

HOUSE FINANCE COMMITTEE  
January 28, 2010  
1:40 p.m.

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CALL TO ORDER

Co-Chair Stoltze called the House Finance Committee meeting to order at 1:40 p.m.

MEMBERS PRESENT

Representative Mike Hawker, Co-Chair  
Representative Bill Stoltze, Co-Chair  
Representative Bill Thomas Jr., Vice-Chair  
Representative Allan Austerman  
Representative Mike Doogan  
Representative Anna Fairclough  
Representative Neal Foster  
Representative Les Gara  
Representative Reggie Joule  
Representative Mike Kelly  
Representative Woodie Salmon

MEMBERS ABSENT

None.

ALSO PRESENT

Dan Sullivan, Attorney General, Department of Law; Joseph Masters, Commissioner, Department of Public Safety; Joe Schmidt, Commissioner, Department of Corrections; Rick Svobodny, Deputy Attorney General, Criminal Division, Department of Law;

PRESENT VIA TELECONFERENCE

SUMMARY

HB 300      APPROP: OPERATING BUDGET/LOANS/FUNDS  
HB 300 was HEARD and HELD in Committee for further consideration. A criminal justice presentation was given by the commissioners of three departments:

Department of Public Safety  
Department of Law  
Department of Corrections

HB 302      APPROP: MENTAL HEALTH BUDGET

HB 302 was HEARD and HELD in Committee for further consideration.

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#hb302

HOUSE BILL NO. 300

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making supplemental appropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska; and providing for an effective date."

HOUSE BILL NO. 302

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

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Co-Chair Stoltze discussed housekeeping.

CRIMINAL JUSTICE PRESENTATION BY COMISSIONERS

DAN SULLIVAN, ATTORNEY GENERAL, DEPARTMENT OF LAW, expressed the hope to continue the discussion concerning sexual assault and domestic violence in the state. He stated that the problem had become an epidemic in Alaska. The department had recently announced several initiatives in an attempt to address the issue. On December 3, 2009, the governor announced the overall plan with regard to sexual assault and domestic violence, 10 days later he announced his budget, which included funding for fighting the epidemic. Four different bills had been sponsored by the administration concerning the issue, 3 of which had been submitted to the legislature. The department had hired a highly skilled statewide cybercrimes prosecutor, to combat child pornography. He hoped to arrange the variables of the administration's plan into a broad narrative that would result in a strategic plan.

General Sullivan introduced the document titled, "Strategic Plan to End the Epidemic of Sexual Assault and Domestic Violence"(copy on file). He emphasized that the plan was not static. The department was seeking support for the different elements of the plan, but also the ideas from members of the committee. In developing the plan, the administration had drawn upon ideas influenced by the legislature, the university, the Council on Domestic Violence and Sexual Assault (CDVSA), and out-of-state initiatives.

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General Sullivan stated that the plan had been laid out according to 5 strategic objectives. The department thought that the first and most important item to be noted for the committee were the statistics on the issue. He said that the numbers used were drawn from diverse areas. He cited page 2 of the handout.

Representative Fairclough asked if the plan had been written by CDVSA. General Sullivan replied no. He stated that the document had been drafted by the administration; it resembled the plan announced by the governor on December 3, 2009, but included how new legislation would be implemented, and budget requests. Representative Fairclough expressed appreciation for the work done surrounding the issue, but articulated frustration that her calls to the governor's office to discuss ideas had not been returned.

JOSEPH MASTERS, COMMISSIONER, DEPARTMENT OF PUBLIC SAFETY, elucidated on the sources drawn from during the drafting of the plan. The CDVSA's strategic plan was a resource, as well as the Senate Judiciary report dealing with sexual assault and domestic violence. The Senate VPSO taskforce recommendations had also been considered. He reiterated that the plan was not static and had been designed to be a "living document" that would change as it was used over the next decade.

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Commissioner Masters shared that the department had met with various advocacy groups throughout the state. He stated that many issues overlapped across the board; the number 1 of which was the issue of domestic violence and sexual assault in the state.

