

SB

150

Alaska State Legislature

Interim: (May - Dec.)
716 W. 4th Ave
Anchorage, AK 99501
Phone: (907) 269-0144
Fax: (907) 269-0148



Session: (Jan. - May)
State Capitol, Suite 30
Juneau, AK 99801-1182
Phone: (907) 465-3822
Fax: (907) 465-3756
Toll free: (800) 770-3822

Senator Bettye Davis @legis.state.ak.us
<http://www.akdemocrats.org>

Senator Bettye Davis

SB 150

"Relating To Crimes at Domestic Violence Shelters"

Sponsor Statement

Domestic violence is a serious, significant, preventable public health challenge. Domestic Violence is responded to by the combined efforts of law enforcement, social service agencies, the medical field, courts, Public Safety and Corrections.

Alaska has the distinction of being in the top five states for per capita domestic violence rates. Alaskan women are being killed by intimate partners at the rate of 1.5 times the national average. Alaska shelters provided 8,793 clients with services during 2005. According to an Anchorage Police Department report, 61% of the city's homicides in 2002 were directly related to domestic violence.

Women and children are typically the victims of domestic violence and abuse and many use local shelters. These Alaskans are especially vulnerable to violent crime victimization. These shelters are one of the few areas that offer safety from further violence.

Alaska needs to do more to ensure that our 19 shelters provide the secure environment these vulnerable members of our society need and should expect for their safety and recovery. Despite an emphasis on security measures, there are perpetrators of domestic violence who attempt to inflict further distress and harm to residents of these shelters. There have been recent incidents in Alaska where individuals have broken into shelters, or attempted to do so, with this intent. Due to presumptive sentencing laws, in many cases the perpetrator has not received a sentence commensurate with the seriousness of victimizing the vulnerable persons staying or working in these shelters.

This legislation will give juries, prosecutors, and judges the ability to impose stiffer sentences --- up to the maximum punishment for each offense --- for felonies committed on the premises of a shelter for victims of domestic violence or sexual assault. Passage of SB 150 provides an additional tool for judges and prosecutors to use to send a message that crimes committed on the premises of domestic violence shelters are deserving of maximum allowable punishment and that the safety of one of the most vulnerable populations in our state will be valued and ensured.

"As Alaskans it is our duty to provide the maximum protection under law to those in need while placing significant deterrents to those who perpetuate acts of violence on persons."

--Sen. Bettye Davis

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB150-LAW-CJL-4-11-07
 Bill Version: SB 150
 () Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: Law

Title An Act relating to crimes at domestic violence shelters

RDU Criminal

Component Criminal Justice Litigation

Sponsor SENATOR(S) DAVIS

Requester SENATE HES

Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would create an aggravating factor which would allow a court to increase a presumptive sentence for crimes committed on the premises of a shelter for victims of domestic violence or sexual assault. This proposed legislation should not have any fiscal impact on the Department of Law.

Prepared by: Robert Meiners, Admin. Services Manager
 Division: Administrative Services Division
 Approved by: Robert Meiners for Talis Colberg, Attorney General
 Agency: Department of Law

Phone 465-5427
 Date/Time 4/11/07 12:56 PM
 Date 4/11/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB150-DOC-A&O-4-11-0
 Bill Version: SB 150
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
 Title An Act relating to an aggravating factor at RDU Administration & Operations
sentencing for crimes committed at certain shelters and facilities. Component Office of the Commissioner
 Sponsor Senator Davis
 Requester House HESS Component No. 694

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation will not create a substantial fiscal impact for the Department of Corrections.

Prepared by: Sharleen Griffin, Director
 Division: Administrative Services
 Approved by: Dwayne Peeples, Deputy Commissioner
 Agency: Department of Corrections

Phone (907) 465-3339
 Date/Time 4/11/07 12:14 PM
 Date 4/11/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB150-DOA-OPA-4-12-07
 Bill Version: SB150
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An Act relating to an aggravating factor at sentencing RDU: Legal and Advocacy Services
 Component: Office of Public Advocacy
 Sponsor: Senator Davis
 Requester: _____ Component No. 43

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type-Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill creates a sentencing aggravator when the state establishes that the defendant committed the offense on the premises of a shelter or facility that provides services to victims of domestic violence or sexual assault.

