



February 10, 2016

Re: SB91

To: Senators Coghill, Ellis, McGuire, Costello, Bishop, Micciche

Dear Senators,

Thank you for the opportunity to share my thoughts on SB91. My name is Robyn Langlie, I am the Executive Director for Victims for Justice. We are a nonprofit based in Anchorage, but serving all Alaskans. Our mission is caring for those affected by violent crime, violent crime being assault, robbery, arson, child abuse, trafficking, DUI, sexual assault, domestic violence and assisting families of homicide victims. We provide assistance to families, through grief support, emergency assistance funds, court advocacy and accompaniment, education and outreach as well as crime prevention.

While I am a huge proponent of change in our criminal justice system and am especially interested in the Criminal Justice Reinvestment movement, I am having a hard time with many aspects of SB91. In its current state it appears to be a bill about cost savings for the Department of Corrections by reducing time spent in jail (mainly pretrial jail time) by reducing many crimes from jailable offenses to minor offenses (violations). What it does not adequately address is the reinvestment portion that would make these changes work. It takes away the bargaining chips for the prosecutors, limits the consequences for offenders by lowering sentencing terms, and releases offenders much earlier, all of which has a huge effect on victims. This bill does not consider crime from a victims' standpoint. Victims do not feel safe when a perpetrator is out on bail, let alone telling them that the offender won't be going to jail for more than 30 days or at all in some instances. Issues like early release, short probation terms for someone who may have assaulted them, or killed one of their family members, when there are such limited services for victims. The trial system is already biased towards offenders- the defense is allowed to make delay after delay causing more grief to the family and slowing their healing time during pretrial, the trial itself, and even afterwards for sentencing. This holds the victims hostage by the defense. But I digress.

SB91 specifically recommends that many class C felonies and Class B misdemeanors be reduced down to violations and/or probation in lieu of jail time. Items such as Burglary, Arson, Misconduct with a Weapon, Sex Trafficking, and the most heinous of all Violating Conditions of Release (VCR). An example of what could occur by reducing all VCR's to a violation is that a domestic violence offender could go to a victim's home contact her and it would not be a criminal offense. What would happen is a ticket and possible remand if the officer wanted to take him in for a bail hearing, all of which would have no impact on his criminal case or in any way provide the victim with any sense of safety. It also sends a message to offenders that even though the judge told you not to do certain things when you are released from jail or after your hearing, nothing will be done about it other than



potentially another fine, but they cannot be jailed. This is not supporting law enforcement. Where is the guarantee of public safety? Where is the comfort to the victims if the offenders will not be held accountable for their actions? This is blatantly violating a victim's constitutional right "to be treated with dignity, fairness and respect", and "to be reasonably protected from further harm by the accused through the imposition of appropriate bail or conditions of release by the court". (Alaska Constitution, Article 1, section 24) If you are reducing all of these crimes to minor offenses (no jury trials) how will victims be notified of the proceedings so they may be present, which is also within the victims' constitutional rights, "to obtain information about, and be allowed to be present at all criminal and juvenile proceedings where the accused has the right to be present".

Another concern is that if this bill were to be passed, there is no way to accomplish what's in it as both the pretrial and probation services would have to be set up and revamped and more Electronic Monitoring companies and infrastructure are necessary. That could take years, yet officers would have to start adhering to the law immediately. That makes no sense; where would the offenders go and how would they be held accountable? Again trampling on the victims' constitutional rights to be protected.

As to lower presumptive ranges (section 68 of the bill). I cannot imagine as a victim advocate having to comfort a mother whose son was killed by a drunk driver and tried as manslaughter (many DUI's are plead down to this) that the perpetrator may not get any jail time at all as the new sentence would be 0-3 years. Or if it's plead down to criminally negligent homicide, they would receive probation with a suspended term of imprisonment. I understand that no amount of time an offender spends in jail will bring back her son, but how is that a punishment to the offender for making a choice to drink and drive and ultimately kill someone. How would that be a deterrent to others not to do so? How is this being treated with dignity, fairness and respect? Where is the prevention part of this bill, or the substance abuse and mental health treatment centers that are so necessary already?

In short, I believe this bill is a start in the right direction, to change the system, but without spelling out the reinvestment portion and addressing victims' rights more clearly, it only appears as though the concern is with saving money. I urge you to really dig into this bill and make the needed modifications to protect crime victims. It's possible for this bill to save money, restructure our criminal justice process and support and protect crime victims. We should not allow the fiscal crisis to rush this process simply to save funds, at the expense to public safety.

Respectfully,

Robyn Langlie
Executive Director, Victims for Justice 907-278-0986



The Voice of Small Business®

ALASKA

February 5, 2016

The Honorable John Coghill
Alaska State Senate
State Capitol Building
Juneau, Alaska 99801-1182

RE: Senate Bill 91

Dear Senator Coghill:

On behalf of the National Federation of Independent Business/Alaska, I wish to respectfully inform you of our concern about the felony threshold in Senate Bill 91. In a NFIB/Alaska member ballot our membership voted overwhelmingly to oppose **any** increase in the felony theft threshold. The National Federation of Independent Business is the largest small-business advocacy group in Alaska.

