

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

February 24, 2015
8:02 a.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Wes Keller, Vice Chair
Representative David Talerico
Representative Louise Stutes
Representative Max Gruenberg
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

Representative Liz Vazquez

COMMITTEE CALENDAR

HOUSE BILL NO. 56
"An Act establishing Alaska Firefighters' Day."

- MOVED HB 56 OUT OF COMMITTEE

HOUSE BILL NO. 22
"An Act establishing a maximum caseload for probation and parole officers."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 56
SHORT TITLE: ALASKA FIREFIGHTERS' DAY
SPONSOR(S): REPRESENTATIVE(S) LYNN, CLAMAN

01/21/15	(H)	PREFILE RELEASED 1/16/15
01/21/15	(H)	READ THE FIRST TIME - REFERRALS
01/21/15	(H)	STA
02/24/15	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 22
SHORT TITLE: PROBATION AND PAROLE OFFICERS' CASELOADS
SPONSOR(S): REPRESENTATIVE(S) TUCK

01/21/15	(H)	PREFILE RELEASED 1/9/15
----------	-----	-------------------------

01/21/15 (H) READ THE FIRST TIME - REFERRALS
01/21/15 (H) STA, FIN
02/24/15 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

ESTHER MILKE, Staff
Representative Bob Lynn
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 56 on behalf of Representative Lynn, joint prime sponsor.

KELLY NICOLELLO, Director/State Fire Marshal
Division of Fire and Life Safety
Department of Public Safety
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 56.

JEFF TUCKER, Second Vice President
Alaska Fire Chief's Association (AFCA)
Kenai, Alaska

POSITION STATEMENT: Testified in support of HB 56.

REPRESENTATIVE CHRIS TUCK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 22.

CHARLES STEWART, Probation Officer
Anchorage Correctional Complex
Division of Institutions
Department of Corrections
Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing on HB 22.

WARREN WATERS, Probation Officer
Anchorage Correctional Complex
Division of Institutions
Department of Corrections
Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing on HB 22.

RONALD TAYLOR, Commissioner
Department of Corrections
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 22.

ACTION NARRATIVE

[8:02:11 AM](#)

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at 8:02 a.m. Representatives Keller, Stutes, Talerico, and Lynn were present at the call to order. Representatives Kreiss-Tomkins and Gruenberg arrived as the meeting was in progress.

HB 56-ALASKA FIREFIGHTERS' DAY

[8:02:43 AM](#)

CHAIR LYNN announced that the first order of business was HOUSE BILL NO. 56, "An Act establishing Alaska Firefighters' Day."

[CHAIR LYNN handed the gavel to Vice Chair Keller.]

[8:03:15 AM](#)

CHAIR LYNN, as joint prime sponsor, introduced HB 56 and stated that firefighters run into burning buildings to rescue people at the risk of their own lives. He said they fight forest fires and respond during natural disasters, such as the Good Friday Earthquake on March 27, 1964. Further, he noted that firefighters are first responders to medical emergencies; they save lives by administering cardiopulmonary resuscitation (CPR) and using defibrillators and the "jaws of life." He said firefighters even collect funds for charities. Chair Lynn said the proposed legislation honors firefighters with their own special day, and he opined that they deserve the recognition.

[8:04:49 AM](#)

ESTHER MILKE, Staff, Representative Bob Lynn, Alaska State Legislature, presented HB 56 on behalf of Representative Lynn, joint prime sponsor. She echoed Representative Lynn's remark that the proposed legislation would establish a day to honor firefighters in the state and thank them for the work they do to keep people safe. She said HB 56 would designate the Sunday preceding October 9th as Alaska Firefighters' Day. She said that particular date was chosen, because it marks the beginning of National Fire Prevention Week, which was established to

commemorate the Great Chicago Fire of 1871. She concluded, "We hope this bill will help all Alaskans to remember to take the time to appreciate and thank the firefighters that keep us safe every day."

8:05:57 AM

KELLY NICOLELLO, Director/State Fire Marshal, Division of Fire and Life Safety, Department of Public Safety, related there are approximately 1,500 firefighters in Alaska, made up of career, municipal, borough, wild land, and airport firefighters. Additionally, there are approximately 6,000 volunteer municipal, borough, village, and wild land firefighters, and all are considered professionals that serve their communities with their heart, soul, pocketbook, and sometimes even their lives. He said the vast majority are volunteers that have full-time careers. Mr. Nicolello said all firefighters dedicate many extra hours in education and training to prepare as emergency responders, and they ask for little or no material return for their services. He posited that the general public does not understand the sacrifice of time and commitment it takes to serve as a firefighter.

