

**ALASKA STATE LEGISLATURE**  
**HOUSE STATE AFFAIRS STANDING COMMITTEE**

April 5, 2016

8:05 a.m.

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S):

Personnel Board

Keith Hamilton, PhD - Soldotna

- CONFIRMATION(S) ADVANCED

Department of Corrections

Commissioner Dean Williams - Anchorage

- CONFIRMATION(S) ADVANCED

Alaska Police Standards Council

Brad Reich - Kiana

- CONFIRMATION(S) ADVANCED

OVERVIEW(S): DEPARTMENT OF CORRECTIONS ON THE GOVERNOR'S  
ADMINISTRATIVE REVIEW RESULTS

- HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

KEITH HAMILTON, Ph.D., Appointee  
Personnel Board  
Division of Personnel & Labor Relations  
Department of Administration (DOA)  
Soldotna, Alaska

**POSITION STATEMENT:** Testified as Appointee to the Personnel Board.

DEAN WILLIAMS, Commissioner Designee  
Department of Corrections (DOC)  
Anchorage, Alaska

**POSITION STATEMENT:** Testified as appointed commissioner of the Department of Corrections.

BRAD REICH, Appointee  
Alaska Police Standards Council (APSC)  
Kiana, Alaska

**POSITION STATEMENT:** Testified as an appointee to the Alaska Police Standards Council (APSC).

**ACTION NARRATIVE**

[8:05:35 AM](#)

**CHAIR BOB LYNN** called the House State Affairs Standing Committee meeting to order at 8:05 a.m. Representatives Stutes, Keller, Vazquez, Talerico, and Lynn were present at the call to order. Representatives Spohnholz and Kreiss-Tomkins arrived as the meeting was in progress.

**CONFIRMATION HEARING(S)**

CHAIR LYNN announced that the first order of business would be the confirmation hearing of the various boards and commissions. He said that the committee would not be taking public testimony on any of the agenda items, due primarily to time constraints.

**Appointee, Personnel Board**

[8:07:01 AM](#)

KEITH HAMILTON, PhD, Appointee to the Personnel Board, Division of Personnel & Labor Relations, Department of Administration (DOA), relayed that he is the president of the Alaska Christian College in Soldotna. He said that he has already served a six-year term on the Personnel Board and also serves on the Alaska State Board of Education and the Alaska Commission on Post-Secondary Education.

DR. HAMILTON related that he enjoyed his six years of serving on the Personnel Board, especially regarding its oversight of state hiring and personnel issues, as well as ensuring the ethical integrity of the executive branch. He mentioned that the board has been fairly bored the last couple of years because of the low number of complaints against those in the executive branch. He expressed his desire to serve on the board for another six years.

[8:08:36 AM](#)

REPRESENTATIVE KELLER moved to advance the confirmation of Dr. Hamilton, Appointee to the Alaska State Personnel Board, to the joint session of the House and Senate for consideration. He noted that the vote of the House State Affairs Standing Committee does not indicate approval or disapproval. There being no objection, the confirmation of Dr. Hamilton was advanced.

**Commissioner, Department of Corrections**

[Contains brief discussion of SB 91.]

[8:09:48 AM](#)

CHAIR LYNN announced that the next order of business would be the confirmation hearing of for the appointment of Dean Williams as commissioner of the Department of Corrections (DOC).

CHAIR LYNN recognized the DOC employees present at the hearing and acknowledged their service.

DEAN WILLIAMS, Commissioner Designee, Department of Corrections (DOC), voiced his appreciation for all of the DOC employees in attendance at the hearing. He said he welcomes the opportunity to be heard in a public forum - that is, to explain who he is and why he is there. He asked for the support of the committee members and requested that the DOC employees at the hearing, whether or not they agree with him, "give us a chance to move forward with this department."

COMMISSIONER WILLIAMS stated that he spent most of the 32 years, prior to coming out of retirement, directing juvenile correctional and treatment facilities in Alaska - both the largest and the smallest. He related that he worked in rural Alaska for 11 years. He spent about eight years in the Department of Law (DOL): performing follow-up investigations on sexual assault and sexual abuse of minors in Nome and Kotzebue; performing special investigations for the Office of Special Prosecutions and Appeals; and piloting a program for volunteers in the district attorneys' offices.

