

DEPARTMENT OF CORRECTIONS DIVISION OF PRETRIAL, PROBATION & PAROLE

SENATE CORRECTIONS FINANCE SUBCOMMITTEE

MARCH 2, 2021





DIVISION OF PRETRIAL, PROBATION, & PAROLE

- Mission: Provide evidence-based practices and effective supervision to improve the successful community reintegration of pretrial defendants, probationers, and parolees.
- Accomplishments:
 - During the COVID-19 pandemic and, when appropriate, the Alaska Court System directed defendants to Pretrial Supervision in efforts to keep defendants out of a congregate setting (i.e. jail). During this timeframe, defendants on pretrial supervision increased by 16.6%, defendants on pretrial electronic monitoring increased by 31.8% and made up 55% of the overall pretrial population.
 - In FY2020, there was a total of 9,682 defendants assigned to Pretrial Supervision. Of those assignments, 5,449 were unique individuals showing that some defendants were assigned to Pretrial Supervision more than once during the fiscal year. Of the total assignments, 8,695 (89.2%) were urban and 987 (10.2%) were rural.
 - Worked with other state departments, coalitions, and community agencies for successful reentry across the state.
- Challenges:
 - Recruit, hire and retain a workforce of trained supervisors, probation officers and support staff.
 - Adequately supervise defendants placed into the Pretrial Services Program for compliance with conditions of release.
 - Constantly assess resources available to the Pretrial Services Program to balance the supervision demands of a substantial growth in the municipal case assignments in Juneau and Anchorage areas.



DIVISION OF PRETRIAL, PROBATION, & PAROLE

- Probation and Parole Director's Office
 - \$770.0 / 4 PFT
 - Victim Service Unit
- Pretrial Services (PTS)
 - \$10,695.7 / 88 PFT
 - Assessments
 - Basic Supervision
 - Enhanced Supervision
- Statewide Probation and Parole (SWPP)
 - \$18,593.8 / 154 PFT
 - 13 regional locations
 - Probation Accountability with Certain Enforcement
 - Pre-Sentencing Unit
 - Interstate Compact

TOTAL	\$30,059.5
UGF	\$30,009.5
DGF	\$0.0
Other	\$0.0
Federal	\$50.0

Budgeted Positions	246 PFT
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FY2022 Significant Budget Changes