NFIB/AK members recognize that \$750 is a significant amount to a small business. Your proposed increase to \$2,000 is unreasonably generous to criminals intent on taking other people's property. In 2013, the NFIB/Alaska leadership Council worked with you and to agreed to remove our opposition to an increase from \$500 to \$750. We still strongly believe the state shouldn't be making it easier for thieves to steal from our businesses by raising the felony theft threshold above that level. There is evidence that theft rings are becoming very sophisticated; they are aware of the felony limits and will steal up to that amount. Thus, while there might be potential savings in judicial processes, businesses would see an increase in the amount of theft in goods. Instances of individuals "stealing to feed their families" are rare, and the courts and prosecutors have enough discretion to handle these circumstances appropriately.

I have attached testimony on this issue from the February 25, 2013 Senator Judiciary Committee. It includes testimony by Chris Nettels, a representative of NFIB as well as Detective Ross Plummer. You will see Mr. Nettels concern, having been a victim of theft – a victim we ought not forget in this legislation. The acknowledgement by Detective Plummer relative to treatment of misdemeanor crimes is particularly significant. He confirmed that businesses have reason to be concerned that misdemeanor thefts receive less police attention.

We believe that simply inflation-proofing crime is poor public policy. Our justice system ought to protect citizens and their property, not reduce the level of risk for thieves.

Sincerely yours,

Dennis L. DeWitt
Alaska State Director

Cc: Senate State Affairs Committee ✓
NFIB/AK Leadership Council

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE
February 25, 2013
1:34 p.m.

1:51:41 PM

CHRIS NETTELS, President, GeoTek Alaska, Inc., Anchorage, AK, said he was also testifying on behalf of the National Federation of Independent Businesses to ask the committee not to pass [SB 43](#), which would increase the \$500 felony threshold for theft and property offenses. He reported numerous incidents of stealing at his business property, four of which were thefts valued at \$500 or more. In the past two or three years he has seen a significant increase in the numbers of petty thefts valued at \$200 to \$300, but in the last year there have been several thefts valued between \$1,000 and \$3,500.

MR. NETTELS expressed concern that increasing the felony threshold will have the unintended consequence of increasing the numbers of some crimes. He said he understands the argument for increasing the felony threshold because of inflation, but wonders if all laws will be similarly inflation proofed. He also asked if the penalties would drop if deflation occurs. He concluded that the \$500 felony threshold has served well and he did not support passage of [SB 43](#).

1:56:49 PM

CHAIR COGHILL asked if he'd had trouble making a case to the police or courts in felony theft cases.

MR. NETTELS said no, although he had never received a follow up call or had any property returned in any of the five reports he filed with the police.

CHAIR COGHILL asked Detective Plummer if the police were more likely to respond to a felony theft report as opposed to a misdemeanor theft report.

1:58:34 PM

DETECTIVE ROSS PLUMMER, Anchorage Police Department (APD)* Municipality of Anchorage* Anchorage, AK, said yes. { He explained that APD detectives work felony cases and patrol officers are responsible for follow up on misdemeanor cases, but call volumes leave little time for follow up. If a misdemeanor suspect isn't caught right away or if there isn't a tip that locates the suspect, the chance of closing the case is very small.

CHAIR COGHILL asked if a felony theft would receive more detective-level involvement.

DETECTIVE PLUMMER said yes; felony thefts receive two screenings, one by patrol and the second by detectives, whereas misdemeanor thefts receive just one screening by patrol.

CHAIR COGHILL asked if businesses had a valid fear that raising the felony threshold would cause misdemeanor thefts to receive less police attention.

DETECTIVE PLUMMER acknowledged that there was that chance.

Daniel George

From: Robert Ely <RE44@craigpd.com>
Sent: Monday, February 08, 2016 4:00 PM
To: Senate State Affairs
Subject: SB 91

If these proposed changes should take effect, what little deterrent there is, will be gone. Everyone who goes through the court system, parole system, probation system, as it stands, knows it's a joke, as is. Punishments no longer fix the crime. One could only image what they will think, if any of these proposed changes pass. I know people that have so much suspended jail time hanging over them, they could easily die in jail, if it were all imposed.

I understand jails are full, over full but we can't allow this to change the laws, to accommodate what space is available. PTR/P – Petition to Revoke Probation, I can only say WOW; if you're on probation and you violate, that in itself should show you that the person isn't willing to adhere to conditions and 3 days incarceration for first, 5 for 2nd, 10 for 3rd is no deterrent to have probationers comply.

Changing laws to have max 24 hours jail time, is no way going to send any message to any community that you will be punished for committing crimes. It is going to send the opposite message, that being criminals will not be punished, if caught.

All proposed changes will greatly reduce any deterrent to stop people from committing crimes and criminals from reoffending.

Chief R.J. Ely

Craig Police Department

506 Second Street

P.O. Box 25

Craig Ak 99921

Email: RE44@craigpd.com

Phone (907) 826-3330

Fax (907) 826-3878

Daniel George

From: MADD <enews@madd.org> on behalf of Douglas c jones <enews@madd.org>
Sent: Saturday, February 06, 2016 4:28 PM
To: Sen. Bill Stoltze
Subject: Please Support a Stronger Child Endangerment Law

Feb 6, 2016

State Senator Bill Stoltze
State Capitol, Room 125
120 Fourth Street
Juneau, AK 99801-1182

Dear State Senator Stoltze,

As a constituent, I strongly urge you to create and/or support an effective DUI law to protect our most vulnerable population, children.