8:13:32 AM

COMMISSIONER WILLIAMS related that his proudest accomplishment was the expulsion/suspension school that he developed while at McLaughlin Youth Center, just before his first retirement. He offered that the purpose of this initiative was to shut down the "school to prison pipeline," to keep young people out of jail and in school. He added that he performed national work on this effort, and that the reform area in juvenile corrections is one in which he is very familiar.

COMMISSIONER WILLIAMS claimed that he wants to "do something in this job, not be something in this job." He opined that his intention in coming back to work in state government was not to make a mark. He claimed that in his first two weeks in the position, he made very difficult decisions about who should be on his leadership team. He mentioned two of his choices, Claire Sullivan and Bruce Busby, and asserted that "putting these people in place is not so I can win, it's so the department can win. It's about putting people in positions that can lead the department beyond me." He went on to say, "My goal is not to do something or make a mark in this department. My goal is to help other people win and make a mark and lead their areas."

COMMISSIONER WILLIAMS maintained that there are very good people in the department - something he has known for months since he and Joe Hanlon did the DOC administrative review for the governor. He said that "what shocked us most was how many people were suffering sort of under a very difficult sky and doing great work. We saw that everywhere we went." He added, "I wouldn't put myself in this spot, to be quite frank, if I didn't see the potential of where the department can go."

COMMISSIONER WILLIAMS went on to say that "part of our challenge and part of what I know is in front of me ... is not that what

we see, but what we can't see." He stated that his goal is to set a vision and have those around him provide wise council, and for that reason, his team is critically important. He reiterated that his legacy means nothing; it's the legacy of the people near him, who will lead the department beyond his tenure.

COMMISSIONER WILLIAMS opined that there are changes that the department needs to go through, and he expressed his belief that the governor appointed him to make changes. He conceded that being a "change-agent" is not always "a fun place to be at times" when you have a very large organization that needs help, but he contended that most of the [DOC employees] sitting in the committee hearing room know they need help. He maintained that the department is seriously understaffed and there are real security issues. He offered, "I'm going into this eyes wide open" and has always asked that of those offering him positions.

COMMISSIONER WILLIAMS added that his hope is not in his abilities, but in the people he brings to his team and in his faith. He reiterated that the reason he is there is not to be something in the job but to do something in the job. He conceded that he'll make mistakes, but "the wisdom I hope I bring to the position is not because of what I know but what I don't know and bringing people near me that can help lead this department off of a rocky course to much smoother waters." He offered his belief, "that's why I am here, that's why I believe God has called me to this, and I couldn't be prouder that, even with the troubles and problems we have, when I meet people every day and get them aside one on one, I know why I'm here, and I believe in this department, and I believe where we're going."

[8:18:37 AM](#)

REPRESENTATIVE STUTES said that she is aware of the high rate of recidivism among the incarcerated in the state and also aware that much of the recidivism seems to be directly related to mentally ill people who are incarcerated. She offered that these circumstances are difficult, not just on the incarcerated, but on DOC staff working with them, and creates a dangerous situation. She asked Commissioner Williams for his vision for addressing this, which she maintained is a crisis situation in the state.

COMMISSIONER WILLIAMS responded that the correctional facilities in the state are, in many cases, de facto psychiatric hospitals. He maintained that DOC deals with severely mentally ill inmates, and it is a tremendous problem which exists around the country.

He noted the erosion of community-based programs and treatment, putting people with severe mental problems back on the streets where they then get into trouble. He declared that correctional facilities do a very good job of keeping people locked up but not a good job of dealing with people with severe mental health and psychiatric problems. He maintained that this situation is very difficult on the staff and very difficult to deal with.

