

**SB**

**3**

# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. CS SB3 (RLS)

Revision Date/Time (Note if correction)	<u>2/18/99</u>	Dept. Affected	<u>Department of Corrections</u>
Title	<u>An Act relating to the crimes of murder, solicitation to commit murder in the first degree, manslaughter</u>	BRU	<u>Administration and Operations</u>
Sponsor	<u>Senator Halford</u>	Component	<u>All</u>
Requester	<u>Senate Rules</u>	Component Serial No.	<u>#0694</u>

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous		35.8	35.8	86.0	143.3	179.1
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>35.8</b>	<b>35.8</b>	<b>86.0</b>	<b>143.3</b>	<b>179.1</b>

<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>						

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
1002 Federal Receipts						
1003 GF Match						
1004 GF		35.8	35.8	86.0	143.3	179.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>35.8</b>	<b>35.8</b>	<b>86.0</b>	<b>143.3</b>	<b>179.1</b>

Estimate of any current year (FY99) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*

See attached analysis.

Prepared by <u>Bruce Richards</u>	Phone <u>465-3307</u>
Division <u>Commissioner's Office</u>	Date/Time <u>2/18/99 9:12 AM</u>
Approved by <u>Commissioner Margaret M. Pugh</u>	Date <u>2/18/99</u>
Agency <u>Department of Corrections</u>	

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## FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION  
DEPARTMENT OF CORRECTIONS

BILL NO. CS SB 3(RLS)  
PAGE 2 of 2  
DATE 2/18/99

Section 1. In consultation with the Dept. of Law it was determined this section will have a budgetary impact. However, it will most likely occur outside the scope of this fiscal note. This type of crime happens rarely and therefore is difficult to estimate the fiscal impact.

Section 2. The Dept. of Corrections does not anticipate a fiscal impact as a result of the changes made to AS 11.41.100.

Section 3 & 8. The Dept. of Law (DOL) estimates the changes proposed to AS 11.41.110(a) in conjunction with the sentencing changes under section six will impact one (1) case per year. The sentencing provisions will increase the mandatory minimum sentence from five (5) to twenty (20) years for a net gain of fifteen (15) years. Subtracting one-third for statutory good time, the actual increase in sentence will be ten (10) years per case.

Section 4. The DOL estimates the increase in penalty for criminally negligent homicide will impact one case per year. This section will raise the penalty from a class C felony to a class B felony. This will result in an additional sentence of one and a half (1.5) years. Subtracting one third for good time results in a total increase of one (1) year per case.

Section 5. No impact.

Section 9. The DOL estimates the changes proposed to AS 12.155.125(c) will impact one case per year. Under current sentencing provisions the offender would be sentenced to a five (5) year presumptive sentence. The proposed change would increase the presumptive sentence to seven (7) years for a net gain of two (2) years. Subtracting one third for statutory good time the actual increase in sentence will be 474 days per case.

Section 10. The impact from the proposed changes in section seven is difficult to project because the language is permissive and left to the discretion of the judge.

I-LS0028\H  
Luckhaupt  
3/9/99

3/22 adopted

HOUSE CS FOR CS FOR SENATE BILL NO. 3( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS HALFORD, Phillips, Donley, Green, Leman, Taylor, Pearce, Lincoln, Pete Kelly, Tim Kelly, Ward, Miller, Mackie

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the crimes of murder, solicitation to commit murder in the  
2 first degree, conspiracy to commit murder in the first degree, manslaughter, and  
3 criminally negligent homicide; relating to homicides of children; relating to  
4 registration as a sex offender or child kidnapper; relating to the crime of  
5 interference with custody of a child or incompetent person; and providing for an  
6 effective date."

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

8 \* Section 1. AS 11.31.110(c) is repealed and reenacted to read:

9 (c) Solicitation is

10 (1) an unclassified felony if the crime solicited is murder in the first  
11 degree;

12 (2) a class A felony if the crime solicited is an unclassified felony other  
13 than murder in the first degree;

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- (3) a class B felony if the crime solicited is a class A felony;
- (4) a class C felony if the crime solicited is a class B felony;
- (5) a class A misdemeanor if the crime solicited is a class C felony;
- (6) a class B misdemeanor if the crime solicited is a class A or class B misdemeanor.

\* Sec. 2. AS 11.41.100(a) is amended to read:

(a) A person commits the crime of murder in the first degree if

(1) with intent to cause the death of another person, the person

(A) causes the death of any person; or

(B) compels or induces any person to commit suicide through

duress or deception; [OR]

(2) the person knowingly engages in conduct directed toward [,

UNDER CIRCUMSTANCES MANIFESTING EXTREME INDIFFERENCE TO THE VALUE OF HUMAN LIFE, IN A PATTERN OR PRACTICE OF ASSAULT OR TORTURE OF] a child under the age of 16 and the person with criminal negligence

[, AND ONE OF THE ACTS OF ASSAULT OR TORTURE RESULTS IN THE DEATH OF THE CHILD; FOR PURPOSES OF THIS PARAGRAPH, A PERSON "ENGAGES IN A PATTERN OR PRACTICE OF ASSAULT OR TORTURE" IF THE PERSON] inflicts serious physical injury on the [A] child by at least two separate acts, and one of the acts results in the death of the child; or

(3) acting alone or with one or more persons, the person commits or attempts to commit a sexual offense or kidnapping against a child under 16 years of age and, in the course of or in furtherance of the offense or in immediate flight from that offense, any person causes the death of the child; in this paragraph, "sexual offense" means an offense defined in AS 11.41.410 - 11.41.470.

