

Introduced: 1/30/74  
Referred: Judiciary

1 IN THE SENATE

BY LEWIS

2 SENATE BILL NO. 303

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to release after criminal court  
7 action."

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

9 \* Section 1. AS 12.30.040 is amended to read:

10 Sec. 12.30.040. RELEASE AFTER CONVICTION. A person who has been  
11 convicted of an offense and is awaiting sentence, or who has filed an  
12 appeal shall be treated in accordance with the provisions of sec. 20  
13 of this chapter; however, the person shall be ordered detained if any  
14 of the following conditions are found to exist by the judicial officer:  
15 (1) [UNLESS] the court has reason to believe that no one or more  
16 conditions of release will reasonably assure the appearance of the  
17 person as required; (2) the court has reason to believe that the  
18 person poses [OR PREVENT THE PERSON FROM POSING] a danger to other  
19 persons and the community; (3) the person has been convicted of a  
20 felony involving a violent crime against another person, or a felony  
21 involving the sale of a narcotic drug to a minor under AS 17; (4)  
22 the person has been previously convicted of a felony charge in the  
23 state. The person may be ordered detained if it appears that an appeal  
24 is frivolous or is taken for the purpose of delay [ . IF THAT DETER-  
25 MINATION IS MADE, THE PERSON MAY BE REMANDED TO CUSTODY]. This section  
26 does not affect the right of a person appealing from a judgment of  
27 conviction from a district court to the superior court to be released  
28 on bail pending appeal under Rule 2(c) of the District Court Rules of  
29 Criminal Procedure.