

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

March 14, 2016
12:32 p.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Chair
Representative Wes Keller, Vice Chair
Representative Neal Foster
Representative Bob Lynn
Representative Charisse Millett
Representative Matt Claman
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

Representative Kurt Olson (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 205

"An Act relating to conditions of release; relating to community work service; relating to credit toward a sentence of imprisonment for certain persons under electronic monitoring; relating to the restoration under certain circumstances of an administratively revoked driver's license, privilege to drive, or privilege to obtain a license; allowing a reduction of penalties for offenders successfully completing court-ordered treatment programs for persons convicted of driving under the influence; relating to termination of a revocation of a driver's license; relating to restoration of a driver's license; relating to credits toward a sentence of imprisonment, to good time deductions, and to providing for earned good time deductions for prisoners; relating to early termination of probation and reduction of probation for good conduct; relating to the rights of crime victims; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to probation; relating to mitigating factors; relating to treatment programs for prisoners; relating to the duties of the commissioner of corrections; amending Rule 32, Alaska Rules of Criminal Procedure; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 205

SHORT TITLE: CRIMINAL LAW/PROCEDURE; DRIV LIC; PUB AID

SPONSOR(S): REPRESENTATIVE(S) MILLETT

04/17/15	(H)	READ THE FIRST TIME - REFERRALS
04/17/15	(H)	JUD, FIN
03/11/16	(H)	JUD AT 12:30 AM GRUENBERG 120
03/11/16	(H)	-- MEETING CANCELED --
03/12/16	(H)	JUD AT 2:00 PM GRUENBERG 120
03/12/16	(H)	-- MEETING CANCELED --
03/14/16	(H)	JUD AT 12:30 AM GRUENBERG 120

WITNESS REGISTER

KRIS SELL, Lieutenant
Juneau Police Department
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 205 discussed the process taken by the Alaska Criminal Justice Commission.

BRENDA STANFILL, Commissioner
Alaska Criminal Justice Commission
Fairbanks, Alaska

POSITION STATEMENT: During the hearing of HB 205 discussed pretrial recommendations.

GREGORY RAZO, Chairman
Alaska Criminal Justice Commission
Anchorage, Alaska

POSITION STATEMENT: During the hearing of HB 205 discussed sentencing recommendations.

GRACE ABBOTT, Staff
Representative Charisse Millett
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 205 presented a sectional analysis.

JORDON SHILLING, Staff
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 205 answered questions.

KEN TRUITT, Staff
Representative Wes Keller
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 205 offered comments.

TERRY SCHUSTER, Senior Associate
The Pew Charitable Trusts
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 205 discussed the non-partisan data analysis and technical assistance provided to the commission.

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

POSITION STATEMENT: During the hearing of HB 205 answered questions.

GREGORY RAZO, President
Alaska Criminal Justice Commission
Anchorage, Alaska

POSITION STATEMENT: During the hearing of HB 205 answered questions.

ACTION NARRATIVE

[12:32:00 PM](#)

CHAIR GABRIELLE LEDOUX called the House Judiciary Standing Committee meeting to order at 12:32 p.m. Representatives Millett, Kreiss-Tomkins, Keller, and LeDoux were present at the call to order. Representatives Lynn, Claman, and Foster arrived as the meeting was in progress.

CHAIR LEDOUX noted that the House Judiciary Standing Committee Room 124, is now named "The Gruenberg Room 124." She said, "Before we begin today's meeting, I want to ask for a moment of silence for Representative Gruenberg to honor his memory.

HB 205-CRIMINAL LAW/PROCEDURE; DRIV LIC; PUB AID

[12:33:45 PM](#)

CHAIR LEDOUX announced that the only order of business would be HOUSE BILL NO. 205, "An Act relating to conditions of release; relating to community work service; relating to credit toward a sentence of imprisonment for certain persons under electronic monitoring; relating to the restoration under certain circumstances of an administratively revoked driver's license, privilege to drive, or privilege to obtain a license; allowing a reduction of penalties for offenders successfully completing court- ordered treatment programs for persons convicted of driving under the influence; relating to termination of a revocation of a driver's license; relating to restoration of a driver's license; relating to credits toward a sentence of imprisonment, to good time deductions, and to providing for earned good time deductions for prisoners; relating to early termination of probation and reduction of probation for good conduct; relating to the rights of crime victims; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to probation; relating to mitigating factors; relating to treatment programs for prisoners; relating to the duties of the commissioner of corrections; amending Rule 32, Alaska Rules of Criminal Procedure; and providing for an effective date."

CHAIR LEDOUX described HB 205 as "probably one of the most significant bills, certainly for House Judiciary, and probably for the entire legislature this session."

[12:34:26 PM](#)

REPRESENTATIVE KELLER moved to adopt CS for HB 205, labeled 29-LS0896\H, Martin/Gardner, 3/10/16, as the working document. There being no objection, Version H was before the committee.

[12:35:18 PM](#)

REPRESENTATIVE MILLETT thanked numerous individuals for their assistance with HB 205 as the committee would like to see fewer Alaskans in prison due to the 27 percent increase over the last 10 years. The intent is to determine how to rehabilitate individuals who have committed crimes, and invest in them so they don't reoffend and return to prison, thereby, causing an increase in the Department of Correction's budget, and ultimately building another prison in a few years. She noted that a year ago Governor Bill Walker, the Alaska Legislature, and the Alaska Court System requested assistance from the Alaska Criminal Justice Commission, and before this committee are the

commission's 21 recommendations that HB 205 is based upon. The key goals are implementing an evidence-based pre-trial practice, focus on prison beds for serious and violent offenders, and look at the individuals in the state's prison population, which includes folks who have not victimized people, misdemeanants, people with parole violations, and the population runs the gamut. She pointed out that this bill attempts to strengthen probation and parole supervision when people get out of prison and then they return to prison within one year. The report considers methods of successful reentry into communities as the goal is for rehabilitation, and that the state would gain savings. She stated, "I really ... I am going to miss Representative Gruenberg. Through this process I had many spirited debates with Representative Gruenberg about this bill, and about portions of this bill. And he had so graciously offered to help carry it on the floor, and I will miss him for that because he had a depth of knowledge that ... you know, no one can compare to, and his passion for this subject. So, with a little bit of heartache today, I'm glad to see Representative Kreiss-Tomkins is here. And I know Max is looking down at us right now, and at moments in time I'm sure many of us will channel some of his questions and some of his attitudes toward a perfect bill." She opined that in taking the bill, piece by piece, the committee will have a re-write of Alaska's criminal justice system, and there will be opportunities for re-investment that are meaningful to everyone in keeping Alaskans out of jail.

[12:40:51 PM](#)

REPRESENTATIVE KELLER, in speaking as a commissioner of the Alaska Criminal Justice Commissioner, emphasized that the commission consists of an impressive group of people, such as prosecuting attorneys, defense attorneys, corrections, mental health, the attorney general assisted, and the Alaska Judicial Council administered the commission and were also engaged in the process. He noted he may be leaving people out, but his point is that there were many meetings and the commissioners were always there working on the issues. He emphasized that the commissioners' expertise far surpasses anything he could contribute to the bill, and that he was there as a layman. It is justice reinvestment because there is money to be saved, and he said he was appalled by the population increase in pretrial lockups that can be dealt with administratively. This legislation is just a step in that it is an ongoing maintenance step and it doesn't solve all the problems, but it sure makes a good start, he stated.

12:43:04 PM

CHAIR LEDOUX pointed out that "This is the first meeting that we've had without Representative Gruenberg and it hardly seems real that we are conducting a Judiciary Committee meeting with ... without him. We hope that we will be channeling, not the rabbit hole questions, but some of the really, really good and insightful questions that he always had."

12:44:50 PM

REPRESENTATIVE LYNN commented that this bill affects many people and that his major overall concern is that it is an omnibus bill with a laundry list of everything in the justice system, In the event one portion of the bill is not agreed upon, he said he would hate to see it go down in flames.

12:46:15 PM

KRIS SELL, Lieutenant, Juneau Police Department, advised that she is a Lieutenant in the Juneau Police Department and the Vice President of the Alaska Peace Officers Association. She emphasized that she is speaking solely as a commissioner of the Alaska Criminal Justice Commission. The commission is made up of people who do not usually get together in the same room in a non-adversarial sense, because it includes attorneys, judges, a defense attorney, law enforcement, victims' rights representatives, and others. She admitted that for the first year on the commission she mentally had her arms crossed over her chest the entire time because she did not want anyone out of jail. She advised that she became a police officer because she wanted to be tough on crime, to protect people, she would risk herself to do it, and found herself believing that the only criminal she could trust was one in prison. It was a hardened view, she acknowledged, until the commission began reviewing studies with the science of corrections and it made sense with things she had seen in the field, such as arresting the same person over and over again, and finding them becoming more anti-social each time, more detached from the community, and more dangerous to her and the other officers working in the streets. She said she could see disenfranchising happening as people went through the system, and she also saw people begging for help with drug, alcohol, and mental health problems. Yet, she noted, these people were not receiving help in the system. While walking through the jails she saw inmates watching television and playing cards, people she knew to have serious problems,

addiction problems, or possibly not even literate and able to obtain a law abiding job if they wanted one. I struck her that serious work needed to be done by these people who were sitting around napping and watching television rather than being confronted with the things that they needed to deal with to get better, she said.