MR. NICOLELLO explained that firefighters have a deep pride in what they do and their self-respect and satisfaction comes from knowing they make an immediate and impactful difference when someone is having one of their worst moments. He further explained that they make things right; they console; they save lives and property; and if you ask any one of them, that's good enough for them. Nevertheless, he stated that respect and expressed appreciation are currencies firefighters truly appreciate. He emphasized the positive effect of raising appreciation of firefighters to the state level and opined that Alaska Firefighters' Day would be a great way to demonstrate that their personal involvement means more than what happens locally, that "the service they perform has a direct impact on the quality of life of those around them and is recognized as a positive contribution to Alaska as a whole."

MR. NICOLELLO said he thought it was appropriate to recognize firefighters during Fire Prevention Week, because it is a week when people remember those firefighters who lost their lives during the performance of their duties, and it is a time when there is a focus on educating children in the principles of fire safety throughout schools and community organizations. He added, "And what a better day than a Sunday to thank God for

what they do and show them the appreciation they deserve?" He asked the committee to move HB 56 forward.

[8:08:44 AM](#)

JEFF TUCKER, Second Vice President, Alaska Fire Chief's Association (AFCA), testified in support of HB 56 and echoed Mr. Nicoletto's statement that firefighters across the state sacrifice much to serve their communities. He noted there is already a day when those firefighters who have fallen in the line of duty are recognized, and he emphasized the importance of celebrating Alaska firefighters and their commitment and service to communities. He said people sometimes take for granted the job firefighters perform until they need them, and opined that it is appropriate for Alaskans to take a day to pause and celebrate the service of firefighters.

VICE CHAIR KELLER, after ascertaining no one further wished to testify, closed public testimony on HB 56.

[8:10:23 AM](#)

REPRESENTATIVE STUTES moved to report HB 56 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 56 was reported out of the House State Affairs Standing Committee.

CHAIR LYNN thanked committee members for supporting HB 56.

[8:11:02 AM](#)

The committee took an at-ease from 8:11 a.m. to 8:13 a.m.

[During the at-ease, Vice Chair Keller returned the gavel to Chair Lynn.]

HB 22-PROBATION AND PAROLE OFFICERS' CASELOADS

[8:13:04 AM](#)

CHAIR LYNN announced that the final order of business was HOUSE BILL NO. 22, "An Act establishing a maximum caseload for probation and parole officers."

[8:13:21 AM](#)

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, as prime sponsor, presented HB 22. He paraphrased the first two paragraphs of the sponsor statement, which read as follows [original punctuation provided]:

In Alaska, two-thirds of offenders return to prison within three years. Legislators and communities have been dedicated to reducing the high rate of recidivism, but we have missed the important piece of supporting our probation officers. Probation and parole officers provide key services that can help recently-released offenders re-enter society smoothly and reduce recidivism. However, many probation officers are seeing an increase in caseloads which diminishes the amount of time spent with each individual.

According to a study by The PEW Center on the States, success rates among offenders are not high. More than 40% of probationers and more than half of parolees do not complete their supervision terms successfully. In fact, parole violations account for almost 35% of admissions in state prisons, and nearly half of local jail inmates were on probation or parole when they were arrested.

[8:14:37 AM](#)

REPRESENTATIVE TUCK relayed that 64 percent of inmates with the Department of Corrections in Alaska are non-violent offenders and probation violators. He indicated that returning parole violators cost the state approximately \$158.67 per day for "hard prison bed," and almost \$58,000 a year, per inmate. He stated that about 40 percent of the inmates are pre-trial offenders awaiting bail, who have not been convicted of a criminal offense. He indicated that of those, the highest rate of recidivism occurs among youthful males, minorities, and property offenders. He said the department reported that the current average caseload of parole officers is 85.