This bill is not expected to have a fiscal impact.

Prepared by: Joshua Fink, Director Phone (907) 269-3501
 Division: Office of Public Advocacy Date/Time 4/12/07 11:04 AM
 Approved by: Rachael Petro, Deputy Commissioner Date 4/12/2007
 Agency: Administration

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB150-DOA-PD-4-11-07
 Bill Version: SB150
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An Act relating to an aggravating factor at sentencing RDU: Legal and Advocacy Services
 Component: Public Defender Agency
 Sponsor: Senator Davis
 Requester: _____ Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type—Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill creates a sentencing aggravator when the state establishes that the defendant committed the offense on the premises of a shelter or facility providing services to victims of domestic violence or sexual assault.

This bill is not expected to have a fiscal impact on this agency.

Prepared by: Quinlan Steiner, Director
 Division: Public Defender Agency
 Approved by: Rachael Petro, Deputy Commissioner
 Agency: Department of Administration

Phone: (907) 334-4414
 Date/Time: 4/11/07 4:55 PM
 Date: 4/11/2007

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

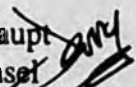
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 2, 2007

SUBJECT: Sectional Summary -- SB 150 (Work Order No. 25-LS0803\A)

TO: Senator Bettye Davis

FROM: Gerald P. Luckhaupt
Legislative Counsel 

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1. Amends AS 12.55.155(c)(34) by providing a new aggravating factor that may be proven to increase a felony sentence beyond the presumptive range for the offense.

Section 2. Provides an applicability section.

GPL:ljw
07-184.ljw

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3887 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 8th St., Rm. 329

MEMORANDUM

March 5, 2007

SUBJECT: Aggravating Factors at Sentencing
(Work Order No. 25-LS0606\C)

TO: Representative Andrea Doll
Attn: Terry Harvey

FROM: Gerald P. Luckhaupt *JPL*
Legislative Counsel

You have asked for an explanation of how aggravating factors at sentencing work. AS 12.55.125 provides sentences for felonies. AS 12.55.125(c) - (e) and (i)¹ provide presumptive sentencing ranges for class A, B, and C felonies. AS 12.55.155(a) provides:

(a) Except as provided in (e) of this section, if a defendant is convicted of an offense and is subject to sentencing under AS 12.55.125(c), (d), (e), or (i) and

(1) the low end of the presumptive range is four years or less, the court may impose any sentence below the presumptive range for factors in mitigation or may increase the active term of imprisonment up to the maximum term of imprisonment for factors in aggravation;

(2) the low end of the presumptive range is more than four years, the court may impose a sentence below the presumptive range as long as the active term of imprisonment is not less than 50 percent of the low end of the presumptive range for factors in mitigation or may increase the active term of imprisonment up to the maximum term of imprisonment for factors in aggravation.

Factors in aggravation are provided in AS 12.55.155(c). Factors in mitigation are provided in AS 12.55.155(d). Factors in aggravation and mitigation, if proven, must be considered by the sentencing court.

GPL:med
07-150.med

¹ AS 12.55.125(i) provides the sentencing ranges for sexual offenses.

Terry Harvey

From: Peggy Brown [pbrown.andvsa@alaska.com]
Sent: Tuesday, February 13, 2007 1:47 PM
To: Terry Harvey
Subject: RE: Statutes regarding shelters

AS 18.66.990. Definitions.

