

Original sponsor(s): Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 465 (Judiciary)

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(a) is amended to read:

10 (a) A [EXCEPT AS PROVIDED IN (b) OF THIS SECTION, A] prisoner  
11 shall have reasonable access to a telephone except when access is  
12 suspended as punishment for conviction of a rule infraction or pending  
13 a hearing for a rule infraction involving telephone abuse. A sus-  
14 pension under this subsection must be reasonable in length and may not  
15 prohibit telephone communication between the prisoner and an attorney  
16 or between the prisoner and the office of the ombudsman.

17 \* Sec. 2. AS 33.30.231(c) is amended to read:

18 (c) Notwithstanding AS 42.20.300 and 42.20.310, in order to  
19 preserve the security and orderly administration of the correctional  
20 facility [INSTITUTION] and to protect the public, the commissioner may  
21 authorize the use of monitoring or recording equipment to listen to a  
22 telephone conversation of a prisoner incarcerated following conviction  
23 of a crime, if a warning is posted by the telephone informing the  
24 prisoner that a call may be monitored or recorded. A recording of a  
25 telephone call made under this subsection shall be kept confidential,  
26 and access to the recording and its contents is limited to persons who  
27 are acting within the scope of their official duties and whose access  
28 to specific recordings has been authorized by the facility superinten-  
29 dent. A telephone call between an attorney and a prisoner or between

- 1        the office of the ombudsman and a prisoner may not be monitored or re-
- 2        corded except when authorized by a court.
- 3        \* Sec. 3. AS 33.30.231(b) is repealed.