

ALASKA CRIMINAL JUSTICE COMMISSION

House Finance Committee

October 26, 2017

COMMISSION PROCESS

Research	-	What works to reduce recidivism
Stakeholder outreach	-	Public meetings & discussions
System assessment	-	How is the system currently operating
Proposals from work groups Commission meetings	-	Debated and voted on at

Context for Criminal Justice Reform

Letter from Legislative Leadership September 8, 2015
(in your packet)

Directing Commission to develop policy options to:

1. Avert all future prison growth
2. Avert all future prison growth and reduce current population by 15%
3. Avert all future prison growth and reduce current population by 25%

GOALS of CRIMINAL JUSTICE REFORM

- 1. Reinvest in Programs Proven to Reduce Recidivism & Protect Public Safety**
- 2. Implement Evidence-Based Pretrial Practices**
- 3. Focus Prison Beds on Serious & Violent Offenders**
- 4. Strengthen Probation & Parole Supervision**
- 5. Improve Reentry Programming**
- 6. Ensure Oversight and Accountability**

GOALS of CRIMINAL JUSTICE REFORM

Reinvest in Programs Proven to Reduce Recidivism & Protect Public Safety –

Reinvestment in FY17 & FY18

Substance Abuse Treatment	\$2,500,000
Reentry Support	\$3,000,000
Violence Prevention Programs	\$3,000,000
Two-year total	\$8,500,000

REINVESTMENT DETAIL

Summary of FY17 & FY18 Reinvestment Allocations For Criminal Justice Reform Programs			
Item	FY17	FY18 (SB 91 Fiscal Note)	Total FY17 & FY 18
DOC			
Substance Abuse Treatment in Prison	\$700,000	\$1,000,000	\$1,700,000
Substance Abuse Treatment at CRCs	\$300,000	\$500,000	\$800,000
DHSS			
Community-Based Reentry Services	\$1,000,000	\$2,000,000	\$3,000,000
DPS			
CDVSA Victims' Services & Violence Prevention	\$1,000,000	\$2,000,000	\$3,000,000
Treatment & Prevention Subtotal	\$3,000,000	\$5,500,000	\$8,500,000
Implementation costs			
Pretrial Services, Commission staffing, ASAP, Parole Board	\$5,828,000	\$11,179,500	\$17,007,500
Reinvestment Total	\$8,828,000	\$16,679,500	\$25,507,500

GOALS of CRIMINAL JUSTICE REFORM

Reinvest in Programs Proven to Reduce Recidivism & Protect Public Safety

Future Reinvestment 2019 - 2022

- **\$4,000,000** for treatment in CRCs
- **\$4,000,000** for treatment in prison
- **\$8,000,000** for treatment in the community and re-entry services (note about $\frac{1}{4}$ of this amount projected to come from Medicaid reform)
- **\$8,000,000** for violence prevention programs in the community

GOALS of CRIMINAL JUSTICE REFORM

Invest in Evidence-Based Pretrial Practices

Pretrial Enforcement	\$13,447,800
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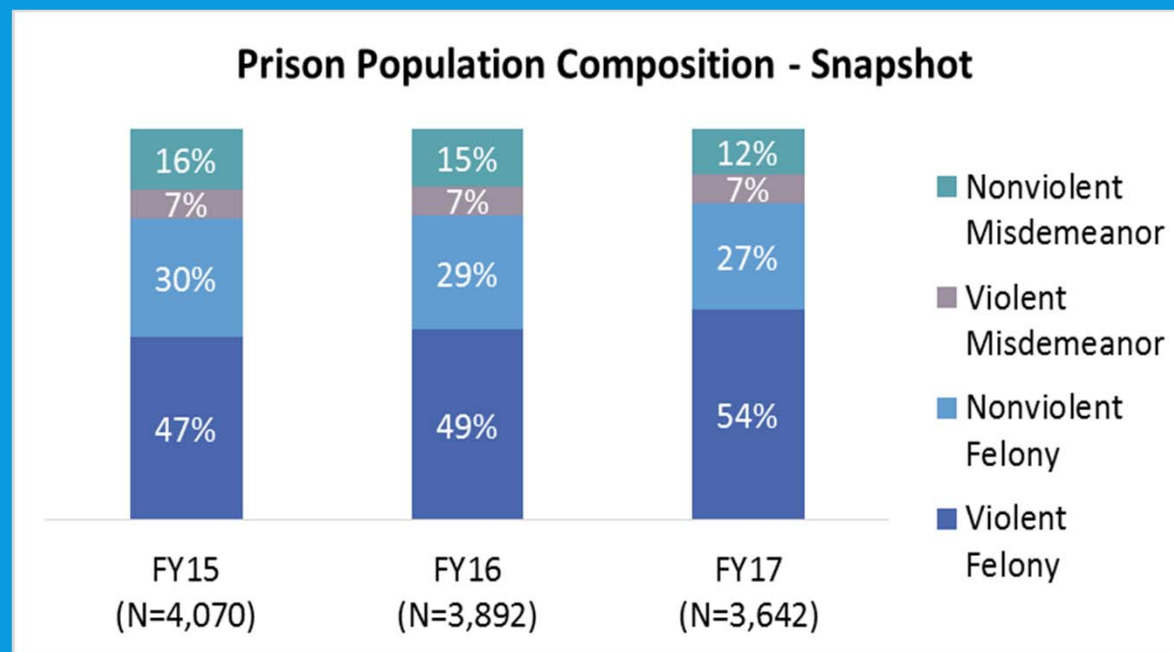
Beginning January 2018

