

SB

67

SFIN

FILE

Revision Date: 3-13-97

Title: Truth in Sentencing

Sponsor: Senator Halford

Requestor: Senate Finance Committee

Dept. Affected: Corrections

BRU: ALL

Components: ALL

Serial # 594.0

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

| OPERATING | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|-------|-------|-------|-------|-------|-------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants, Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|-----------------------------|-----|-----|-----|-----|-----|-----|
| CAPITAL EXPENDITURES | *** | *** | *** | 0.0 | 0.0 | 0.0 |
|-----------------------------|-----|-----|-----|-----|-----|-----|

| | | | | | | |
|----------------------------------|-------|-------|-------|-----|-----|-----|
| CHANGE IN REVENUES (1002) | 650.0 | 650.0 | 650.0 | 0.0 | 0.0 | 0.0 |
|----------------------------------|-------|-------|-------|-----|-----|-----|

FUNDING: (THOUSANDS OF DOLLARS)

| | | | | | | |
|--------------------------|-------|-------|-------|-----|-----|-----|
| 1002 Federal Receipts | 650.0 | 650.0 | 650.0 | | | |
| 1003 GF Match | 65.0 | 65.0 | 65.0 | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other | | | | | | |
| TOTAL | 715.0 | 715.0 | 715.0 | 0.0 | 0.0 | 0.0 |


POSITIONS:


| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-Time | | | | | | |
| Part-Time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE


SENATOR DRUE PEARCE, COCHAIR


SENATOR BERT SHARP, COCHAIR

Date: 3-13-97

Phone: 465-4993

Date: 3-13-97

Phone: 465-3004

Analysis of CSSB 67 (JUD)

As amended, SB 67 should qualify the State of Alaska to apply for and receive federal Truth-in-Sentencing grants under the United States Department of Justice Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants program. These funds are to be used for prison construction or renovations. Congress has authorized funds for the grants through FY 2000. The amount that the State of Alaska would be eligible to receive depends upon how many other states qualify, inasmuch as appropriated funds are divided between qualifying states on the basis of their number of violent offenders. Had Alaska qualified this past year, its share would have been \$650,000 plus a required 10% state match. The Department of Corrections assumes that Congress will appropriate similar sums each year, but that Alaska's share may receive a slight decrease each year as more states qualify.

*** Should these federal receipts materialize they will be available for appropriation by the Legislature for future capital expenditures on correctional facilities.

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT OF

DATE: 3/5/97

FURTHER: SFC 3-12-97

DATE TURNED
IN TO OFFICE: 3-12-97

Finance Committee considered **SENATE BILL NO. 67**

"An Act relating to the imposition of criminal sentences; and amending Rule 32.2, Alaska Rules of Criminal Procedure."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS SB 67 (JUD)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical change

new: SCR# _____

| SIGNING DO PASS | DP | OTHER RECOMMENDATIONS | NR | DNP | AM |
|---------------------------|----|-----------------------|----|-----|----|
| John E. Piro | → | | | | |
| John P. Russell | ✓ | | | | |
| Michael Donley | ✓ | | | | |
| _____ | ✓ | | | | |
| Co-Chair: <u>Deane</u> | ✓ | Co-Chair: | | | |
| Co-Chair: <u>Ben King</u> | ✓ | Co-Chair: | | | |

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

| | | | |
|--|--|--|--|
| Forthcoming FN (POSITIVE REVENUE) Rec'd 3/12 715.0 DOC Amended 3/13 715.0 S.FIN | | | |
|--|--|--|--|

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

| | | | | |
|---|------------|------|---|--|
| 5 | Law | 2/27 | X | |
| 4 | DPS - VCCB | 2/21 | X | |
| 3 | DPS - Comm | 2/21 | X | |
| 1 | Court | 2/4 | X | |

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's Bill

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB 67 (JUD)

REPORTED OUT OF
3-12-97

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: Truth in Sentencing BRU: Trial Courts
 Component: _____
 Sponsor: Sens. Halford, Green, Donley
 Requestor: Senate State Affairs COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS & CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

Fund Source (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 97) cost: None

Positions

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-Time | | | | | | |
| Part-Time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228
 Agency: Alaska Court System Date: 03/10/97
 Approved by: Stephanie J. Cole, Acting Administrative Director *SJC* Date: 03/10/97
 Agency: Alaska Court System

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02/04/97 18:22 1907 279 8884

ADMIN ACCOUNT

FISCAL NOTE

No. 1

Bill Version: CSSB67(STA)

(S) Publish Date: 2/6/97

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: Truth in Sentencing BRU: Trial Courts
 Sponsor: Sen. Halford Component: _____
 Requestor: Senate State Affairs COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS & CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CAPITAL EXPENDITURES | | | | | | |
| CHANGE IN REVENUES (| | | | | | |