COMMISSIONER WILLIAMS went on to say that the question of how DOC investigates itself came up during the administrative review. He said that having a professional conduct unit and doing an internal investigation is not about catching employees doing the wrong thing, although it is good to identify staff who are not appropriate for that kind of work. He mentioned that he recently visited Wyoming and maintained that its professional conduct unit was amazing; the recidivism rate in Wyoming is 25 percent, compared with Alaska's 63 percent. He stressed that in addressing the failure of dealing with people with psychiatric disorders, it is important to be honest about what the problem is and to recognize that there is no overnight fix. He put forth the questions: "Where is the right direction? How we are doing things right now and where do we retool and realign resources?" He maintained that Alaska is spending a lot of money inside correctional facilities, and some really good work is being done. He said that the importance of a feedback loop, in terms of problem-solving, is something that he has looked at in other states. He asserted that he has observed other states managing their inmate population better, demonstrating a model of change backed by research.

COMMISSIONER WILLIAMS claimed that the medical unit staff in the state correctional system are keenly aware of successes and failures. He stated that forward progress for the department involves understanding what is happening with medical care, which includes mental health. He declared that he is scheduled to meet with the medical department as soon as the Second Session of the Twenty-Ninth Alaska State Legislature has concluded, to secure real expertise for medical care at the facilities and explore additional possibilities for treating the significantly severe, psychiatric inmates. He stated, "We're winning on some areas, but not on others." He maintained that getting to where the department needs to be is a process.

[8:23:14 AM](#)

REPRESENTATIVE KELLER mentioned that he has served on the Alaska Criminal Justice Commission and acknowledged the hard work ahead

for DOC. He asked Commissioner Williams to expound on his ideas and vision for the parole system services.

COMMISSIONER WILLIAMS responded that his initial concern is to ensure that Jeff Edwards is retained as the Executive Director of the Parole Board. He maintained that Mr. Edwards has a good sense of the Parole Board's current status, the policy issues, and what is working well. He has already started the process of reviewing what the Parole Board is doing, sought the services of national experts, and looked at cost reductions. Commissioner Williams maintained that Mr. Edwards is anticipating the coming changes for handling parole. Commissioner Williams reminded the committee and the audience that the changes that would occur through the passage of SB 91 would only increase the workload for the Parole Board. Commissioner Williams offered that as commissioner he would trust Mr. Edwards' abilities and skills, provide him the security and framework to identify the weaknesses, and provide him with what he needs to succeed. Commissioner Williams expressed his appreciation for the competence and experience of the members of the parole board.

[8:26:42 AM](#)

CHAIR LYNN asked Commissioner Williams when and why he moved to Alaska and from where.

COMMISSIONER WILLIAMS relayed that he came to Alaska in 1980, right after college, with three bags and \$300. He maintained that he planned to spend the summer in Alaska, but within the year became a youth counselor at McLaughlin Youth Center and was "hooked" on Alaska.

CHAIR LYNN asked Commissioner Williams why, in the face of a state government hiring freeze, he would hire a media person for approximately \$80,000, rather than a correctional officer. He noted that the shortage of correctional officers has caused many of the problems discussed at the hearing.

COMMISSIONER WILLIAMS acknowledged that shortage of staff at DOC is significant. He noted a study by SENATOR COGHILL [a Sacramento, California, based research company, which created the study titled, "Alaska Department of Corrections System Staffing Analysis," dated February 9, 2016] reported that DOC was down about 130 positions. He acknowledged the premise of Chair Lynn's question to be exactly right. He said that he and his staff have already begun the planning process for addressing

this issue. He added that the Anchorage complex is the most stressed and difficult place to work.

CHAIR LYNN repeated Commissioner Williams's claim that more correctional officers are needed.

COMMISSIONER WILLIAMS said that the options were more correctional officers, less inmates, and ways to reduce the inmate population, which he believed would be addressed by SB 91 and some of the extremely important efforts.

CHAIR LYNN asked if Commissioner Williams agreed that more correctional officers are needed.

COMMISSIONER WILLIAMS offered his belief that the SENATOR COGHILL study was a good study, and the study reported that 60 to 70 correctional officers are needed.

CHAIR LYNN asked why the state would use limited money to hire a media person.