REPRESENTATIVE TUCK paraphrased the next two paragraphs of the sponsor statement, which read as follows [original punctuation provided]:

In recent years, the number of duties for probation officers has grown to include the taking of DNA samples, ensuring the offender's compliance with the

Sex Offender Registry and conducting home visits and address confirmation checks. Corrections populations have also experienced tremendous growth for the past two decades. In an attempt to alleviate jail and prison crowding, probation caseloads are being populated with offenders that potentially pose greater community safety threats. These offenders may be gang members, sex offenders, or domestic violence offenders, and require more officer time to provide adequate supervision, treatment, and enforcement of conditions in order to effectively modify their behavior.

A number of studies have examined practices of probation officers and have demonstrated that medium and high-risk offenders garner the most benefit from intensive correctional interventions. Pro-social modeling and reinforcement, problem solving, and cognitive techniques are core skills for reducing recidivism in probation supervision. If probation officers are spending less time with each individual due to high caseloads, their ability to help offenders develop these skills is severely hampered.

[8:16:44 AM](#)

REPRESENTATIVE TUCK said probation and parole officers provide key services that can help recently released offenders reenter society smoothly and can reduce recidivism. He indicated that under the proposed legislation, the number of caseloads for parole officers would be diminished. He relayed that currently there are 11 states that limit probation officer caseloads. He said right now DOC is running at "101 percent" of its general capacity, despite opening its Goose Creek Prison Facility in 2002, at a cost of \$250 million. He stated that if unabated, Alaska's annual 3 percent prison population growth would result shortly in the need for a new prison. He reported that Alaska's prison population was growing at a rate four times that of the state's population. One way to ensure that rate does not continue its growth is to ensure the success of people coming out of prison and entering society. He relayed that as of January 23, 2015, Alaska's incarceration rate was 5,216 offenders in prison.

[8:18:49 AM](#)

REPRESENTATIVE TUCK indicated that the State of Texas has statutes to limit the number of caseloads from 11 to 60, with the higher number being allowed for lighter cases. He named eleven states [that have adult probation and parole officer caseload statutes]: Arizona, Connecticut, Florida, Idaho, Kentucky, Minnesota, Nebraska, New Mexico, North Carolina, Texas, and Vermont. He said HB 22 would set the maximum caseload at 60, but noted that most of the other states have a limit of 50 or less, dependent upon the level of crime that has been committed.

[8:20:17 AM](#)

REPRESENTATIVE TUCK, in response to Chair Lynn, reiterated that currently the average caseload for probation officers is 85, and he confirmed that the caseloads vary depending on the severity of the crime for which a person was incarcerated. He said the Department of Corrections ensures that officers are specialized in the areas in which they work with parolees and people on probation.

CHAIR LYNN said he agrees with the intent of HB 22, that the number of caseloads should be reduced; however, he remarked on the serious financial trouble Alaska is having, and he questioned whether the state could afford the proposed legislation. He asked how much it would cost the state to bring the number of caseloads down.

REPRESENTATIVE TUCK said at this point the cost was indeterminate. He indicated that the State of Texas closed down one of its prisons in 2012, as result of addressing the issue of recidivism, and limiting the caseloads of parole officers was a big part of that. He said Texas saw a savings of approximately \$440 million annually. He said the State of Alaska's prison system is the fifth largest expenditure in its budget. He stated that the goal is to invest wisely in order to reduce the cost down the road. Limiting the caseload of probation officers would be one way to do so.

REPRESENTATIVE TUCK stated that probation officers are the front line to those individuals exiting the prison system. As a matter of public safety and success, those officers hold released prisoners accountable. They also coach them and partner them with resources necessary for their success. When the caseloads becomes too heavy, it is often the exiting prisoner that is not guided, and he/she often commits another crime or makes a technical error that requires a return to

prison. He said the jobs of probation officer and parole officer cannot be done by a computer; they require face to face time with parolees and probationers.

[8:23:59 AM](#)

CHAIR LYNN offered his understanding that the sponsor was saying that the State of Alaska would save the cost associated with parolees going back to prison because of reduced recidivism under HB 22.

REPRESENTATIVE TUCK responded that is correct. He mentioned a 2015 Recidivism Reduction Plan and the Pew Research Center, and he said there was a recommendation in a report to invite the Pew Public Safety Project to provide Alaska with free technical assistance to help identify factors in driving down Alaska's prison population growth. He said there are a lot of studies directly related to probation officers. He stated that the second-highest reason for felony admission is probationary failure, and he reiterated that limiting caseloads would allow focus on probationers and parolees and "give them the proper attention for their successes."