Fund Source (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 97) cost: None

Positions

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-Time | | | | | | |
| Part-Time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CMC* Phone: 264-8228
 Agency: Alaska Court System Date: 02/04/97
 Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CMC* Date: 02/04/97
 Agency: Alaska Court System

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FISCAL NOTE

No. 5

STATE OF ALASKA
1997 LEGISLATIVE SESSION

REPORTED ON
SFC 3-12-97

Bill Version: CSSB 67 (Jud)

(S) Publish Date: 3-5-97

Revision Date: _____ Dept. Affected: Department of Law
 Title: *An Act relating to the imposition of criminal BRU: Criminal Division
sentences; amending Rule 32.2, Ak Rules of Criminal Procedure Component: Criminal Division
 Sponsor: Senator Halford
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| FUND SOURCE | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

| POSITIONS | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL-TIME | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

The Senate Judiciary Committee Substitute for SB 67 includes a new section stating that the required approximate minimum term statement in the sentencing report is for informational purposes only, and cannot be used as a basis for review or appeal of the sentence imposed.

With this change, the Department of Law no longer anticipates any fiscal impact from passage of this legislation.

Prepared by: Joan M. Kasson *Joan M. Kasson* Phone: 465-5370
 Division: Administrative Services Division Date: 2/27/97
 Approved by Commissioner: Bruce M. Botelho *Bruce M. Botelho* Date: 2/27/97
 Agency: Department of Law

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FISCAL NOTE

No. 2

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill Version: CSSB 67 (STA)

(S) Publish Date: 2-10-97

| | |
|---|--|
| Revision Date: | Dept. Affected: <u>Department of Law</u> |
| Title: <u>"An Act relating to the imposition of criminal sentences; amending Rule 32.2, Ak Rules of Criminal Procedure"</u> | BRU: <u>Criminal Division</u> |
| Sponsor: <u>Senator Halford</u> | Component: <u>Criminal Division</u> |
| Requester: <u>Senate State Affairs Committee</u> | COMPONENT SERIAL NO. <u>2085</u> |

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| PERSONAL SERVICES | 26.9 | 26.9 | 26.9 | 26.9 | 26.9 | 26.9 |
| TRAVEL | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 |
| CONTRACTUAL | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 |
| SUPPLIES | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 |
| EQUIPMENT | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 31.8 | 31.8 | 31.8 | 31.8 | 31.8 | 31.8 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 31.8 | 31.8 | 31.8 | 31.8 | 31.8 | 31.8 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 31.8 | 31.8 | 31.8 | 31.8 | 31.8 | 31.8 |

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

| | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|
| FULL-TIME | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

To be known as the "Truth in Sentencing Act of 1997," this bill adds requirements for sentencing reports issued by the court at the time sentences are imposed. Specifically, CSSB 67 (STA) would require that sentencing reports include a statement of the sentence imposed, the term of imprisonment imposed, if any, including the approximate minimum term of imprisonment the defendant is expected to actually serve before being released, placed on mandatory parole, and the approximate minimum term the defendant must serve before becoming eligible for release on discretionary parole. Rule 32.2(e), Alaska Rules of Criminal Procedure, is amended to include the same requirements.

Passage of this legislation will increase the complexity of sentencing proceedings by requiring prosecutors to advise the court on when the defendant would be eligible for mandatory or discretionary parole. Those calculations are often difficult to do with precision and take time. Sentencing would be delayed while the calculations were performed by the Department of Corrections, and double checked by the prosecutors in order to advise the court. Even though the CS requires the court only to state the "approximate" minimum term, if

| | |
|---|------------------------|
| Prepared by: <u>Joan M. Kasson</u> <i>Joan M. Kasson</i> | Phone: <u>465-5370</u> |
| Division: <u>Administrative Services Division</u> | Date: <u>2/6/97</u> |
| Approved by Commissioner: <u>Bruce M. Botelho</u> <i>Bruce M. Botelho</i> | Date: <u>2/6/97</u> |
| Agency: <u>Department of Law</u> | |

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ANALYSIS CONTINUATION:

incorrect, the sentencing imposed by the court would still be subject to challenge, creating additional appellate work for the Department of Law, unless the legislation were amended to specifically preclude an incorrect estimate as a grounds for sentence appeal.

The total impact of this legislation is difficult to assess, however, we can anticipate that the equivalent of one-fourth of an attorney's time in the Anchorage Office of Special Prosecutions and Appeals would be necessary to become expert on parole eligibility calculations and advise prosecutors in sentencing proceedings, and to handle the briefing of appeals. Using the standard attorney cost developed for the Civil Division of \$127,000, the fiscal impact from this legislation would be \$31,750 ($\$127,000/4$). This cost includes clerical support, communications, space, supplies, data processing, and other normal overhead expenses.