12:50:04 PM

LIEUTENANT SELL described her process as painful as she knew she had to start acknowledging there was something to the science of corrections. "Tough on Crime" worked really well for a while because it brought down crime rates, but the investment wasn't what everyone expected it to be. She pointed out that she had testified [prior to her work on the commission] against making any drug possession a misdemeanor, and that she still doesn't like that bill because it didn't have the reinvestment piece. She pointed to the issue of, "if people are not in jail, then where?" People need treatment or supervision or something to help reintegrate themselves back into law abiding society because many times just taking their word for it won't do it. She referred to the Alaska Criminal Justice Commission report, agreed that it may need some changes, and stated the commission will not take the changes personally. It is a massive piece of legislation and it took the commission years to go through [the data, studies and research]. The intention is to save enough money to make the reinvestment meaningful and, she cautioned, during these tough economic times to not adopt the bill without the reinvestment piece because if the bill just shortens incarceration the legislature will have taken the current revolving door and made it spin faster. She reiterated there must be meaningful addressing of why people start engaging in crime, which is what makes this bill work.

12:53:17 PM

BRENDA STANFILL, Commissioner, Alaska Criminal Justice Commission, advised she works with the Interior Alaska Center for Non-Violent Living in Fairbanks, and she is not necessarily speaking for the center although her board strongly supports her involvement in this issue. She advised that it was a challenge to come into the commission and take away her pre-formed ideas, thereby hearing what was being said and addressing those issues. The commission was asked to perform a data-driven, evidence-based process because previously the data was based upon outrage and things that didn't go right, and trying to criminalize their way out of social issues.

MS. STANFILL noted that from a victim advocate's standpoint, it was thought that fixing it would be taking someone out of the environment and putting them in jail and during their time in jail they would have a realization that they should do things differently, and would. Although, she noted, over the years she has found that when people have this kind of behavior it's because that's what they know, and many times do not know how to do it differently. When discussing pretrial, the discussion must include the reinvestment portion as this is not a budget savings bill. She described the bill as a "budget transfer bill" and saving money on one said by doing something on the other side. Thereby, she said, in the long run making people safer in their communities, addressing public safety, and ultimately there will be less victimization.

[12:55:34 PM](#)

MS. STANFILL advised she was on the pretrial subcommittee and would share "the data that we used when we came out of each recommendation." She offered the power point "Alaska Criminal Justice Commission: Justice Reinvestment Report, House Bill 205: Criminal law/procedure; driver's licenses; public aid."

MS. STANFILL turned to "Recommendation 1: Expand the use of citations in place of arrest for lower-level nonviolent offenses" [page 15], and advised that current statute offers law enforcement the ability to not arrest, although it not often used. This allows law enforcement a greater ability to think through whether the person is a risk to public safety, and if not, they could issue a citation with a court date rather than taking them to jail. When the commission looked deeply into the data of Alaska, it found that 76 percent of the pretrial admissions to prisons were for misdemeanor charges, 56 percent of the pretrial admissions to prison were for non-violent misdemeanor charges. The commission then focused on whether something could be changed. She said that 81 percent is the growth in Alaska's pretrial detainees over the last 10 years, and national research revealed that if an individual is detained more than 24-hours it can actually lead to worse outcomes than similar defendants not detained. This change will create a presumption of citation for misdemeanors and class C felonies, excluding persons offenses, domestic violence offenses, violations of release conditions, or offenses for which a warrant or summons has been issued. The commission realized this was a high level recommendation and believe that through the legislative process it would work through those specifics of

the presumption. She offered that much work has been performed on the Senate side to do additional carve outs because the commission did not have a list of every crime that was there in order to decide which ones should be carved out. She said, from the victim advocacy standpoint, they appreciate the willingness of the legislature to really look at ascertaining that the presumptions are for those people who truly can receive a citation and not impact public safety.

12:58:48 PM

MS. STANFILL turned to "Recommendation 2: Utilize risk-based release decision-making," and offered that when a person is put in jail, most of the time it is based strictly upon how much money they have as to whether they are released from jail. In the event a person commits a high-level crime but has means, they are able to bail out. Therefore, there has been no consideration of their risk to communities rather it has been whether they can afford the bail schedule. Currently, she explained, if a person is arrested for drunk driving and taken to jail they do not have to go before a judge because they can put up however much money is on that bail schedule, and be out of jail within an hour. Currently, few crimes actually require a person to see a judge before being let out of jail, and this recommendation allows that it would no longer be based solely upon money, but based upon risk. The State of Alaska would create a risk assessment to decide who it is that is getting out of jail, and who stays in jail, which will require work but the commission has been given good examples of things that have been done and that "it appears we would have some technical assistance to help us do this."

1:00:16 PM

MS. STANFILL advised that the recommendation also includes a grid of which types of offenses would be let out on their own recognizance with different measures in place. The recommendation included going to a bond that is not cash but rather a performance bond where a person agrees to do certain things but not actually having to put cash up front. However, she said, there would be a cash collection at the back-end if they violated the bail, and the collections unit would garnish paychecks and permanent fund dividends to collect on the forfeited unsecured bonds and unpaid victim's restitution. She related that the law cannot allow a person to get out of jail free and if they violate there are no penalties. The recommendation allows people of lower income to get out of jail

as long as they are not a risk to public safety. She pointed to the study performed by the Alaska Judicial Council revealing the disparity in ethnicity between who is, and is not, able to make bail. She said that 52 percent of defendants were never released during the pretrial period and the figure is based upon a case file review by the Alaska Criminal Justice Commission. The commission also found the following: that the majority of defendants in Alaska with bail of \$500 or more are unable to pay it; 36 percent of individuals with secured bail under \$500 were unable to post bond; 57 percent with secured bail between \$500-\$1,000 were unable to post bond; and 62 percent with secured bail between \$1,000-\$2,500 were unable to post bond. She remarked that the money piece has an impact as to whether someone can be released pretrial.

[1:02:34 PM](#)

MS. STANFILL turned to "Recommendation 3: Implement meaningful pretrial supervision," and stressed the word "meaningful" as the recommendation is not to just let people out of jail and hoping they show up and not commit more crimes. She pointed out that within the risk assessment there would be a determination of the risk level and possibly put them on a 24/7 program, or electronic monitoring that measures whether drugs or alcohol are in a person's sweat. She explained that this requires creating a pretrial program because none of the pretrial process works if there is no reinvestment into a pretrial system through the Department of Corrections. Another suggestion is that the Alaska Court System issue court date reminders to criminal defendants because it has been found in other states that it has had a tremendous impact on people showing up for their court date. She related that research found that restrictive release conditions, such as pretrial supervision leads to better outcomes for higher risk offenders, but they lead to worse outcomes for lower risk defendants. Therefore, it is necessary to review all of the requirement and not offer a one size fits all in pretrial, and actually craft the legislation in a manner that meets the needs of those coming out on pretrial release to address public safety.

[1:04:46 PM](#)

MS. STANFILL turned to "Recommendation 4: Focus supervision resources on high-risk defendants," and pointed out that sometimes youthful offenders do things they normally would not do, it's a onetime thing, they are extremely remorseful, and get whatever help they need. Therefore, the state does not need to

focus so many resources on people that have other things going on, but rather focus resources on high-risk defendants. The commission noted that "As we have gotten more tools to let people out of jail pretrial, instead of just using those as individual tools we've tended to heap on top of one another. So you might require bond, in addition to 24/7, in addition to a third-party, and that all of these together has made it where people cannot get out of jail." The recommendation suggests specifically reviewing what must be done in order to assure public safety is being addressed. It also restricts third-party custodians to conditions where it is not possible to offer pretrial supervision, such as there is no supervision in that location, or there is no other way to keep the public safe. She offered that it may be in the case of a sexual offender where it is not so much about knowing where the person is at, but rather know who they are with which many times would take the third-party eyes on them. She pointed out that this recommendation looks at how to be certain the state is addressing the condition that each person needs. She reiterated that it involves creating the pretrial system, and [employing] people with the ability to assess based upon a structured risk assessment that would then hook in specific recommendations for the defendant with it. She advised that 75 percent of defendants offered third-party custodian conditions were unable to meet that condition, possibly due to location or the background of the people they know and; therefore, were never released during the pretrial period.

UNKNOWN SPEAKER advised Chair LeDoux that Greg Razo was next.

