

# ALASKA STATE LEGISLATURE

## News From The House & Senate Majority

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## **Criminal Sentencing Bill Signed Into Law** **SB 56 Restores Order to Alaska's Criminal Justice System**

(Juneau) – Today Governor Frank Murkowski signed the Criminal Sentencing Bill (SB 56) into law. Sponsored by Sen. Gene Therriault (R – North Pole), Sen. Ralph Seekins (R – Fairbanks), Rep. Ralph Samuels (R- Anchorage) and Rep. Lesil McGuire (R – Anchorage), the legislation replaces presumptive sentences of set terms with sentencing ranges for felony criminal cases.

The new law stems from the U.S. Supreme Court's decision in the *Blakely v. Washington* case where the court found that under the Sixth Amendment, defendants have the right to have a jury determine if they are guilty of aggravating factors in criminal cases.

"The *Blakely* decision had the effect of throwing our entire criminal justice system into turmoil with potential for tremendous costs by requiring separate jury trials for aggravating circumstances in sentencing. Senate Bill 56 is a fix that restores order to our system by providing for a process that is both constitutional and cost effective," said Sen. Therriault.

Senate Judiciary Committee Chairman Sen. Ralph Seekins said, "This new law brings certainty to Alaska's sentencing procedures, protects the rights of defendants and gives new powers to our law enforcement community to fight crime."

"We are both saving money and getting tough on crime with this bill, while at the same time solving a U.S. Supreme Court problem," said Rep. Ralph Samuels. "The House and the Senate, the administration and both parties worked together for the betterment of Alaska."

"The *Blakely* decision left victims, their families and their communities uncertain as to the punishment of crimes. Working together, we have taken the lead as one of the first states to respond to potential crisis and to reaffirm fair and effective criminal sentencing laws in the state of Alaska," said Rep. Lesil McGuire.

SB 56 is tough on crime by also:

- Granting a judge the power to impose a life sentence against convicted sex offenders.

- Giving police officers the ability to detain, investigate and arrest parolees suspected of breaking certain terms and conditions of their probation. Officers frequently spot known parolees in situations where they might be violating terms of their parole.
- Providing a judge the ability to impose an aggravator against an offender with five or more previous misdemeanor convictions (Class A). This provision lets judges consider a first time felony offender's past criminal history when considering a sentence.

The Criminal Sentencing Law takes effect immediately.

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