



Criminal Justice Review

THE STORY OF OFFENDER JOE

This is a hypothetical story allowing us to demonstrate a journey through the criminal justice system.

Offender Joe's First Offense

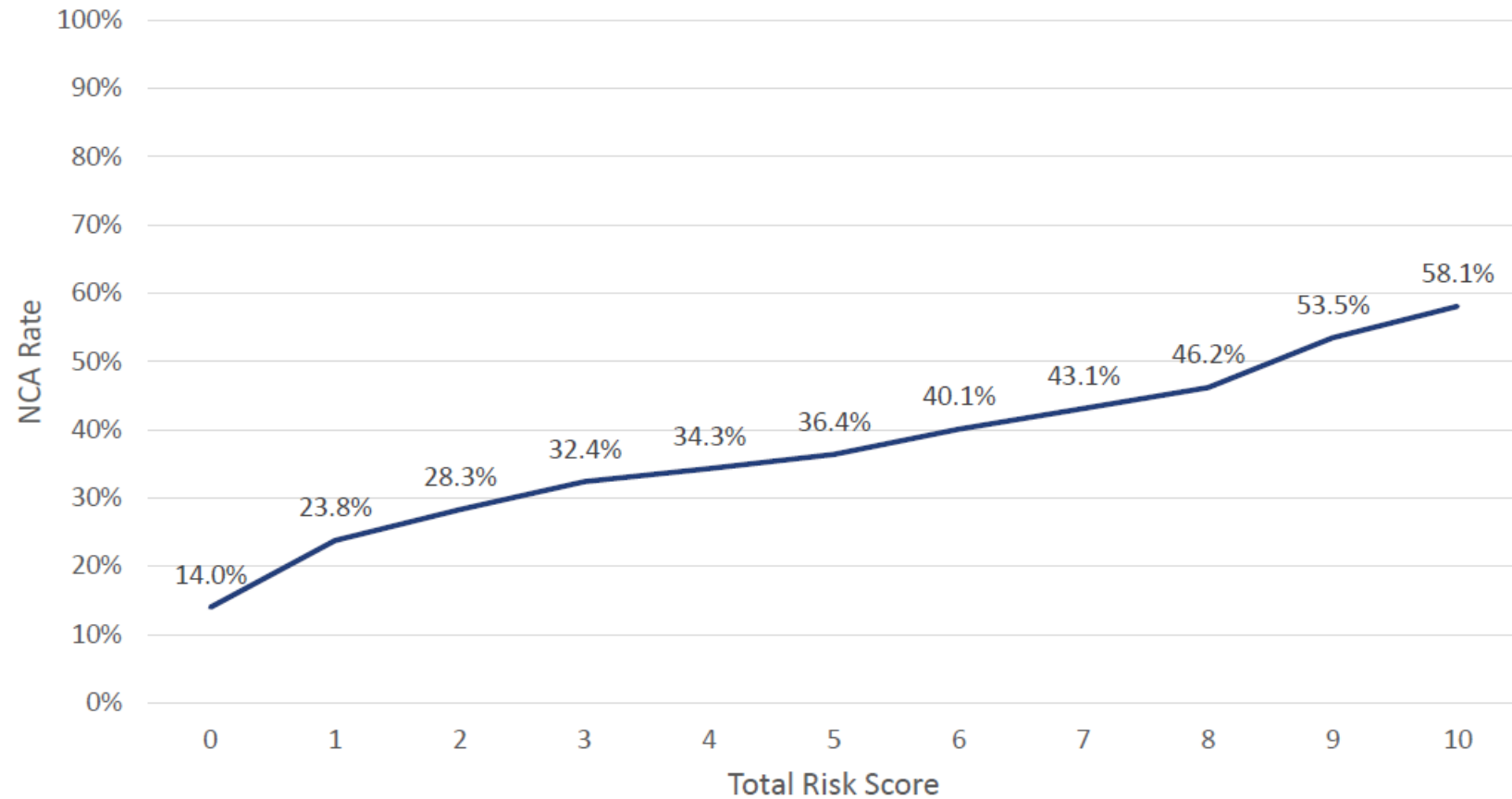
- Arrested for Misconduct Involving Controlled Substance II
- Upon arrest, Pretrial Officer completes the risk assessment tool and forwards to the courts
- The risk assessment tool is used to determine a defendant's risk of re-offending and failure to appear
- Offender Joe scores a 4, so the Judge releases to Pretrial Enforcement Supervision



