

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

CS FOR HOUSE CONCURRENT RESOLUTION NO. 26(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/15/02

Referred: Rules

Sponsor(s): REPRESENTATIVES GREEN, Meyer, Crawford, Rokeberg, James, Chenault

A RESOLUTION

1 **Supporting increased use of the house arrest program/electronic monitoring with**
2 **sobriety monitoring as a means of preventing crime and reducing the high costs of**
3 **imprisonment in Alaska.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** a recent study shows that 42 percent of arrests and 44 percent of
6 incarcerations in Alaska are attributed to alcohol and other drug abuse; and

7 **WHEREAS**, among this population, treating alcoholism and other drug addiction also
8 prevents future criminal offenses; and

9 **WHEREAS**, in 1998, the legislature established the house arrest program/electronic
10 monitoring (HAP/EM) and authorized the commissioner of corrections to designate prisoners
11 to serve their terms of imprisonment or temporary commitment by 24 hour electronic
12 monitoring and supervision at their residences or other places selected by the commissioner
13 under AS 33.30.065; and

14 **WHEREAS** HAP/EM protects the public by restricting offenders' freedom and
15 movement through 24 hour electronic monitoring and supervision, yet improves the

1 likelihood that the offender can function productively in society through employment, care of
2 family, and education; and

3 **WHEREAS** offenders on HAP/EM are required to pay all or some of the costs of the
4 program, thus saving the state from paying the costs of imprisonment; and

5 **WHEREAS** HAP/EM now uses a new technology for sobriety monitoring of alcohol
6 abusing offenders, a computerized device that tests offenders for sobriety and transmits the
7 blood-alcohol reading by telephone; and

8 **WHEREAS** offenders on the HAP/EM program who are also in the Anchorage
9 district court's wellness court are required to take the prescription medicine Naltrexone to
10 quell the craving for alcohol and are required to participate in a state-approved alcoholism
11 treatment program; and

12 **WHEREAS** the experience of the Anchorage district court wellness court shows that,
13 with a combination of intensive monitoring, treatment, and anti-craving medication, alcohol
14 and other drug abusing defendants can attain and maintain total abstinence from alcohol and
15 other drugs and avoid further criminal violations; and

16 **WHEREAS** the Department of Corrections could create a program for alcohol and
17 other drug abusing offenders incorporating the primary elements of the Anchorage wellness
18 court program--monitoring, treatment and medication--regardless of whether the offenders
19 were enrolled in a therapeutic court; and

20 **WHEREAS** HAP/EM is available in Anchorage, Palmer, Wasilla, Juneau, and
21 Ketchikan, but is not used to capacity;

22 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
23 Governor to direct the Department of Corrections, the Department of Law, and the Alaska
24 Court System, and urges attorneys who prosecute and defend alcohol and other drug abusing
25 offenders and Alaska judges, to work together to

26 (1) expand the use of the house arrest program/electronic monitoring
27 (HAP/EM) as a condition of bail, in the manner pioneered by the Department of Corrections
28 and the Anchorage district court wellness court program;

29 (2) expand the use of HAP/EM as a means of serving terms of imprisonment
30 or temporary commitment for offenders who are in or have completed a therapeutic court
31 program;

1 (3) develop programs specifically for alcohol and other drug abusing
2 offenders, modeled on the combination of sobriety monitoring, treatment, and anti-craving
3 medication that is employed in the Anchorage district court's wellness court program;

4 (4) publicize the availability of these programs through seminars and
5 educational outreach.

6 **COPIES** of this resolution shall be sent to the Honorable Jim Duncan, Commissioner,
7 Department of Administration; the Honorable Jay Livey, Commissioner, Department of
8 Health and Social Services; the Honorable Margaret Pugh, Commissioner, Department of
9 Corrections; the Honorable Bruce M. Botelho, Alaska Attorney General; and to Stephanie J.
10 Cole, Administrative Director, Alaska Court System; and to Mauri Long, President of the
11 Alaska Bar Association.