COMMISSIONER WILLIAMS responded that the goal in hiring Corey Allen-Young was to tell a story. He referred the committee members to an article in Saturday's newspaper about "the farm" and contended that DOC needs to tell a story that the department is doing a lot of things so that people will come back to them and assist them. He opined that running DOC is a state issue and not just a DOC issue. Because if it's just his issue alone and the people who work for him, DOC is in trouble. He needs the public to see that this is a department worth investing in, that we don't run away from the thing that is troubling us in regards to this department. It is a policy call of what can be gotten from the media position and what resources it can bring to the department by virtue of telling their story. The story is DOC has great people working for it who are doing good work. He said that on a short term basis, he would have wanted another correctional officer, but for him it was a very important policy call about making sure the people understand the worthiness of the department.

COMMISSIONER WILLIAMS, in response to Chair Lynn, confirmed that the Office of the Governor was very supportive of his hiring decision. He reiterated that he believed that it was the right policy call to direct resources to provide the public with an understanding of the important work DOC is doing, and to be very transparent when things go wrong. The media position will tell the DOC story, tell it honestly, and hold him and the department

accountable. He expressed appreciation for Chair Lynn's concern regarding the need for additional correctional officers.

CHAIR LYNN commented that his choice would have been to hire a correctional officer instead of someone to tell the story.

[The confirmation hearing for Commissioner Williams was set aside and addressed again later in the meeting.]

[8:33:02 AM](#)

The committee took a brief at-ease at 8:33 a.m.

**Appointee, Alaska Police Standards Council**

[8:33:17 AM](#)

BRAD REICH, Appointee to the Alaska Police Standards Council (APSC), Department of Public Safety (DPS), stated that he is the Director of Public Services for the Northwest Arctic Borough and oversees the Village Public Safety Officer (VPSO) program. He said that he currently serves on the Alaska Police Standards Council and wishes to serve another term. He stated that his intent for serving is: to make sure there is good training; to look for ways to improve public safety in Alaska; and to maintain ethics within policing, public safety, and corrections.

REPRESENTATIVE KELLER thanked Mr. Reich for his service and his willingness to perform this important function.

REPRESENTATIVE KELLER moved to advance the confirmation of Brad Reich, Appointee to the Alaska Police Standards Council, to the joint session of the House and Senate. He noted that the vote of the House State Affairs Standing Committee does not indicate approval or disapproval. There being no objection, the confirmation of Mr. Reich was advanced.

**Commissioner, Department of Corrections**

[8:35:20 AM](#)

CHAIR LYNN announced the continuation of the confirmation hearing for the appointment of Dean Williams as commissioner of the Department of Corrections.

CHAIR LYNN asked Commissioner Williams if he had ever run for public office.

COMMISSIONER WILLIAMS said yes, that he ran for the Anchorage School Board after he retired four years ago.

REPRESENTATIVE KELLER offered that as someone who has run for office a number of times, it takes skills to deal with the media.

[8:36:04 AM](#)

CHAIR LYNN asked Commissioner Williams if he had worked for Representative Reinbold at one time.

COMMISSIONER WILLIAMS replied that he worked for Representative Reinbold for six months.

CHAIR LYNN asked if it was a paid or volunteer position.

COMMISSIONER WILLIAMS responded that it was a paid position.

[8:36:18 AM](#)

CHAIR LYNN asked if Commissioner Williams had ever been asked to resign or retire.

COMMISSIONER WILLIAMS said no. He offered that there were some positions in which he knew he needed to "move on" and maintained that these were all contract positions after he had left state service. He added that "when you've been a state employee for 32 years, you kind of see your trajectory about where you should go." He claimed that he had the luxury to make decisions about which positions were right for him, and that for some positions, "you can get a mutual understanding of where things are going." He opined, "It's very different than being in state service where you kind of know exactly where you're going to be tomorrow and the next day. It's more like real people, I think, to be honest, that your jobs change around."

[8:37:30 AM](#)

CHAIR LYNN asked if Commissioner Williams ever applied for military service.

COMMISSIONER WILLIAMS answered that he had not.

CHAIR LYNN claimed that every working place has a unique culture. He asked Commissioner Williams to describe the culture of the correction officers compared with that at McLaughlin.

