

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

January 16, 2008

10:53 a.m.

MEMBERS PRESENT

Senator Hollis French, Chair
Senator Lesil McGuire
Senator Bill Wielechowski
Senator Gene Therriault

MEMBERS ABSENT

Senator Charlie Huggins, Vice Chair

OTHER LEGISLATORS PRESENT

Senator Johnny Ellis
Senator Fred Dyson

COMMITTEE CALENDAR

Crime Summit

PREVIOUS COMMITTEE ACTION

No previous action to record.

WITNESS REGISTER

STEVE AOS, Assistant Director
Washington Institute for Public Policy
Olympia, WA

POSITION STATEMENT: Promoted evidence-based policies for the criminal justice system.

WALT MONEGAN, Commissioner
Department of Public Safety (DPS)
Anchorage, AK

POSITION STATEMENT: Discussed crime in Alaska.

COLONEL AUDIE HOLLOWAY, Director
Alaska State Troopers (AST)
Department of Public Safety (DPS)
Anchorage, AK

POSITION STATEMENT: Discussed challenges the troopers face, including data sharing and staff recruitment and retention.

ROB HEUN, Chief
Anchorage Police Department (APD)
Anchorage, AK

POSITION STATEMENT: Discussed the crime issues in Anchorage, including the big problems of finding secure shelter and treatment facilities for the homeless public inebriates.

DAN HOFFMAN, Chief
Fairbanks Police Department
Fairbanks, AK

POSITION STATEMENT: Discussed crime issues in Fairbanks and the difficulties with being a hub on a road system.

ANGELLA LONG, Chief
Wasilla Police Department
Wasilla, AK

POSITION STATEMENT: Discussed crime issues in Wasilla and made recommendations to the committee.

ADRIENNE BACHMAN, District Attorney
Department of Law (DOL)
Criminal Division
Anchorage, AK

POSITION STATEMENT: Described the challenges for the DOL, including retention and recruitment of staff.

QUINLAN STEINER, Director
Public Defender Agency
Department of Administration
Anchorage, AK

POSITION STATEMENT: Described the challenges for Alaska public defenders including efficient sharing of discovery information.

JOSH FINK, Director
Office of Public Advocacy
Department of Administration
Anchorage, AK

POSITION STATEMENT: Discuss challenges that result in delays and additional hearings.

TOM BEGICH, Member
Anti-Gang and Youth Violence Policy Team
Anchorage, AK

POSITION STATEMENT: Described efforts to curb Anchorage crime.

ACTION NARRATIVE

CHAIR HOLLIS FRENCH called the Senate Judiciary Standing Committee meeting to order at [10:53:39 AM](#). Present at the call to order were Senators French, Wielechowski, and McGuire. Senator Therriault joined the meeting soon thereafter.

CRIME SUMMIT OVERVIEW

[10:53:39 AM](#)

CHAIR FRENCH said crime in Alaska is increasing, and the committee is meeting to find out from crime professionals what can be done. According to a recent legislative research report, felony assaults rose over 30 percent from 2000 to 2005, rape and attempted rape rose 11 percent during that time, which is nearly double the population growth rate. The increase in rape comes on top of an abysmally high rate of sexual assault. He asked if tougher laws, more police officers, more prosecutors, or fewer defense attorneys is the answer, or if it is more indirect, like putting more resources into alcohol counseling.

CHAIR FRENCH said the hearings will focus on what is going well and where there's a need to improve. He has asked the witnesses to report on the operation of their organizations and also how to make improvements. The committee will consider recidivism rates, juvenile crime rates, and whether more prisons will combat rising crime rates. Since 2001 the corrections budget has increased \$48 million. A new high school costs \$50 million. An increase in the corrections budget could mean that every year there will be a high school that won't be built. The governor said in her State of the State speech that, "He who opens the door on a school, closes the door on a prison." Unfortunately the opposite may be true as well because there are limited funds for building schools. The committee will explore the trade-offs of each criminal justice decision made.

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SENATOR WIELECHOWSKI said he thought the summit was long overdue. What triggered this issue for him was the recidivism study that came out last year that showed that two thirds of those who are released from prison are re-arrested and re-incarcerated within five years.

[10:57:13 AM](#)

CHAIR FRENCH announced the first guest from the State of Washington, Mr. Steven Aos, and described his qualifications.

**Evidence-Based Policy Options to Reduce Prison Construction,
Criminal Justice Costs, and Crime Rates**

[10:58:39 AM](#)

STEVE AOS, Assistant Director, Washington State Institute for Public Policy, said the institute is an applied research group with the Washington State legislature. He will talk about what his legislature asked the institute to do and how it has used that information to answer many of the questions raised by Chair French in his opening remarks. He said Washington is trying to reform its adult and juvenile criminal justice system, which includes prevention and anything that can affect the crime rate. The institute was asked to take an economic approach and see if evidence exists to lower crime at less cost to taxpayers. It's a bit unusual to have an economic analysis of the criminal justice system, he said, but the approach has been used in other areas.

MR. AOS said the institute is a wholly-owned subsidiary, created as the research arm of the legislature in 1983. It is governed by a Board of Directors of 16 members, "10 of whom are from the legislative branch of government -- 8 members equally divided between the House and Senate and the 'R's and the 'D's, so it's a non-partisan group." He said there are 2 members appointed by the governor. All of the assignments come from the legislature. "We don't chase federal dollars or do any outside research. We're not staffed with tenured professors at a university. We just work for the legislature and they carry out assignments at its request." He showed a diagram of the Washington capitol.

[11:01:53 AM](#)

SENATOR THERRIAULT joined the meeting.

SENATOR McGUIRE asked if there are public members on the board and where their mission and assignments come from.

MR. AOS said there are no public members on the board; there are 8 legislators and 2 non-partisan staff directors from the House and the Senate. The governor's budget director and the head of the social and health services agency are on it, and the other 4 members are the presidents or provosts from the public universities and colleges of Washington. They hire staff to carry out the projects.

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MR. AOS said board assignments come through legislation accompanied by a fiscal note. The due dates for the assignments are in law. He will discuss the institute's 2006 report and what

the 2007 legislature did with that information. He said he is an economist, so the presentation will reflect that. The message is what your mother told you: if you save a little bit of money, over time the money will grow because of the magic of compound interest. "If you do little things, over time they can make big aggregate effects." Small gains should be the approach for the criminal justice system too. "All the interventions we can do ... prison, police, different kinds of programs - they tend to have small individual effects on the crime rate." But overtime, the small interventions may forestall the building of a prison.

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SENATOR ELLIS joined the meeting.

MR. AOS, referring to a visual, described homicide rates in Washington from 1908 through the 1950s, when it declined. It then rose back up in the 1970s and 1980s, and since then the murder rate has declined. Washington's murder rate today is among the lowest they've had. The national rate follows a similar trend, although Washington's is a little lower.

MR. AOS showed incarceration rates in Washington, using the number of people on any given day that are locked up "as a percent of the population - in this case I've chosen the number per 1,000 18 to 49-year-olds in Washington." Since 1930, in the United States and in Washington, there was a constant rate of incarceration: 2 people per 1,000 in that age range. It stayed at that rate for decades, he said. The rate rose about 5-fold nationally and about 3-fold in Washington in the period of record. He showed a forecast of continued prison expansion from December 2006. The state wants to reverse that in a way that makes economic sense and also keeps crime rates down.

MR. AOS said overall crime rates in Washington are lower than they were in 1980. A visitor to Seattle has about 27 percent less chance of being a victim of a violent or felony crime. This is also true across the country. The bad news is the state is spending a lot of money on the criminal justice system. He has plotted how much taxpayers spend in the system including funds for police, criminal courts, prosecutors, public defenders, juvenile courts, adult courts, judge and bailiff costs, court processing, and local and state sanctions. He divided that dollar amount by the number of households and came up with about \$1,100 per household in today's dollars. In 1980 the amount was \$589. That's nearly a 100 percent increase in spending, "and crime rates are down." Those dollars have bought resources that have helped drive down the crime rate. Part of the reduction in

crime rates is that aging baby boomers are less likely to commit crimes now than when they were younger.

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SENATOR THERRIAULT asked if some of that money is spent "locking up the bad guys."

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MR. AOS responded that Washington has spent money on three resources: additional prison beds per population and additional police per capita, both of which can lower crime rates. The third is programs that will cost money but be cheaper in the long run, and "help lower the crime rate as much as those other resources." He suggested finding the correct portfolio of resources that will save money and still keep crime rates down. The Washington legislature shifted a lot of money between programs in 2007 that gave a fundamentally different look at the justice system.

[11:16:20 AM](#)

SENATOR DYSON joined the meeting.

MR. AOS said the Washington Legislature had just funded a new prison, but it considered the possibility that there might be a better way. It instructed the institute to study economical options to stabilize future prison populations; to look at evidence-based treatment in the adult, juvenile, and preventions systems; and to look at sentencing alternatives. The institute made forecasts based on the changes.

MR. AOS said the institute reviewed what works and what doesn't work to reduce crime, looking at all the rigorous real-world evaluations of adult and juvenile corrections and prevention programs -- anything that has demonstrably reduced crime. It threw out a lot of studies that didn't have good evidence. It ended up with 571 studies from the state and elsewhere, looking at programs like drug courts, juvenile programs, and early childhood education. The institute looked at the economics of those programs and the benefits of fewer murders, sexual assaults, and other crimes. National numbers were used to put a value on the savings associated with those crimes.

