

**From:** [Adam Barger](#)  
**To:** [Senate State Affairs](#)  
**Subject:** Additional Points in Opposition to SB126  
**Date:** Wednesday, February 25, 2026 7:54:13 AM

---

Chairman Kawasaki, and Honorable Members of the Senate State Affairs Committee,

My name is Adam Barger, and I provided testimony in opposition to SB126 on February 10, 2026. I am writing to share some further points in opposition to the bill as written, in the hopes that this Committee will see the potential dangers in allowing AKDOC the latitude to seek an RFP ad hoc, with no oversight.

First, I would like to briefly reiterate my points in opposition given in my testimony:

• Prior to placement out of state, our prison system was not organized and had no prison gangs to speak of. When we returned from out of state placement after 18 years, we were more violent, had gang affiliations, drug addictions, behavioral problems, and were more resistant to authority than those who had not been sent out of state.

• The housing, segregation, food, programming, and medical care in out-of-state facilities are inferior to the quality of those services in Alaska.

• A major cost in the AKDOC budget is the medical costs for an aging prison population – a cost that will not be reduced by transferring prisoners out of state.

• The cross-pollination between out-of-state contracts is a real concern that is not addressed by the legislation as written.

Second, I would like to express my concern in allowing AKDOC to obtain a contract with a corporation to house prisoners out of state. While the statutory provision may require that Alaskan prisoners be housed “exclusively apart”, if memory serves me, that language was used in the original RFP in 1995, and was interpreted to mean that Alaska prisoners were to be housed in their own housing units, not necessarily in their own facility – which is significant distinction. For companies such as CoreCivic and GEO Group, their profits are made from full facilities – empty beds are a loss of revenue.

In every Core Civic facility where Alaska prisoners were housed, we shared the

facility with other contracts. In the 12 years I was housed in private prisons in Arizona (from 1997 until 2009, when we were transferred to Colorado) I was housed around INS/US Marshal Service (male and female), Oregon (male and female), as well as Montana, Arizona, U.S. Virgin Islands, Washington D.C., New Mexico, Hawaii, Washington State, and California male prisoners. Towards the end of our term in Arizona, there were some Alaska prisoners that were housed in the same Mod as Washington State and Hawaii prisoners. Some were even placed in the same cell with prisoners from another contract. If the facility houses more than 800 offenders (and most of the facilities built after 2010 house more than that) I have every confidence that the contract corporation will fill the remaining beds with another contract, and explain it by saying “the contracts are separate. They have separate programming, recreation yards, and visitation times.” While that may well be true, it will not stop the cross-pollination between contracts. Prisoners will still mingle at their work assignments, their medical appointments, and even their religious services. The contracting corporation will not be interested in losing revenue from empty beds in a facility. The only way to ensure that Alaskans will be the only contract occupying the facility is to contract to a corporation that has an available facility with an occupancy under 600 beds.

If the Legislature feels that the out-of-state transfer of prisoners should be an option, I would like to offer some input on the subject. What I propose is that the law be structured in such a way that AKDOC uses it as a last resort rather than a first option, and the Legislature has direct influence over the outcome. With this structure in place, the citizens of Alaska, through the Legislature, would have the final decision if they want their fellow citizens sent far from home. If the Legislature decides that they do not want the transfer, it will require AKDOC to find alternative measures to relieve overcrowding and explore other options such as increasing parole releases (including standard, medical, and geriatric), electronic monitoring, and CRC placement. The goal of such a structure is to provide AKDOC the proper motivation to find a reasonable, sustainable solution to their overcrowding problem without relying on out of state placement as a ready and available solution. Out-of-state placement does not fix the problem: it exacerbates the symptoms of an agency that has failed to properly manage the prison population and curb recidivism.

For example, if the statute authorizing the out-of-state transfer of offenders were to require that, for an RFP to be published for procurement, the following must occur:

<!--[if !supportLists]-->1. <!--[endif]-->The Commissioner of Corrections must request authorization from the Legislature to seek an RFP for out-of-state transfer.

