

RECOMMENDATION TO THE LEGISLATURE OF ALASKA FROM THE ALASKA
CRIMINAL JUSTICE COMMISSION

Recommendation 10-2020, adopted September. 10, 2020:

Recommendation Regarding Child Offender Safety Valve

The Commission recommends that the legislature pass legislation that assures that, unless subject to earlier parole eligibility, a person who was younger than 18 years old at the time he or she committed an offense or multiple offenses and who was tried and sentenced as an adult is eligible for parole no later than his or her 15th year of incarceration. The imposition of lengthy prison terms, including mandatory prison terms of 15 years or more, without a reasonable opportunity for release, violates the human rights of children. After serving 15 years, a person who was tried as an adult for a crime or crimes committed when he or she was younger than 18 years old shall be given a meaningful opportunity to obtain release where the Parole Board considers the diminished culpability of children as compared to that of adults, the hallmark features of youth, and any demonstrated maturity and rehabilitation of the person.

The Commission recommends that such legislation be applied retroactively.