

SENATE FINANCE COMMITTEE

May 3, 2019

1:32 p.m.

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CALL TO ORDER

Co-Chair von Imhof called the Senate Finance Committee meeting to order at 1:32 p.m.

MEMBERS PRESENT

Senator Natasha von Imhof, Co-Chair
Senator Bert Stedman, Co-Chair
Senator Click Bishop
Senator Lyman Hoffman
Senator Peter Micciche
Senator Mike Shower
Senator Bill Wielechowski
Senator David Wilson

MEMBERS ABSENT

Senator Donny Olson

ALSO PRESENT

Don Habeger, Juneau Reentry Coalition, Juneau; Crystal Bourlad, Self, Juneau; Senator Mia Costello; Senator Laura Reinbold; Senator Shelley Hughes.

PRESENT VIA TELECONFERENCE

Katie Botz, Self, Juneau; Will Madison, Self, Soldotna; Jane Madison, Self, Soldotna; Kane Mccaughey, Self, Soldotna; Vincent Garay, Self, Wasilla; Miranda Nelson, Self, Nikiski; Butch Moore, Self, Anchorage; Jacqueline Bock, Self, Sterling; Herman Morgan, Self, Aniak; Sherry Miller, Self, Eagle River; Sandy Taylor, Self, Soldotna; Terria Vandenhuerk, Founder of Fallen Up Ministries, Anchorage; Sandy Stubblefield, Self, Soldotna; Elizabeth Holt, Self, Palmer; Lindsay Wyatt, Self, Fairbanks.

SUMMARY

SB 32 CRIMES; SENTENCING;MENT. ILLNESS;EVIDENCE

SB 32 was HEARD and HELD in committee for further consideration.

SB 33 ARREST;RELEASE;SENTENCING;PROBATION

SB 33 was HEARD and HELD in committee for further consideration.

SB 34 PROBATION; PAROLE; SENTENCES; CREDITS

SB 34 was HEARD and HELD in committee for further consideration.

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#sb32

#sb33

#sb34

SENATE BILL NO. 32

"An Act relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; relating to reports of involuntary commitment; amending Rule 6, Alaska Rules of Criminal Procedure; and providing for an effective date."

SENATE BILL NO. 33

"An Act relating to pretrial release; relating to sentencing; relating to treatment program credit toward service of a sentence of imprisonment; relating to electronic monitoring; amending Rules 38.2 and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date."

SENATE BILL NO. 34

"An Act relating to probation; relating to a program allowing probationers to earn credits for complying with the conditions of probation; relating to early termination of probation; relating to parole; relating to a program allowing parolees to earn credits for complying with the conditions of parole; relating to early termination of parole; relating to eligibility

for discretionary parole; relating to good time; and providing for an effective date."

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Co-Chair von Imhof introduced the bill and OPENED public testimony.

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KATIE BOTZ, SELF, JUNEAU (via teleconference), testified with questions related to the bill. She asked the committee to consider the value of humans compared to the value of money. She stressed that Alaska was the most dangerous state in the country, where most citizens were affected by crime. She testified in support of SB 32, SB 33 and SB 34. She disclosed that she was a survivor of sexual abuse and was dismayed that sexual offenders were treated with leniency in Alaska.

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WILL MADISON, SELF, SOLDOTNA (via teleconference), testified in support of SB 32, SB 33 and SB 34. He advocated for stiffer penalties for those caught driving with a revoked or canceled driver's license. He believed that the majority of people with revoked driver's license were career criminals.

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JANE MADISON, SELF, SOLDOTNA (via teleconference), testified in support of fine increases for speeding drivers. She discussed various examples of fines and charges related to speeding and the problems associated with the system.

DON HABEGER, JUNEAU REENTRY COALITION, JUNEAU, asked to address all three bills with his testimony.

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Co-Chair von Imhof explained to the public that the committee noticed SB 32, SB 33 and SB 34 separately. The topics of the three bills were related, so she allowed testimony about all three bills.

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Mr. Haberger discussed the mission of the Juneau Reentry Coalition. The mission aided integration of Alaskans recently released from time incarcerated. He commented that there were 27 fiscal notes for all three bills, totaling \$50 million for the first year. In five years, the cost would accumulate to \$368 million. He stressed that the fiscal notes mentioned did not address treatment for mental health or substance abuse. He asked the legislature to address the important issues to limit recidivism.

Senator Bishop requested written testimony from Mr. Haberger. He acknowledged the validity of the content of the testimony.

Co-Chair von Imhof agreed that written testimony was always accepted.

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KANE MCCAUGHEY, SELF, SOLDOTNA (via teleconference), testified in support of SB 32, SB 33 and SB 34. He provided personal reasons for all three crime bills to pass. He recalled his own interactions with Alaska State Troopers related to stolen material. He acknowledged that the troopers were discouraged by the current law.

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VINCENT GARAY, SELF, WASILLA (via teleconference), testified in support of SB 32, SB 33 and SB 34. He advocated for a complete repeal of SB 91. He elaborated about his time in Alaska and experience with law enforcement. He stated that SB 91 was a failure and he advocated for a complete repeal.

