

STATUTORY CHANGES WHICH WOULD BE REQUIRED BY ENACTMENT OF SB91 (VERSION "R.A"), REV. 6/28¹				
Category	Description of statutory changes	ACJC?²	SB91 sec.	Eff³
MJ tax revenue	Legislative intent language: If excise taxes on marijuana on are lower than projected for FY2017, legislature may appropriate money from the alcohol and drug prevention fund established with alcohol tax proceeds to cover shortfall. Any excess funds shall be used for providing additional law enforcement resources.		1	
Recidivism reduction fund	Adding to MJ tax statute. 50% of excise tax shall be collected and deposited into new recidivism reduction fund, established in general fund. The legislature may use the annual estimated balance in the fund to make appropriations to DOC, DHSS, or DPS for recidivism reduction programs.		162	7/16
Alcohol restrictions imposed by court or parole board	Adding that person ordered to refrain from consuming alcohol as a probation or parole condition or as part of a sentence for any crime is restricted from the purchase of alcohol during that period; if person consumes, its an "A" misdemeanor		2	7/16
	When court or parole board has ordered a deft to refrain from possessing or consuming alcohol under Title 28 or related municipal law, the surrender of driver's license/ID is required, the order must be reported to DMV, and the new license or ID issued by DMV must show the alcohol restriction.		102 (ct) 140 (PB)	7/16; 1/17
	DHSS in cooperation with DOC shall use a competitive procurement process for one or more vendors in order to monitor persons with conditions under 12.30 or probation conditions that include no consumption of CS or alcohol. Must include requirements for twice a day testing (ref. 24/7 programs) <u>either remotely</u> or in person, and have capability to report on failure to comply with remote tests.		173	1/17
Civil forfeiture	No civil forfeiture allowed if used instead of a criminal proceeding.		3	7/16
License revocations, limited licenses and therapeutic court cases	DMV shall rescind DL revocation when person is acquitted of DUI/Refusal charges or when all DUI related charges in a case have been dismissed without prejudice.		101	7/16
	Court or DMV may grant limited license for felony DUI offender who: successfully participated or has participated for at least 6 months in a court ordered treatment program, proof of insurance is provided, person is required to use an ignition interlock OR, if there is no therapeutic court in the offender's community, provide proof of completion of other satisfactory course of treatment and clear and convincing evidence of sobriety for 18 months.		103	7/16
	Providing that DMV MAY restore a driver's license revoked for felony DUI if 10 years elapsed and there have been no <u>driving</u> related criminal convictions, and SHALL restore if person successfully drove with limited license for 3 years, there have been no subsequent DUI/Refusal convictions, completed court ordered treatment as specified by statute, is otherwise eligible, and provides proof of financial responsibility.		109	7/16
	Expressly approving authority of Title 28 therapeutic court to reduce fines or DL revocations terms.		106	7/16
Public assistance ban	Modification of federal ban on Food Stamps/TANF, allowing those convicted of drug felonies and otherwise eligible to receive benefits when they show probation compliance or other proof of rehabilitation.	1-2015	169	7/16

¹ Please contact [Mary Geddes](#), 907-279-2526 x18, with corrections.

² ACJC column refers to any related Commission recommendation to the Legislature which appears to have been the basis for the statutory revision.

³ If Governor Walker signs bill, effective date of provision.