MR. AOS said the institute used the portfolio approach and identified where Washington was spending its money now. He grouped the programs into three categories: prisons and jails; police; and programs such as drug treatment, early childhood education, and high school graduation. Good evidence now exists

that if you can get kids to graduate from high school, they're less likely to be involved in the criminal justice system. From assessing the 571 studies, it was found that all can be effective when used correctly. Prison can be effective in reducing crime, as can programs and policing. There's also evidence that shows that all three can be ineffective. Prison needs to be used for the right kind of offenders in order to affect the crime rate.

MR AOS pointed out that what people do in their private lives affects the crime rate more than what they do in their public lives, including how children are raised. But he is only addressing "those public policy levers that we can pull in Olympia or in Juneau." He said he would talk about prisons and would not focus on the police because the legislature did not ask the institute to review that, since it is a local government operation. Policing is an important and expensive resource. There is evidence that it is effective. If more police are on the street, crime rates go down for serious property crime, but less so for violent crimes. He hopes that the next legislature will ask for that information.

[11:23:55 AM](#)

MR. AOS said prisons are the main resource used to fight crime, especially regarding the increase in budget dollars, so it is important to know if prison use affects crime rates. He showed a graph (page 10) of the rates of crimes that citizens report to police and that police report to the FBI, called Part I crime rates, against incarceration rates.

CHAIR FRENCH asked why he didn't include drug crimes.

[11:25:13 AM](#)

MR. AOS said that they're not reported from crime victims to police. Reported crimes are felony, property, larceny, motor vehicle theft, aggravated assault, robbery, sex crimes, rape and murder. Those are the ones that get reported and those are the ones with data.

CHAIR FRENCH asked if he thinks the information would be different if drug crimes were included.

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MR. AOS said, "In the models that I run, there is some evidence that you could affect the drug crime rate with certain kinds of incarceration rates, but it's less clear there than it is on the serious felony property crimes and violent crimes." There is

evidence that if drug offenders are put in prison it will have differential effects on violent and property crime. Criminals specialize just like everyone else. If they're property offenders and they get out and recidivate they may do some violent crimes but it's more likely they'll commit property crimes. Violent criminals tend to be the most anti-social, so they might do all kinds of crimes. Violent aggravated assault offenders tend to do most offenses. Sex offenders have low recidivism rates but will usually commit more sex offenses if they recidivate.

MR. AOS said if prison doesn't work there would be a flat line in his graph, and if it works completely it would be a vertical line. The truth is somewhere in the middle. In 1980 there was an incarceration rate of 2 people per 1,000 and the crime rate was 70 per 1,000. The legislature began to increase the incarceration rate up through 1984, and the crime rate went down. Sentencing-reform legislation caused the incarceration rate to drop for a few years, and the crime rate went back up briefly. Since then, incarceration has increased and the crime rate has gone down. The model is adjusted for changing demographics, the economy, the police force, and other variables. Generally what they found was that a 10 percent change in incarceration creates a 2 to 4 percent change in crime rate. That was Washington's finding, and it also holds true of national studies. It varies depending on the kind of offender.

MR. AOS said one can lower the crime rate by raising the incarceration rate, but there is a curve in the line that indicates diminishing returns. As incarceration rates rise, the number of crimes avoided declines.

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CHAIR FRENCH surmised that "crimes avoided" means crimes that didn't happen that were predicted to happen had the person not been incarcerated.

MR. AOS said yes -- having one more person locked up instead of being outside. He said he was referring to property, larceny, and violent crimes.

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SENATOR THERRIAULT asked if the data is adjusted for a growing population.

MR. AOS said the data is adjusted for all measurable demographic and economic changes.

SENATOR THERRIAULT asked if he is referring to one more prison bed per 1,000 people.

MR. AOS responded yes, and that is a "lever" that you can control - how many beds you put in. By building one more bed in the 1980s, when crime was increasing greater than population growth, Washington was avoiding about 50 or 60 crimes. Not all are serious violent crimes. However, diminishing returns means that when you do more and more of anything, you get less return. He gave the example of Starbucks stores; they have 19 stores in Olympia and that is the limit. The last store won't make as much as the first ones did.

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SENATOR WIELECHOWSKI asked what he attributes the diminishing returns to.

MR. AOS said there are only so many really bad criminals in a given population. If incarceration rates are increased, people who commit fewer crimes will be incarcerated. In Washington, the probability of a burglar getting caught is 1 in 20. People doing 20 burglaries a year will likely get caught, but not if they do one. So by putting more burglars in jail, more infrequent burglars get targeted.

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CHAIR FRENCH said a state needs to know where it is on the graph to know whether to build new prisons or not.

MR. AOS said his last graph represented total crime, and then he broke it out according to incarceration of violent offender, property offender, and drug offender. In Washington, there are too many drug offenders in prison. Crimes are avoided when they're put in prison, but we're spending too much to justify that, especially since there are alternatives that make more sense. We have the right number of property offenders in prison - the benefit to cost ratio is about right. There aren't enough violent offenders in prison. This information can be used to adjust sentencing policies.

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SENATOR WIELECHOWSKI asked what his take was on what happened in society to make crime go up in 1960 and down in 1990.

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MR. AOS responded that it was the murder rate. Murder can be a crime of passion or a measure of society. It's hard to generalize. Larcenies and burglaries are easier to run models on. "You will affect the murder rate if you put more murderers in prison, because when they get out, especially in the first year or two, we found that if they're going to recidivate for murder, they're more likely to do it within the first year or two, and then it falls off considerably after that."

MR. AOS provided a list of things that work. There are adult, juvenile, and prevention programs, and there are some things they don't know enough about yet, like mental health courts. There haven't been enough evaluations yet. The list is a ranking of programs with the highest benefit to cost. The institute did an analysis of everyone in adult prison and learned that 73 percent had been in the juvenile justice system. The conclusion is to stop entry into the system early on in order to make an impact on prison construction.

MR. AOS said, of the 571 studies mentioned earlier, 57 were drug courts from around the country, including Alaska. Without a drug court, those offenders have a 58 percent chance of being reconvicted in Washington for a new felony or misdemeanor after 13 years. If they'd gone through the drug court, that probability would have dropped 8 percent - down from 58 percent to 54 percent. That is a small change. The economics seem to make it worthwhile. Drug courts cost about \$4,300 more than regular court processes, but that 8 percent reduction in recidivism rates would save \$9,100. Some of those savings are to taxpayers, and there will also be fewer crime victims. Over 13 years it creates a positive benefit/cost ratio. The legislature increased funding the drug courts as a result of these findings.

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CHAIR FRENCH observed that if drug courts cost a lot more, one could reach a point where it would not work economically.

MR. AOS said a program not only needs to be effective, but it needs to be cost efficient.

SENATOR WIELECHOWSKI asked if drug courts have the same diminishing returns.

[11:45:29 AM](#)

MR. AOS said that returns will diminish as more offenders go into those programs. The institute has built its best guess about diminishing returns into the assumptions. He said programs

that seem to work include education programs in prisons with 7 or 8 percent returns. He stressed that there's no 80 percent cure, so you need to add a little each year. Some things don't work. Intensive supervision probation or parole, where contacts with offenders are counted, doesn't work. If the intensive supervision is combined with treatment resources, the returns are good. This usually applies to lower risk offenders.

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CHAIR FRENCH asked if the study is broken out to look at the type of crime committed and the type of offender.

MR. AOS responded that they align each of the programs with the kinds of offenders they think they were designed for. For each of these programs they make sure their department has done a needs assessment to determine, for example, if someone has education deficiencies. It would be a waste to put someone in education programs that aren't needed. Washington has invested heavily in juvenile programs because some of the biggest returns are there. If you can stop a kid in his high crime years, there are large savings because you're avoiding all kinds of victimizations and future crime costs.

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CHAIR FRENCH asked about the small number of studies.

MR. AOS expressed concern and said he would like to see more studies. He said that prevention programs also look good. For example, preschool programs for low-income youth have shown to reduce crime rates years later. A program called Home Visiting and Nurse/Family Partnership has also proven to be effective.

MR. AOS said Washington prisons will soon have 18,000 beds in the state, and one or two thousand beds are rented. In December 2006, the legislature was planning to build 2 prisons by 2020 and another prison by 2030. The institute compared what would happen if the state kept funding according to plan; made a moderate increase; and instituted an aggressive plan, which would mean serving 25 percent of the market instead of 5 percent. He showed a graph. For the current plan, the crime rate is going to keep going down from 52 crimes per thousand to 48. There'll be a 24 percent return on investments, a good benefit to cost ratio.

MR. AOS said if the state implements the moderate package, one prison may be avoided. It includes increasing the juvenile and adult-offender reentry programs and prevention programs. For the

aggressive approach of taking up to 40 percent of the un-served market, they think they can get to the point where they wouldn't have to build any new prison beds. The incarceration rate would go down a little as the state's population grows.

MR. AOS said whatever plan or "portfolio" that is used, the crime rate will go down and more money will be spent. But where is the biggest bang for the buck? The analysis showed that the biggest return on investments is with the moderate plan. One prison can be avoided by changing the sentencing laws and replacing them with the best of the programs on the list. The crime rate would stay the same, but half a billion dollars would be saved by not building a prison.

11:55:10 AM

CHAIR FRENCH asked if there would be the same result by reassigning current beds to different types of offenders. Mr. AOS just said that Washington incarcerates too many drug offenders, so he asked about taking them out of prison and putting in the violent offenders.

