different categories of probationers.

MR. TAYLOR explained that there are three categories of specialized field probation officer caseloads: sex offender, enhanced supervision, and mental health. The enhanced supervision caseloads include high-risk offenders.

[1:42:56 PM](#)

SENATOR PASKVAN joined the committee.

CHAIR FRENCH asked him to describe the duties of an institutional probation officer.

MR. TAYLOR explained that they develop institutional programming, classify offenders and ensure that the offender management plan will help a person be successful when he or she is released from the institution into the field. Responding to a further question, he said that field officers definitely outnumber institutional officers, but he didn't know the ratio. He was in charge of field POs and the institution directors were in charge of institutional POs.

CHAIR FRENCH asked where presentence report writers fit in.

MR. TAYLOR explained that each probation office has a presentence writer.

CHAIR FRENCH asked if those positions would be covered by the bill.

MR. TAYLOR replied that was part of the dialog.

CHAIR FRENCH asked Mr. Taylor to discuss what resources go into writing a presentence report, and how it follows an offender.

MR. TAYLOR explained that the presentence report impacts how the offender will be sentenced by the court and governs how he or she will be supervised when released into the community.

CHAIR FRENCH related that Texas Representative Jerry Madden opined that the vast majority of prisoners fall into one of two categories: "people we're mad at and people we're afraid of." He asked if the presentence report writer tries to sort these two categories out.

MR. TAYLOR answered yes; the information in the presentence report is used to develop a realistic case plan for a person who is under institutional supervision and when he or she is released.

[1:47:43 PM](#)

SENATOR PASKVAN asked how many more probation officers would be needed to accomplish the 60 caseload goal

MR. TAYLOR replied the division was working on an estimate.

SENATOR PASKVAN asked how many POs there were statewide, and if most had caseloads of about 100.

MR. TAYLOR offered to follow up with specific numbers for institutional POs, electronic monitoring POs, and field POs. The division had 142 individuals assigned to it, but that included POs, criminal justice technicians and office support staff.

[1:48:52 PM](#)

LINDA GERBER, Probation Officer II, Department of Corrections, said she had worked for DOC for more than 20 years in both the institution and field, and had worked specialized caseloads in mental health, sex offender, and substance abuse. She was currently one of four POs who work the out-of-state unit covering more than 1,050 prisoners. She described POs as ground zero for implementing the plans for offenders, and observed that quality time and sometimes training were in short supply.

CHAIR FRENCH asked what other tasks she would focus on if she had fewer probationers to supervise.

MR. GERBER replied she would have more time to work with each prisoner to ensure successful reintegration. This would include discussions with the local field officer about available resources for housing, jobs, and treatment.

[1:53:13 PM](#)

WARREN WATERS, Probation Officer II, Department of Corrections (DOC), said he was an institutional PO, and had worked at the Anchorage Jail for the past six years. His duties included the supervision of about half of the 400 offenders that reside at the community residential centers or halfway houses. These offenders are a mixed bag of sentenced and un-sentenced misdemeanants and felons. They all require some form of supervision and work, but the heavy caseloads do not leave much time per offender. A caseload of 100 calculates to just 4.5 minutes per day for each offender, and that doesn't include administrative time. That isn't much time to make a difference when the goal is to help offenders successfully reintegrate and not recidivate.

[1:56:01 PM](#)

SENATOR PASKVAN asked if other probation officers had similar caseloads.

MR. WATERS said yes; the ten POs at the Anchorage jail supervise roughly 900 offenders at any given time, and are also responsible for the offenders at the halfway houses.

[1:56:55 PM](#)

TRAVIS MORRIS, Probation Officer II, Department of Corrections (DOC), said he had been a PO about four years and was currently assigned to the Anchorage field services office. His caseload was over 100. He offered his belief that reducing caseloads would give POs the ability to help an offender obtain employment, interact with a counselor who was providing treatment, and attend court hearings. Oftentimes the offender is left to fend for him or herself and that typically leads to recidivism. This affects POs and translates to high turnover rates. Burnout is common.