Child endangerment, because it causes significant emotional and potentially physical harm to the child, is a form of child abuse.

Strengthening our child endangerment laws will keep our children safe from this child abuse.

In 2011, 226 child (under the age of 15) passengers died in drunk driving crashes. Children riding with a drunk driver are not only at risk from erratic, dangerous driving, they are also more than 40 percent less likely to be properly restrained in either a seat belt or a car seat.

MADD recommends a number of science-based solutions that should be taken to help stop DUI/DWI child endangerment:

- Adding administrative license revocation/suspension as a sanction
- Requiring alcohol/drug assessment and treatment (if necessary)
- Requiring the use of an ignition interlock device by offenders
- Considering the offense of DUI child endangerment to be a felony
- Eliminating eligibility of offenders for diversion programs that circumvent a record

I believe that passing child endangerment legislation that contains these components will help stop drunk driving and is vital to our children's future. Thank you in advance for your prompt consideration of creating a stronger DUI child endangerment law.

Sincerely,

Mr. Douglas c jones
PO Box 671666
Chugiak, AK 99567-1666
(907) 726-3381
djbabyhuey9@gmail.com

Daniel George

From: BARB GREENE <bkrekel@gci.net>
Sent: Thursday, February 11, 2016 7:52 PM
To: Senate State Affairs
Cc: BARB KREKEL
Subject: I oppose - SB91

I would like my comment to be considered as public testimony to oppose SB91.

In my opinion, trying to save the state money, by what clearly appears to be reducing jail/prison sentences down from felony convictions to misdemeanor offenses to keep thieves and criminals and drug dealers out of the prison system...to save the state money...and make it "appear" crime is being reduced...is the **WRONG** approach! Citizens need to feel safe in their homes, out in public using local businesses...businesses and residents need to feel that thieves are paying the price when they choose to steal. This will **NOT** happen if they simply get their hands slapped and are back on the streets, no jobs...living what they know...selling drugs, stealing to purchase drugs...and more and more readily we are seeing firearms being stolen...homes broken into when people are and are not home...this needs to stop!

Find a better way to save the state money besides messing with road maintenance and this smoke and mirrors type prison overhaul.

Here are a few:

Tax plastic water bottles!

Require "receipts" for "all" state reimburse travel per diems!! I used to be a meeting planner for a company that had the state contract and I know this was not happening 80%-90% of the time.

Create a state income tax

Barbara Greene
Wasilla, AK
907-231-3395

Daniel George

From: Cathy Milazzo <milazzo@mtaonline.net>
Sent: Monday, March 30, 2015 2:15 PM
To: Sen. Kevin Meyer; Sen. John Coghill; Sen. Berta Gardner; Sen. Click Bishop; Sen. Mia Costello; Sen. Mike Dunleavy; Sen. Dennis Egan; Sen. Johnny Ellis; Sen. Cathy Giessel; Sen. Lyman Hoffman; Sen. Charlie Huggins; Sen. Pete Kelly; Sen. Anna MacKinnon; Sen. Lesil McGuire; Sen. Peter Micciche; Sen. Donny Olson; Sen. Bert Stedman; Sen. Gary Stevens; Sen. Bill Stoltze; Sen. Bill Wielechowski
Subject: SB 91

I understand the aim of SB 91 to be twofold, to reduce the prison population, and save the state money. In furtherance of these goals, I have a few suggestions.

In section 4, subsection (b) (3) (C) there is a list of reasons that a person on electronic monitoring would be allowed to leave their residence and still receive credit for the time spent on electronic monitoring. I propose that wording be added allowing a person on electronic monitoring to leave their residence in the custody of a court-approved and appointed third party. I know that the courts often order those released on bail on to electronic monitoring, and in to the custody of a third party on house arrest for most of the time, and only allowed to leave the residence in the custody of a third party. I believe that adding this wording would serve the purpose of the law change – allowing those with substantial restrictions placed upon their freedom of movement and behavior to receive credit – while allowing a larger percentage of those on electronic monitoring to be eligible for the proposed credit. Thus serving the purpose of reducing the prison population and saving money.

The next thing I'd like to suggest is that section 4, and section 26 be made retro-active. Currently they are set to apply only to sentences imposed on or after the effective date of the bill. A change applying these sections to offenses committed before, on, or after the effective date would affect retroactivity, as well as paralleling the language of section 4 with HB 15, which also proposes that credit be granted for time on electronic monitoring.

Additionally, retroactive application would alleviate any injustice created by the fact that credit was allowed for bail electronic monitoring, and good time credit on all sentences imposed before July 1, 2007. Then HB 90 took effect, and disallowed credit for bail electronic monitoring or electronic monitoring good time credit for any sentence imposed thereafter. Consequently, not passing SB 91 retroactively would disallow credit to be granted on electronic monitoring, and good time on electronic monitoring on any sentence imposed between 7/1/07 when HB 90 became effective, and whenever SB 91 becomes effective, irregardless of when the underlying crime was committed. Of course, the retroactive application would also serve the goal of reducing the prison population and saving the state money.