COMMISSIONER WILLIAMS responded by asking Chair Lynn if he had ever had the experience of looking at a group, perhaps in an organization or at a social function, and being struck by how much they had endured. He claimed that his experience with this department has been mixed - some areas excelling and some with real troubles. He cited two successful facilities, Lemon Creek Correctional Center and Spring Creek Correctional Center, and the previous superintendent of Spring Creek Correctional Center, Claire Sullivan. He stated that he wants to go where the troubles are. He reiterated that some correctional areas are doing very well and need no attention "but there are other areas that are in trouble and the culture in those places - they've been through a lot."

[8:39:51 AM](#)

CHAIR LYNN clarified that he was referring to culture in terms of relationships between people - how they get along and their common values. He cited the "legislative culture" and the "military culture" and asked Commissioner Williams to speak to "the culture of the workers there together, as compared to what you had at McLaughlin [Youth Center]."

COMMISSIONER WILLIAMS responded by saying that the difference between the two places is profound. He offered that juvenile facilities have more staff and resources and less residents. He maintained that the societal view is that more should be done with youth to prevent them from becoming adult offenders. He added that the juvenile system is the "acting parent", which is not the case in the adult system. He claimed that the two have different cultures. He explained that occupations within the adult correctional system are quasi law enforcement occupations where pride, value in the job, and integrity matter a great deal. He affirmed his desire to advance people demonstrating leadership. He maintained that relationships among staff are very important; staff rely on each other; culture within the facilities matters a great deal; and harmony promotes safety.

[8:42:01 AM](#)

CHAIR LYNN cited Alaska Department of Corrections: An Administrative Review, co-authored by Commissioner Williams, and asked if Commissioner Williams' appointment as Commissioner

directly after the review was published might suggest that he created his own position by way of the review.

COMMISSIONER WILLIAMS stated that he wished to set the record straight by declaring that Joe Hanlin was a key part of the review. He claimed that when the governor became concerned about the activities within DOC and began to address the issue, Commissioner Williams was very much enjoying his new position as special assistant to the governor, which took him to Washington DC with the governor his second week of work. For this reason he did not see himself being involved with the review. He said that the governor asked him to consider doing the review, and he agreed based on his support for the governor. He stated that he asked the governor if after performing the review, he could resume his position as special assistant, as he didn't see exposing DOC problems as supporting a career move in that direction.

COMMISSIONER WILLIAMS went on to say that he did the review, he had discussions with Walt Monnegan early in the review, and had no knowledge of staff changes as a result. He claimed that the governor asked him to submit his name for commissioner of DOC and he was very reluctant because of the review.

[8:46:27 AM](#)

CHAIR LYNN asked if there was a concurrent search to fill the position.

COMMISSIONER WILLIAMS answered affirmatively. He said that he urged the governor to do a national search to find the best person for the position, and he hoped that the right candidate would come forward through that search, either externally or internally. He said that the governor's chief of staff asked Commissioner Williams to submit his name as well. He asserted that he, along with all involved with the hiring process, knew that he would be a difficult and controversial choice after having performed the review. He attested that he understands the accusation that his review appears to be self-serving considering his subsequent appointment to the position, but claimed that it is a false accusation. He maintained that his interest in the position was to make the changes that he believes need to occur and which he can affect.

[8:48:30 AM](#)

REPRESENTATIVE VAZQUEZ referred to Commissioner Williams' mention of the "SENATOR COGHILL" study and asked him to explain the acronym.

COMMISSIONER WILLIAMS responded that he didn't know what the acronym stood for but it refers to a company in California, and the study was ordered by Commissioner Taylor quite some time ago. He added that SENATOR COGHILL was versed in doing staffing studies around the country.

REPRESENTATIVE VAZQUEZ asked if the only focus of the study was staffing for the department.

COMMISSIONER WILLIAMS responded that the primary focus of the study was staffing, location of staff, duty posts, and relief factors. He said it was focused on not just the correctional officer piece, but nursing and administrative support pieces, as well.

REPRESENTATIVE VAZQUEZ asked Commissioner Williams to provide a copy of the SENATOR COGHILL study to the committee chair for distribution.

COMMISSIONER WILLIAMS responded that he would.

REPRESENTATIVE VAZQUEZ asked for clarification that the SENATOR COGHILL study and the aforementioned internal review requested by the governor are two different studies.

COMMISSIONER WILLIAMS responded that is correct.

