

CS FOR HOUSE BILL NO. 2(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/24/95

Referred: Judiciary, Finance

Sponsor(s): REPRESENTATIVES WILLIS, Rokeberg

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for incarceration of certain nonviolent offenders in boot camps
2 operated by the Department of Corrections; making prisoners who complete the
3 boot camp program eligible for discretionary parole; allowing the Department of
4 Corrections to contract with a person for a boot camp program; creating the
5 Boot Camp Advisory Board in the Department of Corrections; and providing for
6 an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** AS 33.16.090 is amended by adding a new subsection to read:

9 (f) Notwithstanding another provision of law, a prisoner who is not otherwise
10 eligible for discretionary parole who has successfully completed the boot camp
11 program under AS 33.30.182 is eligible for discretionary parole.

12 * **Sec. 2.** AS 33.16.100 is amended by adding a new subsection to read:

13 (e) Notwithstanding (c) and (d) of this section, a prisoner who is eligible for

1 discretionary parole under AS 33.16.090(f) may be released on parole at any time after
2 the successful completion of the boot camp program under AS 33.30.182.

3 * **Sec. 3.** AS 33.30 is amended by adding new sections to read:

4 ARTICLE 2A. BOOT CAMP PROGRAM.

5 Sec. 33.30.182. BOOT CAMP PROGRAM. (a) The commissioner shall
6 establish a boot camp program as a correctional facility of the state. The boot camp
7 program is an alternative correctional facility and program for youthful prisoners who
8 have been sentenced for a conviction of a less serious nature and who have not
9 previously participated in the boot camp program. Prisoners participating in the boot
10 camp program shall be housed separately from other prisoners committed to the
11 custody of the commissioner who are not participating in the program.

12 (b) The commissioner shall include in the boot camp program

13 (1) a military style intensive physical training and discipline program;

14 (2) alcohol and drug counseling, education, and treatment as an integral
15 part of the program;

16 (3) a training program emphasizing skills for reentering society;

17 (4) training in personal accountability and the work ethic; and

18 (5) other educational, counseling, and treatment programs as determined
19 by the department or as ordered by a court under AS 12.55.015.

20 (c) The commissioner shall structure the boot camp program so that a prisoner
21 entering the program may complete it in a period of time determined by the
22 commissioner but not greater than 150 days.

23 (d) A prisoner shall be removed from the boot camp program and reassigned
24 to another correctional facility if the prisoner fails to successfully complete the
25 program or otherwise fails to abide by the regulations of the program.

26 (e) The commissioner shall adopt regulations to implement AS 33.30.182 -
27 33.30.184 and otherwise administer the boot camp program. The regulations must
28 include provisions to require a prisoner to reimburse the department for the costs of
29 participating in the boot camp program to the extent of the prisoner's resources.

30 (f) Notwithstanding AS 33.30.031, the department may contract with a person
31 for operation of a boot camp program under this section. A contract boot camp

1 program must meet all of the requirements for a boot camp under this section and
2 under the regulations adopted by the commissioner. Prisoners shall be assigned to a
3 contract boot camp program in the manner provided under AS 33.30.183.

4 (g) The commissioner shall maintain records of the program and shall annually
5 report to the legislature not later than February 1 on the program and its effectiveness.
6 The report must include, to the extent the technological capability of the department
7 allows,

8 (1) a comparison of recidivism rates between prisoners who have
9 completed the boot camp program and other prisoners not eligible for the program who
10 are committed to the custody of the commissioner;

11 (2) a comparison of costs between the boot camp program and
12 traditional incarceration programs;

13 (3) a description of the number of prisoners who have participated in,
14 completed, or failed the boot camp program.

15 Sec. 33.30.183. ELIGIBILITY FOR ASSIGNMENT TO BOOT CAMP
16 PROGRAM. (a) The commissioner may not allow a prisoner to serve time in the
17 boot camp program unless the commissioner specifically finds that the prisoner meets
18 the eligibility requirements of this section.

19 (b) To be eligible to serve time in the boot camp program, the prisoner must
20 have been selected by the commissioner and

21 (1) be under 26 years of age;

22 (2) have been sentenced to a term of imprisonment of at least 150 days;

23 (3) not have previously participated in a boot camp program under
24 AS 33.30.182;

25 (4) not be serving a sentence for a violation of AS 11.41;
26 AS 11.46.300, 11.46.400; AS 11.56.300, 11.56.810; AS 11.61.100, 11.61.190,
27 11.61.195, or 11.61.240.

28 Sec. 33.30.184. ADVISORY BOARD. (a) The Boot Camp Program Advisory
29 Board is established in the department. The board shall review and provide advice to
30 the commissioner concerning the boot camp program. The members of the board are
31 appointed by the governor as follows:

- 1 (1) the commissioner or the commissioner's designee;
- 2 (2) the director of the division of institutions of the department;
- 3 (3) the director of the division of community corrections of the
- 4 department;
- 5 (4) a member of the house of representatives;
- 6 (5) a member of the senate; and
- 7 (6) two public members.

8 (b) The public members of the board are entitled to per diem and travel
9 expenses authorized by law for boards and commissions under AS 39.20.180.

10 * **Sec. 4.** This Act takes effect July 1, 1995.