

A Look-back On Criminal Justice Reform

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Goals of Reform

“Local legislative interest in these efforts were heightened by reports that the Alaska prison population was up 27% over the last decade, growing at a rate of 3% a year, and that recidivism remained high with nearly two out of three offenders returning to prison or jail within three years. Absent further reforms, it was projected that the number of persons incarcerated would soon exceed current hard-bed capacity.”

Source: Alaska Criminal Justice Commission 2015 Annual Report, p 1
Dated: Feb 1, 2016

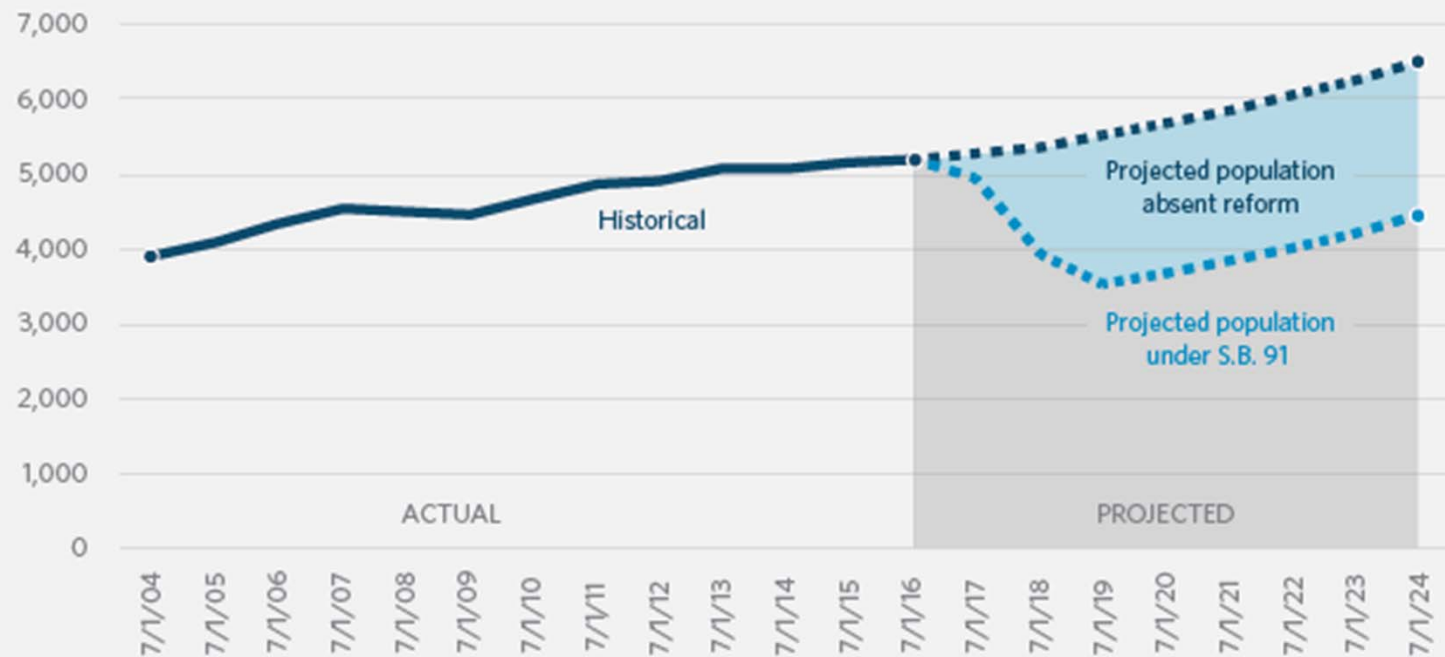
1. Reduce the prison population
2. Reduce Recidivism