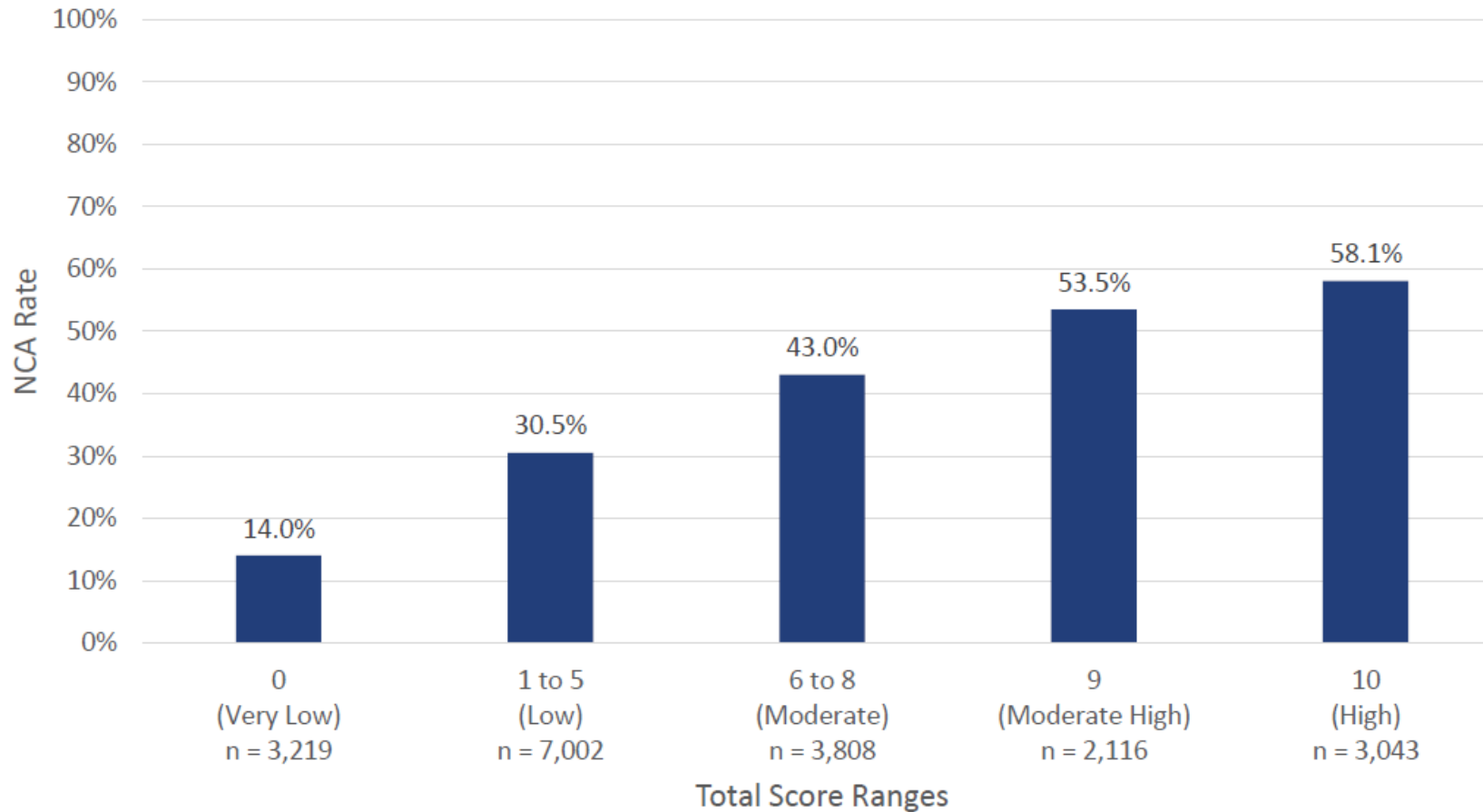
New Criminal Arrest Scale

Six Risk Factors	Weights
Age at first arrest in DPS history	0 = 22 and older 1 = 21 and younger
Total number of prior arrests in past 5 years	0 = 0 prior arrests in past 5 years 1 = 1 to 2 prior arrests in past 5 years 2 = 3 or more prior arrests in past 5 years
Total number of prior convictions in past 3 years	0 = 0 prior convictions in past 3 years 1 = 1 prior conviction in past 3 years 2 = 2 or more prior convictions in past 3 years
Total number of prior probation sentences	0 = 0 prior probation sentences 1 = 1 prior probation sentence 2 = 2 or more prior probation sentences
Total number of prior probations sentences in past 5 years	0 = 0 prior probation sentences in past 5 years 1 = 1 prior probation sentence in past 5 years 2 = 2 or more prior probation sentences in past 5 years
Total number of prior incarcerations in past 3 years	0 = 0 prior incarcerations in past 3 years 1 = 1 or more prior incarcerations in past 3 years
Total Points Possible	0 to 10 points possible

