



ALASKA PRETRIAL SERVICES

February 9, 2018

RE: DOC Non-Utilization of Private Provider Electronic Monitoring Services

Respected House Finance Sub Committee Members:

In March of 2016 during FY2017 the 12 established statewide private electronic monitoring providers came together as a cooperative coalition to begin preparation of the passing of SB91. Legislative amendments were introduced by both the House and Senate Judiciary to change current law within Alaska Statute under Title 33 "Duties of the Commissioner" to help streamline the private provider / DOC cooperation process. This was also done in an effort to avoid creating new government (Pre-Trial Enforcement Division "PED") in an area where existing private industry is established and successfully operating.

As of today's date February 9, 2018, 23 months later there are now only 5 statewide private electronic monitoring providers remaining operational. These remaining 5 private electronic monitoring providers are approved vendors and service providers for the Department of Corrections under AS 33.30.011(10)(A)(B) but are not being utilized in any way by either the PED or EM Divisions.

The State of Alaska's DOC Pre-Trial & Post-Trial Electronic Monitoring Divisions are costing the state \$28.76 per day, per person for supervision.¹ During FY2017 the state DOC operated post-trial electronic monitoring offender supervision budget costs were over \$3 million.² SB91 implemented AS 33.30.011(10)(A)(B)³ requiring that private electronic monitoring providers were to be certified and approved by the Dept. of Corrections to meet the state's DOC electronic monitoring division minimum standards in part to assist in providing a more cost-effective method of community offender supervision through AS 33.30.065(a).⁴

These experienced and long standing DOC approved private providers have offered, and are able (by statute) to provide the State of Alaska the same electronic monitoring supervision services at a cost of \$15.43 per day, per person that is currently being paid by the offender to DOC.⁵ Utilizing the DOC approved private providers would be at NO COST to the State of Alaska as the \$15.43 is already being paid by the offender.

¹ House Finance DOC Pre-Trial EM Overview, submitted to committee February 5, 2018, page 32.

² House Finance DOC Pre-Trial EM Overview, submitted to committee February 5, 2018, page 33. (104,684 man-days X \$28.76 per person, per day)

³ AS 33.30.011(10) [Effective January 1, 2017]. "For offenders under electronic monitoring, establish (A) minimum standards for electronic monitoring, which may include the requirement of active, real-time monitoring using global positioning systems; and (B) procedures for oversight and approving electronic monitoring programs and systems provided by private contractors."

⁴ AS 33.30.065(a) "If the commissioner designates a prisoner to serve the prisoner's term of imprisonment or period of temporary commitment, or a part of the term or period, by electronic monitoring, the commissioner shall direct the prisoner to serve the term or period at the prisoner's residence or other place selected by the commissioner. The electronic monitoring shall be administered by the department or by a private contractor approved by the department under AS 33.30.011(10)(B)."

⁵ SOA DOC EM Application Info Face Sheet 02-2015 listed under "payment information"

Alaska Pretrial Services on behalf of the Alaska Coalition of Private Electronic Monitoring Providers all of which are currently DOC approved and certified under AS 33.30.011(10)(A)(B) would request any information pertaining to the following questions:

- Does the Alaska Department of Corrections intend on utilizing their currently approved private provider EM vendors?
(See attached Exhibit A, - DOC approved EM vendor list.)
- Does the Alaska Dept. of Corrections recognize that the private providers have been attempting to find ways to work with both the PED and EM Divisions for the last two years?
- The DOC EM Division is reporting a \$28.76 per day, per person EM supervision budget cost, does this include the \$15.43 per day, per person (\$108 per week) that the offender is required to pay directly to DOC per department policy? (See attached Exhibit B - DOC Web Site Application Form 02-2015.)
- If the \$15.43 offender daily paid amount is on top of the reported \$28.76, then wouldn't the DOC daily cost for EM supervision be \$44.19 per person per day?
- Based on the House Finance Sub Committee DOC Pre-Trial EM FY2017 Overview submitted on February 9, 2018, where is the \$1,615.2 in fees collected from the offenders by the DOC EM Division listed? (Page 33 - "104,684 man-days supervised" X \$15.43 per person, per day required fee.)
- If the private EM providers are DOC qualified and approved under Alaska statute and meet the DOC EM Division's standards for hiring, background checks, equipment used and technology provided, why would the department not utilize its approved private providers in a manner that would reduce budget costs and allow offender EM release to be 100% offender funded with the sentenced offender EM supervision being provided by private EM companies already on the DOC's approved vendor list?
- If the issue was "arrest authority" for private providers for those defendants who violate or require remand, wouldn't it be more cost effective to assign one PED or Probation Officer to each private provider to execute those necessary services when needed rather than hiring multiple PED or POs with a salary and benefits package to do the work the private providers can provide?
- Offender release to DOC EM Division is averaging 3 to 5 weeks from time of application. Part of this is due to the length of time it takes the offender to meet the DOC EM hard line telephone installation with long distance service requirement as the DOC EM Division equipment and offender supervision services is provided by a contractor that is based and operates out of Colorado. Local DOC EM private providers utilize technology that is cellular based and requires no hard line installation delays or costs to the offender. Wouldn't this allow the DOC to increase the amount of qualified offenders to be released by reducing the time and money the offender must spend and thus clearing more hard bed space currently costing the State of Alaska \$162.49 per person, per day?