Projected Prison Population

Figure 1

Alaska's Criminal Justice Reform Expected to Cut Prison Population 13%

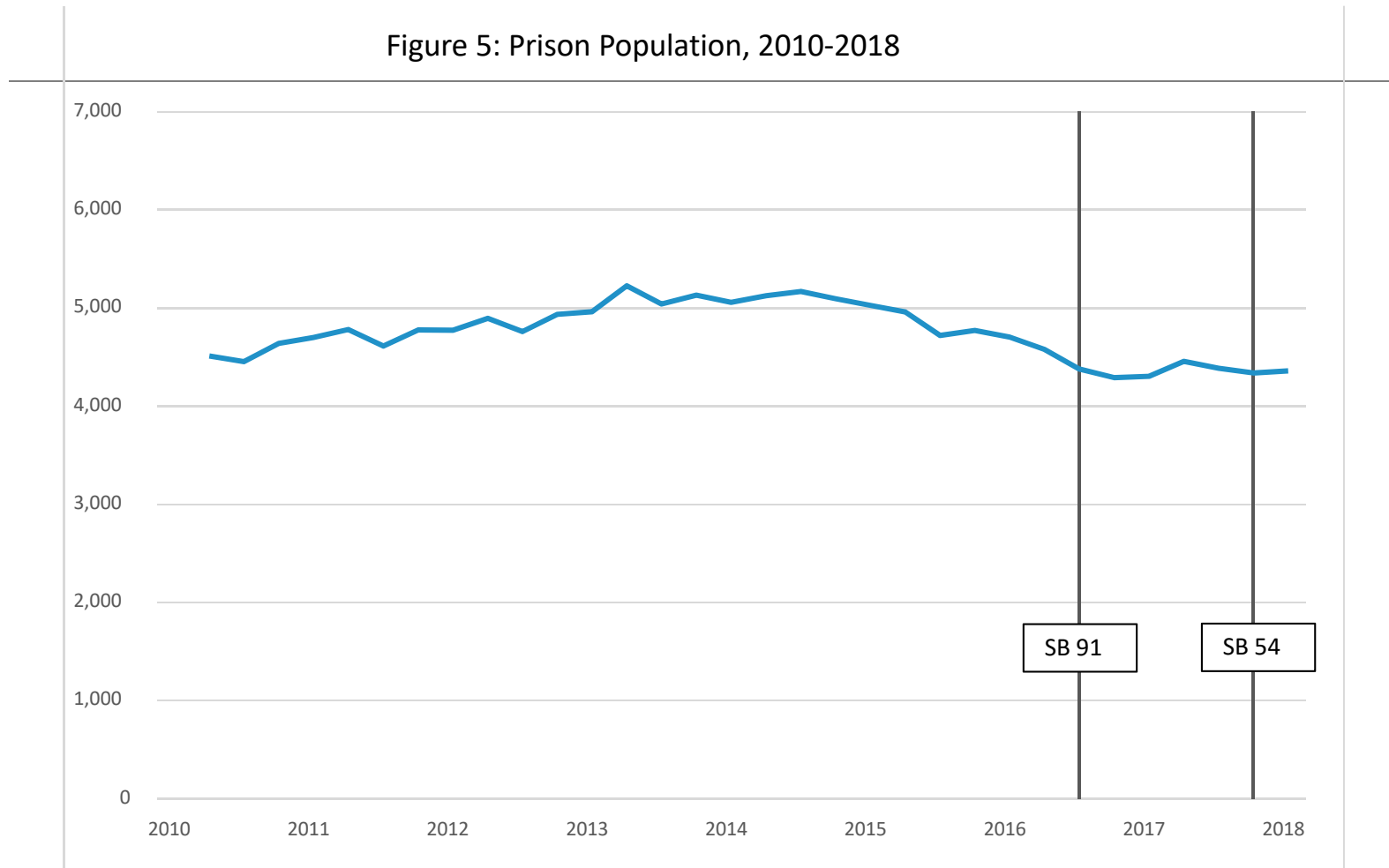
Number of inmates had been projected to rise by 27%



Source: Alaska Department of Corrections

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Actual Prison Population



Source: Alaska Criminal Justice Commission 2018 Annual Report

Goal: Reduce Recidivism

“The state’s growing prison population and increased corrections spending, however, had not produced commensurate improvements in public safety outcomes: nearly two out of every three people released from Alaska prisons returned within three years.”