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Commissioner Masters read from the document. Alaska's per capita rate of sexual assault and domestic violence is 2 and a half times the national average. In Alaska, rape was 12 percent of all violent crimes reported; the percentage was only 6 percent in the rest of the nation. The Alaska per capita child sexual abuse rate is 6 times higher than the national average. Outside of Anchorage, 65 percent of sexual assault victims were under the age of 15, 30 percent were between 13 and 15 years old, and 25 percent of victims were between 6 and 12 years old. Alaska has the highest rate per capita of men murdering women. In one-quarter of sexual assault cases the victim was incapacitated due to alcohol or drugs, and two-thirds of domestic violence victims reported that alcohol had been a factor. Boys who witness domestic violence were twice as likely to abuse their own partners

and children when they become adults. He believed it was important to point out to the committee that villages with a law enforcement presence had a 40 percent lower rate of serious injury caused by assault, compared to villages without a presence. The level of assault varies through the geographic region. Anchorage was 2.8 times higher than the national average, Fairbanks was 5 times higher. He revealed that the state would need to reduce the instances of forcible rape by 36 percent just to become number 2 on the national list. A recent study reports that there were 380 cases of sexual assault involving victims under the age of 12, in the last year. Forcible rape was reported every 16.6 hours in the state; every 1.4 days in Anchorage, and every 8.5 days in Fairbanks. There were 6000 reported cases of domestic violence in Alaska in 2005. He believed that the statistics clearly highlighted the problem in the state. The statistics, with references were as follows:

### **CRIME STATISTICS**

- The Alaska per capita rape rate is the worst in the nation -- two and half times the national average. *Source: Alaska Network on Domestic Violence and Sexual Assault, 2006 Annual Report: Working in Alaska Communities for Safety, Justice, Advocacy and Education (2006).*
- Rape is a greater percentage of all violent crimes reported in Alaska than it is nationally, at 12% of all violent crime in Alaska compared to 6% of violent crime in the United States. *Source: Alaska Senate Judiciary Committee's Report and Recommendations: Reducing Sexual Assault in Alaska (2009).*
- The Alaska per capita child sexual assault rate is also the worst in the nation -- almost six times the national average. *Source: Alaska Network on Domestic Violence and Sexual Assault, 2006 Annual Report: Working in Alaska Communities for Safety, Justice, Advocacy and Education (2006).*
- Outside of Anchorage, 55% of sexual assault victims are under the age of 15; 30% are between 13 and 15 years old and 25% of victims are between 6 and 12 years old. *Source: Studies by Alaska State Troopers and Anchorage Police Department, compiled by UAA Justice Center (2009).*

- Alaska has the highest rate per capita of men murdering women. *Source: Alaska Network on Domestic Violence and Sexual Assault, 2006 Annual Report: Working in Alaska Communities for Safety, Justice, Advocacy and Education (2006).*
- In nearly one-quarter of sexual assault cases the victim was incapacitated due to alcohol or drug use. *Source: Alaska Sexual Assault Nurse Examiner Study, Reprinted in Andre Rosay, Sexual Assault in Alaska: Slide Show Presentation to Alaska State Legislature Senate Judiciary Committee (August 2009), available at <http://justice.uaa.alaska.edu/vaw/2009-08.jc-vaw-sexualassault.pdf>.*
- Two-thirds of domestic violence victims reported that alcohol had been a factor. *Source: U.S. Department of Justice, Bureau of Justice Statistics, Crime Characteristics: Summary Findings (2009), available at [http://www.ojp.usdoj.gov/bjs/cvict\\_c.htm](http://www.ojp.usdoj.gov/bjs/cvict_c.htm).*
- Boys who witness domestic violence are twice as likely to abuse their own partners and children when they become adults. *Source: Strauss, Gelles, and Smith, Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families (1990).*
- Villages with law enforcement presence have a 40% lower rate of serious injury caused by an assault compared to villages without local law enforcement. *Source: Wood and Gruenwald, Local Alcohol Prohibition, Police Presence and Serious Injury in Isolated Alaska Native Villages (2006).*

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Representative Gara queried the direct link between the bill proposals and a solution to the problem of domestic violence and sexual assault in the state. He thought that if the presence of law enforcement reduced instances by 40 percent, it seemed logical to pass legislation to implement the law enforcement in every community. He had heard of the governor's plan to do so within 10 years, and wondered why it would take so long. Commissioner Masters replied that the department needed to expand and manage the growth in a

sustainable way. He said that the support and structure necessary to assist 150 VPSO positions could not be added in 1 year.

