

# ALASKA STATE LEGISLATURE



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## REPRESENTATIVE PETE KOTT DISTRICT 17 – EAGLE RIVER

Memorandum  
For  
House Bill 414  
Committee Substitute for the House Rules Committee

Currently, under Alaska law, it is illegal for a parent to intercept the private communications of their children, including telephonic or electronic without consent of either party. The proposed legislation carves out two exceptions:

- The court may enter an ex parte order authorizing the interception of the private communication if the court determines, on the basis of the application that there is probable cause to believe that the party has committed or is about to be a victim of, or witness of a felony or misdemeanor, or the health or safety of a minor is in danger, and may include a finding that the parent of a minor has consented in good faith to the interception of a communication of the minor based on the parent's objectively reasonable belief that it is necessary for the welfare of the minor and is in the best interest of the minor.
- Allows a parent to intercept a private communication to which a minor is a party if the parent is acting in good faith and has an objectively reasonable belief that the interception is in the best interest of the minor. It prohibits the interception of the communication of a minor and the minor's attorney, guardian ad litem, or a child custody investigator.

Evidence obtained may be considered by the guardian ad litem or a child custody investigator, or may be admitted in court or official proceeding only if it is found that the parent was acting in good faith and has an objectively reasonable belief that the interception is necessary for the welfare of the minor and is in the best interest of the minor.

With passage of this legislation, we allow parents and guardians to protect their children from predators and other unhealthy individuals. HB 414 provides them the tools to do so.

I appreciate your support.