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DEPARTMENT OF CORRECTIONS  
**POPULATION MANAGEMENT**

SENATE CORRECTIONS FINANCE SUBCOMMITTEE

MARCH 4, 2021

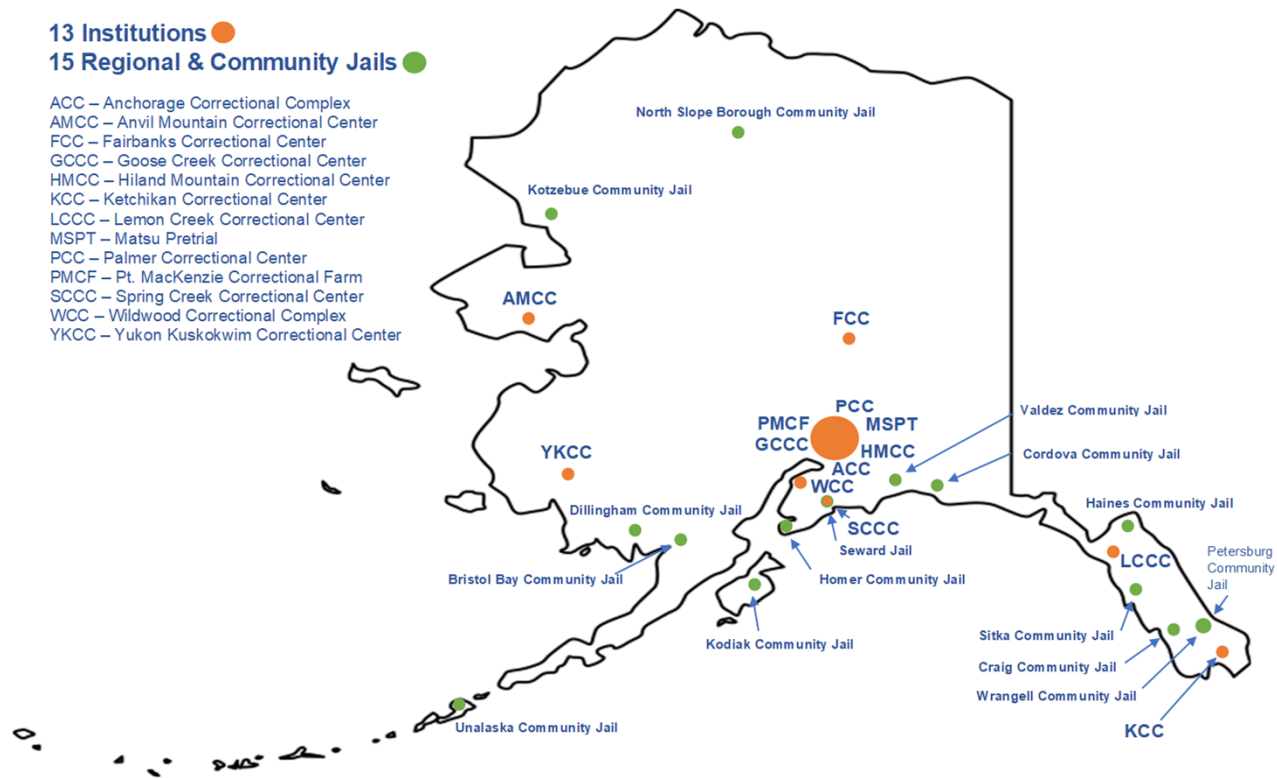




# SECURE CONFINEMENT

13 Institutions ●  
15 Regional & Community Jails ●

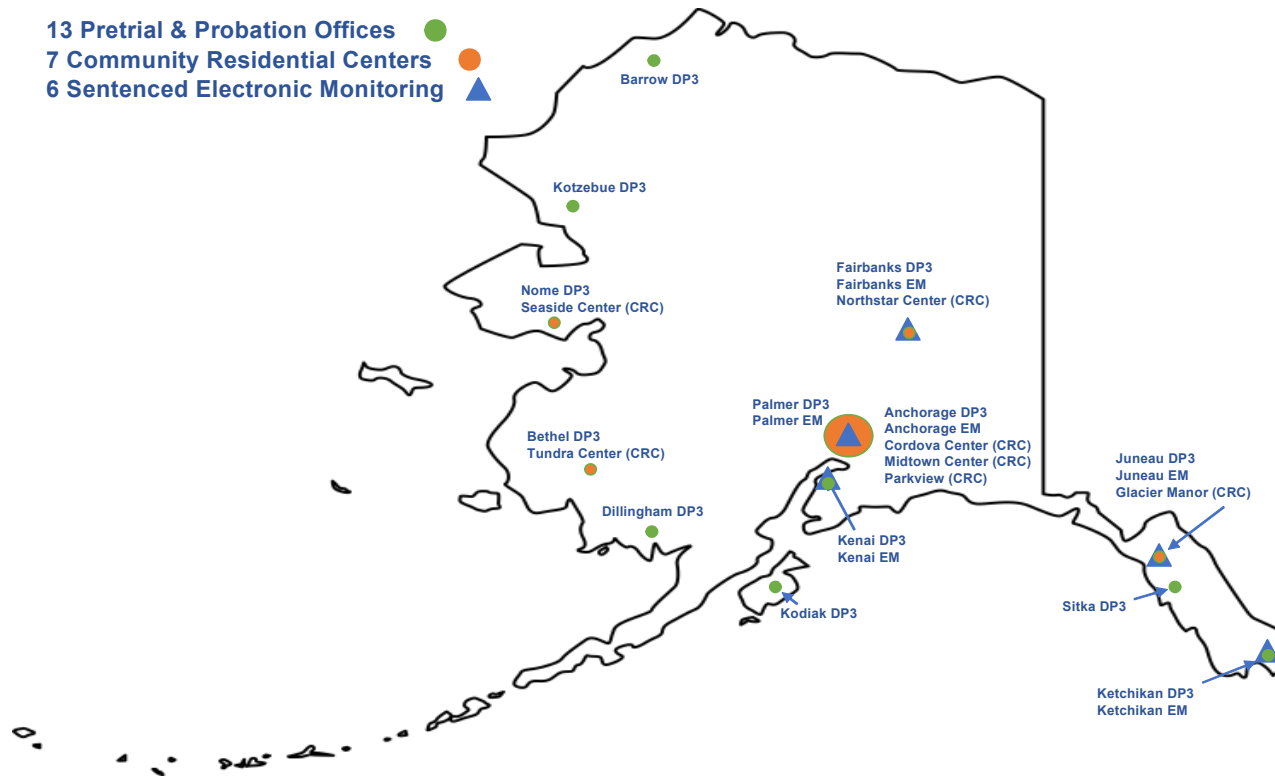
- ACC – Anchorage Correctional Complex
- AMCC – Anvil Mountain Correctional Center
- FCC – Fairbanks Correctional Center
- GCCC – Goose Creek Correctional Center
- HMCC – Hiland Mountain Correctional Center
- KCC – Ketchikan Correctional Center
- LCCC – Lemon Creek Correctional Center
- MSPT – Matsu Pretrial
- PCC – Palmer Correctional Center
- PMCF – Pt. MacKenzie Correctional Farm
- SCCC – Spring Creek Correctional Center
- WCC – Wildwood Correctional Complex
- YKCC – Yukon Kuskokwim Correctional Center





# SUPERVISED RELEASE

- 13 Pretrial & Probation Offices ●
- 7 Community Residential Centers ●
- 6 Sentenced Electronic Monitoring ▲