In this chapter,

- (1) "council" means the Council on Domestic Violence and Sexual Assault;
- (2) "crisis intervention and prevention program" means a community program that provides information, education, counseling, and referral services to individuals experiencing personal crisis related to domestic violence or sexual assault and to individuals in personal or professional transition, excluding correctional half-way houses, outpatient mental health programs, and drug or alcohol rehabilitation programs;

Peggy Brown, Executive Director
Alaska Network on Domestic Violence
& Sexual Assault
130 Seward Street, Suite 209
Juneau AK 99801
(907) 586-3650 Ext. 22
(907) 463-4493 fax
www.andvsa.org

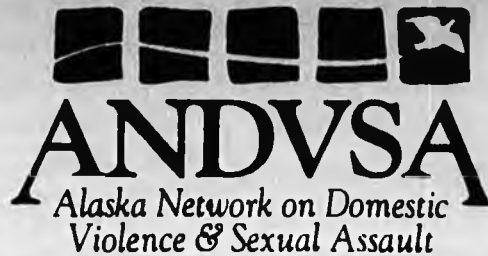
-----Original Message-----

From: Terry Harvey [mailto:Terry_Harvey@legis.state.ak.us]
Sent: Tuesday, February 13, 2007 12:59 PM
To: pbrown.andvsa@alaska.com
Subject: Statutes regarding shelters

I will investigate this and find, but I wanted to ask you if you knew off hand if there are specific statutes that detail or certify exactly what a domestic violence center or safe house is in Alaska. Thanks

Terry Harvey
Rep. Doll office

Juneau Office
130 Seward St #209
Juneau, Alaska 99801
Phone: (907) 586-3650
Fax: (907) 463-4493
www.andvsa.org



Sitka Office
PO Box 6631
Sitka, Alaska 99835
Phone: (907) 747-7545
Fax: (907) 747-7547

March 30, 2007

The Honorable Senator Betty Davis
State Senate
Alaska State Capitol
Juneau, AK 99801-1182

RECEIVED!
APR 02 2007

Dear Senator Davis:

The Alaska Network on Domestic Violence & Sexual Assault is a coalition of member shelter and community based programs across the state who provide direct services and advocacy for victims of domestic violence and sexual assault. We would like to offer you our full support for the Safe Shelter Legislation – An act which will make it an aggravating factor at sentencing if a person breaks into a shelter/safe home for victims of domestic violence and sexual assault.

We cannot merely be informed by the statistic that we are number one in the entire nation for forcible sexual assaults and men murdering women; we must act. We must provide our courts with tools to deter violent offenses and hold offenders accountable. Crimes such as trespassing, breaking and entering, or assault, which are committed at a shelter, would be subject to an aggravating factor that could be presented to a jury and judge. This will give the jury and judge the ability to consider a punishment above the presumptive range. Of all people, a person seeking safety and sanctuary at a shelter for abuse victims deserves to be as safe and secure as possible.

Crimes committed in shelters and safe houses in Alaska are unfortunately occurring in spite of the strict security provided by staff and local law enforcement officials. We must do everything we can to make these shelters as safe as they possibly can be by punishing to the maximum those who violate the sanctuary sought by victims."

If I can be of further service to your endeavors, please let me know.

Sincerely,

Peggy Brown, Executive Director

Member Programs

Anchorage AWAIC, AWRC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE
Fairbanks IAC Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC
Kotzebue MFCC Nome BSWG Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV

Several years ago, a man attempted to break into the shelter. I held the door shut until the police arrived.
Barrow, Arctic Women in Crisis (AWIC)

We had an incident where a father came and took two of his three children. He made a dash to Fairbanks with the two children. We went to court and got a restraining order that ordered him to return the children. We now have security doors on our offices and locking security doors for after hours.

Seward, Seaview Community Services (SCS)

We had our building and offices broken into twice last year. The perpetrators were looking specifically for money but the women and children in house were re-traumatized.

Janet Ahmasuk

Nome, Bering Sea Women's Group (BSWG)

We have had people attempt to break in - I can remember at least 5 times in the last 7 years someone has been forcefully trying to get in - Law Enforcement considered it "trespassing" since they didn't get in the door.

Fairbanks, Interior Alaska Center for Non-Violent Living (IAC)

TWC's only incidences have occurred when someone waits outside in the parking lot or street OR on two occasions have waited for someone exiting and then grabbed the door and come in. We're fortunate that under threat of police being called, the perpetrators have left without further incident.