Representative Gara reminded the committee that some communities without law enforcement had been requesting assistance for a long time. He thought that if an effective plan were to be established it would be odd to prolong the implementation. Commissioner Masters assured the committee that the VPSO positions in the state were being filled as quickly as possible. Steps were being taken to improve VPSO recruitment and retention. He thought that the department could manage 15 additional VPSO positions each year.

Representative Gara maintained his belief that the implementation had a very long timeframe.

Representative Salmon noted objective number 3 of the document:

Establish a law enforcement presence in every community that desires one.

Representative Salmon asked why communities would need to "desire" a law enforcement presence in order to obtain one. He thought that public safety was a right in every community. He was concerned that the villages that needed enforcement the most would not be protected without expressing the right amount of "desire". He contended that rural village residence were unequally protected compared to urban communities. He argued that the VPSO, which did not carry firearms, should be sent to Fairbanks and Anchorage, in place of State Troopers and Alaska State Police, as an experiment in their effectiveness. Commissioner Masters replied that some communities may not want a physical presence of law enforcement in the community. He stated that the work "desire" was not meant to be exclusionary.

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Commissioner Masters relayed that better VPSO training was being looked into.

Vice-Chair Thomas asked why VPSO officers were not being placed in villages with the highest rates of sexual assault and domestic violence. He questioned the earlier statistic that reflected that 45 percent of sexual assaults among 13 to 15 year-olds occurred in Anchorage. Commissioner Masters clarified that the statistics were not a comparison between urban and rural Alaska, but that of all the sexual assaults that occurred outside of the municipality of Anchorage, a high percentage of the victims were 13 to 15 years of age.

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Representative Salmon shared his experience of attending meetings on domestic violence and sexual assault in Tanana and in Fairbanks. The testifiers at those meetings indicated that there was only one state trooper in the area. This hindered the proper investigation of assaults as well as the timely processing of evidence. He thought increasing the number of troopers in the area would be affective. Commissioner Masters pointed out that the statistics show that instances of sexual assault and domestic violence for all age groups were extremely high statewide. Rural areas needed local law enforcement officers in the communities. He believed that the most effective way to provide law enforcement in rural communities was to expand the VPSO presence and capabilities.

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Representative Fairclough asserted that positive advancement in the fight against domestic violence and sexual assault would take a long term, sustained investment by society. She agreed that a decade seemed like a long time to wait for change, but argued that there was no quick fix to the issue. She wondered what was being done during offender incarceration to correct the underlying issues of abuse, such as substance abuse and anger management issues. She shared that rape statistics had revealed that the instances were 50 percent urban and 50 percent rural. When the population difference was taken into consideration, the rural instances were glaringly unequal. She added that some of the assaults were never reported, and 80 percent of crimes reported involved alcohol or substance abuse. Attorney General Sullivan asked for clarification on the sentencing alignment question. Representative Fairclough said that there were cases where the sentence served by the perpetrator was shorter than the required months of education or intervention counseling recommended by the court. She believed this hindered successful rehabilitation. She added that people returning to villages do not have the classes or counselors available to them to continue their rehabilitation, which puts them in default of the court.

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Attorney General Sullivan replied that that information was being collected on the issue. He has not examined the sentence alignment issue.

JOE SCHMIDT, COMMISSIONER, DEPARTMENT OF CORRECTIONS, testified that the problem of rehabilitation completion was an issue. He stated that in the effort to move offenders close to home after incarceration, the department had discovered that the recommended programs were not available

in the areas, or did align with the sentence. For example, the Residential Substance Abuse Treatment (RSAT) program is a year-long program, with a year-long waiting list. The average length of a sentence in the state was 160 days, which limited the time necessary to qualify for and complete the program. The department was working to create programs with shorter timelines that would align with sentencing time. He stressed educational programs and community support were vital to an offender's rehabilitation.

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Representative Joule said that court ordered classes were often not available in some communities. He asserted that individuals with a court order to attend classes, with no access to the classes, would likely end up in jail. He felt that the issue was not limited to those exiting incarceration. He shared that the opportunity for professional rehabilitation often does not exist in rural communities.

