

Introduced: 2/3/67
Referred: State Affairs

BY B. PHILLIPS, BRADY,
PALMER AND SMITH

1 IN THE SENATE

2 SENATE BILL NO. 61

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 standards to be met by local
7 prison facilities; and providing for an effective date."

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

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

10 Sec. 33.30.082. LOCAL PRISON FACILITIES TO MEET STATE STANDARDS.

11 After July 1, 1967, no person may be detained in a local prison facility
12 that does not meet the standards prescribed by the department for state
13 prison facilities relating to the safekeeping, housing, care and sub-
14 sistence of prisoners.

15 Sec. 33.30.084. INSPECTIONS OF LOCAL PRISON FACILITIES. The
16 department shall make an annual inspection of all local prison facili-
17 ties to determine if they meet the standards prescribed by the depart-
18 ment. The Department of Public Safety shall make an annual inspection
19 of all local prison facilities to determine if they meet the minimum
20 standards for the prevention of fire prescribed by regulation under
21 AS 18.70.080 and shall enforce these regulations as prescribed in
22 AS 18.70.

23 Sec. 33.30.086. SUBSTANDARD LOCAL PRISON FACILITIES. (a) If
24 the department determines that a local prison facility is operating
25 in violation of the standards prescribed for state prison facilities
26 relating to the safekeeping, housing, care and subsistence of prisoners,
27 the department shall serve notice that unless the violations complained
28 of are remedied within 90 days, the local prison facility will be
29 declared unfit for the detention of persons, ordered closed and the

1 prisoners transferred to a different facility to be designated by the
2 department. If the local prison facility does not remedy the violations
3 within 90 days after notice, the department shall order the local prison
4 facility closed.

5 (b) If a local prison facility is closed under (a) of this sec-
6 tion, the cost of transferring and of maintaining the prisoners shall
7 be paid by the political subdivision whose local prison facility has
8 been closed.

9 (c) A political subdivision aggrieved by an order closing its
10 prison facility may appeal the order of the department to the superior
11 court within 30 days after issuance of the order.

12 * Sec. 2. AS 33.30.200 is amended by adding a new subsection to read:

13 (8) "local prison facility" means a building, camp, farm,
14 place or area used or operated by a political subdivision for the
15 detention or confinement of persons accused or convicted of crime or
16 held under authority of law.

17 * Sec. 3. AS 29.10.165 is amended to read:

18 Sec. 29.10.165. CITY JAIL. The council may provide for mainte-
19 nance of a city jail and provide a keeper for it, but the standards for
20 the safekeeping, housing, care and subsistence of prisoners in the jail
21 must meet the minimum standards prescribed for state prison facilities
22 by the Department of Health and Welfare under AS 33.30.

23 * Sec. 4. The Department of Health and Welfare shall submit no later
24 than February 1, 1968, to the legislature and the governor a report which
25 lists those standards which it prescribes for the safekeeping, housing, care
26 and subsistence of prisoners in state and local prison facilities; the number
27 of local prison facilities which it inspects between July 1, 1967 and Janu-
28 ary 1, 1968; the number of local prison facilities ordered to be closed
29 during that period; the violations of standards found to be prevalent in

1 local prison facilities; the number of prisoners transferred from substandard
2 local prison facilities; and any legislative recommendations which the
3 department may have for improving local prison facilities.

4 * Sec. 5. This Act takes effect July 1, 1967.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29