FISCAL NOTE

No. 4

STATE OF ALASKA
1997 LEGISLATIVE SESSION

REPORTED OUT OF
SFC 3-12-97 BILL N

Bill Version: CSSB 67(TVD)
(S) Publish Date: 3-5-97

Revision Date: _____ Dept. Affected: Public Safety
Title: Truth in Sentencing BRU: Violent Crimes Compensation Board
Sponsor: Sen. Halford Component: _____
Requestor: S. Judiciary COMPONENT SERIAL NO. _____

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

| OPERATING | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|----------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | 0 | | | | | |
| TRAVEL | 0 | | | | | |
| CONTRACTUAL | 0 | | | | | |
| SUPPLIES | 0 | | | | | |
| EQUIPMENT | 0 | | | | | |
| LAND & STRUCTURES | 0 | | | | | |
| GRANTS CLAIMS | 0 | | | | | |
| MISCELLANEOUS | 0 | | | | | |
| TOTAL OPERATING | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|--|--|--|--|--|--|--|
| CHANGE IN REVENUES () Revenue Code | | | | | | |
|--|--|--|--|--|--|--|

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 |

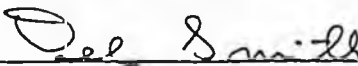
Estimate of current year (FY 97) impact: \$ _____

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary.)

The Violent Crimes Compensation Board approves of any vehicle which makes the victim more informed.

Prepared By: Noia K. Capp Phone: 465-3040
Division: Violent Crimes Compensation Board Date: February 10, 1997
Approved by Commissioner:  Date: 2/21/97
Agency: Ronald L. Otte, Dept. of Public Safety

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STATE OF ALASKA

FISCAL NOTE

No. 3

1997 LEGISLATIVE SESSION

SFC REPORTED OUT NO: 3-12-97

BIL NO: CS SB 67 (JUD)

(S) Publish Date: 3-5-97

Revision Date: _____ Dept. Affected: Public Safety
 Title: Truth in Sentencing Component: DPS Statewide Support
 Sponsor: Rules Committee Commissioner's Office
 Requestor: S. Judiciary COMPONENT SERIAL NO. 0523

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

| OPERATING | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | -0- | -0- | -0- | -0- | -0- | -0- |
| CAPITAL EXPENDITURES | -0- | -0- | -0- | -0- | -0- | -0- |
| CHANGE IN REVENUES () | -0- | -0- | -0- | -0- | -0- | -0- |
| Code Revenue | | | | | | |

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- |

Estimate of current year (FY 97) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact is anticipated to the Department of Public Safety

Prepared By: Sandy Perry-Provost, Special Assistant to the Commissioner Phone: 465-4322
 Division: Commissioner's Office Date: 2/20/97
 Approved by Commissioner: Del Smith Date: 2/21/97
 Agency: Ronald L. Otte, Dept. of Public Safety

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600 E. Railroad Avenue
Wasilla, Alaska 99654
Phone (907) 376-4958

Sponsor Statement

SB 67 "The Truth in Sentencing Act of 1997"

When a felon is sentenced to a term of imprisonment the public often receives a false sense of security by believing the criminal will actually be incarcerated for the stated sentence. As a result of "good time", as well as mandatory and discretionary parole provisions, the actual sentence served is virtually guaranteed to be less than which is imposed by the judge.

If enacted, SB 67 would require that a victim of a crime, their family, as well as the public, be provided with an accurate statement of the period of the *minimum* period of time which must be served before the criminal is released. *At the very least*, the victim and their families, as well the public, deserve an honest and accurate assessment of the amount of time a criminal will actually be incarcerated. SB 67 would require that the judge do this.

SB 67 would also allow the Department of Corrections to receive *up to* \$617,000 in federal funds which are available to states which meet federal truth in sentencing guidelines.

T.E. Brown
LCDR, USCG (Ret)
Palmer, AK 99645

September 30, 1996

Senator Rick Halford
P.O. Box 670190
Chugiak, AK 99567

RECEIVED
OCT 11 1996
Ans'd.....

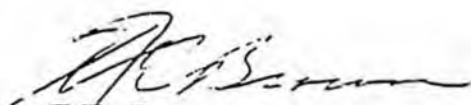
Dear Senator Halford,

The attached letter is pretty much self-explanatory. Perhaps it could have been better composed but it does express a Mothers' grief. To re-fresh your memory, this is about a man who took a girl out the Glenn Highway, stopped by the King Mountain Lodge, then proceeded on northbound, murdered the girl and dumped her body by the river.

