

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

January 21, 2016
8:04 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 231

"An Act extending the termination date of the Board of Parole;
and providing for an effective date."

- MOVED HB 231 OUT OF COMMITTEE

HOUSE BILL NO. 175

"An Act establishing November 1 as Military Family Day."

- MOVED HB 175 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 231

SHORT TITLE: EXTEND BOARD OF PAROLE

SPONSOR(S): REPRESENTATIVE(S) LYNN

01/19/16	(H)	PREFILE RELEASED 1/8/16
01/19/16	(H)	READ THE FIRST TIME - REFERRALS
01/19/16	(H)	STA, FIN
01/21/16	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 175

SHORT TITLE: ESTABLISH MILITARY FAMILY DAY

SPONSOR(S): REPRESENTATIVE(S) LYNN

04/01/15 (H) READ THE FIRST TIME - REFERRALS
04/01/15 (H) STA
01/21/16 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

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

POSITION STATEMENT: Presented HB 231 on behalf of the House State Affairs Standing Committee, sponsor, on which Representative Lynn serves as the chair.

JEFF EDWARDS, Executive Director
Parole Board
Division of Probation and Parole
Department of Corrections (DOC)
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 231.

KRIS CURTIS, Legislative Auditor
Legislative Audit Division
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 231.

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

POSITION STATEMENT: Presented HB 175 on behalf of the House State Affairs Standing Committee, sponsor, on which Representative Lynn is the chair.

LAURIE HUMMEL, Adjutant General/Commissioner
Department of Military & Veterans' Affairs
Joint Base Elmendorf-Richardson (JBER), Alaska

POSITION STATEMENT: Testified in support of HB 175.

KEVIN DEAN

Joint Base Elmendorf-Richardson (JBER), Alaska

POSITION STATEMENT: Testified in support of HB 175.

ACTION NARRATIVE

8:04:04 AM

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at 8:04 a.m. Representatives Keller, Stutes, Talerico, Kreiss-Tomkins, and Lynn were present at the call to order. Representatives Vazquez and Gruenberg arrived as the meeting was in progress.

CHAIR LYNN indicated that the intent of the committee would be to give priority to proposed legislation addressing the state's budget or revenue over proposed legislation pertaining to other subjects.

HB 231-EXTEND BOARD OF PAROLE

8:06:32 AM

CHAIR LYNN announced that the first order of business was HOUSE BILL NO. 231, "An Act extending the termination date of the Board of Parole; and providing for an effective date."

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

8:08:05 AM

CHAIR LYNN, as chair of the House State Affairs Standing Committee, sponsor, announced his staff member would present HB 231.

8:08:47 AM

ESTHER MIELKE, Staff, Representative Bob Lynn, Alaska State Legislature, presented HB 231 on behalf of the House State Affairs Standing Committee, sponsor, on which Representative Lynn serves as the chair. She stated that the Board of Parole currently serves in Alaska as the authority over determination of paroles. Under current statute, the board will be terminated on June 30, 2016. The proposed legislation would extend the date to June 30, 2022.

MS. MIELKE stated that the Division of Audit conducted an audit on the Parole Board last year. The audit included an examination of the board's performance in light of the eleven sunset criteria points provided within Alaska Statute. The division found the board to be in good standing, but recommended four improvements to the board's operations, which address:

Accuracy and consistency of information contained in parole files; documentation of victim and offender notifications; deficiencies in proposed regulation changes methods; and the security of the Department of Corrections' information system. Ms. Mielke concluded by stating that HB 231 would fulfill the constitutional requirement that the State of Alaska establish a parole system and accordingly assist in keeping Alaskans safe. She noted the following people were available to answer questions: Sherrie Daigle of the Department of Corrections, Kris Curtis from Legislative Audit, and Jeff Edwards from the Parole Board.

[8:10:41 AM](#)

VICE CHAIR KELLER remarked that the work by the Criminal Justice Commission has increased the importance of the function of [Mr. Edwards on the Parole Board].