\* Sec. 3. AS 11.41.110(a) is amended to read:

(a) A person commits the crime of murder in the second degree if

(1) with intent to cause serious physical injury to another person or knowing that the conduct is substantially certain to cause death or serious physical injury to another person, the person causes the death of any person;

(2) the person knowingly engages in conduct that results in the death

1 of another person under circumstances manifesting an extreme indifference to the value  
2 of human life;

3 (3) under circumstances not amounting to murder in the first  
4 degree under AS 11.41.100(a)(3), while acting either alone or with one or more  
5 persons, the person commits or attempts to commit arson in the first degree,  
6 kidnapping, sexual assault in the first degree, sexual assault in the second degree,  
7 sexual abuse of a minor in the first degree, sexual abuse of a minor in the second  
8 degree, burglary in the first degree, escape in the first or second degree, robbery in  
9 any degree, or misconduct involving a controlled substance under AS 11.71.010(a),  
10 11.71.020(a), 11.71.030(a)(1) or (2), or 11.71.040(a)(1) or (2) and, in the course of or  
11 in furtherance of that crime [,] or in immediate flight from that crime, any person  
12 causes the death of a person other than one of the participants; [OR]

13 (4) acting with a criminal street gang, the person commits or attempts  
14 to commit a crime that is a felony and, in the course of or in furtherance of that crime  
15 or in immediate flight from that crime, any person causes the death of a person other  
16 than one of the participants; or

17 (5) the person with criminal negligence causes the death of a child  
18 under the age of 16, and the person has been previously convicted of a crime  
19 involving a child under the age of 16 that was

20 (A) a felony violation of AS 11.41;

21 (B) in violation of a law or ordinance in another jurisdiction  
22 with elements similar to a felony under AS 11.41; or

23 (C) an attempt, a solicitation, or a conspiracy to commit a  
24 crime listed in (A) or (B) of this paragraph.

25 \* Sec. 4. AS 11.41.130(b) is amended to read:

26 (b) Criminally negligent homicide is a class B [C] felony.

27 \* Sec. 5. AS 11.41.320(a) is amended to read:

28 (a) A person commits the crime of custodial interference in the first degree if  
29 the person violates AS 11.41.330 and causes the child or incompetent person  
30 [VICTIM] to be

31 (1) removed from the state; or



1 (6) violations, which characteristically involve conduct inappropriate  
2 to an orderly society but which do not denote criminality in their commission.

3 \* Sec. 7. AS 11.81.250(b) is amended to read:

4 (b) The classification of each felony defined in this title, except murder in the  
5 first and second degree, attempted murder in the first degree, solicitation to commit  
6 murder in the first degree, conspiracy to commit murder in the first degree,  
7 sexual assault in the first degree, sexual abuse of a minor in the first degree,  
8 misconduct involving a controlled substance in the first degree, and kidnapping, is  
9 designated in the section defining it. A felony under Alaska law defined outside this  
10 title for which no penalty is specifically provided is a class C felony.

11 \* Sec. 8. AS 12.55.125(b) is amended to read:

12 (b) A defendant convicted of murder in the second degree, attempted murder  
13 in the first degree, solicitation to commit murder in the first degree, conspiracy to  
14 commit murder in the first degree, kidnapping, or misconduct involving a controlled  
15 substance in the first degree shall be sentenced to a definite term of imprisonment of  
16 at least five years but not more than 99 years. A defendant convicted of murder in  
17 the second degree shall be sentenced to a definite term of imprisonment of at least  
18 20 years but not more than 99 years when the defendant is convicted of the  
19 murder of a child under 16 years of age and the court finds by clear and  
20 convincing evidence that the defendant (1) was a natural parent, a stepparent, an  
21 adopted parent, a legal guardian, or a person occupying a position of authority  
22 in relation to the child; or (2) caused the death of the child by committing a crime  
23 against a person under AS 11.41.200 - 11.41.530. In this subsection, "legal  
24 guardian" and "position of authority" have the meanings given in AS 11.41.470.

25 \* Sec. 9. AS 12.55.125(c) is amended to read:

26 (c) A defendant convicted of a class A felony may be sentenced to a definite  
27 term of imprisonment of not more than 20 years, and shall be sentenced to the  
28 following presumptive terms, subject to adjustment as provided in AS 12.55.155 -  
29 12.55.175:

30 (1) if the offense is a first felony conviction and does not involve  
31 circumstances described in (2) of this subsection, five years;

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(2) if the offense is a first felony conviction

(A) [.] other than for manslaughter [.] and the defendant possessed a firearm, used a dangerous instrument, or caused serious physical injury during the commission of the offense, or knowingly directed the conduct constituting the offense at a uniformed or otherwise clearly identified peace officer, fire fighter, correctional employee, emergency medical technician, paramedic, ambulance attendant, or other emergency responder who was engaged in the performance of official duties at the time of the offense, seven years;

(B) for manslaughter and the conduct resulting in the conviction was knowingly directed towards a child under the age of 16, seven years;

(3) if the offense is a second felony conviction, 10 years;

(4) if the offense is a third felony conviction and the defendant is not subject to sentencing under (1) of this section, 15 years.

\* Sec. 10. AS 12.55.125(k) is amended to read:

(k) A first felony offender convicted of an offense for which a presumptive term of imprisonment is not specified under this section

(1) may be sentenced to a term of unsuspended imprisonment that exceeds the presumptive term for a second or third felony offender convicted of the same crime if the offender is convicted of criminally negligent homicide and the victim is a child under the age of 16;

(2) except as provided in (1) of this subsection, may not be sentenced to a term of unsuspended imprisonment that exceeds the presumptive term for a second felony offender convicted of the same crime unless the court finds by clear and convincing evidence that an aggravating factor under AS 12.55.155(c) is present, or that circumstances exist that would warrant a referral to the three-judge panel under AS 12.55.165.