Simply put, if SB 91 is enacted in its current form, not retroactive, there will be no immediate reduction in the state's prison population and no immediate savings. The effects and savings will only slowly be realized as new sentences are imposed upon which the bill would be effective. Thus, the full benefit to the state of SB 91 would only be realized when the prison population was made up entirely of prisoners whose sentences were imposed after the effective date of SB 91. In marked contrast, if SB 91 were made retroactive then the full effect of the law changes would be immediate upon the whole prison population and the state would see an immediate decrease in the prison population and subsequent saving thereto.

As to the legality of making SB 91 retroactive, the *ex post facto* clause contained in Alaska Constitution Article I, § 15 bars the enactment of any law that punishes as a crime an act previously committed, which was innocent when done; which makes more burdensome the punishment for a crime, after its commission; or which deprives one charged with a crime of any defense available according to law at the time when the act was committed. In short, the *ex post facto* prohibition applies only to penal statutes. See *Doe v. State*, 189 P.3d 999, 1003 (Alaska 2008).

Thus, only law changes that disadvantage those convicted of a crime must be evaluated to determine if retroactive application would be punitive and therefore run afoul of the *ex post facto* prohibition. Whereas a law change such as the ones envisioned in SB 91, which is advantageous to those convicted of a crime, are constitutionally clear to be applied retroactively.

Cathy Milazzo



Dear Members of the Alaska State Legislature,

My name is Ronald Lampard and I am the Criminal Justice Reform Task Force Director at ALEC. We are a membership organization and have members in the public sector, private sector, and in non-profits. ALEC's core principles are: limited government, free markets, and federalism. It is our sincere pleasure to write in support of S.B. 91.

ALEC supports alternatives to incarceration for *certain* nonviolent, low-risk offenders. The overall goal is to reduce state prison populations by focusing on those offenders who pose little to no risk to public safety. Other states, such as Texas, Georgia, Utah, Mississippi, and South Dakota have begun to address these issues and ALEC supports these efforts to reform and make improvements to the status quo via best-practices driven reforms. These reforms have demonstrated that it is possible to reduce their respective state's prison population, while simultaneously getting better outcomes on public safety.

The Alaska Criminal Justice Commission Justice Reinvestment Report of December of 2015 has several recommendations that are very similar to ALEC's model policy regarding sentencing reform. The report noted that 82% of individuals incarcerated in Alaska were incarcerated for nonviolent misdemeanors and that there were better alternatives to incarceration for these individuals. These alternatives provided for requiring these individuals to receive court-ordered drug treatment. Another recommendation provided for making simple possession of cocaine or heroin a misdemeanor. ALEC finds this recommendation to be suitable for first time offenders.

These reforms also provide for those incarcerated to earn good time for the purpose of having their sentences reduced, following the successful completion of substance abuse treatment programs or educational or vocational training programs. ALEC believes that allowing for a reduction of a nonviolent, low-risk offender's sentence following the completion of these programs is a smart alternative to incarceration.

Concentrating on providing alternatives to incarceration for nonviolent, low-risk offenders will allow for Alaska to have more resources available for combating violent offenders and drug dealers. ALEC believes that a central tenet of government is to provide public safety for all individuals. Simultaneously, by taking these measures to reduce prison population, the reforms would save the state of Alaska \$424 million. Hence, S.B. 91 allows Alaska to be both tough on crime and tough on government spending.

ALEC recognizes the Alaska legislature for tackling these reforms and providing alternatives to incarceration for certain nonviolent, low-risk offenders.

The Jeffersonian Project is the 501(c)4 affiliate of the American Legislative Exchange Council.



January 26, 2016

The Honorable Kevin Meyer
The Honorable Mike Chenault
Alaska Legislature
Statehouse
Juneau, Alaska 99801-1182

Dear Senate President Meyer and Speaker Chenault:

As a partner organization of the national nonpartisan U.S. Justice Action Network, the Faith & Freedom Coalition supports comprehensive criminal justice reform that safely reduces jail and prison populations, reduces costs, and breaks down barriers for those attempting to lead productive lives after incarceration. Therefore, we support the policy reforms contained in Senate Bill 91 now being considered before the Alaska legislature.

As a faith-based organization, our members believe in a fair and just system that keeps communities safe, treats victims with respect and ensures offenders are not only held accountable, but are also provided opportunities to live productive, law-abiding lives after serving their time. SB 91 is a positive step in that direction.

Alaska's current prison system isn't working properly. Nearly two-thirds of offenders leaving prison return within three years. The Alaska Department of Corrections is projected to grow by an additional 27 percent over the next decade, adding an estimated 1,416 inmates and costing the state an additional \$169 million in new corrections spending.

Senate Bill 91 would foster change and provide pathways for rehabilitation for those who choose to take it, so that individuals, families and communities can be restored. It provides incentives for offenders to engage in and complete rehabilitation treatment and programming, and allows for the release of older offenders who have already served more than a decade in prison.