Bethel, Tundra Women's Coalition (TWC)

April 16, 2007

**Alaska State Legislature
Senator Betty Davis
ATTN: Donna Fleagle
State Capitol**

**My name is Nellie Sears and I am a Safe Home Provider here in Point Hope, Alaska and
I am in total support of Senate Bill 150.**

Thank you,

Nellie Sears

Nellie Sears



State of Alaska

Department of Public Safety

Council on Domestic Violence & Sexual Assault

Sarah Palin, Governor
Walt Monegan, Commissioner

April 17, 2007

Senator Bettye Davis
State Capitol, Room 30
Juneau, Alaska 99801

Dear Senator Davis:

The Council on Domestic Violence and Sexual Assault supports SB150, "An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities". We welcome legislation that addresses strong accountability for individuals committing crimes at domestic violence shelters and programs.

Over 65,000 nights of safe shelter were provided to victims of domestic violence and/or sexual assault last year by Council-funded programs in Alaska. The thousands of victims served are primarily women and children who were not safe in their own homes.

Domestic violence crimes are always serious. Commission of the crime at a facility where people have gone seeking safe shelter is particularly offensive. The perpetrators of such crimes should be held accountable by being subject to a higher penalty at sentencing.

Thank you introducing this legislation to enhance safety services in Alaska for victims of interpersonal violence.

Sincerely,

A handwritten signature in cursive script that reads "Chris Ashenbrenner".

Chris Ashenbrenner
Interim Program Administrator

Tanana Chiefs Conference

Chief Peter John Tribal Building

122 First Avenue, Suite 600

Fairbanks, Alaska 99701-4897

(907) 452-8251 Fax: (907) 459-3850

SUBREGIONS

UPPER

IGIENQWIM

McGrath

Medina

Niutai

Talotna

Telida

April 17, 2007

LOWER YUKON

Anvik

Grayling

Holy Cross

Shageluk

The Honorable Senator Bettye Davis

State Senate

Alaska State Capitol

Juneau, AK 99801-1182

UPPER TANANA

Dot Lake

Eagle

Healy Lake

Northway

Tanacross

Tetlin

Tot

The Tanana Chiefs Conference (TCC) strongly supports the letter and intent of SB 150. Over the years, tribal leaders of the Interior Alaska villages have passed numerous resolutions at TCC's Annual Convention focusing on the need to provide safety to residents of rural Alaska. Unfortunately women and other victims of domestic violence who reside in Alaska's rural communities have nowhere near the access to the protection and services afforded other Alaskan citizens who reside in the state's more metropolitan areas. Many victims of domestic violence living in the remote villages of the Interior rely on local safe homes which have been established through federal funding obtained by their tribal governments under the Family Prevention and Services Act. Local individuals who work with their tribal government to provide a safe place for victims of domestic violence do so with the knowledge that they have little or no back-up from state law enforcement and only limited support from its judicial system in the event that a perpetrator elects to violate the haven they provide to victims and children. SB 150 is a step in the right direction and at very least sends a strong message that the consequences for felonious acts perpetrated at a shelter or safe home can and should be based on what they really are- escalated acts of violence which can result in harsher penalties.

YUKON FLATS

Arctic Village

Beaver

Birch Creek

Canyon Village

Chalylituk

Circle

Fort Yukon

Venetie

For justice and the protection of victims of domestic violence, their children and the shelter staff and courageous rural residents who open their hearts and homes to provide safe havens throughout the state, the Tanana Chiefs Conferences strongly supports SB 150.

YUKON

NOYURUK

Galena

Huslia

Katag

Koyukuk

Nulato

Ruby

Sincerely,

YUKON TANANA

Alaina

Aktavik

Evansville

Fairbanks

Hughes

Lake

Minchumina

Manley Hot

Spings

Minto

Nenana

Rampart

Stevens Village

Tanana

TANANA CHIEFS CONFERENCE

Jerry Isaac, President

**Donne Fleagle, Intern
Senator Bettye Davis Office
Testimony**

SB 150 "Relating To Crimes at Domestic Violence Shelters"

On July 25, 2005 Representative Andrea Doll witnessed an event at the Juneau AWARE facility hence SB 150 and HB 213; responses to that experience.

Domestic violence is a serious, significant, preventable public health challenge. Alaska has the distinction of being in the top five states for per capita domestic violence rates and Alaska's women are being killed by their partners at the rate of 1.5 times the national average. In 2005, Alaska shelters provided services to 8,793 clients.