EVIDENCE-BASED PRETRIAL PRACTICES

Pretrial Before and After SB 91 – What’s the Difference?	
<i>Pre-SB 91</i>	<i>Starting January 2018</i>
<ul style="list-style-type: none">✓ Release based on payment of bail to ensure appearance✓ Amount of bail set is used as a proxy for a defendant’s risk✓ No supervision of defendants who are released✓ Heavy reliance on civilian third-party custodians	<ul style="list-style-type: none">✓ Release based on results of a risk assessment and the offense✓ Risk assessment calculates a defendant’s risk of failure to appear and of a new arrest✓ Supervision (based on risk level) of defendants who are released✓ Restrictions on use of third-party custodians

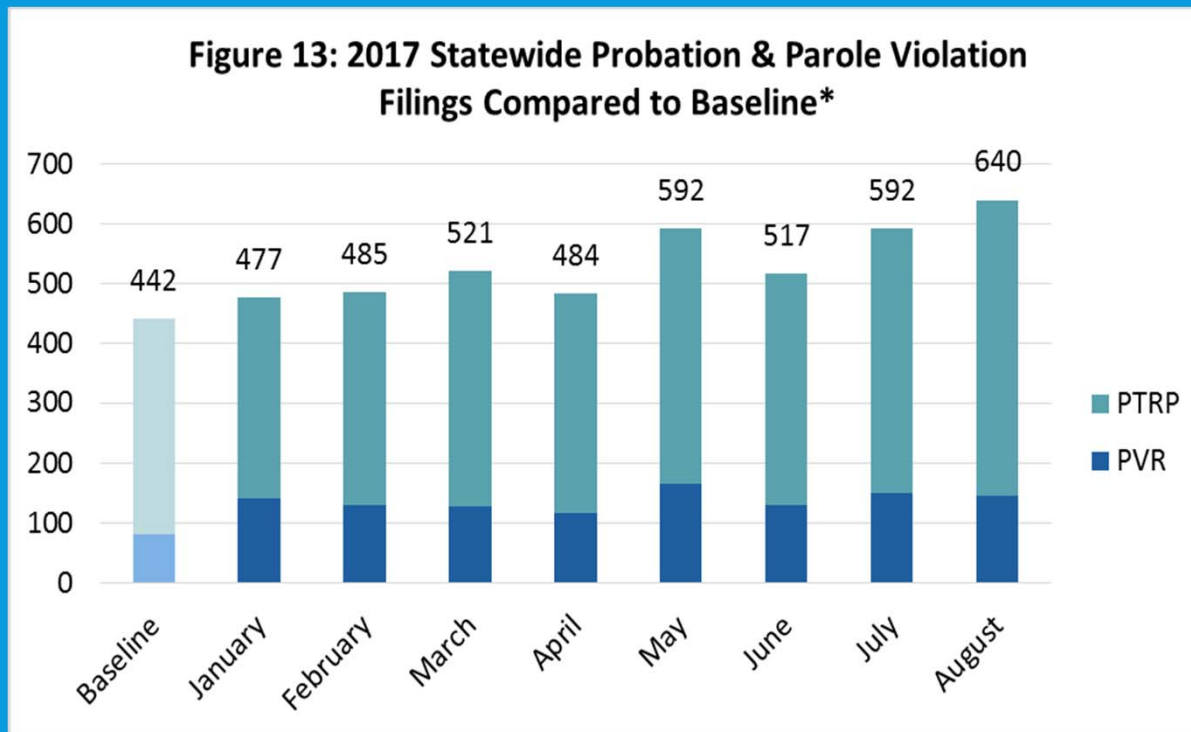
GOALS of CRIMINAL JUSTICE REFORM

Focus Prison Beds on Serious & Violent Offenders



GOALS of CRIMINAL JUSTICE REFORM

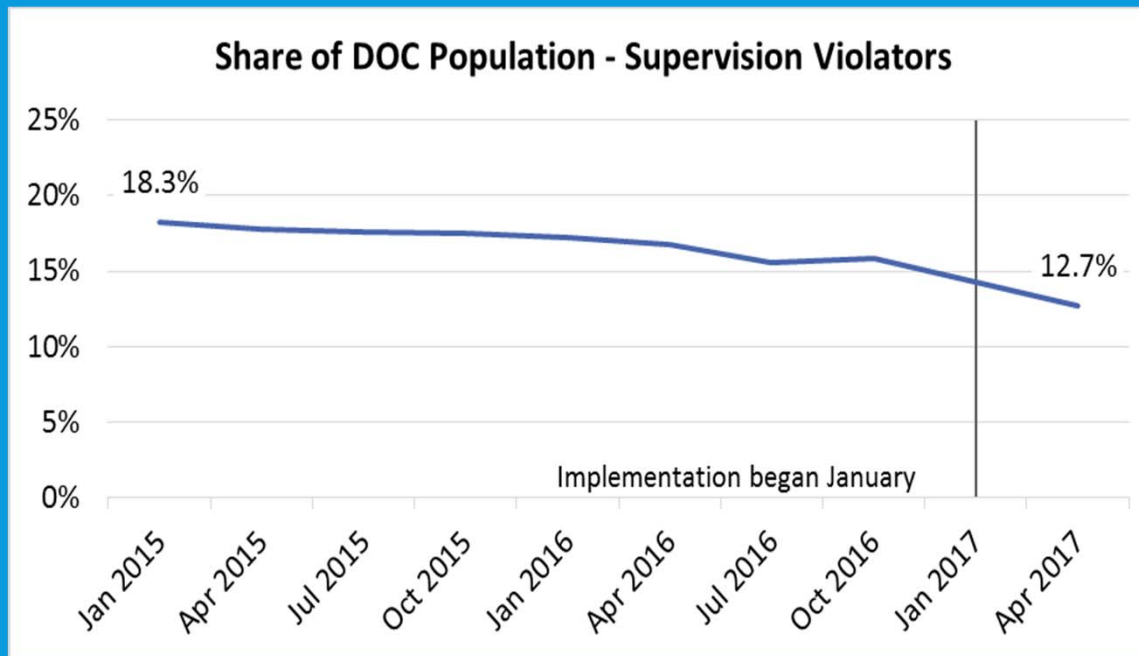
Strengthen Probation & Parole Supervision



