

}CHAD HUTCHINSON, Staff* Senator Coghill* Alaska State Legislature* Juneau, Alaska* .{ SB 64 has three major provisions; intent to reduce costs; rehabilitate; new duties for Dept of Corrections; intent to create an alcohol and drug program; professional review;

[9:42:28 AM](#)

Section 1 housekeeping - refines ...;

[9:42:41 AM](#)

REPRESENTATIVE GRUENBERG understanding that Section 1, which supports, would reverse Court of Appeals decision ...

MR. HUTCHINSON said

CHAIR COGHILL flexibility ...

[9:44:27 AM](#)

MR. HUTCHINSON Section 2 - commission makeup

CHAIR COGHILL executive director or private attorney

[9:46:04 AM](#)

MR. HUTCHINSON intent of commission

[9:47:44 AM](#)

CHAIR COGHILL court system loathe to make policy calls; brings question on political call; belongs in policy making arena than judicial branch

[9:48:21 AM](#)

REPRESENTATIVE GRUENBERG significant potential problem; majority appointed by president but no specification as to who appoints the minority; suggested appointment by minority leader

[9:49:16 AM](#)

REPRESENTATIVE LEDOUX sectional analysis says president of Senate appoint minority member

REPRESENTATIVE GRUENBERG would object to that

CHAIR COGHILL good point and will make note

[9:50:02 AM](#)

REPRESENTATIVE MILLETT inquired as to what the precedent is for that

[9:50:33 AM](#)

REPRESENTATIVE LEDOUX inquired as to whether should mention appointment from someone from rural areas; recognized Native community appointment but doesn't necessarily mean rural area representative

CHAIR COGHILL how appointed

[9:51:21 AM](#)

REPRESENTATIVE MILLETT under appointments, no substance abuse professional/expert

CHAIR COGHILL understand question, make note

[9:52:20 AM](#)

SENATOR DYSON unwieldy size of committee; suggested adding someone who has been a client, significant criminal history and in the Alaska state system

[9:53:32 AM](#)

MR. HUTCHINSON page 2, line 18; page 3

CHAIR COGHILL rural or governor appointing person

[9:55:08 AM](#)

MR. HUTCHINSON page 3, lines 8-9, policy change by committee

[9:55:31 AM](#)

REPRESENTATIVE LEDOUX there may be populations in the prison system that would require representation on commission

CHAIR COGHILL both Native and rural, maybe should be split; open to discussion; probably should bring ...

REPRESENTATIVE LEDOUX don't know which populations are over represented in prisons

CHAIR COGHILL fall to DOC

9:57:06 AM

MR. HUTCHINSON page 3, victim's right advocate; Alaska Native member; serve at the pleasure of the governor; commission will be housed in the Office of the Governor; lines 21-22 - change as to who would provide staff to the commission, internal debate that staff should be returned to the Judicial Council

CHAIR COGHILL recalled discussion was that already part of Judicial Council discussion

MR. HUTCHINSON agreed that council already does a lot of research and analysis

9:59:00 AM

MR. HUTCHINSON potential policy calls recommended: change to Alaska Criminal Justice Commission - broaden scope of commission, deputy commissions to designees of the various departments

10:00:01 AM

REPRESENTATIVE MILLETT inquired as to theory

MR. HUTCHINSON broaden scope of those who can serve on commission

REPRESENTATIVE MILLETT concern that lower level

10:00:51 AM

MR. HUTCHINSON "Section 2 - Potential Policy Calls" slide

CHAIR COGHILL

REPRESENTATIVE GRUENBERG asked

CHAIR COGHILL explained that variouscommissions compiled thus far

[10:04:23 AM](#)

REPRESENTATIVE GRUENBERG observed that ... recommendations only?
Are or is that an executive function

CHAIR COGHILL offered that for purposes of ... it would be

REPRESENTATIVE GRUENBERG?

CHAIR COGHILL acknowledged ...,and would research further
....