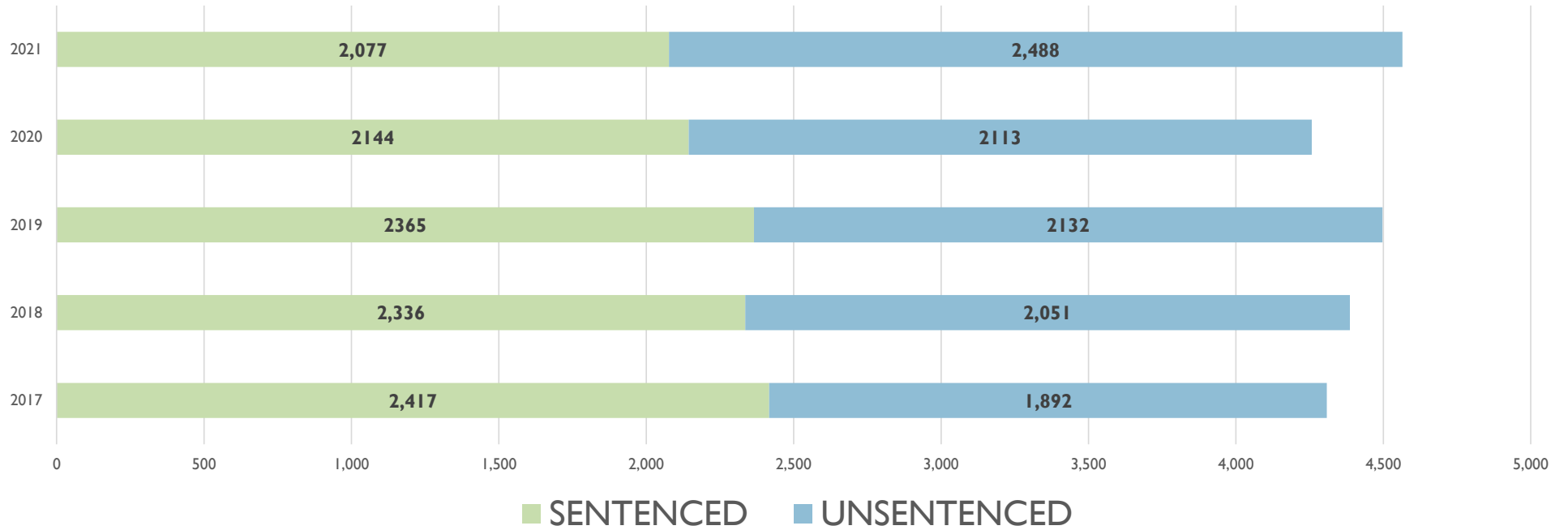




# LEGAL STATUS COMPARISON

## PRISON POPULATION BY LEGAL STATUS: JULY 1

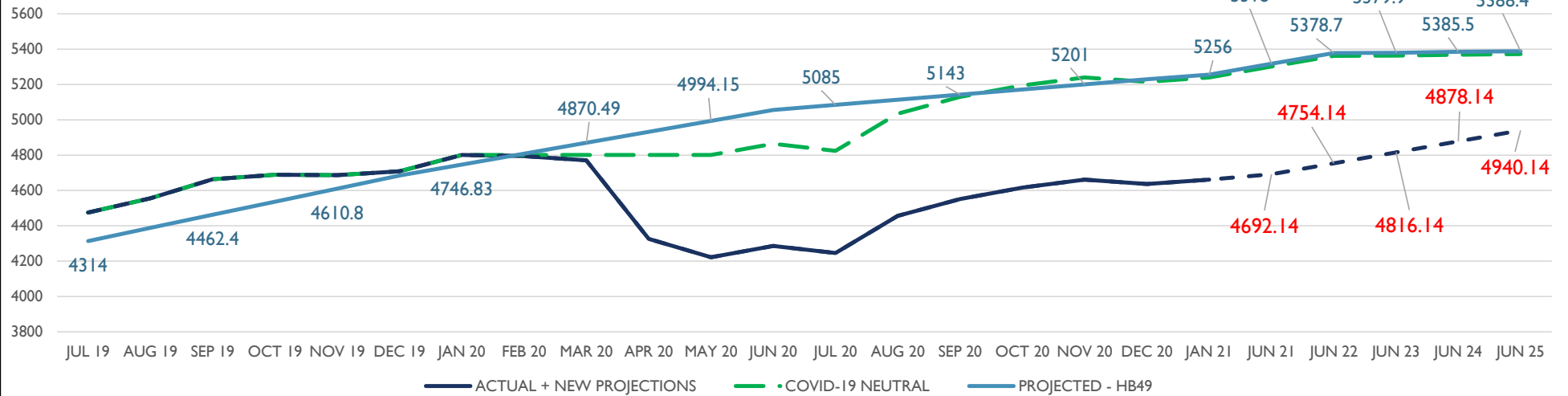
(2021 data is from February)