This bill will not solve this social ill however it will bring attention to protecting victims of domestic violence and will serve to draw the public's attention to the need for social change and the responsibility we have as citizens to protect the most vulnerable of populations. Over time this learned behavior will change when it is generally known that such behavior can result in additional time spent incarcerated. Anchorage has seen that over time rape is committed without the use of weapons because it is known that should a weapon be used, the stakes go up considerably.

This legislation will give the courts the ability to impose additional time beyond the presumptive sentence for felonies committed on the premises of a shelter or a facility providing services to victims of domestic violence or sexual assault.

Passage of Senate Bill 150 provides a tool that can be used to send a message that crimes committed on the premises of a shelter or a facility providing services to victims of domestic violence or sexual assault are deserving of the maximum allowable punishment and that the safety that is expected in such an environment will be enforced and respected.

The language in this bill was left purposely "broad" allowing the courts of each jurisdiction to determine the definition of "facilities" and "services." If such a word as "residential" were to be added, it would eliminate STAR, a rape crisis center. It is not tied to particular facilities or services. Victims receive services in other places and are entitled to protection. In Rural Alaska there are "recognized" safe homes which do not receive funds from the Council on Domestic Violence. In this instance, again, the courts determine the definitions.

April 17, 2006

To Whom It May Concern:


Families residing at domestic violence shelters have experienced violence first hand, and the children have witnessed acts of violence or experienced violence first hand. These families require a safe and nonviolent environment to begin the first step toward healing.

When there is fear that a perpetrator can enter the shelter and commit more violent acts, then these families are left feeling vulnerable and hopeless. Victims of domestic violence and sexual assault in rural communities may have access to few resources—they often want to avoid staying with family or friends because this might put their family members and friends at risk. If the shelter or safe home is not a secure environment, where can they go?

In Barrow, we have perpetrators that threaten shelter staff and shelter residents. Certainly, these acts of terror intimidate and inflict further distress and leave victims believing that they are not safe anywhere and that their perpetrators do not receive sentences commensurate with their crimes. Thus, they are re-victimized and left feeling completely alone.

Please pass Senate Bill 150, so families in need can have access to the safe and supportive environments they so desperately need.

Sincerely,


Virginia C. Walsh MSW
Clinician
Arctic Women in Crisis

April 17, 2007

To Whom It May Concern:

While it is true that Alaska has the distinction of being in the top five states for per capita domestic violence I, as a DV/SA counselor, have seen a more upfront and personal face to domestic violence. I have worked at Artic Women In Crisis for eight years and have taken care of the women and their children who have been victims of domestic violence.

When women and their family flee to any shelter, especially in a rural setting, they are in fear of their lives. When further trauma is perpetrated on them by the fear that a perpetrator will follow them to the shelter and break into their only haven, it's devastating. I have personally attended women who have stayed up all night watching over their children and no amount of reassuring from staff will calm them. It needs to be addressed now. One way to accomplish that is to send the message to those who would ignore the current law and make the punishment for violating the sanctity of the shelters and safe homes much stiffer.

I encourage you to pass Senate Bill 150 and send that message loud and clear to all Alaskans. Thank you for listening to one person's concern over what should be all of our concerns.

Sincerely,

Carolyn Sholley
Counselor II
Artic Women In Crisis

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 3/30/07

FURTHER: Judiciary

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

DATE TURNED
IN TO OFFICE: 4/18/07

Health, Education and Social Services Committee considered

SENATE BILL NO. 150

SB 150 CHIMES AT DOMESTIC VIOLENCE SHELTERS

"An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities."

and recommends:

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

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Adm/OEA	4/12			✓
Adm/PDA	4/11			✓
Cor	4/11			✓
Law	4/11			✓

PREVIOUS FISCAL NOTE(S):

APPROPRIATION - no fiscal note

<i>[Signature]</i>	<i>[Signature]</i>	✓			
<i>[Signature]</i>	<i>[Signature]</i>	✓			
CHAIR: <i>Bettye Davis</i>	<i>B. Davis</i>	X			