

HOUSE CONCURRENT RESOLUTION NO. 26

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GREEN

Introduced: 2/19/02

Referred: State Affairs

A RESOLUTION

1 **Supporting increased use of the house arrest program/electronic monitoring with**
2 **sobriety monitoring as a means of preventing crime and reducing the high costs of**
3 **imprisonment in Alaska.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** a recent study shows that 42 percent of arrests and 44 percent of
6 incarcerations in Alaska are attributed to alcohol and other drug abuse; and

7 **WHEREAS**, among this population, curing alcoholism and drug addiction also
8 prevents future criminal offenses; and

9 **WHEREAS**, in 1998, the legislature established the house arrest program/electronic
10 monitoring (HAP/EM) and authorized the commissioner of corrections to designate prisoners
11 to serve their terms of imprisonment or temporary commitment by electronic monitoring at
12 their residences or other places selected by the commissioner under AS 33.30.065; and

13 **WHEREAS** HAP/EM protects the public by restricting offenders' freedom and
14 movement through electronic monitoring and supervision, yet improves the likelihood that the
15 offender can function productively in society through employment, care of family, and

1 education; and

2 **WHEREAS** offenders on HAP/EM are required to pay costs of the program, thus
3 saving the state from paying the costs of imprisonment; and

4 **WHEREAS** HAP/EM now uses a new technology for sobriety monitoring of
5 alcoholic offenders, a computerized device that tests offenders for sobriety and transmits the
6 blood-alcohol reading by telephone; and

7 **WHEREAS** offenders on the HAP/EM program who are also in the Anchorage
8 district court's wellness court are required to take the prescription medicine Naltrexone to
9 quell the craving for alcohol and are required to participate in a state-approved alcoholism
10 treatment program; and

11 **WHEREAS** the experience of the Anchorage district court wellness court shows that,
12 with a combination of intensive monitoring, treatment, and anti-craving medication, alcoholic
13 defendants can attain and maintain total abstinence from alcohol and avoid further criminal
14 violations; and

15 **WHEREAS** the Department of Corrections could create a program for alcoholic
16 offenders incorporating the primary elements of the Anchorage wellness court program--
17 monitoring, treatment and medication--regardless of whether the offenders were enrolled in a
18 therapeutic court; and

19 **WHEREAS** HAP/EM is available in Anchorage, Palmer, Wasilla, Juneau, and
20 Ketchikan, but is not used to capacity;

21 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
22 Governor to direct the Department of Corrections, the Department of Law, and the Alaska
23 Court System, and urges attorneys who prosecute and defend alcoholic offenders and Alaska
24 judges, to work together to

25 (1) expand the use of the house arrest program/electronic monitoring
26 (HAP/EM) as a condition of bail, in the manner pioneered by the Department of Corrections
27 and the Anchorage district court wellness court program;

28 (2) expand the use of HAP/EM as a means of serving terms of imprisonment
29 or temporary commitment for offenders who are in or have completed a therapeutic court
30 program;

31 (3) develop programs specifically for alcoholic offenders, modeled on the

1 combination of sobriety monitoring, treatment, and anti-craving medication that is employed
2 in the Anchorage district court's wellness court program;

3 (4) publicize the availability of these programs through seminars and
4 educational outreach.

5 **COPIES** of this resolution shall be sent to the Honorable Margaret Pugh,
6 Commissioner, Department of Corrections; the Honorable Bruce M. Botelho, Alaska Attorney
7 General; Stephanie J. Cole, Administrative Director, Alaska Court System; and to the Alaska
8 Bar Association.