[8:25:24 AM](#)

REPRESENTATIVE TALERICO observed that there are 207 probation officers that work for the state and 6,258 people on probation and parole, which comes out to an average of 30.3 per caseload. He ventured that the problem exists mostly in Anchorage, where the caseload is about 85 people per officer. He asked if that is correct.

REPRESENTATIVE TUCK responded that there is a problem in Anchorage and higher rates in Nome and Barrow; the numbers vary by study and the overall average is about 85 - 85 statewide." He relayed the lowest [caseloads] in the past have been in Bethel and Fairbanks. He indicated that the numbers fluctuate depending on the nature of crimes and availability of services.

[8:28:02 AM](#)

CHAIR LYNN asked how the system works with parolees from villages.

REPRESENTATIVE TUCK deferred to representatives from DOC.

[8:28:32 AM](#)

REPRESENTATIVE KELLER opined that the sponsor had portrayed the ratio between inmates and probation officers as one that can be adjusted in order to reduce recidivism. He mentioned Senate Bill 64, passed in 2014, which was focused on this very problem. Part of that legislation would expand Probationer Accountability with Certain Enforcement (PACE) statewide, and there was funding involved that would reform the [Division of Probation and Parole]. He also mentioned electronic monitoring, risk assessment tools to determine whether an inmate is violent, and treatment programs across the state focused on recidivism. Further, he said the Department of Health and Social Services (DHSS) is involved. He expressed he was having difficulty understanding why the sponsor thinks that "just putting ... a cap on this ratio will do much." He said his impression is that DOC is committed to reducing recidivism and has no aversion to spending money to that end. He mentioned the fiscal note and said there is a big range of imprisoned. He offered his understanding that in an administrative probation situation, "they say 200 isn't unreasonable." He opined that a statutory cap on the number of cases ignores what's going on and "what we just did." He asked Representative Tuck to explain the critical nature of the ratio in the context with all the other aforementioned recidivism reduction efforts already going on.

[8:31:35 AM](#)

REPRESENTATIVE TUCK read the bill language and clarified that [HB 22] would not be the whole answer, but a part of it. He said PACE started in 2010 and allows quick action to get a parole violator back in to a program. He said the second highest reason for recidivism is probation violation, and other states have shown a reduction in recidivism as a result of putting a cap on caseloads. He offered more details regarding the State of Texas, which has a limit of 60 caseloads for low-risk inmates, 35 for those in a special needs offender program or a substance abuse program, 24 for those in a sex offender program, 20 for those who are electronically monitored, and 11 for those in a super-intensive supervision program. He said Alaska's electronic monitoring program is under the supervision of its parole and probation officers. He talked about the job of the officers to provide coaching, counseling, and to bring resources to the probationer that could help keep him/her from returning to prison.

[8:34:48 AM](#)

REPRESENTATIVE KELLER asked whether the prime sponsor believes that DOC has resources currently to accomplish this without legislation, and would do so. He said it sounded like the prime sponsor was assuming that the department would overwork the officers. He said he thinks the department has the resources now and would not overwork the officers.

REPRESENTATIVE TUCK responded that if DOC has the resources now, then implementing the bill should be easy. He said this should be something that is implemented beyond the current administration. He acknowledged that the department has worked over the years to bring the number of caseloads down from 120 to 85, and the goal is to reduce that number to 60.

[8:36:02 AM](#)

CHAIR LYNN asked whether currently there are enough parole officers available to bring that number down to 60 or less, without hiring additional officers.

REPRESENTATIVE TUCK offered his understanding that there are quite a few positions unfilled; however, he deferred to DOC to answer the question.

[8:36:40 AM](#)

REPRESENTATIVE KREISS-TOMKINS asked whether any thought had been given to including language in HB 22 that creates different caseload caps based on the risk level of the parolee.

REPRESENTATIVE TUCK answered that the department currently has three levels it works with: minimum, medium, and maximum [risk]. He offered his understanding that the department attempts to distribute the spectrum to each officer rather than giving any one officer all maximum level risk parolees, for example. He explained that he wanted to allow the department the flexibility to define how it wants to function, but just wanted to limit the caseloads to 60.

