

SENATE CS FOR CS FOR HOUSE BILL NO. 2(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 5/4/96

Referred: Finance

Sponsor(s): REPRESENTATIVES WILLIS, Rokeberg, Kelly, Kohring, Kubina, Parnell, Davies, Therriault, Robinson, Masek, Bunde, Toohey

SENATORS Halford, Taylor, Green, Leman, Phillips, Kelly, Donley

A BILL

FOR AN ACT ENTITLED

**1 "An Act providing for incarceration of certain nonviolent offenders in boot
2 camps operated by the Department of Corrections; making prisoners who
3 complete the boot camp program eligible for furloughs and discretionary parole;
4 allowing the Department of Corrections to contract with a person for a boot
5 camp program; creating the Boot Camp Program Advisory Board in the
6 Department of Corrections."**

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. BOOT CAMP PROGRAM ESTABLISHED. (a) The commissioner may
9 establish a boot camp program as an alternative correctional facility of the state, but only if
10 federal funds to establish, operate, and maintain the boot camp program are received in an
11 amount sufficient to fully fund operational and capital costs of the program. The boot camp
12 program, if established, shall be operated from July 1, 1996, until September 30, 1998. The
13 boot camp program may utilize state buildings and may, to the extent federal funds are

1 available, renovate, modify, and maintain those buildings. The boot camp program is an
2 alternative correctional facility and program for youthful prisoners who have been sentenced
3 for a conviction of a less serious nature and who have not previously participated in the boot
4 camp program. Prisoners participating in the boot camp program shall be housed separately
5 from other prisoners committed to the custody of the commissioner who are not participating
6 in the program.

7 (b) The commissioner shall include in the boot camp program

8 (1) a military style intensive physical training and discipline program;

9 (2) alcohol and drug counseling, education, and treatment as an integral part
10 of the program;

11 (3) a training program emphasizing skills for reentering society;

12 (4) training in personal accountability and the work ethic; and

13 (5) other educational, counseling, and treatment programs as determined by the
14 department or as ordered by a court under AS 12.55.015.

15 (c) The commissioner shall structure the boot camp program so that a prisoner
16 entering the program may complete it in a period of time determined by the commissioner but
17 not greater than 150 days. The program shall be structured so that all prisoners entering the
18 program may complete it before September 30, 1998.

19 (d) A prisoner shall be removed from the boot camp program and reassigned to
20 another correctional facility if the prisoner fails to successfully complete the program or
21 otherwise fails to abide by the regulations of the program.

22 (e) The commissioner may adopt regulations to implement this section and otherwise
23 administer the boot camp program. The regulations may include provisions to require a
24 prisoner to reimburse the department for a portion of the costs of participating in the boot
25 camp program to the extent of the prisoner's resources.

26 (f) Notwithstanding AS 33.30.031, the department may contract with a person for
27 operation of a boot camp program under this section. A contract boot camp program must
28 meet all of the requirements for a boot camp under this section and under the regulations
29 adopted by the commissioner. Prisoners shall be assigned to a contract boot camp program
30 in the manner provided under (h) of this section.

31 (g) The commissioner shall maintain records of the program and shall report to the

1 legislature not later than February 1, 1997, on the program and its effectiveness. The report
2 must include, to the extent the technological capability of the department allows,

3 (1) a comparison of recidivism rates between prisoners who have completed
4 the boot camp program and other prisoners not eligible for the program who are committed
5 to the custody of the commissioner;

6 (2) a comparison of costs between the boot camp program and traditional
7 incarceration programs;

8 (3) a description of the number of prisoners who have participated in,
9 completed, or failed the boot camp program.

10 (h) The commissioner may not allow a prisoner to serve time in the boot camp
11 program unless the commissioner specifically finds that the prisoner meets the eligibility
12 requirements of this subsection. To be eligible to serve time in the boot camp program, the
13 prisoner must have been selected by the commissioner and

14 (1) be under 30 years of age;

15 (2) have been sentenced to a term of imprisonment of at least 150 days;

16 (3) not have previously participated in a boot camp program under this section;

17 (4) not be serving a sentence for a violation of AS 11.41; AS 11.46.300,
18 11.46.400; AS 11.56.300, 11.56.810; AS 11.61.100, 11.61.190, 11.61.195, or 11.61.240.

19 (i) The Boot Camp Program Advisory Board is established in the department from
20 July 1, 1996, until September 30, 1998. The board shall review and provide advice to the
21 commissioner concerning the boot camp program. The members of the board are appointed
22 as follows:

23 (1) by the governor,

24 (A) the commissioner or the commissioner's designee;

25 (B) the director of the division of institutions of the department;

26 (C) the director of the division of community corrections of the
27 department; and

28 (D) two public members;

29 (2) by the speaker of the house of representatives, a member of the house of
30 representatives; and

31 (3) by the president of the senate, a member of the senate.

1 (j) The public members of the board created in (i) of this section are entitled to per
2 diem and travel expenses authorized by law for boards and commissions under AS 39.20.180.

3 (k) Notwithstanding another provision of law, a prisoner who is not otherwise eligible
4 for discretionary parole who has successfully completed the boot camp program under this
5 section is eligible for discretionary parole.

6 (l) Notwithstanding AS 33.16.100(c) and (d), a prisoner who is eligible for
7 discretionary parole under (k) of this section may be released on parole at any time after the
8 successful completion of the boot camp program created in this section.

9 (m) A prisoner who has successfully completed the boot camp program created under
10 this section is eligible for a prerelease furlough under AS 33.30.111 under regulations adopted
11 by the commissioner under AS 33.30.101 regardless of whether the prisoner has served the
12 portion of the term required under AS 33.30.111(d).

13 (n) In this section,

14 (1) "commissioner" means the commissioner of corrections;

15 (2) "department" means the Department of Corrections.