

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,

Julie Kitka President

Jule E. Kitka

cc: AFN Board of Directors Governor Bill Walker Lt. Governor Byron Mallott

Rep. Bryce Edgmon, Bush Caucus







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,

Pat Nolan

Director, Center for Criminal Justice Reform The American Conservative Union Foundation pinolan616@gmail.com

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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,

Lisa Herbert President and CEO

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University of Alaska Fairbanks Verizon Wireless **Vivlamore Companies**

Yukon Title Company



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, lawabiding 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,

Timosty R Head

Timothy Head



950 East Bogard Road, Suite 218 • Wasilla, AK 99654 Phone: (907) 352-2863 • Fax (907) 352-2865 www.matsuhealthfoundation.org

February 17, 2016

Senator John Coghill State Capitol Room 119 Juneau, AK 99801

Dear Senator Coghill,

On behalf of the Mat-Su Health Foundation and its Board of Directors, I am writing to express support for Senate Bill 91.

The Mat-Su Health Foundation (MSHF) shares ownership in Mat-Su Regional Medical Center and invests its profits from that partnership back into the community in order to improve the health and wellness of Alaskans living in the Mat-Su. In 2013, MSHF and numerous community partners conducted a Community Health Needs Assessment (CHNA). As part of the CHNA process, 24 meetings were held across the borough, where more than 500 Mat-Su residents participated and ranked the following as the top two health and wellness goals for our community:

- 1. All Mat-Su children are safe and well cared for; and,
- 2. All Mat-Su residents are drug free (illegal drugs) and sober or drink responsibly

Both of these goals relate to promoting optimal behavioral health. Sometimes this means providing treatment for substance abuse or mental health challenges. It also means creating a supportive environment where children live in families without violence or substance abuse, and with parents who themselves are healthy and happy. We conducted further research, in the form of a Behavioral Health Environmental Scan, to learn what is working in the behavioral health system and what can be improved. We feel that SB91 reflects successful evidence-based practices that can positively impact some of the behavioral health issues facing the Mat-Su and Alaska as a whole. The reforms included in SB91 will give Alaskans more opportunities to be productive, healthy citizens.

Some of the specific provisions of SB 91 supported by the Mat-Su Health Foundation include the following:

- Updating the misconduct involving a controlled substances offenses to better align penalties with the severity of the offenses;
- Allowing for reinstatement of a driver's license revoked for conviction for driving under the influence or refusal to submit to a chemical test upon completion of court ordered treatment and successful performance under limited license privileges for three years;
- Expanding community supervision sentencing options (such as house arrest and electronic monitoring) for certain offenses;
- Insuring compliance with probation and parole requirements through incentives for good behavior and swift, certain, and proportional sanctions for violations; and,
- Adding behavioral health treatment, services for cognitive behavioral disorders, and aftercare supports to the
 duties of correctional restitution centers.

Thank you for introducing SB91. If you have any questions or would like copies of the reports mentioned in this letter, please don't hesitate to contact me directly via email: eripley@healthymatsu.org.

Sincerely,

Elizabeth Ripley
Executive Director

Elizabeth Ripley



February 29, 2016

To: Senate State Affairs Committee Members

Re: Tanana Chiefs Conference Support of Senate Bill 91 (SB 91)

Dear Senate State Affairs Committee Members,

Tanana Chiefs Conference (TCC) fully supports SB 91. Alaska is in desperate need of criminal justice reform because the current system is broken and millions of dollars are being wasted during our unprecedented budget deficit. Similar legislation passed in other states has proven to be a successful model for criminal justice reform and savings on state resources.

Unfortunately for Alaska Natives, we are disproportionately represented in the criminal justice system more than any other group in the state. Although Alaska Natives make up about 14% of our state's population, we exceed 40% of the prison population. TCC supports creative solutions that focus on treatment and community work service.