[8:38:15 AM](#)

CHARLES STEWART, Probation Officer, Anchorage Correctional Complex, Division of Institutions, Department of Corrections, opined that HB 22 is important legislation for probation officers whose job it is to work with offenders to help them change their thinking behavior, which will help them stay out of jail. He said the goal of the department is to reduce

recidivism, but it is not possible to do that now because officers are doing so much paperwork and have little time to work hands on with offenders. He said caseloads run from 80 to 100 or more. He stated that on February 18, 2015, a hearing was held by the House Finance Committee to address the 2015 Recidivism Reduction Plan presented by the Recidivism Work Group. He said "we" believe it is a great plan; however, there is one large problem, the number of caseloads of probation officers. He said currently officers are spending time putting out fires started by a handful of individuals, while a majority are left without face-to-face guidance at a critical time in their lives. He said, "While we support the evidence-based approach in handling offenders, we must have more face-to-face time with each offender in our caseloads for the evidence-based program to work." He emphasized the importance of working with each individual on their program plan. The programs require more paperwork in careful documentation and more time spent with individuals. He said failure to reduce caseloads would result in a failure to reduce recidivism. He noted that during a House Finance Committee hearing information was relayed that the current recidivism rate was 63.19 percent as of fiscal year 2011 (FY 11), and that the Department of Corrections is currently at "101 percent" of general capacity and increasing at a growth rate of 3 percent each year.

[8:41:54 AM](#)

MR. STEWART said a report from North Carolina, dated March 2013, shows that a caseload of 60 is ideal. He indicated that most of the Department of Correction's officers are assigned a caseload of 66; however, because of vacant positions, job injury, medical leave, or military leave, the caseloads "in real life" exceed 70 percent. He indicated that a 2011 report showed that South Carolina had special caseloads of approximately 30 individuals, which covered the categories of mental health and sex offenders.

[8:43:14 AM](#)

MR. STEWART said when the Recidivism Reduction Plan was given to the House Finance Committee, it was stated that there were about 5,100 inmates at a cost of \$158 a hard bed per day. He said "our" goal is to cut recidivism by at least 15 percent, which would be a cost savings of roughly \$27 million a year. He said it is necessary to spend money in order to save money, but evidence from other states show that money will be saved in the future. If the problem is not fixed now, he said, the cost of incarceration will continue to climb. He stated, "Keeping

offenders out of jail by providing active probation officers' supervision is the answer to reduce recidivism." He asked the committee to support HB 22, because he said the officers are trying as hard as they can but need the legislature's help.

8:44:55 AM

WARREN WATERS, Probation Officer, Anchorage Correctional Complex, Division of Institutions, Department of Corrections, relayed that as a worker for the State of Alaska, he is allotted 37.5 hours a week. He said divided by a caseload of 85, that comes out to 26.5 minutes per parolee per week, and that does not include driving to court or doing home visits or completing all the data entry. He said a child cannot be raised on 26 hours a week, and officers are dealing with people who have a lot of needs. He said the attempt is made to meet those needs in order to keep those people from returning to prison. Further, he stated that officers have many assessment tools with which to determine a parolee's needs and custody level. He said the level of service inventory (LSI) is the current assessment tool used, and it takes over an hour to complete an LSI for each offender. In response to Chair Lynn, he explained that the LSI is the tool used to figure out the minimum, medium, maximum custody level in order to determine programing and treatment needs.

MR. WATERS recollected that someone had asked why caps are necessary if the department already has a system in place. He said the short answer is that the department is run by people, and when there is crisis or budget shortfall, those people make cuts and don't fill positions, which means everyone else has to pick up the slack. He stated that on paper, it may appear there are enough officers to do the job, but human error plays a part in management. He said having a cap establishes a limit for officers. Mr. Waters gave examples of how problems surface that result in overloading of probation/parole officers. He said many parole officers cringe when they open a newspaper and read that someone has committed a heinous crime, and they are hoping that that person was not on their caseload. He said it happens more often than not that the people reported as having committed a crime are those who are on probation or parole. He said officers wonder if crimes could have been prevented if only they had had a few more minutes with the parolee and found them a better job or better housing.

8:49:56 AM

MR. WATERS said he knows everything costs money and this is not the year to be asking for it. He stated that the officers are dealing with bad people, trying to keep the community safe, and trying to help people change their lives. He said, "That's all we're asking for is the time to spend with these individuals to change their lives to make Alaska a better place."

CHAIR LYNN asked why there are vacant positions.