[1:07:51 PM](#)

GREGORY RAZO, Chairman, Alaska Criminal Justice Commission, advised that he is a Vice President at Cook Inlet Region, Inc., and has been a lawyer for 31 years in Alaska, and that he has known Representative LeDoux for almost all of that time. He put forth that the work on the commission has been difficult and time consuming because the commission was required to review a tremendous amount of data. At the end of the day a number of things came out as to the drivers of the Alaska prison population and themes the commission used throughout the various recommendations. He advised, the recommendations are supported by scientific evidence, and are actually contrary to what the average person would believe, which goes to Lieutenant Sell's statements. He related that one of the most striking things that occurred during the commission was during the commission's rural outreach. He advised that he is the Alaska Native member

of the commission and has been working with justice issues for Alaska Natives for many years. In conjunction with the Alaska Mental Health Trust in November, the commission had an opportunity to visit Nome and Kotzebue, and while in Nome, the Commissioner of Corrections invited the commissioners to tour Anvil Mountain Correctional Center, and during the second day they met with prisoners in a town hall meeting and he was allowed to ask questions. He advised that during the first day he was almost ashamed to be there as an Alaska Native man as he walked through. He described approximately eight cells strictly for people for Title 47 offenses, for offenses that were not criminal at all, and the cells were mostly full and were there because they were a danger to themselves or others. He surmised that the Department of Corrections was treating mental health problems in the prisons by simply locking people up. They next visited the two mods inside the prison where the prisoners were locked up. He doesn't know what he was expecting, he related, but he realized that everyone in the prison was an Alaska Native person, with the exception of two non-Native people. He said he couldn't believe it and people were playing cards, sleeping, watching television, and were there for serious issues or they wouldn't be there. The prisoners were not dealing with anything other than killing time in prison, which he described as such a waste to have people that are potentially useful people just being warehoused in this zoo out in the woods. The commission also saw the people living in Nome and Kotzebue and he advised that Alaska has tremendous amounts of qualified people with the desire and will to work with the population that is intoxicated, but they do not have the resources to do it. He referred to the town hall meeting and asked prisoners to raise their hands if they were incarcerated due to an alcohol related offense and everyone in the prison with the exception of six people raised their hands. He then asked prisoners to raise their hand if they were imprisoned due to a drug related offense, and the other six people raised their hands. He offered that Alaska has an addiction problem with such significance that it is costing millions and millions and millions of dollars in the Department of Corrections (DOC), yet little is done to pay for the treatment of that problem.

[1:13:38 PM](#)

MR. RAZO related that a lot of time was spent on the report, and he described the legislation as the tip of the iceberg as much as it is an omnibus criminal reform bill. He pointed out that there were so many issues that were not part of justice reinvestment that are still on the plate for the commission.

The commission has been asked to look at all of the Title 4 offenses, the alcohol related offenses, which have criminal sanctions associated with them. Also, the Title 28 driving offenses, and the barriers to reentry which is probably the most significant part of what the commission really needs to dig in on. He referred to the barriers to people coming out of prison that include the fact that they can't drive, can't get a job, can't find treatment in the areas they are from, and all of those issues are still on the commission's plate, and he will make sure that the commission gets to the end of that.

1:14:31 PM

MR. RAZO turned to "Recommendation 5: Limit the use of prison for lower-level misdemeanor offenders," and said that research shows that short jail stays do not reduce recidivism compared to probation. He offered that sending someone to jail will make it more likely they will become a criminal again. He remarked, "Compared to defendants sentenced to probation, individuals sentenced to short jail stays of probation have a significantly higher likelihood of future arrest and incarceration. Even when you control for other variables. The average crime and increasing effect of jail remain statistically significant." He pointed out that it is true in all of recommendations 5a, 5b, 5c, and 5f, particularly within recommendation 5c, which is reclassifying first and second time theft offenses under \$250 as non-jailable misdemeanors. He reiterated that the research shows that jail space doesn't reduce recidivism, more than probation does, and can increase it. In 2014 the commission looked at it as a benchmark and noted that 324 offenders were admitted to prison for theft in the fourth degree which is a misdemeanor theft under \$50. More than half of those offenders stole goods under \$50, and that offenders convicted of theft of less than \$250 stayed an average of 23 days behind bars, post-conviction. He pointed out that 23 days in jail for a low-level misdemeanor theft crimes that are not violent, or particularly dangerous. He discussed that 82 percent of prison admissions are misdemeanors, 60 percent of those prison admissions are non-violent misdemeanors, and that the state has a limited use of prison alternatives outside of probation. Therefore, the commission looked at the alternatives that can be placed on a person in addition to probation, in addition to community supervision, such as electronic monitoring, the use of fines, and other sanctions that don't cost as much as sending someone to jail. He stressed that cost is not the driver here but in September the commission received letters from the leadership of both houses and the governor asking the commission to look at

what it would take to avert future prison growth and reduce the prison population by 15 percent and 25 percent. He said that just to reduce future prison growth is 1,416 beds, to reduce it by 15 percent is 2,180 beds, and 25 percent, which is the number used in the commission's report, it is 2,689 beds. Significant changes need to come from these recommendations and from the legislature's work on HB 205 to accomplish this if the state will actually see a reduction in Alaska's prison population, and it must be followed by reinvestment, he expressed.

[1:19:14 PM](#)

MR. RAZO noted, with regard to driving while intoxicated (DUI) offenders in 5e, the research reveals that jail sentences are associated with higher recidivism rates and prison alternatives even when controlling for differences among offender groups. Therefore, a short sentence for a DUI offender has a higher chance of resulting in recidivism for doing it again. This finding is consistent for offenders with multiple DUI convictions and he stressed that the jail isn't the sanction that's working. He described himself as a businessman and when two out of three people coming out of prison will go back to prison within three years, the state is not getting reduction in public safety, and "we're not doing any corrections, we're not doing corrections in the corrections department." The best DUI responses emphasize replacement of jail time with low cost monitoring programs, the use of community based interventions like electronic monitoring and intensive probation provide better treatment results because the offender can learn to adjust their consumption within their normal living environment. He pointed out that DUI misdemeanor offenders comprise almost one-fourth of all post-conviction admissions to prison in 2014. The state needs to target misdemeanor DUI offenders as they come back to prison at a higher rate, so what the state is doing doesn't work.

[1:21:07 PM](#)

MR. RAZO turned to "Recommendation 6: Revise drug penalties to focus the most severe punishments on higher level drug offenders," and explained that research across multiple states with meta-analysis reveals that longer stays in prison do not reduce recidivism more than shorter prison stays. There is no significant effect of longer prison stays on recidivism, and sending someone to longer and longer terms in prison by itself does nothing to reduce recidivism. Some studies revealed that severe punishment such as felony convictions and prison terms

actually increase criminogenic effects causing offenders to be more likely to commit crimes, which is true for drug offenders. He said that admissions to prison post-conviction felony drug offenses have increased by 52 percent, driven in large part by a 68 percent of simple possession of drugs in the fourth degree, and felony drug offenders are spending 16 percent longer behind bars. The conclusion of the statistics is exactly what the commission said, the science simply does not support the way the state is doing things right now, he said. Research shows that the 13 states plus the District of Columbia classifying drug possession as a misdemeanor have slightly lower rates of violent crime, property crime, and drug use than the states that classify drug possession as a felony, and Alaska needs to consider this research. The commission recommends a revision of the classification of commercial drug offenses in that there are two types of drug dealers, the ones that sell a small quantity of drugs to support their drug habit, and then the commercial people in the drug business to make thousands and thousands of dollars. He said the demarcation of commercial drug offenses recommendation attempts to deal with that. He reiterated that long prison sentences for commercial drug offenders have a low deterrent value, the chances of someone actually being caught for selling drugs is 1 in 15,000, and with such a low risk of detection drug dealers are unlikely to be dissuaded by the remote possibility of a longer stay in prison. Some studies have shown that severe punishment, such as felony convictions and prison terms, may have criminogenic effects which is especially true of drug offenders.

[1:26:06 PM](#)

MR. RAZO turned to "Recommendation 7: Utilize inflation-adjusted property thresholds," and stressed that there is absolutely no relationship between the value of the felony theft threshold and whether a person is going to steal. States that have raised the felony theft threshold have actually seen reduction in some small amounts in the rate of theft; therefore, it does not make an offender less likely to commit a crime by increasing the prison stay. In Alaska, he pointed out, admissions to prison after conviction for theft in the second degree, between \$750 and \$25,000, has grown by 52 percent, and the research shows that nationwide the felony theft threshold has no impact on property crime and larceny rates.

[1:27:30 PM](#)

MR. RAZO turned to "Recommendation 8: Align non-sex felony presumptive ranges with prior presumptive terms," and offered that "In 2005, the Alaska Supreme Court issued a case called Blakely, -- Blakely v. State and in the Blakely decision, the way that Alaska was doing presumptive sentencing was tossed out." [Blakely v. Washington, 542 US 296 (2004).] The Alaska legislature, in an attempt to deal with that court decision, rather than giving a specific presumptive sentence, imposed a range of sentences. The intent was not to increase the amount of time that people would stay in prison, but in looking back 10 years, has been exactly what happened with the change in the law in 2005. The recommendation attempts to roll back the legislature's actions so that Alaska can at least get back to the way it was in 2005, and control this increase seen in the courts in long prison sentences. He reiterated that long prison sentences don't reduce recidivism any more than short prison sentences do. He pointed out that since the 2005 shift, the felony length of stay has increased by 31 percent, class A felonies - right below the most serious unclassified felonies - have gone up by 80 percent, class B felonies have increased by 8 percent, and class C felonies have increased by 17 percent. Consequently, what happened is exactly what the legislature did not want to have happen with the change in law in 2005, and asked the committee to take a hard look at this particular recommendation.

[1:29:49 PM](#)

MR. RAZO turned to "Recommendation 9: Expand and streamline the use of discretionary parole," and advised the commission found that only a small amount of people in prison were applying and appearing before the Parole Board for discretionary parole. The commission assumed prisoner were not applying because they believed they would be unsuccessful. Although a substantial number of offenders currently spending time in prison are eligible for discretionary parole they are not applying, which means that in any given month in 2014 an average of 462 inmates were eligible for discretionary parole, and an average of only 14.8 applied and parole hearings were held.