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MR. AOS responded that the state did that. It shortened the length of stay of some and put the savings into drug courts. He said it's an example of how you can use the information to shift the portfolio. As a result, in 2007, the legislature funded a combination of options similar to what had been recommended by the moderate portfolio, and in the new state forecast one of the prisons was taken off the drawing board. Now they have to make sure the recommended programs will work. This is a top priority for the chair of the legislative committee, and he will hold the agencies "accountable to making sure that we're actually getting the people in those programs that we think are supposed to happen. I worry that we're not going to be able to even get 20 percent of the untapped market." In summary, he said, they had to take a long-term and broad approach. None of the interventions are magic bullets. The drug courts with an 8 percent gain per year will make a cumulative dent in the rate of recidivism of drug offenders. Formal assessment tools must be used, or the wrong people will go into the programs. It's a state and local effort, so you have to set up the funding program so that local governments also get the incentive.

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MR. AOS said accountability is important. The program can drift if not watched. The list of what works should be longer, so the

legislature is encouraged to try new things like mental health courts and then evaluate them. He showed a wrap-up slide.

12:02:06 PM

CHAIR FRENCH asked what the budget for their office is.

MR. AOS said they don't have a fixed budget. A director, an assistant director, and one staff are the only positions funded regularly. All the other projects come to them by submitting a fiscal note of what they think it will cost. There are currently 13 professionals with a budget of \$1.4 million studying education, foster care, and prisons. It is comparable to a private consulting firm. "If we're not delivering information that's useful to the legislature, we just won't get new assignments, and we'll go away." That appeals to him.

CHAIR FRENCH said Mr. AOS's report is informative.

12:04:05 PM

SENATOR WIELECHOWSKI asked if any other states or countries have done this and have been accurate with predictions.

MR. AOS responded that he thinks not because they get so many invitations to speak. He mentioned that there's an effort with Pew Charitable Trust and others to make this model a more generalized tool and more available.

CHAIR FRENCH asked if Oregon passed an evidence-based approach law for its criminal justice system.

12:06:00 PM

MR. AOS said Oregon passed a law that a portion of its budget has to be evidence-based, but "I think that they may not have the same rigorous process to figure out what's evidence-based."

SENATOR THERRIault asked if the evaluation of what works and what doesn't applies to all Washington state agencies.

MR. AOS responded that Washington probably has more evidence-based requirements than any other state, but if you ask the agencies for what is evidence-based they have a budgetary motive to say it all is. The legislature is working to have outside groups like the institute do the evaluations and research.

12:08:09 PM

SENATOR WIELECHOWSKI remarked that Senator Dyson has said that both the Departments of Corrections and Public Safety have done

a pretty good job of showing that the state is getting good results out of the money spent each year, but it seems like Washington has taken this a step beyond.

MR. AOS said the institute has evaluations of their conclusions that will tell them if they're predictions were successful.

The committee recessed from [12:10:50 PM](#) to [12:53:22 PM](#).

CHAIR FRENCH reconvened the hearing and introduced Commissioner Walt Monegan and Colonel Audie Holloway.

[12:53:46 PM](#)

WALT MONEGAN, Commissioner, Alaska Department of Public Safety (DPS), said public safety is everyone's responsibility. DPS handles the "reactivment" aspect of public safety - when things go awry, somebody has to put it back in order. Technology is improving DPS's efficiency, but what each road trooper, officer, or probation officer is doing on a one to one basis is the real strength. There has been a groundswell for an adjustment or evaluation.

[12:57:03 PM](#)

COMMISSIONER MONEGAN said he spoke in Talkeetna about building a gasline, and his perspective was the state was short of judges because of trials that were waiting for years to go into the courtroom. He passed that information on and the legislature hired six new judges, and that was good, he thinks. But he has now been working more closely with the court system, and is finding that it's not necessarily the judges who hold up the system. He said one should look system wide to improve things "in a non-finger-pointing way," so the Criminal Justice Working group was formed, chaired by the Lieutenant Governor and the Chief Justice of the Supreme Court. Yesterday was the second meeting, and the group wants to meet monthly. He hopes for good evaluations on addressing deficiencies.

[12:59:12 PM](#)

CHAIR FRENCH asked about database integration and electronic sharing of data. He wants the troopers in Bethel to know what the troopers in Ketchikan know. How can we get Alaska "on the same page" about the people who are committing crimes?

COMMISSIONER MONEGAN referred to "MAJIC" [Multi-Agency Justice Integration Project]. A traffic violation, for example, is frustratingly complicated. An officer writes the citation; it is then coded and typed by hand, forwarded to the court, and then

some other clerk types it into another database. Once it is adjudicated, it is sent over to DMV where a third clerk enters it. This working group will propose to get everyone working on the same database to avoid duplication and the mistakes that come with it. Efficiencies and communication will save money and expedite things. The criminal justice system needs to get its house in order.

1:01:52 PM

SENATOR WAGONER joined the meeting.

SENATOR WIELECHOWSKI asked if Commissioner Monegan supports a study of evidence-based policies like Mr. Aos described.

COMMISSIONER MONEGAN said he'd need to study that further. It's a good idea, but give the working group a chance to see what it can do. "If we still fall short - absolutely." He is certainly supportive of evaluating programs, he said.

SENATOR WIELECHOWSKI referred to an Alaska recidivism study last year that 66 percent of people released from prison are re-incarcerated within five years. He said the quality of personnel in the criminal justice system is excellent, and he asked what changes can lower that.

COMMISSIONER MONEGAN said there is no silver bullet; there are bits and pieces, like education, bootlegging, and latch-key kids. In the 1950s extended families lived together and a parent stayed home, so there was more nurturing. That isn't the case any longer. Kids are alone and unsupervised in the house and amused with the television or games. "And who reinforces the rules and values and the things that they need so that they can be successful in life?" That's the way society is now. He would like to look at all the worthy programs and fund them. "And I would dump the rest of it into education, because prevention will always be cheaper than prosecution." Children need skills and self esteem to keep them out of trouble.

1:06:05 PM

COMMISSIONER MONEGAN said once the working group gets "our own house in order, then, again, finding out what resources and assets need to be developed and corrected or enhanced or whatever." Mountainview had open drug dealing and prostitution, so there was discontent among residents. He put together a community action policing team (CAP Team). He was the commander. The first year saturated the area with police to drive blatant criminal activity off the street. The second year the team built

partnerships with the police so citizens could feel safe and get involved with the community. The third year was for sitting back and playing a supporting role, but that wasn't enough time. That plan is still sound, he believes. Different themes will be discussed today, but he wants the main thing to be increased cooperation and communication. Nothing is more effective than involving the community, like neighborhood crime watch. It allows everyone to know each other and know what car belongs in each driveway. Neighbors helping neighbors is the best crime preventing program possible.

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CHAIR FRENCH said he couldn't agree more. But crime does occur. When a call goes out for a trooper, we want a good person to respond. He asked about trooper staffing.

COMMISSIONER MONEGAN he hopes to fill up his vacancies. There are just 25 open positions out of a staff of 308. He said attrition is two troopers per month. More troopers are needed, but he is hoping the working group will come up with a plan to grow the state troopers so that they are effective.

[1:12:25 PM](#)

SENATOR WIELECHOWSKI asked about the task force.

COMMISSIONER MONEGAN said it is a working group and there are members from the Department of Public Safety, Corrections, Law, and the Office of Public Advocacy. It is looking at every aspect of the state criminal justice system. After that, it will consider integration with agency partners.

SENATOR WIELECHOWSKI asked when a plan will be available.

COMMISSIONER MONEGAN said there will be monthly meetings, and meetings will continue quarterly forever.

SENATOR WIELECHOWSKI said there is a 90-day session and the legislature wants ideas for combating the problems.

COMMISSIONER MONEGAN said the group will probably not provide anything this session. There is no quick fix. He is proud that the troopers have a plan, but the other departments and divisions might not have plans. By next session he'll know more of what to ask the legislature for.

[1:15:48 PM](#)

CHAIR FRENCH said troopers are paid less than APD [Anchorage Police Department] officers, so the pay and benefits can't possibly attract new recruits. These are difficult jobs in remote and harsh environments.

COMMISSIONER MONEGAN said the union is going into negotiations to address those issues. The troopers do deserve more money because it is a tough job. Troopers don't have the back-up help that police do.

SENATOR WIELECHOWSKI said he wants to know what the legislature can do. What has been the impact of taking away pensions? Has it become harder or easier to recruit?

COMMISSIONER MONEGAN said he doesn't know whether enough time has passed to tell how Tier IV has negatively affected him, but it wasn't a good thing. There have been a lot of troopers going to the Academy, however. Law enforcement is a difficult job and the legislature will be asked: "to address at least parts of it, for example, the medical - giving prior time for military service for the medical aspect. I support that."

[1:21:01 PM](#)

SENATOR McGUIRE asked for updates from the working group. She asked about underlying factors for violent crimes, including alcoholism and mental illness, and she asked how the group can address that. "One of the frustrating things is trying to put a band aid at the back end." The state has staggering statistics on violent crime. She would like to know how to address the underlying factors -- whether it's policy or budget.

COMMISSIONER MONEGAN said in the 1980s there were 56 different agencies in the Anchorage area that addressed alcohol issues, and he thought they were competing rather than cooperating. He wants the working group to become cooperators. The next large challenge is to address the huge difference between the public expectations and what can be delivered.

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CHAIR FRENCH said he will ask the lieutenant governor to forward the group's schedule and agenda.

SENATOR WIELECHOWSKI asked if it is true that 90 percent of Alaskans arrested are substance abusers.

COMMISSIONER MONEGAN said he thinks about 80 percent had alcohol or drugs as part of the equation.

SENATOR WIELECHOWSKI heard that 40 to 50 percent had mental health issues.

SENATOR THERRIAULT asked about Tier IV, and surmised that the municipalities are hiring under the Tier IV scheme.

COMMISSIONER MONEGAN said it is the pay scale too.

SENATOR THERRIAULT read from an audit report on recidivism and it recommended that "the commissioner of the Department of Public Safety as the chair of the Criminal Justice Information Advisory Board should reestablish the board as the first step toward integrating the state's criminal justice system." Is that underway?

