

February 25, 2020

Representative Ivy Spohnholz
State Capitol, Room 421
Juneau, AK 99801

Dear Representative Spohnholz:

The Alaska Juvenile Justice Advisory Committee (AJJAC) is pleased to provide this letter of support for House Bill 133. The bill amends statutory terms and definitions used to reference Division of Juvenile Justice (DJJ) facilities and staff, it adds a new definition to describe locations where juveniles may be held securely pending transport to a DJJ facility, and adds DJJ staff in the list of mandatory reporters of child abuse and neglect, as well as clarifying their position of authority over youth in DJJ custody.

The AJJAC is comprised of committed citizens from many regions across Alaska who have experience with youth and juvenile justice issues. AJJAC is a non-partisan group of volunteers that includes parents, teachers, social service workers, court and corrections employees, and youth. Members are appointed by the Governor to serve in accordance with the federal Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974.

An important AJJAC responsibility is to assist DJJ in achieving and maintaining compliance with federally mandated juvenile holding practices. Compliance with these mandates is required toward Alaska's eligibility for the JJDP grant funds.

Updating the terms in statute used to describe DJJ will greatly improve the understanding of law enforcement partners and the public about when statutes apply to the adult versus juvenile justice systems, properly describes the holding of juvenile offenders, and will support the Department of Health and Social Services' efforts to enhance these services.

The Alaska Juvenile Justice Advisory Committee supports House Bill 133.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amy Gorn".

Amy Gorn
AJJAC Chair



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Health and Social Services

DIVISION OF JUVENILE JUSTICE
Director's Office

P.O. Box 110635
Juneau, Alaska 99811-0635
Main: 907.465.2212
Fax: 907.465.2333

May 13, 2019

Representative Ivy Spohnholz
State Capitol, Room 421
Juneau, AK 99801

Dear Representative Spohnholz,

The Department of Health and Social Services, Division of Juvenile Justice (DJJ) is pleased to provide this letter of support for House Bill 133. The bill updates the terms used to describe Division of Juvenile Justice staff and state operated facilities and includes DJJ staff in the list of mandatory reporters of child abuse and neglect. HB133 also makes minor corrections related to the revocation of juvenile's driver's licenses and the public disclosure of juvenile delinquency information.

Correcting the outdated terms used to describe DJJ facilities and staff will greatly improve the understanding of legislators, law enforcement, and the public about when statutes apply to the adult versus juvenile justice systems and support the department's efforts to improve these services.

Adding DJJ to the list of mandatory reporters of child abuse and neglect recognizes that youth frequently disclose abuse to these staff, who in turn, make reports to the Office of Children's Services (OCS). DJJ staff make an average of 80 reports to OCS every year.

The Division of Juvenile Justice strongly supports House Bill 133.

Sincerely,

A handwritten signature in blue ink that reads "Tracy A. Dompeling".

Tracy A. Dompeling
Division Director

Cc: Adam Crum, Commissioner
Al Wall, Deputy Commissioner for Family, Community & Integrated Services
Suzanne Cunningham, Legislative Director, Office of Governor Dunleavy

February 28, 2020

Representative Ivy Spohnholz
State Capitol Room 421
Juneau, AK 99801

Re: HB 133 – Juveniles: Justice, Facilities, Treatment

Dear Representative Spohnholz,

The Alaska Mental Health Trust Authority supports HB 133. The statutory updates in this bill will help better serve and protect young Trust beneficiaries who are in contact with the juvenile justice system.

The Trust is supportive of this legislation's emphasis on the protection of Trust beneficiaries who are in the custody of individuals in a position of authority, and appreciates that the bill will require mandatory reporting of cases of child abuse and neglect. We know that the earlier a young beneficiary who has experienced trauma is exposed to positive interventions and supports, the better their health and education outcomes will be.

We appreciate your sponsorship of this important legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael K. Abbott", with a stylized flourish at the end.