\* Sec. 11. AS 12.63.100(1) is amended to read:

(1) "aggravated sex offense" means

(A) a crime under AS 11.41.100(a)(3), or a similar law of

1 another jurisdiction, in which the person committed or attempted to  
2 commit a sexual offense, or a similar offense under the laws of the other  
3 jurisdiction; in this subparagraph, "sexual offense" has the meaning given  
4 in AS 11.41.100(a)(3);

5 (B) a crime under AS 11.41.110(a)(3), or a similar law of  
6 another jurisdiction, in which the person committed or attempted to  
7 commit one of the following crimes, or a similar law of another  
8 jurisdiction:

9 (i) sexual assault in the first degree;

10 (ii) sexual assault in the second degree;

11 (iii) sexual abuse of a minor in the first degree; or

12 (iv) sexual abuse of a minor in the second degree; or

13 (C) a crime, or an attempt, solicitation, or conspiracy to commit  
14 a crime, under AS 11.41.410, 11.41.434, or a similar law of another  
15 jurisdiction;

16 \* Sec. 12. AS 12.63.100(2) is amended to read:

17 (2) "child kidnapping" means

18 (A) a crime under AS 11.41.100(a)(3), or a similar law of  
19 another jurisdiction, in which the person committed or attempted to  
20 commit kidnapping;

21 (B) a crime under AS 11.41.110(a)(3), or a similar law of  
22 another jurisdiction, in which the person committed or attempted to  
23 commit kidnapping if the victim was under 18 years of age at the time of  
24 the offense; or

25 (C) a crime, or an attempt, solicitation, or conspiracy to  
26 commit a crime, under AS 11.41.300, or a similar law of another jurisdiction,  
27 if the victim was under 18 years of age at the time of the offense; [.]

28 \* Sec. 13. AS 12.63.100(5) is amended to read:

29 (5) "sex offense" means

30 (A) a crime under AS 11.41.100(a)(3), or a similar law of  
31 another jurisdiction, in which the person committed or attempted to

1 commit a sexual offense, or a similar offense under the laws of the other  
 2 jurisdiction; in this subparagraph, "sexual offense" has the meaning given  
 3 in AS 11.41.100(a)(3);

4 (B) a crime under AS 11.41.110(a)(3), or a similar law of  
 5 another jurisdiction, in which the person committed or attempted to  
 6 commit one of the following crimes, or a similar law of another  
 7 jurisdiction:

8 (i) sexual assault in the first degree;

9 (ii) sexual assault in the second degree;

10 (iii) sexual abuse of a minor in the first degree; or

11 (iv) sexual abuse of a minor in the second degree;

12 (C) a crime, or an attempt, solicitation, or conspiracy to commit  
 13 a crime, under the following statutes or a similar law of another jurisdiction:

14 (i) [(A)] AS 11.41.410 - 11.41.438;

15 (ii) AS 11.41.440(a)(2);

16 (iii) AS 11.41.450 - 11.41.458;

17 (iv) AS 11.41.460 [ , 11.41.440(a)(2), 11.41.450 -  
 18 11.41.458. OR 11.41.460] if the indecent exposure is before a person  
 19 under 16 years of age and the offender has a previous conviction for  
 20 that offense;

21 (v) [(B)] AS 11.61.125 or 11.61.127;

22 (vi) [(C)] AS 11.66.110 or 11.66.130(a)(2) if the person  
 23 who was induced or caused to engage in prostitution was 16 or 17 years  
 24 of age at the time of the offense; or

25 (vii) [(D)] former AS 11.15.120, former 11.15.134, or  
 26 assault with the intent to commit rape under former AS 11.15.160,  
 27 former AS 11.40.110, or former 11.40.200;

28 \* Sec. 14. APPLICABILITY OF SECTIONS 1 - 5 and 8 - 10. Sections 1 - 5 and 8 - 10  
 29 of this Act apply to offenses committed on or after the effective date of this Act. However,  
 30 previous convictions refer to convictions occurring before, on, or after the effective date of  
 31 this Act.

1 \* Sec. 15. APPLICABILITY OF SECTIONS 11 - 13. (a) A sex offender or child  
2 kidnapper with, before the effective date of this Act, (1) one conviction for an aggravated sex  
3 offense that is a violation of AS 11.41.110(a)(3); (2) two or more convictions for child  
4 kidnapping with at least one being a violation of AS 11.41.110(a)(3); or (3) one conviction  
5 for a child kidnapping that is a violation of AS 11.41.110(a)(3) and one conviction for a sex  
6 offense, regardless of whether the offender or kidnapper has been unconditionally discharged  
7 from that conviction or convictions, shall register under AS 12.63.010 by the 60th day after  
8 the effective date of this Act. A sex offender or child kidnapper who does not have a  
9 conviction for a sex offense, who has only one conviction for a child kidnapping that is a  
10 violation of AS 11.41.110(a)(3), and who has been unconditionally discharged from that child  
11 kidnapping on or after July 1, 1984, but before the effective date of this Act shall register  
12 under and otherwise comply with AS 12.63 by the 60th day after the effective date of this  
13 Act. A sex offender or child kidnapper who does not have a conviction for a sex offense,  
14 who has only one conviction for a child kidnapping, and who has been unconditionally  
15 discharged from a child kidnapping that is a violation of AS 11.41.110(a)(3), before July 1,  
16 1984, is not required to register under this Act.

17 (b) A conviction for a sex offense or child kidnapping before the effective date of this  
18 Act is a sex offense or child kidnapping for the purpose of the duration of registration  
19 requirement of AS 12.63.020(a).

20 (c) In this section, "aggravated sex offense," "child kidnapping," "sex offender or child  
21 kidnapper," and "sex offense" have the meanings given by AS 12.63.100, as amended by secs.  
22 11 - 13 of this Act.

23 \* Sec. 16. This Act takes effect immediately under AS 01.10.070(c).



