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SPONSOR STATEMENT FOR HB 178

Alaska's prison population is currently growing at the rate of 3% per year while other states are seeing a decrease. Despite the \$250 million Goose Creek Correctional Center, the Department of Corrections reports a rising influx of inmates per bed and that all prison beds will be full by 2016. Simultaneously, per inmate incarceration costs have risen from \$110/day to \$147/day, now equaling more than \$53,000/inmate per year. Since 2005, the DOC's operating budget has spiked nearly 94%, from \$167M to over \$323M. Most astoundingly, a growing number of *non-violent* offenders are occupying Alaska's prison beds, totaling up to approximately 64% of the prison population. In comparison, research conducted in states where small quantity possession is already a misdemeanor shows that reclassification should have minuscule impact on the safety of the public. Misdemeanor states actually have slightly *lower* rates of violent crime, property crime and drug use.

With our prisons packed and the cost of incarceration skyrocketing, we must seek responsible ways to slow prison population growth while preserving public safety. According to DOC data, from 2002 to 2011, *non-violent* offenders have been the fastest growing segment in our prison population; drug and alcohol offenses account for a substantial portion of this growth. A recent study by an Alaskan researcher concluded that a significant driver of Alaska's prison population growth is the rise in admissions for non-violent, small-quantity drug offenders, particularly those convicted of a felony convicted of non-distributive possession. Reforming our drug policy could slow this driver of prison growth and save the state millions of dollars, which could be invested into drug rehabilitation. This conclusion is supported by leading justice reform policy groups such as recent DOC Dep. Commissioner Carmen Gutierrez, and Legislative Legal Research Services who concur that the fiscal burden of our current drug laws is significant and does not adequately address drug reform.

HB 178 creates an escalating punishment regime, similar to Alaska's approach to DUI's, reclassifying the initial possession of non-distributive (small quantity) amounts of Schedule IA (e.g. heroin, codeine, oxycodone) and IIA substances (e.g. methamphetamine, mushrooms, cocaine) from a Class C Felony to a Class A Misdemeanor. Reclassifying offenses will continue to provide serious criminal penalty for drug possession, however, first time offenders are offered the chance to avoid severe collateral consequences and the longer prison sentences of a felony. Additionally, it protects law enforcement's ability to aggressively pursue distributors and repeat offenders.

This reform will benefit offenders and their families by removing the humiliation of a felony conviction, markedly increasing employment prospects, professional licensing, and housing opportunities, all variables strongly correlated with decreased alcoholism, domestic violence and recidivism.

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