COMMISSIONER MONEGAN said the commissioners can get together and talk, but unless someone has more authority, no one will be pressured into significant changes. That is why the lieutenant governor and chief justice are on the working group.

SENATOR THERRIAULT said one criticism in the audit is that the information has limited usefulness because it is incomplete and unreliable. "Hopefully your efforts are going to make sure that it gets in and not multiple people have to reenter it, but it's put in at a level of sophistication or completeness that's useful."

COMMISSIONER MONEGAN said he is trying to address that issue.

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COLONEL AUDIE HOLLOWAY, Director, Alaska State Troopers (AST), said the troopers are seeing an increase in calls of all types, especially white-collar, computer, identity, domestic violence, and property crimes. Partly it is population growth and computer possibilities. It also may be due to an inefficient system. Alaska is number one in UCR [Uniform Crime Reporting] forcible rape, and that doesn't include all of Alaska's sexual assaults and abuse of minors. Alaska's rating would then be worse. There are many more search and rescues, which are very resource and time consuming. Drug problems are the basis of other criminal problems. Interdiction prevents downstream problems. AST does very well in the areas of homicides/sexual assaults, immediate emergency response, and search and rescue. The challenges include investigative capabilities, such as on domestic violence and burglary calls.

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COLONEL HOLLOWAY referred to the handout "Anatomy of a Call for Service," which shows there's more to finishing a call than the initial response. Another challenge is in judicial services: prisoner transportation and court security. This work is increasing. There are 10,000 unserved arrest warrants in the state. He referred to an article in the Frontiersman.

CHAIR FRENCH asked if unserved warrants are categorized so that murders get more attention.

COLONEL HOLLOWAY said the most serious crimes get more attention. A third area where the AST needs improvement is the investigative services for felony crimes, such as white collar crime, identity crime, and internet crime. Presence on Alaska's highways is the fourth challenge to AST. There is no dedicated highway safety plan to modify poor driver behavior. There is not enough presence during poor driving conditions. He is also concerned about the safety of the troopers in rural areas. AST faces significant challenges with recruitment and retention. The current generation is not drawn to that career. The AST has suffered through a number of years with high separations, so it is doing a staffing study for current needs. The average level of experience of the troopers is declining. 2007 was an exceptional recruitment year, but 2008 doesn't look as good. AST is about 25 years behind in technology. The ALEISS (Alaska Law Enforcement Information Sharing System) program is an example of success, however. But AST doesn't have an electronic records management system.

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CHAIR FRENCH expressed concern and wants to fix the 25-year gap.

COLONEL HOLLOWAY said they are working on standardizing across the criminal justice system. "One of the worst things we do in this state is [not sharing] statistics about what we do."

CHAIR FRENCH asked who does a good job of data sharing. There could be a summit on this topic alone.

COLONEL HOLLOWAY said Arizona has a good integrated system.

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COLONEL HOLLOWAY continued saying many facilities are seriously out of date. There is a 10-year broadly written plan focusing on priorities, and he would like to see that for the whole system - "that we not only look at AST setting their priorities and

sticking with them ... but also having the criminal justice system do kind of the same thing." Right now it is very haphazard.

COMMISSIONER MONEGAN said he is addressing rural justice and is committed to improvement.

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CHAIR FRENCH spoke of recent homicides in Palmer and Anchorage, and the APD was exemplary. "I was absolutely proud to be an Alaska citizen ... for the work you all did."

1:41:00 PM

ROB HEUN, Chief, Anchorage Police Department (APD), said there was luck involved. The main goal of the criminal justice system is for public safety and fair and equal access to justice. But the system is only nominally a system - it is a loose coalition of agencies with related missions, "and we don't always interact seamlessly." The key player is the state, which has prime responsibility for providing public safety for matters other than those under federal jurisdiction.

CHIEF HEUN said his belief is that meaningful reform requires a systems approach. Any serious analysis will likely suggest changes in resource distribution, "and I can tell you that's going to create winners and losers, and it will initially be very unpopular." But the system will never be effective until it achieves balance. In 2003, the mayor and chief got together to improve public safety and it resulted in more cops in Anchorage, which meant the reinstatement of the gang and traffic units. So there were more arrests. In 2002, there were 15,598 arrests and it jumped to 17,999 in 2003. This increased the burden on the rest of the justice system.

CHIEF HEUN said the federal government can and should share in the public safety burden. It does so in Anchorage. The effectiveness and the perception of it have an impact on crime. Officers work with elected officials on crime legislation. They also address the relationship between crime and substance abuse, and they do their best to inform the public on those efforts.

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CHIEF HEUN said the police focus on controlling crime and making people safer, but social and economic factors have an enormous influence on the nature and levels of crime. So do the policies of the system. With all these variables, crime statistics change. Anchorage has 1.39 cops per 1,000 citizens, and nationally, cities of the same size have 2.39 cops per 1,000. To

meet the average, Anchorage needs 278 more officers; this is not in the foreseeable future. The other cities of comparable size have overlapping jurisdictions, such as sheriff departments, state police, and adjacent bedroom community police departments that integrate call load and back each other up. The APD has a wonderful working relationship with the state troopers, but at their staffing level, "I have no expectation that they're going to help us start to shag calls in the Anchorage bowl. It's just not going to happen."

CHAIR FRENCH said the APD has more officers in Anchorage than state troopers in the entire state. "So, if anything, you're going to cover their calls."

CHIEF HEUN said, "Whenever we can." The best way to address the crime trends is to look at the population through the years and compare it with the number of crimes that fit the UCR [Uniform Crime Report from the FBI] index (reported number of murders, forcible rapes, robberies, aggravated assaults, burglaries, larcenies, and motor vehicle thefts per 100,000) to get a rate. From 1987-2006, the population of the Anchorage service area has been trending upward, while the crime index - the total number of UCR Part I crimes committed - is pretty flat. It goes up in 2006.

CHAIR FRENCH noted that it is adjusted for population.

CHIEF HEUN said the total number of those crimes (in red on his chart) stays flat. In Anchorage, from 2005-2006, there was an increase in 2 homicides or a 9.3 percent increase, and a 30.2 percent increase in robberies. Future crime can't be known but the state has the most control over its criminal justice system and not on the "impactors". Mr. Aos suggested programs that could help. One success story is that there was not one gang motivated homicide in Anchorage in 2007. He believes that was due to the Special Assignments Unit partnering with the federal government Safe Street Task Force. There were 35 people arrested. The APD is playing a role in an anti-gang policy team.

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CHIEF HEUN said the traffic unit was combined with school resource officers and reinstated community action patrol. The traffic unit helped in dropping fatalities from 34 in 2002 to 15 in 2006. In 2007, it will rise because of an increase in pedestrian accidents. The school resource officers mentor and intercede in potentially explosive situations. They handle

criminal acts near schools and develop relationships with students. It prevents and solves crime, he stated.

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CHAIR FRENCH asked about the school officers. There seem to be enormous benefits in steering the youth in the right direction.

CHIEF HEUN said there are 17 school officers - 2 per high school. They don't enforce school policies, just the law, and they take a tremendous burden off the officers on the street. It is one of the best pro-active measures. Presence is always helpful in diminishing the "use of force continuum". The officers mentor and teach public safety classes. "They get to know the kids, and they also generate information for us - particularly when it comes to the potential for gang violence."

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SENATOR WIELECHOWSKI said gang violence is a big issue in his community. He asked if it is under control in Anchorage and what can be done legislatively.

CHIEF HEUN said the police get involved when things are broken in the social fabric of the home. The kids are looking for structure. There is an economic incentive for gangs. To say it is under control is presumptuous, but the APD is working diligently, and last summer was a lot quieter than the summer before. There were zero tolerance patrols in two areas. The APD conducted field interviews and expanded the database so officers could know who the common players are. After the "Holiday assault" the department decided to be aggressive on the zero tolerance patrols. He also referred to the safe-street project.

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CHIEF HEUN said he will talk about it. Some of the APD was reorganized. There was a rise in pedestrian accidents this year, and "it is the commitment to community-oriented policing as a philosophy that compels us to vigorously recruit for qualified applicants." The APD has had a net gain of 64 new officers. The goal is a total net gain of 93 by 2009. Pay has increased. Law enforcement has difficulty filling vacancies statewide and nationwide. As staffing grows, more reporting will be done. The APD facility needs more securable space, like storage for firearms and biological evidence for sexual assaults.

CHIEF HEUN said finding secure shelter and treatment facilities for the homeless public inebriates is a big problem. It transcends the line between public health and criminal justice.

There has been an increase in victimization within that community. There were over 20,000 chronic inebriate visits per year to the transfer station in 2006 and 2007. The APD averages over 3,000 transports per year -- almost 10 per day. Of the top 200 chronic inebriates who are engaged by APD and use the patrol services, 91 percent are Alaska-born and from outside of Anchorage. Each dispatch takes 40 minutes or more. That takes an officer off the street. APD can't differentiate between a call from a public inebriate and a heart attack or assault victim. Racing a vehicle to the event puts officers and citizens on the road at a higher level of risk. He said Title 47 needs to be used for involuntary committal of inebriates for safety and treatment. Another challenge is efficient and accurate information sharing.

[2:05:28 PM](#)

CHIEF HEUN said the APD is a member of ALEISS, and the APD supplied the largest volume of data to other agencies.

CHAIR FRENCH noted that ALEISS allows a police officer in Kenai to have access to reports filed in Anchorage.

CHIEF HEUN said yes, and that will expand. It is good, but the frustration is right now -- conditions of bail cannot be digitally entered on an accessible databank to officers on the street. It is important and needs progress.

