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 - Debated and voted on at Commission meetings

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 ¼ of this amount projected to come from Medicaid reform)
- **$8,000,000** for violence prevention programs in the community

Invest in Evidence-Based Pretrial Practices

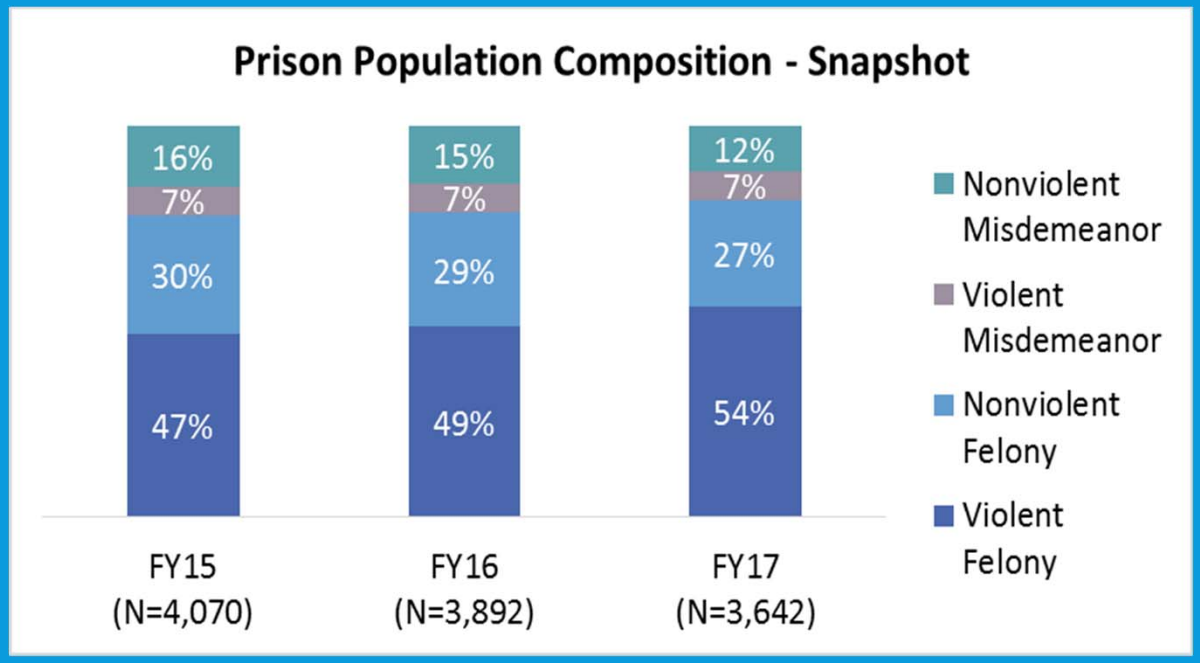