- No significant changes

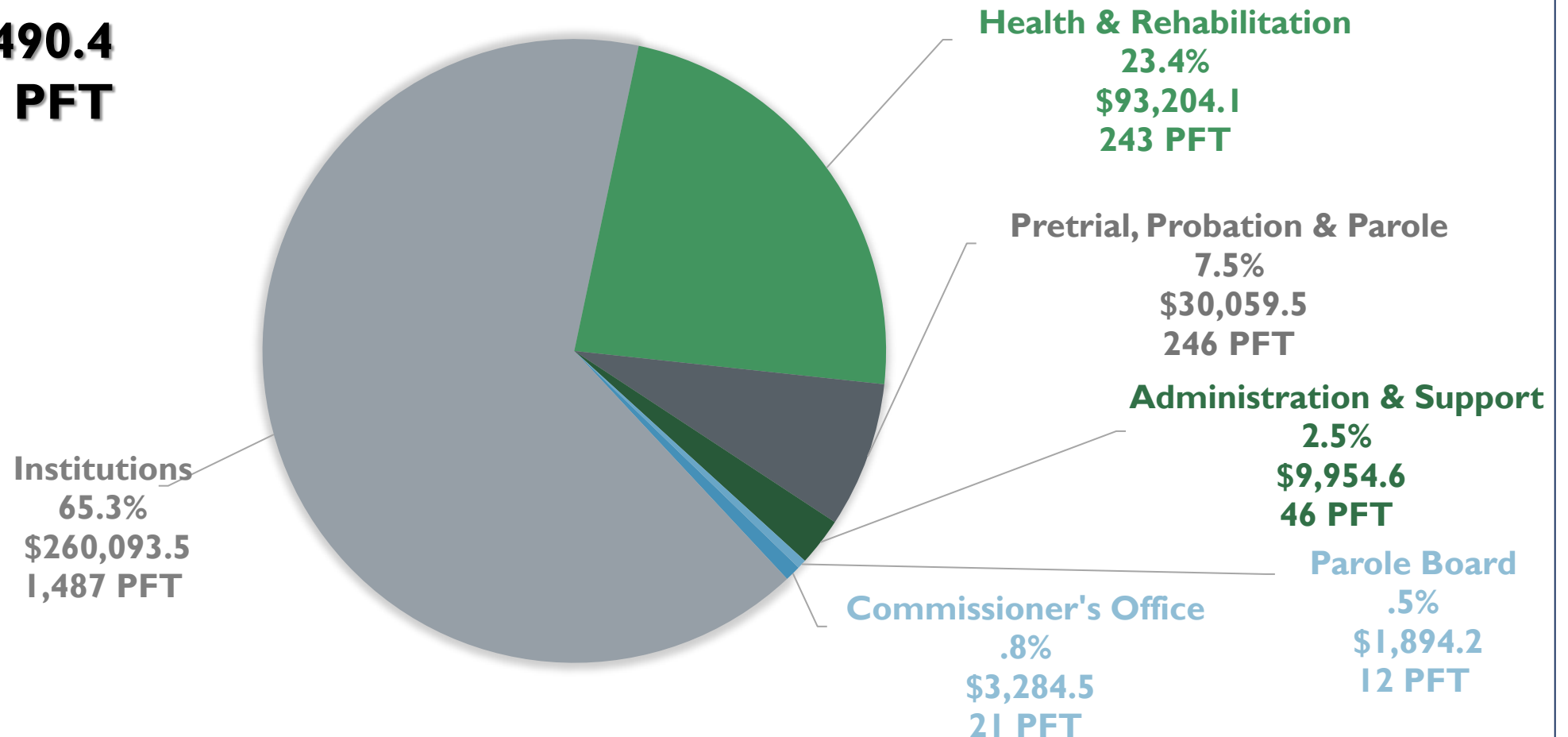
All \$\$ in thousands



FY2022 OPERATING BUDGET REQUEST

BY DIVISION

Total \$398,490.4
2,055 PFT



**All \$\$ in thousands*



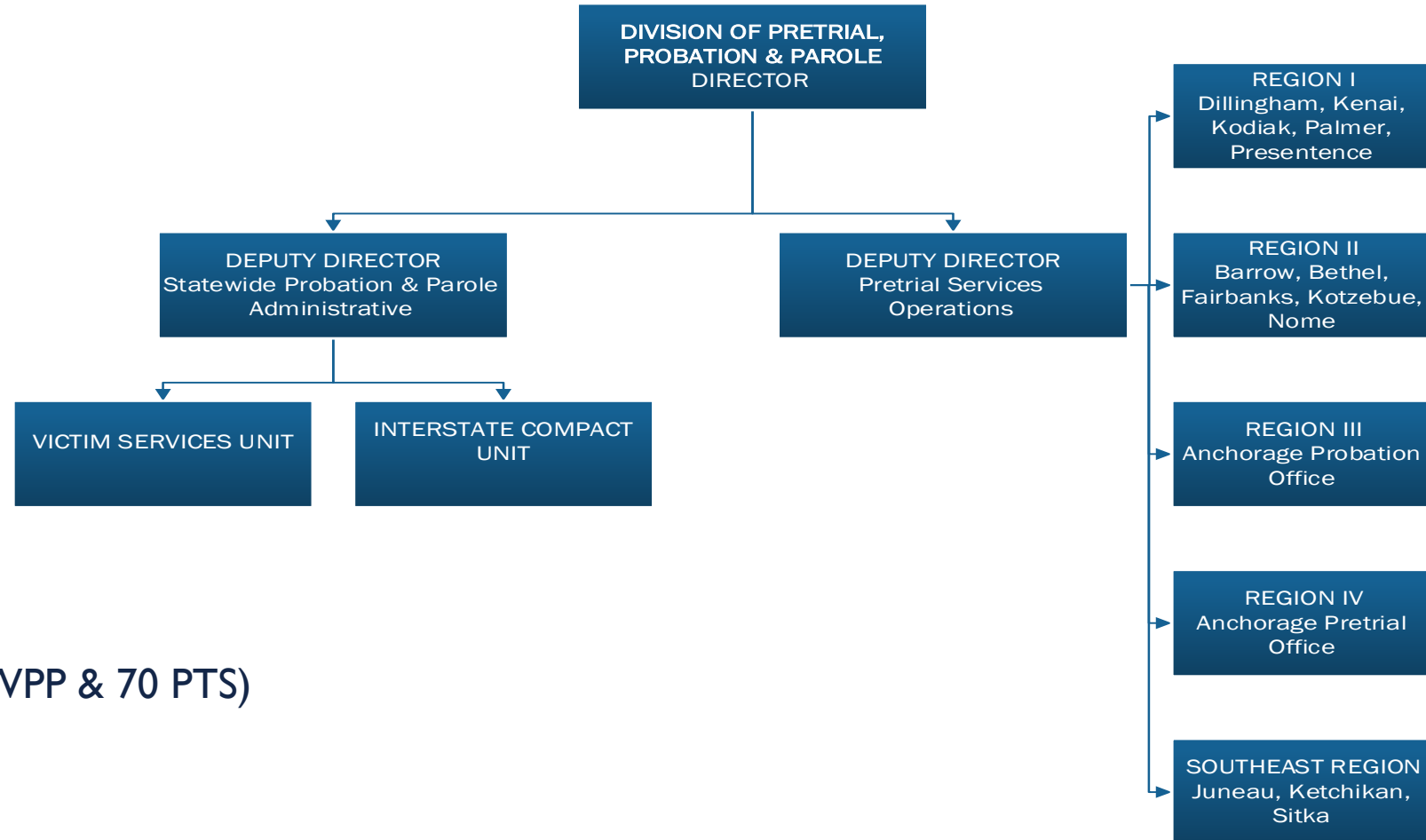
COVID-19 IMPACTS



- **How has COVID impacted DP3?**
 - Supervision of defendants/offenders
 - Increase in utilization of EM/Pretrial
 - Staffing challenges
 - PPE supplies
- **What has DP3 learned that enabled us to operate more efficiently?**
 - Virtual communication
 - Virtual training
 - Telecommuting
- **What was the biggest challenge in delivering service (supervising) during the pandemic?**
 - Field Contacts/Tailored Office Visits
 - Community partners availability
 - The unknown



ORGANIZATIONAL STRUCTURE



182 Officers (112 SWPP & 70 PTS)
64 Support Staff



DIVISION OF PRETRIAL, PROBATION AND PAROLE

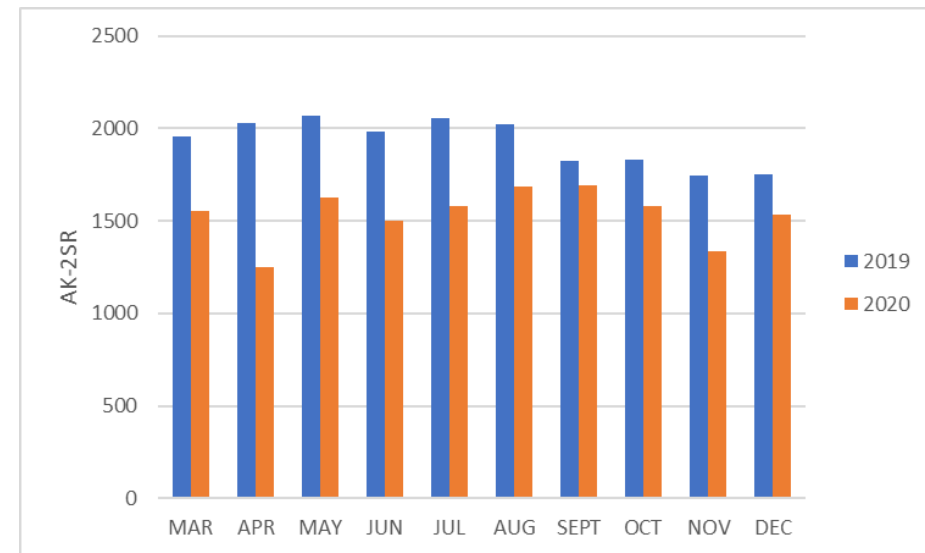
- AS 33.05.040 Duties of Probation Officers
 - Public safety
 - Rehabilitation

