The Department of Corrections proposes to adopt regulation changes dealing with attendance and appearances at Parole Board hearings, including persons who may attend hearings, witnesses at hearings, the process for a crime victim to submit materials and submit a position in a discharge hearing, removal of obsolete numerical guidelines, clarifying rules as to the conduct of hearings, the process for when a decision may be reconsidered, and notification to a crime victim if parole might be rescinded.

(1) 22 AAC 20.095(b) is proposed to be changed as follows:

   Adds crime victim as a person who may attend a Parole Board hearing.

(2) 22 AAC 20.100(c) is proposed to be changed as follows:

   Provides that the Parole Board may call witnesses at a hearing

(3) 22 AAC 20.100(d) is proposed to be changed as follows:

   Clarifies the process by which the Parole Board accepts the testimony of a witness.

(4) 22 AAC 20.105 is proposed to be changed as follows:

   Clarifies the process by which materials from a crime victim appearing at a Parole Board hearing are submitted.

(5) 22 AAC 20.107 is proposed to be changed as follows:

   Adds a section to clarify rules for seeking and serving a subpoena.

(6) 22 AAC 20.142 and 22 AAC 20.150(r), Numerical Guidelines, is proposed to be repealed. The intended effect of this repeal is to remove criteria the Parole Board considers in its decision-making process which is obsolete.

(7) 22 AAC 20.150(s) is proposed to be changed as follows:

   Clarifies the basis for an exception to a prohibition of an applicant to question a crime victim presenting evidence to the Board.

(8) 22 AAC 20.155 is proposed to be changed as follows:

   Subsections (f) and (g) are repealed to remove some restrictions on a crime victim’s ability to appear at a Parole Board hearing.

(9) 22 AAC 20.160 is proposed to be changed as follows:
Minor language changes clarify the Department of Corrections responsibilities regarding Parole Board hearings. Subsections (m) and (o) are repealed as obsolete.

(10) 22 AAC 20.180(b) is proposed to be changed as follows:

Provides that the Parole Board makes a decision to reconsider based on materials in the case file or a new hearing.

(11) 22 AAC 20.255(b) is proposed to be changed as follows:

Clarifies that a summons or arrest warrant can suspend a parole expiration date.

(12) 22 AAC 20.280(b) is proposed to be changed as follows:

Provides that crime victim’s position be included when considering a request for discharge.

(13) 22 AAC 20.300 is proposed to be changed as follows:

Provides that crime victim be notified if parole might be rescinded.

(14) 22 AAC 20.340 is proposed to be changed as follows:

Editor’s note is updated with current address.

(15) 22 AAC 20.365-.370 and .645(b) is proposed to be changed as follows:

Adds “or summons” to issuance of a warrant.

(16) 22 AAC 20.380 regarding subpoenas is proposed to be repealed. The proposed action is intended to remove obsolete material.

(17) 22 AAC 20.465(b) is proposed to be changed as follows:

Provides procedures for the Board to call witnesses.

(18) 22 AAC 20.505 is proposed to be changed as follows:

A subsection is added to address parolee’s refusal to attend final revocation hearing.

(19) 22 AAC 20.510(a)(5) is proposed to be changed as follows:

Adds preconditions to the consideration of parole revocation.

(20) 22 AAC 20.613-.615 is proposed to be changed as follows:

Adds crime victims to be subject to 22 AAC 20.105 when appearing at a medical parole hearing.

(21) 22 AAC 20.910 is proposed to be changed as follows:
A new section is added to address access to parole board records.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Department of Corrections, Board of Parole at 550 West 7th Ave., Suite 1800, Anchorage, Alaska 99501. Additionally, the Department of Corrections, Board of Parole will accept comments by facsimile at 907 269-4697 and by electronic mail at richard.schmitz@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the "comment" link. The comments must be received no later than 4:30 p.m. on December 1, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Richard Schmitz at 907 465-4640 no later than November 15, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Richard Schmitz, Department of Corrections at Box 112000, Juneau, Alaska, 99811-2000 or 907 465-4640 or go to http://www.correct.state.ak.us/parole-board under “of interest.”

After the public comment period ends, the Department of Corrections will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.**

**Statutory Authority:** AS 33.16.060; AS 33.16.070; AS 33.16.085; AS 33.16.087; AS 33.16.100; AS 33.16.110; AS 33.16.120; AS 33.16.130; AS 33.16.150; AS 33.16.170; AS 33.16.180; AS 33.16.190; AS 33.16.200; AS 33.16.210; AS 33.16.220; AS 33.16.230; AS 33.16.240; AS 33.16.260; AS 33.16.310; AS 12.55.185.

**Statutes Being Implemented, Interpreted, or Made Specific:** 33.30.011.

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation

DATE: ____________________________

Richard Schmitz
Special Assistant to the Commissioner