SB 91 contains many of these aspects. First, the provision that allows courts to suspend entry of judgment against a youthful or first time offender (AS 12.55.078) is valuable because criminals convicted of petty crimes have extreme difficulty finding meaningful employment and entry into education / vocational programs. If offenders have meaningful employment, the less likely they are to commit future crimes. This saves our state; there is no cost to re-arrest, charge, prosecute, and imprison people who can be reformed.

SB 91 also changes the structure of criminal sentencing for driving offenses. SB 91 rewards successful completion of treatment programs with license incentives that help offenders get out of the criminal system. Many good paying jobs are not on the bus lines. If offenders cannot obtain driver licenses, they cannot get to work to support themselves and their families.

Finally, Alaska's drug and alcohol problem is not a criminal issue, but a public health issue. Treatment of drug and alcohol abuse must be addressed by counseling and treatment that actually target the disease rather than non-reforming incarceration. As our current system has demonstrated, incarceration does not work. Our jails are overcrowded, recidivism is high, and our state cannot afford financially to continue down this road.

Tanana Chiefs Conference believes that criminals should be held accountable; however, it should be done in a system that is responsible, cost effective, and gives offenders a genuine second chance. SB 91 provides this opportunity for our state.

Sincerely,

Tanana Chiefs Conference

Victor Joseph,

TCC President and CEO

The case for criminal justice reform

Jorge Marin and Jason Pye | Posted: Wednesday, September 2, 2015 12:00 am

News-Miner Community Perspective:

For 30 years, America's correctional policies put more people in prison and kept them there longer. This practice made our country the world's most enthusiastic jailer by far. We have roughly 2.3 million people behind bars today, or nearly one in every 100 American adults.

The painful legacy of our incarceration spree includes billions of dollars in costs, fractured families and disappointing results. Fortunately, a movement driven by facts and common sense is now steering the nation onto a wiser, more productive path.

Momentum is strongest in the states where lawmakers are overcoming political differences to unite behind cost-saving reforms that ensure violent and chronic offenders go to prison but punish those convicted of nonviolent crimes through more effective alternatives.

Texas led the way with pioneering changes back in 2007. Facing overwhelming prison growth, Texas scrapped plans to build more prisons and instead invested in approaches proven to reduce reoffending. Since then, the state's recidivism rate has dropped 25 percent, crime rates are at their lowest level since 1968, and the state has avoided nearly \$3 billion in prison costs. The reforms have since spread coast to coast, from Mississippi in the Deep South to South Dakota in our country's heartland and Oregon out west.

Now Alaska is poised to join this growing list. We heartily applaud the state's decision to join the Justice Reinvestment Initiative, a data-

driven reform process that's been used by more than two dozen states to curb corrections costs while reducing offender recidivism and protecting public safety.

Under this initiative, the Alaska Criminal Justice Commission, a bipartisan, high-level group of practitioners and policymakers, has been taking a hard look at the state's approach to crime and punishment, and finding ways to improve performance — for taxpayers, citizens and offenders alike.

The need for change is clear. Alaska is known as the Last Frontier, a unique land of stunning natural beauty, rugged individualism and free thinkers. But like so many other states, Alaska is not receiving an adequate return on its public safety investment.

The numbers speak for themselves. Alaska's jail and prison system has grown by 27 percent in the last decade, nearly three times as fast as the growth of the state's resident population. The state currently spends \$334 million per year on corrections, 50 percent more than a decade ago. Despite this substantial investment, nearly two out of every three offenders who leave Alaska's prisons return within three years.

Alaskans spent \$250 million to build the Goose Creek prison, which opened its doors in 2012, and already the state's prisons and jails are approaching capacity, with no end in sight. Absent reform, the state's prison population is forecast to increase by more than 1,400 beds in the next decade, costing Alaskan taxpayers a minimum of \$169 million in additional prison costs.

FreedomWorks and Americans for Tax Reform have united with other organizations to create the Coalition for Public Safety, a group dedicated to making our nation's sentencing and correctional approach more just, fair and effective. Our alliance, which includes progressives and conservatives often at odds over other policy questions, has raised eyebrows and made headlines, but it demonstrates that criminal justice reform is not a partisan issue.

