

HB

106

SEVENTEENTH LEGISLATURE  
SENATE JUDICIARY COMMITTEE BILL FILE

BILL NUMBER: HB 106  
ABBREVIATED TITLE: Maximum Period of Probation

SPONSER: House JUD ORIGINAL RECEIVED: House March 1, 91  
WRITTEN REQUEST TO SCHEDULE REC'D: Donley FROM: House March 7, 1991  
SPONSER'S STATEMENT REC'D: \_\_\_\_\_ FROM: \_\_\_\_\_  
SECTIONAL ANALYSIS RQST'D: \_\_\_\_\_ FROM: \_\_\_\_\_  
SECTIONAL ANALYSIS RECEIVED: \_\_\_\_\_

FISCAL NOTE (ORIGINAL)  
RQST'D OF: \_\_\_\_\_ REC'D FROM: Law DATE: With File  
RQST'D OF: \_\_\_\_\_ REC'D FROM: Corrections DATE: 11  
RQST'D OF: \_\_\_\_\_ REC'D FROM: Texas DATE: 11  
RQST'D OF: \_\_\_\_\_ REC'D FROM: Courts DATE: 11  
FISCAL NOTE (C.S.)  
RQST'D OF: \_\_\_\_\_ REC'D FROM: \_\_\_\_\_ DATE: \_\_\_\_\_  
RQST'D OF: \_\_\_\_\_ REC'D FROM: \_\_\_\_\_ DATE: \_\_\_\_\_  
RQST'D OF: \_\_\_\_\_ REC'D FROM: \_\_\_\_\_ DATE: \_\_\_\_\_

FIVE DAY NOTICE GIVEN: In House NOTICE OF HEARINGS GIVEN: 3-7-91  
COMMITTEES OF REFERRAL: FIRST: Jud SECOND: JEN THIRD: \_\_\_\_\_

COMMITTEE ACTION

DATE: March 4, 1991  
Indiv - Rec. Adams, Collins, Poole's  
Halfway Sign De Pass - Del. Del to  
Sen Sec. March 14, 1991 GRSB

PERSONS TO BE NOTIFIED OF HEARING

- 1. SPONSOR House Jud -
- 2. AGENCY \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

# Alaska State Legislature



## House of Representatives

House Judiciary Committee  
Chairman Dave Donley

P. O. Box V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4990

### M E M O R A N D U M

TO: Senator Rick Halford, Chair  
Senate Judiciary Committee

FROM: Representative Dave Donley, Chair D  
House Judiciary Committee

RE: HB 106 - Increasing Maximum Period of Probation

DATE: March 1, 1991

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I would greatly appreciate if HB 106 could be scheduled for a hearing at the earliest possible opportunity. The legislation was introduced by the Judiciary Committee and extends the maximum period of probation from five years to ten years.

By increasing the maximum allowable period of probation to ten years, HB 106 gives judges greater flexibility in sentencing criminal defendants. Under current law, judges are prohibited from placing defendants on probation for longer than five years.

A longer probation period will allow for greater amounts of restitution to be paid to victims, will allow offenders who pose a high risk of reoffending to be supervised for longer periods of time, and for appropriate offenders, will provide a lower cost alternative to incarceration.

HB 106 passed the House unanimously and is supported by the Department of Law, the Department of Public Safety, the Alaska Association of Chiefs of Police, and the Network on Domestic Violence and Sexual Assault.

Thank you in advance for your help and assistance in scheduling this bill for a hearing.

DD:lho

**HOUSE BILL NO. 106**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE JUDICIARY COMMITTEE**

Introduced: 2/4/91

Referred: Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act extending the maximum period of probation after conviction."

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

3 \* Section 1. AS 12.55.090(c) is amended to read:

4 (c) The period of probation, together with any extension, may [SHALL] not exceed 10  
5 [FIVE] years.

6 \* Sec. 2. AS 12.55.090(c), as amended by sec. 1 of this Act, does not apply in the case of a  
7 conviction for a criminal act committed before the effective date of this Act.

March 14, 1991 -

Would help victims receive restitution -  
Will keep a look on likely re-investments  
Proceed out w/ Ind. Rec.

BILL NO: HB 106

DATE: 2/8/91

TITLE: An Act Extending the Maximum  
Period of Probation

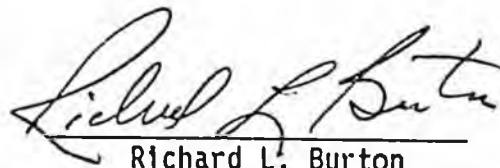
CONTACT: Gayle A. Horetski  
Deputy Commissioner

DEPARTMENT OF  
PUBLIC SAFETY

POSTMASTER  
RETURN TO  
100 SOUTH MAIN STREET  
MILWAUKEE, WISCONSIN 53233

HB 106 extends, from five to ten years, the maximum period of probation to which a convicted criminal defendant can be sentenced. There may be situations in which the court wishes to continue probation supervision of an offender for longer than the five-year period now allowed by law. This bill would allow the courts the flexibility to fashion a sentence which best fits a particular offense or defendant.

The Department of Public Safety supports this bill.



Richard L. Burton  
Commissioner

# Alaska Association Chiefs of Police



February 2, 1991

Representative Dave Donley  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, AK 99811

Dear Representative Donley,

I am writing this letter to express the support of the Alaska Association of Chiefs of Police for House Bill 106. Existing law only allows for imposition of five years of probation. We support extending this to ten years as proposed in your bill.

Probation can be an excellent tool in protecting the public. We submit, however, that judges under current law are too limited and should be given the ability to require persons convicted of serious crimes to be monitored and supervised for longer periods of time when necessary.

If we can be any assistance in the passage of your bill, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Duane S. Udland".

Duane S. Udland  
President