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff.
Crimes clarified	Amending arson 3, rd to include burning a vehicle belonging to someone else on private property..		16	7/16
	Amending sexual trafficking offenses to clarify trafficking must involve another.		37-39	7/16
	Clarifying what does not constitute "instituting, aiding or facilitating prostitution."		40	7/16
Immunity for assistance and cooperation	No prosecution for prostitution if person witnessed or were the victim of a homicide, an assault, a robbery, coercion or extortion, child pornography or sex trafficking as long as evidence was derived from the report and the reporter cooperated.		36	7/16
	Existing provision now updated with MICS statute number changes, i.e. no prosecution for some drug offenses if person had sought assistance for themselves or another who was experiencing a drug overdose as long as the evidence derived from the report and the reporter assisted and cooperated.		49	7/16
Arrest and citation	Peace officer may now cite for class C felony as well as misdemeanor offenses.	1.a	51	7/16
	Allowing arrest authority if peace officer has probable cause for Violations of Conditions of Release (VCOR) and Failure to Appear (FTA) even though those are minor offenses (meaning violations/infractions).	1.b	51	1/17
	No civil liability for officer's failure to comply with AS 12.25.180.		52	1/17
	Mandating at least two working days' notice of court date for citation based on class C felony or misdemeanor.	(1.a)	53	1/17
	Mandating at least five working days' notice of court date for citation based on infraction or violation.	(1.a)	54	1/17
Pretrial Services	Authorizing DOC to establish pretrial services program.	2-4	117	1/18
	Directing use of pretrial risk assessment instrument that is objective, evidence-based and validated for the state's population.	2.a	117	1/18
	DOC to adopt regulations for process in consultation with DOL, PD, DPS, OVR and Court.	2.a.	117	1/18
	Program will hire pretrial officers who will be officers of the court and are authorized to: <ul style="list-style-type: none"> • conduct pretrial risk assessments • make recommendations for release • arrest without warrant if PC to believe deft committed crime or violated conditions • refer interested deft for voluntary assessment and treatment for substance abuse • recommend court. ordered program if offense involved use of alcohol and/or drugs • coordinate with community based organizations and tribal courts and councils to develop and expand pretrial diversion, and • recommend pretrial diversion. 	3.a,	117	1/18
	A pretrial services officer may supervise a defendant released while awaiting trial, imposing the least restrictive level of supervision that will reasonably ensure the appearance of the person in court and the safety of the victim, other persons, and the community, and prioritizing higher levels of supervision for a defendant accused of serious charges or assessed as moderate or high risk under a pretrial risk assessment. The commissioner may procure and enter into agreements or contracts for the supervision of defendants on electronic monitoring during the pretrial period.	3.a	117	1/18
	Court system shall issue reminders to defendants in advance of hearings.	3.b	178	1/19

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Pretrial release decision-making	Court may order release of deft on OR, unsecured appearance or unsecured performance bond, in addition to other conditions.	3.a	59	1/18
	When deft has been assessed by pretrial services officer, and is a person charged with a misdemeanor that is neither a crime against a person, FTA, DUI/Refusal, DV or sex offense: <ul style="list-style-type: none"> if low to moderate risk, deft shall be released OR/ or on unsecured bond; or if high risk, shall also be released OR unless on the record court finds clear and convincing evidence that no nonmonetary conditions in combo with unsecured bond can reasonably ensure appearance and safety. 	3.a.ii	59	1/18
	When deft has been assessed by pretrial services officer, and is a person charged with a class C felony that is neither a crime against a person, FTA, DUI/Refusal, DV or sex offense: <ul style="list-style-type: none"> if low risk, deft shall be released OR/ or on unsecured bond; or if moderate-high risk, shall also be released OR unless on the record the court finds clear and convincing evidence that no nonmonetary conditions in combo with unsecured bond can reasonably ensure appearance and safety. 	3.a.ii	59	1/18
	When deft has been assessed by pretrial services officer and is charged with DUI/Refusal, s/he shall be released OR or on unsecured bond (whether risk assessment is low, moderate or high) unless on the record court finds clear and convincing evidence that no nonmonetary conditions in combo with unsecured bond can reasonably ensure appearance and safety.	3.a.ii	59	1/18
	When deft has been assessed by pretrial services officer, and is a person charged with FTA or VCOR: <ul style="list-style-type: none"> if low to moderate risk, deft shall be released OR/ or on unsecured bond unless on the record court finds clear and convincing evidence that no nonmonetary conditions in combo with unsecured bond can reasonably ensure appearance and safety; or if high risk, may be required to also post, singly or in combination: appearance bond with 10% deposit; bail bond or deposit of cash; performance bond with full or partial posting. 	3.a.ii	59	1/18
	When deft has been assessed by pretrial services officer, and is a person charged with other offenses: <ul style="list-style-type: none"> if low risk, deft shall be released OR/ or on unsecured bond unless on the record court finds clear and convincing evidence that no nonmonetary conditions in combo with unsecured bond can reasonably ensure appearance and safety; or if moderate-high risk, may be required to post, singly or in combination: appearance bond with 10% deposit; bail bond or deposit of cash; performance bond w full or partial posting. 	3.a.ii.	59	1/18
	Provision limits circumstances for which court can require a third-party custodian.	4.b, c.	62, 63	1/18
	If deft has been in custody more than 48 hours, court may revise bail conditions that prevented release unless there is clear and convincing evidence that less restrictive conditions can't reasonably ensure appearance or safety. Deft is entitled to one bail hearing based solely on inability to make monetary bail.	4.a.i	56, 57	1/18
	Person charged with class C felony who is assessed as low-risk cannot be detained for 48 hours while prosecutor investigates prior to hearing on pretrial release.		55	1/18