Source: Alaska Criminal Justice Commission 2016 Annual Report, p 3

Dated: Sept 30, 2016

Recidivism: National Perspective

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Special Report

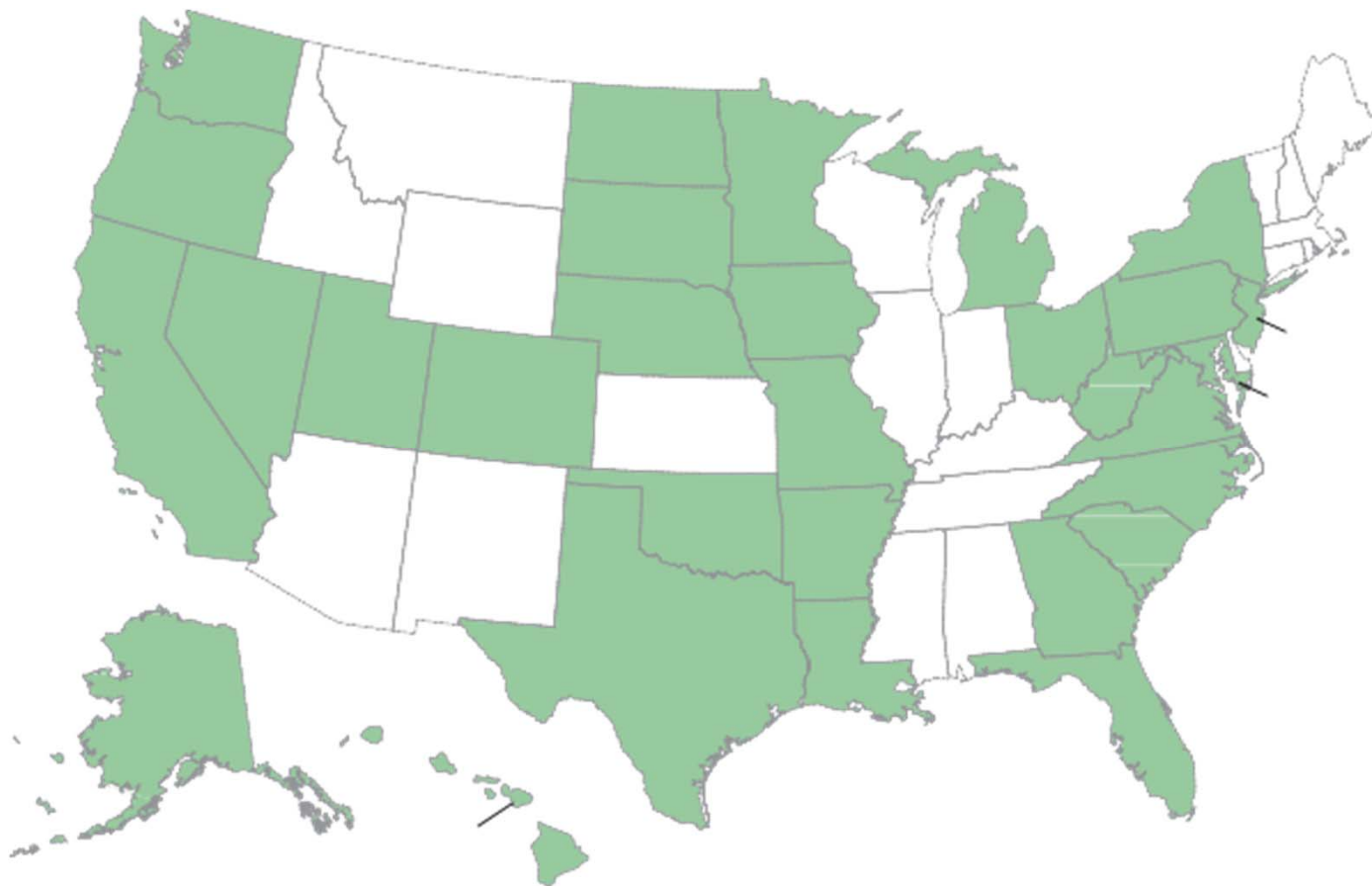
MAY 2018

NCJ 250975

2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014)

- 30 States
- Prisoners released in 2005
- Followed for nine years

States included in the BJS recidivism study of prisoners released in 2005



Source: 2018 Update on Prisoner Recidivism, Page 15

What is “Recidivism”

Measuring recidivism

Recidivism measures require three characteristics:

- a starting event, such as a release from prison;
- a measure of failure following the starting event, such as a subsequent arrest, conviction, or return to prison;
- an observation or follow-up period that generally extends from the date of the starting event to a predefined end date (e.g., 6 months, 1 year, 3 years, 5 years, or 9 years).”

Source: 2018 Update on Prisoner Recidivism, Page 3

National Recidivism

- The 401,288 state prisoners released in 2005 had an estimated 1,994,000 arrests during the 9-year period - an average of 5 arrests per released prisoner.
- An estimated **68% of released prisoners were arrested within 3 years**, 79% within 6 years, and 83% within 9 years.
- More than three-quarters (77%) of released drug offenders were arrested for a non-drug crime within 9 years.



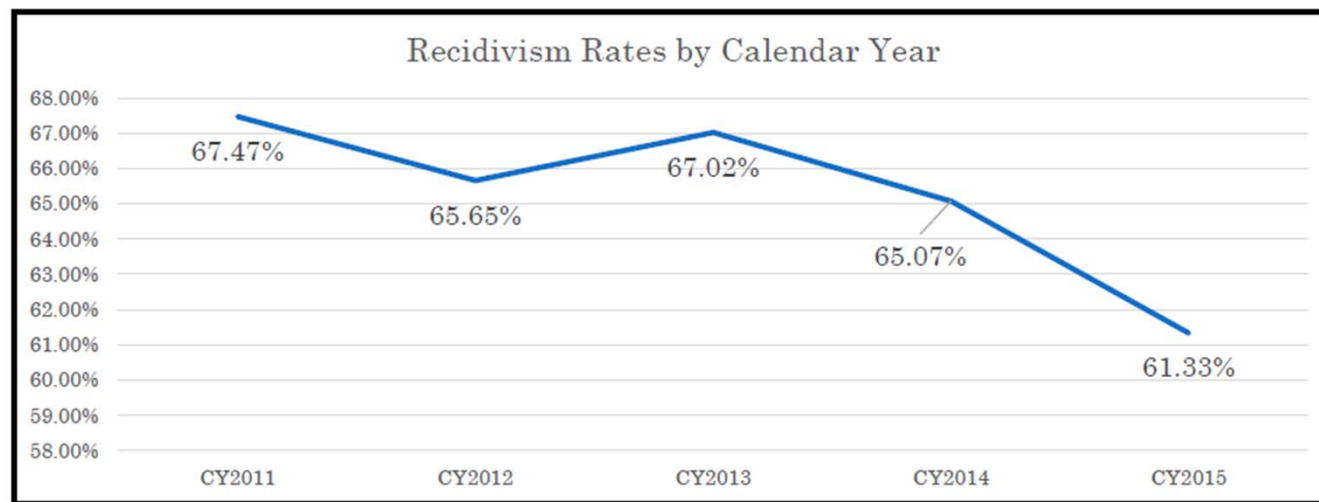
ALASKA RECIDIVISM & REENTRY

FEBRUARY 5, 2019

RECIDIVISM

- An offender who is re-incarcerated within three years of release as a result of:
 - Parole or probation violations.
 - New felony crime.
 - New misdemeanor crime.