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Representative Doogan pointed out to the committee that youthful perpetrators were not addressed in the document. He understood that the court had decided that children 12 years old or younger could not form the requisite intent to break the law. Youthful sexual offenders were a concern in his community and posed a unique challenge. He hoped that there would be language in the initiative that would address the problem. Commissioner Schmidt replied that the programs in place for juvenile offenders had been very successful. Attorney General Sullivan added that the discussion was for a ten year plan. He assured the committee that more ideas for the prevention of domestic violence and sexual assault were a priority for the department.

Representative Doogan restated his concern that there was no treatment plan available for young offenders. He felt that without proper rehabilitation, the child would develop into a repeat offender.

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RICK SVOBODNY, DEPUTY ATTORNEY GENERAL, CRIMINAL DIVISION, DEPARTMENT OF LAW, testified that most states had a determinate age limit. Alaska had no age limit. If a child at age 7 could form the intent to commit a crime, they could be brought to juvenile court. Juvenile probation officers generally did not handle cases with children under 12.

Representative Doogan reiterated that the issue of young offenders was a problem in his community that he hoped would be recognized and improved.

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Co-Chair Stoltze echoed the concern for the rehabilitation of juvenile offenders.

Representative Austerman wondered what other states had done in response to similar issues. He noted that programs to prevent alcohol and drug abuse were not pronounced in the document.

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Attorney General Sullivan replied that the document included information about the Department of Health and Social Services budget request to deal with substance abuse issues. There was currently no outstanding program, but the issue was being examined more closely.

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Representative Austerman felt that if alcohol and drugs were at the core of the problem, programs addressing the issue should be outlined in the initiative.

Commissioner Schmidt referred to the Adams study, which revealed that substances abuse had been a factor in 92 percent of reported cases. He shared that in his experience alcohol and drugs were an overwhelming factor in domestic violence and sexual assault cases. The cases of recidivism were similar to other states. He agreed that prevention was key in fighting the problem.

Commissioner Masters added that alcohol was an issue. He felt that there were statutes in place that could provide direction for law enforcement officers combating the issue. He said that Alaska had effective laws in place already. Bootlegging cases had increased over the years. He said that alcohol was not the primary cause in most cases, but was a significant contributing factor.

Representative Austerman maintained that the issue of substance abuse had not been properly addressed. He hoped that future discussions on prevention would focus more on the issue of substance abuse.

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Co-Chair Hawker felt that the line of attack to the problem would need to be more than a "get tough" approach. He stressed that along with the prosecution of offenders, there were more elements to be considered. Prevention, protection, and shelter for people in crisis were also a necessity. He wondered if the responsibility lay solely with the

Department of Law (DOL). He asked if prevention and protection should be higher priorities than prosecution.

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Attorney General Sullivan cited Page 1, which illustrated "Strategic Objectives" and laid out the aspects of prevention. He said that education, prevention, and victim services were discussed in the plan.

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Attorney General Sullivan asserted that the "get tough" element of the plan was very important. He argued that perpetrator responsibility, particularly for repeat offenders, was necessary and most important. He agreed that Education and awareness were also important. He hoped that there would be a breakthrough in the mindset of society that would allow for zero tolerance for domestic violence and sexual assault. He thought that the addition of a high level official in the executive branch, whose everyday job was to focus on the metrics of reducing the problem, and coordinate with the other departments, was important. He stated that the administration was open to creating the position in an agency other than DOL if it were so decided.

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Co-Chair Hawker agreed that the coordinator position was needed. He relayed that the Mothers Against Drunk Driving (MADD), was an apropos parallel. The movement was prevention based and made drunk driving socially unacceptable, which lead to increased enforcement.

Attorney General Sullivan said that the public education campaign was designed to start the conversation about the issue. The advertisements appeal to the men in Alaska to choose respect over violence. He though that the campaign had been effective.

Co-Chair Hawker said that the advertisements were well conceived.

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Attorney General Sullivan shared that the advertisements were created by the Council on Domestic Violence.

