

SENATE FINANCE COMMITTEE

April 1, 2016

8:05 a.m.

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CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 8:05 a.m.

MEMBERS PRESENT

Senator Anna MacKinnon, Co-Chair
Senator Pete Kelly, Co-Chair
Senator Peter Micciche, Vice-Chair
Senator Click Bishop
Senator Mike Dunleavy
Senator Lyman Hoffman
Senator Donny Olson

MEMBERS ABSENT

None

ALSO PRESENT

Senator John Coghill; Jordan Schilling, Staff, Senator John Coghill; Lauree Morton, Executive Director, Council for Domestic Violence and Sexual Assault, Juneau.

PRESENT VIA TELECONFERENCE

Carmen Gutierrez, Owner, Justice Improvement Solutions, Anchorage; Kathleen McLaughlin, Director, Partners Reentry Center, Anchorage; Jayson Whiteside, Division of Motor Vehicles, Anchorage; Gary Folger, Department of Public Safety, Anchorage.

SUMMARY

SB 91 OMNIBUS CRIM LAW and PROCEDURE; CORRECTIONS

SB 91 was HEARD and HELD in committee for further consideration.

#sb91

SENATE BILL NO. 91

"An Act relating to protective orders; relating to conditions of release; relating to community work service; relating to credit toward a sentence of imprisonment for certain persons under electronic monitoring; relating to the restoration under certain circumstances of an administratively revoked driver's license, privilege to drive, or privilege to obtain a license; allowing a reduction of penalties for offenders successfully completing court-ordered treatment programs for persons convicted of driving under the influence; relating to termination of a revocation of a driver's license; relating to restoration of a driver's license; relating to credits toward a sentence of imprisonment, to good time deductions, and to providing for earned good time deductions for prisoners; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to probation; relating to mitigating factors; relating to treatment programs for prisoners; relating to the duties of the commissioner of corrections; amending Rules 32 and 35(b), Alaska Rules of Criminal Procedure; and providing for an effective date."

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Co-Chair Kelly queried the tab number for the meeting. Co-Chair MacKinnon replied that the meeting would refer to tab number 2.

SENATOR JOHN COGHILL, introduced himself. He announced that he would provide a high level overview.

Co-Chair MacKinnon stated that tab 3 was the reference for the day's meeting. The day's topics would include the "Misc. and Other" sections that had not yet been covered.

Senator Coghill remarked that the commission process included an examination of pretrial sentencing and community supervision. He furthered that there were other items in the bill that did not fit into that category, so they were collected into the "Other" category. He noted that Sections 142 through 146 included strategies that the commission could provide oversight. He looked at Section

142, page 88, lines 17 through 19, which outlined what was set in order. He remarked that he would also discuss proposed additions to that section. He read from page 88, line 17, "shall evaluate the effect of sentencing laws and criminal justice practices on a criminal justice system to evaluate whether those sentencing laws, criminal practices, provide for protection of the public; community condemnation of the offender; the rights of the victims; the rights of the accused; and the rights of the person convicted." He shared that there was an attempt to continually balance that evaluation. He noted that the highlighted area stated that "the commission shall annually make recommendations." He stressed that the bill asked the commission to provide a demonstration of recommendations to the governor and the legislature on how savings and reforms should be reintroduced for recidivism benefits. He looked at page 89, line 23, and remarked that the commission would appoint a working group to provide the recommendations; and enter into data sharing agreements with the Judicial Council at the University of Alaska (UA). He looked at page 90, which included a new subsection that outlined further requirements of the commission. He stated that the data mining helped with review and report to the legislature, governor, and the public on how the new legislation was working. He stressed that the oversight was important, because there were new concepts in the law. He stated that there were driving licensing privileges included in the bill. He shared that many people had their driver's licenses revoked because of court action and administrative action. He shared that the legislation allowed for a process to regain their license under some conditions. He stressed that the intent was to put the people into productive work, as long as they follow the accountable conditions.

