

Summary of the Alaska Department of Correction's Presentation to House Judiciary February 4, 2011

Cost Effective Justice: What's at Stake for Alaska?

The Alaska Department of Corrections (ADOC) is committed to providing for the secure confinement of offenders and providing for their rehabilitative programming and supervised community reentry. The ADOC's overarching mission is to improve public safety while being a sound steward of state resources.

Alaska has the 11th fastest growing prison population in the United States.¹

From 2000 to 2007, the Alaska prison population increased by 106 prisoners per 100,000 residents. Only Kentucky and West Virginia had a greater increase in per capita prison population. During that same period of time, the per capita prison population of twelve states actually decreased, while nationally the rate of incarceration increased by only 28 prisoners per 100,000 residents.² Alaska's prison growth has greatly exceeded its population growth.

From 2004 to 2009 the ADOC's total bookings have increased.

Year	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	CY 2009
Total Admissions	35,472	35,328	36,715	37,688	37,655	38,897

From 2004 to 2009, the number of prisoners occupying a state paid custodial bed or on Electronic Monitoring has steadily increased.

Year	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Daily annual average of state prisoners	4,769	4,805	4,999	5,204	5,383	5,320	5,602

¹ The PEW Center on the States, One in 31, the Long Reach of American Corrections, at 43, March 2009.

² Bureau of Justice Statistics, United States Department of Justice, Prisoners in 2007.

The January 2009, ISER Research Summary report, “The Cost of Crime” requested by the Senate Judiciary Committee found that, with no change in the level of intervention and prevention programs in place at the time of the study, Alaska’s prison population was projected to grow to 10,513 by 2030. Such an increase in Alaska’s prison population would require the state to fund an unsustainable number of new prisons, not to mention the costs of substantial increases in the state court system, and prosecution, defense, and public safety departments to handle Alaska’s growing number of offenders.

95% of Alaska’s prisoners are eventually released from prison.

As the number of prisoners grows so does the number of prisoners released. In 2000, there were 2,427 prisoners admitted into an Alaskan correctional facility and 2,599 released. In 2008, there were 3,635 prisoners admitted and 3,741 released.³

- In 2009, the ADOC released, on average, **295 convicted felons every month, up from 289 per month in 2008.**
- Of the 3,436 prisoners released in 2008, approximately 1,735 were released to Anchorage, 290 to Fairbanks and 106 to Juneau.

In summary, as of 2009, 1 out 36 Alaskans was under the jurisdiction of the ADOC.⁴

Year	1982	2007	2009
# of Alaskans under ADOC jurisdiction	1 out of 90	1 out of 38	1 out of 36

The question is: Are Alaskans getting good value for the criminal justice dollars spent? As of 2008, the state is doing better, but we could do better yet.

- In 2011, ADOC expects to spend \$136.00 per day to incarcerate a prisoner or \$49,800 per year per individual.
- In FY 2010, ADOC’s annual budget was \$261,160,400.⁵
- Yet, 2 out of 3 former prisoners return to prison within the first 3 years of release for either a probation violation or for the alleged commission of a new crime.⁶

³ Bureau of Justice Statistics, Alaska prisoner admissions and releases in 2008.

⁴ The PEW Center on the States, One in 31, the Long Reach of American Corrections, pg 43, March 2009, available at:

http://www.pewcenteronthestates.org/uploadedFiles/PSPP_1in31_report_FINAL_WEB_3-26-09.pdf

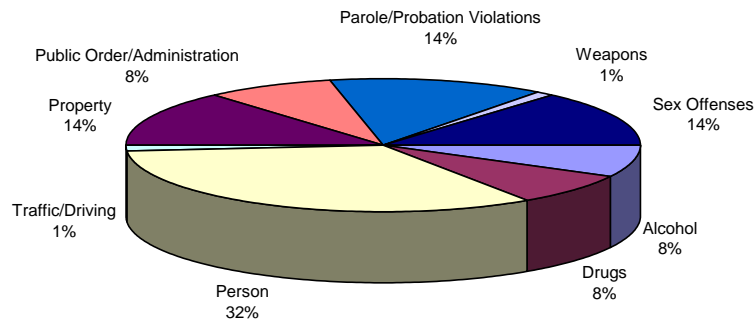
⁵ Departmental FY2010 FINAL Authorized (ADOC Management Plan with Supplemental)

⁶ 2007 Alaska Judicial Council Recidivism Study.

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As the pie chart below reflects, a snapshot of the ADOC's prison population in 2009 shows that less than 50% of offenders committed crimes against the person or a sex offense.⁷

**Institutional Offenders
by Offense Class
December 31, 2009**



Yet, 8% of its population consisted of offenders who had committed Public Order/Administration offenses. The majority of offenses in this category included bail condition violations, failure to appear and contempt of court. These are offenses that certainly require consequences, but, at what cost to the state, and is it possible to create less expensive alternatives that will serve to reaffirm societal norms and protect the public?