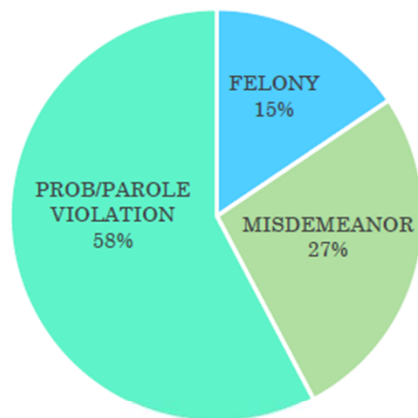
ALASKA RECIDIVISM RATES



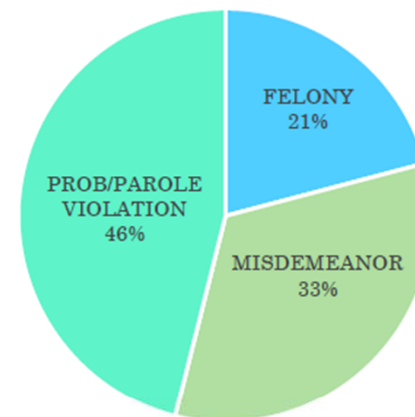
- After consistently being in the mid to upper 60th percentile, Alaska has begun to see a steady decline in recidivism.

RECIDIVISM – BY OFFENSE

Return to Incarceration – 6 months

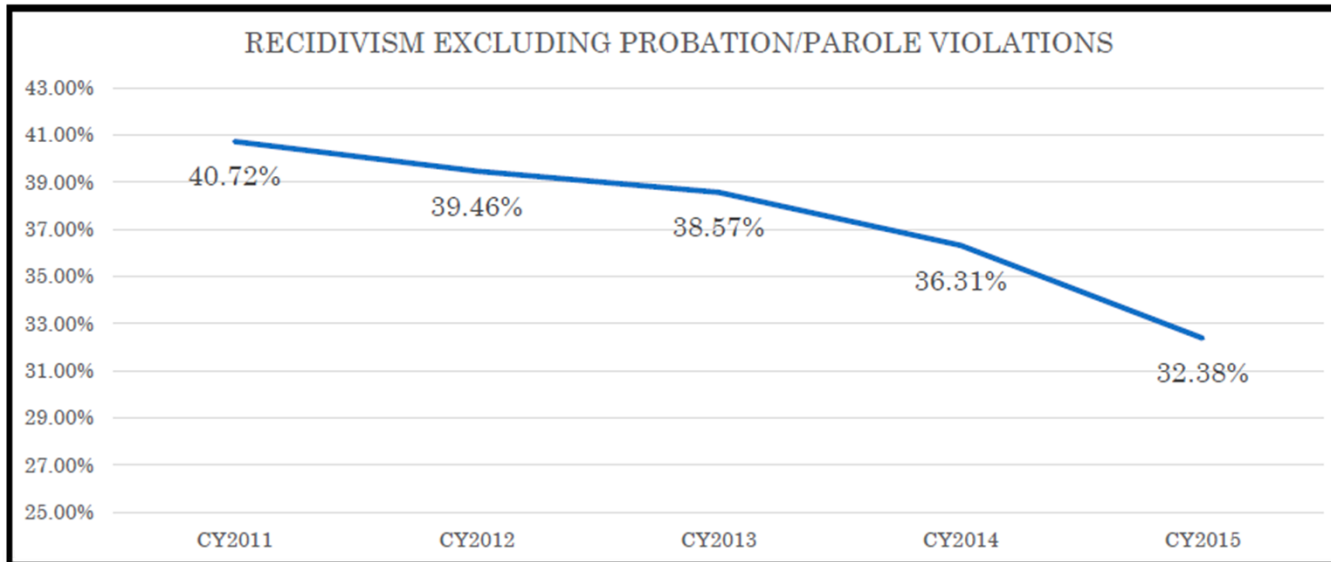


Return to Incarceration – 3 years



- 58% of those who return to custody within six months, return because of technical violations.
- 46% of those who return to custody within three years, return because of technical probation violations.

