

SB

240

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/17/06

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

Judiciary Committee considered SENATE BILL NO. 240

SB 240 DRUG OFFENSES: NEIGHBORS AS CRIME VICTIMS

"An Act relating to rights of crime victims."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

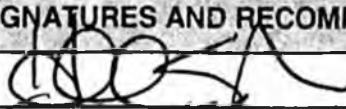
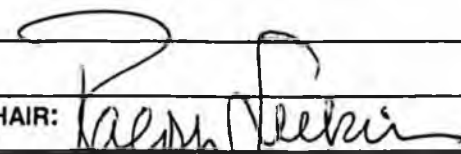
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
	X			
<i>Con Theriault</i>	X			
<i>Guthrie J. Lewis</i>	X			
CHAIR: 	✓			

ALASKA STATE LEGISLATURE



SENATOR HOLLIS FRENCH

SB 240- RIGHTS OF CRIME VICTIMS

Sponsor Statement

SB 240 provides neighbors of persons arrested for felony level crimes involving the manufacturing or sale of drugs a right to notification of the dates of trial, hearings, sentencing and appeals.

Around Alaska, neighbors of drug manufacturers or dealers suffer the consequences of what is occurring next door. Neighbors are often instrumental in providing information to the police about illegal activities, but presently are not entitled to receive notices of trial or sentencing dates, and so are unable to stay informed about what is happening in a matter that effects them personally.

Allowing these Alaskans to receive notice, if requested, of the case's status allows them the comfort of knowing that the case is progressing, and provides them with the information needed to attend a trial or sentencing if they wish.

In order to minimize the effect on busy prosecutors, the bill requires that neighbors must be on adjacent property, that the misconduct is at the felony level and that prosecutors only need to provide notice to neighbors who actually request it.

Keeping Alaskans who are victimized by criminal conduct informed of the status of cases helps ensure their peace of mind, and their willingness to continue to assist law enforcement in keeping our homes and communities safe. Please join me in supporting this bill and helping our neighbors to keep neighborhoods safe.

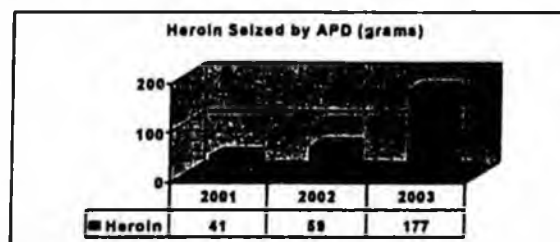
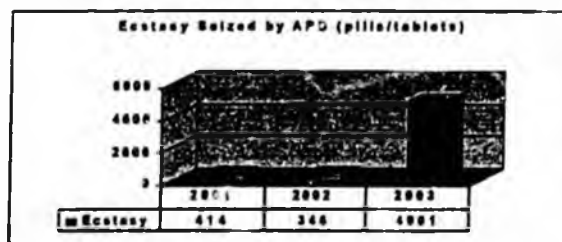
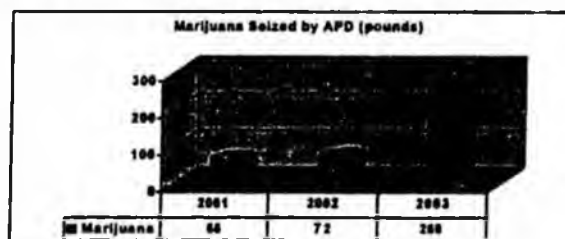
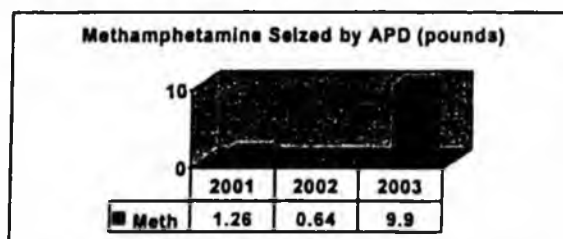
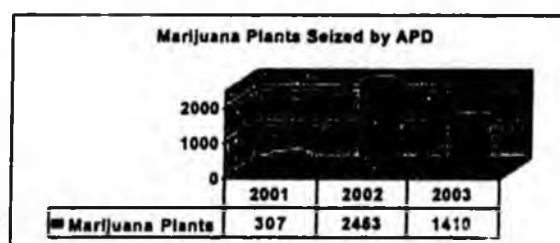
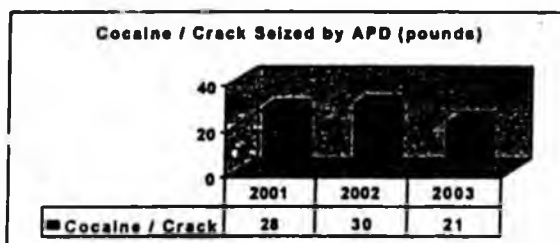


