

Offered: 2/11/85  
Referred: Judiciary

Original sponsor: Abood

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR SENATE BILL NO. 76 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 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) Immediately after an arrest, but after law enforcement  
11 officers have conducted any tests necessary to preserve dissipating  
12 physical evidence of intoxication, a prisoner shall have the right to  
13 telephone or otherwise communicate with the prisoner's attorney and  
14 any relative or friend. Any [, AND ANY] attorney at law entitled to  
15 practice in the courts of Alaska shall, at the request of the prisoner  
16 or any relative or friend [FRIENDS] of the prisoner, have the right to  
17 [IMMEDIATELY] visit the prisoner immediately after the testing [PERSON  
18 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. Immediately after [HIS] arrest, but after law enforcement  
23 officers have conducted any tests necessary to preserve dissipating  
24 physical evidence of intoxication; a [THE] prisoner shall have the  
25 right [FORTHWITH] to telephone or otherwise [TO] communicate with the  
26 prisoner's [BOTH HIS] attorney and any relative or friend. Any  
27 attorney at law entitled to practice in the courts of Alaska shall, at  
28 the request of [EITHER] the prisoner or any relative or friend of the  
29 prisoner, [SHALL] have the right [FORTHWITH] to visit the prisoner in

1 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.