

CS FOR HOUSE BILL NO. 2(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/18/95
Referred: Finance

Sponsor(s): REPRESENTATIVES WILLIS, Rokeberg, Kelly

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 furloughs and discretionary parole; allowing the
4 Department of Corrections to contract with a person for a boot camp program;
5 creating the Boot Camp Advisory Board in the Department of Corrections; and
6 providing for 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 33.30.111 is amended by adding a new subsection to read:

4 (g) A prisoner who has successfully completed the boot camp program under
5 AS 33.30.182 is eligible for a prerelease furlough under this section under regulations
6 adopted by the commissioner under AS 33.30.101 regardless of whether the prisoner
7 has served the portion of the term required under (d) of this section.

8 * **Sec. 4.** AS 33.30 is amended by adding new sections to read:

9 ARTICLE 2A. BOOT CAMP PROGRAM.

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

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

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

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

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

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

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

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

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

31 (e) The commissioner shall adopt regulations to implement AS 33.30.182 -

1 33.30.184 and otherwise administer the boot camp program. The regulations must
2 include provisions to require a prisoner to reimburse the department for the costs of
3 participating in the boot camp program to the extent of the prisoner's resources.

4 (f) Notwithstanding AS 33.30.031, the department may contract with a person
5 for operation of a boot camp program under this section. A contract boot camp
6 program must meet all of the requirements for a boot camp under this section and
7 under the regulations adopted by the commissioner. Prisoners shall be assigned to a
8 contract boot camp program in the manner provided under AS 33.30.183.

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

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

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

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

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

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

26 (1) be under 26 years of age;

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

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

30 (4) not be serving a sentence for a violation of AS 11.41;
31 AS 11.46.300, 11.46.400; AS 11.56.300, 11.56.810; AS 11.61.100, 11.61.190,

1 11.61.195, or 11.61.240.

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

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

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

15 * **Sec. 5.** This Act takes effect July 1, 1995.