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Co-Chair MacKinnon noted that page 50, Section 81 addressed the driver's license provisions.

Senator Coghill reiterated that he wanted to provide a high level overview, but stated that his staff member could provide detailed information. He wanted to provide the rationale for the provisions of the bill. He remarked that the provisions were carefully considered. He shared that the Division of Motor Vehicles (DMV) and Court System had worked together on the driver's license provisions. He

shared that the administrative license revocations stated that the DMV could take away the driver's license if one was stopped for Driving Under the Influence (DUI); however, there was no current provision for due process under law. He stated that the legislation allowed for two conditions for reissuing of the driver's license.

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JORDAN SCHILLING, STAFF, SENATOR JOHN COGHILL, explained that the provision allowed for reissuing of the driver's license upon acquittal or case dismissal.

Senator Coghill stressed that those two conditions were not presently in law. He remarked that, currently, an acquittal would still result in an administrative revocation which the DMV could maintain. He felt that the driver's license provision in the bill allowed for due process. He discussed food stamps. He stated that a convicted offender for a robbery or a violent crime who had served time and was on probation currently qualified for food stamps. He remarked that those convicted of drug crimes were not qualified for food stamps under federal law. He remarked that there was an exception that allowed the state to provide food stamps. The legislation included that election, and shared that Alaska was currently one of only six states that did not include that election. He shared that the provision was important for post-incarceration planning, to put the person back into the work force to keep them from a life of crime. He further addressed public assistance. He shared that those convicted of a drug felony who went on public assistance and failed drug test would lose their right to assistance. He stressed that the intent was based on a public safety issue, and was an incentive for individuals to enroll in programs. He remarked that the provision was juxtaposed against those who may worked in a field who were required to undergo drug testing. He felt that he would like to explore the "flex point" of that provision. He stated that a person who was 90 days from returning to society would be provided a reentry program planning. He remarked that it was a new program, which dealt with issue such as ID issuance; work skill evaluation; etc. He discussed the community work service. He explained that provision was in Sections 59 and 60. He shared that community work service allowed for a way to pay a fine for those who were not able to pay a fine. He stressed that the provision did not allow for the election to go to jail. He

stated that the limiting of pretrial credit to 120 days was in Sections 55 and 56.

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Senator Coghill addressed electronic monitoring, and remarked that there was an intent to limit the amount of time on electronic monitoring. He looked at the suspended entry of judgment in Section 61. He remarked that there was an intent to change the suspended imposition of sentence. He shared that, currently, a guilty plea allowed for enrollment in a program to waylay the jail time and sentence. He remarked that there was an attempt to move judgment without a guilty plea. He felt that there was no real value to the provision, because there was a current program that was similar to the suspended imposition sentence. He remarked that there was an attempt to not allow for Court View under those conditions, but the first committee of referral amended to include Court View. He felt that some of the best work on the legislation was related to victims' rights. He shared that, currently, a victim of domestic violence had the right to have a conference before plea agreements. The bill opened the conference to all felons considered for a plea bargain. The intent was to "shine a light" on the plea agreement deals. He felt that it was a true victims' rights benefit.

Senator Hoffman queried the implementation cost of the victims' rights. Senator Coghill agreed to provide that information.

Co-Chair MacKinnon felt that the previous day's sectional analysis presentation was remarkably informative. Mr. Shilling thanked the committee.