Michael K. Abbott
Chief Executive Officer

Megan Holland

From: Thomas Clarke [REDACTED]
Sent: Thursday, February 27, 2020 3:49 PM
To: Rep. Ivy Spohnholz
Cc: Rep. Jonathan Kreiss-Tomkins; tracy.dompeling@alaska.gov; Joe Adelmeyer; Sen. Bert Stedman
Subject: HB 133 - Support

Representative Sponholz,

I am writing in support of HB 133. Thank you for sponsoring and carrying forward these important updates to the statutes as they relate to the custody and care of juveniles.

I worked for the Division of Juvenile Justice from January of 1989 through April of 2016. While I began my career working in the juvenile justice facilities in Fairbanks, Anchorage, and Bethel, the vast majority of my state service was spent working as a juvenile probation officer in Barrow and Sitka. Throughout the bulk of my career, in addition to performing the "standard" duties of a juvenile probation officer, I worked on the development, editing, and updating of the policies and procedures for juvenile probation officers. I worked on teams drafting statutory change recommendations and the development/updating of regulations. I provided training to juvenile probation officers and staff regarding statutes, regulations, case law, rules of court and policies and procedures. I also provided training at the Alaska Public Safety Academy to law enforcement officers - troopers, municipal, and village public safety officers - regarding the arrest, detention, transport, jurisdiction of accused juvenile delinquents, status offenders, runaways, abused/neglected children, and mandatory reporting. My job history is only relevant to the point of my having been intimately involved in the minutiae of the very statutes HB 133 impacts.

The changes proposed in HB 133, are long overdue. These changes provide clarification to issues which have been confusing (sometimes confounding) to staff, courts, and law enforcement. The changes, if approved, will close unintended loopholes and will ultimately provide for the increased safety of vulnerable children. I do not support the amendments offered with regard to an increase to the number of hours a volunteer must interact with children in order to qualify as a mandated reporter. An increase to the number of hours to qualify will serve only to decrease the safety net for children, which is, quite simply, unacceptable.

Again, I offer my thanks to you for sponsoring this bill and for considering my thoughts. If I can be of any further assistance please do not hesitate to contact me.

Respectfully,
Thomas Clarke

[REDACTED]

cc:
Representative Jonathan Kreiss-Tomkins
Senator Bert Stedman
Anthony Newman, DHSS Legislative Liaison
Tracy Dompeling, Director of Division of Juvenile Justice
Joe Adelmeyer, Southeast Region Chief Juvenile Probation Officer

Megan Holland

From: Bob Fedoroff [REDACTED]
Sent: Monday, March 2, 2020 5:46 PM
To: Rep. Ivy Spohnholz
Subject: HB 133

Dear Representative Spohnholz,

I am writing to offer my support for HB 133. I had the privilege of working at McLaughlin Youth Center for thirty years, retiring in 2003 as the facility Superintendent. During the course of my career I had the good fortune to work in a system that is constantly evolving to better define its mission and effectively serve the public. This bill addresses a number of issues that are in need of clarification as the Division of Juvenile Justice continues its mission. I am especially concerned that DJJ facility staff are not clearly defined as being in a position of authority over DJJ youth. In my experience, it is exceedingly rare that this ever becomes an issue. However, it goes without saying that facility staff are certainly in a position of authority over the youth in their custody and any violation of this trust needs to be very clearly defined.

This bill also addresses issues that range from outdated terminology to more urgent matters such as notification of victims and mandatory reporting of abuse and neglect. I am glad to see that the Division is addressing these issues and I thank you for your sponsorship of this bill.

Sincerely,
Bob Fedoroff

February 24, 2020

Dear Representative Sponholtz,

Thank you for sponsoring HB 133, a bill important to the work of juvenile justice in Alaska. The bill would do three important things: 1) close a loophole in the Sexual Abuse of a Minor statute; 2) correct outdated terms impacting the Division of Juvenile Justice; and, 3) update important policy changes in statute to be in line with other current statutes and policy.