CHAIR FRENCH said he went to a MAJIC meeting and it was focusing on "DB" and DWI [driving while intoxicated] crimes. It was to let officer know when someone was on court release for one of those crimes.

CHIEF HEUN said, "Right now ... we do have access to the 'DB', and that's very, very helpful." None of the problems overshadow the recurring, frustrating, and dangerous issue of arresting the same individuals over, and over, and over again. Rarely is a violent or property crime committed without the perpetrator sporting a criminal record of note. For a recent home invasion arrest, one of the suspects had been sentenced to 26 years in prison for kidnapping and sexual assault. He was released from jail in June of 2007 after serving 13 years. The second suspect had been sentenced to 20 years in 2000 for assault in the first degree, and he was released on parole after less than 7 years. The third suspect was sentenced for assault in the second degree and was released just short of four years later. All suspects had just gotten out of jail.

CHAIR FRENCH said that math suggests that if they had all served their terms they would not have committed this other crime.

CHIEF HEUN said the examples could go on and on. He gave another of an arrestee with 15 prior convictions, and another with convictions of 11 felonies and 21 misdemeanors.

[2:10:24 PM](#)

CHIEF HEUN asked what the legislature can do with this 66 percent recidivism rate. He said it can craft laws and allocate resources. He told the body to review all public safety laws to provide competency, accountability, and genuine value to criminal justice. Ensure that there enough resources allotted to ensure the successful enforcement of the legislation, including recurring costs in upcoming years. He said to measure the intended effectiveness with reviews. He warned of feel-good legislation that doesn't provide fair and equal access to justice. He asked the legislature to fund MAJIC, which has been working so hard, or "dust off A.S. 12.62.100, which establishes criminal justice information advisory board and outlines its functions."

CHIEF HEUN said critical information on criminals is missed. For example, officers can't access bail condition except in cases of domestic violence. Criminals can often avoid prosecution by moving between jurisdictions. "Why aren't DUI arrest packages electronic?" Also, prosecutors and district attorneys need electronic access to criminal case records and digital evidence. He asked the legislature to create a model for specific distribution of funding to maintain a balance in the system. "Fulfilling the criminal justice system's goal of providing that fair and equal access to justice requires a balance system with adequate resources." The present prison capacity in Alaska is hampering the overall efforts of the system to alter criminal behavior. Bad guys know they are unlikely to do any or much time except for the most heinous crimes. The high recidivism rates question the state's reform efforts. He believes secure rehabilitation will impact recidivism rates. Rehabilitation should occur in jail, but they need to be kept there long enough to make it work, "and we can't do that without enough beds."

[2:15:10 PM](#)

CHIEF HEUN said the expansion of the police force will require defenders and prosecutors to prioritize their resources. He noted the federal government community policing grants, and "what if the state were to establish a solely Alaskan version of a version of a program like that to help the various entities of

the criminal justice system attain the resources they deem necessary once they justify the need as it comports with maintaining the balance within the system?" Perhaps the program can help hire public defenders, probation officers, or others. Perhaps it could provide funding to address the relationship between substance abuse and crime, or understand recidivism for the system - not the individual agencies. The fiscal impact of the agency resources should be reviewed independently to ensure balance. With so many agencies, he asked where the clearinghouse is that assesses and coordinates system-wide needs. He wants an apolitical body that is empowered to provide periodic reviews of the system to lawmakers.

CHIEF HEUN said every person has a role. The system is totally front loaded now, and it will remain that way as long as the population increases and enforcement expands. Cops have the responsibility to provide solid cases to the prosecutors, and the prosecutors must be prepared to handle the case fairly and completely. The same is true of the public defenders. A competent corps of attorneys for trials is the first step to guaranteeing constitutional equal access to justice. The judiciary is a key player. Bails and sentences should be realistic and in the best interest of public safety. There needs to be effective rehabilitation programs, and for those that can't be rehabilitated, "accept the fact that they need to be lodged and secured from society." Those on parole need to be monitored by competent professionals, and the difference between juvenile and adult offenders needs to be recognized. Also the alcohol and drug nexus to the crimes needs to be recognized.

[2:20:18 PM](#)

DAN HOFFMAN, Chief, Fairbanks Police Department, said he will hit on the same themes as previous speakers. He provided documents to the committee. Fairbanks has 1.38 police per 1,000 residents, which is significantly under the national average, and every category of crime has numbers over the national average. "We have an under-sized police force dealing with an over-sized crime problem." He noted that Fairbanks and Juneau are the same size, but Fairbanks has a huge surrounding population of 60,000 more people. Fairbanks had three homicides; Juneau had none. Fairbanks had 86 percent more sexual assaults than Juneau and 119 percent more aggravated assaults. Fairbanks had 190 percent more simple assaults and 392 percent more robberies. The statistics are similar with burglaries, larcenies, and auto theft. It isn't that people are worse in Fairbanks, but it can be attributed to being a hub community on the road system. The road brings the outlying people in on a

daily basis, unlike Juneau. Fairbanks did have reductions in 2007 in many crimes. The only rise was aggravated assault and homicides - but homicides provide too little of a sample size to be meaningful. Recent successes in Fairbanks include using the federal Weed and Seed grant program. The program truly requires real community policing, and it weeds out the crime with law enforcement and seeds community social services.

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CHIEF HOFFMAN said another recent success is Fairbank's DUI traffic enforcement in collaboration with the state's highway safety office. A grant was obtained to get a dedicated traffic unit up and running. Last week the Department of Law said it would dedicate a prosecutor to deal with the increased arrests. That speaks to what others have said about the importance of not frontloading the system. Another success includes technology implementation through federal grants and homeland security funding. Fairbanks was the first in the state to come on line with the Alaska land mobile radio system. It was a founding partner in the ALEISS program.

CHIEF HOFFMAN said technology has evolved quickly and all aspects of the criminal justice system should be able to take advantage of it. He is astounded to be 25 years behind. There needs to be special recognition of communities that are serving as hub communities, such as Fairbanks. "People are coming in off the road system and coming from outlying areas and using Fairbanks as a hub; [it] impacts us." The chronic inebriate problem reflects that. It is as bad as or worse than in Anchorage; the Fairbanks police dealt with over 3,000 chronic inebriate calls in 2007, and that doesn't include the calls that the community service patrol has dealt with. The worst offender was taken to the correctional facility 74 times in 2007 (for 12-hour holds). It takes an officer off his or her public safety job in order to deal with that health and social service issue. There is a dangerous reduction in mental health services in Fairbanks. Residential mental health facilities are being shut down; the treatment programs are being reduced or eliminated. "It's getting to the point where if you're a seriously mentally ill person in Fairbanks, there's no where for you to go. There's nobody to take care of you." The third homicide in Fairbanks this year was a person at a residential facility that nearly decapitated a worker. As a result, the facility was shut down. Where are the people supposed to go? They will be on the street. Inebriates often have chronic mental health disorders. By having an enhanced detox model in place, a diagnostician can determine mental disorders while treating people for substance abuse.

Under the "ridiculous vagary of federal law, that enhanced detox center can only have a maximum of 16 beds." Under federal law a larger facility isn't eligible for Medicaid funding, but 16 beds is not sufficient for Fairbanks. The medical examiner office is in Anchorage, so any body must be flown to Anchorage, and he has had to fight - tooth and nail - to convince staff to do an autopsy.

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CHIEF HOFFMAN said, "I think that the average citizen would be mortified if they knew how many times that deaths were being determined ... and signed-off on over the phone without a body ever being looked at." Any elderly person with any kind of health condition that dies outside of Anchorage will be automatically determined to die of that condition. The population is aging, so Alaska will see many more instances of elder abuse and neglect. "It really worries me that in all of the communities outside of Anchorage that when an old person dies, as long as there's some heart medication in the cupboard or diabetes medication in the kitchen, they're going to be signed off on."

CHAIR FRENCH asked for a solution to that.

CHIEF HOFFMAN said there should be regional medical examiners to perform autopsies. There is no reason not to have one in a community the size of Fairbanks or Juneau.

CHIEF HOFFMAN said he agrees with others that if the state is going to try and fix problems, it should be done in a balanced way throughout the criminal justice system. He wants the state to designate hubs communities recognizing that those municipalities are really dealing with state-wide issues.

[2:37:17 PM](#)

CHIEF HOFFMAN said his office has a good relationship with all the agencies it works with. Everyone is committed, but the criminal justice system is no "system" at all. There are common goals, but it is not organized into one system. Unlike a private company, criminal justice is not directed from the top down.

[2:37:55 PM](#)

SENATOR THERRIault said his house district 11 is about 20,000 people, and it is outside [Fairbanks] city limits. It is likely that half of them are in the city everyday.

CHIEF HOFFMAN said Wasilla is another example of a hub. It has a relatively small police department with "a huge influx of people throughout the valley coming in and utilizing services."

[2:39:05 PM](#)

SENATOR THERRIAULT asked about the number of chronic inebriates in Fairbanks - the ones you know by name.

CHIEF HOFFMAN said there are about 60 hard core ones, and 25 of the worst offenders have an average of 16 visits per year. But "rural folks and folks from other communities who come into Fairbanks to access alcohol and to access the social services ... so at any given time we're going to have visitors from outlying areas that we end up providing those services to." If they are in town for two weeks, they might get picked up two or three times in that visit. It is difficult to quantify.

CHAIR FRENCH asked about staffing.

CHIEF HOFFMAN said he is not facing the same problems with recruitment and retention that Anchorage is. Fairbanks has gotten officers from smaller communities. There is a low turnover at the department. Anchorage offered his officers better benefits, but no one chose to go. People like being in Fairbanks. After a long stalemate with the city council, the police finally got a new contract, and if that had not happened, the department would have lost people.