- AS 33.07.030 Duties of Pretrial Services Officers
 - Risk assessment
 - Release recommendation
 - Supervision



PRETRIAL SERVICES - ASSESSMENTS

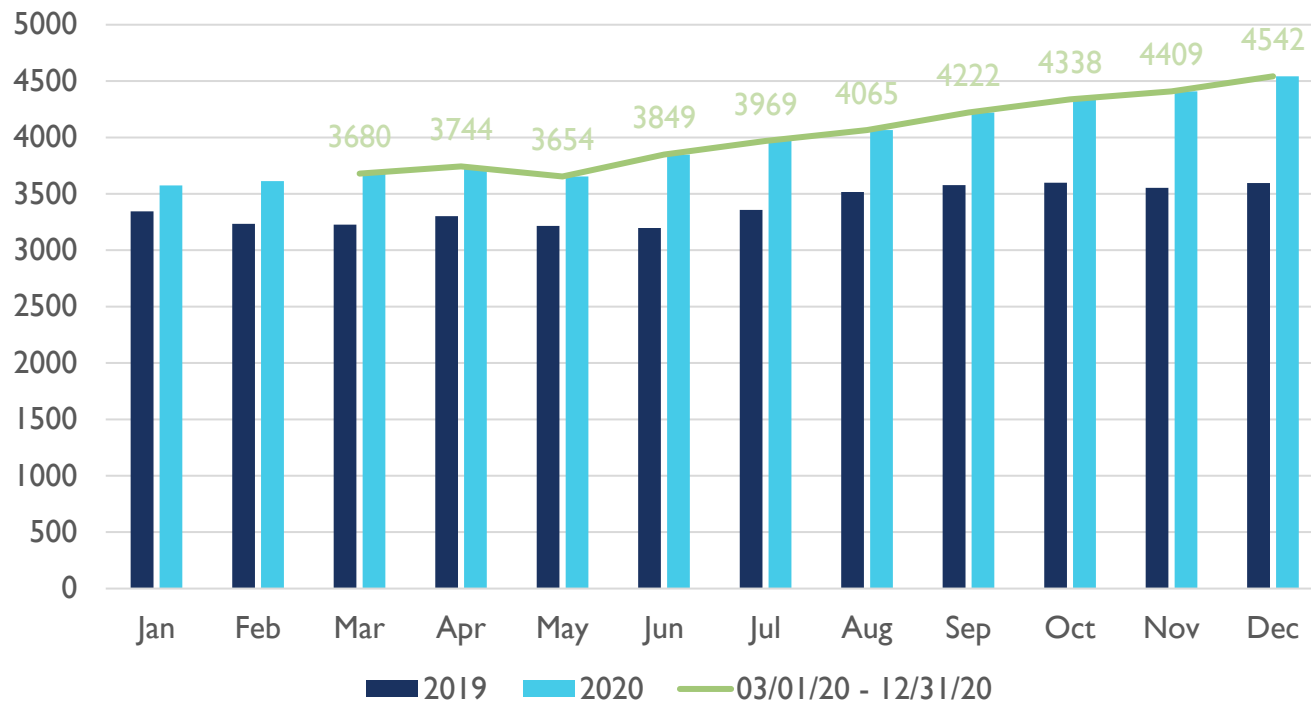
- Pretrial risk assessments (AK-2SR; Alaska 2 Scale Revised) are completed for new criminal cases remanded to custody and are part of the release conditions considered by the court in AS 12.30.011
- March 2020 through December 2020, 15,300 Pretrial Risk Assessments (AK-2SR) were completed. Comparing the same time period to the prior year in 2019, Pretrial Risk Assessments completed were 19,209. A drop of 3,909.





PRE-TRIAL SERVICES - SUPERVISION

PED Total Assigned



Green line represents when Governor issues Public Health disaster emergency declaration for Covid-19.

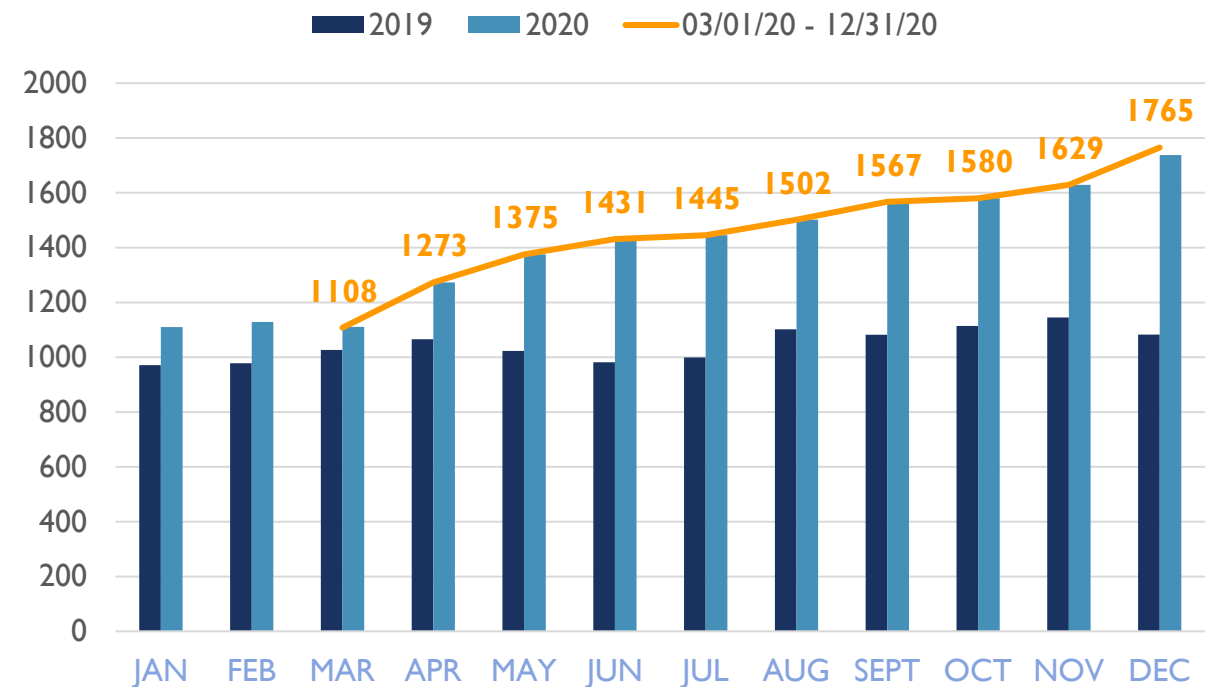
03/02/20	12/31/20
3680 Assigned	4512 assigned
1257 Incarcerated	1312 Incarcerated
340 Active Warrants	471 Active Warrants
2083 Community Supervision	2729 Community Supervision (31% increase)



