

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

May 7, 2025

2:36 p.m.

MEMBERS PRESENT

Senator Matt Claman, Chair
Senator Jesse Kiehl, Vice Chair
Senator Gary Stevens
Senator Löki Tobin
Senator Robert Myers

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 19

"An Act relating to the use and possession of electronic devices by prisoners."

- HEARD & HELD

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 35 (STA)

"An Act relating to the use and possession of electronic devices by prisoners."

- HEARD & HELD

SENATE BILL NO. 167

"An Act relating to a permanent fund dividend for an individual whose conviction has been vacated, reversed, or dismissed; and relating to the calculation of the value of the permanent fund dividend by including payment to individuals eligible for a permanent fund dividend because of a conviction that has been vacated, reversed, or dismissed."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 19

SHORT TITLE: PRISONERS: ELECTRONIC DEVICE ACCESS/USE

SPONSOR(S): SENATOR(S) MYERS

01/22/25 (S) PREFILE RELEASED 1/10/25
 01/22/25 (S) READ THE FIRST TIME - REFERRALS
 01/22/25 (S) STA, JUD
 03/11/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
 03/11/25 (S) Heard & Held
 03/11/25 (S) MINUTE(STA)
 04/15/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
 04/15/25 (S) Scheduled but Not Heard
 04/24/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
 04/24/25 (S) Moved SB 19 Out of Committee
 04/24/25 (S) MINUTE(STA)
 04/25/25 (S) STA RPT 1AM 2DP 1NR
 04/25/25 (S) AM: KAWASAKI
 04/25/25 (S) DP: GRAY-JACKSON, YUNDT
 04/25/25 (S) NR: WIELECHOWSKI
 05/07/25 (S) JUD AT 1:30 PM BUTROVICH 205

BILL: HB 35

SHORT TITLE: PRISONERS: ELECTRONIC DEVICE ACCESS/USE

SPONSOR(s): REPRESENTATIVE(s) HIMSCHOOT

01/22/25 (H) PREFILE RELEASED 1/10/25
 01/22/25 (H) READ THE FIRST TIME - REFERRALS
 01/22/25 (H) CRA, STA
 02/20/25 (H) CRA AT 9:00 AM BARNES 124
 02/20/25 (H) Heard & Held
 02/20/25 (H) MINUTE(CRA)
 02/25/25 (H) CRA AT 9:00 AM BARNES 124
 02/25/25 (H) Heard & Held
 02/25/25 (H) MINUTE(CRA)
 02/27/25 (H) CRA AT 8:00 AM BARNES 124
 02/27/25 (H) Scheduled but Not Heard
 03/13/25 (H) CRA AT 8:00 AM BARNES 124
 03/13/25 (H) Moved CSHB 35(CRA) Out of Committee
 03/13/25 (H) MINUTE(CRA)
 03/14/25 (H) CRA RPT CS(CRA) 3DP 3AM
 03/14/25 (H) DP: HALL, MEARS, HIMSCHOOT
 03/14/25 (H) AM: HOLLAND, PRAX, RUFFRIDGE
 03/27/25 (H) STA AT 3:15 PM GRUENBERG 120
 03/27/25 (H) Heard & Held
 03/27/25 (H) MINUTE(STA)
 03/29/25 (H) STA AT 1:00 PM GRUENBERG 120
 03/29/25 (H) Heard & Held
 03/29/25 (H) MINUTE(STA)
 04/08/25 (H) STA AT 3:15 PM GRUENBERG 120
 04/08/25 (H) Moved CSHB 35(STA) Out of Committee

04/08/25 (H) MINUTE (STA)
 04/09/25 (H) STA RPT CS (STA) 5DP 1DNP 1NR
 04/09/25 (H) DP: MOORE, HOLLAND, HIMSCHOOT, STORY,
 CARRICK
 04/09/25 (H) DNP: MCCABE
 04/09/25 (H) NR: VANCE
 05/02/25 (H) TRANSMITTED TO (S)
 05/02/25 (H) VERSION: CSHB 35 (STA)
 05/05/25 (S) READ THE FIRST TIME - REFERRALS
 05/05/25 (S) JUD
 05/07/25 (S) JUD AT 1:30 PM BUTROVICH 205

