



# NEWS

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**FOR IMMEDIATE RELEASE**

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**ACLU Asks Court to Block Implementation of  
Unconstitutional Provisions in Governor’s “Bail Bill”  
*Amendments Would Deny Many Rights, Including Privacy and Due Process***

KETCHIKAN, AK, July 1, 2010 — The American Civil Liberties Union of Alaska Foundation (“ACLU”) has filed, and served on the State of Alaska and Attorney General Dan Sullivan, a lawsuit which seeks declaratory relief with respect to certain unconstitutional provisions in H.B. 324, the Governor’s “Bail Bill,” passed during the last Alaska Legislative Session, and effective as of today.

The Alaska Constitution guarantees the right to bail, and in our judicial system, all persons are entitled to a fair trial and are presumed innocent until proven guilty. Because of this, liberty is the norm, and detention prior to trial or without trial is a very carefully limited exception. The drafters of Alaska’s Constitution opted to guard this norm zealously.

The Bail Bill dismantles constitutional protections Alaskans have come to expect. It creates a presumption *against* bail for persons accused of certain crimes, and allows for the imposition of punitive bail conditions.

The ACLU is representing the Alaska Association of Criminal Defense Lawyers along with experienced individual defense attorneys throughout the state, all of whom regularly protect defendants’ constitutional rights.

Tom Stenson, attorney with the ACLU, stated: “Because the provisions in the Bail Bill are so violative of the Alaska Constitution, and because many defendants are unable to appeal their bail hearing procedures or conditions, the ACLU is seeking speedy court review of the Bail Bill.”

The Complaint in the matter, *Alaska Association of Criminal Defense Lawyers v. State of Alaska, Sullivan*, 3AN-10-08699CI, along with a Memorandum in Support of Motion for Temporary Restraining Order, filed in the Superior Court in Anchorage, can be read online at [www.akclu.org](http://www.akclu.org).

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