PRETRIAL SERVICES – ELECTRONIC MONITORING

- At the beginning of March 2020, Pretrial Services had 1,108 pieces of electronic monitoring equipment active daily. On December 31, 2020, Pretrial Services was operating and monitoring 1,765 pieces of electronic monitoring equipment. An increase of 59.3%.
- Electronic Monitoring devices include GPS (global positioning system) bracelets, RF (radio frequency) bracelets, and alcohol detecting devices.
 - GPS devices – location monitoring (exclusion zones) – (i.e. domestic violence location restrictions and other location restrictions)
 - RF devices – electronic leash –(i.e. curfew and house arrest)
 - Alcohol detection devices – passive or active testing – (i.e. alcohol an element of current charge)

(The daily rental rate of each piece of electronic monitoring equipment range from \$5.53 to \$8.99, dependent on type of equipment and location within the State.)





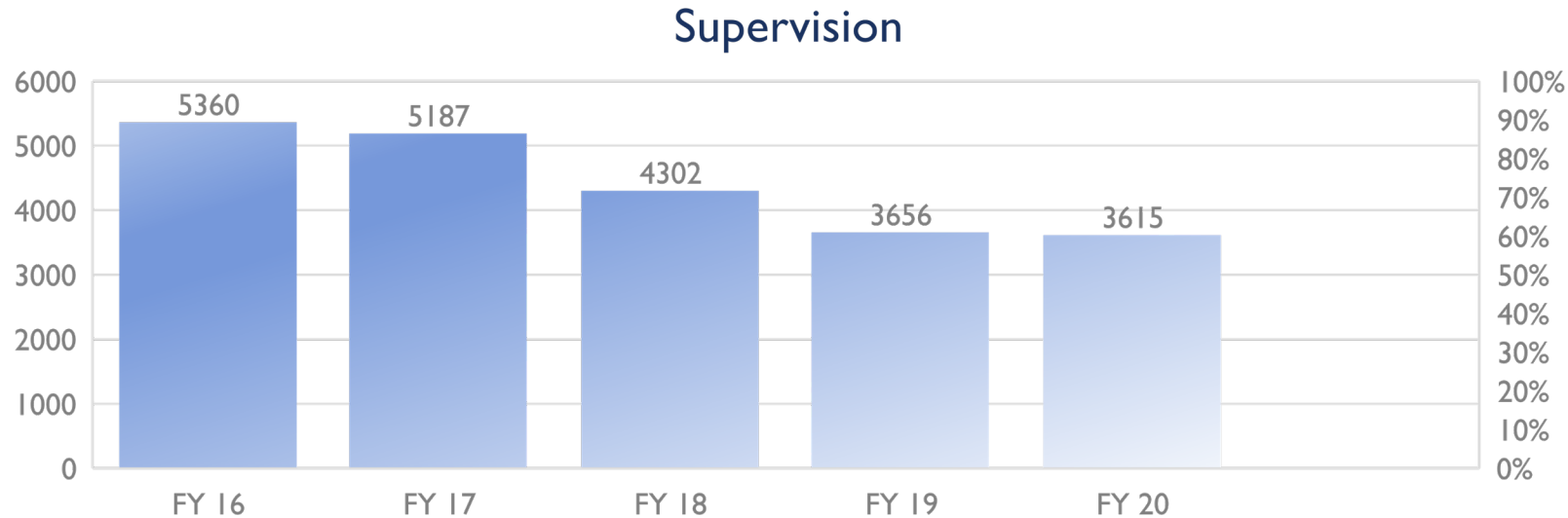
PRETRIAL SERVICES – COMMUNITY JAIL CONTRACT SERVICES

- Select community jails contract to perform different categories of Pretrial Services.
 - Categories:
 - Assessments
 - Electronic Monitoring
 - Community Supervision
 - Diversion
 - Communities:
 - Cordova
 - Craig
 - Dillingham
 - Haines
 - Homer
 - Kodiak
 - Valdez
 - Wrangell





STATEWIDE PROBATION & PAROLE



- AS 33.05.040 (b) (caseload cap of 75) *effective 07/01/19.
- AS 33.05.020 (g) (establish a sanction and incentive program) *effective 01/01/17.
FY20 5255 sanctions were issued.



STATEWIDE PROBATION & PAROLE - PACE

Probation Accountability with Certain Enforcement (PACE)

- AS 33.05.020 (f)(1-3) **effective 07/01/14.*
- PACE candidate
 - Medium to High Risk
 - Drug/Alcohol testing and prohibition conditions
- Mandatory arrest
 - Missed Appointments
 - Positive drug or alcohol test.
- Program locations
 - Anchorage, Bethel, Fairbanks, Juneau, Kenai, Ketchikan and Palmer.
- FY20 135 PACE Supervision Cases

PACE



STATEWIDE PROBATION & PAROLE – PRESENTENCE

- A presentence report is ordered by the Superior Court to aid the Court in the sentencing of a defendant.
- Presentence Report Orders Received:
 - FY19 – 544
 - FY20 – 653
 - FY21* - 147
- Currently have eight (8) supervision offices that are writing presentence reports for the four (4) Judicial Districts.