**Sponsor Statement  
CS Senate Bill 3(RLS)**

600 E. K...  
W...  
Phone...

**"An Act relating to the crimes of murder, solicitation to commit murder in the first degree. Conspiracy to commit murder in the first degree, manslaughter, and criminally negligent homicide; relating to homicides of children; relating to registration as a sex offender or child kidnapper; relating to the crime of interference with custody of a child or incompetent person; and providing for an effective date."**

All too often, when a child is killed, even when the killer is convicted, they do not receive punishment commensurate with the severity of their actions. Tragically, this has especially been the case when very young children are killed. I believe these children, who are the most vulnerable members of our society, are owed far more than our criminal justice system has afforded them. SB 3 makes the following changes to our criminal statutes:

- *amends current law by adding a new form of first degree murder when the death of a child results from the commission or attempted commission of kidnapping, or of a sexual offense,*
- *expands the list of offenses constituting felony murder to include sexual abuse of a minor in the first and second degrees,*
- *adds a new form of second degree murder when a death of a child was caused with criminal negligence, and the offender has a previous conviction of certain crimes against a child,*
- • *elevates criminally negligent homicide from a class C to a class B felony,*
- *establishes a twenty year mandatory minimum sentence for a person convicted of a murder of a child under the age of sixteen,*
- • *increases the mandatory minimum sentence (from five to seven years) for manslaughter, when the victim is a child under the age of sixteen,*
- *establishes a new sentencing provision, which allows for a term of unsuspended imprisonment that exceeds the presumptive term, for certain felony offenses if the victim is a child under the age of 16,*
- *expands the crime of custodial interference in the first degree to include the act of keeping a child or incompetent person outside of the state,*
- *elevates solicitation of murder to an unclassified felony.*

Children deserve a responsible level of care when they are entrusted to an adult. SB 3 will help accomplish both the goals of deterrence and establishing a punishment more fitting the crime.

Identical legislation was considered by the 20th legislature and moved through the committee process in both bodies with unanimous bipartisan support before dying on the House calendar on the final day of session. Passage of this bill will correct serious deficiencies in our legal system. I urge your support.

# FISCAL NOTE

No. 4  
 Bill Version: SB 3  
 (S) Publish Date: 1-25-99

STATE OF ALASKA  
 1999 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Administration \_\_\_\_\_  
 Title "An Act relating to the crimes of murder..." BRU Legal and Advocacy Services  
 Component Office of Public Advocacy  
 Sponsor Senator Halford  
 Requester (S) JUD Component Serial No. 43

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	**	**	**	**	**	**
Travel	**	**	**	**	**	**
Contractual	**	**	**	**	**	**
Supplies	**	**	**	**	**	**
Equipment	**	**	**	**	**	**
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	**	**	**	**	**	**

<b>CAPITAL EXPENDITURES</b>	**	**	**	**	**	**
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<b>CHANGE IN REVENUES ( )</b>	**	**	**	**	**	**
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	**	**	**	**	**	**
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	**	**	**	**	**	**

Estimate of any current year (FY99) cost: \$ \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The Office of Public Advocacy is currently unable to provide precise cost data.

Prepared by Brant McGee, Public Advocate Phone 269-3500  
 Division Office of Public Advocacy Date/Time 1/22/99  
 Approved by Commissioner Robert G. Poe Date 1/22/99  
 Agency Administration

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# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

No. 3  
Bill Version: SB 3  
S) Publish Date: 1-25-99  
Dept. Affected: Law  
BRU: Criminal Division  
Component: 1st-4th Jud Dist, Crm Apps/Spec Lit  
Component Serial No: 2198-99/226179/01/03

Revision Date/Time (Note if correction) \_\_\_\_\_  
Title: An Act relating to the crime of murder and to  
murder of children.  
Sponsor: Senator Halford  
Requester: Senate Judiciary Committee

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 3 increases the penalties for those people who kill children. These changes will have no fiscal impact on the Department of Law. The department already aggressively pursues criminal cases involving the murder of a child. Enactment of this legislation will increase the penalties for those charged, but will not increase the department's workload.

Prepared by: Joan M. Kasson  
Division: Attorney General's Office  
Approved by Commissioner: Bruce M. Botelho, Attorney General  
Agency: Department of Law

Phone: 465-5370  
Date/Time: 1/22/99, 9:14 AM  
Date: 1/22/99

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FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

No. 2  
Bill Version: SB 3  
S) Publish Date: 1-25-99

Revision Date: \_\_\_\_\_  
Title: "An Act relating to the crimes of murder..."  
Sponsor: Senator Halford  
Requestor: (S) JUD

Department Affected: Administration  
BRU: Legal and Advocacy Services  
Component: Public Defender Agency  
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
PERSONAL SERVICES	**	**	**	**	**	**
TRAVEL	**	**	**	**	**	**
CONTRACTUAL	**	**	**	**	**	**
SUPPLIES	**	**	**	**	**	**
EQUIPMENT	**	**	**	**	**	**
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	**	**	**	**	**	**
CAPITAL EXPENDITURES	**	**	**	**	**	**
CHANGE IN REVENUES ( )	**	**	**	**	**	**

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	**	**	**	**	**	**
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY 98) cost: \$ \_\_\_\_\_

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared by: Barbara Brink, Director  
Division: Public Defender Agency

Phone: (907) 264-4414  
Date: \_\_\_\_\_

Approved by Commissioner: Robert Poe Jr.  
Agency: Department of Administration

Date: 1/22/99

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AMENDMENT

#1 3/22

OFFERED IN THE HOUSE

BY REPRESENTATIVE ROKEBERG

TO: HCS CSSB 3( ), Draft Version "H" dated 3/9/99

1 Page 3, line 20:

2 Delete "AS 11.41"

3 Insert "AS 11.41.100 - 11.41.300 or 11.41.410 - 11.41.458"

4 Page 3, line 22:

5 Delete "AS 11.41"

6 Insert "AS 11.41.100 - 11.41.300 or 11.41.410 - 11.41.458"

w/drawn



OFFICE OF THE CLERK

600 E. Kaliterna Avenue  
Washell, Alaska 99582  
Phone (907) 463-2999

## Sectional Analysis CS Senate Bill 3(RLS)

**Section 1.** Increases the penalty for the crime of solicitation of first degree murder from a Class A felony to an unclassified felony, bringing it in line with the crime of conspiracy to commit murder.

**Section 2.** (1) Simplifies the language and expands the range of conduct constituting this particular form of first degree murder. (2) Creates a new form of first degree murder when the death of a child results from the commission or attempted commission of kidnapping or a sexual offense.

**Section 3.** (1) Expands the list of offenses constituting felony murder to include sexual abuse of a minor in the first and second degrees. (2) Makes causing the death of a child with criminal negligence a form of second degree murder if there is a previous conviction of a crime against a child.

