

1 IN THE SENATE

BY SENATOR JONES

2 SENATE BILL NO. 69

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An act providing for the compelling of
7 evidence from certain persons in criminal
8 proceedings; granting immunity from pro-
9 secution to such persons; repealing
10 existing statutes on the subject; and
11 declaring an emergency."

12 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

13 Section 1. Compelling evidence in criminal proceedings:
14 Immunity. In any criminal proceeding before a court or grand
15 jury or examining Magistrate, if a person refuses to answer a
16 question or produce evidence of any other kind on the ground that
17 he may be incriminated thereby, and if the prosecuting attorney,
18 in writing, requests the court to order that person to answer
19 the question or produce the evidence, the court, after notice
20 to the witness and hearing, shall so order (unless it finds that
21 to do so would be clearly contrary to the public interest) and
22 that person shall comply with the order. After complying, and
23 if but for this section he would have been privileged to withhold
24 the answer given or the evidence produced by him, that person
25 shall not be prosecuted or subjected to penalty or forfeiture
for or on account of any transaction, matter or thing concerning
which, in accordance with the order, he gave answer or produced
evidence, but he may nevertheless be prosecuted or subjected to
penalty or forfeiture for any perjury, false swearing or contempt

1 committed in answering, or failing to answer, or in producing,
2 or failing to produce, evidence in accordance with the order.

3 Sec. 2. All acts or parts of acts which are inconsistent
4 with the provisions of this Act are hereby repealed.

5 Sec. 3. An emergency is hereby declared to exist and this
6 act shall become effective immediately upon its passage and
7 approval.
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