Although field work is an integral part of field probation, it is typically done in a reactive state. Reducing caseloads to a manageable level will enhance community safety and rehabilitation of the offender. Long-term benefits will be reduced government spending, higher quality of life for the PO and offender, and a successful, proactive offender monitoring program.

2:02:45 PM

LEILA SHEFFIELD, Probation Officer II, Department of Corrections (DOC), said she was a field probation officer assigned to the adult probation field office in Bethel. Her caseload was 109, two-thirds of which lived in the surrounding villages and reported by phone and mailed a report each month. She explained that DOC relies on Village Public Safety Officers (VPSOs) to help monitor offenders residing in villages, but not all villages are staffed with one.

She said her workday is typically spent on the phone, although offenders who live in the Bethel area make office visits. These offenders are assessed using LSI-R (Level of Service Risk Assessment) tools, and this takes about 1.5 hours. If her caseload were smaller, she would spend the extra time in the villages developing relationships with treatment providers and the elders. She described a recent case where a probationer was not successful to illustrate the stress that POs are under. She described her broad work experience with DOC over the last 20 years and stated strong support for SB 195.

2:07:35 PM

DONNA WHITE, representing herself, Anchorage, AK, said she was the previous director of the Division of Probation and Parole for DOC. She thanked the sponsor for introducing the bill and opening the dialog, because the higher the caseload in the field, the less proactive a PO can be with the offender. She opined that this was the place to look if the state was

concerned about recidivism and interested in working toward reentry. When caseloads are over 90, the PO is reacting to violations as opposed to being proactive and identifying what may become a violation. The reaction is typically to file a violation report and return the person to jail, which does not help recidivism rates. She concluded by expressing appreciation that the Senate was willing to open the discussion.

SENATOR PASKVAN asked what the caseload trend was the last 10 years and if it might give an idea of where it would be in 3-4 years.

MS. WHITE related that in the 80s she worked in Kodiak as a field PO and had a caseload of about 60. She speculated that it may be between 75 and 90 today, and without a cap it could reach 140. She noted that specialized caseloads were already capped, causing the non-specialized caseloads to consistently go higher. And the more specialized caseloads, the fewer probation officers to handle the generic caseloads. She also pointed out that the type of offender had changed significantly since the 80s. They are more violent and have less respect for authority.

SENATOR PASKVAN commented that it sounded as though the state was behind the curve and that the trend would get worse for probation officers.

MS. WHITE agreed.

[2:13:06 PM](#)

CHAIR FRENCH closed public testimony and remarked that the cost to put more POs in the field may be a topic of conversation in the budget subcommittee.

CHAIR FRENCH held SB 195 in committee.

#### **SB 110-HUMAN TRAFFICKING/SEX OFFENSES**

[2:13:43 PM](#)

CHAIR FRENCH announced the consideration of SB 110.

SENATOR WIELECHOWSKI, sponsor of SB 110, stated that this bill seeks to close a gap. Under current law, it is a class A felony to compel someone to travel to Alaska for prostitution, adult entertainment, or forced labor. However, it is not a violation of the Human Trafficking Act to transport someone within the state for the same purposes. Because the law only addresses human trafficking across state lines, it essentially

discriminates against Alaskan residents. The evidence indicates that huge numbers of young girls, Native girls in particular, are being recruited from small Alaska villages to the state's larger urban areas to become prostitutes. He noted a letter in the packets from the chair of the Alaska Violent Crimes Compensation Board stating that in the last few years the board had received 23 claims from Alaska residents for compensation for trafficking.

SENATOR WIELECHOWSKI provided some statistics. One in seven children will be runaways before age 18. One in three teenagers on the street will be lured into prostitution within 48 hours of leaving home. Thirty percent of shelter youths and 70 percent of street youths are victims of commercial sexual exploitation according to the American Journal of Public Health. The average age of entry into prostitution for girls in the U.S. is age 12-14, and it's younger for boys. Research indicates that there are a disproportionate number of Alaska Native girls and women engaged in prostitution. SB 110 puts in-state human trafficking on par with trafficking across state lines.

[2:17:24 PM](#)

CHAIR FRENCH asked for a motion to adopt version M committee substitute (CS).