[1:31:11 PM](#)

MR. RAZO turned to "Recommendation 10: Implement a specialty parole option for long-term, geriatric inmates," and said this is for offenders who have the potential to be paroled beyond probation at age 55. He offered that it simply costs a great deal of money to keep people in prison at this age and the

chance of them reoffending is very, very small. Evidence shows that these people simply do not reoffend at any significant rate, and this recommendation gives the legislature the option to take action so the prisoners can be considered for specialty parole. He noted that researchers have consistently found that age is one of the most significant predictions of criminality, with criminal or delinquent activity peaking in late adolescence and decreasing as people age. In Alaska, he said, offenders released at age 55 and older were far less likely to be rearrested than the average for all offenders. Geriatric inmates are a costly population to incarcerate, he related, and nationwide prisons spend approximately two to three times more to incarcerate geriatric inmates than younger individuals. Further, he pointed out, the number of offenders in Alaska's prisons age 51 and older has doubled in the past 10-years, and he described it as the fastest growing age group. The baby-boom population is expanding as expected, and in 2005, 410 offenders were age 51 and older, in 2014 that number jumped to 833.

[1:33:02 PM](#)

MR. RAZO turned to "Recommendation 11: Incentivize completion of treatment for sex offenders with an earned time policy," and related that, "believe it or not," the evidence shows that treatment of sex offenders works. He described this population as "really easy to hate on for very sound reasons," but the state wants this population who is ultimately coming out of prison to not offend again for public safety and no more victims. He remarked that if the state provided more treatment for this population, both in prison and out with intense community supervision, he opined there will be a significant increase in public safety, less victims, and less recidivism. The Alaska Judicial Counsel's studies on recidivism in 2008-2009 in Alaska found that sex offenders had substantially lower rates of rearrests within one year than other offense groups. The same study, he noted, found that sex offenders were reconvicted for a new sex offense within two years at a rate of 2 percent. Sex offenders today are staying in prison 86 percent longer than they did 10-years ago because the state has been tough on crime on sex offenders and the results are as a person would expect, if the state is going to increase the length of sentences then there will be a lot of sex offenders in jail for a longer term. He pointed out that the state is just beginning to see the effects of the tough on crime on sex offenders, and it will continue to increase for a number of years.

[1:35:10 PM](#)

LIEUTENANT SELL turned to "Recommendation 12: Implement graduated sanctions and incentives," and explained that the graduated sanction incentives could allow the state to relentlessly address the problems people have going into prison, and whether or not the subject is coping with those. She said the encouragement is for swift, certain, and proportional responses, similar to raising children and their deaf ears to a punishment in the far future. When trying to influence behavior at the beginning of people's lives, consequences to behavior have to be swift, certain, and proportional. She said that when speaking with people addicted to drugs, they are thinking at most in four hour increments because that is when they need to use again. She said that telling them they had better not use because if they do, in 6-12 months they may have to serve the rest of their sentence, doesn't mean anything. Therefore, she pointed out, the emphasis is on swift, certain, and proportional sanctions, and allowing for both positive and negative sanctions because incarceration is only one tool in the toolbox and the commission is trying to add additional tools for the graduated sanctions and incentives. This recommendation requires a lot of work on the part of the Department of Corrections. She stressed that the department is staffed by really good people who want to make a difference, who know their jobs, and know the people they are caring for in the Department of Corrections. She suggested the possibility of giving them enough resources to have more tools to influence that behavior."

[1:37:58 PM](#)

LIEUTENANT SELL turned to "Recommendation 13: Reduce pre-adjudication length of stay & cap overall incarceration time for technical violations of supervision," and said this is part of the swift, certain, and proportional consequences because if a person does something they shouldn't be doing there will be a consequence, and then another consequence, and then the consequences will continue to ratchet up. She acknowledged that it is difficult for officers to be taunted by felons on the Probation Accountability and Certain Enforcement (PACE) program who says "Yeah, I made a mistake I'll see you in three days." She said that it can have an emotional reaction and even so, the fact is that swift, certain, and proportional sanctions that happen immediately have to be better than random severe sanctions. She stressed that it doesn't make sense that leaving everything up to chance wouldn't encourage people to gamble with what the outcome might be when violating their probation.

1:39:07 PM

LIEUTENANT SELL turned to "Recommendation 14: Establish a system of earned compliance credits," and described it as part of the positive sanctions in that if a person complies with their probation, if they do the things they are supposed to do, they can earn compliance credits because there must also be positive tools as well as negative. All of the studies, she said, show that people respond best if positive rewards can be involved in a system, and people checking in with the court, "bloom in court when they get to say I had 30 days where I didn't do anything that was prohibited, I have been off drugs or alcohol for 30 days." There is a pride in that which helps to establish a sense of pride and hope, whereas the most common characteristic of people not doing well with incarceration in the current justice system all have a lack of hope, she pointed out.

1:40:09 PM

LIEUTENANT SELL turned to "Recommendation 15: Reduce maximum lengths for probation terms and standardize early discharge proceedings," commented that she struggled with this but the science is clear that for the most part people will violate probation in the first year, and recidivism is usually frontloaded. The dollar becomes less productive the longer the person is on probation and the state is putting that effort into supervision, she said. The recommendation was difficult for her, she noted, but the science had to supersede.

1:41:06 PM

LIEUTENANT SELL turned to "Recommendation 16: Extend good time eligibility to offenders serving sentences on electronic monitoring," and characterized this as the traditional electronic monitoring as one of things that "if not prison, then where, if not jail then where." She explained that electronic monitoring is working with people while they try to maintain their jobs, maintain their family commitments, and do the things that are protective factors for them rejoining the community as a productive member. Yet, it doesn't just trust them to behave, she remarked. This is an alternative and, she commented, it can be turned into a positive incentive for good time; therefore, the commission recommended increasing electronic monitoring and good time associated with it.

LIEUTENANT SELL advised she would skip Recommendation 17 because it is not in the bill.

1:42:45 PM

GRACE ABBOTT, Staff, Representative Charisse Millett, Alaska State Legislature, advised Lieutenant Sell that Recommendation 17 is HB 205, Version H.

1:42:52 PM

LIEUTENANT SELL turned to "Recommendation 17: Focus ASAP resources to improve program effectiveness," and advised that alcohol treatment resources were discussed because alcohol is overwhelmingly the substance abuse drug of choice filling Alaska's prisons. The commission found there are not enough resources in the state's alcohol treatment and not enough alcohol treatment available for the people ready to take the step of getting off alcohol, she said. The intent is to increase alcohol resources and provide direction as to who the state is sending to alcohol court. She noted there have been occasions when people addicted to drugs were sent to alcohol treatment because there was not a more appropriate place to put them. Therefore, it would necessary to review defense categories associated with the alcohol programs.

1:43:59 PM

LIEUTENANT SELL turned to "Recommendation 18: Improve treatment offerings in CRCs and focus use of CRC resources on high-need offenders," and advised that Crisis Recovery Center (CRCs) are commonly known as half-way houses. The commission's intent is to makes CRCs more effective by continuing the treatment and, she suggested, considering the treatment as being a continuum through the arrest and incarceration. A risk assessment is performed at the time of arrest that identifies that person's criminal drivers, and those are addressed throughout the incarceration and as the person transfers into the community and essentially practices being a law abiding citizen with some supervision, and the last step is often the half-way house. She explained that the commission would like to improve those outcomes by having treatment at the half-way house because it is known that it is not a "30-day and done" proposition when discussing getting a person off drugs, or alcohol, or managing a mental health disorder, or two or three of those factors. Having the treatment available in the half-way house and making sure the contracted half-way houses are meeting those obligations with an admission criteria that puts the resources where the risk is, she explained. It is also known that when

mixing high-risk and low-risk offenders in the same half-way house, the high-risk offenders teach criminal behavior to the low-risk offenders and, in essence, recruiting them to a criminal life style, she pointed out.

[1:45:54 PM](#)

MS. STANFILL turned to "Recommendation 19: Require collection of key performance measures and establish an oversight council," and said that the commission did not want to base recommendations on statistics solely from other states and not have its own way to measure whether it was having the same effect in Alaska. She noted that the state currently has a Criminal Justice Commission set up that is very invested in what is being done and stressed that it makes sense that that oversight council stays in place whether it is this Criminal Justice Commission or another one. She further stressed that there must be a group coming together regularly, collecting the key performance measures and making modifications. She described this as the first step in this process and the commission expects it would come back and review what worked, didn't work, and make modifications through the legislature and statutes moving forward.

[1:47:30 PM](#)

MS. STANFILL turned to "Recommendation 20: Ensure policymakers are aware of the impact of all future legislative proposals that could affect prison populations," and noted that the recommendation addresses the modification area in that sometimes there is a "knee jerk" reaction based upon something that happened. In the event the state increases sentences or makes a change, it would require a 10-year fiscal impact [study] prepared in order to ascertain the impact on the prison growth and population.

[1:48:06 PM](#)

MS. STANFILL turned to "Recommendation 21: Advance crime victim priorities," and described it as definitely not the last of the recommendations, or one that can be done without, because victims, and victim's rights are at the forefront. The ultimate goal is to lower recidivism rates so less people are committing crimes, thereby, less victims. She informed that committee that information was researched, meetings took place throughout the state, plus the commission hosted two round-tables in order to advance victims' priorities. The recommendation requires that

the district attorney's office make a focused and enhanced effort to increase the number of crime victims signed on for court notifications through Victim Information and Notification Everyday (VINE). Another recommendation included reviewing and revising policies and procedures related to inmates' phone calls because now that inmates must pay for their phone calls it is harder for inmates to call people they shouldn't call. She offered that many of the recommendations can be accomplished through regulation and not through statute. Further, she explained, not specifically within this recommendation but tied to it are the reinvestment priorities.

