



*Promoting Public Safety &
Strengthening Our Community*

March 8, 2018

Alaska House Judiciary Committee
Alaska State Legislature
120 4th Street, RM 3
Juneau, AK 99801

Re: HB 219 Crim. Hist. Checks: St Employees/Contractors.

Dear Chairman Claman and Committee Members:

I had an opportunity to watch yesterday's HB 219 hearing on the Alaska Legislature's streaming system. I realize public testimony was invited and then closed. Even so, I've decided to send in this comment so that the committee is aware of a concern.

A prelude to stating the concern would be a reminder of Alaska's efforts to implement smart justice. Finding solutions to our high recidivism rate includes a host of reentry supports at the local level, one of which is a focus on open avenues to positive and productive career pathways.

The concern would be that HB 219 unintentionally sets up such a high bar of protection that a returning citizen, who demonstrates successful reentry into a community, will never be able to work for a DOR or a DOLWD contractor in the discussed accounting or auditor field due to a failed background check.

In Sec. 36.30.960 a contractor, "must submit to and pass (emphasis added) a background investigation." As "pass" does not seem to be defined or clarified in AS 12.62, it seems that this wording sets up a stop-gate situation for a successful returning citizen if they happen to work for a contractor doing business with DOR or DOLWD. Could it be that an otherwise successful returning citizen who has a proven track record of success might lose their job if their employer obtains a State contract with one of our tax divisions? The good news is Sec. 39.55.015 seems to address the issue of allowing an employment pathway for returning citizens for State departments through the requirement of a "written policy establishing procedures and standards...and establish criteria to determine if an individual is qualified." Perhaps the contractor could have a similar pathway as opposed to a pass/fail measure.

Reentry into the job market and a career pathway is a significant component to success and in reducing our recidivism numbers. HB 219 should not include a barrier to those that can demonstrate they are on a successful pathway post incarceration.

Sincerely yours,

Don Habeger
Community Coordinator