NCA Rate by Total Score



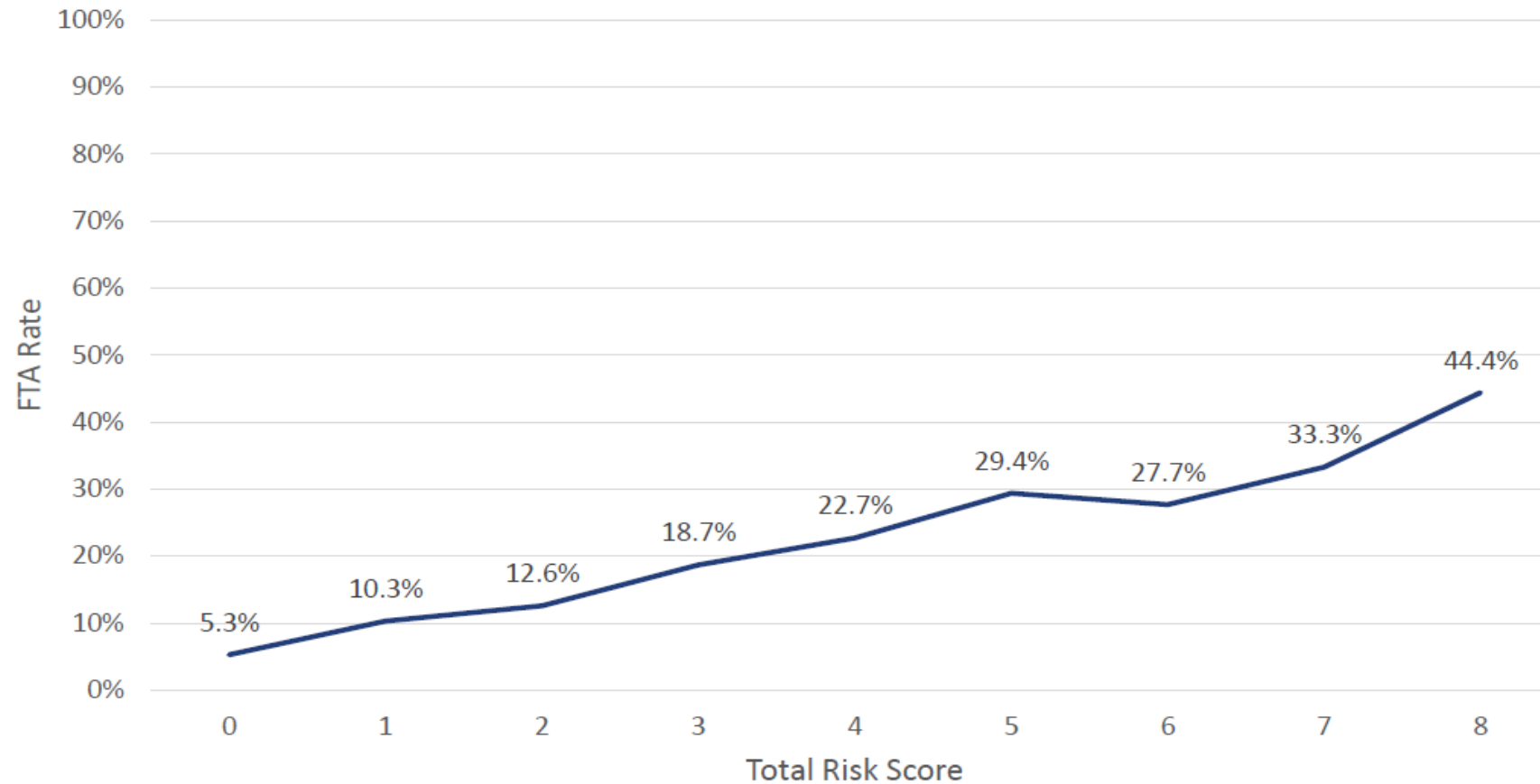
NCA Rate by Total Score Ranges



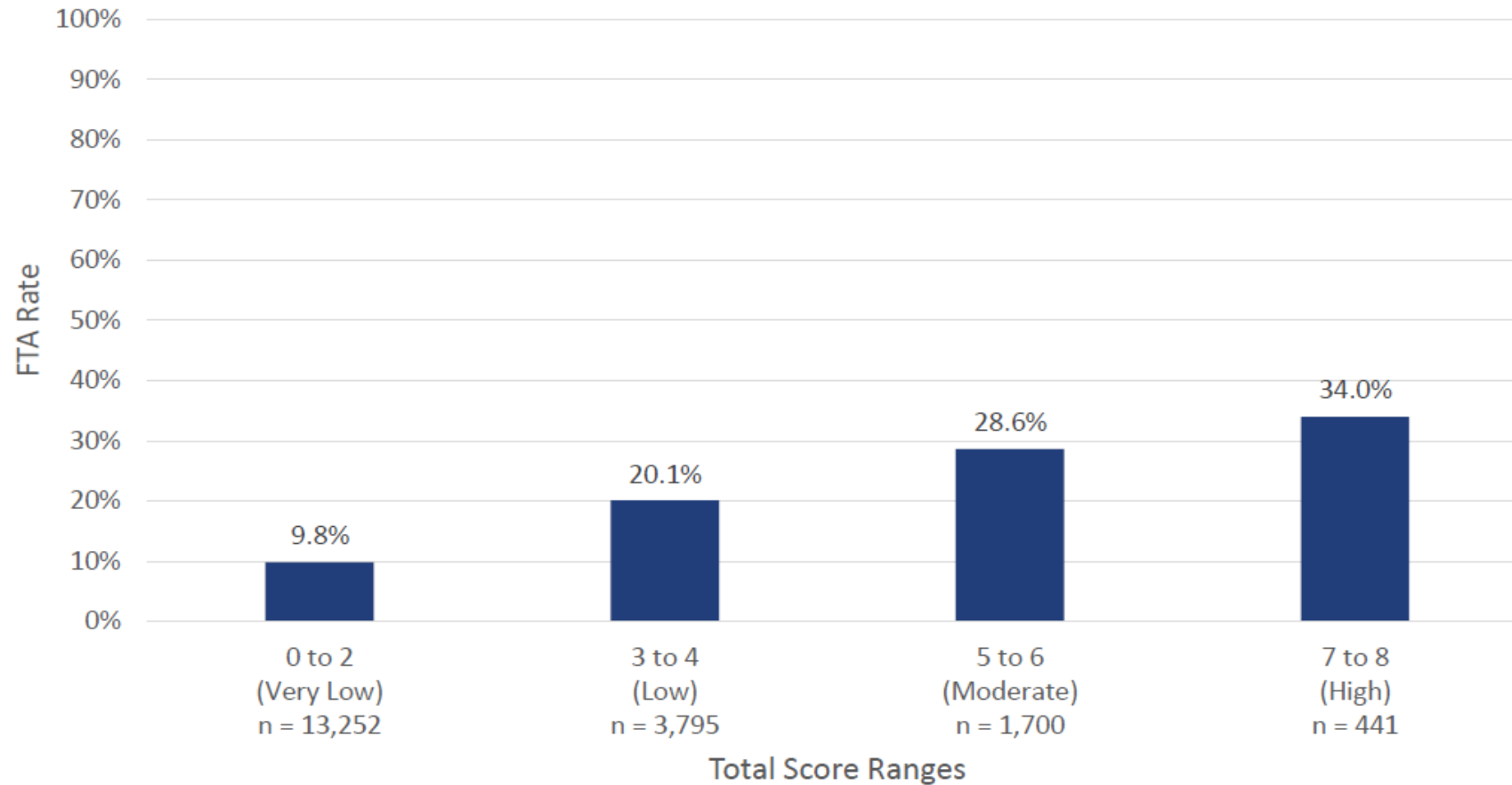
Failure to Appear Scale

Six Risk Factors	Weights
Age at first arrest in DPS history	0 = 22 and older 1 = 21 and younger
Total number of prior FTA warrants ever	0 = 0 prior FTA warrants ever 1 = 1 prior FTA warrant ever 2 = 2 or more prior FTA warrants ever
Total number of prior FTA warrants in past 3 years	0 = 0 prior FTA warrants in past 3 years 1 = 1 prior FTA warrant in past 3 years 2 = 2 or more prior FTA warrants in past 3 years
Current FTA charge (or violation)	0 = No current FTA charge (or violation) 1 = Yes current FTA charge (or violation)
At least one property charge on current arrest/case	0 = No property charge on current arrest/case 1 = Yes at least one property charge on current arrest/case
At least one motor vehicle charge on current arrest/case (non-DUI)	0 = No motor vehicle charge on current arrest/case 1 = Yes at least one motor vehicle charge on current arrest/case
Total Points Possible	0 to 8 points possible

FTA Rate by Total Score



FTA Rate by Total Score Ranges



Several weeks later, while out on pretrial supervision, Offender Joe is arrested on another Misconduct Involving a Controlled Substance II charge and Violating Conditions of Release.