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Minor offenses	These misdemeanor offenses are changed to nonjailable violations: <ul style="list-style-type: none"> disregard of highway obstruction obstruction of highways attending exhibition of fighting animals (first and second offenses only); and gambling. 	5.a.i.	17, 33-35, 41	7/16
	Violations of conditions of release (“VCOR”) are now violations, not crimes.	5.a.iii	29-31	7/16;
	Failure to appear (FTA”) changes: FTA is a violation <u>unless</u> there was (1) an intention to avoid prosecution or (2) a failure to make contact for 30 days after a hearing. When the exceptions apply, FTA is felony if related to underlying felony and misdemeanor if related to a misdemeanor. Also a misdemeanor if the person was a material witness. Any person who commits FTA shall incur a forfeiture of security given or pledged for release.	5.a.iii.	27-28	7/16
	DC, still a class B misdemeanor, now has maximum 24 hour term.	5.b.	32, 93	7/16
	Theft/property offenses under \$250 are nonjailable B misdemeanors for 1 st and 2 nd offenses; 3 rd max. sentence is 5 days suspended and 6-month probation. .	5.c	93	7/16
	The maximum for all other class B misdemeanors is changed from 90 to 10 days except when statutorily specified and for 21+ offender who sent explicit images of a minor with intent to annoy.	5.a.i.	92	7/16
	DWLS, when not based on a DUI/Refusal conviction, is changed to a nonjailable offense, an infraction.	5.a.ii.	105	7/16
	1 st time DUI-related DWLS is now 10 days/10 suspended and no CWS; second DUI-related DWLS is 10 days.	5.d	104-105	7/16
	1 st DUI/refusal offender shall now serve sentence on EM; where EM is not available, sentence may be served at a private residence by any other means approved by DOC. No searches of residence except upon PC. No CWS required.	5.e	107- 108, 110	7/16
	Misdemeanor A’s: <u>Except for</u> assaults, SA, SAM, indecent exposure to a child under 16 year old and minimum-mandatory sentences, maximum sentence which can be imposed is 30 days unless the prosecutor provides to judge by clear and convincing evidence deft.’s past criminal convictions for similar conduct or unless the prosecutor proves to a jury beyond a reasonable doubt that deft.’s conduct is among the most serious constituting the offense.	5.f	91	7/16
	Misdemeanor A’s: increase in maximum fine to \$25,000 from 10,000.		72	7/16
	Municipalities may not incarcerate for local offense past limits for state offenses.	5.g	111-113	7/16
	Simple possession of all controlled substances (MICS 4) is now an “A” misdemeanor.	6.a.	47	7/16
	Reclassified MICS 4th and 5 th degree offenses, if crimes of simple possession, are punishable by suspended (no active) sentences for the first two offenses. Maximums: 1 st offense, 30 days suspended; 2 nd offense, 180 days suspended; 3 rd and higher, 30 days (active) for the “A” and 10 days (active) for the “B.” Aggravator may apply to the “A”.	6.a.	93	7/16
Distribution of controlled substance offenses are now tiered based on quantity. Class B felony = >1 gram of IA substance, and >2.5 grams for IIA/IIIA substances. Class C felony = <1 gram of IA substance, and <2.5 grams of IIA/IIIA substances, and any amount of IVA and VA.	6.b., 6.c	45,46	7/16	