BILL: SB 167

SHORT TITLE: CRIM. CONV. OVERTURNED: RECEIVE PAST PFD
 SPONSOR (s): SENATOR (s) KAWASAKI

04/10/25 (S) READ THE FIRST TIME - REFERRALS
 04/10/25 (S) STA, JUD
 04/24/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
 04/24/25 (S) Heard & Held
 04/24/25 (S) MINUTE (STA)
 05/01/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
 05/01/25 (S) Moved CSSB 167 (STA) Out of Committee
 05/01/25 (S) MINUTE (STA)
 05/02/25 (S) STA RPT CS 2DP 2NR SAME TITLE
 05/02/25 (S) DP: KAWASAKI, GRAY-JACKSON
 05/02/25 (S) NR: WIELECHOWSKI, BJORKMAN
 05/07/25 (S) JUD AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

BREANNA KAKARUK, Staff
 Senator Matt Claman
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Presented the summary of changes for HB 35 from version H to version T.

REPRESENTATIVE REBECCA HIMSCHOOT, District 2
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 35.

MARSHA OSS, Reentry Coordinator
 Fairbanks Reentry Coalition
 Fairbanks, Alaska

POSITION STATEMENT: Testified by invitation in support of HB 35.

BARBARA MONGAR, Coalition Coordinator
Alaska Reentry Partnership
Mat-Su Reentry Coalition
Mat-Su, Alaska

POSITION STATEMENT: Testified by invitation in support of HB 35.

DON HABEGER, Coalition Coordinator
The Juneau Reentry Coalition
Juneau, Alaska

POSITION STATEMENT: Testified by invitation on HB 35.

TERI TIBBET, Coordinator
Alaska Reentry Partnership
Juneau, Alaska

POSITION STATEMENT: Testified by invitation in support of HB 35.

SALLY RAFSON, Staff
Senator Scott Kawasaki
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SB 167 on behalf of the sponsor.

JORY KNOTT, Executive Director
Alaska Innocence Project
Anchorage, Alaska

POSITION STATEMENT: Testified by invitation in support of SB 167.

JON ELDAN, Founder and Executive Director
After Innocence
Oakland, California

POSITION STATEMENT: Testified in support of SB 167.

ACTION NARRATIVE

[2:36:15 PM](#)

CHAIR CLAMAN called the Senate Judiciary Standing Committee meeting to order at 2:36 p.m. Present at the call to order were Senators Myers, Stevens, Kiehl, Tobin, and Chair Claman.

SB 19-PRISONERS: ELECTRONIC DEVICE ACCESS/USE

[CSHB 35(STA) is the companion bill.]

[2:36:49 PM](#)

CHAIR CLAMAN announced the consideration of SENATE BILL NO. 19 "An Act relating to the use and possession of electronic devices by prisoners."

CHAIR CLAMAN said this is the first hearing of SB 19 in the Senate Judiciary Standing Committee. He noted that he intends to hear the companion bill, HB 35, and take invited and public testimony on it immediately after hearing SB 19.

[2:37:27 PM](#)

SENATOR MYERS, speaking as sponsor, presented SB 19. He stated that the policy underlying SB 19 has been under discussion for about ten years. The proposed version was prompted through conversations with the reentry coalitions, the Department of Corrections, and members of the other body. He explained that the bill is intended to address some of the main concerns in prisons and help to reduce recidivism. He stated that one of the primary challenges individuals face while incarcerated is access to education. He said that increasing educational opportunities can improve employment prospects upon release and reduce the likelihood of reoffending. Allowing incarcerated individuals to access educational materials on tablets could have a substantial impact on how many gain honest employment rather than turn to a life of crime.

SENATOR MYERS said the Department of Corrections supports SB 19 because it reduces some of the costs associated with administrative oversight requirements and could lead to reductions in costs across multiple areas. Services such as telemedicine and telephonic meetings with counsel would reduce the need to transport individuals and monitor in-person appointments. He stated that tablets could provide a cost-effective method to expand access to these services.