**Section 4.** Increases the penalty for criminally negligent homicide from a class C to a class B felony.

**Section 5.** Expands the definition of custodial interference to include keeping a child or incompetent person outside of the state.

**Section 6 and 7.** Adds solicitation to commit murder in the first degree and conspiracy to commit murder in the first degree to the listing of unclassified offenses and unclassified felonies.

**Section 8.** Establishes a mandatory 20 year minimum sentence for the murder of a child under 16 years of age, providing the assailant was a legal guardian, occupied a position of authority, or caused the death of the child by committing a crime against a person under AS 11.41.200 - 11.41.530.

**Section 9.** Increases the presumptive penalty for child manslaughter from 5 to 7 years.

**Section 10.** Allows the courts to sentence a first felony offender convicted of criminally negligent homicide of a child under 16 years of age to a longer sentence than the presumptive sentence for a second or third felony offender convicted of the same crime.

**Section 11.** Adds AS 11.41.100(a)(3) and certain offenses under AS 11.41.110(a)(3) to the definition of aggravated sex offense in the definition sections of the sex offender registration statutes.

**Section 12.** Adds AS 11.41.100(a)(3) and certain offenses under AS 11.41.110(a)(3) to the definition of child kidnapping in the definition sections of the sex offender registration statutes.

**Section 13.** Adds AS 11.41.100(a)(3) and certain offenses under AS 11.41.110(a)(3) to the definition of sex offense in the definition sections of the sex offender registration statutes.

**Section 14 and 15.** Bifurcates the applicability of the act.

Sections 1-8 apply to offenses committed on or after the immediate effective date.

Previous convictions refer to convictions occurring before, on, or after the effective date.

Sections 11-13 reach back to require registration for commission of a sex offense or a child kidnapping similar to those crimes established in AS 11.41.100(a)(3) or AS 11.41.110(a)(3) after July 1, 1984.

A conviction for a sex offense or child kidnapping before the effective date of this Act is a sex offense for registration requirements under AS 12.63.020(a).

**Section 16.** Immediate effective date

BILL: SB 218

SHORT TITLE: CRIMES OF MURDER & CHILD MURDERS

BILL VERSION: HCS CSSB 218(FIN)

SPONSOR(S): SENATOR(S) HALFORD, Green, Donley, Taylor, Leman, Duncan, Lincoln, Parnell, Kelly, Pearce, Sharp, Miller; REPRESENTATIVE(S) Ogan, Croft

CURRENT STATUS: 3RD RDG, 5/12 CAL(H)

STATUS DATE: 5/12 98

TITLE: "An Act relating to the crimes of murder, manslaughter, and criminally negligent homicide; relating to homicides of children; and relating to the crime of interference with custody of a child or incompetent person."

Jrn-Date Jrn-Page Action

1/12/98	2167	(S)	PREFILE RELEASED 1/9/98
1/12/98	2167	(S)	READ THE FIRST TIME - REFERRAL(S)
1/12/98	2167	(S)	JUD, FIN
2/12/98	2495	(S)	JUD RPT CS 3DP NEW TITLE
2/12/98	2495	(S)	DP: TAYLOR, MILLER, PEARCE
2/12/98	2495	(S)	INDETERMINATE FN TO SB & CS (ADM)
2/12/98	2495	(S)	ZERO FN TO SB & CS (COR, LAW)
4/02/98	3110	(S)	FIN RPT CS 7DP NEW TITLE
4/02/98	3110	(S)	DP: PEARCE, SHARP, PHILLIPS, PARNELL,
4/02/98	3110	(S)	ADAMS, DONLEY, TORGERSON
4/02/98	3110	(S)	PREVIOUS INDETERMINATE FN (ADM)
4/02/98	3110	(S)	PREVIOUS ZERO FNS (LAW, COR)
4/06/98	3159	(S)	RULES TO CALENDAR 4/6/98
4/06/98	3160	(S)	READ THE SECOND TIME
4/06/98	3161	(S)	FIN CS ADOPTED UNAN CONSENT
4/06/98	3161	(S)	COSPONSOR(S): DUNCAN, LINCOLN, PARNELL,
4/06/98	3161	(S)	KELLY, PEARCE, SHARP, MILLER
4/06/98	3161	(S)	ADVANCED TO THIRD READING UNAN CONSENT
4/06/98	3161	(S)	READ THE THIRD TIME CSSB 218(FIN)
4/06/98	3161	(S)	PASSED Y19 N- E1
4/06/98	3166	(S)	TRANSMITTED TO (H)
4/07/98	2897	(H)	READ THE FIRST TIME - REFERRAL(S)
4/07/98	2898	(H)	JUDICIARY, FINANCE
5/01/98	3395	(H)	JUD RPT HCS(JUD) 7DP
5/01/98	3396	(H)	DP: PORTER, ROKEBERG, CROFT, GREEN,
5/01/98	3396	(H)	JAMES, BUNDE, BERKOWITZ
5/01/98	3396	(H)	SENATE INDETERMINATE FN (ADM) 2/12/98
5/01/98	3396	(H)	2 SENATE ZERO FNS (COR, LAW) 2/12/98
5/06/98	3558	(H)	FIN RPT HCS(FIN) 8DP
5/06/98	3558	(H)	DP: THERRIAULT, MULDER, KOHRING, MARTIN,
5/06/98	3558	(H)	DAVIES, GRUSSENDORF, MOSES, KELLY
5/06/98	3559	(H)	SENATE INDETERMINATE FN (ADM) 2/12/98
5/06/98	3559	(H)	2 SENATE ZERO FNS (COR, LAW) 2/12/98
5/11/98	3826	(H)	RULES TO 1ST SUPPLEMENTAL CAL 5/11/98
5/11/98	3826	(H)	READ THE SECOND TIME
5/11/98	3827	(H)	FIN HCS ADOPTED UNAN CONSENT
5/11/98	3827	(H)	ADVANCED TO THIRD READING 5/12 CALENDAR
5/12/98	3904	(H)	MOVED TO BOTTOM OF CALENDAR
5/12/98	3940	(H)	NOT TAKEN UP
5/12/98	3941	(H)	CROSS SPONSOR(S): OGAN, CROFT

# Mother decries short sentence

## *Vows fight to change law so killers punished*

By LEE JORDAN  
Alaska Star Editor

Linda Tellsworth insists that justice was not served when the woman who killed her baby received a sentence that will make her eligible for parole after serving about 66 months in jail. Tellsworth has mounted a campaign to demand changes in the law.