RECIDIVISM – NEW CRIMES

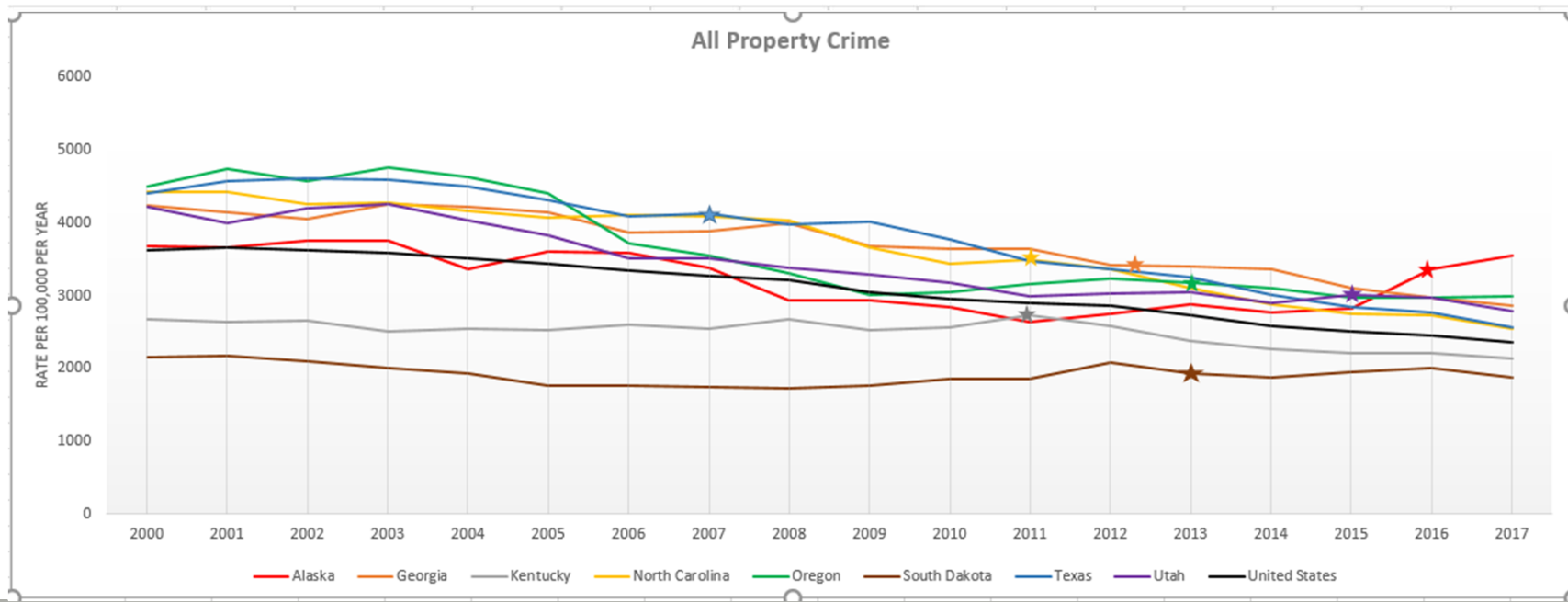
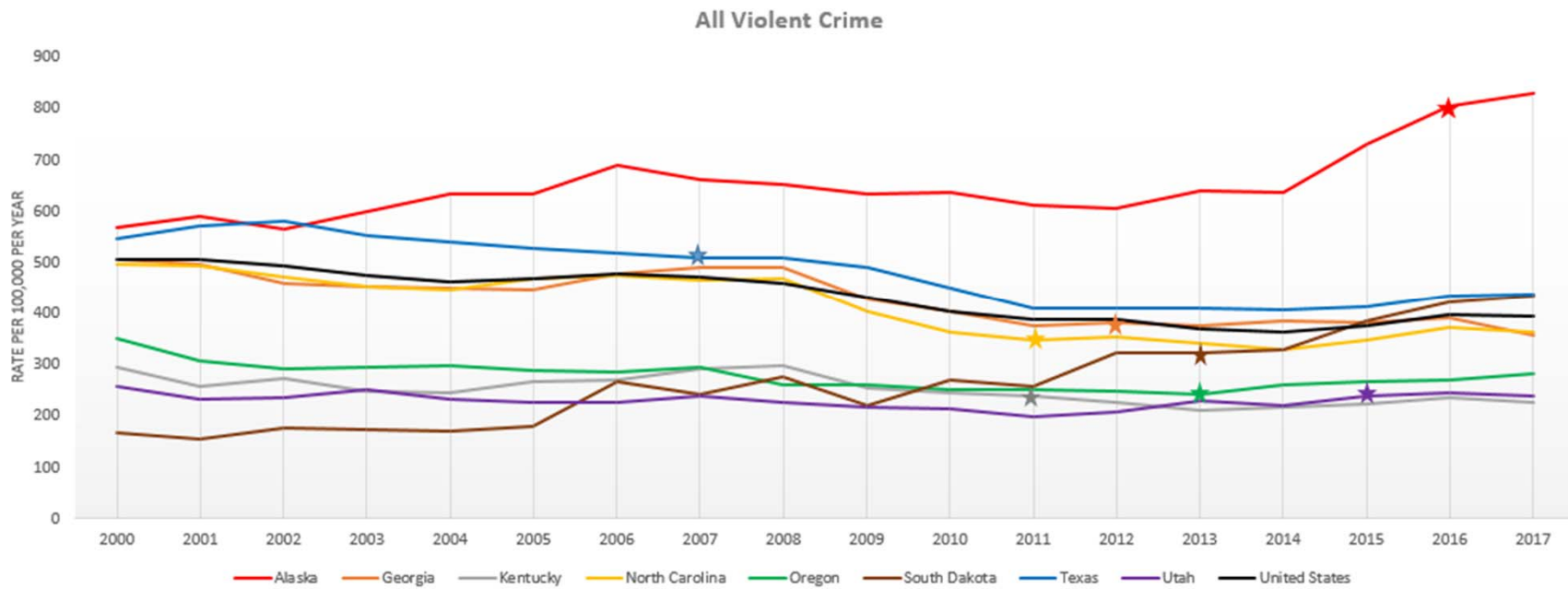


- The recidivism rate for new crimes is 32%.

