

HOUSE BILL NO. 118

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE FIELDS

Introduced: 3/29/19

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the commissioner of corrections; and relating to**
2 **planning for prisoner reentry."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 33.30.011(a) is amended to read:

5 (a) The commissioner shall

6 (1) establish, maintain, operate, and control correctional facilities
7 suitable for the custody, care, and discipline of persons charged or convicted of
8 offenses against the state or held under authority of state law; each correctional facility
9 operated by the state shall be established, maintained, operated, and controlled in a
10 manner that is consistent with AS 33.30.015;

11 (2) classify prisoners;

12 (3) for persons committed to the custody of the commissioner,
13 establish programs, including furlough programs that are reasonably calculated to

14 (A) protect the public and the victims of crimes committed by

1 prisoners;

2 (B) maintain health;

3 (C) create or improve occupational skills;

4 (D) enhance educational qualifications;

5 (E) support court-ordered restitution; and

6 (F) otherwise provide for the rehabilitation and reformation of
7 prisoners, facilitating their reintegration into society;

8 (4) provide necessary

9 (A) medical services for prisoners in correctional facilities or
10 who are committed by a court to the custody of the commissioner, including
11 examinations for communicable and infectious diseases;

12 (B) psychological or psychiatric treatment if a physician or
13 other health care provider, exercising ordinary skill and care at the time of
14 observation, concludes that

15 (i) a prisoner exhibits symptoms of a serious disease or
16 injury that is curable or may be substantially alleviated; and

17 (ii) the potential for harm to the prisoner by reason of
18 delay or denial of care is substantial; and

19 (C) assessment or screening of the risks and needs of offenders
20 who may be vulnerable to harm, exploitation, or recidivism as a result of fetal
21 alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based
22 disorder;

23 (5) establish minimum standards for sex offender treatment programs
24 offered to persons who are committed to the custody of the commissioner;

25 (6) provide for fingerprinting in correctional facilities in accordance
26 with AS 12.80.060;

27 (7) establish a program to conduct assessments of the risks and needs
28 of offenders sentenced to serve a term of incarceration of 30 days or more [AND
29 PROVIDE TO THE LEGISLATURE, BY ELECTRONIC MEANS, BY JANUARY
30 15, 2017, AND THEREAFTER BY JANUARY 15, PRECEDING THE FIRST
31 REGULAR SESSION OF EACH LEGISLATURE, A REPORT SUMMARIZING

THE FINDINGS AND RESULTS OF THE PROGRAM]; the program must include a requirement for an assessment before a prisoner's release on parole, furlough, or electronic monitoring from a correctional facility;

(8) establish a procedure that provides for each prisoner required to serve an active term of imprisonment of 30 days or more, other than a prisoner sentenced to a term of 99 years, a written case plan that

(A) takes effect within 30 days after the prisoner's sentencing [IS PROVIDED TO THE PRISONER WITHIN 90 DAYS AFTER SENTENCING];

(B) is based on the results of the assessment of the prisoner's risks and needs under (7) of this subsection;

(C) includes a requirement to follow the rules of the institution;

(D) is modified when necessary for changes in classification, housing status, medical or mental health, and resource availability;

(E) includes participation in programming that addresses the needs identified in the assessment;

(9) establish a program to begin reentry planning with each prisoner serving an active term of imprisonment of 30 [90] days or more; reentry planning must begin at least 30 [90] days before release on furlough or probation or parole; the reentry program must include

(A) a written reentry plan for each prisoner completed upon release on furlough or probation or parole that includes information on the prisoner's proposed

(i) residence;

(ii) employment or alternative means of support;

(iii) treatment options;

(iv) counseling services;

(v) education or job training services;

(B) any other requirements for successful transition back to the community, including electronic monitoring or furlough for the period between a scheduled parole hearing and parole eligibility;

(C) coordination with the Department of Labor and Workforce Development to provide access, after release, to job training and employment assistance; **and**

(D) coordination with community reentry coalitions or other providers of reentry services;

(10) for offenders under electronic monitoring, establish

(A) minimum standards for electronic monitoring, which may include the requirement of active, real-time monitoring using global positioning systems; and

(B) procedures for oversight and approving electronic monitoring programs and systems provided by private contractors; [AND]

(11) assist a prisoner in obtaining a valid state identification card if the prisoner does not have a valid state identification card before the prisoner's release; the department shall pay the application fee for the identification card; **and**

(12) provide to the legislature, by electronic means, by January 15, 2017, and thereafter by January 15 preceding the first regular session of each legislature, a report summarizing the findings and results of the program established under (7) of this subsection; the report must include

(A) the number of prisoners who were provided with written case plans under (8) of this subsection and the percentage of the target population that number represents;

(B) the number and percentage of prisoners who were provided with services consistent with the written case plans under (8) of this subsection within a month after starting service of a term of imprisonment; and

(C) the number and percentage of prisoners who were provided with written case plans under (8) of this subsection, addressing

(i) employment or alternative means of support;

(ii) treatment options;

(iii) counseling services;

(iv) education or job training programs or services;

1 and
2 (v) availability of health insurance enrollment
3 assistance after release.