**Overview of the Alaska Criminal Justice Commission**

**For the Senate Judiciary Committee**

**February 2, 2015**

**Introduction**

The Alaska Criminal Justice Commission (ACJC) was established on July 1, 2014 as part of an omnibus crime bill that created several “right on crime” initiatives, including expansion of an innovative probation monitoring program, a pretrial alcohol/drug monitoring program, and a program to assess the risks and needs of all inmates sentenced to greater than 30 days of incarceration. The commission, established in the office of the governor, was envisioned as the entity that could continue the reform effort by studying the criminal justice system and making recommendations for improvement. The commission has a three-year term and is staffed by the Alaska Judicial Council.

**Duties and Responsibilities (AS 44.19.645)**

The ACJS’s statutory responsibilities are broad. They fall into ten general areas, including analysis of sentencing laws and practices, review of crime classifications, and consideration of a wide variety of criminal justice rules, practices, and procedures. In its work, the commission must take into account a variety of criminal justice goals, including protection of the public and victims, restitution, reformation and the rights of the accused, and community condemnation.

The commission may make recommendations about legislative and administrative actions, and it periodically must report its conclusions and recommendations to the legislature. The first formal report to the legislature is due February 1 of 2016.

**Membership (AS 44.19.642)**

The thirteen commission members represent a broad range of perspectives, including judges, law enforcement, corrections, prosecutors, victims, defense counsel, Alaska Native and rural, and behavioral health. Two legislators serve as non-voting members. The varied perspectives and skills brought to the table by the commissioners enables them to solicit and consider information and views from a variety of constituencies to represent the broad spectrum of views that exist with respect to possible approaches to sentencing and administration of justice in the state.

**Progress to Date**

Over the past six months, the commission organized itself, selected a chair (retired supreme court justice Alex Bryner), and established a rigorous work plan and meeting schedule. Although required by statute to meet only quarterly, the commissioners have decided that the task before them requires monthly meetings. They have met a total of five times already, with a sixth meeting scheduled at the end of this month.

At their first meetings, the commissioners identified key topics needing attention. Perhaps the most pressing issue at the moment is Alaska’s growing prison population, which is projected to need a costly new correctional facility to house it within the next two years. To that end, the commission is focusing on areas that could reduce the prison population while maintaining public safety, and on topics that could save money by increasing efficiency. These include: sentencing alternatives, bail and probation laws and practices, sentence lengths and crime classifications, restorative justice, and barriers to re-entry. Because Alaska has a significant rural population and a disproportionate number of incarcerated Alaska Natives, the commission also is focusing quite strongly on practices and procedures in rural areas, and ideas for involving Alaska Native tribes in recidivism reduction and efficiency efforts.

Another priority area of inquiry has been the effectiveness of the state's current methodologies for the collection and dissemination of criminal justice data. In accordance with the statutory responsibility to rely on peer-reviewed and data-driven research, the commissioners have solicited data and information from a variety of sources both within and outside of state government.

To keep the work moving forward, the commissioners formed working groups to address each key area of inquiry. The working groups are: Barriers to Reentry, Sentencing Alternatives, Rural Criminal Justice, Classification of Crimes and Applicable Sentences, Pre- and Post- trial Laws and Processes, and a Data Workgroup. Each of the workgroups has been meeting on average twice a month since the fall. Having now completed their initial inquiries, all of the workgroups are creating written work plans with due dates and priorities.

**Challenges and Opportunities**

One challenge facing the commission is limited data collection and analysis capacity within the state. This limited capacity has slowed or hampered commissioners’ ability to understand drivers of prison population and to collect the information necessary to their deliberations. This problem, however, has created an opportunity to enhance Alaska’s data capacity through applying for technical assistance from national experts.

Three national organizations, the Pew Charitable Trusts, the Council for State Governments, and the MacArthur Foundation, offer free technical assistance in the form of data compilation and analysis that would help move the commission’s work forward. One of those projects, the **Public Safety Performance Project** (also known as Justice Reinvestment Initiative – JRI) sent a team to Alaska last fall to explore a possible partnership. The PSPP team uses a state’s own data to diagnose the factors driving prison growth and provide policy audits to identify options for reform, drawing on solid research, promising approaches, and best practices in other states. The result is a comprehensive picture of incarceration, including a clear picture of the individuals in jail, and which bail, probation and sentencing practices keep them there. The project does not advocate preset solutions, but rather works in partnership with policy leaders to develop data-driven policy options based on analysis of the state’s particular challenges and lessons learned from other states.

The **Results First** initiative is another free technical assistance option being pursued by the commission. Whereas the PSPP is an intensive, short-term program, Results First is a capacity-building initiative. The Results First program helps states build comprehensive inventories of agency programs, assess whether programs have an evidence-base for gauging their effectiveness, and customize the analytical model with the state’s own data. RF consultants will train staff within the state to collect and analyze data and communicate findings using the RF approach. This process typically takes a year.

The Results First and Public Safety Performance Project technical assistance programs complement each other and could be used together in Alaska. They have a proven track record of success in other states. The PSPP project will have a window of availability to take on additional partners within the next three months. The Results First team is tentatively planning to travel to Alaska at the end of February to meet with key stakeholders to discuss the possibility of working in Alaska.

**Conclusion**

The commissioners are highly energized and motivated in their work. In fact, the commission recently considered its first legislative recommendation (regarding food stamp eligibility for drug felons), and it has several more proposals in the pipeline.