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LAUREE MORTON, EXECUTIVE DIRECTOR, COUNCIL FOR DOMESTIC VIOLENCE AND SEXUAL ASSAULT (CDVSA), JUNEAU, discussed the presentation, "CDVSA and Reinvestment" (copy on file). She remarked that the committee had a report generated as part of the Criminal Justice Commission's reinvestment act with the Victim Service Roundtable. She shared that there were two roundtables held the prior fall, and there was a national expert who worked with Pew. That expert interviewed several survivors of violent crime, and their comments were included in the report. She noted that there

were ten priority recommendations from the Victim Service Roundtables, and were "rolled up" into priorities in the overall criminal justice system report. Those priorities led to Section 61 of the bill, which added uncodified language instructing the council to create or expand community-based violence prevention programming and services for victims of a crime involving domestic violence or sexual assault. She noted that Alaska was the first state involved with the Pew Justice Reinvestment Initiative, which listed victims' issues as one of the top priorities. She advocated a comprehensive strategic approach to reinvestment dollars to further prevention efforts and strengthen services throughout the state. She remarked that Alaska had the highest number of assaults: intimate partner violence; sexual violence; and child sexual abuse. She stated that most of the information supporting the number of assaults was mostly anecdotal or based on scattered reports to law enforcement until 2010. She shared that, in 2010, the first statewide Alaska victimization survey revealed 58 out of every 100 Alaska women suffered intimate partner violence, sexual violence, or both over their lifetime. She stated that subsequent regional surveys from 2011 showed a consistency with those overall state numbers. She remarked that there was data from women that supported the reports. She stated that there was now a focused attention on how to prevent the crimes from occurring.

Ms. Morton discussed slide 2, "Alaska Victimization Survey Trends from 2010 to 2015." She noted that, in 2015, there was a resurvey at a statewide level that found that the focused attention had paid off. She shared that the 2015 Statewide Victimization Survey showed the decline in the number of women who had suffered intimate partner violence, sexual violence, or both; not only over their lifetime, but in the prior year in which the study was conducted.

Senator Dunleavy wondered why there was a decline. Ms. Morton replied that she would address the reason. She remarked that it was unknown whether it attributed to the prevention efforts, but the prevention efforts was the only change in the five years. She stressed that there were victim services and other systems in place during those five years. She reiterated that the only change in those five years were the focused primary prevention efforts. She shared that some of the reduction was attributed to the work in communities on prevention efforts.

Senator Dunleavy wondered whether Governor Parnell's administration had initiated prevention efforts in that timeframe. Ms. Morton replied in the affirmative.

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Ms. Morton continued to discuss slide 2:

Intimate Partner Violence:

Annual prevalence decreased by 32 percent.

6,556 fewer victims in 2015 than in 2010.

Sexual Violence:

Annual prevalence decreased by 33 percent.

3,072 fewer victims in 2015 than in 2010.

While the rates are trending in the right direction, they remain unacceptably high.

Ms. Morton addressed slide 3, "Prevention Tipping Point." She shared that the Network on Domestic Violence and Sexual brought the state the Center for Disease Control's Delta Project. She stated that there was an attempt to sponsor community readiness programs in four of the communities to work toward prevention. She shared that the chart showed the impacts of building prevention capacity.

Ms. Morton looked at slide 4, "Social Ecology":

Policies that support gender equity; media messages that promote non-violence; norm that reduce male sexual entitlement

Economic opportunities; community connectedness; norms around - violence; community sanctions

Family values do not support violence; friends attitudes do not support violence; positive peer role models; positive parenting

Able to meet basic needs; cultural connectedness; negative view of violence; substance free lifestyle; positive self-confidence

Ms. Morton discussed slide 5, "Reinvestment Costs." She believed that there was a cost estimate of approximately \$5 million to be split between the Department of Health and Social Services (DHSS) and the CDVSA. She remarked that should CDVSA receive \$2.5 million in FY 17 with an additional \$500,000 in the out years, the slide represented a way to expend those dollars. She noted that there would be comprehensive implementation of Green Dot throughout the state in a staged series of communities. She remarked that there would be a strengthened effort in communities currently implementing prevention plans. She shared that grantees were building the foundation on which reductions and violence would occur. She noted that there were 40 communities across the state that were involved in some level of prevention activities. She shared that CDVSA supported community readiness and efforts to build prevention plans in communities that wanted prevention efforts. She shared that homegrown programs would be evaluated to establish evidence of their effectiveness. She stressed that investing in community projects require a noticeable effect of the programs. She shared that there was also a desire to continue research in reduction in intimate partner violence and sexual violence; and to be able to know about changes in social norms that support those crimes. She asked for the addition of one program coordinator to help manage the projects and provide the appropriate level of technical assistance and monitoring of the grant funds.