This legislation would go further to support victims of crime by reinvesting a portion of the savings into violence prevention and victim services. It would also effectively strengthen probation and parole to ensure safer Alaska communities.

Alaska has joined numerous other states in collaborative attempts to implement data driven justice reform efforts such as those found in the recommendations from the Alaska Criminal Justice Commission, upon which SB 91 is based. The Commission undertook an exhaustive audit of Alaska's pretrial, sentencing and community supervision practices in compiling its 21 recommendations. Similar reforms were enacted in the state of Georgia in 2012 and 2013, and that state has since witnessed a dramatic decrease in recidivism and associated government and societal costs.

Consensus is a rare commodity in politics today, so let's seize this opportunity to reform Alaska's criminal justice system. We urge your support for SB 91.

Best regards,

A handwritten signature in black ink that reads "Timothy R Head". The signature is written in a cursive, flowing style with a large initial 'T' and 'H'.

Timothy Head



Dear Members of the Alaska State Legislature,

We are conservatives dedicated to helping government leaders apply conservative principles to the criminal justice system. Our organizations are very concerned about Alaska's costly and inefficient system. Senate Bill 91, which adopts the recommendations of the inter-branch Alaska Criminal Justice Commission, is an opportunity to pass conservative reforms that will keep our communities safe and cut hundreds of millions of dollars in ineffective state spending.

The recommendations make data-driven changes that will reduce recidivism, hold offenders accountable, and control the state's prison growth. If adopted, the reforms would reduce the state's average daily prison population by 21 percent over the next 10 years and would save the state \$424 million.

The national Right on Crime initiative, American Conservative Union Foundation (ACUF), and the Alaska Public Policy Forum are impressed that Senate President Meyer, Speaker Chenault, and other legislative leaders have made smart on crime reform a priority. In return for the General Fund dollars the state spends on corrections, Alaskans deserve a system that works. However, under current law, the prison population has grown nearly three times faster than the state resident population, the state has built new prisons costing hundreds of millions of dollars, and there's no end to that prison growth in sight. Moreover, two out of three offenders leaving Alaska's prisons come back within three years.

Although conservatives are tough on crime, we also must be tough on criminal justice spending. It is imperative that we back cost-effective approaches that hold offenders accountable and protect public safety.

The Right on Crime initiative aims to raise awareness of the conservative position on criminal justice policy based on the core values of individual liberty, personal responsibility, free markets, and private property rights. Right on Crime is anchored by our Statement of Principles, signed by some of the nation's most respected conservative leaders, including Newt Gingrich, Jeb Bush, Rick Perry, Grover Norquist and more than 40 others.

The Center for Criminal Justice Reform at ACUF also works to inform policymakers and mobilize public support for sensible, proven criminal justice reforms based on fiscal responsibility.

We believe the question underlying every state dollar spent on corrections should be: Is this making the public safe? Across the nation, state corrections costs have skyrocketed over the years and have grown faster than every other state budget category besides Medicaid.

In 2007, Texas chose to stop spending more on building prisons and invested in programming proven to reduce recidivism. The state has now averted \$3 billion in prison costs and has its lowest crime rate since 1968. States across the country, including Georgia, Mississippi, Utah, and South Dakota have

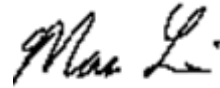
adopted data-driven reforms and are showing that it is possible to curb prison growth and get better public safety outcomes.

We applaud Senator Coghill and the Alaska Criminal Justice Commission for taking a comprehensive look at Alaska's criminal justice system. The policies included in SB 91 have a solid basis in the state's data and sound research on what works to change criminal offending behavior. They offer a path toward solvency and cost savings in an area of government where spending has been increasing unchecked for decades.

Sincerely,

A handwritten signature in black ink that reads "Pat Nolan".

Pat Nolan
Director, Center for Criminal Justice Reform
The American Conservative Union Foundation
pjnolan616@gmail.com

A handwritten signature in black ink that reads "Marc L.".

Marc Levin
Policy Director
Right On Crime
mlevin@texaspolicy.com

A handwritten signature in blue ink that reads "David Boyle".

David Boyle
Executive Director
Alaska Policy Forum
dboyle@alaskapolicyforum.org



February 9, 2016

Alaska State Legislature
Senator John Coghill
State Capitol Room 119
Juneau, AK 99801

Dear members of the Alaska State Legislature,

On behalf of the Greater Fairbanks Chamber of Commerce, I am writing to express support for the comprehensive criminal justice reform legislation, Senate Bill 91.

The Legislature has looked to business leaders for guidance on how to manage the state's current fiscal crisis. Facing a multi-billion dollar budget shortfall, it is vital that each dollar spent is cost effective, and targeted in a manner that gets the best return on investment.

Alaska's corrections spending has grown unchecked for decades, now costing the state over \$300 million each year, and hundreds of millions more each time Alaska builds a new prison. Despite this extraordinary cost, the state is not getting a good return on investment. Two out of three offenders released from Alaska's prisons return within three years. A two-thirds failure rate would not be tolerated in any other area of government spending.