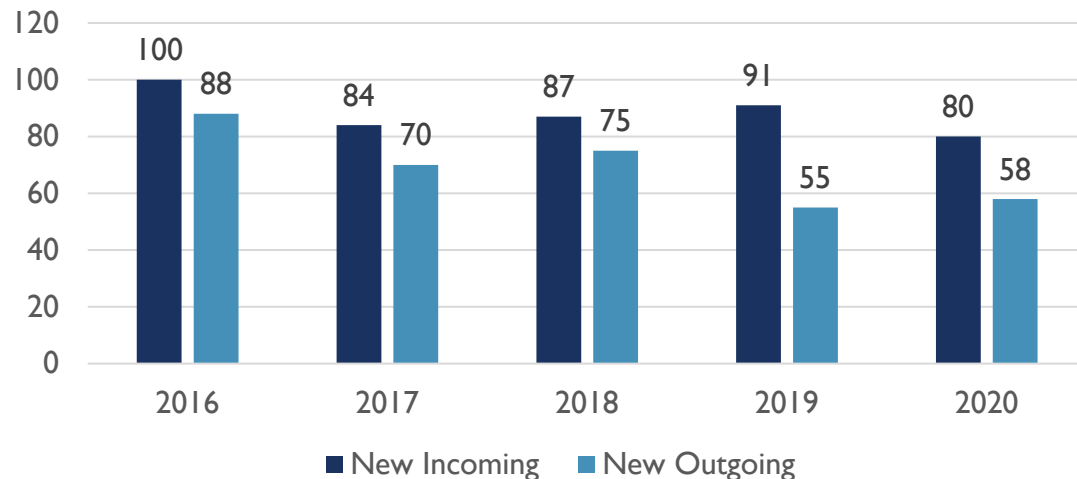


STATEWIDE PROBATION & PAROLE – INTERSTATE COMPACT

Miscellaneous Information

- Developed in 1937 and revised in 2002
- In 2020 Alaska -
 - Supervised 163 ISC offenders
 - Transferred out 142 offenders
 - Processed six (6) extraditions
- Annual fee \$20,629.30

Offender Supervision



Rule 2.III - Emergency Suspension of Enforcement

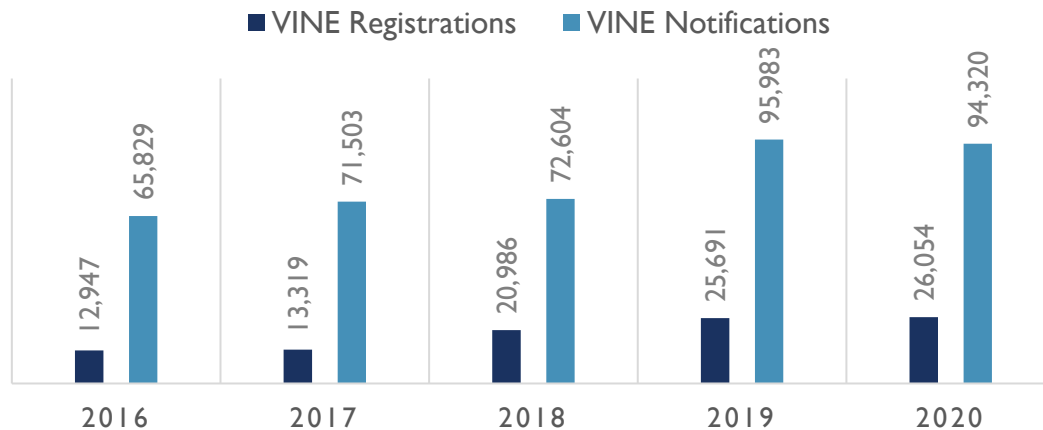
- Upon a declaration of a national emergency by the President of the United States and/or the declaration of emergency by one or more Governors of the compact member states in response to a crisis, the Commission may, by majority vote, authorize the Executive Committee to temporarily suspend enforcement of Commission rules or parts thereof, but shall not suspend enforcement of any Compact powers and duties specified in the statute.
- Adopted April 21, 2020 due to COVID-19 pandemic.
- The Executive Committee will vote to rescind Rule 2.III effective April 21, 2021.



VICTIM SERVICES

- Alaska VINE is a free and confidential automated service offered to victims that allows them to track an offender's custody status. VINE offers a variety of options for victims to receive this information, automated phone call, SMS, email or via the VINE mobile app.
- VINE is a 24/7, 365 days service that offers real time notifications for the following status changes: Release, Death, Electronic Monitoring through DOC, Escape and Furlough.
- VINE is constantly evolving with new features being added to the website that include better search options, access to state victim service providers and downloadable resources i.e. victim handbook.

VINE DATA



Points of interest:

- VINE is a free service and open to anyone to register, not just the victim in the case. This can include a victim's family or concerned citizen.
- VINE is 100% confidential, no registrant information can be publicly viewed, safeguarding a person's privacy.
- There is no limit to the number of offenders that a victim/citizen can register against for notifications.
- VINE notification scripts were updated to be compliant with HB49 Legislation.