SENATOR WIELECHOWSKI moved to adopt CS for SB 110, labeled 27-LS0646\M, as the working document.

CHAIR FRENCH objected for discussion purposes.

SENATOR WIELECHOWSKI explained that the proposed CS seeks to address some of the concerns the administration had with the bill last year. As a compromise the CS says that to be considered human trafficking, a person must be moved over 100 miles within the state. The penalties were also increased from a class A felony to an unclassified felony. Another new provision makes it a higher penalty if the victim is under age 18 and four years younger than the trafficker. Specifying the four-year gap in age was to avoid capturing people in a dating relationship, a 19 year old and a 17 year old for example.

[2:19:46 PM](#)

DOUG GARDNER, Director, Legislative Legal Services, Legislative Affairs Agency, introduced himself.

CHAIR FRENCH highlighted the new provision addressing the age difference in Section 2. He said he and the sponsor understood

that as the single most serious crime, it would be human trafficking in the first degree.

MR. GARDNER offered to make the necessary changes.

CHAIR FRENCH asked if he could see the gist that a predator relationship would be a more serious offense than the relationship that might be encompassed by what is now human trafficking in the first degree where someone is age 19 and someone else is age 17.

MR. GARDNER replied he understood what the committee wanted to do.

CHAIR FRENCH confirmed that the committee would wait for the new CS before taking any action on the bill.

2:22:24 PM

SUZANNE LA PIERRE, private attorney, Anchorage, AK, said she had worked on the trafficking issue for about two years and she believed that several points may have gotten lost in the discussion. She explained that prosecution was only one of three prongs for approaching the trafficking issue. The others were prevention and protection, and Alaska laws have gaping holes in those two categories. For example, neither current law nor this bill provide a safe harbor for children under age 18 from being charged or prosecuted for prostitution. She emphasized that Alaska law needed a more victim oriented approach for situations of forced labor and commercial sex, including a comprehensive plan to provide victim services. She further suggested that the bill should have restitution provisions and provide a private cause of action for victims of all types of forced labor trafficking.

She highlighted that there were both supply and demand issues regarding prevention. She suggested cutting the demand by expanding the definition of trafficker to include a patron in a commercial sex exploitation situation and increasing the fines. Then put the money in a designated trafficked victims' fund. Also, patrons who have been charged with commercial sex exploitations should be required to attend an educational program, and they should be publicly shamed. On the supply side, she suggested increasing education and work opportunities in the villages so individuals would not be compelled to relocate to urban areas.

MS. LA PIERRE encouraged the committee to look at model legislation and work in partnership with organizations that work on this issue.

[2:27:47 PM](#)

QUINLAN STEINER, Public Defender, Public Defender Agency, Department of Administration (DOA), stated that his comments on SB 110 were a matter of record, but he wanted to reiterate some concerns about unintended consequences. SB 110 not only brings the human trafficking statute to an in-state issue, it also broadens the definition by including the word "entice." He opined that this was a different concept than the terms "compel" and "induce" that were in current statute. That term is not well-defined in this area and could broaden enforcement to an unintended degree as well as subject it to constitutional challenge, he said.

CHAIR FRENCH referred to page 1, [lines 12-13] that says a person commits the crime if he or she "compels, entices or induces" another person. He pointed out that the verbs were all modified by the second half of the clause that says those things are done to engage in sexual conduct in the state by force or threat of force or deception. He asked if that affected his analysis.

MR. STEINER said the unintended consequence is created when "enticement" is put alongside "deception." Force or threat of force are clearly wrongful, whereas deception can cover a wide range of statements around the activity of labor and sexual conduct, not all of which is defined in statute.

CHAIR FRENCH pointed out that the current statute makes it a crime to compel or induce someone by deception.

MR. STEINER said inducing and compelling are the kind of elements that would involve causing somebody to do something that they were not seeking to do or would not otherwise do. Enticing does not have that component. It may be somebody asking about the terms of doing X activity, so there would be an exchange of information. That is a demonstratively different set of circumstances than compelling or inducing. Although the difference is subtle, it can have a profound impact on how these cases can be prosecuted.

MR. STEINER highlighted the difficulty between Sections 1 and 2 that was discussed earlier.