REPRESENTATIVE VAZQUEZ asked what the plans were to deal with staffing deficiencies noted in the SENATOR COGHILL study.

COMMISSIONER WILLIAMS responded that the three ways to deal with a situation of too many inmates and not enough staff are: hire more staff, reduce inmates through justice reform, move prisoners out of state and redirect savings to the staffing shortages, which exist specifically in the Anchorage complex. He added that savings through the second option are about two years in the future - depending on the reform. He said that the third option is an unsavory option because it takes money out of the state and it involves processes. He mentioned a fourth option which is address inequity in staffing.

[8:53:18 AM](#)

REPRESENTATIVE KELLER asked if it is possible to obtain the request for proposal (RFP) for the SENATOR COGHILL study. He asserted that he is skeptical of the standards and premises used for the study. He added, as an example, the statement in the study that insists on a certain staff to inmate ratio for safety, should indicate the basis for the ratio.

COMMISSIONER WILLIAMS responded that he will provide Representative Keller with that information.

REPRESENTATIVE VAZQUEZ stated that she has reviewed the [Administrative Department of Corrections: An Administrative Review] issued November 13, 2015, bearing the names of Dean Williams and Joe Hanlon. She opined that in order to address the issues in the report, there needs to be a lot of coordination with several departments. She gave as examples: the mental health issues and coordination with the Division of Behavioral Health, Department of Health and Social Services (DHSS); education and training needs and coordination with the Department of Labor & Workforce Development (DLWD) and the Department of Education & Early Development (EED); and policy updates and the Department of Law (DOL). She claimed that she sees a lot of "moving parts" and a need for coordination. She referred to the recommendation on page 19 of the review citing the need to repair the relationship with the unions. She concluded by asking Commissioner Williams what his plans were for accomplishing all this.

REPRESENTATIVE KELLER offered that the committee will be addressing the review after the appointment hearing for Commissioner William.

CHAIR LYNN expressed his desire to focus the current discussion on the nomination of Commissioner Williams and discuss the review after. He conceded that the two were related, but attested that there were two separate matters, that of forwarding Commissioner Williams' name on for appointment and discussion of the review. Chair Lynn asked if there were any more questions in regard to the nomination portion of the committee agenda.

[8:57:24 AM](#)

REPRESENTATIVE VAZQUEZ asked how Commissioner Williams is going to work together with, and repair the department's relationship with, the union.

COMMISSIONER WILLIAMS responded that much of what has been attributed to him specifically and others about what the review meant in terms of the employees, has not been accurate. He said that he has never attributed DOC problems to its employees. He claimed that in his estimate, 99 percent of the staff are there for all the right reasons, and 1 percent should not be there. He said that the statements falsely attributed to him are hurtful. He declared, "I'm approaching this job with a great deal of grace that I hope I can extend to others and that they will extend a little to me, a little to me to work the relationship. My job as the leader is to extend grace all the time to bring people to lock arms all the time."

COMMISSIONER WILLIAMS offered that he had a great relationship with some of the unions. He said that he negotiated two contracts for the supervisory unit over six to eight years. He related that his father grew up in Southern Ohio near the coal mines and his family's history is with the coal mines of Wales. He said, "Thank God there were unions because it was the most dangerous occupation you could possibly - people were dying all the time, coal mine explosions, et cetera - that's my father's history. I know it very well, [he] showed me where he grew up, showed me the mines."

COMMISSIONER WILLIAMS claimed that he knows the distrust that exists and is trying to work through it. He said that in the big picture in terms of labor disputes, "I have people right now that I think have come right out of the ranks, so dealing with the relationship, the two people I hired sent a strong signal about who I am, about where we're going." He went on to name those he hired: Claire Sullivan, who is highly respected, came up through the ranks, has a military intelligence background, and is "as sharp as a whip"; and Bruce Busby, a man of great integrity, who was the superintendent of Lemon Creek Correctional Center and is now the Director of Institutions. He claimed that these two hires are his two "ace in the holes" for repairing relationships with the unions. He asserted that what happened in some of the cases in the past is not where DOC is going, and that DOC can do better than that. He claimed that he will do everything he can to work with anybody, he has a job to do which he takes very seriously, and prefers to do the job "with a lot of people locking arms together." He reiterated his hope that people will consider these two hires as an indication of his forward thinking.

