

Introduced: 1/11/82
Referred: Judiciary

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 633

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting personal recognizance release when
7 the offense charged is a violent crime."

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

9 * Section 1. AS 12.30.020(a) is amended to read:

10 (a) A person charged with an offense shall, at his first appear-
11 ance before a judicial officer, be ordered released pending trial on his
12 personal recognizance or upon the execution of an unsecured appearance
13 bond in an amount specified by the judicial officer unless prohibited
14 under (i) of this section or unless the officer determines that the
15 release of the person will not reasonably assure the appearance of the
16 person as required, or will pose a danger to other persons and the
17 community. If the offense with which a person is charged is a felony,
18 on motion of the prosecuting attorney, the judicial officer may allow
19 the prosecuting attorney up to 48 hours to demonstrate that release of
20 the person on his personal recognizance or upon the execution of an
21 unsecured appearance bond will not reasonably assure the appearance of
22 the person, or will pose a danger to other persons and the community.

23 * Sec. 2. AS 12.30.020 is amended by adding a new subsection to read:

24 (i) A person charged with any of the following offenses may not be
25 ordered released pending trial on his personal recognizance:

- 26 (1) murder in the first degree (AS 11.41.100);
27 (2) murder in the second degree (AS 11.41.110);
28 (3) manslaughter (AS 11.41.120);
29 (4) criminally negligent homicide (AS 11.41.130);

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- (5) assault in the first degree (AS 11.41.200);
- (6) assault in the second degree (AS 11.41.210);
- (7) assault in the third degree (AS 11.41.220);
- (8) kidnapping (AS 11.41.300);
- (9) sexual assault in the first degree (AS 11.41.410);
- (10) sexual assault in the second degree (AS 11.41.420);
- (11) robbery in the first degree (AS 11.41.500);
- (12) robbery in the second degree (AS 11.41.510);
- (13) burglary in the first degree (AS 11.46.300);
- (14) arson in the first degree (AS 11.46.400);
- (15) escape in the first degree (AS 11.56.300);
- (16) riot (AS 11.61.100).