Criminal justice reform is long overdue, and its potential to improve public safety, keep families intact and control costs has already been proven in more than two dozen states.

In a time of tight budgets, this wisdom is the right fit for Alaska, which deserves a correctional system that makes the best possible use of taxpayer dollars — and delivers the best public safety results.

Jorge Marin is the Policy Specialist for Criminal Justice Reform for Americans for Tax Reform. Jason Pye is the Director of Justice Reform for FreedomWorks.

Alaska Dispatch News

Published on *Alaska Dispatch News* (http://www.adn.com)
Home > Alaska justice system review will save money, help families stay intact

Tony Perkins June 19, 2015

OPINION: Alaska is now taking the first step down a path toward successful criminal justice reform, this proven process will lead to cost-saving improvements, as it has already done in other states.

On June 21, families across America will fire up their barbecues and take time out to honor dads. As a father of five children, I look forward eagerly to this annual paternal celebration we call Father's Day.

But I am also mindful that for over 2.5 million of our nation's children, Father's Day was just another day of separation from a parent who is out of reach -- serving time in jail or prison. A 2010 study by The Pew Charitable Trusts found that one in 28 children in the United States has a parent incarcerated, up from one in 125 just a quarter century ago.

This is a deeply troubling statistic, and it's one reason I'm a member of the conservative campaign movement known as Right on Crime. Launched in Texas, Right on Crime supports criminal justice policies that improve public safety, cut costs and help more nonviolent offenders return to their families and lead productive, law-abiding lives.

Our country's 30-year prison building boom and its fiscal impacts have been widely discussed. But one often-overlooked impact of America's high incarceration rates is the impact upon children and families, those innocent casualties left behind.

When I served in law enforcement earlier in my career, I had a front-row seat to observe the collateral damage our criminal justice policies can inflict on children with parents behind bars. The harm often starts when children experience the trauma of witnessing a parent's arrest, and grows from there.

A 2014 report by the National Academy of Sciences highlighted the problem, concluding that "fathers' incarceration and family hardship, including housing

insecurity, and behavioral problems in children, are strongly related." Rates of homelessness are higher among families with a father behind bars, and children of the incarcerated often land in foster care, have trouble in school and struggle to form attachments with peers.

Lacking authority figures and positive role models in their lives, too many of these kids engage in delinquency and wind up incarcerated themselves.

As a conservative, I certainly believe prison is the proper place for violent and career criminals, who present a threat to the rest of us. But a large majority of offenders who are parents are doing time for nonviolent crimes. For example, among female inmates, most of whom are mothers, 85 percent are in prison for nonviolent offenses.

For lower-level lawbreakers like these, we need to adjust our correctional approach in ways that take into account what's best for family preservation and the future of our children. That means expanding the use of alternative sanctions that enable offenders to pay their debt to society but also remain in the community, where they can stay on the job as parents to their kids.

As a part of the alternative, government must engage the help of nonprofit and faith-based organizations that can help these moms and dads understand their irreplaceable role in the life of their children.

Fortunately, leaders in more than two dozen states – from Texas to Georgia, South Dakota, Ohio, and Oregon – have launched reforms designed to create a criminal justice system more attuned to the importance of family unity. By strengthening proven options such as drug courts, probation supervision, and the use of today's sophisticated new monitoring technologies, states are holding offenders accountable for their crimes while also keeping more families intact.

I'm heartened to see that Alaska is now taking the first step down a path toward successful criminal justice reform traveled by numerous other states. The Alaska Criminal Justice Commission is launching a comprehensive review of the state's criminal justice system as part of the national Justice Reinvestment Initiative. I'm confident this proven process will lead to cost-saving improvements for Alaska, as it has already done in so many other states.

Alaska's jail and prison system has grown substantially in recent years, and the state now spends \$334 million annually on corrections, up 50 percent in

the last decade alone. Despite this heavy cost, Alaskans are not getting a good return on their public safety spending. Nearly two out of every three offenders who leave the state's prisons are back behind bars within three years.

