

Introduced: 2/14/72
Referred: Judiciary

1 IN THE SENATE

BY LEWIS

2 SENATE BILL NO. 341

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act transferring parole authority to the court
7 system."

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

9 * Section 1. AS 33.05.020(b) is amended to read:

10 (b) The commissioner shall fix probation officers' and assistants
11 salaries, assign them to the various judicial districts, and shall
12 provide for their necessary expenses including clerical services and
13 travel. [HE MAY ASSIGN TO ALL PROBATION OFFICERS AND PERSONNEL ANY
14 DUTIES CONCERNING THE ADMINISTRATION OF THE PAROLE SYSTEM AS PROVIDED
15 IN THE PAROLE ADMINISTRATION ACT.]

16 * Sec. 2. AS 33.05.040(5) is repealed.

17 * Sec. 3. AS 33.15 is amended by adding a new section to read:

18 Sec. 33.15.005. OFFICE OF PAROLE. There is established under
19 the supreme court the office of parole which is administered by a
20 chief parole officer.

21 * Sec. 4. AS 33.15.010 is amended to read:

22 Sec. 33.15.010. STATE BOARD OF PAROLE. There is under the
23 office of parole [IN THE DEPARTMENT] a board of parole consisting of
24 five members to be appointed by the chief justice from nominations
25 made by the judicial council [GOVERNOR], subject to confirmation by a
26 majority of the members of the legislature in joint session. One of
27 the members, who shall be chairman of the board, shall be a person
28 with training or experience in the field of probation and parole, and
29 he may be an official or employee of the department or the court but

1 may not be an official or employee of the division of corrections.
2 The term of each of the other four members of the board is four years
3 and until his successor is appointed and qualifies. Successors are
4 appointed in the same manner as provided for the board members first
5 appointed. A vacancy shall be filled for the unexpired term.

6 * Sec. 5. AS 33.15.030 is amended to read:

7 Sec. 33.15.030. CHIEF JUSTICE [GOVERNOR] TO ADVISE OF DUTIES
8 AND CALL BOARD MEETING. Upon appointment, the chief justice [GOVERNOR]
9 shall advise those appointed of their duties under this chapter and
10 shall, as soon as practicable, call the first meeting of the members
11 of the board.

12 * Sec. 6. AS 33.15.040 is amended to read:

13 Sec. 33.15.040. PAYMENT OF BOARD EXPENSES. The necessary expenses
14 of the board shall be paid by appropriation made to the court system
15 [DEPARTMENT].

16 * Sec. 7. AS 33.15.130(b) is amended to read:

17 (b) The board shall keep a record of its acts and shall notify
18 the commissioner and the chief parole officer of its decisions relating
19 to prisoners considered for parole. At the close of each fiscal year
20 the board shall submit to the chief justice, the governor, the com-
21 missioner, and the attorney general, a report containing statistical
22 and other data of its work, including research studies which it may
23 make of probation, sentencing, parole or related functions, and a
24 computation and analysis of dispositions in criminal matters by
25 the courts in the state.

26 * Sec. 8. AS 33.15.150 is amended to read:

27 Sec. 33.15.150. DUTIES OF THE CHIEF PAROLE OFFICER [COMMISSIONER].
28 The chief parole officer [COMMISSIONER] is charged with the administra-
29 tive duties and responsibilities necessary to

1 (1) conduct investigations of prisoners eligible for parole
2 as the board requests;

3 (2) supervise the conduct of parolees and institute programs
4 for reform and rehabilitation of parolees as the board requests;

5 (3) appoint and assign parole officers and personnel to the
6 judicial districts in the state and to train and supervise parole
7 officers and personnel;

8 (4) keep records, files and accounts as the board requests.

9 * Sec. 9. AS 33.15.160 is repealed.

10 * Sec. 10. AS 33.15.170 is repealed.

11 * Sec. 11. AS 33.15.230(b) is amended to read:

12 (b) Upon commitment of a prisoner sentenced to imprisonment under
13 (a) of this section, the chief parole officer [COMMISSIONER], under
14 such regulations as the board prescribes, shall have a complete study
15 made of the prisoner and shall furnish to the board a summary report
16 together with any recommendations which, in his opinion, would be
17 helpful in determining the suitability of the prisoner for parole.
18 This report may include, but shall not be limited to, data regarding
19 the prisoner's previous delinquency or criminal experience, circumstances
20 of his social background, his capabilities, his mental and physical
21 health, and such other factors considered pertinent. The board may
22 make such other investigation as it considers necessary.

23 * Sec. 12. AS 22.05 is amended by adding a new section to read:

24 Sec. 22.05.155. CHIEF PAROLE OFFICER. The chief justice of the
25 supreme court shall, with the approval of the supreme court, appoint
26 a chief parole officer to serve at the pleasure of the supreme court
27 and to administer the parole system and enforce the parole laws.

28 * Sec. 13. AS 44.29.020(17) is amended to read:

29 (17) probation [AND PAROLE] supervision.