"People need to know they will be held accountable if they kill a baby," Tellsworth said Monday. She is circulating flyers with her son's

picture and a heading that reads, "Murder this baby and you will only get 5 and 1/2 years! If you disagree, please contact your local senator."

Eagle River daycare operator Michelle Dague, 29, on Friday was sentenced by Judge Milton Souter to 20 years in prison with an additional 20 years suspended. Souter said, though, that Dague should be eligible for parole after serving as little as 5-1/2 years. If she is paroled, she would be required to be on probation for 10 years. She also was ordered to pay \$1,000 in restitution.

The sentence is the minimum in the range he had recommended, said John Novak, chief assistant district attorney. Novak had asked Souter to require Dague to spend 20 to 30 years in prison.

An Anchorage jury in April convicted Dague of killing 10-month-old Kyle Tellsworth who on Jan. 28, 1977 had been left at the home-based daycare center by his mother, a neighbor of Dague's. Dague initially denied harming the child, saying he had fallen. In (See MOTHER, Page 2)



**Linda Tellsworth is posting flyers with son Kyle's photo.**

STAR PHOTO BY LEE JORDAN

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## MOTHER:

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(Continued from page 1)

court, she admitted that she had thrown Kyle, who she said had been crying incessantly, during a moment of blind rage caused by a severe headache. She said she suffered from migraine headaches.

Novak's witnesses, however, testified that the woman had probably held the child's feet and forcefully slammed his head against something hard. During an interview, Tellsworth painstakingly and graphically described the massive injuries to Kyle's head that resulted in his death.

The jury convicted the woman of second degree murder.

Reaction to Souter's explanation of the sentence sent Tellsworth on a mission to change the law. "It's wrong," she said, adding that the judge had said there was no need for punishment in this case.

"Someone who kills a baby, no matter what the excuse, has to be held accountable," Tellsworth said. "Other people have to know that, no matter what the excuse, if they give in and do something terrible like this, they will have to pay the consequences."

The judge's explanation, Novak said, is required under a "truth in sentencing" law that was passed in the last year or so.

"The judge is required to tell what the sentence means," Novak said. The law is designed to "let people know that when a person is sentenced to 20 years, it doesn't mean that person will necessarily spend 20 years in jail."

---

***"Someone who kills a baby, no matter what the excuse, has to be held accountable."***

**— Linda Tellsworth**

---

Under sentencing guidelines, the prosecutor said Souter "had a lot of discretion. He could have imposed anywhere from five to 99 years in prison."

There is a difference between the federal system and the one under which Alaska operates, Novak said. In the federal criminal justice system, "good time maybe amounts to one month off for each year served." That would take 20 months off a 20-year sentence.

Under Alaska law, however, the offender is required to serve two-thirds of the presumptive time, then

one-third of the balance. Souter explained that under the law, five and a half years would be the earliest Dague could expect to be released, Novak said.

"It's up to the parole board" when she might be released, Novak said.

Tellsworth said she cannot accept the situation surrounding the event that changed her life.

"(Dague) will be at Hiland Mountain (Correction Center in Eagle River). Her family can go and visit her.

She's only spent 60 days in jail since she was arrested. And now they're going to let her out in five and a half years? That's wrong."

Tellsworth's flyers list Sen. Randy Phillips as the person to contact with demands for changes in the law.

Phillips said this week that he has directed his staff to investigate the case in order for him to see if the law was followed and to consider possible changes.

"It could be that (Tellsworth) is right," Phillips said. "It certainly raises questions in my mind."

STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION

July 23, 1998

The Honorable Randy Phillips  
Alaska State Senator  
P. O. Box 142  
Eagle River, AK 99577

Dear Senator Phillips:

This is in response to your request for our comments about the Alaska laws relating to child homicides, and the sentencing in those cases. Let us start by pointing out that we continue to support the ideas in Senate Bill 218, introduced last session by Senator Halford. That bill would have made several important changes in the laws that define homicides when the victim is a child. In general, the bill would have made many homicides more serious offenses, carrying more serious penalties.

In addition, the bill would have made many changes to the sentencing in child homicide cases. For example, under current law a judge has the discretion to give a sentence as low as five years for second degree murder. Indeed, were it not for the powerful and moving testimony and letters of Linda Tellsworth and her family and friends, we might not have gotten the sentence that we did in the recent case of the murder of Kyle Tellsworth. Senate Bill 218 would have changed the law such that 20 years of unsuspended time would be the *minimum* that could be imposed if the victim is under 16 and the death occurred by violent means. Senate Bill 218 would have also made sentences longer than are now being given, even if the defendant is convicted of lesser offenses such as manslaughter and criminally negligent homicide. We believe these are appropriate changes, and we support them.

PLEASE REPLY TO:

- CRIMINAL DIVISION CENTRAL OFFICE  
P.O. BOX 110300  
JUNEAU, ALASKA 99811-0300  
PHONE: (907) 465-3428  
FAX: (907) 465-4043
- CRIMINAL DIVISION CENTRAL OFFICE  
310 K STREET, SUITE 501  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 269-6379  
FAX: (907) 269-6321
- OFFICE OF SPECIAL PROSECUTIONS AND APPEALS  
310 K STREET, SUITE 308  
ANCHORAGE, ALASKA 99501-2064  
PHONE: (907) 269-6250  
FAX: (907) 269-6270

The Honorable Randy Phillips  
Alaska State Senator

July 23, 1998

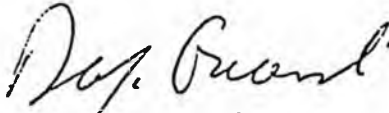
Page 2

We understand you will be meeting with Linda Tellsworth, and we ask that you convey to her our gratitude for her letters and testimony. We cannot hope to fully appreciate what she is feeling, and we know her testimony must have been painful for her.