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Co-Chair von Imhof asked testifiers to consolidate their opinions about all three bills in their testimonies. She offered additional time for individual testimony.

Mr. Garay highlighted his 24 years in law enforcement while living in Alaska.

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MIRANDA NELSON, SELF, NIKISKI (via teleconference), testified in support of the three bills. She asked the committee to fix the broken system. She stated that SB 91 was a "sad social experiment that failed Alaskans." She advocated for allowing law enforcement officers to do their job with necessary tools.

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BUTCH MOORE, SELF, ANCHORAGE (via teleconference), addressed a situation that his family faced. He stated that the executive power of the state was vested in the governor, who was therefore responsible for full execution of the laws. He added that the attorney general should prosecute all cases involving violation of state law. He discussed a policy set by the administration related to felony-level crimes. He mentioned his written testimony.

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Senator Micciche asked if Mr. Moore supported SB 32, SB 33 and SB 34.

Mr. Moore responded that he would support the bills with the addition of the language included in statute: "duties and powers of the attorney general prosecute all cases in violation of state law." He believed that the state had too much prosecutorial discretion, which conflicted with the proposed legislation.

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JACQUELINE BOCK, SELF, STERLING (via teleconference), testified in support of SB 32, 33 and 34. She stressed that Alaska required tougher crime laws. She stated that criminals must be held accountable and not enabled. She stressed that the ongoing tsunami of drug-related crime must be stopped. She highlighted an aspect of SB 32 addressing children in drug houses.

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CRYSTAL BOURLAD, SELF, JUNEAU, testified in opposition to SB 32, 33 and 34. She spoke about mental illness disorders. She mentioned that she was a member of the local reentry coalition. She stated that the Department of Corrections was the largest provider of behavioral health services. She noted that people with persistent mental illness and addiction disorders were cycling in and out of the criminal justice system. She believed that increasing penalties and sentences for low-level offences rather than treating individuals did not reduce recidivism or enhance public safety.

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HERMAN MORGAN, SELF, ANIAK (via teleconference), testified about the intent of SB 91. He believed that the bill ironically increased recidivism. He urged the committee to "scrap" SB 91. He believed that Alaska was on the verge of collapse.

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SHERRY MILLER, SELF, EAGLE RIVER (via teleconference), testified in support of all three bills including a full repeal of SB 91. She stated that her daughter was murdered, and the perpetrator was going to be released very soon. She was appalled to see criminals go free for the sake of the state budget.

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SANDY TAYLOR, SELF, SOLDOTNA (via teleconference), testified in support of all three bills. She advocated for a full repeal of SB 91. She felt that the criminals were ruining everything without penalties. She advocated for tougher treatment of criminals.

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TERRIA VANDENHUERK, FOUNDER OF FALLEN UP MINISTRIES, ANCHORAGE (via teleconference), testified in opposition to SB 32, SB 33 and SB 34. She stated that she was a victim of a crime. Her son was robbed and killed in 2015. She herself served 20 years for a drug charge. She stated that she was in foster care prior to prison. She stressed that the system was broken that the three bills would not repair it.

She believed that reinvestment of funds was the answer. She asked the committee to invite testimony from those with similarly lived experience.

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SANDY STUBBLEFIELD, SELF, SOLDOTNA (via teleconference), testified in support of the repeal of SB 91. She shared that her son was killed by three people. She was saddened by the lack of accountability of the accused murderers.

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ELIZABETH HOLT, SELF, PALMER (via teleconference), testified in support of SB 32, SB 33 and SB 34. She declared that a change in criminal laws would protect citizens and law enforcement officers.

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LINDSAY WYATT, SELF, FAIRBANKS (via teleconference), testified in support of SB 32, SB 33 and SB 34. He thanked Senator Micciche for his work on the legislation.

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Co-Chair von Imhof allowed an additional minute for the initial testifiers.

Ms. Botz testified further about the crime bills. She stated that the proposed legislation would allow victims to know when the perpetrator was free. She advocated for truth and transparency during sentencing. She brought up SB 12 and asked the committee to address it further. She asked that SB 35 be addressed again as well.

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Ms. Madison elaborated that she supported SB 32, SB 33 and SB 34. She encouraged larger deposit amounts and stricter rules for third-party custodians. She informed the committee that friends or family of the accused person often paid bail as third-party custodians. They promised to watch the accused person 24 hours a day. She advocated for a fine for the custodian if the offender left supervision. She encouraged forfeiture of the deposit if the third-party custodians did not fulfill their promise.

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Co-Chair von Imhof CLOSED public testimony for SB 32, SB 33 and SB 34. She provided the email address for written testimony.

SB 32 was HEARD and HELD in committee for further consideration.

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Co-Chair von Imhof reviewed the schedule for the following day.

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ADJOURNMENT

[2:16:39 PM](#)

The meeting was adjourned at 2:16 p.m.