SENATOR WIELECHOWSKI asked about the leave and longevity pay.

CHIEF HOFFMAN said leave is 140 hours per year - sick and annual. The last contract got rid of longevity pay, "but overall, we're competitive."

[2:43:14 PM](#)

ANGELLA LONG, Chief, Wasilla Police Department, said Wasilla has 7,000 residents, but the Mat-Su Borough adds 81,000 to that. She noted that Wasilla has similar circumstances to Fairbanks because Wasilla is a retail hub for the valley. Wasilla is growing, but it's not necessarily within the city limits, so it is impacting the police department. She has seen an increase in property crimes, including construction thefts. There has been a huge construction boom, she noted.

CHIEF LONG said Wasilla is famous for its drugs, but the meth labs are declining. This is due, in part, to legislation restricting access to precursors. The meth labs have been

replaced by heroin, however. Heroin seems to be the drug of choice. The police are having difficulty managing property crimes, particularly with pawnshop reporting because the law dealing with that is old and it doesn't take the new technology into account.

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SENATOR MCGUIRE asked what other communities do regarding pawn shops.

CHIEF LONG said there was legislation introduced a few years ago to change the reporting requirements, but it failed. Web-based reporting for pawn shops is a good idea. Following up on property crime is difficult, just as Colonel Holloway indicated.

CHIEF LONG said successes in the Wasilla Police Department include highway safety. There are two officers who are certified in drug recognition, and that program has been successful. There have been successes in technology. Wasilla went live with CAD in 2006 and with its records management system later that year. The two systems were grant funded, and they are now looking at putting the computers into the patrol cruisers, like is done in Anchorage and Fairbanks. The "LMR" radio network technology is being installed. Wasilla contracts dispatch services to the troopers in the valley, and the troopers transitioned to the "LMR" radio network over a year and a half ago, and it has been successful. The Palmer Police Department is working toward that system too. Wasilla takes part in the ALEISS program (Alaska Law Enforcement Information Sharing System) and is a contributor and participant. It's been successful, particularly with regard to property crimes. Wasilla had an armed robbery at a gun shop, and through collaboration with Anchorage, the suspect was apprehended without incident.

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CHIEF LONG said the criminal justice system doesn't quite work together in the true sense of a system. They're just partners, and technology, funding, and different missions inhibit it. A few district attorneys have been lost recently, so it's a constant battle to stay fully staffed.

CHAIR FRENCH said there isn't a city prosecutor such as in Anchorage or Fairbanks, so all of Wasilla's cases go to the state's District Attorney's office.

[2:52:06 PM](#)

CHIEF LONG said, "We don't have a separate set of criminal charges or ordinances; we operate strictly under state criminal statutes." That office is in Palmer. The court system is working on expansion; the state acquired a building in Palmer. There are two new judges, which has helped greatly. The grand jury is held in the old emergency room at hospital. The court building is packed to capacity and the expansion is welcomed. They are working as fast as they can. Correctional facilities are overcrowded in the valley, but she is looking forward to the Pt. MacKenzie facility. All this affects public safety, she said, and cases languish because caseloads are too big. She gave examples. Chief Heun said the system needs help and resources may need reallocation. Some components of the system are ignored; emphasis is on the uniforms on the street and making more laws, but that impacts every part of the system. What's the point of arresting someone if the system can't follow up? The allocation of resources needs to be looked at.

[2:56:34 PM](#)

CHIEF LONG recommends that the legislature support the individual components of the criminal justice system, but consider if supporting one component puts pressure on another. She said to look at remedies for attorney retention in the Department of Law. There are fantastic prosecutors, but their caseloads are such that they can only do so much. A big component in MAJIC is the court data sharing. She urged supporting the Department of Corrections in housing inmates and building a new crime lab. The lab has great staff but they are stacked on top of each other and the workload is very high. She also recommended supporting ALEISS. The program has a grant and is doing well, but she encouraged other agencies to look at web-based technologies to share data as well.

[3:00:05 PM](#)

CHIEF LONG said Wasilla works closely with the troopers and neighboring police departments. There is a good relationship with the District Attorneys Office; "in fact, we meet monthly with all the agencies and representatives from all the law enforcement agencies, the D.A.'s office, the court system, and corrections." They have met for about a year to discuss procedural problems, new policies, and specific cases. "We are trying to bridge that gap, but those components still have their own funding issues, staffing issues, and those kinds of things."

[3:01:07 PM](#)

SENATOR McGUIRE noted that Wasilla uses state law, which requires bars to close at 5:00 a.m., "or some ridiculous time

like that." Anchorage bars close earlier and there is concern about the drunk driving and alcohol related crimes when people go to Wasilla after the Anchorage bars close. She asked if it would help to change state law to be more like Anchorage.

CHIEF LONG said bars close earlier in Palmer. There is only one bar in Wasilla that stays open until 5:00 a.m. The drive to Wasilla to catch the open bars is not occurring now because of a very good DUI enforcement team that the troopers sponsor. "We also do a lot of DUI enforcement both in Palmer and Wasilla." The ADP is doing a pilot program where the officers who live in the valley take their cars home. "We have more marked police cars on the road at all hours of the day and night that I think that a lot of that behavior is being discouraged."

[3:03:14 PM](#)

CHAIR FRENCH added that there are "those great trooper ads."

CHIEF LONG agreed. Commissioner Monegan's public information office deserves a lot of credit. Highway Safety is starting to do ad campaigns around the state.

The committee took an at-ease from [3:03:41 PM](#) to [3:28:27 PM](#).

ADRIENNE BACHMAN, Attorney, Anchorage District Attorney's Office, Department of Law, said she has been a lawyer for 27 years trying cases in 13 different towns and villages across Alaska. Her office has 62 employees with 33 lawyers and 29 staff and paralegals.

CHAIR FRENCH noted that Attorney General Colberg is present.

MS. BACHMAN said she heads the largest office in the criminal division and it has six units. The misdemeanor; property crime; drug and alcohol; and sexual assault crimes; and crimes against children units are fully staffed. The violent crime unit is not.

[3:31:37 PM](#)

MS. BACHMAN said her office doesn't just answer to Anchorage crimes. It covers from Whittier to the Pribilof Islands to Dillingham. "We have a lot of district crimes that we are addressing through the work that we do centrally in Anchorage."

CHAIR FRENCH surmised that the staff flies to St. Paul Island, for example, to handle trials.

MS. BACHMAN said yes. St. Paul Island was the "grand experiment. We flew 250 miles into the middle of the Bering Sea, and we interviewed every last adult on the island ... and we were able to seat a 13-person jury." Loss of any one jurist would have meant moving the venue. The trial was held in the gym. It was a notorious crime so there had to be a full trial. "We were committed to local justice." A similar situation was in Sand Point. The trial was convened twice, but an impartial jury could not be found. It was transported to Valdez. So her office is not just a municipal prosecutor's office.

[3:35:25 PM](#)

MS. BACHMAN said the office gets about 4,500 felony reports [annually] from the Anchorage police, and the vast majority is resolved before the need for a grand jury. About 850 cases use the grand jury. Recently, the track record was taking 37 of those grand juries to trial. "We reversed that downward trend," and there will be about 120 felony trials in Anchorage. That may seem like a small number, but a felony trial in Anchorage takes a week to three weeks and is very resource-intensive. She listed all the necessary officers, agencies, and witnesses. Trials are up dramatically. There is a bit of a culture change, she said. The criminal justice system is beginning to recognize that police investigation is up. Prosecution capacity is not. The court system has tried to expand to accommodate the frontloading of the system, but prosecutors are required to be available and be able to go to trial.

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MS. BACHMAN said the trends are up. "We are the end-user" with regard to criminal justice. The filings are up across the board, with the exception of misdemeanors, which are statistically stable. Felony filings are up, and that may be because of more laws dealing with heinous crimes and recidivists. The public wants some crimes taken more seriously. We want people to feel that the system is serving them and making them feel safer. Whether they are safer is another debate.

[3:40:00 PM](#)

MS. BACHMAN said she doesn't speak for all of the criminal justice system, but she wants a large jail "across the way," rather than in Arizona, where recidivists can get a serious and meaningful sentence and a re-entry program. Rehabilitative treatment programs are not in vogue right now. She is not sure why, perhaps because the success rates are low. There are fewer community-based rehabilitation programs. There are people in the room who represent those programs, and they are very interested

in the evidence-based approach because their programs would engage if such approaches were expanded. The revolving door spoken about by Chief Heun means something is broken in the system. That presumes that we can solve all crimes, which we can't. "But is there something that we can do about the professional police officer's frustration with seeing the same offenders over and over again?" She thinks so. It will rely on police involvement in the system and prosecutors focusing on recidivists. Felony DUI is a good example of how the legislature helped prosecutors focus on recidivists, she noted. In the 1980s, she prosecuted someone for his 11th DUI, and he got one year. Now he would get three to five years. There are still many repeat felony DUI defendants.

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MS. BACHMAN said it is alarming, but now communities can be made safer by granting longer sentences. In the governor's omnibus crime bill there is a proposal to deal with recidivist assault cases and misdemeanants. The hammer over misdemeanants is one year if they don't create grave bodily injury or use a weapon. That makes for a lot of cases of people who chronically act out - because of substance abuse or mental health issues -- and they need to have the bigger hammer of a potential felony. Three assaults will become a felony. There are cases where people have accumulated 10 to 20 misdemeanor assault convictions and they have never spent more than 8 months in jail.

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SENATOR WIELECHOWSKI asked how many people she sees who are substance abusers or have mental health issues.