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Ms. Morton highlighted slide 6, "Expanding Existing Programs":

Fairbanks,
University of Alaska Fairbanks,
Akhiok Village,
Wrangell,
Nome,
Discovery Cove,
Craig,
Kodiak,
Larsen Bay,
Kotzebue,
Native Village of Ouzinkie,
Native Village of Port Lions,

Old Harbor,
Petersburg,
Di lung ham,
Bethel,
Homer,
Anchorage,
Klawock

Ms. Morton presented a video for the Green Dot Program.

Senator Bishop wondered whether the Green Dot Program was a school district function. Ms. Morton replied that CDVSA primarily provided the training to implement Green Dot in communities as a whole; not specifically to schools. She shared that there was a school program for Green Dot that districts could implement. She shared that the program in Homer was working with the middle schools. She stated that there was a website for Green Dot that gave a list of activities and materials used in the different communities. She remarked that the program was not necessarily school-based, but was for communities as a whole.

Senator Bishop shared that his office would examine Green Dot's programs.

Ms. Morton shared that violence in the community was a collection of individual choices to do harm. She stated that a "red dot" was the moment in time where someone's words, choices, or actions contributed to, or tolerated violence in some way. She stated that more "red dots" were added to the map when more Alaskans "choose to stay out of it." She explained that "green dot" assumed everyone had a positive role they could play around this issue. She stressed that most people did not want anyone to get hurt. She asserted that the reason people were not intervening was because they did not know what to do, how to do it, or when to do it. She explained that Green Dot provided realistic ways to get involved to take action to make certain that those "red dots" did not go unanswered. She stressed that there was a commitment to change the culture in Alaska from one that supported violence to one that did not tolerate violence: where every citizen knows that they are expected to do something with the right set of tools.

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Ms. Morton looked at slide 7, "Expanding Existing Programs":

Girls on the Run: Strengthen existing programs and add three communities annually

Compass: Expand COMPASS through regional training

Coaching Boys Into Men: Strengthen existing programs and add two trainings annually

4R: Expand communities as readiness is achieved

Ms. Morton discussed slide 8, "Expand Existing Programs":

Increase mini-grants to LeadOn! participants

Increase When I am an Elder by two communities annually

Develop subsequent sets of Talk Now Talk Often cards

Ms. Morton presented a video.

Ms. Morton looked at slide 9, which was a video.

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AT EASE

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RECONVENED

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Ms. Morton replayed the video from slide 8.

Ms. Morton played the video on slide 9.

Ms. Morton looked at slide 10, "Evaluation and the R word":

Evaluation

Weave-in to each strategy from the beginning

Engage evaluators to assist communities strengthen their own efforts

Share outcomes and develop repository of AK
practice informed/evidence- based programming

Research

Continue the Alaska Victimization
Survey

Regional surveys through 2019

3rd Statewide survey 2020

Knowledge Attitudes Beliefs

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Ms. Morton discussed slide 11, "Victim Services":

Regional programs

Barrow, Kotzebue, Nome, Bethel, Dillingham,
Unalaska, Kodiak, Cordova, Seward, Kenai, Homer,
Anchorage, Mat-Su, Fairbanks, Juneau, Sitka,
Ketchikan, Craig, Petersburg, Tetlin

Shelters and rape crisis centers together

Residential Support
Advocacy Services

Expand and Create

FVPSAAK Village and State Partnerships

Children Services
Safe Homes, Emerging
Programs
Engaging Elders
Local Forensic Exams

Senator Bishop thanked the presenter.