MR. WATERS said he only can speculate that some offices have high turnaround rates, partly because of management issues and partly because of the issue of caseloads. He indicated that the department had understood that under Senate Bill 64, it would be getting 10 more positions, but those positions have not been filled in the nine months since that legislative session ended.

[8:51:44 AM](#)

[Due to technical difficulties, the following question was reconstructed from the committee secretary's log notes.]

REPRESENTATIVE STUTES asked whether Mr. Waters was required to see each parolee weekly.

MR. WATERS answered no. He added, "Not even monthly; it just depends on the type of caseload."

REPRESENTATIVE KELLER asked what Mr. Waters' own caseload was at present.

MR. WATERS answered over 100. He said the Anchorage Correctional Complex supervises approximately 1,100 inmates, because it is also responsible for the four halfway houses in the Anchorage area. He related that there are ten probation officers at the complex.

[8:53:02 AM](#)

RONALD TAYLOR, Commissioner, Department of Corrections, thanked the committee for hearing HB 22. He indicated that it is in talking to probation officers that a person gets the sense of what those officers face daily. In response to Chair Lynn, he explained that on the probation and parole side, the department has a required vacancy factor that it must meet, which is approximately \$1 million; therefore, there would be at least ten vacant positions. He said, the other two would be because of

transfers, or it could be because someone left one of the offices.

COMMISSIONER TAYLOR, regarding Representative Talerico's previous calculations, said it is incorrect to "look at the 207" and, based on the current caseload activity, conclude that the caseload is about 34. He expressed his desire for everyone considering caseloads addressed under HB 22 to realize that the intent is to help probation officers be more successful by giving them more time with each case. He offered his understanding that the number 6,200 had been highlighted in regard to caseload activity and indicated that that number includes only the field caseloads; it does not include caseload activity of the institutional fields, the electronic monitoring fields, the parole board, or classification. He said the 207 probation officers also include supervisors, some of whom do not carry a caseload. He indicated he wanted everyone to share the same understanding regarding the entire scope of caseloads, so that no one would question the need for the proposed legislation.

[8:55:59 AM](#)

COMMISSIONER TAYLOR noted that Representative Keller had asked whether the department currently has sufficient resources. He said the answer is "absolutely not." He said the department had asked for 25 new positions to be able to do the things that were required under the aforementioned Senate Bill 64. He said the 10 parole officer positions that are assigned for the institution were not scheduled to come on line until the next fiscal year. The department needed time to train probation officers and work with them in relation to the "risk needs assessment" to help them transition from where they were.

COMMISSIONER TAYLOR said caseloads have dropped as a result of the bills previously brought forth over the last four or five years by Representative Tuck and Senator McGuire. He emphasized that although the caseloads have dropped from 120 to 85, they are still not at the number they should be. He said the department is able to work within its system to find efficiencies, but unfortunately it has not done that on the institutional side. He said the department needs to consider all the cases that the institutions are dealing with and all the paperwork requirements. He said the department needs to focus on that which the previous testifiers relayed to get a truer picture of what the caseloads really are versus what we have

right now. He said the department is working toward being as efficient and effective as possible.

8:58:02 AM

COMMISSIONER TAYLOR recollected that Chair Lynn had asked about working in rural areas. He said the department does not have the resources to work in those areas; therefore, it utilizes the Village Public Safety Officers (VPSOs) that live in the rural communities to do checks, such as breathalyzers, to ensure that the parolee is abiding by his/her conditions of parole.

CHAIR LYNN asked what percentage of parolees are living in remote villages.

MR. TAYLOR said he does not know. He offered his understanding that Chair Lynn was talking about villages, not caseloads. He explained, "We could have a person that's supervised by Anchorage probation that's out in a rural area." He said he would have to research those numbers.

CHAIR LYNN said the question did not pertain too much to HB 22. He explained that he was curious because the parolee cannot afford to go the city and the parole officer cannot afford to fly out to the village. He opined that the use of the VPSO was a good fill-in for that position.

8:59:34 AM

REPRESENTATIVE TALERICO offered Commissioner Taylor the statistical information he had previously referenced and asked whether, with that information, Commissioner Taylor could then return with more accurate information.

COMMISSIONER TAYLOR confirmed he would provide the institutional and electronic monitoring caseload numbers that Representative Talerico was missing.

9:00:16 AM

CHAIR LYNN, after ascertaining no one further wished to testify, closed public testimony on HB 22.