1:50:45 PM

MS. STANFILL said, as a victim advocate for 20-years, it is scary to think of letting people out of jail, and that she still has a bit of a knee-jerk reaction even though she has seen all the data. There is a 2010-2015 victimization study, she opined, that revealed the \$3 million investment and prevention that focused on domestic violence and sexual assault and reducing victimization against women actually had an 8 percent decrease in victimization which related to 3,000 less instances of victimization last year. She suggested putting \$1 million into prevention efforts may be a huge number, but the legislature consider that none of this works unless considering the reinvestment priorities. She explained that part of the reinvestment is pretrial, and part of that must be prevention. She referred to how the state is working with victim services in remote and bush communities, noting that transportation is an issue, getting a sexual assault exam, getting out of the community in a manner that the victim's confidential rights are still protected. She included access to treatment because it is known that the prime time for treatment is when something just happened, the person is arrested knowing they have a problem and want help yet, unfortunately, there is a six-month wait just to receive an assessment. She added, with regard to reinvestment priorities, to be certain when people are released from prison that they actually have a reentry support system services. She said she looks forward to the crafting of this bill discussing reinvestment.

1:53:19 PM

LIEUTENANT SELL turned to the last slide and advised that her comments relate to the question, "What were you thinking?" Sometimes people get into trouble and they can't figure out how to navigate the system to get a driver's license back, possibly

can't afford some of the restrictions, such as requiring a breath test to start their car, and end up driving revoked and driving suspended. She estimated that the Juneau Police Department probably cites driving revoked or driving suspended, based on a different crime, two or three times every single day. The limited driver's license is often necessary for people to maintain employment, especially in communities without public transportation or shift work, and it will allow them to live law abiding lives instead of the "stacking and steamrolling" of offenses when a restriction is put on someone contrary to their ability to make a living and support their families. The administrative license revocation has to do with the possibility of a person not being found guilty. Currently, she said, the Department of Motor Vehicles takes the driver's license away on DUIs, and maybe that is not appropriate. She offered that there is a sense of justice that if the person is not convicted, that possibly the license should not go with it, even though she knows many people that are guilty and yet are not convicted. She turned to the issue of food stamps, and offered that there were many discussions as to whether a person with a felony conviction should ever get food stamps. She remarked that while she understands the cynicism that food stamps can be diverted just like drugs to get people off heroin can be diverted, is denying people food really the way to get them to address their higher level problems. Maslow's Hierarchy of Needs and, she asked, if a person doesn't have food or shelter, do they really do things to make them more valuable to the community. She pointed out that denying food is difficult and she was unsure whether it was done to change behavior as much as "possibly making ourselves feel better because we've punished somebody who was doing wrong, and maybe that's not the best motive." The commission also has some ideas about the reentry program and Ms. Abbott would explain.

[1:56:43 PM](#)

MS. ABBOTT advised that the reentry program is a concept as to how to direct the Department of Corrections (DOC) to help people to reenter the community, to become functioning and contributing members of their community. It requires that DOC assist reentering inmates to come up with a plan, and instruct them on resources available in the community for things like, state identification. She noted that some of these may fall under the food and shelter requirement, but are helpful in assisting people with reentry.

[1:57:41 PM](#)

LIEUTENANT SELL referred to community work service and advised that many offenders are ordered into community work service, especially low-level offenders and if an inmate does not complete their community work service, they go back to jail for certain periods. She described that as "overly generous of us," and opined that the state shouldn't house them to watch television and take naps for not doing their community work service. She suggested reverting it to a fine, thereby, saving the state money with the potential to bring in money rather than continually spending it on those not meeting their low-level obligations. Therefore, she explained, there is a consequence and the state currently spending \$142 per day is not the correct consequence.

[1:59:39 PM](#)

REPRESENTATIVE CLAMAN surmised that CRCs are places the state can more effectively use for pretrial release, and also where the person receives sentencing credit in the pretrial release treatment programs. He asked whether that is part of Recommendation 18.

REPRESENTATIVE CLAMAN restated his question at Lieutenant Sell's request, and noted there have been different discussions throughout the year in the House Judiciary Standing Committee regarding sentencing credit for pretrial release in different programs. He asked whether Recommendation 18 is where the committee should look to as to how those programs play into the whole dynamic of improving the effectiveness of community rehabilitation programs, and in reducing recidivism.

LIEUTENANT SELL asked for clarification as to whether Representative Claman was asking whether the community rehabilitation treatment program could reside within a half-way house. She asked whether she had misunderstood the question.

REPRESENTATIVE CLAMAN offered that there are half-way houses, not run by DOC, such as the Clitheroe Center in Anchorage, where people are often released pretrial and are ultimately seeking sentencing credit while in the rehabilitation program. With regard to Recommendation 18, he asked whether that is where HB 205 addresses some of those questions.

LIEUTENANT SELL referred to Recommendation 18b and responded that it adopts quality assurance procedures ensuring that non-DOC CRCs meet contractual obligations with regard to safety and

offender management, so treatment could play into that. She noted the issue of not mixing high-risk and low-risk offenders together, any more than mixing those offenders for people already released from a prison.

[2:02:44 PM](#)

REPRESENTATIVE CLAMAN referred to driver's licenses and people committing criminal alcohol offenses, losing their license entirely and their ability to go to work. He asked how the state balances not having people drive intoxicated with a penalty of not being able to drive, yet at the same time recognizing that if they don't go to work it creates another set of problems.

LIEUTENANT SELL pointed to the limited driver's license and said that currently it is "addressed under temporary driver's license, even after somebody is arrested for the first 10-days they can apply for a hearing and ask to be able to drive to work, ask for a limited access." In that manner, the person is given an option to be law abiding instead of the constantly racking up driving revoked and driving suspended charges.

[2:04:03 PM](#)

REPRESENTATIVE CLAMAN pointed to the administrative revocation and opined that it is an unfortunately common experience for those charged with DUI, "is they ... they show up in court and they do all these things and then they start getting these letters from DMV saying how their license is being administratively revoked. And I think on the criminal law enforcement side ... I share your favorite ... the fact that you like administrative revocation because some people who probably were driving intoxicated ... while intoxicated are able to find technical ways to get around the criminal charge and they usually don't really follow carefully enough on the administrative charge and they get their license revoked anyway." From the offender standpoint, the dual system of criminal charges and administrative charges are incredibly confusing to the public in that they do not follow the same tract and do not communicate with each other. He asked whether Recommendation 18 assists people in navigating with some degree of certainty.

[2:05:10 PM](#)

LIEUTENANT SELL related that, "As a famous jurist once said, our system is designed to let nine guilty people go free rather than wrongly convict one innocent person." She said when someone stands on the frontlines of watching that happen, sometimes the person feels that "Okay, now that I've got my hand around your throat, I'm not letting go" and getting over that is a tough journey, and she thanked Representative Claman for his patience.

REPRESENTATIVE CLAMAN stated that he is not entirely clear that is the quote he heard from that gentleman, but he would not correct Lieutenant Sell.

[2:05:49 PM](#)

REPRESENTATIVE KELLER asked Chair LeDoux whether she would consider bringing up Jordan Shilling and Ken Truitt, who are staff to Senator Coghill and himself, who were in the trenches with the commission, with the idea of asking them whether they have something that the presentation of the bill was weak on. He advised that he does not have anything specifically on his mind.

[2:06:38 PM](#)

JORDON SHILLING, Staff, Senator John Coghill, Alaska State Legislature, was available.

[2:06:42 PM](#)

KEN TRUITT, Staff, Representative Wes Keller, Alaska State Legislature, was available.

MR. SHILLING advised that he did not have anything specific to include.

REPRESENTATIVE KELLER replied, "That's great so that way she knows we weren't passing notes back and forth, it's just honest inspiration."

MR. TRUITT commented that working as staff to the legislative representatives on the commission, it was surprising and heartening to see, with the broad spectrum of interests at the commission, how well everyone worked together. Specifically, he pointed out, the defense side working with the law enforcement side was heartening and encouraging to see, witness, and be a part of, with the professionalism that every member brought to the table.

2:08:16 PM

LIEUTENANT SELL pointed to Commissioner Quinlan Steiner, the defense attorney on the commission, and offered he may be helpful with questions.

2:09:23 PM

REPRESENTATIVE KREISS-TOMKINS referred to Recommendation 9, and noted that he was impressed with the comment that sex offender treatment is highly successful statistically. He ask her to expound on the methods and whether that type of success in reducing recidivism or re-violation relates to other classes of criminality.

LIEUTENANT SELL deferred to another commissioner stating that she has deferred to the science of the matter, but she spent a good portion of her career hunting sex offenders. She related that it is difficult for her and another commissioner could articulate it better.

2:10:29 PM

MR. SHILLING advised that sex offender treatment is proven to be effective and that the Washington State Policy Institute prepared a cost benefit analysis on sex offender treatment and it shows that for every dollar spent on sex offender treatment there is a good return for that money. He will provide the research. Basically, he advised, sex offenders in Alaska have a lower recidivism rate than most cohorts of offenders, and the Alaska Judicial Council conducted a study showing that the recidivism rate for sex offenders is 18 percent, and the recidivism rate for a repeat sex offense is approximately 2 percent. He described the program as arduous and the longest most difficult program in the DOC path. It takes 18-30 months to complete and not everyone does complete it, so in order to incentivize that treatment the commission recommended a credit for sex offenders who complete that program, knowing the treatment is effective.