What's at stake for Alaska?

Currently, the ADOC is constructing the Goose Creek Correctional Center (GCCC) which will have a maximum capacity of 1536 prisoners. The cost to build this facility is approximately \$250 million and the annual operating budget is estimated to be approximately \$50 million per year.

The ADOC's goal, along with its other stakeholder partners, is to employ cost-effective measures that will promote public safety, reduce Alaska's prison growth rate and successfully reintegrate newly released prisoners back into their communities.

⁷ ADOC Offender Profile 2009, page 18 available at:
<http://www.correct.state.ak.us/corrections/admin/docs/profile2009final.pdf>
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If Alaska expands recent efforts to reduce recidivism, and employs best practice measures that have been proven successful in other states, it stands the greatest chance to slow its prison system growth while improving public safety.

Collaboration and the identification of a leader is the key to success.

Current collaborative efforts are:

- The Criminal Justice Work Group
 - Sub-group: The Alaska Prisoner Reentry Task Force
 - Alaska's Five-Year Prisoner Reentry Strategic Plan, 2011-2016, Purpose is to identify approaches to reduce recidivism in Alaska.
- Probationer Accountability with Certain Enforcement (PACE), Superior Court Pilot Project in Anchorage, July 2010 to the present.⁸
- The National Governor's Association Cross-Governmental Sentencing & Corrections Policy Forum in Annapolis Maryland, Summer 2010.
- The September 18, 2010, Cost Effective Justice Forum, Anchorage, Alaska
 - Pew Public Safety Project
 - National Governor's Association

The Texas Experience

In 2007, the famously “tough on crime” Texas legislature took dramatic, bipartisan action to control crime and corrections costs. This initiative was led by Republican Jerry Madden who was appointed by the majority leader as Chairman of the Corrections Committee. The then speaker of the house instructed Rep. Madden to develop new approaches to slow Texas’ rapid prison growth. “Don’t build new prisons. They cost too much”.⁹ With that directive in mind, Rep. Madden, an engineer and graduate from West Point, gathered the data and the facts to develop a systematic approach to break the cycle of crime.

In 2007, Texas’ prison population exceeded 100,000 persons.¹⁰ At the start of 2007, the state's corrections department projected a shortfall of 17,000 prison beds over the next five years and recommended the construction of 4,000 new beds at a cost of more than \$900 million. Texas legislators requested assistance from the Pew Center on the States’ Public Safety Performance Project and its partner, the Council of State Governments Justice Center (CSG), to identify options to avert prison growth while protecting public safety.

Based on their nonpartisan research and the menu of policy options they prepared, the 2007 Texas legislature approved a plan that provided an historic investment of

⁸ For more information on the probation model go to: <http://akdocpio.wordpress.com/>

⁹ Anchorage Daily News editorial, *Be tough, be smart*, September 19, 2010.

¹⁰ Recent & Projected Growth of the Texas Prison Population, Justice Center (2007), The Council of State Governments, found at: <http://justicereinvestment.org/files/texas-growth.pdf>
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just over \$241 million in treatment and diversion facilities and substance abuse treatment services (just over a quarter of what was being requested to build new prisons) both behind prison walls and in community-based programs.

The components of Texas' new approach included:

- Funding for probation officers to use for outpatient substance abuse treatment for offenders.
- Funding for a mental health Pre-Trial Diversion Program
- Expansion of in-custody substance abuse Therapeutic Communities (like ADOC's RSSAT program).
- A prison dedicated to providing DWI offenders with intensive substance abuse treatment.
- Use of Intermediate sanction facilities for probationers who violate probation conditions.
- Early school intervention programs
- The Nurse Family Partnership program

With these and other measures, the Texas legislature successfully averted construction of all of the previously planned prison beds through 2012.¹¹

According to Rep. Madden, who spoke at the September Cost-Effective Justice Forum held in Anchorage, the Texas prison population completely leveled off as a result of these initiatives. No shortfall in capacity is predicted until 2013, when the system may need a relatively small number of prison beds compared to the previously predicted need for eight prisons. Moreover, following the adoption of these reforms, Texas' crime rate did not increase, but continued to fall.

Summing it up:

The Texas experience is illustrative of what Alaska is clearly able to accomplish with leadership, vision and commitment to invest wisely today in best practices that have been shown to reduce prison growth, cut state corrections spending and serve to make Alaska's community safer and healthier places to live. This is the Cost-Effective justice approach.

¹¹ The Texas "justice reinvestment" approach was a dramatic turn in Texas' criminal justice policies. The state legislature committed to ensuring accountability and the continued success of these new measures. Accordingly, the Texas legislature established the Criminal Justice Legislative Oversight Committee to monitor and evaluate the implementation of the new policies and programs and to evaluate their impact on state prison populations.