[9:02:23 AM](#)

REPRESENTATIVE KELLER moved to advance the confirmation of Dean Williams as Commissioner of the Department of Corrections to the joint session of the House and Senate. He added that the vote of the House State Affairs Standing Committee does not indicate approval or disapproval. There being no objection, the confirmation of Commissioner Williams was advanced.

[9:03:13 AM](#)

The committee took an at-ease from 9:03 a.m. to 9:06 a.m.

OVERVIEW: DEPARTMENT OF CORRECTIONS ON THE GOVERNOR'S ADMINISTRATIVE REVIEW RESULTS

[9:05:45 AM](#)

CHAIR LYNN announced that the final order of business would be the consideration of the report titled, "Administrative Department of Corrections: An Administrative Review" ("the review") by Dean Williams and Joe Hanlon. He referred to a response to the report, titled The Officers' Perspective, A Rebuttal to Dean Williams' Administrative Review of the Alaska Department of Corrections, widely distributed to legislators, and he said he saw it for the first time the previous evening and has not read it. He asked Commissioner Williams if he received a copy.

COMMISSIONER WILLIAMS responded that he received a copy of the rebuttal in the late afternoon the previous day and has not read it.

CHAIR LYNN asked Commissioner Williams to explain how it happened that he was selected by the governor to facilitate the review.

COMMISSIONER WILLIAMS responded by saying that his job as special assistant to the governor was to do follow up work to make things progress, to work with departments on particular policy issues, and to work across departments to get things done. Commissioner Williams said that through discussions with the governor, he became aware of the governor's great concern for the DOC issues. Commissioner Williams urged the governor to hire national experts to review the department, but claimed that the governor insisted, "I need to have somebody I know, that I trust in terms of being able to tell me as best they know it what they're seeing." He claimed that he prefaced the review by explaining that it was a "snap shot of the department over

particularly problematic areas." He said the review was isolated to what was going wrong, not what was going right. He added that his reluctance in doing the review was just that - it showed the problems without showing the good things. He reiterated that the governor wanted someone close to him, doing their best, who would be as honest and blunt as possible. He added that although his background was in juvenile correctional facilities, his experience in policies, operations, staffing, and investigations, were all applicable to the adult correctional system, which he claimed gave the governor confidence that he could do the review with some credibility.

[9:10:29 AM](#)

CHAIR LYNN expressed a concern expressed by many that the videos of the correctional facility incidences, showing the faces of the correctional officers, endangered the lives of correctional officers and their families. He asked whose decision it was not to blur the faces of the correctional officers.

COMMISSIONER WILLIAMS replied that decisions about what was released, in regard to the videos, were made by the governor. Commissioner Williams conceded that it was a difficult policy call and one which he supported. He said it came down to erring on the side of transparency or erring on the side of non-transparency. He said that his own thinking on the matter after listening to legal opinion was that even if the faces were blurred, in the end, the administration may have been forced to release the videos again without blurring the faces, which would ultimately raise the profile. He explained the governor's viewpoint that since correctional facilities are public, what happens in them are public matters, and the public has a right to know the difficulties Alaska is facing inside the correctional system. He stated that he acknowledges the downside of the actions but maintained his belief that this policy call set a standard for the administration, and he offered his belief that it aligned with the governor's thinking as well. He said that he understands the angst caused by this action and declared the situation to be unfortunate, a "no-win" situation for everyone. He reiterated the view of both he and the governor that since it is a public facility, if the administration was going to err, it was going to err on the side of transparency.

[9:13:34 AM](#)

CHAIR LYNN voiced his opinion that he would have preferred that the state erred on side of public safety for the correctional officers and their families. He maintained that was far more important than a sort of public relations (PR) transparency.

CHAIR LYNN asked if Commissioner Williams or Mr. Hanlon interviewed every officer in each of the videos in which a wrong doing was claimed.

