

Original sponsors: Bradley, Dankworth,  
Gilman, et al

Offered: 2/1/82  
Referred: Rules

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 547 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act permitting the exclusion of the public during  
7 testimony of young victims of sexual offenses."

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

9 \* Section 1. AS 12.45 is amended by adding a new section to read:

10 Sec. 12.45.048. EXCLUSION OF PUBLIC FROM TRIAL DURING TESTIMONY BY  
11 YOUNG VICTIM OF SEXUAL OFFENSE. (a) After notice to the defendant, the  
12 state may apply to the court for an order excluding the public from the  
13 courtroom during the testimony of a child who is the alleged victim of a  
14 violation of AS 11.41.410 - 11.41.455. The order shall be granted if  
15 the court finds that the child is under 16 years of age at the time of  
16 the trial.

17 (b) If the public is excluded from the trial under (a) of this  
18 section, the testimony given during the time the public is excluded  
19 shall be available to the public upon request within a reasonable time  
20 sufficient to allow preparation of a tape recording or transcript of the  
21 testimony.

22 (c) In this section "public" means all persons except

23 (1) the judge presiding over the trial;

24 (2) the members of the jury;

25 (3) the defendant and the attorney and an investigator for  
26 the defendant;

27 (4) the prosecuting attorney and an investigating officer for  
28 the state;

29 (5) the parents or legal guardians of the child;

- (6) a guardian ad litem or attorney for the child;
- (7) in the discretion of the court, an adult for whom the child has developed a significant emotional attachment who can provide emotional support for the child while the child testifies;
- (8) court personnel, including those essential for taking the testimony; and
- (9) a member of the press.