Alaska's Recidivism Before SB 91

6% decline in Alaska 2011-2015

7% Below the National Average
from 2005



SOURCE: FBI CRIME DATA EXPLORER [HTTPS://CRIME-DATA-EXPLORER.FR.CLOUD.GOV/](https://crime-data-explorer.fr.cloud.gov/)

Comparison of PEW Reform States

	2017		2016		2015		2014		2013		2012		2011		2010		2009		2008		2007																									
Policy/reform	RI	LA	AR	GA	ND	MT	AK	MD	UT	AL	NE	ID	MS	OR	SD	WV	KS	MO	DE	GA	PA	HI	OK	AR	KY	AL	LA	NC	OH	SC	NH	MI	IL	WI	AZ	PA	CT	RI	VT	KS	NV	TX	Total			
Sentencing/pretrial																																														
Redesign/define drug offenses		✓			✓	✓	✓	✓	✓	✓	✓		✓	✓	✓					✓				✓	✓			✓	✓														16			
Redesign/define property offenses	✓	✓			✓	✓	✓	✓	✓	✓	✓		✓	✓	✓					✓				✓	✓			✓	✓														15			
Establish presumptive probation for some offenses					✓		✓	✓			✓		✓	✓	✓							✓		✓	✓				✓														9			
Revise sentencing enhancements		✓				✓	✓	✓	✓	✓			✓							✓				✓	✓			✓	✓														10			
Revise mandatory minimums		✓				✓	✓	✓					✓	✓						✓			✓				✓			✓													9			
Reduce crack-powder cocaine disparity							✓	✓									✓												✓	✓													4			
Form sentencing commission/revise guidelines			✓			✓	✓	✓	✓									✓									✓							✓									6			
Improve pretrial release systems						✓	✓	✓	✓							✓				✓			✓		✓																		6			
Establish presentence assessment	✓					✓	✓	✓								✓				✓	✓		✓		✓													✓					9			
Revise drug-free school zone					✓			✓																	✓					✓														4		
Authorize risk-reduction sentencing																											✓	✓										✓						3		
Release																																														
Revise parole hearings/eligibility standards	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓				✓					✓		✓	✓		✓			✓	✓	✓	✓						✓						21	
Expand good-time/earned-time credits		✓					✓	✓	✓				✓	✓				✓		✓								✓	✓	✓	✓	✓							✓		✓	✓			16	
Establish parole board member qualifications						✓		✓																				✓			✓										✓		✓	✓		3
Establish/expand geriatric or medical parole	✓	✓			✓		✓	✓		✓			✓											✓			✓			✓	✓	✓													11	
Community corrections																																														
Establish/expand earned discharge		✓		✓		✓	✓	✓	✓			✓	✓	✓	✓		✓	✓	✓					✓	✓					✓	✓	✓														18
Authorize performance incentive funding	✓						✓	✓	✓	✓				✓	✓			✓						✓	✓				✓	✓	✓				✓				✓						13	
Authorize administrative jail sanctions	✓	✓				✓	✓	✓	✓	✓	✓	✓	✓				✓	✓						✓	✓			✓	✓	✓	✓														18	
Authorize graduated responses for violations		✓				✓	✓	✓	✓	✓	✓	✓	✓		✓					✓	✓	✓																			✓	✓			22	
Cap revocation time		✓	✓			✓	✓	✓	✓	✓		✓	✓				✓	✓			✓	✓	✓			✓		✓	✓																17	
Establish/improve electronic monitoring													✓			✓				✓				✓	✓		✓											✓						8		
Establish mandatory re-entry supervision										✓	✓					✓	✓								✓	✓		✓	✓	✓	✓							✓		✓					10	
Require/improve risk-needs assessment	✓			✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓					✓	✓						26	
Require evidence-based practices	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓			✓	✓	✓				✓	✓			✓	✓			✓	✓	✓					✓	✓						✓			21	
Reform/pilot specialty courts													✓	✓	✓	✓				✓				✓	✓		✓																		8	
Reduce probation terms	✓	✓		✓		✓	✓			✓																													✓				✓		8	
Improve behavioral health interventions	✓			✓	✓	✓	✓	✓	✓	✓	✓				✓	✓	✓		✓									✓	✓				✓	✓			✓	✓	✓	✓	✓	✓				23
Sustainability																																														
Require fiscal impact statements						✓							✓	✓	✓									✓	✓					✓				✓												7
Require data collection/performance measures	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓			✓				✓	✓							32
Improve restitution/victim notification		✓					✓	✓	✓	✓	✓	✓	✓															✓	✓	✓																14
Establish oversight council	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		✓										✓																16

SOURCE: PEW CHARITABLE TRUSTS (HIGHLIGHTS BY ALASKA DEPT. OF LAW)

Violent v. Non-violent Offenses

Violent = AS 11.41.

- Homicide
- Assault
- Stalking
- Kidnapping
- Human Trafficking
- Sexual Assault
- Sexual Abuse of a Minor

Non-Violent = everything else

- Theft
- Criminal Mischief
(property Damage)
- Forgery
- Bribery
- Gambling
- Hindering prosecution
- Impersonate a Public
Servant

But Also “non-violent” . . .