Every dollar the state spends on corrections is a dollar that is unavailable for priorities of the business community like education and economic revitalization. Thanks to the inter-branch Alaska Criminal Justice Commission, we now know that the state can spend less on corrections and actually get better public safety outcomes. The Commission tracked the best research in the field on what works – and what doesn't work – to change criminal offending behavior, and has provided the Legislature with 21 recommendations for statutory changes that will get better outcomes while safely reducing the prison population and saving the state an estimated \$424 million. We **applaud** Senator Coghill for incorporating these recommendations **into SB 91**, and encourage you to pass them into law.

Public safety is directly correlated with healthy, vibrant, and economically sound communities. Prison, however, is not the only path to public safety, particularly for low-level crimes. Too many Alaskans are taken out of the workforce for involvement in minor nonviolent crimes. This comprehensive package of criminal justice reforms will help ensure that our workforce can remain productive members of society, and not become financial burdens on the state.

We have seen this Legislature work aggressively to ensure that state dollars are not being wasted. The time to extend that cost-benefit approach to the state's prison system is now. We hope you'll join us in viewing corrections reform as a legislative priority this session.

Sincerely,

A handwritten signature in black ink that reads "Lisa Herbert".

Lisa Herbert
President and CEO

EXECUTIVE PARTNERS

DIAMOND

Alaska Airlines
ConocoPhillips
ExxonMobil
Fairbanks Daily News-Miner
Fairbanks Memorial Hospital & Denali Center
Flint Hills Resources Alaska
Mt. McKinley Bank
Ravn Alaska

PLATINUM

Alyeska Pipeline Service Co.
BP Exploration
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Fred Meyer Stores
Golden Heart Utilities
Sumitomo Metal Mining Pogo LLC
Wells Fargo Bank Alaska

GOLD

Carlson Center
Denali State Bank
Design Alaska
Doyon Utilities LLC
First National Bank Alaska
GCI
Kinross Fort Knox Mine
Lynden
NAPA Business Development Group
Usibelli Coal Mine
WAL-MART Stores, Inc.
Westmark Fairbanks Hotel & Fairbanks Princess Riverside Lodge

SILVER

Agency 49
Alaska Communications
Alaska Railroad
Alaska USA
Everts Air Cargo, Everts Air AK
Exclusive Paving/University Redi-Mix
Fairbanks Natural Gas
Flowline Alaska
Gene's Chrysler, Jeep & Dodge
Golden Valley Electric Association
Hale & Associates, Inc.
Henry Orthodontics
Hilcorp Alaska, LLC
JL Properties, Inc.
Key Bank
MAC Federal Credit Union
Northrim Bank
PDC Inc. Engineers
Personnel Plus
Sam's Club
Seekins Ford Lincoln
Sourdough Fuel
Spirit of Alaska FCU
State Farm Insurance
Tammy Randolph, Agent
Ed Randolph, Agent
Tanana Valley Clinic
TDL Staffing
Teamsters Local 959
Totem Ocean Trailer Express
Tower Hill Mines-Livengood Gold Project
UA College Savings Plan
University of Alaska Fairbanks
Verizon Wireless
Vivlamore Companies
Yukon Title Company



February 9, 2016

Honorable Kevin Meyer
Senate President, Alaska Senate
Juneau, Alaska

Honorable Mike Chenault
Speaker, Alaska House of Representatives
Juneau, Alaska

Re: Support for SB 91 and Criminal Justice Reform in Alaska

Dear Senate President Meyer and House Speaker Chenault:

The Alaska Federation of Natives submits this letter in support of SB 91, an act relating to criminal law and procedure and geared toward criminal justice reform.

AFN is the largest statewide Native organization in Alaska. Our membership includes 185 federally recognized Alaska Native tribes, 153 village corporations, 12 regional corporations, and 12 regional nonprofit and tribal consortiums that compact and contract to run federal and state programs. Formed fifty years ago, AFN continues to be the principle forum and voice of Alaska Natives in dealing with critical issues of public policy and government.

In 2014, the Alaska Legislature established the bi-partisan, interbranch Alaska Criminal Justice Commission ("Commission") and it was tasked with "develop[ing] recommendations aimed at safely controlling prison and jail growth and recalibrating our correctional investments to ensure that we are achieving the best possible public safety return on our state dollars." In addition, you and other legislative leaders requested that, because the state's difficult budget situation rendered reinvestment in evidence-based programs and treatment possible only with significant reforms, the Commission forward policy options that would not only avert future prison growth, but would also reduce the prison population between 15 and 25 percent below current levels.

The Commission developed a comprehensive package of policy recommendations that would protect public safety, hold offenders accountable, and reduce the state's average daily prison population by 21%, netting an estimated savings of \$424 million over the next decade for the state.

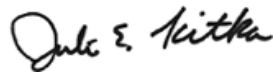
The Commission found that a disproportionate number of Alaska Natives are being confined. While Alaska Natives represent 15 percent of the state resident population, they represent 36 percent of the state's pretrial inmates, 34 percent of the state's sentenced prisoners, and 42 percent of the probation and parole violators in prison. Measures recommended in the Criminal Justice Commission report aimed at safely reducing pretrial incarceration, diverting low-level offenders from prison, adjusting criminal penalties to get better outcomes, and making penalties for probation and parole violations

more proportional will have a disproportionately positive effect on Alaska Natives, who are overrepresented in the state's incarcerated population.