[8:11:21 AM](#)

JEFF EDWARDS, Executive Director, Parole Board, Division of Probation and Parole, Department of Corrections (DOC), in response to Vice Chair Keller, stated that the Parole Board has been working with the commission on a regular basis, and the commission has been keeping the board apprised of the recommendations made. He characterized the Parole Board as a quasi-part-time board whose members are appointed by the governor and work from their homes around the state and convene monthly to conduct hearings. He indicated that future legislation would create change wherein the board may be incorporated and have its work schedule increased. Further, he said he anticipated the board would be asked to dramatically increase the number of people who apply for parole, which is a goal already supported by the board. He said the board feels that its process is solid, in the fact that the board can conduct a good evaluation of candidates and, instead of warehousing inmates "in hard bed," which is very expensive, the board can conduct a thorough evaluation of the applicants and potentially offer early release. He said the board has found the process to be cumbersome; the applicants sometimes do not want to apply. New legislation could be introduced to demand that all eligible inmates apply for early parole, which would increase the Parole Board's docket significantly. He indicated there is other legislation that will affect the board, and the overall global scope is to reduce recidivism, free up hard beds, allow people to transition and reenter into the communities as returning Alaska citizens, and ensure there is fair and

impartial review process of any parolees who commit parole violations on the street.

8:13:40 AM

VICE CHAIR KELLER noted that the Alaska Criminal Justice Commission had been meeting for a little over a year, and he indicated that there had been ensuing legislation presented as a result. He related that both House and Senate leadership, as well as other various legislators, have asked the commission to figure out how the state is going to be able to afford to keep its prisoners in the future. He continued:

Because of the projected increase in prisoners in the future, we were looking at another Goose Creek construction project, and it gave us the opportunity to do some reform considerations, and I was really impressed with the work that was done, and it puts a lot of focus on the Parole Board, because obviously when people get out they need those transition procedures and processes and programs there to help.

8:15:05 AM

KRIS CURTIS, Legislative Auditor, Legislative Audit Division, Legislative Affairs Agency, offered to answer questions.

8:15:20 AM

REPRESENTATIVE VAZQUEZ directed attention to page 16 of the audit, which she observed shows "rate of replication decision" by the Parole Board. The decisions are broken up from 2004-2007 and show high rates, but she said the rates shown from 2011-2014 are higher. For example, she noted that the rate for 2011 was 74 percent "revoke and re-parole"; the rate for 2012 was 66 percent; and the rate in 2017 was 77 percent. She opined there is a problem - not in the Parole Board itself, but having to do with a lack of success in paroling people. She read a note below those statistics, as follows: "The board stated that past decisions 2004-2007 were heavily influenced by the elimination of various treatment programs during difficult budget years." She asked Ms. Curtis if it is her conclusion that it is the lack of treatment programs that is the cause [of the high rates].

8:16:48 AM

MS. CURTIS said the point to make is reflected in the column to the right: "revoke and deny." In terms of revoking and re-paroling an individual and allowing him/her to remain in the community as opposed to having the person return to prison, "from 2011-2014, compared to 2004-2007, they were re-paroling them at a much higher rate than in previous years. And the reason why we were being told they were being re-incarcerated at a higher rate in 2004-2007 was the lack of treatment programs in the community, as a result of budgetary restrictions during that time." She stated that the audit makes the point that "from our review, they were - during the audit period - being re-paroled at a higher rate." She offered her belief that that is what the communities wanted.

VICE CHAIR KELLER noted that the handout to which Representative Vazquez had previously referred was "easily available."

[8:18:37 AM](#)

VICE CHAIR KELLER closed public testimony on HB 231.

[8:18:52 AM](#)

REPRESENTATIVE VAZQUEZ asked what had been done to address the audit recommendations made in 2015.

VICE CHAIR KELLER noted that "the justice commissioner" had done a lot of work, but said the issue was whether or not the deadline would be extended. He asked Representative Vazquez if she was recommending that the committee not act on the bill today.