2:11:30 PM

CHAIR LEDOUX pointed out that there are various types of sex offenders such as the 18-year old charged with statutory rape with a 15-year old, but also the 18-, or 25-, or 45-year old who may be charged with having sex with a 2-year old or 3-year old.

She pointed out that those are very different crimes, and asked whether the analysis is for both of those crimes, in that she has heard that the research states that people with a 2-year old and 3-year old can never be rehabilitated.

MR. SHILLING opined that the recidivism numbers he recited apply to sex offenders across the board, and he will research the commission as to whether it has data specific on the different types of offenses. He agreed that sex offenses cover a very broad spectrum in that some are the Romeo and Juliet scenarios, and some are incredibly heinous acts that many people believe that those individuals cannot be rehabilitated.

CHAIR LEDOUX advised she would like additional information regarding that particular area.

MR. SHILLING added that the policy the commission recommended did not differentiate between the two extremes, it recommended a pure policy with the understanding that the legislature would scrutinize it.

CHAIR LEDOUX reiterated that she would like to see the statistics between those two types because it is important.

[2:13:22 PM](#)

REPRESENTATIVE KREISS-TOMKINS pointed out there is a treatment program that appears to work extremely well for a certain class of offense, and asked whether for other classes of criminal offenses why there are treatment programs or if there are treatment programs that the state is not using, that have similarly successful statistical outcomes in reducing recidivism or recommitting criminal activity.

MS. SHILLING responded that DOC has a variety of programming that research has shown works which includes sexual abuse treatment, substance abuse treatment, and mental health treatment, although, he does know what portion of DOC's budget consists of treatment. He offered that DOC completed a recidivism study a few years ago showing that substance abuse treatment reduced recidivism by 21 percent, so it's effective. It is important to know that with the state's current fiscal climate it is difficult to reinvest in things like treatment if the savings is not found in other areas. In other words, he said, the state needs to quit spending so much on things that the research shows doesn't work, and start spending it on things known to work, such as treatment.

2:14:41 PM

REPRESENTATIVE KREISS-TOMKINS commented that he is interested in the concept of social impact bonds that basically tie long-term savings treatments with an alignment of fiscal incentives. He asked whether the commission explored social impact bonds and its use within Rikers Island, New York, or other jurisdictions in the United States.

MR. SHILLING replied that the commission did not specifically discuss social impact bonds as the commission was very outcome focused, as those bonds are, and offered that he is aware New York is having success with those bonds.

2:15:32 PM

REPRESENTATIVE KREISS-TOMKINS referred to Recommendation 10 wherein it was noted that the geriatric population within the prisons is the fastest growing population, and asked whether it is attributable to younger people sentenced with longer prison terms and getting old in prison, or because older people are being arrested.

2:16:11 PM

MR. SHILLING pointed out that the reason is due to the legislature increasing sentences across the board, whether it be low-level or high-level felonies. Therefore, he said, there is a stacking up in the state's older prisoners, and that geriatric prisoners cost two to three times as much as most inmate, yet it is known that those prisoners are the least likely to commit crime with the lowest recidivism rate. He opined that the geriatric growth is due to increased sentences for sex offenses, and increased sentences for class A, B, and C felonies all across the board.

CHAIR LEDOUX recommended that the committee members direct their questions to the commissioners today while they are available.

2:16:53 PM

REPRESENTATIVE CLAMAN referred to the distinction between sexual abuse of a minor offenses and sexual assault offenses which tend to involve adults and asked how those breakdown into successful treatment. He opined that adult on adult sexual assaults, especially with more than one sexual assault on their record,

that their ability to rehabilitate tends to be "quite poor." He reiterated that sexual abuse of a minor offenses in teen-agers is very different than a 50-year old and a 5-year old and he would be interested to know the breakdown.

CHAIR LEDOUX reminded Representative Claman that Mr. Shilling said he would provide the committee with research.

REPRESENTATIVE CLAMAN asked for more detail in the research.

[2:19:29 PM](#)

REPRESENTATIVE KREISS-TOMKINS referred to Recommendation 2 that created a matrix of risk scores for pretrial release, and asked whether it is based upon something executed in another state, and further asked for examples of a risk criteria that may be considered.

LIEUTENANT SELL advised that she could answer the first question and explained that it is based upon experiences in other states in that "we did not make up anything, we did not get that original, we wanted to use ... tactics that had been used in other states so that we could see how they've been impacted ... how those states had used those." She continued that the commission reviewed a risk assessment tool currently being used with the potential of altering it for Alaska's application. She explained that states that executed a major criminal justice reformation are using the risk assessment tool, such as Georgia, South Dakota, Kentucky, Mississippi, and others. A risk assessment tool has been a cornerstone because those states achieved anywhere from 9 percent to 21 percent savings in their incarceration costs, she said.

[2:21:37 PM](#)

TERRY SCHUSTER, Senior Associate, The Pew Charitable Trusts, explained that with regard to pretrial risk assessment, the two types of failure measured include: failure to appear for court hearings, and new criminal activity during the pretrial period between arrest and verdict which is generally a short period of time and most people during that time do not fail. Therefore, pretrial failure rates are low which makes them harder to predict, and the predictive issues tend to be static factors - things that don't change. For example, reviewing criminal history or court records to determine prior failures to appear in court that would make them higher-risk and thus extra weight would be attached. Different jurisdictions will execute a study

to determine who is failing pretrial, who is committing new criminal activity pretrial, who is failing to appear for their hearings, and what do they have in common, and he noted that those studies will be different jurisdiction to jurisdiction. The idea behind creating a risk assessment tool, he explained, is to take Alaskan data and attempt to identify what it is here that might be predictive of pretrial failure and then build a risk tool around that. Once a risk assessment tool is created it must be validated year-after-year to ascertain that it continues to be predictive, he said.

REPRESENTATIVE KREISS-TOMKINS acknowledged that the risk factors differ from jurisdiction to jurisdiction and requested examples of risk factors identified in another jurisdiction, such as Mississippi, Georgia, or South Dakota.

[2:23:55 PM](#)

MR. SCHUSTER corrected the record and advised that not all of those states have pretrial risk assessment tools because there are various types of risk assessment tools, such as measuring risk of long-term recidivism, so something that may be predictive of recidivism over multiple years may not be predictive of pretrial failure. In other states there are factors related to someone having a prior certain type of offense, for example, a prior theft offense in some jurisdictions may be predictive of pretrial failure, he said. There are jurisdictions have an interview with the defendant to receive social history, such as ties to the community, and in some jurisdictions ties to the community is predictive of pretrial success, and in others it has not been found to be predictive of pretrial success. He offered that it is a difficult question to answer on the spot without looking at a data set.

[2:25:16 PM](#)

CHAIR LEDOUX referred to driving under the influence (DUI) and asked whether the idea is to eliminate the automatic 3-days for the first offense.

LIEUTENANT SELL opined, not necessarily because when the commission discussed not having the administrative revocation it was in the context of a case being dismissed, or a person not being prosecuted, or found not guilty.

MS. ABBOTT explained that the goal is not to eliminate the automatic 3-days, "administrative revocations, like Lieutenant Sell mentioned, would refer to only people who the court has decided deserves their license back." This allows the two branches of government to communicate and for the Division of Motor Vehicles (DMV) to offer the license back.

CHAIR LEDOUX advised that her question was not in the context of license revocation, but on DUIs. She referred to prior testimony wherein it was stated that with minor offenses jail did not work. Therefore, she was wondering whether this bill eliminates the 3-days for the first DUI offense.

MS. ABBOTT answered that the goal is to encourage electronic monitoring in those cases.

[2:27:15 PM](#)

CHAIR LEDOUX commented that when she lived in Kodiak and drank with other young professional people and possibly drank more than now, the idea of actually going to jail for 3-days was a humiliation and that it actually did deter a lot of people from having that last drink, or they took the cab.

REPRESENTATIVE MILLETT agreed that it was a deterrent, and opined that the deterrent of a restricted license is also a fear because there are jobs wherein the employee cannot have a restricted license. She said the committee could discuss the whole limited versus restricted conversation, but that is still part of the DUI process.

CHAIR LEDOUX pointed out that the discussion is that when it comes to licenses, the state does not want to require things that make people lose their jobs.

[2:29:09 PM](#)

LIEUTENANT SELL offered that she understands what Chair LeDoux is expressing and that she is not sure that the person getting their name in the paper plus an ankle monitor on for 3-days "would necessarily be a lot more fun than going to the half-way house for a lot of ... DWIs are served now over weekends so that people's employment is not compromised." She said she respects the fact that Chair LeDoux is among the 20 percent of people that actually think about cause and effect at the time of making those decisions. She suggested leaving other consequences in

place as she does not want the first DWI to be painless, but the issue can be addressed for less than \$142 per day.

[2:30:03 PM](#)

REPRESENTATIVE CLAMAN, in response to Chair LeDoux's question, opined that there are no proposed changes to Title 28 and removing the 3-day mandatory minimum. Today, he commented, if a person is convicted of DUI and sentenced to the 3-day mandatory minimum some people are being sentenced to house arrest on an electronic monitor for 3-days. Those that do not go on house arrest are generally serving it in half-way houses rather than lock-up facilities, especially first-timers. In terms of work management it is "pretty manageable with a job," he opined.