[10:06:01 AM](#)

ch- quandary

CHAIR COGHILL need enough to be effective, and ensure that
.... demonstrate value

REPRESENTATIVE MILLETT also , concern that

ch-explains why some point in time unfair bias. He
offered examples referring to section 3

[10:10:37 AM](#)

ch-example designed to provide incentive ... to stay on
track The ... have been changed to ; this intended to
clarify that the person ... and cannot be charged ...

ch-Section 4 of CSSB 64(STA) limited licensure

CHAIR COGHILL increasing public safety if done
correctly.

[10:13:45 AM](#)

ch-opined that there should be an immediate consequences for
.... Under CSSB 64(STA), the five years must abstain
.. and must ... revoked if test positive ..

ch-Section 5 Sections 6 and 7 address refusal and dui ...
Section felony DUI ... may be revoked...

CHAIR COGHILL reward good behavior while also increasing public
safety

REPRESENTATIVE MILLETT asked ... ignition interlock devices

CHAIR COGHILL surmised that that ... up to the courts

ch-not currently included in the bill

[10:17:59 AM](#)

REPRESENTATIVE LEDOUX questioned whether ... provision for restitution to the victim ... ?

CHAIR COGHILL .. indicated ... research further

[10:18:55 AM](#)

ch-Section 7 ... refusal statute ... Section 8

ch-PACE modeled after a program in Hawaii or fails any condition ... Section 9 ... same language ... statutes addressing the Alaska Board of Parole ...

ch-noted that ... policy to address still to address Sections 10-12 ... commission shall meet .. file the report by

CHAIR COGHILL ... addressing so called "non violent offenders."

[10:24:53 AM](#)

The committee took an at-ease from * to *.

[10:37:24 AM](#)

CHAIR COGHILL doc portion of the presentation

REPRESENTATIVE GRUENBERG ... Section 1 other judicial decisions

needtimestamp

Ronald Taylor .. DOC ... Native ... 30 percent ... African American .. 10 percent. Referring to AJC recidivism study ... make changes in the DOC ... Such statistics warranted The next slide addresses budgetary issues ... out of state facilities

REPRESENTATIVE LEDOUX asked

rt-declined to speculate.

REPRESENTATIVE GRUENBERG offered his recollection that one ... consecutive sentences Federal prisoners?

rt-included in the aforementioned 15 offenders ...

CHAIR COGHILL ?

rt-no. just addressing overall recidivism rates

SENATOR DYSON offered his understanding that percent.

CHAIR COGHILL ... ?

[10:45:43 AM](#)

SENATOR MCGUIRE ? by crime? such statistics would be more helpful in terms of while in state custody

rt-pointed out that ... no distinguished ... just population trends ... With regard to ... better idea of who is a risk of reoffending ... He noted that .. not really used or its designed purpose ...

SENATOR MCGUIRE harm?

rt- .. just ... not designed to .. Again, merely tool and not used for ...

SENATOR MCGUIRE pointed out, however, that her point is that if ... available, then ought to be So that ... better idea of who is reoffending

rt-acknowledged that point

[10:49:52 AM](#)

rt-in FY 14, the total of ... for the DOC, with most of that ... GF .. , though just over 5 million .. Mentioning that his ... are based on .., he ...

CHAIR COGHILL ... less cost to ...

rt-about half. With regard to .., he went on to say ... slightly higher than ... GF funding, with population prediction of ...

REPRESENTATIVE LEDOUX asked ... why

[10:52:26 AM](#)

rt-other issue out of state ... family and

REPRESENTATIVE PRUITT asked ...

rt-combination of approaches ... Seeking to expand though not as a first resort. The goal is to meet the needs in Alaska

[10:54:41 AM](#)

rt-referred to ... slide ... decreasing recidivism rates slight decrease since ... fy 07 ... slight adjustments in both ... and in ... Referring to ... other slide 2006 - 2010 .. recidivism ... The better ... , the less likely they will be to reoffend during that same period of time. He predicted, therefore, that continue to be reduced ...

CHAIR COGHILL asked

rt-.... , thus there are .. and the community is providing support ... Not just the ... but the whole reentry Expanded such programs ... It's been a combination of factors that have resulted in ...