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Felony theft	Increasing felony threshold from \$750 to \$1000 for non-burglary property and theft crimes, and providing for inflation adjustment every five years.	7.a.	6-15, 8-23, 25	7/16																														
Suspended entry of judgment	New mechanism of suspended entry of judgment allows for pre-conviction probation and dismissal of case if successful; excluded offenses are generally the same as in the SIS statute. Also provides for removal of dismissed case information from Court View after 60 days.	5-2015	74, 77, 100	7/16; 10/16																														
Murder min-mand.	30-year minimum term for 1 st degree murder or murder of an unborn child under AS 11.41.150(a)(1).		86	7/16																														
	15-year minimum term for 2 nd degree murder or murder of unborn child under 11.41.150(a)(2)-(4).		87	7/16																														
Presumptive sentencing ranges	<p><i>Non-sex</i> classified sentencing ranges have been aligned with prior presumptive terms. Note that some enhancements have not been changed: AS 12.55.125(d)(2)(A)(i); and .125 (e)(4)(A).</p> <table border="1"> <thead> <tr> <th>Class</th> <th>No. of Felonies</th> <th>Presumptive Sentencing Range</th> </tr> </thead> <tbody> <tr> <td rowspan="3">A</td> <td>First</td> <td>[3 – 6] – 20 years</td> </tr> <tr> <td>First/Enhanced⁴</td> <td>[5 – 9] – 20 years</td> </tr> <tr> <td>Second</td> <td>[8 – 12] – 20 years</td> </tr> <tr> <td rowspan="3">B</td> <td>Third</td> <td>13 – 20 years</td> </tr> <tr> <td>First</td> <td>[0 – 2] – 10 years</td> </tr> <tr> <td>First/Enhanced⁵</td> <td>[1 – 3] – 10 years</td> </tr> <tr> <td rowspan="3">C</td> <td>Second</td> <td>[2 – 5] – 10 years</td> </tr> <tr> <td>Third</td> <td>4 – 10 years</td> </tr> <tr> <td>First</td> <td>Probation with suspended sentence of 0 – 18 mo. ⁶</td> </tr> <tr> <td></td> <td>Second</td> <td>[1 - 3] – 5 years</td> </tr> <tr> <td></td> <td>Third</td> <td>2 – 5 years</td> </tr> </tbody> </table>	Class	No. of Felonies	Presumptive Sentencing Range	A	First	[3 – 6] – 20 years	First/Enhanced ⁴	[5 – 9] – 20 years	Second	[8 – 12] – 20 years	B	Third	13 – 20 years	First	[0 – 2] – 10 years	First/Enhanced ⁵	[1 – 3] – 10 years	C	Second	[2 – 5] – 10 years	Third	4 – 10 years	First	Probation with suspended sentence of 0 – 18 mo. ⁶		Second	[1 - 3] – 5 years		Third	2 – 5 years	8	88-90	7/16
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Probation terms	<p>Revising caps for maximum terms of probation which may be imposed by a court:</p> <ul style="list-style-type: none"> ○ 15 years for felony sex offender; ○ 10 years for unclassified ; ○ 5 years for any other felony; ○ 3 years for misdemeanor assault, DV, sex offense; ○ 2 years for 2nd or more misdemeanor DUI/Refusal; and ○ 1 year max for all other misdemeanor offenses. 	15a	79	7/16																														

⁴ The *changed* enhanced sentence applies to possessed a firearm, used a dangerous instrument, or caused serious physical injury or death during the offense, or if the conduct was knowingly directed at a uniformed or clearly identified peace officer or first responder engaged in official duties.

⁵The *changed* enhanced sentence applies to violations of AS 11.41.130 (Criminally Negligent Homicide) when the victim was a child 16 of age or older.

⁶Exceptions: AS 08.54.720 (1st felony has range of 1- 2 yrs); and felony DUI (1st, 120 days to 239 days; 2nd, 240 days to 359 days; 3rd , 360 days to two years.

