

Introduced: 2/14/67
Referred: State Affairs
and Judiciary

1 IN THE HOUSE

BY STEVENS AND FINK

2 HOUSE BILL NO. 165

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to work furlough rehabilitation of
7 prisoners."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 33.30 is amended by adding a new section to read:

10 Sec. 33.30.250. WORK FURLOUGH. (a) When a person is convicted
11 of a misdemeanor and sentenced to a prison facility, or is imprisoned
12 in the prison facility for nonpayment of a fine, for contempt, or as
13 a condition of probation for any criminal offense, the commissioner may,
14 if he concludes that the person is a fit subject for a work furlough,
15 direct that the person be permitted to continue in his regular employ-
16 ment, if that is compatible with the requirements of (c) of this sec-
17 tion, or may authorize the person to secure employment for himself,
18 unless the court at the time of sentencing has ordered that the person
19 not be granted work furloughs.

20 (b) If the commissioner directs that the prisoner be permitted
21 to continue in his regular employment, the commissioner shall arrange
22 for a continuation of the employment so far as possible without inter-
23 ruption. If the prisoner does not have regular employment, and the
24 commissioner has authorized the prisoner to secure employment for
25 himself, the prisoner may do so, and the commissioner may assist him in
26 doing so. Any employment secured must be suitable for the prisoner.
27 The employment must be at a wage at least as high as the prevailing
28 wage for similar work in the area where the work is performed and in
29 accordance with the prevailing working conditions in the area. No

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1 employment may be permitted where there is a labor dispute in the
2 establishment in which the prisoner is, or is to be, employed.

3 (c) Whenever the prisoner is not employed and between the hours
4 or periods of employment, he shall be confined in the jail unless the
5 court directs otherwise.

6 (d) The earnings of the prisoner shall be collected by the
7 commissioner and the prisoner's employer shall transmit the wages to
8 the commissioner at the commissioner's request. Earnings levied upon
9 under a writ of attachment or execution or in other lawful manner shall
10 not be transmitted to the commissioner. If the commissioner has re-
11 quested transmittal of earnings before the levy, the request shall have
12 priority. When an employer transmits the earnings to the commissioner,
13 he has no liability to the prisoner for the earnings. From the earnings,
14 the commissioner shall pay the prisoner's board and personal expenses,
15 both inside and outside the prison facility, and shall deduct so much
16 of the costs of administration of this section as is allocable to the
17 prisoner, and, in an amount determined by the commissioner, shall pay
18 the support of the prisoner's dependents, if any. If sufficient funds
19 are available after making the foregoing payments, the commissioner may,
20 with the consent of the prisoner, pay, in whole or in part, the pre-
21 existing debts of the prisoner. Any balance shall be retained by the
22 commissioner and paid to the prisoner at the time of his discharge.

23 (e) If the prisoner violates the conditions established for his
24 conduct, custody, or employment, the commissioner may order the balance
25 of the prisoner's sentence to be spent in actual confinement.

26 (f) The wilful failure of a prisoner to return to the place of
27 confinement not later than the expiration of any period during which he
28 is authorized to be away from the place of confinement under this
29 section, is an escape from the place of confinement and is punishable

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under the laws relating to escape.