CHAIR FRENCH confirmed that would be fixed.

2:33:16 PM

DR. REGINA CHENNAULT, representing herself, Anchorage, AK, stated support for SB 110. She said she was a trauma surgeon and the physician member of the Violent Crimes Compensation Board (VCCB), and had seen young boys and girls and women from around the state who were enticed, induced and deceived with promises of a better life into going with an abductor. These victims are lured in and they end up in the emergency room with significant, lifetime injuries. Once they leave the ER, they are coerced into going back out on the street to sell drugs and themselves so they can give money to the organizer of the ring.

2:35:57 PM

ANNE CARPENETI, Assistant Attorney General representing the Criminal Division, Department of Law (DOL), said DOL testified on this bill last year to make the committee aware that these acts were prohibited under the current promoting prostitution statutes. Inducing someone who is under age 18 to engage in prostitution is already an unclassified felony, and that crime does not have the additional element of trafficking. She reminded the committee that the prosecution has to prove each element of a crime beyond a reasonable doubt.

SENATOR WIELECHOWSKI asked which statute she was referring to.

MS. CARPENETI replied AS 11.66.110 is promoting prostitution in the first degree, and subsection (a)(2) prohibits promoting prostitution if the victim is under age 18. AS 11.66.110(d) states that a person convicted under subsection (a)(2) is guilty of an unclassified felony.

SENATOR WIELECHOWSKI asked if there was an enticement section.

MS. CARPENETI answered no; it includes inducing or causing a person under age 18 to engage in prostitution. Referring to AS 11.41.360(a), she said she reads "to compel, induce or entice another person" to modify the phrase "coming to the state" and "by threat, force, or deception" to modify once they are here engaging in sexual conduct, adult entertainment or labor. She said that's why there are two Acts; they modify conduct in two different ways.

SENATOR WIELECHOWSKI asked if she would agree that the current human trafficking laws only address trafficking across state lines.

MS. CARPENETI said yes, and then reminded the committee that testimony last year from Detective Lacey indicated that child victims generally were not enticed to go to Anchorage by a promoter of prostitution. They went to visit family, were abandoned for some reason and then became victims.

CHAIR FRENCH noted that the bill packets contained a PowerPoint that Detective Lacey prepared.

SENATOR WIELECHOWSKI asked if there were laws on the books regarding adult entertainment or compelling someone for labor in the state

MS. CARPENETI offered to follow up with the specific citations.

SENATOR WIELECHOWSKI emphasized that SB 110 was much broader than the existing laws regarding adult entertainment and compelling a person to work across state lines. He asked if it was accurate to say that there is not a law on the books that deals with those situations in-state.

MS. CARPENETI agreed that was correct.

[2:43:04 PM](#)

CHAIR FRENCH announced he would hold SB 110 in committee awaiting a new CS.

**SJR 13-AMEND U.S. CONST RE CAMPAIGN MONEY**

[2:43:31 PM](#)

CHAIR FRENCH announced the consideration of SJR 13.

SENATOR BILL WIELECHOWSKI, sponsor of SJR 13, introduced the resolution speaking to the following sponsor statement:

Many Americans recognize that the ability of large contributions from corporations, wealthy individuals and organizations to political candidates harms the ability of citizens to have a voice in their own government. Prior to the landmark United States Supreme Court ruling in Citizens United v. Federal Election Commission, 130 S. Ct. 876 (2010), unlimited independent expenditures from corporations and unions was prohibited. Now, corporations and unions can make unlimited independent expenditures supporting or opposing a candidate for public office. This directly

goes against the American idea of one person one vote, when one corporation can spend more than thousands.

This decision only made the cynicism most Americans feel about politics stronger. If people feel as if their vote does not matter, then voter participation will continue to decline.

The massive amount of money in politics following this decision is exploding the expense of campaigns, making it difficult for new or unknown candidates to enter a race. More and more, the money spent by corporations and unions is going to negative attack ads that often misinform voters rather than promote productive discussion. Allowing unlimited campaign donations by corporations and unions takes the focus for candidates away from individual voters to those whose money can afford to sway hundreds of votes.