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Community Work Service	Requiring that courts credit hours of Community Work Service at the minimum hourly wage when offsetting for fines. Court cannot convert uncompleted CWS to jail time.	13.c	75-76	7/16
ASAP	Providing for reversion of ASAP to its original focus on DUI/Refusal and therapeutic court participants so that program can be effective. <ul style="list-style-type: none"> DHSS to ensure that: ASAP uses a validated risk assessment tool for its screenings Monitoring of ASAP participants is appropriate to risk of participant for re-offense. 	17.a, 17.c	170-173	7/16; 1/17
DOC inmate assessment and institutional planning	DOC must establish process for institutional planning for every offender required to serve an active term of 30 days or more, and a process for their reentry planning. The offender must be assessed before release on parole, furlough, or electronic monitoring. A written institutional plan is developed and give to each prisoner within 90 days after sentencing, is based on the results of the assessment of the prisoner's risks and needs, requires following rules, participation in programming that addresses needs identified in the assessment.		155	1/17
DOC Reentry planning	Reentry planning must begin at least 90 days before release or furlough. A reentry plan includes information on proposed residence, employment or means of support, treatment options, counseling, job or educational services, any requirement for successful transition including for the period between a scheduled parole hearing and parole eligibility. DOC must coordinate with Department of Labor and Workforce Development to provide access, after release, to job training and employment assistance. DOC will assist a prisoner in obtaining a valid state identification card and if the prisoner does not have a valid state identification card before the prisoner's release; the department shall pay the application fee for the identification card.		155	1/17
Parole process	DOC Commissioner to prepare pre-parole reports and notifications to Parole Board of prisoner's compliance or noncompliance with case plan 30 days in advance of eligibility or hearing date whichever is earlier.		141	1/17
	Any hearing required for special medical or administrative parole must be 30 days in advance of release date; any hearing for discretionary parole the hearing should be held not less than 90 days before the first parole eligibility date.	9.b,9.c.	133	1/17
	After a first denial, subsequent hearing may be set within 2 years after the first eligibility date. For subsequent denials, a hearing may be set within 2 years after the most recent parole hearing.		126	1/17
Mandatory parole ("good time")	Good time does not apply to imprisonment of 10 days or less for a technical violation of parole or probation.		153	1/17
	Sentenced prisoners are entitled to good time for time spent on EM or in a residential treatment program under a prerelease furlough, on or after the effective date of the act.	16	154	7/16
	Parole Board can discharge a mandatory parolee to serve term of residual probation if probation is concurrent, and the residual probation and suspended imprisonment together equal or exceed the term of mandatory parole.		143	1/17

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Administrative parole	Prisoner convicted of a misdemeanor or a class B or C felony that is not a sex offense or an offense under AS 11.41, who has not been previously convicted of a felony, and who has been sentenced to at least 181 days shall be released on administrative parole <u>without a hearing</u> if: <ul style="list-style-type: none"> victim does not request a hearing to discuss public safety; prisoner has met case plan requirements; and prisoner has served the minimum term required (the greater of a minimum-mandatory term, 1/4 of the active term imposed; or whatever period the court excluded him or her from eligibility for administrative parole). 	9.b	122	1/17
	Court can restrict eligibility for administrative parole		85	1/17
Discretionary parole	Eligibility for consideration of a parole board release has been expanded. Still excepted are: those sentenced to at least one 99-year term; serving less than one year pursuant to an SIS; and those made ineligible for discretionary parole by statute or sentencing court. <ul style="list-style-type: none"> The amended statute now allows the possibility of discretionary parole for non-sex class A, B and C felony offenders sentenced to a single sentence within or below presumptive range, once they have completed the greatest of: ¼ of the active term of imprisonment, the minimum mandatory term, or any period of ineligibility imposed by a judge. A second notable change concerns class B and C felony sex offenses. In the past, all sex offenders have been categorically excluded from discretionary parole, unless the case was referred to a three-judge panel and the panel allowed discretionary parole eligibility during the second half of sentence. Now, such offenders may be considered for discretionary parole after they have served one-half of the active term of imprisonment imposed. Prisoner with a term of at least 181 days who has not been released on administrative parole may be released by the parole board on discretionary parole if is at least 60 years of age, has served at least 10 years of a sentence for one or more crimes in a single judgment, and has not been convicted of an unclassified felony or a sexual felony. 	9.a, 10	123-124	1/17
	There is now a rebuttable presumption of release on discretionary parole for any eligible prisoner who has met the requirement of his or her case plan. The presumption can be overcome if the parole board finds by clear and convincing evidence on the record that the prisoner poses a threat of harm to the public if released. The parole board shall consider the case plan, reentry plan and other factors prior to its determination.	9	127-128	1/17
Parole supervision	DOC Commissioner to implement measures for establish administrative sanction and incentive program to provide swift, certain response to parolee's compliance with or violation of parole conditions.	12	141, 145	1/17
	For every 30 day-period in which parolee complied with parole conditions, term of parole may be reduced. Time accounting must include credits.	14	151-152	1/17