REPRESENTATIVE VAZQUEZ answered no. She opined that the work of the board is critical to both the criminal justice system and the community. She clarified that she was interested to know if the "good audit recommendations" were being addressed.

VICE CHAIR KELLER suggested that the committee could, at a later date, invite the Parole Board to talk to the committee about what it had done in response to the audit.

CHAIR LYNN noted that there would be an upcoming overview from the Department of Corrections, at which time the committee might be able to hear from the Parole Board.

[8:21:17 AM](#)

REPRESENTATIVE GRUENBERG noted that under HB 231, the board would be extended by only six years. He said he knows other boards that are extended for eight, and he questioned why the same was not proposed for the Parole Board.

CHAIR LYNN said he did not have an answer to that question.

[8:21:56 AM](#)

MS. CURTIS explained that the Legislative Audit Division recommended a 6-year extension because of the dynamic nature of "the corrections policy arena right now and ... how the board will change dramatically in upcoming years." She indicated that those changes, as well as the full recommendations of the division, could warrant oversight and monitoring at a more frequent rate than the maximum eight years. In response to Representative Gruenberg, she clarified that currently there are a lot of pending policy changes to the role of the Parole Board, in both its workload and procedures. Additionally, a new risk assessment tool was implemented recently and, because of the timing of the audit, the impact of that tool was not yet evident. She said the division settled on six years as a time when it would be able to see the implications of the policy changes and come back to review "the current status of the recommendations."

MS. CURTIS, in response to a follow-up question, explained that the aforementioned new risk assessment tool was being used by the board to evaluate the suitability of parole for those who apply for parole.

VICE CHAIR KELLER suggested Representative Gruenberg would have another opportunity to ask more in-depth questions but said that for now, he would like to move on with the bill discussion.

[8:25:26 AM](#)

CHAIR LYNN pointed out that the overview from the Department of Corrections was scheduled for Thursday, January 28, 2016.

[8:25:41 AM](#)

REPRESENTATIVE STUTES moved to report HB 231 out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, HB 231 was reported out of the House State Affairs Standing Committee.

HB 175-ESTABLISH MILITARY FAMILY DAY

[8:26:36 AM](#)

VICE CHAIR KELLER announced that the final order of business was HOUSE BILL NO. 175, "An Act establishing November 1 as Military Family Day."

[8:26:56 AM](#)

ESTHER MIELKE, Staff, Representative Bob Lynn, Alaska State Legislature, presented HB 175 on behalf of the House State Affairs Standing Committee, sponsor, on which Representative Lynn serves as the chair. She stated:

House Bill 175 establishes Military Family Day to honor and support families of our servicemen and women in Alaska every year on November 1. Nationally, November is designated as National Military Family month. The President of the United States typically makes an annual announcement to inform the public about this month. We thought it was fitting to have our Alaskan Military Family Day to coincide with the beginning of the nationally designated month.

[8:27:49 AM](#)

CHAIR LYNN stated that HB 175 is far more than a "day bill" because it is important to national defense. He talked about the service of those in the military and related his own experience growing up in a military family and his subsequent service in the U.S. Air Force. He went to flight school, got married, and subsequently had six children. Typically, he explained, a military family moves to a different post around the U.S. every two years, which disrupts the lives of the military person's spouse and children and requires them to have to start all over at each new post. He pointed out that a service person is either in combat or preparing for combat. He served in Vietnam and received his family's support while serving there, which was very important.

CHAIR LYNN pointed out, "When you join the military, your family joins with you." He said the military families back home had support groups, which allowed him to do a better job and made it possible for him not to worry. In conclusion, he opined that the family is the bedrock foundation for what makes our nation's

military great, and it deserves acknowledgment; passing HB 175 is one way to do that.

[8:32:43 AM](#)

VICE CHAIR KELLER noted that Chair Lynn had authored a book, "My Own at War."

CHAIR LYNN pointed out that family support is needed regardless of the service person's rank.

