**Statutes Concerning the Alaska Criminal Justice Commission**

**Sec. 22.20.210. Alaska Criminal Justice Commission.** The judicial council shall provide staff and administrative support to the Alaska Criminal Justice Commission established in AS 44.19.641.

**Sec. 44.19.641. Creation of commission.** The Alaska Criminal Justice Commission is established in the Office of the Governor.

**Sec. 44.19.642. Membership; staff.**    (a) The commission consists of 13 members as follows:
        (1) the chief justice of the Alaska Supreme Court or another active or retired justice of the supreme court or an active or retired judge of the court of appeals designated by the chief justice;
        (2) an active or retired superior court judge designated by the chief justice for a three-year term;
        (3) an active or retired district court judge designated by the chief justice for a three-year term;
        (4) a member of the Alaska Native community designated by the Alaska Native Justice Center for a three-year term;
        (5) the attorney general or a designee of the attorney general;
        (6) the public defender or a designee of the public defender;
        (7) the commissioner of corrections or the commissioner's designee;
        (8) the commissioner of public safety or the commissioner's designee;
        (9) the chief executive officer of the Alaska Mental Health Trust Authority or the chief executive officer's designee for a three-year term;
        (10) an active duty member of a municipal law enforcement agency appointed by the governor for a three-year term;
        (11) one victims' rights advocate appointed by the governor for a three-year term;
        (12) one nonvoting member, serving ex officio, who is a member of the senate appointed by the president of the senate; and
        (13) one nonvoting member, serving ex officio, who is a member of the house of representatives appointed by the speaker of the house of representatives.
   (b) A member appointed under (a)(10) or (11) of this section serves at the pleasure of the governor and may be reappointed.
   (c) The commission shall, by majority vote of the membership, elect a chair and other officers it considers necessary from among its membership to serve on a yearly basis.
   (d) The Alaska Judicial Council shall provide staff and administrative support to the commission.

**Sec. 44.19.643. Compensation.** Members of the commission serve without compensation but are entitled to per diem and travel expenses authorized for boards and commissions under [AS 39.20.180](http://www.legis.state.ak.us/basis/statutes.asp#39.20.180).

**Sec. 44.19.644. Meetings.** A majority of the members constitutes a quorum for conducting business and exercising the powers of the commission. The commission shall meet at least quarterly, at the call of the chair, at the request of the majority of the members, or at a regularly scheduled time as determined by a majority of the members. The commission shall keep a record of its proceedings and make these records available for public inspection.

**Sec. 44.19.645. Powers and duties of the commission.**    (a) The commission shall evaluate the effect of sentencing laws and criminal justice practices on the criminal justice system to evaluate whether those sentencing laws and criminal justice practices provide for protection of the public, community condemnation of the offender, the rights of victims of crimes, the rights of the accused and the person convicted, restitution from the offender, and the principle of reformation. The commission shall make recommendations for improving criminal sentencing practices and criminal justice practices, including rehabilitation and restitution. In formulating its recommendations, the commission shall consider

        (1) statutes, court rules, and court decisions relevant to sentencing of criminal defendants in misdemeanor and felony cases;

        (2) sentencing practices of the judiciary, including use of presumptive sentences;

        (3) means of promoting uniformity, proportionality, and accountability in sentencing;

        (4) alternatives to traditional forms of incarceration;

        (5) the efficacy of parole and probation in ensuring public safety, achieving rehabilitation, and reducing recidivism;

        (6) the adequacy, availability, and effectiveness of treatment and rehabilitation programs;

        (7) crime and incarceration rates, including the rate of violent crime and the abuse of controlled substances, in this state compared to other states, and best practices adopted by other states that have proven to be successful in reducing recidivism;

        (8) the relationship between sentencing priorities and correctional resources;

        (9) the effectiveness of the state's current methodologies for the collection and dissemination of criminal justice data; and

        (10) whether the schedules for controlled substances in [AS 11.71.140](http://www.legis.state.ak.us/basis/statutes.asp#11.71.140) - 11.71.190 are reasonable and appropriate, considering the criteria established in [AS 11.71.120](http://www.legis.state.ak.us/basis/statutes.asp#11.71.120)(c).

   (b) The commission may

        (1) recommend legislative and administrative action on criminal justice practices; and

        (2) select and retain the services of consultants as necessary.

**Sec. 44.19.646. Methodology.** In making recommendations, the commission shall

        (1) 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; and
   (2) base recommendations on the following factors:
             (A) the seriousness of each offense in relation to other offenses;
             (B) the effect of an offender's prior criminal history on sentencing;
             (C) the need to rehabilitate criminal offenders;
             (D) the need to confine offenders to prevent harm to the public;
             (E) the extent to which criminal offenses harm victims and endanger the public safety and order;
             (F) the effect of sentencing in deterring an offender or other members of society from future criminal conduct;
             (G) the effect of sentencing as a community condemnation of criminal acts and as a reaffirmation of societal norms;
             (H) the elimination of unjustified disparity in sentences;
             (I) the sufficiency of state agency resources to administer the criminal justice system of the state;
             (J) the effect of criminal justice laws and practices on reducing the rate of recidivism in the state;
             (K) peer reviewed and data-driven research; and
             (L) the efficacy of evidence-based restorative justice initiatives on persons convicted of criminal violations and offenses, the victim, and the community.

**Sec. 44.19.647. Annual report and recommendations.** The commission shall submit to the governor and the legislature an annual report of its proceedings for the previous calendar year and may submit recommendations for legislative and administrative action. Reports and recommendations provided under this section shall be submitted not later than February 1 of each year.

**Sec. 44.19.649. Definition.** In [AS 44.19.641](http://www.legis.state.ak.us/basis/statutes.asp#44.19.641) - 44.19.649, "commission" means the Alaska Criminal Justice Commission.

**Uncodified Laws**

**TRANSITIONAL PROVISIONS**. The initial designations and appointments to the Alaska Criminal Justice Commission under AS 44.19.642, added by sec. 32 of this Act, shall be made not later than June 30, 2014. Notwithstanding AS 44.19.647, added by sec. 32 of this Act, the commission shall submit its first report to the governor and the legislature not later than February 1, 2016.

**SPECIAL REPORT OF ALASKA CRIMINAL JUSTICE COMMISSION.** The Alaska Criminal Justice Commission shall submit to the governor and the legislature a special report, not later than July 1, 2017, regarding alcohol-related offenses in AS 28. The report must include recommendations on (1) whether a revision of the alcohol-related offenses in AS 28 is necessary; (2) maintaining both the administrative and court license revocation processes; (3) the effectiveness of ignition interlock devices in reducing the offenses of driving while under the influence of an alcoholic beverage, inhalant, or controlled substance and refusal to submit to a chemical test, and reducing recidivism; (4) whether the punishment, fines, and associated driver's license revocation periods for the offenses of driving while under the influence of an alcoholic beverage, inhalant, or controlled substance and refusal to submit to a chemical test should be decreased or increased; (5) the effectiveness of programs that promote offender accountability, emphasize swift and certain, yet measured, punishment, reduce recidivism, and maximize the offender's ability to remain productive in society; (6) whether limited licenses should be available for persons charged with or convicted of the offenses of driving while under the influence of an alcoholic beverage, inhalant, or controlled substance or refusal to submit to a chemical test, while providing for public safety.