- Pretrial Officer completes risk assessment tool (score remains a 4) and provides the report to the Court
- Offender Joe still scored low (4) and the Judge releases him on Pretrial Supervision again
- This may repeat until Joe does not commit a new crime or the judge sets conditions that cause Offender Joe to remain in custody



Offender Joe's Transition From An Unsentenced to Sentenced Inmate



- Offender Joe pleads guilty or is convicted at trial of 2 counts of Misconduct Involving Controlled Substance II
- Offender Joe received a sentence of 2 years on each count, with 1 year suspended, 3 years to serve. The court also sentenced Offender Joe to 2 years of probation.
- Because Offender Joe was sentenced to longer than 30 days, he will be evaluated for an Offender Management Plan (OMP)
- Offender Joe will mandatorily release from incarceration after serving 2/3 of the sentence to probation and parole. The Parole Board may authorize early release to discretionary parole prior to the mandated release date.

OMP Guidelines-LSISV

Level Service Inventory Screening Version

- All offenders sentenced to 30 days or more, will receive LSISV and Offender Management Plan (OMP)
- All offenders who score medium risk or higher on LSISV (3 or higher) will receive an Level Service Inventory Revised (LSIR)
- OMP is completed with Offender Joe – provided within 90 days of sentencing
- Is a working document while Offender Joe is incarcerated
- The OMP is often referred to as the reentry plan or release plan

OMP Plan

- As a working document, the Offender Management Plan (OMP) includes, but not limited to:
 - Program completion dates
 - Referrals –should reflect risk/needs/responsivity of LSIR and professional recommendations of PO
 - Housing
 - Employment or alternate means of support
 - Treatment
 - Counseling services
 - Education or job training services
 - Any other requirements for successful transition back to the community, including EM or furlough for the period between a scheduled parole hearing and parole eligibility

Offender Joe may be eligible for community placement towards the end of his sentence.

Community Residential Centers

- Furlough
 - Inpatient Treatment

Electronic Monitoring

- While incarcerated, if eligible, he can apply to serve the remainder of his sentence on electronic monitoring

Offender Joe has Probation and Parole following release from incarceration. Institutional Probation Officers send a Notification of Release (NOR) to the Field Parole/Probation office. This NOR includes Offender Joe's Offender Management plan and conditions of Parole/Probation supervision.