The Division of Juvenile Justice began working on this bill ten years ago as we attempted to ensure our statutory obligations were clear and met all of our obligations. During my years as DJJ Director we came close to getting this legislation passed, however, due to time constraints and other competing priorities it never quite made it. The importance of the legislation has never been in question and the wide support of the legislature and numerous administrations has been there. Having been vetted for a decade, it's time for HB 133 to pass.

I know the current legislative session has many competing demands for your time but I applaud your willingness to finally get this important legislation passed.

As a retired DJJ Director I would hope that future DJJ staff would have HB 133 in the rear view mirror of issues to address. DJJ continues to provide excellent service to youth, families and communities impacted by juvenile crime and if some of the statutory work can be improved to make their efforts more effective and supported, it would be an important step to improving public safety for all of us.

Thank you for your continued support of juvenile justice issues in Alaska and I hope HB 133 receives the support it deserves.

Sincerely,



Barbara Henjum
Retired Director
Division of Juvenile Justice

Megan Holland

From: Susan [REDACTED]
Sent: Sunday, March 1, 2020 2:00 PM
To: Rep. Ivy Spohnholz
Subject: HB 133 letter of support

Dear Representative Spohnholz,

Thank you for sponsoring HB 133; this important legislation is needed to clear up a variety of ambiguities important to the safety and the welfare of juveniles in the custody of the Division of Juvenile Justice (DJJ/DHSS).

I worked for DJJ for many years until my retirement in 2015 and can recall that much focus was given to understanding the precise rewording and its nuances in order to provide most clarity possible. These changes modernize terminology and provide a variety of policy updates. All are important but the two most key, in my mind, are the addition of juvenile facility staff to the list of mandatory reporters of child abuse and the edification of the position of authority held by facility staff over the juveniles in their care.

Juvenile justice officers are most certainly in a position of authority over the youth in their care! As such, they are expected to behave in the highest possible standard, with appropriate consequences for inappropriate or abusive behaviors - such as in the Carey case. Thank you for closing this loophole and for the other clarifications that will bring DJJ's statutes into closer alignment with the restorative justice mission.

Regards,
Susan McDonough
Juneau, Alaska

Patty Ware
800 F Street, H-3
Juneau, Alaska 99801

February 26, 2020

Dear Representative Spohnholz,

Thank you for introducing HB 133. This is an important bill that provides a number of clean up fixes to existing statutes that likely should have been made years ago. I also applaud the bill's important change to AS 11.41 clarifying that both juvenile probation staff and all DJJ facility staff fall under the statutory definition of those in a position of authority over minors. This critical element will alleviate the injustice that occurred in 2013 when a DJJ facility staff member was acquitted on charges of charges of sexual abuse of a minor due to a statutory loophole.

I was a member of the original team of juvenile corrections staff housed in what was then the Division of Family and Youth Services (now known as the Office of Children's Services, or OCS), that created the Division of Juvenile Justice (DJJ) in July 1999, and served as DJJ Director from 2002-2006. Creating a new agency within state government was a monumental task. There is much, I believe, that we got right. But as I can clearly see from reviewing HB 133, there were things that were left out in terms of necessary statutory changes. I, honestly, was taken aback to find that DJJ facility staff are not included in the list of mandatory reporters for child abuse and neglect.

Twenty years after the creation of DJJ, it is time to clarify the statutes to fix the loophole identified in 2013 as a result of the Carey case, to update definitions and delete outdated ones. This bill may not make anyone's list of high priority, must see pieces of legislation. But as someone who spent my career working with youth, this bill will improve their care and ensure that DJJ staff are clear on their responsibilities. I strongly support its passage.

Sincerely,

Patty Ware

cc: Representative Sara Hannan
Representative Andi Story
Senator Jesse Kiehl