Thank you for the opportunity to submit these questions on behalf of Alaska Pretrial Services and the Alaska Coalition of Private Electronic Monitoring Providers. Please feel free to contact me should you have any questions or need any additional information. Thank you for your continued dedication to the businesses and people of our great state of Alaska.

Respectfully,



Dennis H. Johnson
Alaska Pretrial Services/Director
Alaska Coalition of Private EM Providers/Spokesman

cc: Alaska Monitoring, Pioneer Peak Monitoring
VIP Monitoring, Kodiak Offender Monitoring

Enclosures ✓



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Corrections

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DOC Private EM Approved Providers

Alaska Monitoring – Vince Holton

Alaska Pretrial Services – Dennis Johnson

Kodiak Offender Monitoring, LLC – Leonard Pickett

Pioneer Peak Monitoring – Tarri Harrold-Jones

VIP Alaska, Inc. – Clifford Smith

EXHIBIT A



ALASKA DEPARTMENT OF CORRECTIONS

Electronic Monitoring/House Arrest Program

630 G Street, Suite 114 Anchorage, Alaska 99501

Main: (907) 269-0927 Fax (907) 222-4699

Application for DOC Electronic Monitoring / House Arrest

Submit a copy of your JUDGMENT with your completed application, terms & conditions.

Your application will not be accepted if you do not have a copy of your judgment attached.

We require 5 to 30 days to process an application. This may be longer if victim notification is required. It is in your best interest to apply as soon as you are sentenced to ensure you are approved. We will not accept applications if you have missed your remand date.

Minimum Requirements

- Release date is less than three (3) years
- No current or prior sex offense or related convictions
- No current domestic violence or related convictions (AS 33.30.061/33.30.065)
- Landline phone with basic service and long distance carrier
- Must be able to provide a "clean" urine sample throughout duration on EM (no prescription narcotics or street drugs on day of enrollment)
- NO WEAPONS, ALCOHOL, OR CONTROLLED SUBSTANCES IN THE HOME
- Offenders applying who are currently incarcerated must be classified "Medium" custody or lower

DO NOT APPLY if the minimum requirements cannot be met. The current conviction, prior convictions, success on probation and parole, and involvement in treatment related programs will be considered.

The Electronic Monitoring (EM) program allows inmates who meet certain requirements to serve jail time at home. *EM Placement is a designation therefore a privilege based on suitability. Applicants do not have a right to be on EM and there is no appeal for denial.* Inmates can maintain employment, access community based treatment, perform CWS, address medical issues and attend religious functions. There is a weekly cost associated with the program. A fee of \$14.00 per day will be assessed plus a \$10.00 urinalysis test fee is required for a weekly fee of \$108.00.

Telephone Requirements

- NO CALLING FEATURES No call waiting, 3-way calling, caller ID or voicemail or computer modems tied into the phone line. You must call your phone provider and have them disconnect the features from *their* end. NO CLEARWIRE/VONAGE or Internet Phones. *Unplugging the computer or telephone will not suffice.*
- MUST have long-distance carrier (no long distance charges will be incurred by EM)
- MUST HAVE ONE CORDED TELEPHONE
- The telephone line must be clear of all electronic equipment – no fax machines, computers, or answering machines, no dial-up internet connections.
- DSL internet connections MUST BE REMOVED!

Payment and Remand Information

- ALL PAYMENTS ARE TO BE MADE IN CASH, MONEY ORDER, OR CASHIER'S CHECK ONLY! No personal checks or debit/credit cards are accepted.
- All installations take place Monday-Friday at 7:45 a.m. **Do not drive.** Be prepared to provide a urine sample and have \$108.00 for the first week's payment.