I look forward to watching Alaska move toward reforms that will help more fathers -- and mothers -- be at home for those important, life-enriching barbecues with their families.

Tony Perkins is a former Louisiana legislator and is the president of the Family Research Council. He is a signatory of the Right on Crime campaign.

The views expressed here are the writer's own and are not necessarily endorsed by Alaska Dispatch News, which welcomes a broad range of viewpoints. To submit a piece for consideration, email<u>commentary(at)alaskadispatch.com</u> [2].

Alaska Dispatch News

Published on Alaska Dispatch News (http://www.adn.com)

Home > Alaska can work smarter to prevent and address crime

Gary Folger,Kris Sell February 28, 2016 **Main Image:** Doing hard time [1]

As law enforcement officials, we earn public confidence not just by being professional, but by evolving and working smarter. That's why we are encouraged by the smart justice reforms laid out in Senate Bill 91. By advancing evidence-based reforms to the state's systems for bail, sentencing, and community supervision, SB 91 aligns our justice system with the best knowledge in the field on what works to prevent crimes and change criminal offending behavior.

For the past year, we have proudly served on the Alaska Criminal Justice Commission, an interbranch task force of criminal justice practitioners and policymakers created to examine our corrections system and recommend changes to spend state dollars more efficiently and better protect public safety. We worked with a broad cross-section of criminal justice professionals and stakeholders to analyze the state's data, identify problem areas, and look to the best research in the field on what practices work to prevent reoffending. What we saw in the data were many of the same trends we in the law enforcement community see every day: A failure to effectively address mental health issues and curb addiction and addiction-fueled crime, and a revolving prison door.

We saw the vast majority of people arrested and brought to jail come in for nonviolent misdemeanors -- the lowest level offenses. If they can't pay bail, they sit in jail for weeks or months before going to trial. They often stay in prison just long enough to lose their jobs, lose their ability to pay rent, and lose custody of their kids, disrupting the positive social things in their lives. Meanwhile, they're housed with more serious criminals in jail who teach them all the wrong survival skills.

Alaska has a shockingly high recidivism rate: Two out of three offenders released from Alaska's prisons return within three years. Individuals cycle into prison on low-level offenses, come out worse than they went in, and get picked up again on the same or more serious charges. The cycling of these low-level offenders in and out of our prisons has driven up the prison population and driven up costs, taking up funds that could be focused on prevention, treatment, and community supervision. We're spending hundreds of millions of dollars each year on prisons, and not seeing a good public safety return on that spending.

Working with the commission, we identified specific law changes the Legislature should adopt this session to strengthen our criminal justice system, reduce crime and recidivism, and stop wasting state dollars on practices that don't work. We plan to continue to engage public safety officials and private citizens across Alaska, and offer support to Sen. John Coghill in his efforts to implement reform, while continuing to ensure our communities remain safe. These changes would reform our bail system to safely release more nonviolent pretrial defendants while they wait for their trials. They would bring our criminal sentences in line with other states and divert low-level nonviolent offenders away from prison altogether and into more effective alternatives. They would

also strengthen community supervision by focusing resources on high-risk offenders, incorporating treatment and programming to address addiction and antisocial thinking, using sanctions and incentives more effectively, and providing reentry supports for offenders coming out of prison.

This package of reforms, which Coghill has incorporated into SB 91, will save the state hundreds of millions of dollars and result in better outcomes and fewer crime victims.

It's time for our justice system to work smarter. We've shown the Legislature how to get there, and urge them to support this package of reforms.

Gary Folger is commissioner of the Alaska Department of Public Safety. **Kris Sell** is a lieutenant at the Juneau Police Department.

The views expressed here are the writer's own and are not necessarily endorsed by Alaska Dispatch News, which welcomes a broad range of viewpoints. To submit a piece for consideration, email commentary@alaskadispatch.com [2]. Send submissions shorter than 200 words to letters@alaskadispatch.com [3] or click here to submit via any web browser [4].

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