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BILL NO: SB 137

DATE: March 3, 1993

TITLE: "An Act relating to conspiracies to commit murder. . ."

CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

SB 137 would amend 11.31 Attempt and Solicitation, by adding a section concerning CONSPIRACY. An offender commits the crime of conspiracy if, with the intent to promote or facilitate murder, arson, kidnapping, or an offense relating to the delivery of a controlled substance under AS 11.71.010 - 11.71.030, the:

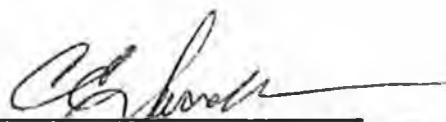
1. offender agrees with one or more persons to engage in or cause the performance of the offense and communicates the agreement to the other person or persons; and
2. offender, or one of the persons with whom the offender has agreed, does an overt act in furtherance of the conspiracy.

An "overt act in furtherance of the conspiracy" means an act that manifests a purpose on the part of the actor that the crime that was the object of the conspiracy be completed.

Conspiracy is the same class of offense as the crime that was the object of the conspiracy.

The Department of Public Safety supports crime of conspiracy legislation. Adoption of this bill will provide Alaska law enforcement officers and prosecutors with a valuable tool which is available to law enforcement in the federal system and in most other states.

If sufficient evidence of the conspiracy is obtained, charges may be filed and arrests made before the conspirators actually commit the offence, thus preventing the crime before it occurs to protect the intended victim or victims. This legislation will also assist law enforcement in the dismantling of drug distribution networks particularly when trying to charge drug king pins who may seldom touch the controlled substances being distributed.


Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 137

Revision Date: _____ Dept. Affected: Public Safety
 Title: " An Act relating to conspiracies to commit
murder in the first and second degree " BRU: Alaska State Troopers
 Component: Criminal Investigations Bureau
 Sponsor: Senate Rules
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 830

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

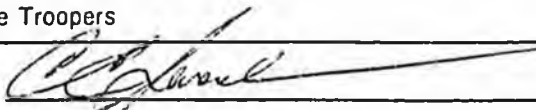
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact upon the Alaska State Troopers is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 02/09/93
 Approved by Commissioner:  Date: 3/18/93
 Agency: Richard I. Burton, Dept. of Public Safety

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