Offender Joe's Parole Options

The below calculations are based on the 3 year prison sentence issued by the Court.

Offender Joe will be eligible for Discretionary parole after serving 9 months. Early release from incarceration will be at the discretion of the Parole Board.

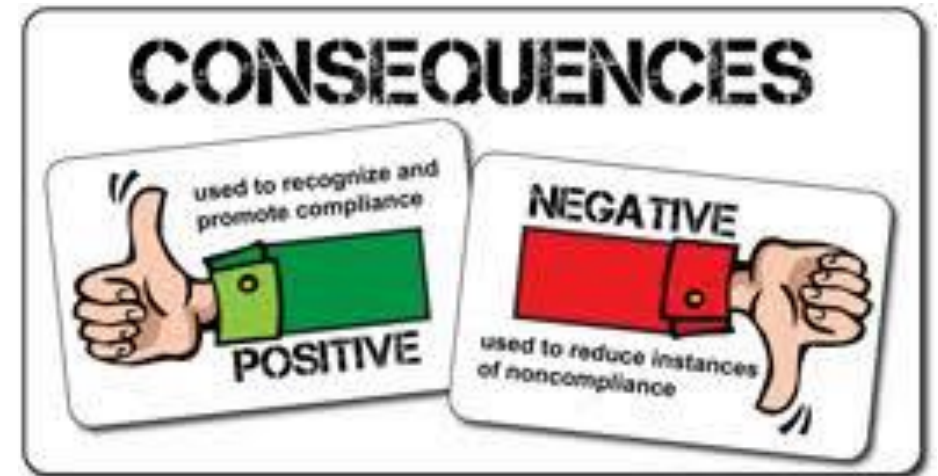
If denied Discretionary parole, Offender Joe will release to Mandatory parole after serving 2 years (2/3 of the sentence) provided he does not lose any statutory good time.

Offender Joe on Supervision

- Since a portion of Offender Joe's sentence was suspended by the Court, he will release to probation supervision
- Conditions of probation are set by the Court
- Conditions of Parole are set by the Parole Board
- During intake, Field Offices review Offender Management Plan and conditions with Offender Joe
- Field Officers conduct a risk assessment to determine the level of supervision required
- Offender Management Plan is updated by Field Officers based on conditions of supervision and the risk/needs

Other Factors to Consider Surrounding Supervision

- Earned Compliance Credits
- Violations
 - Administrative Sanctions and Incentives
 - Parole Violation Report/Petition to Revoke Probation
- Early Termination



Offender Joe Completes Parole/Probation Successfully

Upon successful completion of Probation and Parole, Offender Joe and the Division of Elections, will be sent a letter stating Voter Rights can be reinstated, and supervision has been completed successfully.



Oversight, Reporting, Training and Accountability

Oversight Commission _____ **S.B. 91 §§ 122, 163-165, 183 / S.B. 54 §§ 1, 41, 68-70**

S.B. 91 extended the life of the Alaska Criminal Justice Commission to 2021 and required the Commission to oversee implementation of the legislation, report annually on performance metrics, outcomes, and savings, and make annual recommendations on how savings from reforms should be reinvested to reduce recidivism. Additionally, S.B. 91 required the Commission to prepare special reports with recommendations for improvements in DUI-related interventions and collection of victim restitution, among other topics. S.B. 54 required the Commission to provide informational sessions to law enforcement regarding changes to the law, and to study the characteristics of inmates sentenced to a term of incarceration of 30 days or more. *Statutes affected: AS 22.20.220, AS 44.19.645, AS 44.19.647, AS 44.66.010*

Reporting of performance measures _____ **S.B. 91 §§ 163-167**

S.B. 91 required the courts, the Department of Public Safety, and the DOC to collect and report data on key performance measures, and requires the Commission to use that data to monitor and report on the impact of S.B. 91 reforms. *Statutes affected: AS 44.19.645, AS 44.19.647*

Reporting on sexual assault examination kits _____ **S.B. 55 § 28**

S.B. 55 required the Department of Public Safety to gather information and report to the legislature on untested sexual assault examination kits.



QUESTIONS???