MS. BACHMAN said the DOL doesn't keep those statistics, but it does identify domestic violence cases. She has heard that 80 percent involve substance abuse, and 40 percent involve mental health issues. "I don't have a good sense of that number."

SENATOR WIELECHOWSKI pointed out the philosophical issue, "Do you take these people and throw them in jail, and we know that when they get out ... 66 percent of them are going to get re-incarcerated?" Or should the state invest in addressing mental health and substance abuse issues? He asked if Ms. Bachman has seen success in such programs in lowering recidivism rates.

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MS. BACHMAN said she has an opinion. "Front-loading the system for entry-level offenders seems to have the salutary effect that we would all hope that it has," like going to at-risk homes for

at-risk kids. The Anchorage probation office has a mental health unit. "These are people that try and try and try again." It is not a "three strikes" and you're out system, she explained. "It may be the tenth time to get this offender into a group home or a structured setting, and they try and they try." She said she has seen it work and not work. She will not make a sweeping statement. "We have a very small population base," and Mr. Aos's statistics are compelling, but she wondered how many of the data are from rural states like Alaska with its isolation and lack of infrastructure. "When I say I think we need a big jail across the way from Anchorage, I'm not trying to be funny." Places like Dillingham need a jail too. "They need a bridge back to the community." Dillingham police have eight beds where offenders can stay for nine days and then the state troopers need to come and get them. If Dillingham, Valdez, or any hub city had the infrastructure to bridge to reformation-type services, there would be "a place." It is now an ad hoc system driven by personality and sure-will to go into a small community and do the work that needs to be done, because the structure doesn't exist.

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MS. BACHMAN said jail beds are scarce in Alaska. Alaska has a huge number of cases coming into the district attorney's office, and B and C felonies (residential break-in, drug distribution, vehicle thefts, vandalism, lesser assaults, etc), with their revolving-door tendency, are handled within a priority system.

CHAIR FRENCH asked if the choke-point is a lack of prosecution resources or the number of prison beds.

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MS. BACHMAN said she doesn't call it a choke-point, but cases must be prioritized; everyone is aware that hard beds are a scarce commodity. From a bail release to lower sentencing, those beds are reserved for more serious offenders, of which there are many. The courts know that, so it has adapted, and there is a culture of triaging cases, which tends to create the revolving-door affect. The police will see a property defendant over and over because the system or the community elevates the relative importance of a sex offender, for instance. A recidivist creates a lot of havoc, but the serious sex offense gets 25 years. She said she agrees with the priority, "but we are trying to work with the limited resources that are available, and that's the natural inclination."

SENATOR WIELECHOWSKI said he is bothered by knowing that people who are committing 20 or 50 crimes are getting sentenced that many times. That is not the way the system should work. There's something dramatically wrong with that. He asked if the answer is rehab or "the 20th time, you're done."

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MS. BACHMAN said there may not be a solution. Someone who is a petty criminal accumulating multiple crimes ...

CHAIR FRENCH said that includes shop lifting or trespassing.

MS. BACHMAN said it may also be a DUI or assault. The chronic assaultive people "you can and should do something about." The others who are criminal and bothersome and sometimes the most obvious... Assaults aren't occurring in businesses, unlike shoplifting, but in isolation in high-risk communities against at-risk people. "So you and I don't see that as much." The solution is in some of the recidivist legislation. Shoplifting can be a felony. The legislature has spoken, and the Anchorage office is going to try to ratchet up the resolutions of those kinds of cases. Maybe it will create some evidence-based statistics to see if that works. The Public Defender and the Office of Public Advocacy are undoubtedly going to suggest that there's another solution. She thinks there must be a mix between those two sets of solutions to protect the community. However, chronic misdemeanants are likely to persist given the level of substance abuse and mental health issues. From the prosecutor's point of view, the use of the hard bed for the protection of the community is going to be more in vogue.

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MS. BACHMAN said a way to help break the logjam is to aid the crime lab. It now has 18,000 square feet of space, and it has barred the door. The ability to solve well-investigated crimes that have obtained finger prints has ground to a halt. The lab staff time is saved for special assaults and murders. The technology is right there but beyond the reach of prosecutors. The evidence is seized, but no one does anything with it. It is something concrete that can be given to juries and judges for these recidivists.

MS. BACHMAN said staff retention is an issue her agency. Recruiting is not a problem, but she can't keep them. The starting salaries are lower than a starting police officer by several thousand dollars. In Bethel, the salary is about \$20,000 below the lowest-paid state trooper. Bethel has the most volume

and complexity of case loads. A young lawyer must go there to brave a hostile environment, and they burn out.

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CHAIR FRENCH asked if a lawyer quit to become a police officer.

MS. BACHMAN said yes, after 14 months. He made more salary and he wanted to eventually work for the FBI. He would've stayed for two years, but didn't. Last week there was a job fair for law clerks. The clerks are law-school graduates and they are exceptional. Her section participated in the job fair, describing the work it had to offer. In working for a public agency "you quickly become the master of your own universe." Lawyers don't get that in private practice for many years - they stand in someone else's shadow. But the starting salary doesn't compete. The law clerks were offered a starting salary of \$52,000 for public service. They were interested but hesitant because they had up to \$150,000 in student loans to pay off.

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MS. BACHMAN has four military reservists in her office. One is going on his fourth deployment, and he will make \$20,000 more working for the military than being a district attorney. He has a family to support and loans to pay off.

MS. BACHMAN said December had 12 felony trials, and two were sexual assaults in the first degree. Young, two-year lawyers ran the cases, taking on that enormous responsibility, and they are still being paid the same as lawyers in the misdemeanor unit. She said she doesn't have the ability to give them more because of salary schedules. The private sector is taking away the lawyers. When she started, the D.A. was paid the same as district court judges. There is an enormous disparity now. "I make dramatically less than a district court judge." It is difficult to retain people, she concluded.

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QUINLAN STEINER, Director, Alaska Public Defender's Agency, said the role of the public defender is to review cases brought by the state and advise and represent clients. Most time is spent reviewing cases and advising, and not in court conducting trials. He said the criminal justice system needs balance to provide fair justice and equal access and to provide for public safety. The system can get bogged down. The biggest challenge is efficient distribution of discovery information. Discovery includes police reports, investigation, and taped interviews. Most is done on paper and then copied and distributed. It is not

done electronically, making it hard to track. When it is not timely, it reduces the ability to provide the services the office was created to do. Clients can't be advised if the information is not provided. Everyone is aware of this issue, and a working group is addressing it.

CHAIR FRENCH asked if that is a bottleneck that slows down the handling of cases.

MR. STEINER said it is the biggest bottleneck. All agencies need funding and technology to deal with it. Using electronic discovery and data-sharing would solve much of it. New legislation that increases penalties or creates criminal offenses raises processing times. There's been a steady increase in cases. Felony filings in the southcentral region are higher than expected. "They started jumping up the charts for us at the end of the last fiscal year, and they continue to be up." A chronic problem is attorneys doing clerical work instead of support staff and paralegals. The attorneys shouldn't file the discoveries.

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JOSH FINK, Director, Office of Public Advocacy (OPA), said OPA's mission is to advocate for vulnerable Alaskans, including taking the public defenders' conflict cases. A third of the caseload is criminal, a third is child advocacy, and the other third is adult guardianship and conservatorship. The criminal defense cases can be costly and labor-intensive. Staff attorneys and contractors provide services across the state.

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CHAIR FRENCH said OPA has contract and staff lawyers; the public defender agency doesn't. He asked how much of the defense work is done by the public defenders and how much is done by OPA.

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MR. FINK said the caseload of any lawyer is the same, but the bulk of the cases go to the public defenders. The public defenders have gotten better at their conflict analysis and they are doing it upfront and sooner, so there has been a spike recently in unclassified and class A felonies coming to OPA. The higher level cases are more apt to have conflicts. The public defender will always have the bulk of those cases, "but it seems that we're getting more and more, and particularly more of the high felonies." He hasn't broken it down. He said OPA is a downstream agency; "we don't pick our clients." OPA's work is constitutionally mandated, but the workload can't be predicted,

so it creates a resource allocation problem. He concurs with Mr. Steiner about how the criminal justice system is addressed. All parts must be adequately resourced for a good justice system. Additional law enforcement officers and district attorneys require more of the courts, corrections, public defenders, and OPA. It will only move as fast as its slowest component. If you want to put the bad guys in jail you will have to give them an attorney to go to trial with.

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MR. FINK said the biggest systemic issue is the discovery issue, as stated previously. Failure to provide full and timely discovery results in considerable delays and additional hearings. It delays justice for the victims, defendants, and the community. Agencies are working on it. OPA is not getting discovery for six to twelve months, "and that really just slows everything to a grinding halt, particularly with more serious cases." He wants to address that within a year. Recruitment and retention of attorneys is a problem. He lost four attorneys to the private sector last year; they left to pay off college loans. He can't fill an Attorney IV position. It is a new phenomenon at OPA and he is worried it will continue.

CHAIR FRENCH asked how much experience the position requires.

MR. FINK said at least five years, "and they would have to be unclassified ready; it's not the supervisory lawyer, but its right below it."

MR. STEINER said the starting salary for that position is around \$72,000, which is less than the starting wage at small private firms for a recent graduate. "We don't have trouble recruiting, because we have something to offer that nobody else does: trials and independent decision making." Private law firms will pay an enormous amount of money to get that kind of experience. The agency loses them, and "we're not getting past the mark from V to VII and on to positions of management and supervision and mentoring that we're hoping to get."