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Parole revocation	If the board finds that a parolee has committed a technical violation of parole that does not include absconding, the board may reinstate the term of parole with appropriate conditions or revoke parole and impose a term of imprisonment of not more than <ul style="list-style-type: none"> • three days for the first parole revocation; • five days for the second parole revocation; • 10 days for the third parole revocation; and • the remainder of the sentence for a fourth or subsequent parole revocation. If the board revokes a parolee's parole for absconding, the board may impose a period of imprisonment not to exceed 30 days. Technical violation for sex offender does not include violation of condition of parole that is related to offense. Technical violation is not new criminal offense, failing to complete sex treatment or failing to complete intervention program for batterers.	13.a	145, 143	1/17
	In a parole revocation proceeding brought as a result of failure to complete treatment, it is an affirmative defense that the parolee was unable to afford the cost of treatment or secure a place in a free treatment program, despite having made continuing good faith efforts.	13.d	145	1/17
	Board or designee shall convene preliminary hearing within 15 days for probable cause. If preliminary hearing is held, the final revocation hearing shall be no later than 120 days.		146-147, 149	1/17
	If violation is for technical violation, final hearing within 15 days.		149	1/17
	If arrested for technical violation, the parolee shall be released once served the maximum number of days that could be imposed for technical violation.	13.b	150	1/17
	Clarifying Board can't extend period of parole beyond maximum release date minus time tolled for absconding.		148	1/17
Early discharge From parole	Parole officer shall recommend to the Parole board an early discharge of eligible parolee who has completed at least one year on parole, has completed all treatment programs, has not been found in violation of parole conditions. Ineligible: unclassified, sex felony and DV offenders.	15.b., 15.c.	143, 144	1/17
	Parole board may unconditionally discharge parolee as long as the parolee has first completed one year. The board must notify the victim if there is an early discharge from parole approved.	15.a., 15.d	143	1/17
Probation supervision	Requiring field agents to be trained on principles of effective intervention, case management, and the use of sanctions and rewards.	12.b	114, 115	1/17
	Statutorily authorizing the DOC to create a graduated sanctions and incentives matrix using swift, certain, and proportional responses, and to follow the matrix both when rewarding pro-social behavior and when responding to technical violations of supervision.	12.a	114	1/17
	Providing that probationer may earn a credit of 30 days for each 30-day period served in which the defendant complied with the conditions of probation. The credit reduces the length of probation. Time accounting must reflect credits.	14	114	1/17
	Probation officer shall create restitution payment schedule for each probationer who owes restitution based on income and ability to pay if court has not already done so.		114	1/17

