

Introduced: 1/22/85
Referred: State Affairs, Judiciary
and Finance

1 IN THE SENATE

BY ABOOD

2

SENATE BILL NO. 76

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to rights of prisoners; and amending
7 Rule 5(b) of the Alaska Rules of Criminal Procedure."

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

9 * Section 1. AS 12.25.150(b) is amended to read:

10 (b) As soon as feasible [IMMEDIATELY] after an arrest, after law
11 enforcement officers have conducted any tests necessary to preserve
12 dissipating physical evidence of intoxication, a prisoner shall have
13 the right to telephone or otherwise communicate with the prisoner's
14 attorney and any relative or friend. Any [, AND ANY] attorney at law
15 entitled to practice in the courts of Alaska shall, at the request of
16 the prisoner or any relative or friend [FRIENDS] of the prisoner, have
17 the right to [IMMEDIATELY] visit the prisoner immediately after the
18 testing [PERSON ARRESTED].

19 * Sec. 2. Rule 5(b), Alaska Rules of Criminal Procedure, is amended to
20 read:

21 (b) Rights of Prisoner to Communicate with Attorney or Other
22 Person. As soon as feasible [IMMEDIATELY] after [HIS] arrest, after
23 law enforcement officers have conducted any tests necessary to pre-
24 serve dissipating physical evidence of intoxication, a [THE] prisoner
25 shall have the right [FORTHWITH] to telephone or otherwise [TO] commu-
26 nicate with the prisoner's [BOTH HIS] attorney and any relative or
27 friend. Any attorney at law entitled to practice in the courts of
28 Alaska shall, at the request of [EITHER] the prisoner or any relative
29 or friend of the prisoner, [SHALL] have the right [FORTHWITH] to visit

1 the prisoner in private immediately after the testing.

2 * Sec. 3. Section 2 amends Rule 5(b) of the Alaska Rules of Criminal
3 Procedure by delaying the right to contact an attorney until after dis-
4 sipating physical evidence of intoxication can be obtained.