Misconduct Involving Weapons

Cruelty To Animals

Drug Trafficking

Sex Trafficking

Arson

Burglary

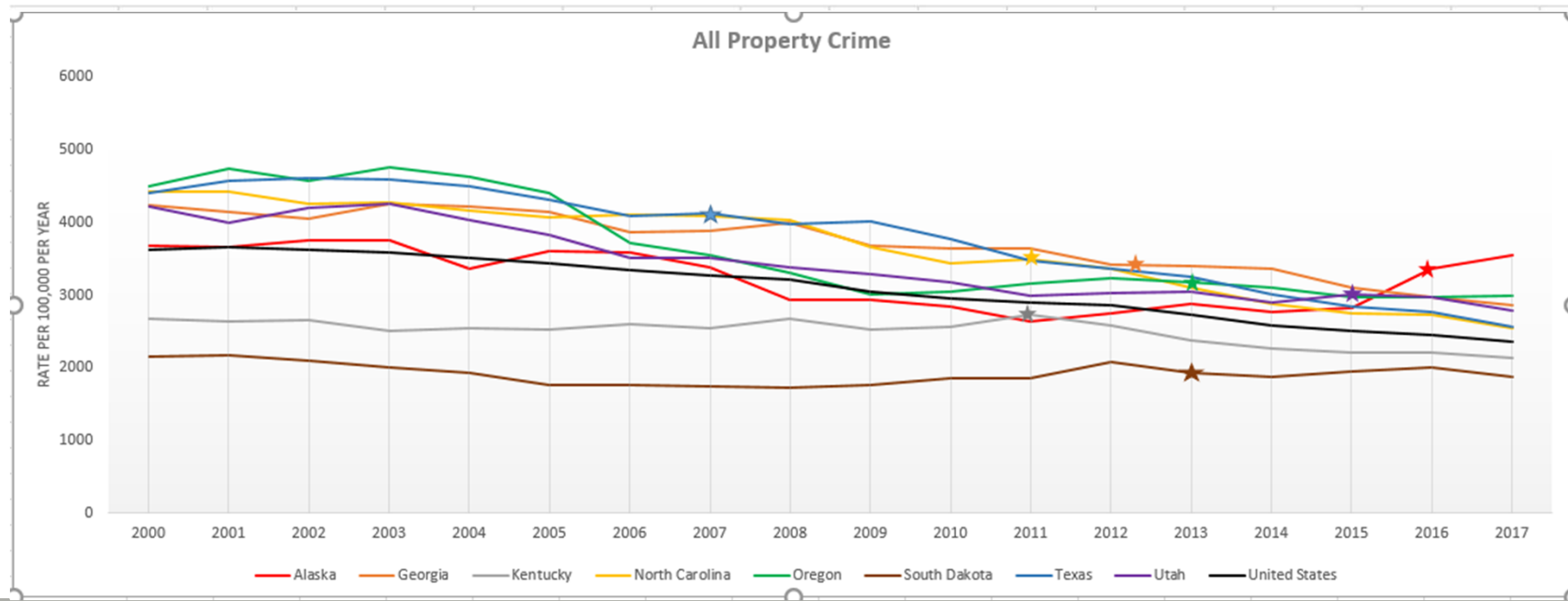
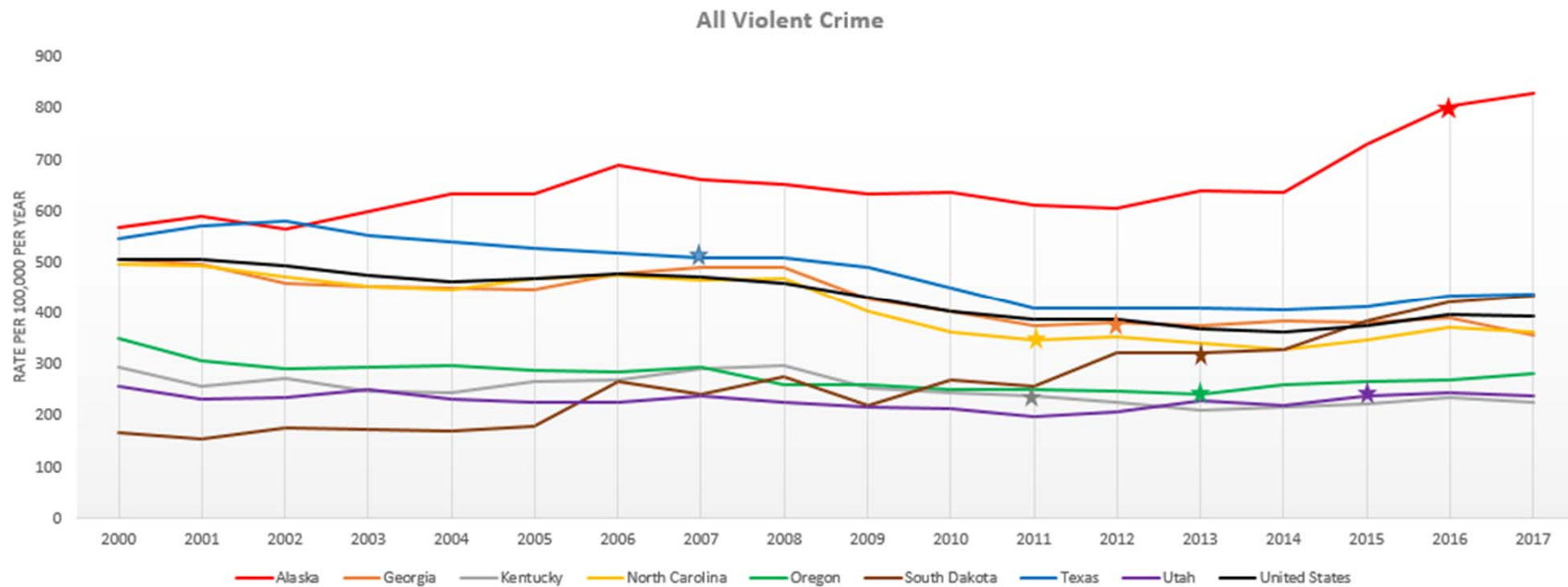
Promoting Contraband

