



# Governor Dunleavy Crime Bill Proposal

The Office of Governor Mike Dunleavy

## Increased Penalty for Deaths Resulting from the Distribution of Opioids

- Under current law, if a person dies as a direct result of ingesting a controlled substance that is manufactured or delivered in violation of the drug statutes, it is manslaughter. Manslaughter is a class A felony (Class A felonies are punishable by up to 20 years in prison).
- This proposal would increase the classification of this offense to **murder in the second degree**. Murder in the second degree also encompasses deaths that result during the course of the commission of certain felonies and, when people engage in the distribution of substances that are known to be dangerous, the conduct more closely fits in the murder in the second-degree statute.
- Murder in the second degree is an **unclassified felony** with a maximum **sentence of 99 years** (15 year minimum).

## No “Good Time” Parole for Drug Dealers

- Most crimes under Alaska’s criminal statutes allow for mandatory parole, often referred to as “good time” since an offender is eligible for this parole when they behave while in prison. The release occurs after the offender has spent a specified portion of their sentence, which is determined by statute.
- However, there are some crimes for which the portion of time required to be spent is extremely limited, such as murder and some sex offenses. The rationale being there are simply some offenses that as a matter of policy are not deserving of early release.
- Peddling poison in the form of dealing illicit drugs should fall within this category. The harm caused not only to the end user, but to society at large make these crimes of distributing drugs worthy of this sort of condemnation.



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## Vehicular Homicide Offenses

- Currently, Alaska criminal statute does not have a specific vehicular homicide statute. Therefore, State prosecutors are faced with bringing manslaughter, criminally negligent homicide, or murder in the second-degree charges in the event of a homicide involving a vehicle.
- This has led to a wide variety of sentences handed down by judges. By creating a standalone vehicular homicide class of offenses, it would help alleviate some of this disparity, while also complying with Alaska case law.
- This proposal would create the following class of vehicular homicide statutes:
  - **Aggravated vehicular homicide** – Where the person causes the death of another person while operating a motor vehicle and manifesting extreme indifference to the value of human life. This offense would be an unclassified felony (99-year max).
  - **Vehicular homicide** – where the person recklessly causes the death of another person while operating a motor vehicle. This offense would be a class A felony (20-year max).
  - **Negligent vehicular homicide** – where the person acts with criminal negligence and causes the death of another person while operating a motor vehicle. This offense would be a class B felony (10-year max).