COMMISSIONER WILLIAMS responded that in some of the situations they didn't because there were unresolved personnel issues. He said that the second reason that they did not interview all of the officers involved was that Commissioner Williams and Mr. Hanlon were charged with fact-finding objectively, and Commissioner Williams believes that what was put into the report were objective facts the best they knew them. He maintained that interviewing all of the officers would lengthen the amount of time spent on the study, so it was a judgment call for how in-depth the review would be. He mentioned they also looked at suicides.

[9:15:36 AM](#)

CHAIR LYNN commented that it very difficult for [the committee] to get DOC policies, including the more sensitive security policies. He maintained it delayed their investigation. He also stated that there were conflicting policies on the same topic.

COMMISSIONER WILLIAMS said he believes the explanation for the two versions of a policy reflect that one is old, and one is an updated version. He agreed that the policies are a problem.

COMMISSIONER WILLIAMS claimed that it was his intention that Mr. Hanlon and he report the facts as best they could determine, and have other people determine if the action should or should not be allowable policy.

CHAIR LYNN asked whether in looking at a facts of the incident, if Commissioner Williams considered if the facts went along with the policies.

COMMISSIONER WILLIAMS responded that part of the review involved matching the facts with the policies. He mentioned a twenty year old suicide prevention policy demonstrating the need to improve the policies. He said the other intent of the review was to stimulate discussion about what was acceptable and what

should be done. He offered that the discussion involves training, policies, and staff recruitment.

CHAIR LYNN cited the report which states that some juveniles endured solitary confinement up to 22 hours a day, yet receive teaching during that period of time. He asked how that could happen.

COMMISSIONER WILLIAMS relayed that he was told that these juveniles were getting education, but he contended, from what he witnessed, a juvenile with a school book in his/her cell does not equate to an education.

CHAIR LYNN asked if a school book in a cell accounted for education.

COMMISSIONER WILLIAMS relayed that in talking with staff and reviewing the segregation logs, he knew these juveniles were in a cell 22 hours a day.

CHAIR LYNN confirmed that these juveniles did not get teaching during that period of time.

COMMISSIONER WILLIAMS responded, "Not in any structured, regular format that we think of."

CHAIR LYNN related that the attorney general (AG) conducted an investigation of alleged excessive force by correctional officers and determined there was no excessive force, yet Commissioner Williams called the human resources department to give them an official reprimand. He asked why Commissioner Williams countered the ruling of the AG concerning excessive force.

COMMISSIONER WILLIAMS responded that there is a distinction between criminal liability for actions and what should be allowed as public policy. He said that he personally agreed with the decision by the AG that criminal charges against those employees was not appropriate. He stressed that those employees have not been disciplined or reprimanded, even though he believes there to be significant problems. He mentioned that there were systemic problems that he and Mr. Hanlon observed, which were profound, and the results were avoidable.

COMMISSIONER WILLIAMS went on to say that the case to which Chair Lynn referred was the Larry Kobuk case. He claimed this to be a sad case and he was very moved when he watched the video

with the family, out in St. Michaels, with the whole room in tears. He claimed that there must be a balance between safety issues and enforcement in the prison system.

COMMISSIONER WILLIAMS claimed that systemic issues are created when you have people spread too thin, working mandatory overtime, who don't get training, in stressful situations, and have no time to take breaks. In these situations your danger level increases. Mr. Kobuk was already in restraints and handcuffed. The incidence was about a sweatshirt that the police officers wanted. He maintained that if he were to address the staff involved in that situation, some of whom may be in the audience, he would say that he understands how the officers could get into that situation but opined that they don't have to "be there again." He offered, "We don't have to get into a situation where a man who's already in handcuffs has to be taken down over a sweatshirt." He reiterated that this occurs in stressed situations where resources are thin.

[9:25:46 AM](#)

CHAIR LYNN stated that his next question was a hypothetical. He asked if, as commissioner, he would ever hire a deputy commissioner who had previously been put on the rejection list of DOC for having tried to smuggle in drugs to a correctional facility.

COMMISSIONER WILLIAMS responded that he would not.

CHAIR LYNN asked if there were any other questions from the committee. Seeing none, he thanked Commissioner Williams for his testimony.

[9:27:54 AM](#)

The committee took an at-ease from 9:28 a.m. to 9:29 a.m.

[9:29:06 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:29 a.m.