Terroristic Threatening

Riot

Sending Explicit Image Of A Minor

Misconduct Involving A Corpse



SOURCE: FBI CRIME DATA EXPLORER [HTTPS://CRIME-DATA-EXPLORER.FR.CLOUD.GOV/](https://crime-data-explorer.fr.cloud.gov/)

Why did Crime Rise Before SB 91?

In part . . .

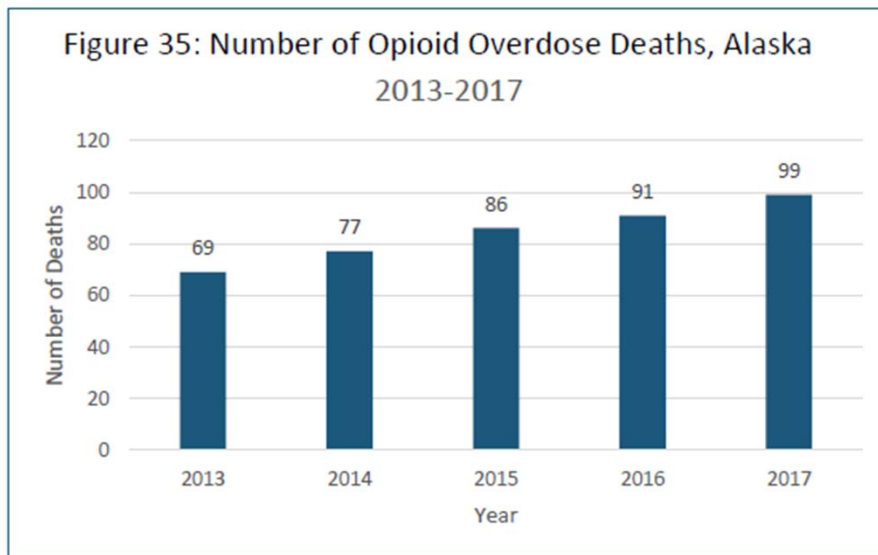


Figure 35 Source: Alaska Division of Public Health, Vital Statistics, Mortality

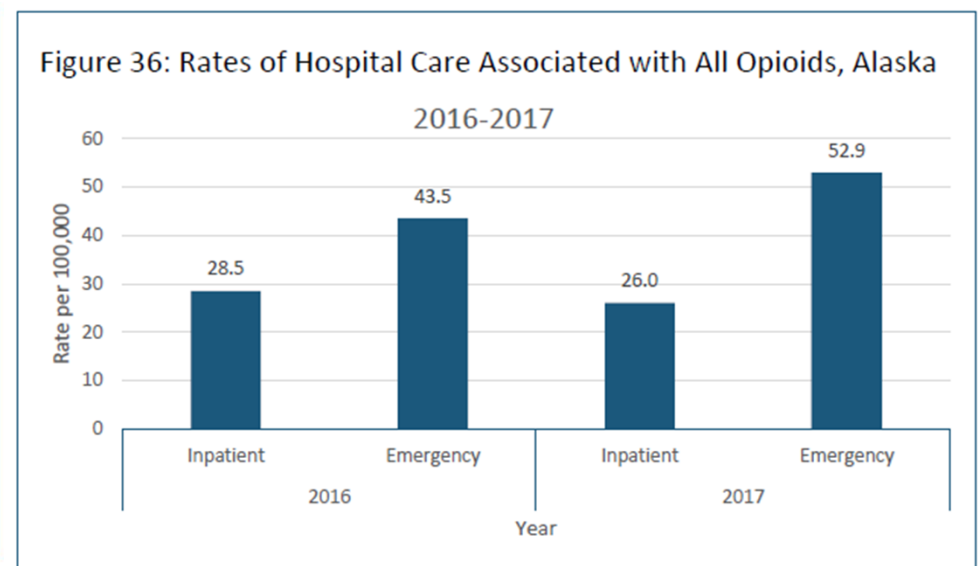


Figure 36 Source: Alaska Division of Public Health, Epidemiology

While at the same time Alaska law decreased penalties for trafficking and possession . . .