Pretrial Enforcement	**$13,447,800**

Beginning January 2018

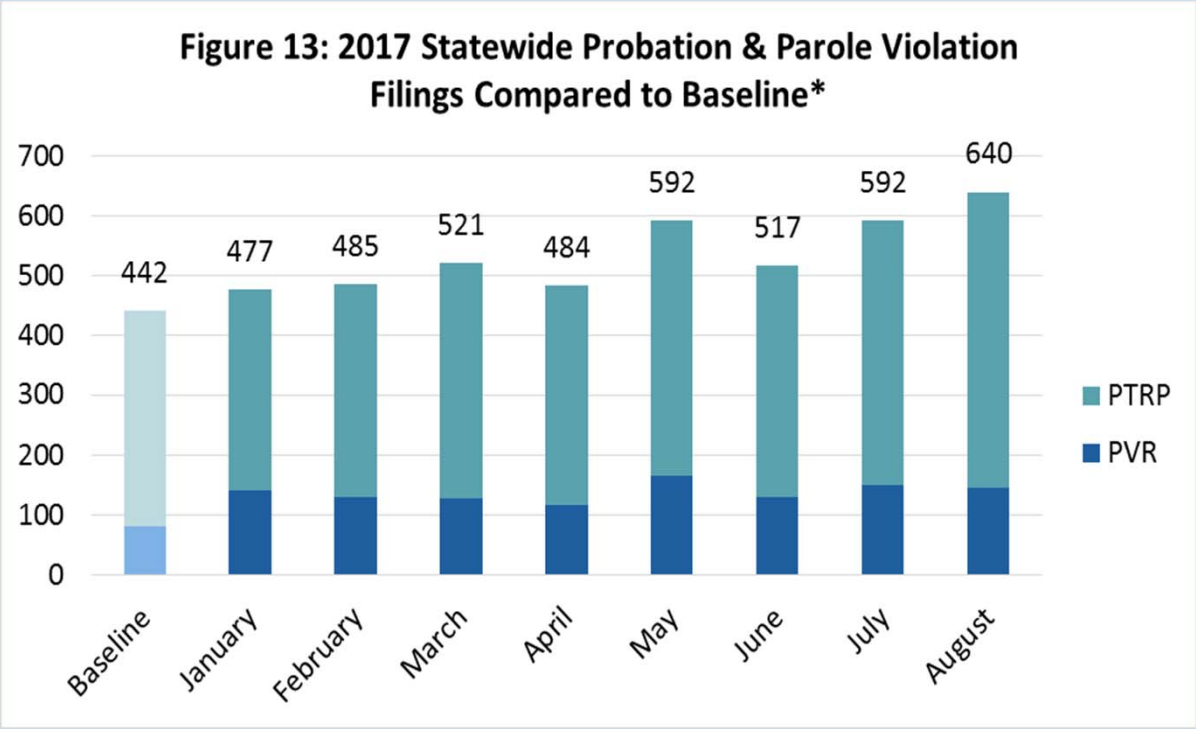
EVIDENCE-BASED PRETRIAL PRACTICES

Pretrial Before and After SB 91 – What's the Difference?	
Pre-SB 91	***Starting January 2018***
✓ 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	✓ 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

