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Official Business

# Alaska State Legislature

## Senate

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### SECTIONAL ANALYSIS OF SB 686

Legislative Intent - The Committee Substitute is intended to address a major problem faced by victims of property crime, namely the delay in the return of property until after appellate review. For private citizens this is a nuisance, for businesses it can be a major loss in revenue. CSSB 686 seeks to alleviate this "double victimization" by allowing certain property to be photographed and the photographs entered as evidence rather than the actual property. The bill is drafted in a manner which will allow prosecutors to retain property that is not amenable to photographic treatment under this act, such as seized weapons that have subsequently been used in the commission of an offense.

\*Sec. 1 - Adds new subsections to 12.35.025 Seizure of Property. Provides that seized property is to be inventoried by peace officer and that copies of the inventory, the warrant and supporting affidavit shall be provided to the person from whom the property was seized or posted at the location where the property was seized.

\*Sec. 2 - Adds new section to Title 12 entitled Disposition of Recovered or Seized Property.

12.36.020 - Provides that property may be returned to owners if the property is not required for a court proceeding or subject to forfeiture. Further provides that photographs may be admitted as evidence in place of property under 12.80.050.

12.36.030 - Provides that unclaimed property used as evidence is disposed of by sale after one year. If the property is money it is deposited with the court.

12.36.040 - Provides that property coming into the possession of a law enforcement agency where the owner is unknown shall be held for two years, then disposed of as provided in 12.36.030.

12.36.090 - Definitions Section

\*Sec. 3 - 12.80.050 - Allows photographs of property to be admissible as evidence if accompanied by a description of the property, the owner's name, the location of the crime, the investigating officer's name, the date the photograph was taken and the name and signature of the photographer.

\*Sec. 4 - Repealer Section

\*Sec. 5 - Notification of court rule change.