# POPULATION PROJECTIONS

PROJECTED PRISON POPULATION CHANGE DUE TO HB49





# PCC STATEWIDE IMPACT

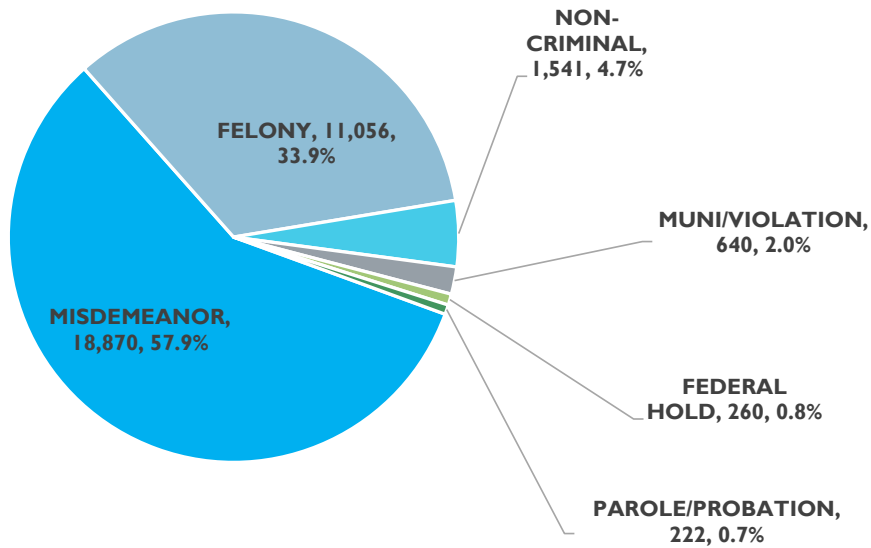
DAILY COUNT 2/26/21	4485	%	IMPACT OF PCC RE-OPENING	%
Maximum Capacity (MC)	4873	92%	MC + 520 = 5208	86%
General Capacity (GC)	4699	95%	GC + 509 = 5393	83%

IMPACT ON OTHER FACILITIES	
Will converted Gyms be restored to recreational use?	Not in every facility – Long term projections show a growing prisoner population.
Will intake facilities continue to go over their Max Cap?	Yes – Intake facilities in the Anchorage Bowl will benefit the most. Other facilities, such as AMCC and YKCC are unlikely to see much change.
Will opening PCC affect staffing levels at other facilities?	Yes and No – Opening PCC is having a front-end positive effect on staffing as we hire and train staff ahead of the opening date. It will not have a lasting effect since staffing levels are established at each facility based on their own prisoner capacity and operational needs, and not statewide prisoner capacity.