DEPARTMENT OF CORRECTIONS BOARD OF PAROLE

SENATE CORRECTIONS FINANCE SUBCOMMITTEE

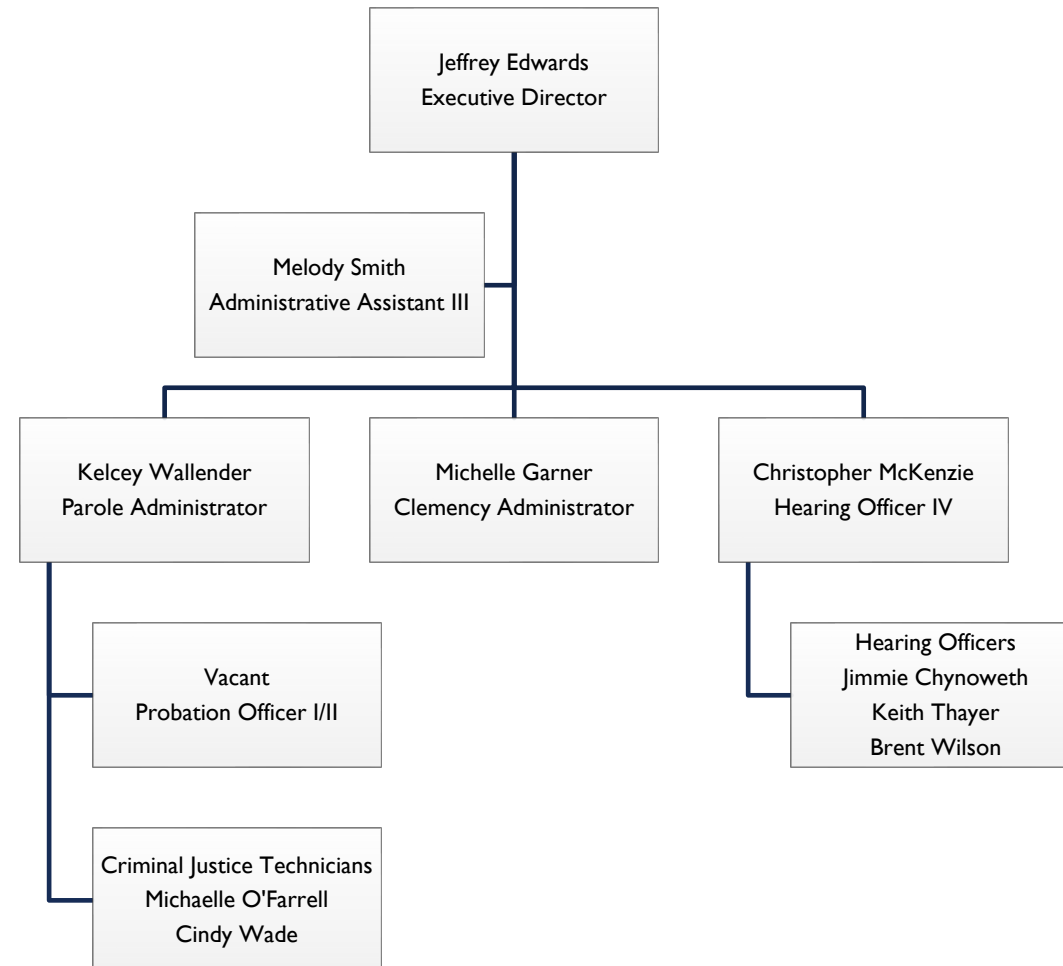
MARCH 2, 2021





ORGANIZATIONAL STRUCTURE

- Edith Grunwald, Chair
 - 3rd Judicial District, Appointed 2019
- Sarah Possenti, Vice Chair
 - 4th Judicial District, Appointed 2011
- Jason Wilson
 - 1st Judicial District, Appointed 2015
- Steven Meyer
 - Public Member, Appointed 2016
- Leitoni Tupou
 - Public Member, Appointed 2020





BOARD OF PAROLE

- **Mission:** With due respect to the rights of crime victims, the Board of Parole will make equitable decisions that minimize risk to the public, while facilitating offender reintegration into society; and impose sanctions when offenders present an unreasonable risk.
- **Accomplishments:**
 - In the wake of the COVID-19 pandemic, the Alaska Board of Parole operated at full capacity in FY2020 by convening a full calendar of discretionary hearings, imposing sanctions for revocation hearings, and conducting preliminary hearings.
 - Implemented video conferencing strategies to better assist with conducting hearings safely during the COVID-19 pandemic. The Board of Parole did not have to pause, delay or cancel any proceedings as a result of pandemic.
- **Challenges:**
 - Internet connection and infrastructure to conduct parole hearings via video due to COVID-19 within areas with low connectivity or where ultra-high speed internet is not available or affordable.
 - Identify applicants appropriate for special medical, discretionary, and early parole termination.
 - Evaluate and implement methods to improve efficiency in the clemency application process.



BOARD OF PAROLE

CORE SERVICE: SUPERVISED RELEASE

- Board of Parole

- \$1,894.2 / 12 PFT
 - Discretionary Parole
 - Mandatory Parole
 - Special Medical Parole
 - Geriatric Parole
 - Clemency Investigations

- The Board of Parole consists of five members appointed by the Governor

TOTAL	\$1,894.2
UGF	\$1,894.2
DGF	\$0.0
Other	\$0.0
Federal	\$0.0

Budgeted Positions	12 PFT
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FY2022 Significant Budget Changes