SB 91 is a comprehensive bill that will go a long way toward reforming criminal justice in Alaska. This bill incorporates the recommendations made by the Commission, and goes further by including reentry provisions that create a path for offenders to earn back their driver's licenses and their eligibility for food stamps. We believe that the provisions in SB 91 will reduce recidivism rates and help to create opportunities for people to be productive members of society. We strongly urge you to pass SB 91 into law.

If you have any questions or require further clarification about the content of this letter, please contact me directly at (907) 274-3611 or nevakitka@aol.com.

Sincerely,

A handwritten signature in black ink that reads "Julie E. Kitka". The signature is written in a cursive, flowing style.

Julie Kitka
President

cc: AFN Board of Directors
Governor Bill Walker
Lt. Governor Byron Mallott
Rep. Bryce Edgmon, Bush Caucus

Dear Alaska Legislative Member, **STOLTZE**
CHAIR FINANCE COMMITTEE

Dec. 27, 2015

I and many of my friends got a chance to read the Alaska Criminal Justice Commissions, Reinvestment Report. We were very happy with the Ideas they put forth. We are concerned with ~~the~~ ^{THE} image Alaska has been getting with all the bad press about the DOC and the inmates dying and the corruption and such. This is a very positive aspect and will help keep Alaska going forward, and help with the budget also. Our tourist income is highly affected by how those in the lower 48 see us. Bad press hurts our income!

Further, with how many people are in prison or on probation or parole, it seems we all know at least one person that is affected directly by that report. It will help some of the people at our church whom have 2 sons that are in prison for the first time, and also a person whom is on probation. These people are good people, that made mistakes, and need to be given the opportunity to turn their lives around. We spent part of our last Bible study session talking about this proposed bill and we all think that the 21 points will be good, especially if the probation officers get training to help those on probation, and we also agree that the sex offenders deserve a break. One of the guys at our church is a sex offender, and he says he will always have that label, even after 20 years of doing his time for the mistake, that cost him most of his privacy and dignity. After we talked with him and learned what type of offenses are sex crimes, in our state, we asked him to help us put together some ideas to help. He said he would help with an idea for the suggestion #4. Because we think you need to also include and pass that with the 21 other points. Please do this to help ALL offenders that need it. Please do it because its the right thing to do. All the sentences in Alaska are too long. We looked online and saw how long first time sex offenders can get, compared to those that kill people, and its crazy. Killers get less time, that even the lowest of the sex offenders. That tells us, that the ranges need to be adjusted.

Please Pass the 21 points and Suggested Additional point #4, because its the right thing to do, and whats BEST for Alaska and all its citizens.

Bruce Peters
Thank you.

PS. Have you ever considered some of the sentencing laws in other states? Maybe Calif? Cal Pen Code §311.1, §311.2, §311.11 Might help with ideas.

Daniel George

From: Bruce <brcvndsn@aol.com>
Sent: Friday, February 12, 2016 12:37 PM
To: Senate State Affairs
Subject: SB 91

My name is Bruce Van Dusen. I live in Juneau, Alaska. I am the Executive Director of Polaris House. Polaris House is dedicated to adults recovering from mental illness. I support SB 91.

Too many times I see beneficiaries released from incarceration with no plans for support. This leads to more crime and a high recidivism rate.

Too many times I see beneficiaries cutoff from mental health care while incarcerated. When released some are in worse mental state than when they entered this system.

This bill will go a long way to solving these problems. One word of caution, the funds saved from intensive reductions and changes must be placed in the community to provide the services and supports cited in the bill. These funds are vital to the success of these efforts.

Thank you,
Bruce Van Dusen

Daniel George

From: ewsmagge <ewsmagge@gmail.com>
Sent: Friday, February 12, 2016 12:14 PM
To: Senate State Affairs
Subject: in support of sb91

Good afternoon my name is Edward Smagge I live in fairbanks Alaska. I have just recently completed wellness court here in Fairbanks an would like to see sb91 become stronger in our communities. in my own experiences involved in the courts I believe a person striving to better them selves an that has made an met many positive goals they have set is exiting their old life styles an have genuinely made a community stronger with trust, honesty, an becoming a productive citizen. Giving people an achievable goal in life to remain in sobriety an continue to be a leader, a positive example, a mentor to others is how I believe sobriety grasps an individual to stay on a healthy life style. having hope to be able to travel an commute them selves to work, to be able to see their children at school when an unexpected circumstances arrives, to be able to maintain employment an arrive on time, these are some incentives of living a productive life an given a chance of driving legally. I have been seeing more people give into their addiction because their goals were met but not recognized an we see what is on paper but not what was achieved. this bill that is constructed properly can reduce criminal behavior..

Thank you
sincerely

Sent from my GCI Smartphone.

