

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE HOUSE

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HOUSE BILL NO. 465

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to telephone access and monitoring
7 inside correctional facilities."

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

9 * Section 1. AS 33.30.231 is amended to read:

10 Sec. 33.30.231. TELEPHONE [ACCESS AND] MONITORING INSIDE CORREC-
11 TIONAL FACILITIES. [INSTITUTIONS. (a) EXCEPT AS PROVIDED IN (b) OF
12 THIS SECTION, A PRISONER SHALL HAVE REASONABLE ACCESS TO A TELEPHONE.

13 (b) A PRISONER WHO IS CLASSIFIED MAXIMUM CUSTODY, IS PLACED IN
14 SEGREGATION AS PUNISHMENT FOR A RULE INFRACTION, OR IS PLACED IN
15 SEGREGATION BECAUSE THE PRISONER POSES A THREAT TO OTHERS OR TO THE
16 SECURITY OF A CORRECTIONAL FACILITY MAY NOT HAVE ACCESS TO A TELEPHONE
17 EXCEPT TO COMMUNICATE WITH AN ATTORNEY, TO OTHERWISE COMMUNICATE AS
18 PROVIDED IN AS 12.25.150, OR IN AN EMERGENCY AS DETERMINED APPROPRIATE
19 BY THE COMMISSIONER.

20 (c)] Notwithstanding AS 42.20.300 and 42.20.310, in order to
21 preserve the security and orderly administration of the correctional
22 facility [INSTITUTION] and to protect the public, the commissioner may
23 authorize the use of monitoring or recording equipment to listen to a
24 telephone conversation of a prisoner convicted of a crime, if a
25 warning is posted by the telephone informing the prisoner that a call
26 may be monitored or recorded. A telephone call between an attorney
27 and a prisoner may not be monitored or recorded except when authorized
28 by a court.