Representative Joule cited the statistic sheet on page 2, which referred to the per capita child sexual abuse numbers. He believed it was important that the public was aware that boys were victims of sexual assault as well as girls. He revealed that while visiting a holding facility for juveniles this year, he learned that 95-98 percent of the

girls there had been sexually abused and 70 percent of the boys. He asserted that the victimization of boys needed to be recognized in the state. He understood that the Wellness Warriors program was a model of success, and thought that an emphasis should be placed on healing. He also expressed the desire that the changing role of men in society should be recognized, particularly for Alaska Native men. The roles for Alaska Native men have changed drastically in the last 20 years. He thought respect should be emphasized, but believed it should be coupled with responsibility. Men had the responsibility to protect women and children, not hurt them. The sexual assault of children of both sexes should no longer be swept under the rug and the value of each individual should be instilled, for prevention to work.

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Attorney General Sullivan directed the committee's attention to Page 3 of the prepared document:

#### **IMPLEMENTATION**

##### **I. BREAK THE CYCLE OF ABUSE USING A COMPREHENSIVE EDUCATION AND PREVENTION CAMPAIGN TO PROMOTE A CULTURE OF RESPECT THAT DOES NOT TOLERATE VIOLENCE AGAINST WOMEN AND CHILDREN**

###### **A. Statewide Education Efforts**

*Rationale: All members of society must consider violence against women and children unacceptable, and all must believe it is something that can be stopped. Schools, media, and high-profile public engagements can be used to transmit the message that sexual assault and domestic violence are intolerable in our society and that every individual and group must identify its role in combating these problems.*

1. Develop, coordinate, and broadcast public service announcements. For example, the Governor, the Department of Public Safety (DPS), the Department of Law, and the Council on Domestic Violence and Sexual Assault (CDVSA) have coordinated with the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) to launch the "Real Alaskan Men Choose Respect Campaign."

2. Cabinet members engage in public outreach to raise awareness and change attitudes about sexual assault and domestic violence. For example, the Governor held a major press event to highlight the epidemic. The Attorney General has discussed the epidemic in speeches and has been interviewed by reporters and talk show hosts. DPS Commissioner Masters frequently speaks throughout the state about the Governor's initiative and the epidemic.
3. Engage communities in awareness-raising events to show united opposition against domestic violence and sexual assault. On March 31, 2010, marches and rallies will be held in communities throughout the state in order to raise awareness of the problems and build support for victims.
4. Develop partnerships with Alaska Native organizations to work together on prevention solutions. An excellent example is CDVSA's Tribal and State forums, which seek to devise programs and strategies to break the cycle of violence.

Representative Kelly thought that abstinence and respect were related topics when discussing prevention. He made reference to a public service announcement that promoted abstinence. Attorney General Sullivan pointed out that the commercial had not been made by the department. Representative Kelly thought that the pro-abstinence message should be sent to both young men as well as young women. Attorney General Sullivan agreed.

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Attorney General Sullivan cited pages 4 and 5:

#### **B. Locally-Targeted Education Efforts**

*Rationale: In order to reduce violence against women and children, we need to prevent violence before it occurs rather than intervening after injury occurs. To do this we must develop a prevention strategy seeking to bring about change in individuals, relationships, communities, and society. Cultural change is most effective from the ground up and*

*requires a coordinated effort among local communities, nonprofits, and government.*

1. Work with tribal, non-profit and religious organizations to raise awareness of the problem, especially among youth, and stigmatize violence against women and children. Under the legislature's guidance, CDVSA is in the process of developing and implementing a plan to "promote education and programs to prevent future incidents of domestic violence and sexual assault." And, as discussed in more detail below, the Governor's budget requests the creation of a coordinator to lead the initiative to combat sexual assault and domestic violence. Part of the coordinator's portfolio will be to take a leading role in these outreach efforts.
2. Cultivate youth leaders through schools and community groups and incorporate youth leaders in developing primary prevention strategies. For example, CDVSA partners with the ANDVSA in developing prevention programs for schools and youth.