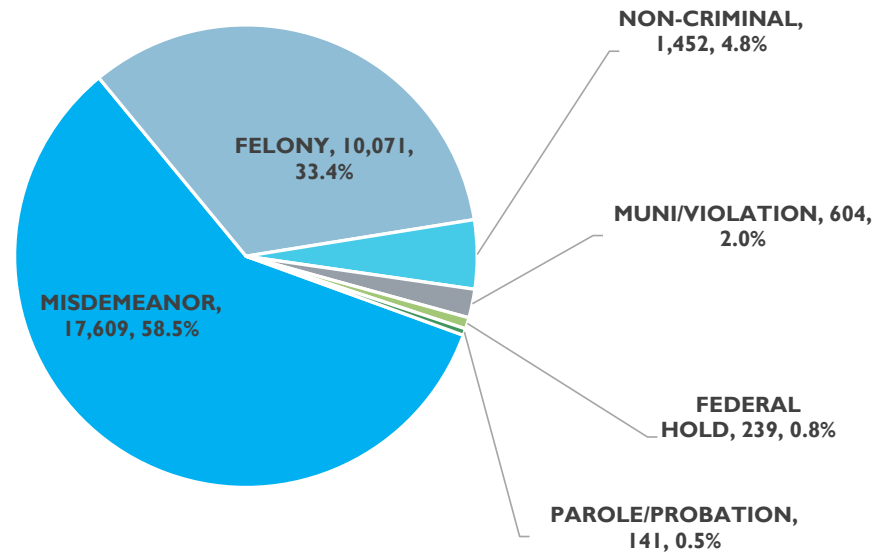


# REMANDS BY FISCAL YEAR

**FY2019**  
33,814



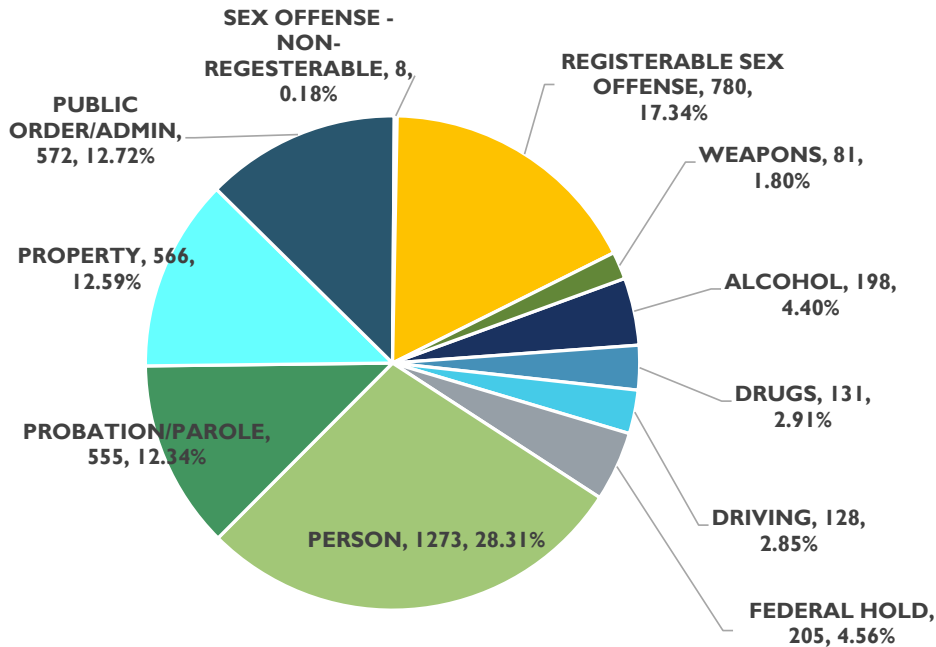
**FY2020**  
31,204



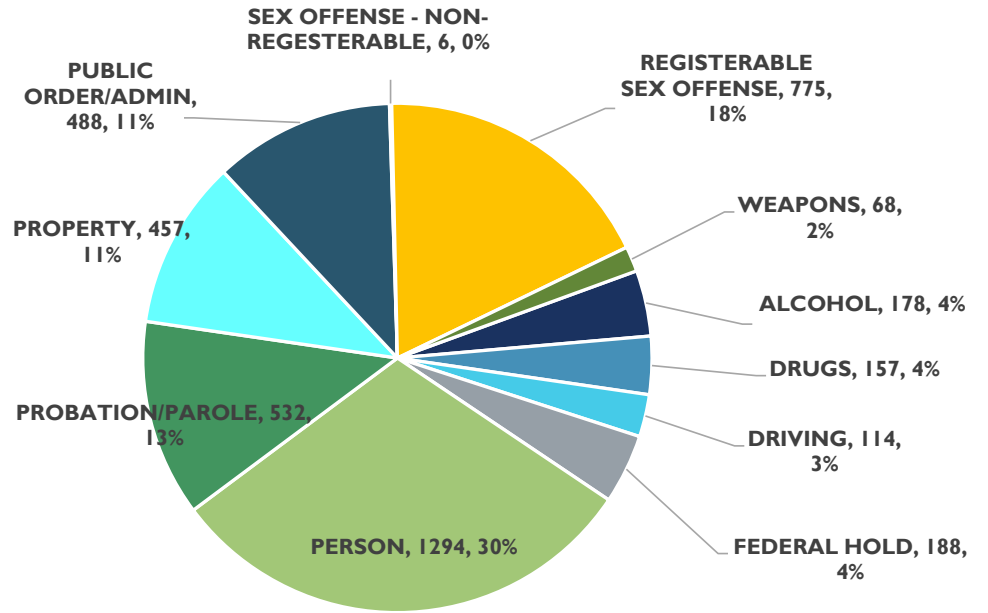


# POPULATION BY OFFENSE CLASS

**JULY 1, 2019**  
4,497



**JULY 1, 2020**  
4,257

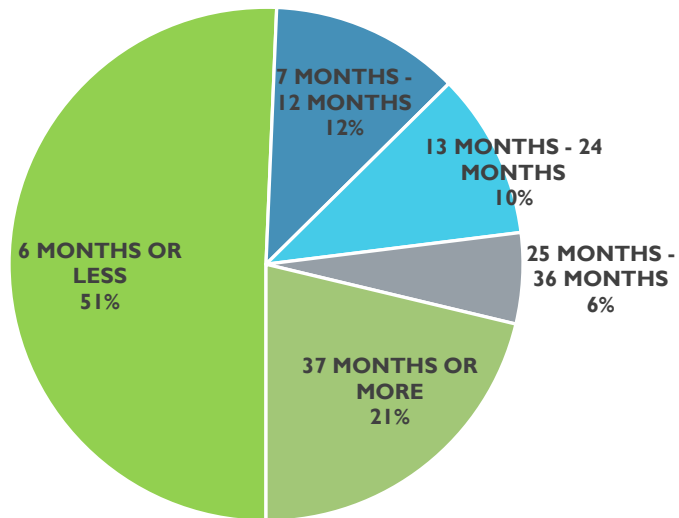