Please contact us if we can be of further assistance.

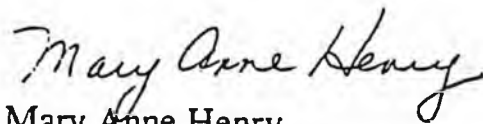
Sincerely,

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:   
Dean J. Guaneli  
Chief Assistant Attorney General

Sincerely,

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:   
Mary Anne Henry  
Assistant District Attorney

DJG:tg

729 East 75th Avenue  
Anchorage, AK 99518  
(907) 344-0616  
Feb. 24, 1999

FEB 24 1999

Senator Halford  
State Capitol Building  
Juneau, AK 99801

Dear Senator Halford:

We were pleased to hear that you support Senate Bill 3 that will give longer jail time to people that kill babies.

On June 9, 1997 we brought Timothy Kalmakoff home from the hospital. His birth mother, Karey Kalmakoff, wanted us to adopt him because she was not able to care for him. He was such a calm and peaceful baby. We loved and cared for him. On the tenth day, his birth mother wanted Timothy back. She couldn't live without him.

A month later, we were asked to go to the hospital. Five days later he died from being shaken to death. The medical staff said that Timothy had hemorrhages in his eyes that were in various stages of healing. The nurse told me that meant that he had been shaken repeatedly. He also had ribs that were healing. That means that baby Timothy lived in pain for much of the last month of his life.

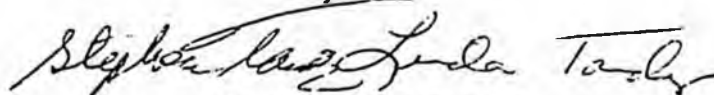
Mark Nusbaum, the boyfriend, was brought to trial ( Court No.3AN-S97-5750). The first trial was a hung jury. The second trial never took place. He is out with only a little over a year spent in jail.

It is our hope and prayer that no child ever has to go through what Timothy did. The only thing that gives us peace is that Timothy is safe in the arms of Jesus. No one can hurt him again.

We heard that people that kill babies do not get more than 2 years in jail. Now, we know that this is true. Why is the life of a baby of less value than an adult? We do not think so.

We support any bill that you pass that will tell everyone that babies and young children are valuable to the State of Alaska.

Sincerely,



Stephen and Linda Tandy



# Anchorage man charged with shaking

By DANIELLE STANTON  
Daily News reporter

An 18-year-old Anchorage man was charged Friday with second-degree murder in the death of his girlfriend's month-old baby.

Mark Adam Nusbaum allegedly killed the baby by shaking him while the mother was at work Sunday, according to documents filed

Friday in district court.

Nusbaum was being held Friday at Cook Inlet Pre-Trial Facility in lieu of \$250,000 bail, police spokesman Ron McGee said.

The baby, Tim Kalmakoff, died Thursday at Providence Alaska Medical Center. He had been on a life-support system since Monday.

An autopsy performed Friday by

a state medical examiner showed the baby had blunt traumatic injuries to the head, which are consistent with shaken baby syndrome. He also had fresh rib fractures, evidence of having been grabbed under the arms and violently shaken, the document says.

The autopsy also revealed evidence of earlier abuse — healed rib

## month-old infant to death

fractures and bruising on the chest wall — the document says.

Nusbaum told police detective Linda Branchflower that he sometimes became frustrated with the baby and would abruptly lay him down.

On Sunday, the baby continued to cry after his 19-year-old mother, Karey Kalmakoff, left for work,

Nusbaum told police. He said he had tried to feed the baby. Then he put him in a swing. When Nusbaum bounced the baby on his knee, the infant finally quieted down.

Nusbaum told police he called his girlfriend twice at work to tell her the baby seemed unusually tired, he

Please see Page B-3, INFANT

## INFANT: Man charged with shaking baby to death

Continued from Page B-1

told police.

Nusbaum took the baby when he went to pick up his girlfriend at work about 7 p.m. The mother noticed the baby seemed limp, that one pupil was larger than the oth-

er and that his skin was cold.

The couple immediately drove the baby to Alaska Native Medical Center. Nusbaum told a doctor that the baby had been in that condition since noon.

The child was later transferred to Providence.

**AUTHORIZATION FOR RELEASE OF MINOR AND/OR MINOR'S RECORDS TO PERSON OTHER THAN PARENT OR GUARDIAN**

Ataska Native Medical Center, 4315 Diplomacy Dr., Anchorage, Ak.

Name and Address of Facility Where Minor and/or Minor's Records Are Located:

I/We, as the parent(s) or guardian(s) of Timothy Adam Kalmakoff, born 6-8-97  
(Name of Minor) (Date)

at ANMC. hereby: (Mark out any statement that does not apply)  
(Place of Birth)

1. Authorize the Service Unit Director of the above facility, or his/her designee, to release, when ready for discharge, said minor into the care of:

Steve & Linda Tandy  
(Name of Individual or Agency)

Anchorage, AK  
(Address)

2. Authorize the Service Unit Director of the above facility, or his/her designee, to furnish information from or copies of said minor's health record, covering the following dates (Inclusive):  
6-8-97 to D/C, to:

Steve & Linda Tandy  
(Name of Health Professional or Agency)

(Address)

I/We have read the above (the above has been read and explained to me/us by: Joan E. Galt)  
and this consent is voluntarily executed. (Name) A.C.S.