ANCHORAGE POLICE DEPARTMENT



The Anchorage Police Department (APD) reports another eventful year. The APD Drug Enforcement Unit, the Special Assignment and the Patrol Division had a total of 2,250 calls for service in 2003. Of those calls, 1199 reports were written, 845 people were arrested and 956 drug charges were filed. This year there were 15 meth labs seized and dismantled and 1,410 marijuana plants were seized from 33 marijuana grows.

Anchorage is seeing an increase in methamphetamine and Ecstasy being imported from the lower 48 and beyond. One case in point, DEA was brought in on a case initiated by APD that had rapidly grew beyond APD's resources. That case was brought to a successful conclusion and 26 people were arrested on conspiracy and other drug charges. Seizures in that case included approximately \$60,000 in cash, 1.8 pounds of meth powder, 6.5 pounds of crystal meth, 2 kilos of cocaine and 4,000 tablets of Ecstasy.



Mat-Su Drug Enforcement Team

The Mat-Su Drug Enforcement Team focuses on drug investigations within the Matanuska-Susitna region to include Palmer, Wasilla, Talkeetna, Glennallen, Valdez, and Cordova. The team is comprised of one AST sergeant, two AST investigators, one officer from the Palmer Police Department, one officer from the Wasilla Police Department, and three individuals from CDSP. The Mat-Su team works closely with the local police departments and the uniformed patrol section of the Alaska State Troopers to educate, train, and support their efforts related to drug enforcement.

This team's primary enforcement duties are marijuana cultivation, with more than 80% of their work directly related to marijuana grows. The Mat-Su region comprises the bulk of marijuana related seizures throughout Alaska and has long been recognized as the primary area of marijuana cultivation and distribution in the state.

The Mat-Su Drug team continued its aggressive marijuana grow eradication efforts during 2003, eradicating more than 44 marijuana grows and seizing over 3800 plants. Marijuana grows are not just large city or bedroom community problems.

The production of methamphetamine in illegal clandestine laboratories was also a significant problem across the Mat-Su area. During 2003, 10 meth labs were eradicated, compared to 6 labs in 2002. The rise in the number of seized meth labs indicates that meth use and manufacturing is a steadily growing problem in the Mat-Su area. ABADE is continually analyzing this situation and adjusting resources as needed to maintain an aggressive enforcement effort.

In February, the Mat-Su team investigated a large commercial marijuana growing operation in Wasilla. Based on information provided by Palmer patrol, investigators obtained a search warrant and discovered the operation in the crawl space of the residence. There were 2,034 marijuana plants and 441 un-rooted starter plants seized. After drying and processing, the marijuana had a weight of 6.64 pounds. Several recreational vehicles valued over \$17,000 were suspected of being purchased with proceeds from the operation and were subsequently seized.

During October, the Mat-Su team concluded two long-term investigations into the illegal trafficking of prescription medications, cocaine, psilocybin mushrooms, and weapons. ABADE worked in conjunction with Palmer AST, Palmer Police Department, Wasilla Police Department, Counter Drug Support Program, and the Alcohol Tobacco and Firearms (ATF). As a result of the combined effort, 27 arrest warrants were obtained for drug and weapons charges throughout the Mat-Su Valley. ABADE coordinated the use of over 60 state, federal and local law enforcement personnel to serve 20 search warrants on two separate days. As a result, over \$20,000 in cash, 45 weapons, and 5 vehicles were seized.

