

AMENDMENT #34

OFFERED IN THE HOUSE

BY REPRESENTATIVE REINBOLD

TO: HCS CSSB 54(FIN)

1 Page 35, following line 29:

2 Insert a new bill section to read:

3 **"* Sec. 62.** AS 44.19.645(a) is amended to read:

4 (a) The commission shall evaluate the effect of sentencing laws and criminal
5 justice practices on the criminal justice system to evaluate whether those sentencing
6 laws and criminal justice practices provide for protection of the public, community
7 condemnation of the offender, the rights of victims of crimes, the rights of the accused
8 and the person convicted, restitution from the offender, and the principle of
9 reformation. The commission shall make recommendations for improving criminal
10 sentencing practices and criminal justice practices, including rehabilitation and
11 restitution. **The recommendations must put public safety and victims' rights at the**
12 **center of reform, not saving money for the Department of Corrections.** The
13 commission shall annually make recommendations to the governor and the legislature
14 on how savings from criminal justice reforms should be reinvested to **maximize**
15 **public safety** [REDUCE RECIDIVISM]. In formulating its recommendations, the
16 commission shall consider

17 (1) statutes, court rules, and court decisions relevant to sentencing of
18 criminal defendants in misdemeanor and felony cases;

19 (2) sentencing practices of the judiciary, including use of presumptive
20 sentences;

21 (3) means of promoting uniformity, proportionality, and accountability
22 in sentencing;

23 (4) alternatives to traditional forms of incarceration;

1 (5) the efficacy of parole and probation in ensuring public safety,
2 achieving rehabilitation, and reducing recidivism;

3 (6) the adequacy, availability, and effectiveness of treatment and
4 rehabilitation programs;

5 (7) crime and incarceration rates, including the rate of violent crime
6 and the abuse of controlled substances, in this state compared to other states, and best
7 practices adopted by other states that have proven to be successful in reducing
8 recidivism;

9 (8) the relationship between sentencing priorities and correctional
10 resources;

11 (9) the effectiveness of the state's current methodologies for the
12 collection and dissemination of criminal justice data; and

13 (10) whether the schedules for controlled substances in AS 11.71.140 -
14 11.71.190 are reasonable and appropriate, considering the criteria established in
15 AS 11.71.120(c)."
16

17 Renumber the following bill sections accordingly.

18
19 Page 38, following line 2:

20 Insert a new bill section to read:

21 "* **Sec. 65.** AS 44.19.646 is amended to read:

22 **Sec. 44.19.646. Methodology.** In making recommendations, the commission
23 shall

24 (1) solicit and consider information and views from a variety of
25 constituencies to represent the broad spectrum of views that exist with respect to
26 possible approaches to sentencing and administration of justice in the state; and

27 (2) base recommendations on the following factors:

28 (A) the seriousness of each offense in relation to other offenses;

29 (B) the effect of an offender's prior criminal history on
30 sentencing;

31 (C) the need to rehabilitate criminal offenders;

- 1 (D) the need to confine offenders to prevent harm to the public;
- 2 (E) the extent to which criminal offenses harm victims and
- 3 endanger the public safety and order;
- 4 (F) the effect of sentencing in deterring an offender or other
- 5 members of society from future criminal conduct;
- 6 (G) the effect of sentencing as a community condemnation of
- 7 criminal acts and as a reaffirmation of societal norms;
- 8 (H) the elimination of unjustified disparity in sentences;
- 9 (I) the sufficiency of state agency resources to administer the
- 10 criminal justice system of the state;
- 11 (J) the effect of criminal justice laws and practices on reducing
- 12 the rate of recidivism in the state;
- 13 (K) peer reviewed and data-driven research; [AND]
- 14 (L) the efficacy of evidence-based restorative justice initiatives
- 15 on persons convicted of criminal violations and offenses, the victim, and the
- 16 community; and
- 17 **(3) ensure that all recommendations maximize public safety."**

18
19 Renumber the following bill sections accordingly.

20
21 Page 43, line 17:

22 Delete "69"

23 Insert "71"

24
25 Page 43, line 20:

26 Delete "Section 69"

27 Insert "Section 71"

28
29 Page 43, line 24:

30 Delete "SEC. 66"

31 Insert "SEC. 68"

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2 Page 43, line 25:

3 Delete "Section 66"

4 Insert "Section 68"

5

6 Page 44, line 5:

7 Delete "sec. 72"

8 Insert "sec. 74"

9 Delete "sec. 66"

10 Insert "sec. 68"

11

12 Page 44, line 8:

13 Delete "sec. 71(a)"

14 Insert "sec. 73(a)"

15

16 Page 44, line 10:

17 Delete "sec. 69"

18 Insert "sec. 71"

19 Delete "sec. 71(b)"

20 Insert "sec. 73(b)"

21

22 Page 44, line 12:

23 Delete "Section 68"

24 Insert "Section 70"

25

26 Page 44, line 13:

27 Delete "sec. 76"

28 Insert "sec. 78"

29

30 Page 44, line 15:

31 Delete "secs. 73 - 78"

1

Insert "secs. 75 - 80"