<!--[if !supportLists]-->2. <!--[endif]-->Before the Legislature approves the request, it must go to both chambers for consideration, during which time, the request must be published in print, radio, and television media, with adequate time for Alaskan citizens to contact their Legislator and express their approval or disapproval of the request, so the Legislator can make an informed decision about whether it is good for Alaska to

approve an RFP.

<!--[if !supportLists]-->3. <!--[endif]-->The issue must go to the floor of both chambers for a vote, with a majority vote in both chambers required before authorization is given.

<!--[if !supportLists]-->4. <!--[endif]-->If the Legislature decides to give authorization for an RFP, place a sunset date on any contract for out-of-state placement at 5 years from the commencement of the contract, with no renewal period for 24 months.

<!--[if !supportLists]-->5. <!--[endif]-->If the Legislature decides to deny authorization, AKDOC may not submit another request until the following legislative session.

<!--[if !supportLists]-->6. <!--[endif]-->Within the 5-year time frame, AKDOC is required to develop and implement a plan to reduce overcrowding in state prisons, and report to the Legislature every 6 months on their progress in the implementation.

<!--[if !supportLists]-->7. <!--[endif]-->At the end of the 5-year contract, the Alaskan prisoners are returned to state, and AKDOC is required to provide housing for all returning offenders and may not have a population of more than 100% capacity at any correctional or pretrial facility. If, at the end of the 24-month cooldown period, AKDOC has not resolved the overcrowding issue, they may seek approval for another 5-year contract using the same process described above.

<!--[if !supportLists]-->8. <!--[endif]-->So long as prisoners are housed out of state, any overtime opportunities that arise must be offered to the eligible employees with the lowest hourly wage first, then proceed in ascending order according to hourly wage.

Should the Legislature decide that they do not want to take up the mantle for authorizing AKDOC to publish an RFP, I would recommend that the sunset date provision listed in #4 above, as well as the points in #5-#8 be implemented, so that AKDOC has structure to work within, and out-of-state placement does not become a semi-permanent resolution – like it did last time.

Point #8 is of particular importance, as a significant portion of CO overtime salaries are either transport or medical posts. When overtime is available, the most senior officers have first opportunity, and as the most senior officers have the highest salaries, the overtime salaries are exponentially larger. By making a provision stating that overtime offers will be made to those officers with the lowest hourly wage first, then in ascending order to those with a higher hourly wage, it will reduce the overall cost of overtime, and reduce the instances of “mandatory overtime”.

One other point of note when discussing overtime salaries by AKDOC officers: if the officer works in Palmer or Wasilla, and takes an overtime shift in Anchorage, they are entitled to a travel allowance of 72.5 cents per mile[1]. It is 86 miles round trip from Palmer to Anchorage, and 88 miles round trip from Wasilla to Anchorage. If that trip is made each weekend by an officer, they are paid \$64 per day for the drive, plus overtime for the shift.

As Sergeants and Lieutenants have first option at overtime offers, this places an overtime cost for a 12-hour shift around \$600 per officer, per shift. Should a ranked officer elect to pick up three overtime shifts per off-week, it is approximately \$46,000 per officer per year. That is almost doubling the standard wages for the officer, and while I can appreciate the desire to make extra money at a job, these costs are not sustainable long term. AKDOC would be better served by increasing their workforce, and providing incentives such as signing bonuses to attract and retain employees.

Thank you for your time, and as always, I am available if you have questions.

With Respect,

Adam Barger, MCJ

520.510.9069

[adambargermcj@yahoo.com](mailto:adambargermcj@yahoo.com)

<!--[if !supportFootnotes]-->

<!--[endif]-->

[1] Retrieved from: [https://doa.alaska.gov/dof/travel/resource/POV\\_Rate\\_Table.pdf](https://doa.alaska.gov/dof/travel/resource/POV_Rate_Table.pdf)