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Probation revocation	If the court finds that a defendant has committed a technical violation of probation that does not include absconding, the court may reinstate the term of probation with appropriate conditions or impose a sentence of imprisonment of not more than <ul style="list-style-type: none"> • three days for the first probation revocation; • five days for the second probation revocation; • 10 days for the third probation revocation; • 30 days for absconding • the remainder of the suspended portion of the sentence for a subsequent probation revocation. Technical violation is any violation <u>other than</u> : a new criminal offense, failing to complete intervention program for batterers, failing to complete sex treatment, or violating a specified sex offender condition	13.a.	84	1/17
	A person who is in custody in connection with a petition to revoke probation for a technical violation of probation shall be released after the person has served the maximum number of days that the court could impose.	13.b	64	1/17
	In a probation revocation proceeding brought as a result of failure to complete treatment, it is an affirmative defense that the parolee was unable to afford the cost of treatment or secure a place in a free treatment program, despite having made continuing good faith efforts.	13.d	84	1/17
	Community Work Service: requiring that courts convert any unperformed CWS hours in a judgment to a fine – and not to jail time - once the deadline set and announced at the time of sentencing has elapsed.	13.c	75-76	7/16
Early discharge from probation	Probation officer shall recommend to the court early discharge from probation for any offender who was neither convicted of unclassified, sex felonies nor of DV crimes. Early discharge shall be recommended after 2 years for non-sex, non-DV class A or B felonies, and 1 year for non-sex, non-DV class C felonies (and any misdemeanor) But only if <ul style="list-style-type: none"> • the person has completed all treatment programs required, • if has not been found in violation of conditions of probation during the previous 2 or 1 yr. term and, if probationer is in compliance with all conditions. 	15.c	81, 115	1/17
	Courts are authorized to terminate probation, even when the sentence was imposed in accordance with a plea agreement under Rule 11, when termination is based on earned compliance credits on probation or when it is recommended by a probation officer for compliant behavior.	15.d	80	1/17
CRCs	Requiring Community Restitution Centers (CRCs) to provide treatment (cognitive-behavioral, substance abuse, after care and/or support services) designed to address offenders' individual criminogenic needs.	18.a.	159	7/17
	Adopting quality assurance procedures with regard to safety and offender management contract terms.	18.b	159	7/17
	Implementing admission criteria for CRCs that would prioritize placement for people who would benefit most from more intensive supervision and treatment, using the results of a validated risk and needs assessment and minimize the mixing of low and high risk offenders.	18.c.i and ii	159	7/17

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Victims' rights	Law enforcement investigating an assault offense may not disclose related information to employer of victim except when victim agrees and LE determines it is necessary.		95	90d after enacted
	Providing that employer of victim may not penalize or threaten the victim for reporting the offense to law enforcement and participating in investigation.		96-97	"
	Clarifying that victims of felonies (as well as DV crimes) should be consulted before proposed plea agreement.		94	"
	Providing that permanent dividend can be garnished for court-ordered restitution.		161	7/16
	Probation officers to set up restitution payment schedule for probationers if court has not already done so.		115	1/17
	At the time of sentencing, the court shall provide the victim with a form that provides information on whom the victim should contact if the victim has questions about the sentence or release of the offender; the potential for release of the offender on furlough, probation, or parole or for good time credit; and allows the victim to update the victim's contact information with the court, the Victim Information and Notification Everyday (VINE) service, and with the Department of Corrections.	22.a	65	90 days after enacted
	DOC to notify crime victim within 30 days of sentencing regarding the earliest dates offender could be released and the process for release including contact information.	22.c	141	1/17
	Upon request of the victim, parole board should make every effort to notify victim before release of offender on any kind of parole.		130	1/17
	Parole Board shall provide at least 30-day notice to victims of sex assault (previously only DV victims) in advance of hearing, and inform victim of: any decision to grant or deny parole, date of expected release, conditions of parole that may affect the victim		131	1/17
	At least 90 days before the prisoner's earliest eligibility date for administrative parole, notice shall be sent to the victim by the board. It shall provide instructions on how to request a hearing.		122	1/17
	Prior to any release on administrative parole, victim to be contacted. If victim wants hearing before release concerning question of public safety, a hearing will be provided.		132-133	1/17
	Notice of scheduled parole board hearing sent to a victim shall include the prisoner's parole plan, minus confidential information.		129	1/17
	Parole board may impose as a condition: any of the terms of protective orders in a DV case; a requirement that at the prisoner's expense, the prisoner participate in and complete, to the satisfaction of the board, a program for the rehabilitation of perpetrators of domestic violence that meets the standards set by, and that is approved by, the department under AS 44.28.020(b); and any other condition necessary to rehabilitate the prisoner. The board shall establish procedures for the exchange of information concerning the parolee with the victim and for responding to reports of nonattendance or noncompliance by the parolee with conditions imposed under this subsection.	21.c	138	1/17
	If requested by victim, parole board should make every effort to notify victim before release.		130	1/17
If early discharge from parole or probation is proposed, the victim should be notified and their comments heard and considered. with opportunity for the victim to provide input at the court or Parole Board hearing.	15.d	81, 114, 151, 156	1/17	