[8:33:30 AM](#)

LAURIE HUMMEL, Adjutant General/Commissioner, Department of Military & Veterans' Affairs (DMVA), thanked the committee for inviting her to testify and offered her support for HB 175. She noted that while she is always prepared to publically acknowledge the patriotism, dedication, and skill of Alaska's military men and women, she is especially pleased to focus on the enormous contributions of military families. She said military families make many sacrifices and make possible the operation of the armed forces; however, the public rarely fully appreciates the families' contributions.

ADJUTANT GENERAL HUMMEL said she knows what military families do because she has seen it and lived it firsthand in her life. She recounted that her father was in the U.S. Army for close to 24 years and was married to her mother for the latter 20 years of that time. Four of those twenty years were spent in combat and two of those twenty years were spent away from home on field exercises and other places the U.S. Army sent him. Her mother had two babies alone overseas, as both times her father was away in the field, and they lived in nine different places in twenty years. Her mother would have liked to have her own career, but put those plans on the shelf as she supported military unit functions, army volunteer programs, and acted as both parents. Adjutant General Hummel pointed out that her description of her mother describes all the members of military families.

ADJUTANT GENERAL HUMMEL shared that she has been a deployed soldier and has been the spouse of a deployed soldier. She stated that being the spouse left at home is more difficult, because it involves twice the work, all of the worry, and none of the credit. She pointed out that there are lots of families whose service members' deployments resulted in life altering injuries. When this happens, family members' lives are just as affected as service members as they adjust, care, and give.

Similarly, when a member of the military loses his/her life in service, the "gold star families" left behind must, of necessity, find a way to move forward, but they never fully heal.

ADJUTANT GENERAL HUMMEL stated that nearly 74,000 veterans call Alaska home. Alaska has more veterans per capita than any other state. Alaska's veterans and their families deserve the public's unwavering support. The success of veterans is not sustained by what they have already done but in what more they can provide and especially how best they can show appreciation to the backbone of the military - the military families. She posited that it is appropriate that November 1, All Saints Day, has been selected as the day for recognition.

[8:38:09 AM](#)

KEVIN DEAN testified that his wife is currently a staff sergeant in the military and they have been through two deployments together as a family with two children. He stated that Adjutant General Hummel [illustrated the life of a military spouse and family] well. He related that there have been many times where, as a spouse, he has been left to take care of a lot of the household duties. A benefit of the "National Guard" is that there is always support for the families, such as help with the kids. For example, prior to his wife returning from her first deployment in Afghanistan, he and his children participated in a reintegration seminar about how to react and how a family changes when people come back from overseas. He expressed that as November is Military Family Month, recognizing Alaska by designating November 1 [as Military Family Day, under HB 175,] would be "awesome."

VICE CHAIR KELLER thanked Mr. Dean for coming in to testify.

[8:40:11 AM](#)

VICE CHAIR KELLER closed public testimony on HB 175, except, in the event further questions come up on the bill.

[8:40:32 AM](#)

REPRESENTATIVE GRUENBERG offered his understanding that there is a current effort to provide a waiver to admission to the Alaska Bar Association for spouses of military folks, so a person coming in Alaska with his/her active duty spouse would not have to be admitted to the Alaska Bar during the time that he/she is

in Alaska. He further offered his understanding that there have been efforts to extend waivers for other types of licenses, such as for a welder for example. He inquired how this is coming along.

ADJUTANT GENERAL HUMMEL replied she does not have an answer now, but would get a comprehensive list of the efforts that have been made for certification and licensure waivers or adjustments for military spouses and would provide that information to the committee.

REPRESENTATIVE GRUENBERG added that it is important for the state to get the benefit of the services of skilled spouses as well as skilled military personnel.

[8:42:33 AM](#)

REPRESENTATIVE GRUENBERG moved to report HB 175 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 175 was reported from the House State Affairs Standing Committee.

[VICE CHAIR KELLER returned the gavel to Chair Lynn.]

[8:43:53 AM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 8:44 a.m.