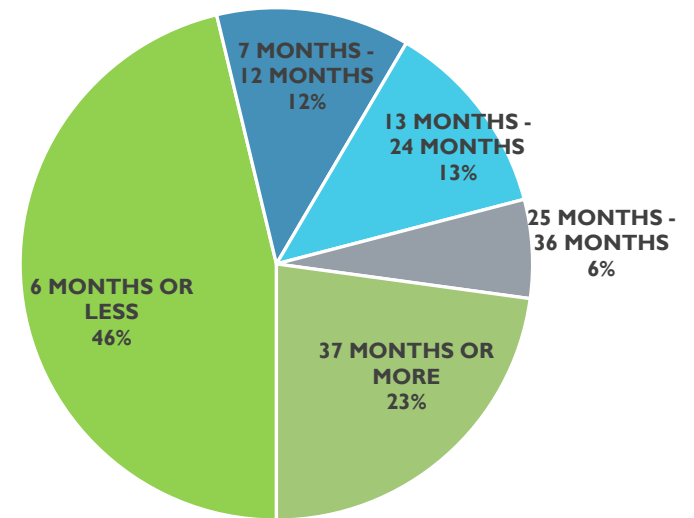


# POPULATION BY LENGTH OF STAY

**JULY 1, 2019**  
4,497



**JULY 1, 2020**  
4,257





# CLASSIFICATION

Classification of the offender population is completed to determine custody level for appropriate housing placement of persons placed under the department's care and custody.