**II. DETER, SEGREGATE, AND TREAT OFFENDERS SO THEY POSE NO RISK OF HARM TO WOMEN AND CHILDREN**

**A. Enact Legislative Changes To Protect Alaskans**

*Rationale: Alaska needs tougher laws to send a message that violence against women and children will not be tolerated and to ensure that offenders no longer pose a risk to others, either because they are behind bars or because they have been rehabilitated. Although the Alaska legislature has already enacted stringent laws, more can be done to punish offenders and protect victims.*

1. Toughen penalties for crimes of sexual assault by making it an aggravating factor if the defendant sexually assaulted the victim while knowing the person was vulnerable due to use of alcohol or drugs. The Governor has sponsored

SB 222 and HB 298 to make it an aggravating factor if the defendant was convicted of any crime and the defendant knew that the victim was vulnerable due to use of alcohol or drugs.

2. Expand laws to protect children from online sexual predators. The Governor has sponsored SB 222 and HB 298, which prohibit suspended imposition of sentences for people convicted of human trafficking, possession or distribution of child pornography, and distribution of indecent materials to minors. These bills make it against the law not just to possess child pornography but also to access it on a computer with the intention of viewing it. The bills also empower courts to prohibit sex offenders, in cases involving children, from using a computer or communicating with children under 16 years old.
3. Enhance protection and processing of DNA and other forensic evidence to ensure the actual perpetrator is held accountable. To help accomplish this goal, the Governor has sponsored HB 317 and SB 241, which adopt standards for evidence retention and post-conviction DNA testing. The Senate Judiciary Committee Report found that proper examination of DNA evidence is critical to sexual assault prosecutions and that the backlog in getting the evidence processed is causing significant delays in prosecuting cases.
4. Close loopholes that allow convicted sex offenders from other states to escape registering in Alaska. SB 222 and HB 298 provide that if a person is registered as a sex offender in other states, he must register here, even if the sex crime he was convicted of does not have an exact equivalent in Alaska.
5. Modify the bail statutes to protect the victims of the crime and the general public. The Governor has introduced a bail reform bill that seeks to accomplish this goal. Under this bill, a person charged with serious crimes like felony sexual assault or, if the person has a

domestic violence conviction within the preceding five years, with a domestic violence offense, would have burden of proof to establish that his or her release would not be dangerous to the victim or the public. The bill would also ensure the person's appearance in certain cases. Currently, the State has the burden to make this showing.

Attorney General Sullivan read from pages 6 and 7:

#### **B. Improve Prosecution**

*Rationale: Bringing offenders to justice deters future violent acts and sends a strong message that violence against women and children is unacceptable. While most prosecutions result in guilty pleas or convictions, increasing the rates at which incidents are reported and referred for prosecution will help us hold more offenders accountable. Creating a law enforcement presence in every community will also deter violence, increase reporting rates, and improve evidence collection necessary for more and more successful prosecutions.*

1. The Governor's budget requests \$75 million for a new crime lab to help us process the evidence needed to win convictions in sexual assault cases and \$92.8K for a forensic scientist at the crime lab
2. Department of Law has issued specific prosecution policies and guidelines for sexual assault and domestic violence cases
3. Prosecutors are being trained in tough plea negotiations, and the Governor's budget seeks an additional \$75K for additional training.
4. The Department of Law has hired a cybercrimes prosecutor to prosecute child pornography offenses and other internet crimes.
5. DPS has reorganized its Computer and Financial Crimes Unit so that investigators can focus solely on computer crimes against children.

6. The Governor's budget requests \$2.3 million in General Funds to make permanent 17 prosecutor and victim-witness paralegal positions at the Department of Law, which were previously funded on an interim basis through federal grants.
7. The Governor's budget requests \$656,000 in General Funds to make permanent DPS's cold case unit, which had been funded by federal grant money.
8. To ensure forensic evidence is gathered, the Governor's budget requests \$12.3K for 350 pediatric sexual assault kits and \$150K for adult sexual assault exams. The Senate Judiciary Committee report found that when victims receive a medical forensic exam, it more than doubled the likelihood that the case was accepted for prosecution.