REPRESENTATIVE LYNN offered that he was surprised because he had the concept that 3-days in jail meant 3-days incarcerated behind the bars rather than an ankle monitor or a half-way house to relax. He asked whether typically a person does not go behind bars but rather an ankle monitor of a half-way house.

[2:31:39 PM](#)

QUINLAN STEINER, Director, Public Defender Agency, Department of Administration, advised that currently there are options for serving the mandatory 3-days not in a prison setting, it could be on electronic monitoring or in a half-way house. Also, DOC has the option to place a person on electronic monitoring or in a half-way house. He noted that it tends to get set up in advance if the person has money and the facilities to do that. He opined that the penalties, even though it is not specifically a jail sentence in a DOC facility, are fairly significant penalties because the costs are extremely high, and the restrictions on a license can be dramatic and influence future employment and, in fact, it can often end a person's employment. He noted that some of the initiatives discussed about the license and limited license will allow people to meet the conditions of their probation and sentence to promote their own rehabilitation while maintaining their employment. He stressed that employment is a significant factor for future recidivism and the lack of it is one of the things the commission found.

[2:33:02 PM](#)

REPRESENTATIVE LYNN asked whether it is the prerogative of the judge to sentence a person behind bars as compared to a half-way house, or is it statute or regulation.

MR. STEINER advised that the judge will set the sentence, the statutes guide how it can be served. Under the statute it could be permissible now to obtain electronic monitoring, or DOC has its own regulations and permissive scheme, he explained.

[2:33:46 PM](#)

CHAIR LEDOUX asked whether anyone on the commission had ever served time and then was rehabilitated.

REPRESENTATIVE LYNN asked whether Chair LeDoux was asking for confessions.

CHAIR LEDOUX expressed no, the idea is that someone who has actually been through the system may have something valuable to offer.

[2:34:34 PM](#)

GREGORY RAZO, President, Alaska Criminal Justice Commission, replied that that fact never came up.

REPRESENTATIVE KELLER interjected that the fact did come up after the fact, and the commission realized the difficulties in the obvious logistics of it and making it work, was too late once the commission "got rolling." He opined that most of the commissioners received a steady stream of letters from inmates, with some letters being quite articulate and some letters with very interesting points.

[2:35:18 PM](#)

CHAIR LEDOUX referred to geriatric inmates and the cost of that population, and noted that when a person serves 25-years in prison and is released when they turn 50, will it actually cost any less because once they are on the street again they will require medical care and they probably do not possess many job skills. She expressed that she is not suggesting that the cost by itself is a reason to keep someone, who is not going to commit a crime again, in prison but is it actually a cost saving measure.

[2:36:42 PM](#)

MR. SCHUSTER responded that it is a difficult question to answer and offered that some of the costs for anyone incarcerated are,

room and board, food, everyday housing, paying for heat, and everyday costs of operating a facility where a group of people live. Constitutionally, he put forth, when someone is incarcerated the state must pay for all necessary medical care; therefore, when an inmate is diagnosed with cancer or liver failure or any number of health issues, the state pays for their treatment. These types of health issues are seen more often in inmates over the age of 50 or 60, and those costs start stacking up and when those groups of inmates are released into the community they almost always qualify for Medicaid and/or Medicare. Therefore, a lot of those costs are paid by a combination of state and federal dollars, but a lot is covered by federal dollars and the \$142 incarceration costs are not spent. He pointed out that it is hard for people who have been incarcerated for long periods of time to actually reenter their community and be successful because those people may not have strong family connections any longer that are willing to take them back in. He noted that part of the reentry planning for the commission, which DOC has been doing on its own aside from the commission's recommendations, is attempting to individualize a reentry plan for each person. For example, each inmate reentering the community must come up with their own plan and identify their needs and what will help them have long-term success in the community, he said. In order for people to do well at reentry and have long-term success they actually need to come up with an individualized plan. He pointed out that reinvestment is a large area when discussing reentry supports and services, such as how to get a person to a reentry center and connect them with the services they need, and to partly pay for it by finding the money elsewhere.

[2:39:41 PM](#)

CHAIR LEDOUX said she understands the cost of housing, and was pointing out that whether the state pays for cancer treatment, or liver failure, or heart disease, or anything one might end up with after a certain age, that there is probably a good chance the state will also pay for it when they are on the outside.

REPRESENTATIVE LYNN opined that at age 65 a person can receive Medicaid and/or Medicare, and asked whether an incarcerated 65-year old person is eligible.

MR. SCHUSTER responded that eligibility for Medicaid and Medicare is suspended during incarceration and the state pays their health care. Although, he said, the exception is that if someone is hospitalized outside of a prison setting and are

there for more than 24-hours, that service can be paid for by Medicaid and Medicare revenue.

[2:41:34 PM](#)

CHAIR LEDOUX opined that with Medicaid expansion it would include prisoners, but maybe not.

REPRESENTATIVE KELLER clarified that Medicaid expansion does cover prisoners when they are in the hospital and not incarcerated.

REPRESENTATIVE LYNN asked that when a person outside the prison is on Medicare and commits a crime, whether they lose Medicare at that time.

MR. SCHUSTER answered yes, the person loses their eligibility. The state is self-insured and everyone in state prison facilities has health care and prescriptions provided by state health care providers, such as contract medical services in the state.

CHAIR LEDOUX moved to the sectional analysis after ascertaining there were no further questions.

[2:43:37 PM](#)

MS. ABBOTT offered a written analysis and paraphrased as follows [original punctuation provided]:

Citation v. Arrest:

Section 42

12.25.180 - When Peace Officer Shall Issue Citation or Take Person before the Court (Amended)

Establishes a presumption to cite and summons to court for nonviolent misdemeanors and class C felonies, with exceptions including significant danger to self or others, and specified crimes. For infractions or violations, provides that a peace officer may bring the person before a judge if the violation is for a violation of conditions of release or for disorderly conduct.

Section 43

12.25.180 - When Peace Officer May Issue Citation or Take Person Before the Court (New Section)

Forbids civil action for damages for failure to comply with this section.

Section 44

12.25.190(b) - When Person to be Given Five-Day Notice to Appear in Court (Amended)

Reduces the minimum duration, when issued a citation, before the first appearance from five days to two days.

Section 45

12.25.190 - When person to be given five-day notice to appear in court. (New section)

Requires that a notice to appear is at least five working days after the issuance of a citation.

Risk-Based Release Decision Making:

Section 41

12.25.150(a) - Rights of prisoner after arrest (Amended)

Decreases time with which arrested person appears before the court from 48 to 24 hours. Bars hearing from taking place 48 hours after arrest.

Section 46

12.30.006(b) - Release Procedures (Amended)

Conforms to renumbered statutes.

Section 47

12.30.006(c) - Release Procedures (Amended)

Requires judicial review and reconsideration of the conditions of release for instances where the defendant is detained pre-trial due to those conditions, unless the judicial officer finds that less restrictive release conditions cannot reasonably ensure the appearance of the person in court and safety of the victim, other persons, and the community.

Section 48

12.30.006(d) - Release Procedures (Amended)

Allows for defendant's inability to pay to be considered as a factor to at bail review hearings. Specifies that a defendant may only receive one bail review hearing for new information relating to the person's inability to pay.

Section 49

12.30.006(f) - Release Procedures (Amended)

Conforms to creation of a pretrial services office, authorizing a pretrial services officer to arrest a person without a warrant for violating a court order.

Section 50

12.30.006(h) - Release Procedures (New Subsection)

Directs the first appearance to occur within 24 hours after a person's arrest absent compelling circumstances.

Section 51

12.30.011 - Release Before Trial (Amended)

Limits judicial discretion to detain low- and moderate-risk pretrial defendants charged with non-violent, non-DUI misdemeanors and low-risk pretrial defendants charged with non-violent, non-DUI Class C felonies. This section prevents the use of secured monetary bail for lower-risk defendants while ensuring conditions can be imposed to require defendants to refrain from alcohol consumption, to avoid all contact with victims, and to keep regular contact with a pretrial services officer. In determining the conditions of release, the court shall consider the conditions of release recommended by the pretrial services officer and the person's pretrial risk assessment score.

Section 52

12.30.011 - Release Before Trial (New Subsection)

Creates a presumption of release on personal recognizance or unsecured bond, with appropriate

release conditions, for low-risk defendants and for most nonviolent misdemeanor and Class C felony defendants who are not included in Section 54. The court can overcome this presumption and order partially- or fully-secured money bond if it finds on the record that no less restrictive conditions can reasonably assure court appearance and public safety.

Section 53

12.30.016(b) - Release Before Trial in Certain Cases (Amended)

Conforms to creation of a pretrial services office, authorizing a pretrial services officer to search a person's residence for the presence of alcohol under conditions to refrain from alcohol.

Section 54

12.30.016(c) - Release Before Trial in Certain Cases (Amended)

Conforms to creation of a pretrial services office, authorizing a pretrial services officer to search a person's residence for the presence of a controlled substance under conditions to refrain from consuming from controlled substances. A judicial officer may order a defendant to participate in a random drug testing program with testing to occur at least once a week, or random drug testing by the pretrial services division.