[11:00:22 AM](#)

rt-mission statement represents approximately 86 percent of .. and ... percent of the DOC's budget Supervised community-reintegration .. 10 percent .. of .. representing about 15 percent of the DOC's budget

[11:01:36 AM](#)

rt-addressing those that need to Now that that has been utilize ... risk-assessment tool to discern .. and produce the best outcome .. He explained that the ... look at .. factors, such as , , ... and ... Assist [repeating information provided during January 2013 DOC overview before the committee]. ... must use positive reinforcement to ensure that ...

rt-noted that used to "over-classify" inmates To address increased the number of those served to over ... inmates ... This clinical assessment is what's used to determine ... He noted that ... Bethel ... LSAT ... three months of services ..

[11:07:41 AM](#)

CHAIR COGHILL asked whether , or whether ..

rt-population shift itself was creating the problem. He assured the committee that the DOC has been working hard to

CHAIR COGHILL asked

rt-not know, and surmised that ...

[11:09:30 AM](#)

CHAIR KELLER asked who ... currently?

rt-Akeela House .. main contract. Not everyone who .. is so evaluated ... The DOC would be expanding the ... program in order to ensure that ... aftercare ... 133 people were served last hear, he noted in response to further questions.

[11:14:26 AM](#)

REPRESENTATIVE LEDOUX ? court orders requiring

rt-only results in those .. being kept in jail, counter to what ... attempting ... Not know how to identify ...

rt-returning to his presentation, he explained that made readily available

[11:18:47 AM](#)

SENATOR DYSON questioned whether included

rt-indicated it did include those other ... Returning to his expanded since .. so that there are two ... The DOC also works with .. so as to address mentally ill misdemeanants ... who must agree to Both behavior and medication ... In response ... , currently at capacity.

rt-for ... and this funding addresses Not duplicating
In response to ..., he explained that ...

[11:24:19 AM](#)

rt-referred to the issue of electronic monitoring

[11:24:42 AM](#)

billy houser programs administer ... probation and parole
DOC electronic monitoring ... based on ability to pay
He noted that ... already have ... The DOC has found that when
.. make pay .. then continue ... budget for it setting
the stage for being successful in the community

bh-..... monitors alcohol levels in the person's perspiration.
... percent have issues ... From a risk standpoint, rather know
what they are doing, not where they are located. within 2 hours
in Anchorage alcohol only, though. Have the capacity to do
both active and passive monitoring He then provided some
information regarding how some forms of technology function, and
provided examples of some who are already ... with electronic
monitoring.

[11:41:20 AM](#)

CHAIR COGHILL asked court order

bh-the DOC's discretion, though if would need a court
order. Technology changes rapidly.

bh-in response ... offered historical statistics regarding the
use of electronic monitoring. Another trend he's noticed, he
relayed, is that

REPRESENTATIVE PRUITT asked what limitations

[11:47:18 AM](#)

bh-said some people are denied for various reasons. ... and
offered examples.

rt-added that increased such placements by at least one-
third. To the extent that ... , the more frequently the ..
would be able to ...

[11:51:34 AM](#)

SENATOR MCGUIRE must first address addictive behaviors, she surmised. She suggested that ... as .. in rural Alaska .. for example, so as to provide the necessary support.

[11:54:08 AM](#)

rt-acknowledged that point. He noted that ... thereby putting more of an emphasis

CHAIR COGHILL ... those that try SB 64 is intended to allow for that flexibility ...

[11:56:40 AM](#)

SENATOR DYSON pretrial monitoring?

bh-pilot project soon for DV offenders Court ordered as part of bail release.

CHAIR COGHILL pace has ?

rt-three locations

bh-currently a little bit below capacity.

[12:03:46 PM](#)

The committee took a recess from 12:03 p.m. to *.

[1:29:23 PM](#)

CHAIR COGHILL relayed that

[1:30:26 PM](#)

courtney ... akeela

[1:30:53 PM](#)

pat ventagen akeela after providing information about Akeela, referred to two maps provided to the committee, and indicated that they reflect and These include both and

CHAIR COGHILL

[1:34:55 PM](#)

pv-spoke about the difficulties with staffing the program sufficiently. for the 90 day ... waiting list in anchorage

REPRESENTATIVE MILLETT asked

pv-no data available yet. though no wait time in Juneau and In response to questions,

[1:40:17 PM](#)

rt-in response to , institutional program along with after care in the community ... on probation/parole. With regard to still addressing the person's other needs as well.