SENATOR WIELECHOWSKI said there are only two ways to fix this problem. Either the Supreme Court reverses itself or Congress amends the U.S. Constitution. The first option is unlikely at this point. Thus, SJR 13 urges Congress and the President to work to amend the constitution to prohibit corporations, wealthy individuals and unions from making unlimited independent expenditures in elections.

CHAIR FRENCH stated that he couldn't agree more.

[2:46:14 PM](#)

CHRISTINA MOUNCE, representing the Juneau chapter of Move to Amend, explained that the mission of this nationwide organization was to amend the U.S. Constitution to limit the amount that corporations can spend in elections. After the Citizens United decision nearly \$4 billion was spent during the 2010 congressional election, and according to the Center for Responsive Politics, 85 percent of House seats and 83 percent of Senate seats went to the candidate that spent the most money in that election cycle. She said the playing field is no longer level but in passing the resolution Alaska would be asserting itself in support of fair campaigns and representation of average Americans. She submitted a letter that was signed by 10 Juneau residents who were unable to attend the hearing but supported SJR 13.

[2:48:27 PM](#)

LARRY HURLOCK, representing himself, said he was testifying to highlight the harm that the Citizens United decision had done to investors. He spoke of his expectations as a shareholder and his fear of large bureaucracies hiding expenditures from shareholders. Archer Daniel Midland (ADM), for example, reports aggregated amounts for campaign contributions. The political activism is hidden in plain view, he stated. Although ADM says information about its spending is publicly available, shareholders do not get an itemized accounting. He concluded by stating support for SJR 13.

[2:52:01 PM](#)

ROBERT BUSCH, representing himself, stated that the Citizens United opinion gave corporate personhood the green light to use money as speech. Corporations now have the ability to spend unlimited amounts of money to influence local, state, and federal elections. According to Stephen Wayne, author of "The Road to the White House 2012," 94 percent of candidates with the most money were elected to Congress. The decision expanded the divide between rich and poor by adding weight to the political influence that overwhelmingly favors corporations. It will make it increasingly difficult for the middle class to maintain housing, get jobs, and deal with debt. He concluded by stating that SJR 13 was a good vehicle to inform the public and those in Washington D.C.

[2:55:05 PM](#)

KATE VEH, representing herself, Kenai, AK, stated emphatic support for SJR 13. She asserted that her voice was being drowned out by corporations, unions, and enormously wealthy individuals who were donating vast amounts of money to politicians. She maintained that this was corruption. As a proud American she said she wanted three things: political leaders who listen, political leaders who can manage money without relying on global corporations, and a government that Americans can be proud of.

SCOTT SHAW, representing himself, Soldotna, AK, stated support for SJR 13. "We all believe corporations and unions are not people and money is not speech." This notion has huge grassroots support, he stated.

PATRICK COYAVISTO, representing himself, Kenai, AK, stated support for SJR 13. He agreed with a recent statement by Representative Les Gara that politicians should be elected on their ideas, not the size of their own or their supporters'

pocketbooks. He maintained that more people would participate in politics if corporations weren't so heavily involved.

[3:00:18 PM](#)

MARK HAYES, campaign coordinator, Public Citizens Democracy is for People, said this organization is working to build public support for a constitutional amendment to overturn the Citizens United decision and challenge corporate power in this democracy. Taking the step to amend the constitution is timely, relevant and impactful. Independent expenditures by special interests have skyrocketed since the Supreme Court ruling, so it is timely. It is taking away the state's ability to regulate campaign spending, so it is relevant. With regard to impact, he said that taking action on this resolution is a way to show concrete political support at the state level for a constitutional amendment. Congress is starting to move in this direction, but without state support it won't go anywhere.

CHAIR FRENCH closed public testimony on SJR 13.

[3:04:24 PM](#)

SENATOR WIELECHOWSKI moved to report SJR 13 from committee with individual recommendations and attached fiscal note(s).

CHAIR FRENCH announced that without objection, SJR 13 moved from the Senate Judiciary Standing Committee.

[3:04:50 PM](#)

There being no further business to come before the committee, Chair French adjourned the meeting at 3:04 p.m.