### **C. Reduce Recidivism Rates**

*Rationale: The majority of batterers return to their families, and the cycle of violence continues unbroken. It is in the state's interest to reduce recidivism. Otherwise, victims will continue to be harmed and offenders will continue to be arrested and imprisoned at the state's expense. Programs to reduce recidivism will help heal families and save the state money in the long run.*

1. The Department of Corrections (DOC) is working collaboratively with DPS's Village Public Safety Officer (VPSO) program to provide effective supervision for probationers and parolees in rural communities.
2. The Criminal Justice Working Group is reviewing ways to improve DOC's prisoner re-entry programs, including after-care programs for substance abuse treatment, halfway house beds, mental health clinicians in correctional facilities, re-entry case workers, and coordination among stakeholders.
3. The Criminal Justice Working Group is reviewing reforms to the probation system to reduce

recidivism rates by imposing swift punishments for probation violations. According to the Senate Judiciary Committee Report, nationally 45% of prisoners serving time for rape or sexual assault committed their crime while on probation or parole.

**III. IMPROVE PUBLIC SAFETY BY ESTABLISHING A LAW ENFORCEMENT PRESENCE IN EVERY COMMUNITY THAT DESIRES ONE**

**A. Add 150 More VPSO Positions Over the Next Ten Years**

*Establishing a law enforcement presence in every village that desires one will prevent offenses from happening and facilitate investigation and prosecution for the offenses that do occur. UAA Justice Center studies show that in villages where a VPSO was available, rates of serious assault declined 40% and a case was over three times more likely to be prosecuted. But increasing the number of VPSO positions alone will not suffice. Local communities must collaborate by identifying qualified candidates, providing VPSO facilities, and supporting the VPSO's work.*

1. The Governor's budget requests adding 15 VPSOs per year (at cost of \$1.26 million annually) for 10 years so that every community of a certain size that desires a VPSO shall have one if the community puts forward a qualified individual. The Governor's budget also requests a merit increases (\$129.9K) for VPSOs and an increase in the VPSO cost-of-living-adjustment (\$93.9K).
2. To secure housing for VPSOs, the Governor's budget requests \$1 million for VPSO housing grants and loans in AHFC programs.

Commissioner Schmidt relayed that 95 percent of prisoners are released in their lifetime; attention must be paid to the population being released back into communities. He said that through a criminal justice working group, attendance at the crime summit, and by "Alaskanizing" the researcher's numbers from Washington State, a program plan was being developed within the department. The department was focused

on the issue of recidivism. Offenders sent home to rural areas could rely on VPSO officers, who were not probation officers, but could track individuals and solve issues in rural areas.

Commissioner Schmidt added that in Kenai probation officers had been meeting with local district attorneys, which had positively affected recidivism rates. He believed that continued conversation concerning the issue would prove fruitful.

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Attorney General Sullivan cited the third element on page 7:

**IV. IMPROVE PUBLIC SAFETY BY ESTABLISHING A LAW ENFORCEMENT PRESENCE IN EVERY COMMUNITY THAT DESIRES ONE**

**B. Add 150 More VPSO Positions Over the Next Ten Years**

*Establishing a law enforcement presence in every village that desires one will prevent offenses from happening and facilitate investigation and prosecution for the offenses that do occur. UAA Justice Center studies show that in villages where a VPSO was available, rates of serious assault declined 40% and a case was over three times more likely to be prosecuted. But increasing the number of VPSO positions alone will not suffice. Local communities must collaborate by identifying qualified candidates, providing VPSO facilities, and supporting the VPSO's work.*

3. The Governor's budget requests adding 15 VPSOs per year (at cost of \$1.26 million annually) for 10 years so that every community of a certain size that desires a VPSO shall have one if the community puts forward a qualified individual. The Governor's budget also requests a merit increases (\$129.9K) for VPSOs and an increase in the VPSO cost-of-living-adjustment (\$93.9K).
4. To secure housing for VPSOs, the Governor's budget requests \$1 million for VPSO housing grants and loans in AHFC programs.

### **C. Hire Additional Investigators for Sexual Assault Investigations**

*Rationale: Maintaining VPSOs in rural communities will increase safety and ensure incidents of violence are investigated promptly. However, in many cases additional resources will be required to investigate, collect evidence, and prepare cases for referral to prosecutors. By hiring troopers specifically trained to investigate sexual assault and domestic violence incidents, we will maximize the number of incidents that result in convictions, ultimately deterring future offenders.*

1. The Governor's budget requests \$500K for three additional Alaska State Troopers to investigate sexual assault and domestic violence offenses.
2. Eight additional investigators will be hired using federal money. Three of these investigators will be hired by municipal governments to work with Alaska State Troopers on multijurisdictional task forces.