- Prisoners are classified (minimum, medium, or close custody) based on current and past crimes, institutional behavior, escape history, and program participation.
- There is no difference for sentenced and unsentenced offenders when they are classified.
- Every facility houses sentenced and unsentenced prisoners.



## MOVEMENT

- As part of the Department of Correction's (DOC) COVID-19 Response Plan, we developed a system of screening and testing transfers at the sending facility and quarantining transfers for 14 days at the receiving facility.
- New remands are also tested and quarantined for 14 days prior to being placed in general population (GP) or being eligible for transfer.
- Most facilities do not have the space (outside of ACC and GCCC) to quarantine large groups of offenders for 14 days. This limits and delays our movement abilities.



## MOVEMENT - DESIGNATION

- Sentenced prisoners are “designated” to sentenced facilities (GCCC, PMCF, SCCC, WCC) depending on their custody level and programming needs (prior to COVID). Some prisoners cannot be housed together and must be kept separated due to Central Monitoring Status (CMS). CMS considerations further complicate population management.
- Please refer to Appendix 8 for COVID-19’s role in transferring prisoners during the pandemic. Anything noted above regarding designation and movement of offenders is drastically affected by COVID-19 protocols. These transfer protocols remain in effect. These are self-imposed protocols to prevent the transmission and spread of the virus throughout our facilities.



## DESIGNATION (EXAMPLES)

- AMCC – When this facility goes above their maximum capacity of 128, it usually coincides with transfers in from the Kotzebue Regional Jail. AMCC has a local CRC (Seaside Center) where they place qualified offenders.
- FCC – This facility is largely comprised of unsentenced offenders (89%) and routinely goes above their 259 cap, often reaching 270. They also have a local CRC (Northstar Center) they can utilize to assist their population needs.



## SENTENCED OFFENDERS HELD IN PRETRIAL FACILITIES

- For efficiency and cost saving measures, most short-term sentenced offenders remain at their intake facility.
- Some sentenced facility workers reside at pretrial facilities (maintenance, electrician, kitchen).
- Sentenced prisoners are regularly moved to pretrial facilities for Medical and Mental Health appointments and treatment. This occurs most often at ACC.
- HMCC is a long-term sentenced facility and the hub booking facility for females in the Anchorage area.
- We have limited placement options for females that must be separated (CMS).



## IMPACTS OF MOVEMENT

- When DOC moves an unsentenced offender to another location due to overcrowding, it is DOC's responsibility to move them back for scheduled, in-person court appearances increasing the inmate transports between facilities.
- DOC is responsible for returning prisoners to their place of arrest, including unsentenced prisoners as they are released on bail conditions.



## COMMUNITY RESIDENTIAL CENTER (CRC) PLACEMENT TYPES

- Furlough – These placements are permitted to work, attend treatment, and go on passes in the community. Passes are currently suspended to reduce the possibility of COVID-19 transmission. AS 33.20.010 prohibits good time for time spent in a treatment center (Clitheroe Center and Akeela House).
- Restitution Placement (misdemeanor or felon) – These placements are permitted to work only. Per AS 33.30.161 Restitution placements may not be serving a sentence for an offense involving violence or use of force. These placements are not used for those offenders needing substance abuse treatment. Restitution is work only.





## TYPES OF CRC PLACEMENT (CONTINUED)

- Confined placements (sentenced and unsentenced) – These offenders are confined to the CRC, except for escorted and supervised Community Work Service (CWS) and any court appearances.
- Technical violators (felony pretrial PTRP's) – These offenders are pending court for a technical violation of supervised probation.