Daniel George

From: Lou (Linda) Brown <lsbrown@alaska.edu>
Sent: Friday, February 12, 2016 9:49 AM
To: Senate State Affairs
Subject: Attn State Senate Affairs Chair Bill Stoltz

Re: SB 91

Dear Chairman Stoltz,

I urge you to pass SB 91 which incorporates recommendations made by the the Alaska Criminal Justice Commission. I have been personally involved in an effort spearheaded by the University of Alaska Fairbanks Justice Department to create a pre-trial diversion program that would include (in appropriate cases) Victim Offender Reconciliation processes. These kinds of efforts show tremendous promise to reduce the number of cases that end up in court and re-direct them to more appropriate services while simultaneously proving the opportunity for victims and offenders to create mutually satisfactory plans to "make right" the harm that has been done, thereby greatly increasing the chances that offenders will make necessary personal and lifestyle changes that, it is to be hoped, will keep them out of future encounters with the Criminal Justice system.

Similar efforts are included in SB 91 and it is for these reasons that I am very excited about the possibilities for reform in the CJ system promised by that bill. I urge its passing.

Sincerely,

Lou Brown
2630 Home Run
Fairbanks, AK 99709

"As far as we can discern, the sole purpose of human existence is to kindle a light in the darkness of mere being."
CG Jung

Daniel George

From: Reece Burk <reece449@gci.net>
Sent: Friday, February 12, 2016 10:36 AM
To: Senate State Affairs
Subject: SB91

Senate State Affairs committee:

This is a request of your support for a bill to grant a limited license for me and folks like myself. I have a felony DUI, that's three DUIs over a ten-year period. Now, I and folks like myself have completed an 18 month, court approved, treatment program. Wellness court.

A limited license with an interlock device or also called a breathalyzer, would allow me to go to and from work, my support group, the grocery store, doctor's appointments, maybe even something as normal as a haircut. Just a haircut is a small thing to most, but the ability to drive is such a huge boost to someone's dignity, self-respect, and the feeling of being part of the community again is huge.

In the 18 month treatment program we were taught to recognize and confront our stressors. And in doing that, manage and overcome the triggers that could cause a relapse. Some of the biggest stressors are frustration, resentment, and the loss of self-respect.

The frustration of relying on or imposing on someone for a ride. The resentment of being looked upon as a burden. The loss of self-respect because you are unable, or less able, to support yourself, or your family.

After my second DUI I was required to install an interlock. During the training of how it works and how to use it, the gentleman told me do not use cologne or after shave. Both are very high in alcohol. It's on your hands from putting it on, it's on your neck and or upper body. Now, when you take that deep breath so you can blow for the 6 to 8 seconds, you pull in all of those alcohol laden vapors. The interlock cannot tell the difference between Brut and Budweiser, or the difference between Old Spice and Old Crow. It's just alcohol vapors.

I found this out the hard way the second or third week I had a interlock in after my second DUI. I got up late, turn on the coffee, fixed lunch, quick shower and after shave, and run out the door, 10 minutes or less. Turned on the key and waited for the interlock to warm up. When the screen said blow, I did and waited. Then it said I failed!! WOW!! I knew I had not had any alcohol for several months by this time. But I was locked out for 30 minutes and I'm already late. I went back inside and got out the owners manual. That's when I remembered what I was told. Not to use Cologne!! I usually have 30 to 45 minutes between my shower and leaving the house. But not that day.

Now, after a long day of beating up your opponents across the aisle or even each other, you and some friends and colleagues go across the street to Pizza Hut, a pizza and a picture. Those 8 or 9 ounce glasses you are given with that pitcher, don't drink that second one and then go right to your car if you have an interlock. Order up some wings or something, because you're going to be there for 45 minutes to an hour if you have that second glass of beer.

Or maybe over to the Olive Garden for spaghetti and meatballs. That 6 ounce glass of wine, and one is all you get, if you drink any more than that, better orders some breadsticks, or again you will get locked out for 30 minutes, if you go out try to blow and start your car.

With a limited license and interlock, the ability to drive, is such a huge step in regaining the feeling normal again, in helping to maintain my sobriety, to lessen some very large stressors. To move forward again.

Please help me, and others like me, become a productive, functioning, self-supporting citizen again.

A limited license after completion of a court approved treatment program is badly needed in this state, and for that matter, badly needed FOR the state.

Thank you,

Reece W Burke

2000 Carr Ave

Fairbanks AK 99709



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Daniel George

From: Beth Hazen <bhazen27@gci.net>
Sent: Friday, February 12, 2016 11:57 AM
To: Senate State Affairs
Cc: Sen. Kevin Meyer
Subject: Prison Reform SB91

Attn: Senate State Affairs Chairman Bill Stoltz

Although we are not able to attend the legislature hearing in Juneau, we would like to express our support for Prison Reform. We have reviewed the Prison Reform Recommendations that were released in December 2015, and believe that the recommendations are sensible, practical, and would not only save the state money, but would benefit many of the incarcerated by giving them incentives to earn parole by good behavior and by participating in programs that would help them to re-enter society as productive citizens. We have also attempted to review the current bill, and support the bill to the extent that it includes all of the recommendations included in the Prison Reform Recommendations document.<?xml:namespace prefix = "o" ns = "urn:schemas-microsoft-com:office:office" />

K. Richard and Elizabeth Hazen

1925 Brandilyn St.

Anchorage, AK 99516

Beth Hazen