- No significant changes

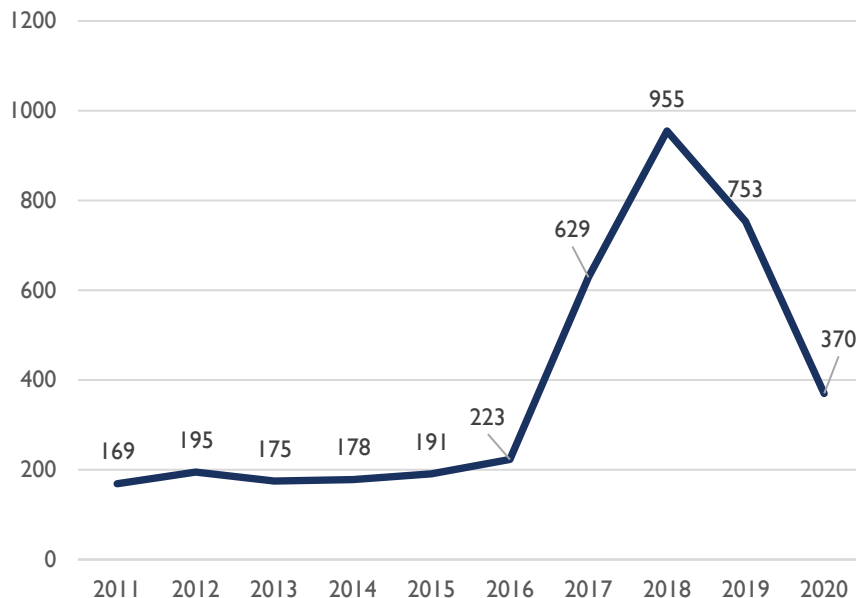
All \$\$ in thousands



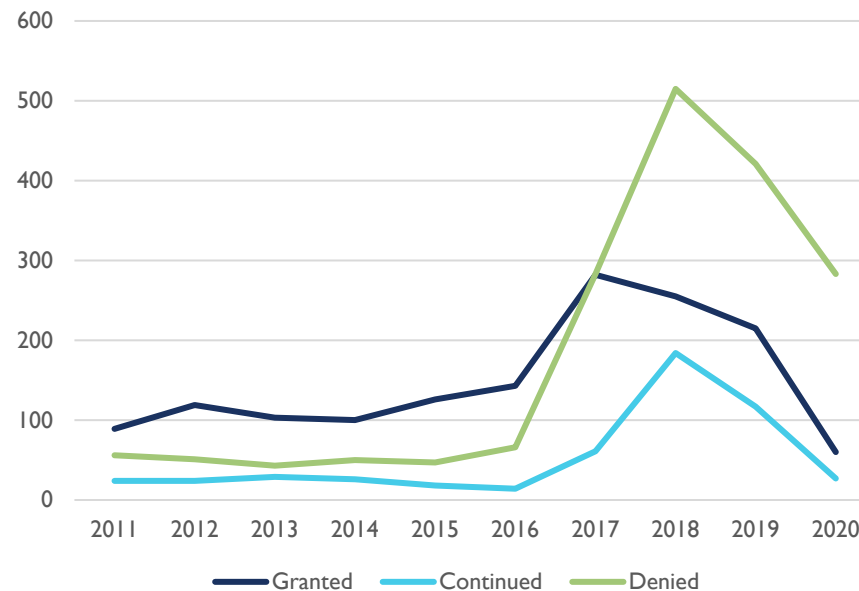
DISCRETIONARY PAROLE

- Inmates serving state sentences of 181 days or more may be eligible for discretionary parole. The actual eligibility is based on the date and type of the criminal offense(s).

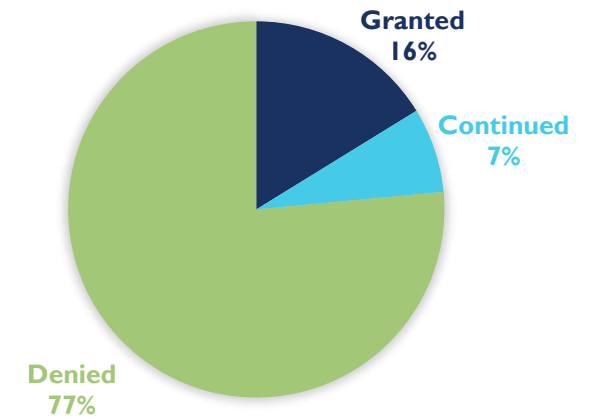
DISCRETIONARY PAROLE APPLICANTS (2011 - 2020)



DISCRETIONARY PAROLE DECISIONS (2011 - 2020)



DISCRETIONARY PAROLE HEARING OUTCOMES 2020

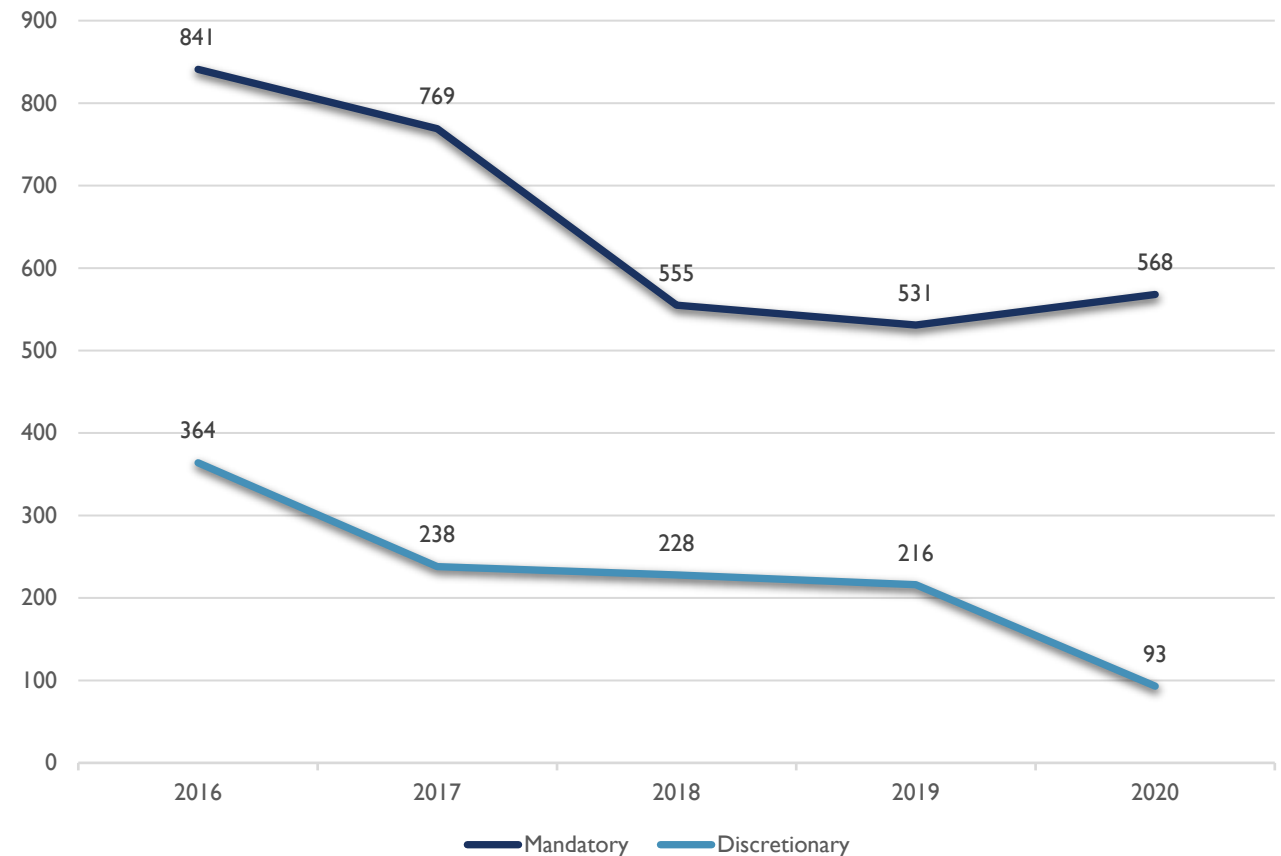




MANDATORY PAROLE

- Inmates who maintain good conduct will be released after serving 2/3rds of their sentence. For those with sentences longer than 2 years, the remaining 1/3rd will be supervised in the community on mandatory parole. There is no hearing, and the inmate cannot refuse mandatory parole.