PARENT(S) OR GUARDIAN(S):

Karen K. Kalnakoff  
(Signature)

6-9-97  
(Date)

2080 Diamond Dr  
(Address)

Anchorage, Alaska 99507  
(City) (State)

(Signature)

(Date)

(Address)

(City)

(State)

WITNESS:

Joan E. Galt  
(Signature)

6-9-97  
(Date)

ANMC. 4315 Diplomacy Dr.  
(Address)

Anchorage, AK 99508  
(City) (State)

Imprint of Minor's Identification Plate

(Name) Kalmakoff, Timothy Adam  
(Record #) 13-62-40  
(DOB) 6-8-97

**AUTHORIZATION FOR RELEASE OF MINOR AND/OR MINOR'S RECORDS TO PERSON OTHER THAN PARENT OR GUARDIAN**

January 22, 1999

Karen Campbell  
2024 Saratoga Ave.  
Anchorage, AK 99517

Senator Rick Halford  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Halford,

I am Karen Campbell, Bonnie Craig's mother. Bonnie was on her way to school when she was brutally raped and murdered September 28, 1994. Her murderer is still free, free to continue harming the children in our community.

Losing a child is the worst possible pain anyone could go through. The whole family is devastated for years to come. The struggles of dealing with such a senseless tragedy continue to affect my life and the life of Bonnie's brothers and sister. A child's future was taken away. We will never see her graduate from college, her wedding day, or the birth of children she planned. She could have been a doctor or a Nobel Prize Winner. Now, we only have pain and memories.

It saddens me greatly when criminals don't seem to get as much of a sentence for murdering an infant, toddler, or teenager, as they would an adult. Our children are worth so much more. It is our duty to protect our children, our future, and make sure anyone responsible for the death of a child will pay greatly.

I strongly support Senate Bill no. 218. I urge all our lawmakers to stand behind this bill and ensure its swift passage.

Sincerely,



Karen Campbell  
(907) 261-7662

STATE OFFICE  
**ALASKA PEACE OFFICERS ASSOCIATION**

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355

FEB 23 1999

February 19, 1999



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Anchorage

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John Lucking, Jr., Member  
Unalaska  
Pres. Aleutian Islands Chapter

Senator Halford  
Alaska State Legislature  
State Capital  
Juneau, Alaska 99801-1182

Dear Senator Halford,

At a recent meeting of the APOA Board of Directors, we unanimously agreed to endorse SB 3.

Please contact us if there is anything we can do to assist you with this bill as it proceeds through the legislative process. You may contact us at the APOA office in Anchorage at 277-0515.

Thank you for sponsoring this legislation.

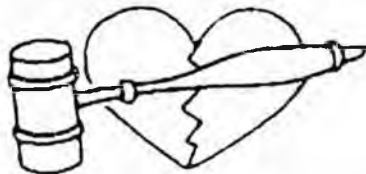
Sincerely,

John Charbonneau

State President

Alaska Peace Officers Association

## VICTIMS



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

January 21, 1999

Senator Robin Taylor, Chair  
Members of the Judiciary Committee  
State Capitol  
Juneau, AK 99801-1182

Re: YES on Senate Bill 3!

Dear Senator Taylor and Members of the Judiciary Committee:

*A child is dead!* Our minds stagger at the jarring impact. One of the greatest tragedies of all is the death of a child from abuse or neglect. It is not an accident when a child is so severely abused or neglected that it results in death. Parents/legal guardians deliberately murder children every year!

We are shocked and horrified by these senseless deaths of children. What remains equally senseless is that most of the people who murder these children receive very little jail time or no jail time at all.

Victims for Justice strongly supports the proposed Senate Bill 3: "relating to the homicide of children."

Crimes of violence that destroy our children must not be minimized or trivialized. It is time to ensure that those who abuse and kill our children are dealt with in the strongest possible terms. The laws must change so innocent children will be saved.

Please support the passage of Senate Bill 3.

Sincerely,

  
Cathy Satterfield  
Director

To Senate Staff:

I have been informed that CS SB 3(RLS) "Crimes of murder/Child Murders" by Senator Halford will be on the calendar tomorrow. Please be advised that the Department of Public Safety supports the Rules CS. We have worked with the sponsor on the bill and the committee substitute.

If you have any questions please feel free to call me.

Sandy Perry-Provost

--

Sandy Perry-Provost  
Special Assistant  
Department of Public Safety  
465-2649 tel  
465-4362 fax  
sandra\_perry-provost@dps.state.ak.us

RECEIVED  
JUL 03 1999  
Ans'd.....

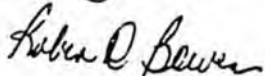
Sen. Rick Halford  
P.O. Box 670190  
Chugiak, AK 99567

Dear Senator Halford;

WASP (We Against Sexual Predators) would like to thank you for your recent letter updating us and informing us on the close of session status of your bills SB216, SB218, SB219. We express our continued support and determination to see your excellent work through to its completion in the up-coming term.

Thank you also for your heart for the children of Alaska and your diligence in presenting legislation long over-due for Alaska. We are indeed fortunate to have such a concerned Senator in our legislature.

Respectfully,



Robin D. Bowen  
Suzanne L. Olivieri  
WASP

Author: ruawaic@aonline.com (Administration)•at CC2MHS1  
Date: 1/26/98 4:58 PM  
Priority: Normal  
TO: Senator Rick Halford at LAA\_TRANS  
Subject: LSB218  
January 23, 1998

Senator Rick Halford  
State Capitol  
Juneau, AK 99801-1182

RE: SB218

Dear Senator Halford:

Thank you so much for sponsoring SB218, "An Act relating to the crime of murder and to murder of children." AWAIC provides shelter to children made homeless by domestic violence. In fact, at any given time, about sixty percent of our clients are children. As a long-time children's advocate, I certainly agree with your statement that children are the most vulnerable members of our society. They certainly deserve more protection than our society has afforded them. Your bill moves the system in the right direction. I appreciate your taking this initiative and will do whatever I can to provide support. Please let me know what I can do to be helpful.

Sincerely,

Jan MacClarence  
Executive Director

cc: Sen. Robin L. Taylor  
Sen. Drue Pearce  
Sen. Mike Miller  
Sen. Sean Parnell  
Sen. Johnny Ellis  
Lauree Hugonen, Alaska Network on Domestic Violence and Sexual  
Assault