The Mat-Su team also utilized funds provided by the Alcohol Beverage Control Board for conducting alcohol sales compliance checks. These efforts are conducted at liquor package stores in order to detect whether the facilities are selling alcohol to underage customers.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 240-Courts-2-6-06
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Drug Offenses: Neighbors as Crime Victims RDU Alaska Court System
 Component Trial Courts
 Sponsor Senator French
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
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						
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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--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of SB 240.

Prepared by: Doug Wooliver, Administrative Attorney Phone 463-4750
 Division Alaska Court System Date/Time 2/6/06 @ 11:00 am
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date 2/6/2006
 Agency Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB240-LAW-CJI.-2-8-06
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to rights of crime victims." RDU Criminal
 Component Criminal Justice Litigation
 Sponsor Senator French
 Requester Senate Judiciary Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	*****	*****	*****	*****	*****	*****
Travel	*****	*****	*****	*****	*****	*****
Contractual	*****	*****	*****	*****	*****	*****
Supplies	*****	*****	*****	*****	*****	*****
Equipment	*****	*****	*****	*****	*****	*****
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*****	*****	*****	*****	*****	*****

CAPITAL EXPENDITURES						
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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 (Specify Type--Do not abbreviate)						
TOTAL	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

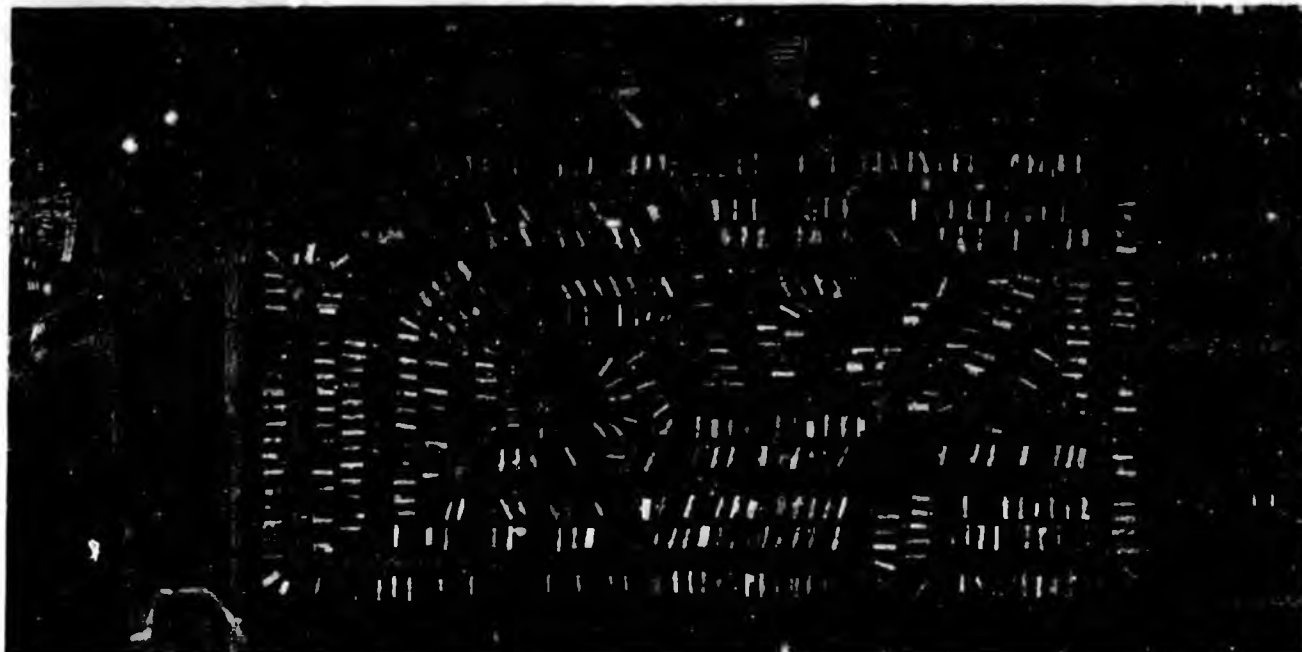
ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 12.61.010 (Rights of Crime Victims) by adding a new subsection that would make landowner and tenant victims in felony offenses involving the manufacture or delivery of a controlled substance on private property. If the landowner or tenant requests it, under this bill they are entitled to notification as spelled out in this statute.