MR. FINK said OPA had difficulty providing qualified counsel in rural areas for the high-level felonies, and this year he set up a new appeals and state-wide defense section with two criminal defense attorneys that travel to rural areas. That has been a problem that he thinks OPA is now fixing. Another issue is with conflict analysis being done early in order to get cases before "the eve of trial." That has vastly improved lately.

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CHAIR FRENCH told him to explain conflict.

MR. FINK said there is conflict, for example, if a public defender is related to the victim, so the state must go to outside counsel. If two people are charged with a burglary and they point the finger at each other, that is a conflict and they would get OPA. There was a period of time where conflict analysis was not getting done for some reason, and OPA was getting cases right before juries were to be picked. Nobody likes that, and he thinks they are getting on top of that. In 2005, a new case management system helped, and it allowed OPA to monitor case loads better and assign cases more equitably. When the public defender uses the same system, the two can share data and statistics electronically, which will speed things up. He hopes to work with the court system and law enforcement to get discovery electronically. It is very powerful and would provide great efficiency. A conflict protocol was established with the court system. In the past, when the public defender discovered a conflict, a motion was filed and in some venues it would hang before a judge for weeks, keeping clients hanging and the prosecution didn't know who to talk to. Now the public defender contacts him, and it takes one day.

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MR. FINK said no one has to wait for a court order, so it greatly reduces the paperwork and the delay. Defendants get conflict-free council early on. One result is a significant increase in cases to OPA, but it is good for the system because it is best to discover a conflict early. He is pleased with the working group that is chaired by the lieutenant governor and the chief justice. He hopes it is a forum to talk with the other side to make things more efficient. He said he doesn't have the statistics on the nexus between crime and substance abuse. Anecdotally, a significant percent of OPA's clients have substance issues or life skill dysfunctions, and they often come from broken families. If addictions, life skills, and mental health issues are not dealt with there will be continued recidivism. Felons need life and job skills to be able to have an alternative to a life of crime. OPA does the child advocacy in the "CINA" [Children In Need of Aid] cases, and tragically the kids "age out" of the system and go into the criminal system. "We have to do better."

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SENATOR WIELECHOWSKI noted that Dr. Aos said 72 percent of all adults [in the criminal justice system] were in the juvenile system in Washington, and asked if that is the same in Alaska.

MR. FINK said yes, and the success stories seem rare. A person can get excited to help a kid and prevent him or her from going into the adult system, but it doesn't happen often.

MR. STEINER said his office has a significant number of cases that start in the juvenile justice system, and this presents a particular problem in rural Alaska. The lack of services there results in people being released in Anchorage.

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CHAIR FRENCH noted they become part of the Anchorage system.

MR. STEINER said yes, because they don't have a support network in Anchorage when they've spent their lives elsewhere.

SENATOR WIELECHOWSKI asked for advice on how to intervene when they are juveniles.

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MR. STEINER stressed dealing with underlying issues "before you move somebody on to the next phase." They should be given an opportunity to deal with the issues that are underlying their conduct. "Without that, you're just relying on conduct ... and you're destined to have the cycle repeat itself."

MR. FINK said the presentation by Mr. Aos was impressive, and he would like to do it in Alaska. It sounds like there are certain categories where increased incarceration works, but there must be lots of types of crimes where treatment programs work. But those programs aren't in vogue now and many have been gutted. He said to look at a package. It is appropriate to ratchet up jail time for some crimes, but it needs to come with a package.

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CHAIR FRENCH said the legislature likes tough sentencing laws, and he has supported many of them, but one consequence is more trials because of less pleading. He asked about that.

MR. STEINER said it is hard to track how a trial rate changes with a new law, but anecdotally, when penalties go up, the trial rate goes up. The costs go up because the preparation time increases.

CHAIR FRENCH suggested that everyone may get accustomed to the length of the sentences, and the trial length will decline when it becomes more predictable. Is it too soon to tell for the sexual assault laws?

MR. STEINER said it is worth studying, but it hasn't been long since those laws have been passed.

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MR. FINK said alternative programs like the Anchorage municipal wellness alcohol court has had 171 participants, and five have been charged with an alcohol-related offense since. That is really heartening. That is a good example of getting at the underlying problem. The legislature should look at that.

SENATOR THERRIAULT asked about starting salary rates.

MR. FINK said an entry-level lawyer gets about \$55,000.

TOM BEGICH, Project Director, Reclaiming Futures, said he a facilitator of the Community Plan for Delinquency Prevention and Substance Use through the United Way in Anchorage. He was also the facilitator of the Tri-Borough Anti-Gang Youth Violence Policy Team. He clarified that the above-mentioned statistic was for traffic-related alcohol cases. They did not recidivate in that category, but it's still a very impressive statistic.

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MR. BEGICH said he is not a municipal employee, but he is speaking for the policy team. He has worked 21 years in juvenile justice, and he listed his work. The policy team deals with three boroughs, but each borough has to deal with its criminal activities on a community perspective. The policy team is an outgrowth of the mayor's task force on crime. It encompasses three boroughs because when Anchorage is tough on crime the crime moves to other places. "It's about being smart on crime."

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MR. BEGICH said Mr. Aos focused on the importance of evidence-based practices, and "that really was part of the underlying driving factor in a lot of the work the policy team did ... becoming more smart about how we deal with public and private resources." The team split into subgroups: suppression, intervention, and prevention. They found that the best way to address gang violence is to turn the spigot off as soon as possible. So the policy team includes the school district, police department, FBI, prosecutor's office, city, community

volunteers, tribal council, Native corporations, United Way, Big Brothers Big Sisters, and others. The team identified key areas in each category, and within each of those areas, the team developed clear objectives. Participants spent a lot of time researching evidence-based practices, which are practices that have been shown to have an impact.

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MR. BEGICH said performance measures need a long period of time, so the team looked around the country to see what has worked, and then constructed its programming around that. "We spent months doing this research work." Out of that, the team crafted many objectives and steps to achieve them. There were five other groups doing the same work. He listed them, and he said he facilitated all of those, convened them, and included the public. "We built a community plan that was designed to substance use and delinquency prevention." Everyone split into small groups with the defined objectives. Each group set up what will happen in each of the future five years and they established ways to measure it.

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MR. BEGICH said the private sector and nonprofits wanted a business plan to address crime and delinquency, so they were creating one. When people donate money they will know if it is working. Donors were also included. "We set criteria. You had to show you were collaborating and sharing resources." The group does an update every two months. He referenced information that he provided to the committee. Two key ways to keep the juvenile justice system effective are meaningful opportunities for youth and supportive adult relationships. This system is so effective it may be reaching the point of diminishing returns. Alaska probably has fewer juveniles moving into the adult system than Washington. All youth are screened for mental health or substance abuse to give them appropriate referrals. Kids who have gone through it are nine times more likely to complete treatment. If they complete treatment, the likelihood of them reoffending or reusing goes down dramatically.

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MR. BEGICH said there are three areas including truancy and suspended and expelled youth. About 90-100 youth per year don't use the expelled youth programming or go to McLaughlin, and they become the most at-risk people. He spoke of alternatives like vocational education, employment, or completing high school. Nearly every youth suspended for 10 days or more does not return to graduate. So the suspension programs in the school have an

impact on crime in the community. If they are not in school, where are they? To add 24 more slots for kids who aren't violent enough to be at McLaughlin and don't qualify for continuation schools because of the nature of their suspension or expulsion will cost very little. There is a separate truancy group, and that group is conducting focus groups and finding that kids are not in school because of lack of engagement. The parents excuse them, so that gives people an area to focus on.

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MR. BEGICH said, in regard to mentoring, "we have now brought together every agency in town that uses mentors," including Big Brothers Big Sisters, Volunteers of America, faith-based groups, and others. The goal is for 1,000 new mentors, and it is driven by the mentoring alliance and a direct outcome of this group's activities. One strategy is to work together and use resources more efficiency. His most exciting topic is the development of a community justice court. It is built on the model from Red Hook, New York. It will have an off-site court structure. The group wants to address the gaps of the therapeutic courts. It will provide court services like juvenile diversion.

CHAIR FRENCH asked how it coordinated with youth court.

MR. BEGICH said the youth court deals with first-time offenders, in general. Youth courts tend not to deal with minor alcohol consuming. Drug testing could be done on site. He would like to house the suspension school there. There is a deep interest in a family assessment center, including parenting resources for parents most in need. "We're talking about outreach with family navigators at this site ... using existing resources for the most part." They will work in the ethnic communities to provide knowledge of what is available and "to take away the stigma of coming to a government office." "We're talking about dealing with medical services and referrals - having substance use counseling on site." Volunteers of America will put one person on site. If a kid is screened and found to need substance use resources, "we just send them down the hall." Currently these kids are lost between the Juvenile Justice Division and getting them in treatment "across town." The new Clark Junior High has a clinic as part of it, "so we would be able to actually refer people down the road to the clinic for dental and medical services." There are commitments from agencies to provide services including those for mental health, education, housing, community work, childcare, and vocation rehabilitation.

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MR. BEGICH said his group meets regularly and he suspects it will come to fruition in a year. He listed the following recommendations to the committee: 1. Review the recent report on under-age drinking, which has an emphasis on evidence-based programming for treatment, and use it to defend legislative decisions. 2. Last year there were cuts in alcohol treatment funds, so restore them, and demand that the programs be evidence-based. It is going to cost money. 3. Look at his proposals and see that resources are being shared and cost effective. 4. Participate in the process back home. 5. Look positively at effective prevention programming, and know that school focus is vital. Schools should be centers of community and for parent contact. What the legislature does with the education budget makes a big difference. 6. Support the efforts of the Division of Juvenile Justice in its community-based programming and the partners it has represented in terms of the probation services. They are vital to everything he has described today.

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CHAIR FRENCH recessed the committee until 8:30 tomorrow.