Focus Prison Beds on Serious & Violent Offenders

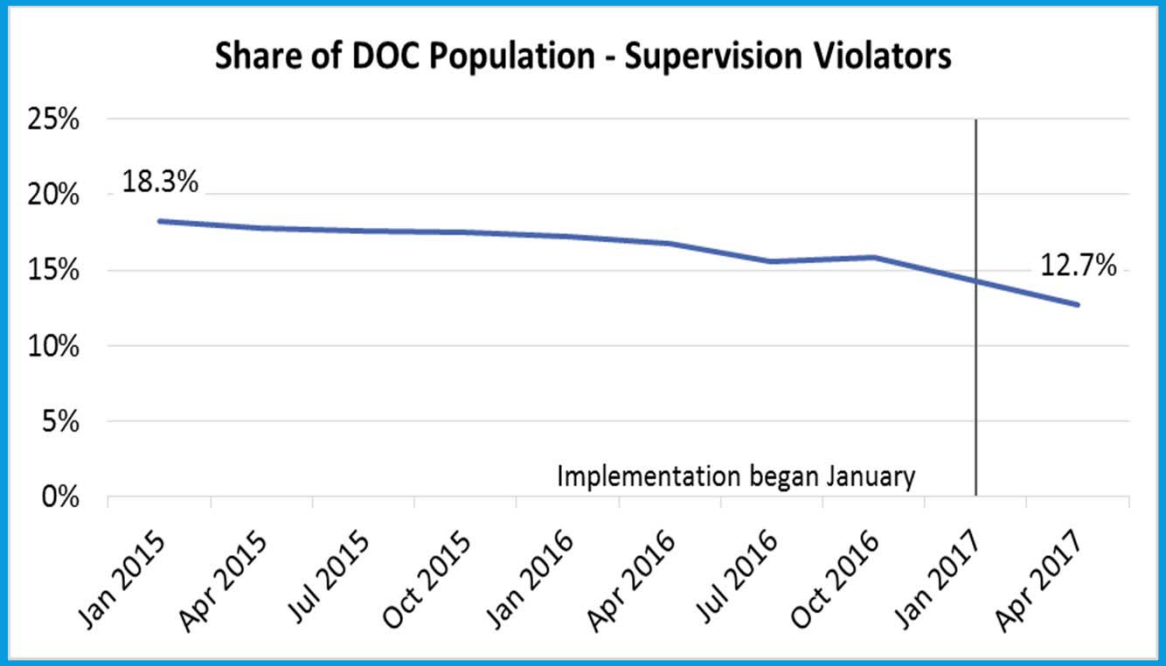


Strengthen Probation & Parole Supervision

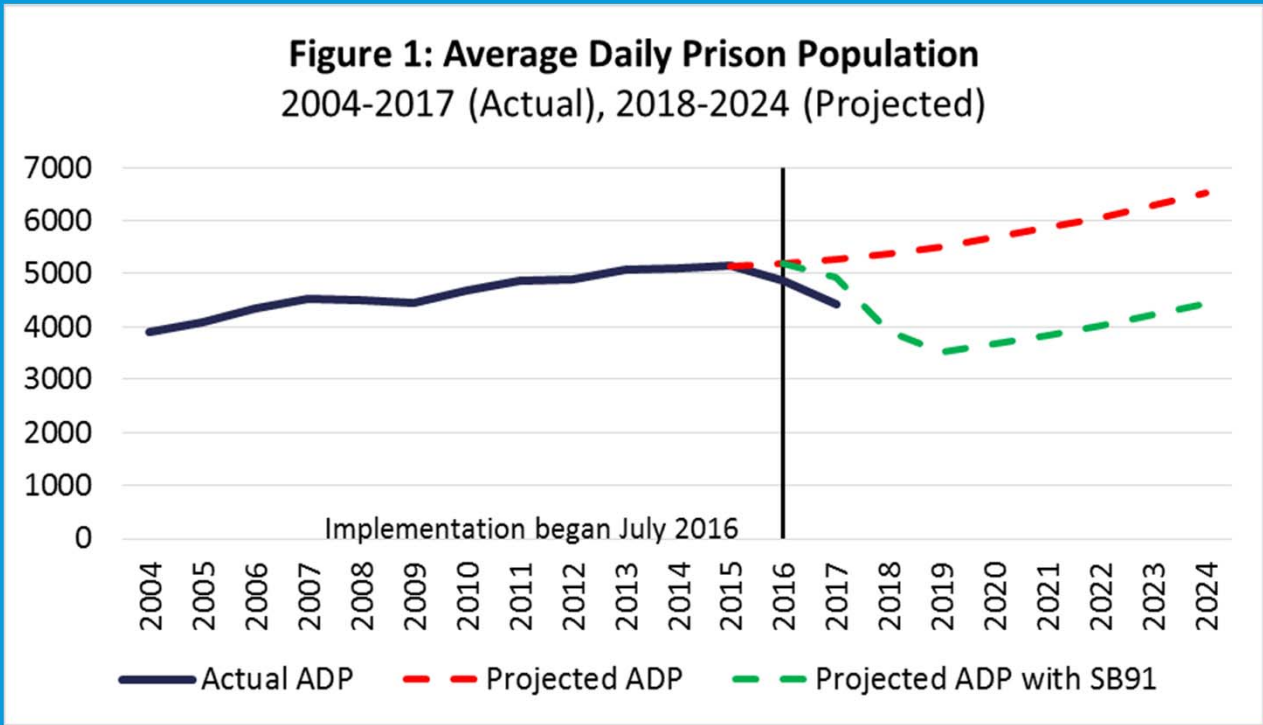


*Baseline is the average for October, November, and December 2016.

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

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