[1:42:37 PM](#)

pv-with regard to , the Mcdowel group ... indicates an estimate of 40 million for substance abuse ... He indicated that the believes that would result in a percent drop in ...

pv-offered his understanding that Thus if more ... provided ...

[1:44:42 PM](#)

pv-with regard to reducing recidivism all such ... re essential in order to ensure that

[1:45:42 PM](#)

pv-in response He explained that ... will reduce recidivism, thereby also reducing costsand recidivism

[1:49:33 PM](#)

kelvin lee, president, new life, Anchorage, Alaska, offered comments now help people coming back into the community after incarceration. successful transition, with housing being the key for success. The ... followed the same structure as the OC

kl-very successful particularly if the offender has completed probation/parole

kl-..... so if ... Currently have ... , and received a grant ... transitional housing ... six months in house and 6 months out in the community with supervision.

CHAIR COGHILL asked

kl-.... program designed on information obtained from probation/parole officers. In response to questions, he indicated ... those that are ready to make positive change. High failure rate during the first 90 days.behavioral changes are sought, not just verbalizing the right answers. seek to expand the time in which ... be supervised. The

kl-..... in response to ... ,

pv-no

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kl-in response to must teach ... how to function in the community.

rt-added thatworkgroup over 1,600 barriers faced by felons. ... currently looking at ways to mitigate such barriers, though such requires input and action from all avenues.

rt-fidelity bonding

kl-incorporate job development agreements with employers.

[2:10:43 PM](#)

pv-transitional housing in Ketchikan and Anchorage for those who've completed for up to two years.

CHAIR COGHILL CIRI housing or other transitional housing.

[2:14:52 PM](#)

kl-also has the component of permanent supportive housing

[2:16:16 PM](#)

janet mcCabe partners for progress ..., therapeutic courts showing some decrease in She referred to a suggested amendment provided to the committee proposing a change to AS 28.35.030(k) potential impact of electronic monitoring. It is estimated that save at least for such a change

jm-the rate of those on electronic monitoring .. only 18 percent after three years. necessity Better practice not to mix prison populations; Studies indicated that move away from and towards ... This must be combined with, she warned,

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jm-noted that ... have up-to-date equipment ... can be 24/7

[2:22:59 PM](#)

REPRESENTATIVE MILLETT expressed concern that shortening the ... would send the wrong message with regard to the severity of the crime, particularly given that First-time offenders need that "jolt."

jm-argued that wouldn't really be sending message.

[2:27:23 PM](#)

bh-not a good idea according to research. Waste of money to , he opined, particularly given that not recognizing that He indicated that he would provide further statistics to the committee.

[2:31:42 PM](#)

REPRESENTATIVE LEDOUX expressed interest in receiving statistics addressing in states that don't have

[2:32:44 PM](#)

jm-other states choose not to incarcerate

CHAIR COGHILL

REPRESENTATIVE LEDOUX jail time acts as a deterrent to those new to the criminal justice system.

jm-ventured that those make good employees because they are so greatfull

to have a job.

[2:38:16 PM](#)

bill mickelson, south dakota, law enforcement sobriety programs needed to develop a new ... to address ... Since inception, there have been in the program, and ... 99.2 percent of the time changing behavior in a long term positive approach. mandatory twice-a-day testing with immediate consequences. significant reduction in DV ... Judges are using ... as a condition of ... and ... and Furthermore ... DL reinstatement possible if participating

bm-treatment facilities like the program as a way of changing behavior

[2:43:11 PM](#)

tom butler highway patrol Montana explained that in 2010 .. dui killed two troopers saw South Dakota's program and got one going in Montana, first as a pilot program, and then This presents a significant shift in law enforcement approaches. With budgetary shortfalls, such is needed across the nation.

tb-He noted that according to studies, there was a reduction .. as are dV ... There will also be a pilot project testing twice a day and ... cell/camera combination with consequences lost with electronic monitoring anticipate ... and then be able to see whether it works

[2:47:46 PM](#)

tb-65 percent of Montana's population is covered under

[2:49:14 PM](#)

dennis johnson program director, alaska pre-trial services, provide electronic monitoring prior to He noted that ... the court recognized the need for a 24/7 [accountability] program data accumulated and accessed via He ...

dj-176 people Generally, not The program is based on a third-party custodian principle, though Never had more

than ... , which was in response to For any program, however, there must be sure and immediate consequences for violating, Under ... his company, the goes before the same judge and the same He offered his belief that such can be addressed via SB 64.