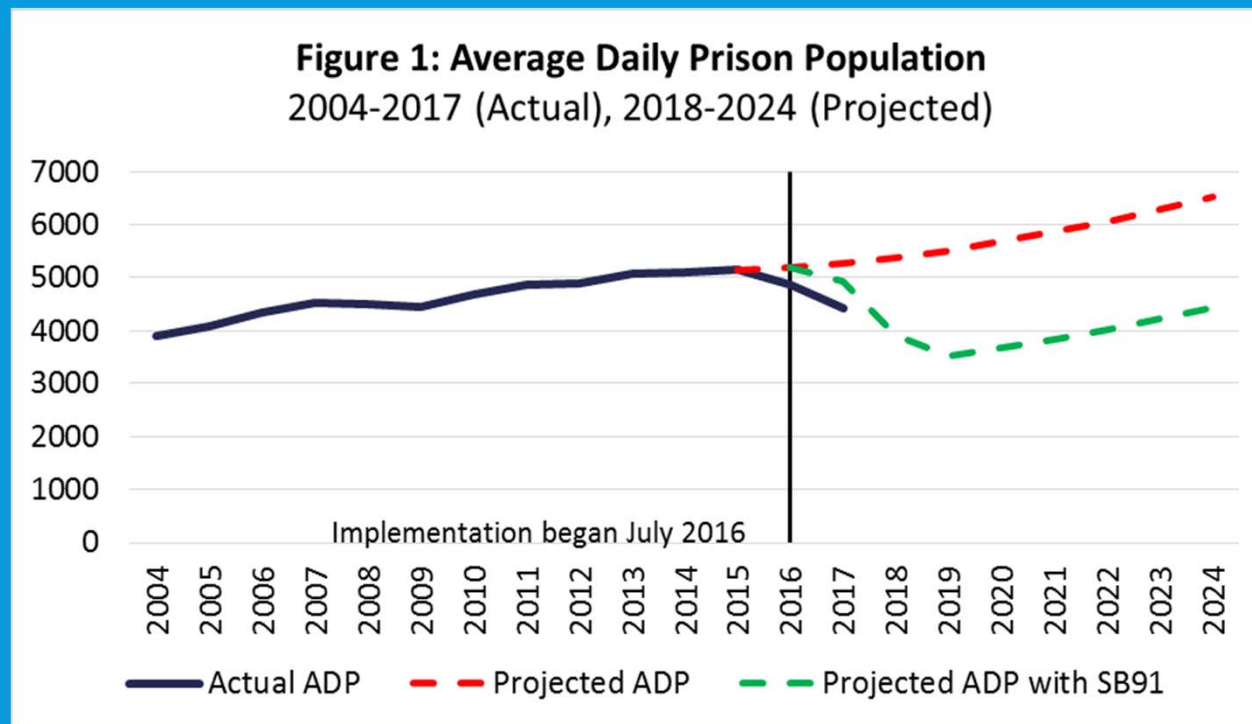
*Baseline is the average for October, November, and December 2016.

GOALS of CRIMINAL JUSTICE REFORM

Strengthen Probation & Parole Supervision



REDUCE PRISON EXPENSES WHILE PRESERVING PUBLIC SAFETY



PRISON POPULATION DECREASED 437 BEDS SINCE IMPLEMENTATION

- Avoided costs:

\$3.8 million in annual prison growth costs in FY17

Reduced operational costs:

- ✓ \$5.6 million saved by DOC's closure of the 500-bed Palmer Correctional Center (inmates were sent to other facilities);
- ✓ Costs about \$42/day to house a prisoner – marginal cost

ALASKA CRIMINAL JUSTICE COMMISSION RECOMMENDED CHANGES TO SENTENCES

For first-time Class C Felonies

COMMISSION RECOMMENDATION

Enact a zero to 90 day presumptive sentencing range
Retain suspended time of up to 18 months

CURRENT SB54 contains a zero-to-one year presumptive sentencing range

Fiscal implications: more prison use = more prison costs

ALASKA CRIMINAL JUSTICE COMMISSION RECOMMENDED CHANGES TO SENTENCES

Return VCOR to misdemeanor status

- B Misdemeanor

- Punishable by up to 5 days in prison

- Allow imposition of a term of probation

ALASKA CRIMINAL JUSTICE COMMISSION RECOMMENDED CHANGES TO SENTENCES

Increase penalties for repeat Theft 4 offenders (e.g., shoplifting)

Up to 10 days in jail for third-time offenders

SB54 allows up to 10 days active time for third-time petty theft offenders, and also raises penalties for first- and second-time offenders to include active jail time.

Fiscal implications: In 2014, when Theft 4 penalties included active jail time, DOC received 324 admissions for Theft 4.

ALASKA CRIMINAL JUSTICE COMMISSION RECOMMENDED CHANGES

Changes to ASAP

Commission found: ASAP received many referrals, did not necessarily have time to actively monitor so many offenders

Recommended that ASAP referrals be limited unless more funding given; SB91 limited referrals but increased workload to high risk offenders

Amendments to SB54 in HJUD expands referrals again

ARREST & INTOXICATION ISSUES

Disorderly conduct

SB54 as amended in HJUD raises penalty from 24 hours to up to five days.

Fiscal implications: in 2014, before reform, DOC received 271 individuals admitted for disorderly conduct.

Changes to release rules for some intoxicated arrestees –
Commission is actively working on this issue.

OTHER ISSUES

Other amendments to SB54 were made, e.g.

Eliminating administrative parole – potential fiscal implications should be analyzed.

THANK YOU

Commission staff:

bdunham@ajc.state.ak.us

sdipietro@ajc.state.ak.us