Section 56

12.30.021(a) - Third-Party Custodians (Amended)

Restricts availability of third-party custodian release conditions to cases in which pretrial supervision is not available, secured money bond has not been ordered, and no other combination of release conditions can reasonably assure court appearance and public safety.

Section 57

12.30.021(c) - Third-Party Custodians (Amended)

Changes the restrictions on people who are eligible to serve as third-party custodians to prohibit those who

are likely to be called as witnesses, as opposed to those who may be called as witnesses.

Section 63

12.55.051 - Enforcement of Fines and Restitution (New Subsection)

Authorizes the Department of Law to garnish a permanent fund dividend to collect restitution ordered by the court.

Section 142

43.23.065(b) - Exemption of and Levy on Permanent Fund Dividends (Amended)

Conforms to ensure that forfeiture of an appearance or performance bond is not exempted from permanent fund dividend garnishment

Pretrial Supervision of High-Risk Offenders:

Section 99

33.07.010 - Pretrial Services Program (New Section)

Establishes a pretrial services program at the Department of Corrections to conduct pretrial risk assessments, make recommendations to the court regarding release decisions, and supervise pretrial defendants who are released. Directs the Commissioner to adopt a risk assessment tool and relevant training and regulations.

Outlines duties of pretrial services officers to conduct pretrial risk assessments, make recommendations to the court regarding release and conditions of release, and provide supervision for defendants released pretrial. Authorizes pretrial services officers to make pretrial diversion recommendations and to arrest defendants who have failed to appear or violated their release conditions.

Requires pretrial services officers to recommend release on personal recognizance or unsecured bond for nonviolent, non-DV misdemeanor and Class C felony charges, low- or moderate-risk DUI charges, and other low-risk charges, with limited options for departing

from this requirement if the pretrial services officer finds that no combination of non-money conditions can reasonably ensure court appearance and public safety.

Section 152
Uncodified Law

Amendment to Court Rule 38 of the Alaska Rules of Criminal Procedure providing for hearing reminders to defendants.

SENTENCING:

Misdemeanors:

Section 13
11.46.460 - Disregard of a Highway Obstruction
(Amended)

Reclassifies the crime of disregard of a highway obstruction to a violation punishable by up to \$1,000 fine.

Section 22
11.56.730(a) - Failure to Appear (Amended)

Conforming to reclassifying several elements of the crime of failure to appear as a violation punishable by a fine up to \$1,000.

Section 23
11.56.730(c) - Failure to Appear (Amended)

Conforms failure to appear penalties to no longer be a Class C felony.

Section 24
11.56.730 - Failure to Appear (New Subsection)

Reestablishes the punishment of failure to appear, as a Class A misdemeanor to apply to defendants missing a scheduled hearing to avoid prosecution or to defendants not making contact with the court within 30 days after not appearing at a scheduled hearing, Failure to appear is a violation punishable by a fine up to \$1,000

Section 25

11.56.757(a) - Violation of Condition of Release (Amended)

Conforms to the reclassification of the crime of violation of a condition of release to a violation.

Section 26

11.56.757(b) - Violation of Condition of Release (Amended)

Reclassifies the crime of violation of condition of release to a violation punishable by a fine up to \$1,000.

Section 27

11.56.759(a) - Violation by Sex Offender of Condition of Probation (Amended)

Conforms to renumbered statutes.

Section 28

11.61.110(c) - Disorderly Conduct (Amended)

Conforms disorderly conduct penalty to no longer be 10 days.

Section 29

11.61.145(d) - Promoting an Exhibition of Fighting Animals (Amended)

Reclassifies the crime of attending an exhibition of fighting animals as a violation for the second offense. Maintains third and subsequent offenses as a class A misdemeanor.

Section 30

11.61.150(a) - Obstruction of Highways (Amended)

Conforms to the reclassification of the crime of obstruction of highways to a violation.

Section 31

11.61.150(c) - Obstruction of Highways (Amended)

Reclassifies the crime of obstruction of highways to a violation punishable by a fine up to \$1,000.

Section 32

11.66.200(c) - Gambling (Amended)

Reclassifies the crime of unlawful gambling to a violation punishable by a fine up to \$1,000.

Section 79

12.55.135(a) - Sentences of Imprisonment for Misdemeanors (Amended)

Provides for a presumptive range of zero to thirty days for class A misdemeanors, excepting offenses with mandatory minimums above thirty days or if the conviction is for crime of assault in the fourth degree involving domestic violence. Allows the presumptive range to be overcome if the prosecution proves that the conduct constituting the offense was the most serious included in the definition of the offense or the defendant has past criminal convictions similar in nature to the offense in question.

Section 80

12.55.135(b) - Sentences of Imprisonment for Misdemeanors (Amended)

Truncates the maximum term of imprisonment for a class B misdemeanor to ten days.

Section 81

12.55.135 - Sentences of Imprisonment for Misdemeanors (New Subsections)

Provides that for a person convicted of theft in the fourth degree, concealment of merchandise, removal of identification marks, unlawful possession, issuing a bad check, or criminal simulation, the court may not impose a sentence of more than five days of suspended imprisonment and a term of probation of more than six months if the person has previously been convicted two or more times for a similar theft-related offense. The court may not impose a sentence of active or suspended imprisonment if the person has not been previously convicted or has previously been convicted once, of a theft-related offense.

Provides that the court may not impose a sentence of imprisonment of more than 24 hours for a person convicted of disorderly conduct.

Provides that for a person convicted of misconduct involving a controlled substance in the fifth degree 11.71.050(a)(4) or misconduct involving a controlled substance in the sixth degree 11.71.060(a)(2), the court may not impose a sentence of active imprisonment unless the person has previously been convicted of a drug crime and may not impose a sentence of suspended imprisonment greater than 30 days, if the person has no prior convictions, and no greater than 180 days if the person has been previously convicted of a drug crime.

Provides that if the state seeks to establish a fact-based aggravating factor at sentencing, the factor must be established by clear and convincing evidence before the court sitting without a jury. If the state seeks to establish a law-based aggravating factor at sentencing, the factor must be presented to a trial jury and proved beyond a reasonable doubt, unless the defendant waives trial by jury, stipulates to the existence of the factor, or consents to allow the court to establish the aggravator by clear and convincing evidence without a jury.

Section 86

28.15.291(a) - Driving While License Suspended
(Repealed and Reenacted)

Conforms to section 87 by differentiating DWLS offenses related to DUI license revocations and those unrelated to DUI license revocations.

Section 87

28.15.291(b) - Driving While License Suspended
(Repealed and Reenacted)

Reduces the mandatory minimum for second time DWLS offenders whose license revocation is related to DUI offenses to 10 days. Removes the mandatory minimum for first time DWLS offenders whose license revocation is related to DUI offenses. Reduces the penalty for

non-DUI-related DWLS offenses from a misdemeanor to an infraction.

Section 89

28.35.030(k) - Operating a Vehicle... Under the Influence (Amended)

Requires first-time DUI offenders to serve a mandatory term of electronic monitoring. If unavailable, imprisonment is determined by the department.

Section 90

28.35.030(l) - Operating a Vehicle... Under the Influence (Amended)

Conforms to provisions requiring a fiscal analysis of legislation that causes an increase or decrease in the prison population. This recommendation was removed, making this conforming section unnecessary.

Section 92

28.35.032(o) - Refusal to Submit to Chemical Test (Amended)

Requires first-time refusal to submit to a chemical test to serve a mandatory term of electronic monitoring. If unavailable, imprisonment is determined by the department.

Section 93

29.10.200(21) - Limitation of Home Rule Powers (Amended)

Conforms to the requirement that a municipality may not proscribe a greater penalty for a municipal ordinance than what is imposed for a state crime with comparable elements.

Section 94

29.25.070(a) - Penalties (Amended)

Conforms to the requirement that a municipality may not proscribe a greater penalty for a municipal ordinance than what is imposed for a state crime with comparable elements.

[2:57:38 PM](#)

CHAIR LEDOUX interrupted Ms. Abbott, and reminded Ms. Abbott that the sectional analysis is contained within each member's packets. She suggested, rather than reading what the various sections do, to point out anything in particular she believes the committee should focus on.

MS. ABBOTT replied that she will do whatever the committee prefers, and offered the committee an opportunity to read the analysis, and mark sections in which there are questions for subsequent "deep dives" into the specific recommendations and specific sections within the report of 21 recommendations.

CHAIR LEDOUX agreed with Ms. Abbott's suggestion, and asked whether anyone had questions or should the committee hold questions until the committee gets to those specific sections.

[2:58:52 PM](#)

REPRESENTATIVE MILLETT noted that policy calls will have to be made by the committee, and those policy calls will self-identify in reviewing the sectional analysis that references the recommendations. She pointed out there are statute changes that may be more controversial than others, such as earned credit probation, sex offender treatment program credit, and the theft threshold. The committee will review sections that "offer members more heartburn" when discussing "right on crime" and criminal activity, she offered, as there certainly will be push-back on the larger policy questions. She recommended that the committee review the documents and prepare questions.

[3:00:55 PM](#)

REPRESENTATIVE CLAMAN said he compared the committee hearing schedule with the color coded sequence of how these are grouped together and there is a remarkable connection between the color codes and when different issues will be discussed. He noted that this is helpful and that the committee does not need to hear the "speed version" because it will be looking at the details.

CHAIR LEDOUX thanked Ms. Abbott for the sectional analysis document.

[HB 205 was held over.]

[3:02:00 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 3:02 p.m.