

Introduced: 2/18/80  
Referred: Judiciary

1 IN THE HOUSE

BY ANDERSON AND FULLER

2 HOUSE BILL NO. 829

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to sentencing."

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

8 \* Section 1. AS 12.55.015(b) is amended to read:

9 (b) The court, in exercising sentencing discretion as provided in  
10 this chapter, shall impose a sentence involving imprisonment when

11 (1) the defendant deserves to be imprisoned, considering the  
12 seriousness of his present offense and his prior criminal history, and  
13 imprisonment is equitable considering sentences imposed for other of-  
14 fenses and other defendants under similar circumstances; or

15 (2) imprisonment is necessary to protect the public from  
16 further harm by the defendant [; OR

17 (3) A SENTENCE OF LESSER SEVERITY HAS BEEN IMPOSED IN THE  
18 PAST AND PROVEN INEFFECTIVE IN DETERRING THE DEFENDANT].

19 \* Sec. 2. AS 12.55.155(c)(8) is amended to read:

20 (8) the defendant has a criminal history consisting of re-  
21 peated [ONE OR MORE] convictions for crimes [MISDEMEANORS] having as-  
22 sault as a necessary element, which convictions indicate that he is a  
23 threat to the physical safety of others;

24 \* Sec. 3. AS 12.55.155(d) is amended by adding a new paragraph to read:

25 (13) the defendant does not pose a threat to the safety of  
26 others and the total economic value of the harm caused by his offense,  
27 and by his other offenses considered by the sentencing court, is sig-  
28 nificantly less than the potential cost of his incarceration.

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