CHAIR COGHILL asked

[2:55:35 PM](#)

dj-datamaster ... self sustaining in that the ... pays for at a cost of ... day. This enablesone , two, ten same support staff numbers He ventured 300-350 pretrial offenders recidivism rates .. 16.5 percent ... new crimes or petition to revoke or technical violations ... The question then becomes .. with the Once convicted, DOC takes over. revoke third-party custodians

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CHAIR COGHILL

[3:01:44 PM](#)

doug moody, ... pda, doa, noted that .. in Bethel similar program with Village Public Safety Officer (VPSOs) ... It's worth looking at, he surmised, though cautioned that cost must also be taken into consideration, particularly for those with little or no income.

[3:04:39 PM](#)

CHAIR KELLER asked

[3:05:12 PM](#)

tb-\$2 for ... in Montana for a total of \$4 per day, and it's not been an issue for the perpetrators themselves to pay for it. South Dakota warned against providing ... on credit, and it was found that people will come up with the funding that keeps them out of jail. The best thing that Montana has done, particularly given that ... access to the data base.

REPRESENTATIVE GRUENBERG asked Mr. Moody to at some point address the legislation and aforementioned proposed amendment.

[3:09:16 PM](#)

Shirley lee tanana chief's conference most are in because of alcohol/drug abuse The main objective ... sentencing reform punishment doesn't deter and a better approach would be to address the underlying problem of substance abuse. The ... supports the creation of the ... commission, though one possible amendment would be to change the language such that .. tribal [representative], rather than just She indicated agreement with an earlier suggestion that .. also include someone who's experienced .. incarceration

sl-said that ... supportive of ... agree that the program could provide incentive to Excited by SB 64 and what it represents, and is looking forward to ...

sl-with regard to the ... 24/7 program, questioned ... in rural villages, false positives, lack of holding facilities, how swift would a response really be given the remoteness of ... She opined that any ... must address .., and .. . She noted that ... circles telling how .. and how; this has proven to be a low-cost effective approach

sl-also looking at .. she noted the lack of information regarding undiagnosed FAS Perhaps .. [tele-justice] could be successful and the .. has the capacity for such

[3:17:22 PM](#)

sl-transform ... and thereby also transform

CHAIR COGHILL accountability is key, and thissuch 24/7 programs ... get better and better

[3:19:35 PM](#)

REPRESENTATIVE GRUENBERG page 3 line 2 asked that consideration be given to who and how such a recommendation

CHAIR COGHILL acknowledged that point.

REPRESENTATIVE GRUENBERG again expressed interest in
.....

CHAIR COGHILL drafter indicated ... constitutional, both with regard to .. and to ...

[3:21:51 PM](#)

dm-not see any constitutional problems with the bill as currently written or with the amendment .. He noted that the PACE is similar to ... Not propose anything that raises constitutional issues.

REPRESENTATIVE GRUENBERG referred to language on page .. lines ... - proposing ... powers and duties ... commission - and published appellate decisions.

CHAIR COGHILL later date. .. possible amendments other programs

3:25:50 PM

rt-said the DOC is partnerships and solutions look forward to building a strong re-entry program to ensure that people be successful when leaving incarceration.

3:26:57 PM

CHAIR COGHILL would be incorporating as many of the suggestions as possible .. and then work on that document first meeting of new session

3:28:10 PM

CHAIR KELLER joint meeting to evaluate that new CS

CHAIR COGHILL .. expressed interest in the 24/7 program. He noted that other issues might be addressed via SB 64 as well.

3:30:01 PM

tb-offered to participate in that next meeting and invited .. to come consider the program in person.

bm-concurred .. SD

3:31:55 PM

ADJOURNMENT

There being no further business before the joint meeting of the House Judiciary Standing Committee and Senate Judiciary Standing Committee was adjourned at 3:31 p.m.