Attorney General Sullivan asserted that a law enforcement presence in every community was a powerful deterrent to crime and a "huge passion of the governor's".

Representative Kelly requested a future report detailing how communities improved with the added law enforcement.

Attorney General Sullivan focused on pages 8 and 9:

#### **V. ENSURE VICTIMS HAVE A SAFE PLACE TO GO AND THE SERVICES THEY NEED TO HEAL**

##### **A. Increase Availability of Civil Legal Services for Victims**

*Rationale: A study conducted by economists found that increased provision of legal services for victims of domestic violence contributes to the decline of domestic violence rates. Civil legal services offer victims help with practical matters - like protective orders, custody disputes, and child*

*support - that give victims options and increase their safety over the long term.*

1. Increase the number and skill of attorneys who volunteer their services to victims of domestic violence. To accomplish this goal, LAW has held over a dozen meetings with legal service providers, victim advocates, and the court system to find ways to increase legal representation for victims, and will continue to work with all stakeholders in increasing legal representation for victims.
2. Obtain commitments from leading Alaska law firms to devote a certain number of hours every month to pro bono legal work on behalf of victims of domestic violence and sexual assault. The Attorney General has begun an outreach effort to the legal community to meet this goal.
3. The Governor's budget requests an additional CINA attorney (at a cost of \$200K) to remove children from violent homes.

**B. Increase Shelter Capacity to Meet Needs of Battered Women**

*Rationale: The ability to leave a dangerous situation and have a safe place to stay will reduce the number of violent incidents. Further, counseling services provided by shelters inform victims of their rights and options to escape abusive relationships. Increasing facilities and training staff will enhance shelters' ability to provide these crucial functions.*

1. The Governor's budget requests an additional \$381,000 to increase the shelter capacity to better house, counsel, and treat victims, so that they can escape abusive situations.

**VI. COORDINATE AND STREAMLINE EFFORTS AMONG STAKEHOLDERS**

**A. Hire a Coordinator to Lead the Initiative Against Domestic Violence and Sexual Assault**

*Rationale: Effective efforts to address the problems of domestic violence and sexual assault exist, but more can be done to coordinate between government agencies, tribes, NGOs, and other stakeholders to improve and streamline these efforts. A coordinator would expand and improve state government's capacity to address sexual assault and domestic violence, provide a link between these stakeholders, and identify and obtain new resources.*

1. The Governor's budget requests \$200K to create a new coordinator position that will oversee this comprehensive plan to end the epidemic of domestic violence and sexual assault. More specifically, the coordinator will establish partnership and form work groups with NGOs, tribal entities, and federal agencies to maximize effectiveness and minimize duplication in efforts to combat domestic violence and sexual assault.
2. The coordinator will consult with stakeholders to develop and implement additional programs to carry out the Governor's initiative.
3. The coordinator will improve the state's existing programs and efforts as they relate to domestic violence and sexual assault, including prosecution, corrections, provision of services to victims, and education.
4. The coordinator will work with CDVSA, DPS, and the UAA Justice Center (or other research organizations) in developing and executing the research necessary for baseline data and for evaluating the success of the initiative's programs.

Attorney General Sullivan hoped that DOL would lead the way with the increase of pro bono legal services for victims. He stressed that this portion of the plan was not about laws or budget requests, but about thinking outside of the box on the issue. He said that one of the next challenges would be how to quantify success.

[3:58:44 PM](#)

Representative Austerman voiced his support for the initiatives, but he felt that the issue of substance abuse, as it related to abuse, was not being given proper weight.

Attorney General Sullivan mentioned pages 11-13, which listed budget items and a sampling of recent actions agencies had taken.

Co-Chair Hawker commented that the conversation about sexual assault and domestic violence, and the steps the state should take to curb it, would continue throughout the session.

[4:01:54 PM](#)

Co-Chair Hawker announced the appointment Representative Austerman to chairman of the fiscal policy subcommittee. The committee members were a working group of the whole of the House Finance Committee. Representative Austerman would schedule and create an agenda for the meetings.

Representative Austerman said that no agenda had been established as of yet, but would be announced next week.

[4:03:57 PM](#)

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ADJOURNMENT

The meeting was adjourned at 4:03 PM