The Department of Law is responsible for the requirement to notify victims of certain events in a prosecution. It is difficult to determine how much additional workload this bill will generate if it passes. As a result, the fiscal impact is indeterminate.

Prepared by: Kathryn Daughhete, Director Phone 465-3673
 Division Administrative Services Division Date/Time 2/8/06 2:31 PM
 Approved by: Kathryn Daughhete for David Márquez, Attorney General Date 2/8/2006
 Agency Department of Law

Google
Local



The Anchorage Police Department discovered and removed a methamphetamine laboratory from this trailer park on February 9th, 2005.

The major intersection in the photo is Minnesota Boulevard (North-South) and Dimond Boulevard (East-West).

Google
Local



The Anchorage Police Department discovered and removed a methamphetamine laboratory from this apartment complex on November 8th, 2005.

The major streets in the eastern half of the photo are C Street and A Street. This area is approximately four blocks south of Benson Boulevard.



Paper: Anchorage Daily News (AK)

Title: Drug agents shut down suspected meth lab in Fairbanks - HISTORY REPEATS: Woman witnesses second bust in two years

Date: September 19, 2002

Rachel Pinson was familiar with the scene she saw being played out when she looked out her window. Drug agents were poking around her neighborhood.

Two years ago, when she lived in North Pole, drug agents took toxic chemicals out of a suspected methamphetamine lab across the road.

This time it was the neighbor living in the Fairbanks apartment below her on Turner Street. When Pinson looked out her window Tuesday Lindsay Dale Brown was sitting on a picnic table in handcuffs.

Brown, 45, was arrested on a charge of fourth-degree misconduct involving a controlled substance for a small amount of **meth** found in his possession.

"He ended up snorting some before we knocked on the door," said Trooper Teague Widmier.

Brown and his girlfriend, Marie Myra, 36, also were charged with endangering the welfare of a minor by allegedly exposing Myra's 9-year-old daughter to the toxic chemicals used in cooking **meth**.

Troopers called the state Division of Family and Youth Services to take custody of the girl.

Other charges were pending.

Pinson thought from her previous experience she knew what a **meth** lab smelled like. Every morning while walking by her neighbors' trailer in North Pole she smelled the noxious fumes.

"That smelled like a perm," Pinson told The Fairbanks Daily News-Miner. But when neighbors at the apartment building where she moved two months ago told her the noxious fumes emitting from the apartment below her were from varnish used to make dolls, she believed them because the smell was different.

The smell, however, was enough to make her sick at times. Pinson told drug agents the smell nauseated her and her fiance Monday night.

Widmier believes Brown was cooking **meth** in his apartment and that's what caused the couple upstairs to become ill.

With the help of certified drug officers from Fairbanks, University of Alaska Fairbanks and North Pole police departments, the statewide drug unit removed an assortment of highly toxic and explosive chemicals normally associated with a suspected methamphetamine lab.

Widmier said the suspected lab is considered small, but has been active for a long time.

Authorities said once a search warrant was issued Brown cooperated and escorted drug agents around the apartment.

"He said he has been cooking for the last year, experimenting, refining the process," said trooper Sgt. Jeff Manns, head of the local branch of the statewide drug enforcement unit.

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Author: The Associated Press Wire

Section: Metro

Page: B4

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