[2:38:52 PM](#)

SENATOR MYERS emphasized that most incarcerated individuals will eventually return to their communities and that providing rehabilitative services during incarceration is a proactive attempt to make communities safer once they are released. He clarified that the tablets are not intended as a luxury but as a tool to facilitate access to essential services and resources that will help reduce recidivism rates and promote safety in communities. He stated that while the state already provides these services to prisoners, it could do so at a lower cost and with a broader reach by implementing tablet programs. While the state will continue to offer many services in person, providing tablets to prisoners would increase their access to education

and rehabilitation programs at a lower cost. He said the hope is that it will result in lower recidivism and safer communities.

[2:39:55 PM](#)

CHAIR CLAMAN held SB 19 in committee.

HB 35-PRISONERS: ELECTRONIC DEVICE ACCESS/USE

[2:40:00 PM](#)

CHAIR CLAMAN announced the consideration of CS FOR HOUSE BILL NO. 35(STA) "An Act relating to the use and possession of electronic devices by prisoners."

CHAIR CLAMAN said this is the first hearing of this bill in the Senate Judiciary Committee. The intention is to hear a Senate committee substitute (SCS) for HB 35.

[2:40:13 PM](#)

CHAIR CLAMAN solicited a motion.

[2:40:20 PM](#)

SENATOR KIEHL moved to adopt the Senate committee substitute (SCS) for CSHB 35, work order 34-LS0355\T, as the working document.

[2:40:35 PM](#)

CHAIR CLAMAN objected for purposes of discussion.

[2:40:48 PM](#)

BREANNA KAKARUK, Staff, Senator Matt Claman, Alaska State Legislature, Juneau, Alaska, presented the summary of changes for HB 35 from version H to version T.

[Original punctuation provided.]

Summary of Changes

House Bill 35: Version H to Version T

Page 2, line 14, following "X":
Insert: "or"

Page 2, line 14, following "NC-17":
Delete: ", or television shows rated "TV-MA"

MS. KAKARUK said version T contained some conforming changes.

[2:41:19 PM](#)

CHAIR CLAMAN removed his objection and SCS CSHB 35 was adopted as the working document.

CHAIR CLAMAN invited the bill sponsor to introduce HB 35.

[2:41:35 PM](#)

REPRESENTATIVE REBECCA HIMSCHOOT, District 2, Alaska State Legislature, Juneau, Alaska, sponsor of HB 35, introduced her bill. She stated that tablets are found in 48 other correctional systems and said Alaska is behind in adopting similar policies. She explained that the bill provides policy direction to the Department of Corrections, allowing it to negotiate with vendors to bring tablets into the system. The goal of HB 35 is to reduce recidivism rates, which are among the highest in the nation, and to prepare better the approximately 95 percent of incarcerated individuals who will return to their communities to be more successful upon their return.

[2:42:37 PM](#)

CHAIR CLAMAN announced invited testimony on HB 35.

[2:42:59 PM](#)

MARSHA OSS, Reentry Coordinator, Fairbanks Reentry Coalition, Fairbanks, Alaska, testified by invitation in support of HB 35. She stated that she draws from her lived experience, having grown up in an environment that included untreated mental illness, substance abuse, domestic violence, and other forms of trauma. She said she spent a lot of her youth and adulthood in juvenile detention, foster care, and girls' homes, and ultimately was arrested for a felony.

MS. OSS stated that she serves approximately 110 individuals through her coalition in the Fairbanks area. She said she previously worked as a case manager for five years and as a substance abuse counselor for more than 25 years, primarily in hospitals and correctional facilities. She described her work with justice-involved individuals as her life's work. She spent 36 years working full-time while giving back to her community through various volunteer positions.

MS. OSS stated that getting an education or graduating is not a conversation many of her clients have had, nor has she ever had with a parent or anyone. She described herself and clients as "throw-away" kids. She emphasized the importance of planning before reentry, noting that successful reentry contributes to

safer communities. She explained that developing a structured plan before release helps ensure individuals can access services such as obtaining a GED, entering trade programs, and connecting with support systems. She stated that tablets could assist by allowing individuals to communicate with peer support, case managers, counselors, and other service providers before release. Increased access to resources, such as Supplemental Nutrition Assistance Program (SNAP), Medicaid, college paperwork, and paperwork for the Literacy Council of Alaska, would help get individuals going.

MS. OSS said the Fairbanks Reentry Coalition supports HB 35 and DOC's efforts to expand opportunities.