CHAIR LYNN stated he was in favor of reducing the caseloads. He said likewise he is in favor of having a smaller student to teacher ratio, but ventured that both that and the reduced caseload for parole and probation officers could cost money. He

remarked, "In some degree, trying to figure out how much that would lower the recidivism rate is like trying to nail Jell-O to the wall, because you really don't know - nobody knows." He reiterated that he was in favor of reducing the caseloads.

[9:01:34 AM](#)

REPRESENTATIVE KELLER stated that anything with a fiscal note is a concern because the State of Alaska is in dire straits and cannot spend money; however, he said the cost for reducing recidivism does not compare to Medicaid growth costs. He said the legislature passed Senate Bill 64, and "as we speak," a Justice Reform Commission is reviewing the issue in detail. He said it was difficult for him to consider that the cap [proposed under HB 22] would have any effect on the effectiveness of probation officers or the recidivism rate.

[9:03:50 AM](#)

REPRESENTATIVE TUCK stated that in 2007, the State of Texas introduced four bills, and one was a standalone bill regarding the limitation [on caseloads] of parole and probation officers. He said Texas was faced with spending \$500 million on new prisons or investing \$240 million, and the latter choice resulted in an average savings of \$443 million in two years. By 2012, the State of Texas was actually able to close a prison. He said a 2012 report entitled, "Reduced Caseloads Improve Probation Outcome," published in the Journal of Crime and Justice, stated that the effect of officers fully trained in implementing evidence-based practices was an approximate 30 percent reduction in the recidivism rate. Another study conducted in 2011, by the Crime and Justice Institute, suggested that the reduction in caseloads could reduce criminal recidivism among medium- to high-risk offenders, and Representative Tuck said that was desirable in order to keep the public safe. He reported that in one county in Florida, researchers found that intensive supervision with small caseloads reduced the likelihood of criminal recidivism by 26 percent for violent, property, and drug offenses, and that percentage increased to 45 percent when the drug category was removed.

REPRESENTATIVE TUCK said in looking at opportunities for the state to save money the legislature must ask what the cost would be of "not doing something like this." He said the high turnover rate within the Office of Children's Services has to do with the workload. He said people want to help others and when they are not able to do that they get discouraged and leave. He

said the situation is the same with parole and probation officers who want to see the offenders successfully [rehabilitated]. Without allocated resources, the turnover rate for parole and probation officers will continue to be high or even increase. He said, "We want to ... see people receiving the services they need ... to be successful once they leave our prison system." He related that at first, the State of Texas had expected the fiscal note to be \$30.3 million; however, the revised fiscal note indicated that there would be no significant cost to the state because of the reduction in recidivism and, thus, in the number of prisoners. The change to the bill required the Texas Department of Criminal Justice to submit a report each year explaining why the department failed to meet the guidelines and stating the amount of money needed to meet those guidelines.

[9:08:26 AM](#)

CHAIR LYNN expressed appreciation for parole and probation officers, whom he opined have a tough job no matter what their caseload. He offered his understanding that there was an indeterminate fiscal note for HB 22, and he inquired if there was any way to make it a zero fiscal note.

REPRESENTATIVE TUCK replied that he would like to use Texas' plan as a model and work with Alaska's DOC to determine how to bring the fiscal note "down to where we can start making ... these necessary investments to get us money."

CHAIR LYNN said he would like to see that happen.

[9:09:16 AM](#)

REPRESENTATIVE STUTES said she did not think there was any question that "maybe we need a little help in that direction" and need to reduce the caseload of probation officers. She opined that if the Justice Reform Committee is reviewing the issue, then HB 22 may be a step ahead of its time. She said it seemed that there were commissioners overseeing many departments, but none of the departments were working together. She ventured that it may be possible to have a zero fiscal note if all the departments, as well as the Justice Reform Committee, worked together. She concluded, "I'm a proponent of the idea, but I just think it's a little premature currently for this."

REPRESENTATIVE TUCK asked Representative Stutes to clarify whether she meant premature because other people are looking at things, or because the results are unknown.

REPRESENTATIVE STUTES suggested that the committee wait for the findings and recommendations of the Justice Reform Committee before approaching them with "this." She added, that should they not address the probation officer situation, then put it in the mix - let them address it with the whole problem.

CHAIR LYNN announced that HB 22 was held over.

[9:12:29 AM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:12 a.m.