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
Alaska Criminal Justice Commission (ACJC)	ACJC annual reports and recommendations are now to be provided not later than November 1.		166	7/16
	ACJC sunset extended to 6/30/21.		167	7/16
	The ACJC shall appoint a working group to review and analyze the implementation of JRI and other recommendations issued by the commission. The workgroup shall regularly report to the ACJC. The group may include representatives of criminal justice agencies and key constituencies who are not members of the commission. The workgroup may enter into data-sharing agreements with the Justice Center at the University of Alaska, the Alaska Judicial Council, or other research institutions for the purposes of analyzing data and performance metrics. The judiciary, the DOC, the DPS, and the Parole Board are required to collect and report data annually on key performance measures to the ACJC working group.	19 a, .b	163-164	7/16
	The ACJC shall (1) receive and analyze data collected by agencies and entities charged with implementing the recommendations of the 2015 JRI report and other ACJC recommendations and who are collecting data during the implementation and management of specific ACJC recommendations; (2) track and assess outcomes from ACJC and corresponding criminal justice reforms; (3) request, receive, and review data and reports on performance outcome data relating to criminal justice reform.	19.b.	164	7/16
	ACJC shall annually make recommendations to the governor and the legislature on how savings from criminal justice reforms should be reinvested to reduce recidivism.	19.b.iii.	163	7/16
	ACJC annual report must also include a summary of savings and recommendations on how savings from criminal justice reform should be reinvested to reduce recidivism; performance metrics and outcomes from the recommendations the commission made in its December 2015 report, including recidivism rates, defined as the percentage of inmates who return to prison within three years after release, broken down by offense type and risk level; and the percentage of inmates who return to prison within three years after release for a new criminal conviction, broken down by offense type and risk level.	19.b.1	165	7/16
	ACJC shall prepare a report regarding the effectiveness of the penalties, fines, and reformatory and rehabilitative measures under state law for the offenses of driving while intoxicated, refusal to submit to a chemical test, and driving without a valid driver's license. The commission shall deliver the report not later than 12/1/16		182	
	ACJC shall prepare a report regarding the implementation of a financial recovery and victim's restitution program and make recommendations for statutory changes to improve the payment and collection of victim's restitution. Restitution should refer to crimes against a person and for property crimes against businesses and members of the public. The commission shall deliver the report not later than 12/01/16.	19.b.iv.	183	

Category	Description of statutory changes	ACJC?	SB91 sec.	Eff
ACJC, continued	ACJC shall explore the possibility of entering into mutually agreeable arrangements with regional nonprofit organizations, including tribes and tribal organizations, to provide the pretrial, probation, and parole services needed in underserved areas of the state.		164	7/16
	The Commission shall appoint a working group to review and analyze sexual offense statutes and report to the legislature if there are circumstances under which victims' rights, public safety, and the rehabilitation of offenders are better served by changing existing laws; the working group shall consult with the office of victims' rights in developing the report; the commission shall deliver the report to the senate secretary and the chief clerk of the house of representatives and notify the legislature that the report is available; the commission may include in the working group people representing a variety of viewpoints who are not members of the commission.		164	7/16
	ACJC shall submit to the governor and the legislature a report regarding the potential of using social impact bonds to reduce recidivism rates. The report is due 12/15/16.		184	
DHSS (also ACJC)	DHSS in cooperation with ACJC (was DOC) may provide for programs that have as a primary focus the rehabilitation and reduction of recidivism of persons on probation, parole, or incarcerated and recently released. The programs shall accomplish either (1) increase access to evidence-based rehabilitation programs, including drug and alcohol treatment, mental health treatment, and cognitive behavioral programs; or (2) supporting offenders' transition and re-entry from correctional facilities to the community, including transitional housing services, employment services, vocational training, educational support, counseling, and medical care.		174-175	
	Defining "evidence based" as a program or practice that offers a high level of research on effectiveness.		176	
CDVSA	Council on Domestic Violence and Sexual Assault (CDVSA) shall create or expand community-based violence prevention programming and services for victims of a crime involving domestic violence or sexual assault in the fiscal year ending June 30, 2017.	21.d	181	7/16