# IMPACT OF STATUTES, REGULATIONS, & LOCAL ORDINANCES

- Statute governs the following eligibility criteria:
  - If sentence is more than 1 year the offender must serve 1/3 of their sentence (minus good-time), but have less than 3 years to serve.
  - Statute doesn't allow for those convicted of a 99 year term of imprisonment for Murder 1 to be considered for a prerelease furlough.
- Alaska Administrative Code's govern the following eligibility criteria:
  - Upon serving 1/3 of sentence minimum custody prisoners are eligible for a prerelease furlough of up to 36 months, medium custody up to 24 months, and close custody not eligible (05.201).
  - Prisoner not eligible for furlough if they have a pending disciplinary action and must not have been found guilty of a major or high moderate infraction within the past 120 days (05.321 c3).
  - Must agree in writing to abide by the conditions established for the prisoner's behavior while on furlough.
  - Victim notification required.
  - Pay a portion of their earnings (25%) to the CRC that is then handed over to the State and applied towards the cost of incarceration.
- Anchorage Municipal Ordinances:
  - No sex offenders may reside in CRCs.
  - No new CRCs may be built / opened within the city of Anchorage. The CRCs we currently have are grandfathered in.



# ELECTRONIC MONITORING PLACEMENT

DOC P&P 818.10 – Sentenced Electronic Monitoring (EM):

- Within 3 years of release.
- Sentenced on all cases.
- No current conviction for DV (AS 33.30.061(c)).
- No active warrants or detainers.
- Community (furlough), minimum, or medium custody.
- If incarcerated on a current sex offense conviction, only eligible if they don't score high/max on respective risk needs assessment.
- No Escape I convictions.



## OFFENDER INTEREST

- 80% of DOC Sentenced EM applications come from the community and 20% come from incarcerated prisoners.
- In CY20 92.5% of all DOC Sentenced EM applications were approved.
- Increased EM participants by 38% from 131 participants on January 1, 2020 to 212 participants on February 28, 2021.
- DOC Sentenced EM allows (since Fall 2020) offenders to serve 3-day sentences with a private EM company. Those numbers are not reflected in DOC EM's overall numbers.
- Offenders on PED EM (pretrial) often request a continuation of their sentencing dates to avoid serving jail time and/or paying for DOC Sentenced EM. This also impacts our CRC population.
- Some offenders prefer not to go on EM because they no longer receive good-time credit (AS 33.20.010).



## FEE WAIVER PROCESS

- Offenders may request reduced or waived fees by filling out the EM Indigent Form (818.10G). They provide income, house payment/rent, utilities, child support and then a fee is determined based on the provided information.
- EM offenders temporarily residing in a CRC do not pay EM fees. They hand in their paychecks to the CRC and pay the 25% garnishment that goes to the state for the cost of incarceration.
- Offenders residing in residential treatment centers do not pay EM fees.
- When an offender comes directly from a jail/prison facility they are charged \$1/day for 30 days in order to give them time to find employment.



## IMPACT OF STATUTES, REGULATIONS, & LOCAL ORDINANCES

- AS 33.20.010 prohibits good-time for service on EM.
- AS 33.30.061 prohibits offenders convicted of a current DV offense from serving their sentence on EM.
- 22 AAC 05.620 gives regulatory authority for collection of EM fees. It states they will pay \$12/day for monitoring or \$14/day if use of an alcohol breath monitor as a component of EM.



## REASONS FOR DENIED PLACEMENT – CRC/EM

- Seriousness of crime
- Victim opposition
- Seriousness of criminal history
- Prior walkaways/escapes (sometimes more than one)
- Institutional behavior
- History of prior CRC or EM placements
- History on probation/parole supervision
- Refusal to work or attend treatment
- Amount of time remaining to serve



# OFFENDER/DEFENDANT PREFERENCES

## Flat Time:

- Some offenders prefer to “flat time” their sentence and no longer be on community supervision (probation and/or parole), resulting in more offenders in custody. These offenders often don’t want to follow the rules and they don’t do well on EM or at CRC’s.

## Bail:

- We have offenders that choose not to bail out or cannot afford the bail set by the Courts. Many end up in CRC’s as unsentenced offenders until they can or decide to post bail.





# Thank You