[2:46:37 PM](#)

BARBARA MONGAR, Coalition Coordinator, Mat-Su Reentry Coalition, Mat-Su, Alaska, testified by invitation in support of HB 35. She stated that she has served in her role for approximately 5.5 years. The coalition includes state agencies, such as the Department of Labor and Workforce Development (DOLWD) and the Department of Corrections (DOC), as well as community substance treatment centers, Mat-Su Health Services, tribal organizations, nonprofit entities, and private community service organizations.

MS. MONGAR explained that the coalition's strong community partnerships enable the delivery of wraparound services to its clients. She stated that reentry planning begins at least 30 days before release and includes services such as case planning, housing support, employment assistance, parole and probation support, and referrals for substance use and mental health treatment.

MS. MONGAR stated that HB 35 would help remove barriers to incarcerated individuals' access to electronic devices, such as computers and tablets. She said that the Mat-Su Reentry Coalition supports DOC's efforts to expand access to electronic devices for vocational training, education, treatment and recovery services, reentry planning, housing and employment assistance, telehealth, peer support, tribal visitation, and other services.

MS. MONGAR emphasized that early access to services increases the likelihood of successful reintegration and stated that successful reentry contributes to safer communities.

[2:49:02 PM](#)

DON HABEGER, Coalition Coordinator, The Juneau Reentry Coalition, Juneau, Alaska, testified by invitation in support of HB 35. He stated that he would highlight two primary points.

MR. HABEGER highlighted his first point: that community partners face ongoing challenges in accessing incarcerated individuals before release. He emphasized the importance of beginning reentry work before individuals are released, not at the gate. He provided examples of situations that limited access to incarcerated individuals. He said communications were shut down during the COVID pandemic. The Lemon Creek Correctional Center was temporarily closed due to compromised building structures. He said these were unintended events that prevented the community from working with incarcerated individuals.

MR. HABEGER spoke to his second point and described the limitations of the phone system. He explained that if he misses a call from an incarcerated individual, he receives a general recording that states, "somebody from one of our institutions tried to call you." He said if he is not there to pick up the call and accept charges, he has no way of knowing who called. He expressed his belief that tablets could help address some of these challenges and communication barriers.

MR. HABEGER pointed out that other states have implemented similar programs and are seeing positive results. He referred to a program in California, The Last Mile. It provides digital skills training to incarcerated individuals to help them become programmers. He said 75 percent of participants who complete the program are hired, and 40 percent of those earn above-average wages. The goal for those who are released is to find employment and become productive members of their communities.

[2:52:27 PM](#)

TERI TIBBET, Coordinator, Alaska Reentry Partnership, Juneau, Alaska, testified by invitation in support of HB 35. She stated that she agreed with and echoed the testimony provided by previous speakers.

MS. TIBBET pointed out that recidivism rates have dropped in Alaska, noting that data from 2015 to 2021 shows a decrease from approximately 63.17 percent to 54.49 percent. She said that this decline coincides with the expansion of reentry efforts beginning around 2015. She explained that during that time, the Alaska Mental Health Trust began funding reentry coalitions, and the Department of Health implemented grants to support reentry case managers working with individuals on reentry plans before

release. She stated that many support systems have been implemented since 2015 that coincide with the decline in recidivism rates.

MS. TIBBET noted that, while she does not have specific data establishing a direct causal relationship, the timing of these initiatives and the reduction in recidivism suggest they may be contributing factors. She said the Alaska Reentry Partnership supports the passage of HB 35 and the effort to expand digital technology inside correctional facilities so those incarcerated can leave better than they entered.

[2:55:27 PM](#)

CHAIR CLAMAN opened public testimony on HB 35; finding none, he closed public testimony.

[2:55:50 PM](#)

SENATOR TOBIN asked whether the Department of Corrections considered how to address potential risks of individuals with limited internet literacy. She expressed concern that individuals could be vulnerable to identity theft or other harmful activities and asked what safeguards are in place to protect them.

CHAIR CLAMAN stated that the DOC would be asked to address that question at a future hearing.

[2:56:37 PM](#)

CHAIR CLAMAN held HB 35 in committee.

SB 167-CRIM. CONV. OVERTURNED: RECEIVE PAST PFD

[CSSB 167(STA) was before the committee.]