Releases to Parole 2016 - 2020





PAROLE REVOCATIONS

- When a parolee violates conditions of their parole, the board conducts two hearings.

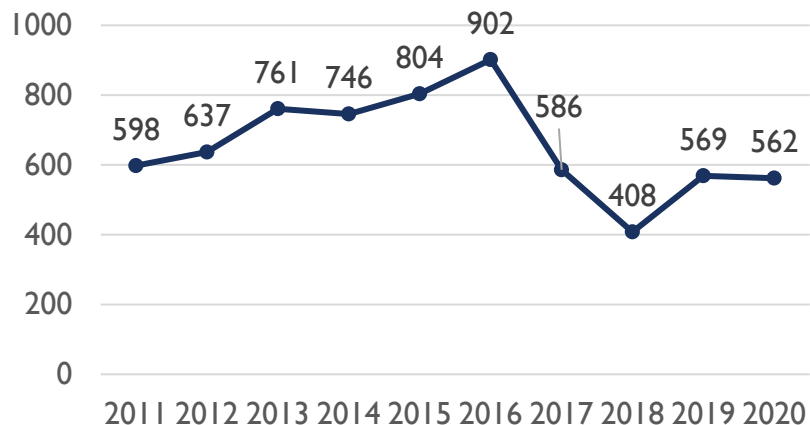
Preliminary Hearings

- Held no later than 15 working days after arrest.
- Conducted by a single hearing officer (a member of the board or designated board staff)
- Hearing officer can order a parolee to release pending a final hearing or remain in custody.

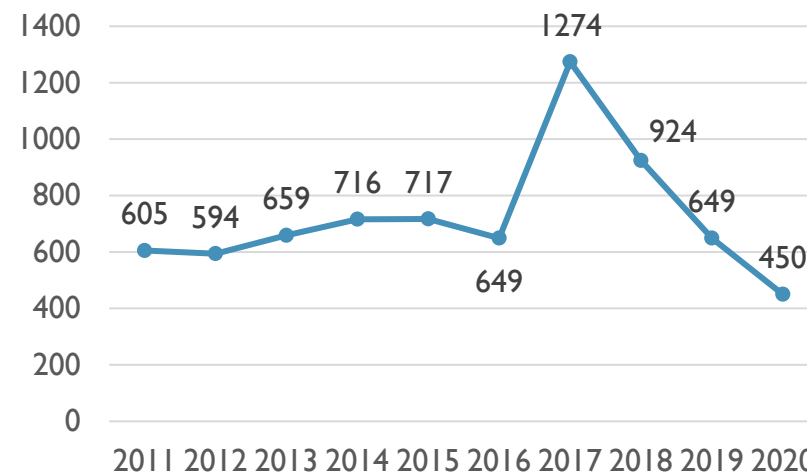
Final Hearings

- Conducted by 3-5 board members.
- Board determines if parolee is guilty of violations.
- Board determines by majority vote whether to revoke parole (can partially revoke or fully revoke).

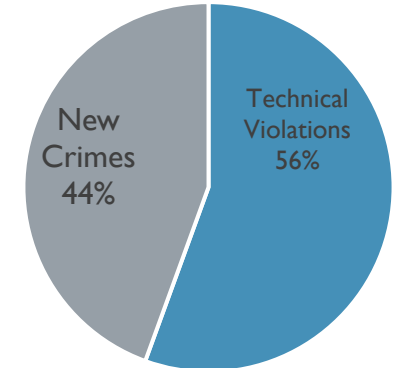
Preliminary Hearings 2011 - 2020



Revocations 2011 - 2020



Revocations based on
New Crimes/Technical Violations
2020



■ Technical Violations ■ New Crimes



SPECIAL MEDICAL AND GERIATRIC PAROLE

■ Special Medical Parole:

- Inmates who suffer from severe cognitive or physical disabilities whose medical care cannot be appropriately or cost-effectively met while incarcerated may be released to special medical parole at the discretion of the parole board, even if they are not otherwise eligible for parole.
- Inmates convicted of sexual assault or sexual abuse of a minor are not eligible for special medical parole.
- Strict criteria the board must consider before granting release.
- The Commissioner of the Department of Corrections can request special medical parole on an inmate's behalf.
- The board has not held a special medical hearing since 2018.

■ Geriatric Parole:

- Inmates 60 years of age or older who have served at least 10 years on a single judgment and who have not been convicted of a sexual offense or an unclassified crime, such as murder, kidnapping or misconduct involving a controlled substance in the first degree may be released on geriatric parole at the discretion of the parole board.
- Criteria for release on geriatric parole is the same as for discretionary parole.
- Since the inception of geriatric parole on January 1, 2017, there have been 2 eligible applicants for geriatric parole. The board has denied both.



CLEMENCY INVESTIGATIONS

- Clemency is an extraordinary measure. The term “clemency” refers to the constitutional power given exclusively to the Governor, that allows him or her to grant a pardon, commutation, reprieve or remission of fines and forfeitures. The Governor only has clemency power over State crimes. Clemency is different from expungement. Expungement is the process of erasing, removing, or deleting a criminal record. Alaska does not have a law or method to expunge criminal history records. Even those individuals who receive clemency will not have their records expunged.
 - A Pardon is an order of official forgiveness granted to an individual for a crime or crimes.
 - A Commutation is a partial or full reduction of a sentence for a person now incarcerated. A commutation substitutes a less severe punishment for the original sentence that the individual was given.
 - A Reprieve provides temporary relief for punishment. With a reprieve, an applicant may be given the opportunity to postpone the beginning of incarceration or shorten the period of incarceration.
 - A Remission of Fines is a reduction or cancellation of court-ordered fines.



Thank You