This man should serve the entire 1,825 days of his 5 year sentence. To serve less would be an injustice to us all. After all, the crime was murder, although the Prosecution allowed him to plead down.

I am hopeful you will be able to forestall the early release of this convicted criminal.

Sincerely,


T.E. Brown

Dolores M. Johnston
RD #11 Box 873
Greensburg, PA 15601
(412) 834-7823
August 3, 1996

RE: Case 3 PAS.94-1013

To the Alaska Dept. Of Corrections and to Whom it May Concern (and Especially Those Victims of Murder):

This letter is written in total disgust of the Correctional System for asking to place Frank Osborn on furlough and placing him in the public workplace.

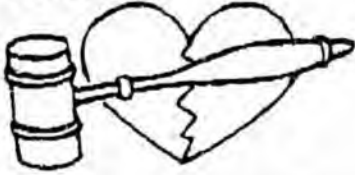
I feel he received a light sentence for MURDER, and this offering of work privileges is a real slap in the face to me as the mother of the victim. I was with the understanding at his sentencing in May that he was to serve five (5) years without parole -- WHAT DO YOU CALL THIS?! Maybe all of the intellectual people have forgotten the basics of conversation and statements. They seem to use "except", "if", "or" and "but" for all of their poor judgments in the court system. Excuses for CRIMINALS.

Concerning the five (5) year sentence, my heart was at ease for a while. How can you even recommend such a placement so soon after the sentence date, May 28, 1996? Doesn't the judge have the real say so?! Why bother having a judge if a lesser educated person is going to override his/her decisions. What a mockery! Go ahead, give Frank Osborn his request. It's your public surroundings, not mine. You can release him if I agree or not. I only hope that the next victim of his crime isn't your relative or daughter. You'll get to know the word "hurt". Do you know the mental anguish this has put me through, plus I've lost today's wages (8/2/96). I also understand a release date has been set for September 1997. This is not five (5) years! If pursuit of this furlough and release date is granted, I fear that a medical disability may occur due to the amount of stress I've endured, punishment more than the criminal Frank Osborn has to endure for murder. If work release is needed for finances, let him work in the facility cleaning the restrooms, etc., but he should remain behind bars! He already has three (3) balanced meals, housing, etc. -- better than most poor people -- more than a murderer deserves!!! I understand Frank didn't think I would have a problem with the furlough request. Well, "I DO"!!!

In my loving remembrance of Lorie.

Dolores M. Johnston

02703797 1870
VICTIMS



for Justice 619 East Fifth Avenue • Anchorage, AK 99501
(907) 278-0977 • Fax: (907) 258-0740

February 3, 1997

The Honorable Senator Rick Halford
State Capitol Room 121
Juneau, Alaska 99801-1182

Re: SB 67

Dear Senator Rick Halford,

Victims for Justice supports legislation that demands truth in sentencing. Victims of crime are overwhelmed by the criminal justice system as information is often withheld from families because it might affect the integrity of the case. The victim must struggle with continuances and is often traumatized as they begin to understand the laws protect the defendant's rights at the expense of the victims'. The victim's day in court finally arrives and the victims are permitted to give their victim impact statement as they anxiously await the sentencing. When the judge metes out the sentence a sigh of relief! Then the victim again becomes victimized when they realize that the defendant only serves a third of the sentence the judge imposes. Why does the court have to give the lay person misinformation? Why isn't the court required to tell the sentence as it is meant. "Truth in sentencing would eliminate another trauma from the victim.

Sincerely,

A handwritten signature in cursive script that reads "Janice Lienhart".

Janice Lienhart
Executive Director

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Senator Rick Halford
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

30 January 1997

Re: Senate Bill 67

Dear Senator Halford,

Today, I received a Senate Majority Fax regarding your Truth in Sentencing Act of 1997. I heartily support your efforts in this regard. It has long been my belief that if the public realized just how little time convicted criminals were actually incarcerated for their crimes, that same public would be appalled. And being thus appalled, would then rise up in righteous indignation and demand the changes that would return us to some common sense and sanity in our criminal justice system.

While many believe that our criminal justice system is broke and needs fixing or replacing, I disagree. I say there is nothing wrong with our criminal justice system and the principal behind it. The problem lies in how it has been perverted, and in some of the people who apply it.

Our criminal justice system is based on the idea that sufficient punishment deters crime. But that will only work if punishment is, in actuality, sufficient. It must also be both swift and sure. These days, it is none of the above.

Your bill, if passed, will go a long way toward helping to insure that punishments are sufficient by shining the light of public scrutiny on the sentencing actions and decisions of judges. I suspect that they will be less likely to be lenient with the public looking over their shoulder.

Very Truly Yours,


Levi Gudde

P.O. Box 240487
Anchorage, Alaska 99524-0487