[2:56:43 PM](#)

CHAIR CLAMAN announced the consideration of SENATE BILL NO. 167 "An Act relating to a permanent fund dividend for an individual whose conviction has been vacated, reversed, or dismissed; and relating to the calculation of the value of the permanent fund dividend by including payment to individuals eligible for a permanent fund dividend because of a conviction that has been vacated, reversed, or dismissed."

CHAIR CLAMAN said this is the first hearing of SB 167 in Senate Judiciary Committee. The intention is to hear a brief presentation on the bill from the sponsor's staff.

[2:57:08 PM](#)

SALLY RAFSON, staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska, introduced SB 167 on behalf of the sponsor. She explained that SB 167 relates to payment of permanent fund dividends (PFDs) to individuals whose criminal convictions have been vacated, reversed, and dismissed, or overturned on retrial. She stated that, under Alaska law, incarcerated individuals forfeit their permanent fund dividends to the state. SB 167 seeks to restore PFDs to Alaskans whose convictions were vacated, reversed, or dismissed, provided that the dismissal was not the result of a Rule 11 plea agreement in another criminal case. She said that eligible individuals would be required to apply within one year following the new judgment or within one year of the bill's effective date.

MS. RAFSON stated that Alaska is one of the few states that does not provide compensation for exonerees. She noted that a similar bill passed the House in 2017 with strong bipartisan support, with a vote of 38-1.

MS. RAFSON asked the committee for its support of SB 167, which would help victims of injustice transition back into society as the state seeks to ensure justice and fairness for all Alaskans.

[2:59:10 PM](#)

CHAIR CLAMAN opened public and invited testimony on SB 167.

[2:59:37 PM](#)

JORY KNOTT, Executive Director, Alaska Innocence Project, Anchorage, Alaska, testified by invitation in support of SB 167. He stated that the Alaska Innocence Project is the only nonprofit organization in the state that works to free wrongfully convicted Alaskans. The organization helps educate the public about the causes of wrongful convictions and recommends policy reforms to prevent future mistakes in the justice system.

MR. KNOTT emphasized that SB 167 is not a compensation bill and does not ask for compensation. He said Alaska is one of 12 states that do not provide compensation to individuals who are wrongfully convicted and later exonerated. He said SB 167 addresses what he describes as a "clerical error fix" in the permanent fund dividend (PFD) statute by giving back the PFD to exonerated individuals upon release. He stated that individuals who are exonerated are released without a bus pass, a meal ticket, or compensation.

MR. KNOTT referenced the exoneration of the Fairbanks Four, noting that it has been 10 years since their exoneration. 2025 marks 10 years since the Fairbanks Four were released and had to start from scratch. They are the reason he started the Alaska Innocence Project; he said meeting them shook him to the core. He said one of them went in at just 19 years old, valedictorian of his high school, with a future eye for education and giving back to his community. He served as a wildfire volunteer.

[3:02:12 PM](#)

JON ELDAN, Founder and Executive Director, After Innocence, Oakland, California, testified in support of SB 167. He stated that his organization provides free reentry help to hundreds of individuals nationwide, including in Alaska, who have been released from prison after their convictions were overturned and the charges were subsequently dismissed or in rare instances were acquitted on retrial.

MR. ELDON stated that the PFD is an entitlement for eligible Alaskans and that forfeiture of the dividend is tied to a valid criminal conviction. He explained that SB 167 addresses situations in which the basis for that forfeiture no longer exists because the conviction has been invalidated. He stated that, in such cases, individuals should be able to receive the dividends they were previously denied. He said SB 167 aims to restore the PFD to these individuals.

MR. ELDON emphasized that individuals who have been wrongfully incarcerated face significant challenges rebuilding their lives upon release. He stated that although the bill does not provide full compensation, access to the dividend would offer meaningful support during reentry.

MR. ELDON stated that SB 167 would have no fiscal impact because the funds are already retained by the state in reserve.

[3:04:36 PM](#)

CHAIR CLAMAN closed public testimony on SB 167.

[3:04:45 PM](#)

CHAIR CLAMAN held SB 167 in committee.

[3:05:31 PM](#)

There being no further business to come before the committee, Chair Claman adjourned the Senate Judiciary Standing Committee meeting at 3:05 p.m.