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Vice-Chair Micciche looked at the 2015 survey. He felt that
the past year numbers were better than the lifetime
numbers. He remarked that, in a five-year span, there may

not be an ability to significantly move the lifetime needle. Ms. Morton replied that there would be a presentation by the research director of victimization survey results. She stated that there was not an expectation of the lifetime numbers to show a significant difference. She asserted that the association of the particular prevention efforts with the reduction was that there were five years of youth aging into the adult population who were now surveyed. She stressed that the survey was for women ages 18 and older, so there was opportunity for younger women to age into the population studied. She remarked that many were surprised to see the lifetime reduction. She stressed that it was statistically significant and the weighting of the numbers were sound with correct percentages. She deferred specific questions about the structure of the survey to the research director.

Vice-Chair Micciche wondered if there was a switch to cell phones after 2010 to conduct the survey. Ms. Morton replied that cell phones and land lines were used in both surveys.

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Co-Chair MacKinnon queried additional comments related to pros specifically to sentencing, pretrial, and supervision. She felt that the perpetrator would have the potential to continue to reoffend. She wanted to ensure that electronic monitoring would be effective. Ms. Morton felt that the offenders would remain in strong sanctions against them. She shared that the bill sponsor was willing to work to address the concerns of victims.

Co-Chair MacKinnon appreciated the change from "successful" to "completed" treatment. She wondered if someone could speak to the science and statistics related to recidivism. She remarked that convicted rapists and those convicted of a crime against a person would return to society. She remarked that most of the offenders did not have lifetime sentences, but rather long sentences. She stressed that the primary goal of the legislation was to keep people safe, not to save money. She asserted that there was always a hope that someone could return to society to be productive that benefited both the past victim and the future community. She did not believe in the death penalty, but had a hard time with sex offenders returning to society. She felt that a biological reaction to an attraction that was damaging to small children could not be changed during

a treatment process. She wondered whether there was someone who could provide scientific data on a batterers prevention program or sexual violence treatment program, which could show statistically an opportunity for actual rehabilitation. Ms. Morton agreed to provide that information. She asserted that there were various reasons behind sex offences. She remarked that a person who sexually assaults a child had a different "make up" than a person who assaults an adult.

Co-Chair MacKinnon shared that she had been the executive director of Standing Together Against Rape (STAR), and recalled that there was a male psychologist in Anchorage who had asserted to have a program to modify the behavior of a sexual perpetrator after completion of his program. She stressed that it was her job to advocate for victims, so she had a difficult time processing the message with the violence that she witnessed in a rape crisis center.

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Senator Dunleavy felt that "sexual assault" was a "catch all" term. He felt that there needed to be some "carve outs" included pedophilia. He asserted that there was probably science that could profile on an individual's chances for rehabilitation.

Co-Chair MacKinnon stressed that her intent behind identifying the psychologist's gender was to assist in identifying that person who contacted the agency.

Co-Chair MacKinnon wondered if there were other issues related to sexual assault and the changes in pretrial, early release, and parole. She asked if there were any issue that should be addressed. Ms. Morton replied that there were not any immediate issues.

Co-Chair MacKinnon queried the position of CDVSA regarding the difference between a nonviolent offenses of sexual assault versus a violent offence. She noted the issue of young people being placed on the sex offenders' registry, when they engaged in consensual sex with an underage person. She remarked that, ten years prior, she understood that 95 percent of sexual perpetrators were male. She wondered if there should be a way to review at the statutory rape provision. Ms. Morton shared that she wanted to know more about that issue, and shared that CDVSA did

not have an official position on that issue. She shared that it was difficult to think about sexual violence in terms of it not being violent. She stressed that it was an invasion of the other person's body. She felt that it was the adult's responsibility to understand the age of the person that they may be sexually involved. She felt that, regardless of physical characteristics, the mental and emotional experience may not be there for fully consent. She felt concern over an allowance.

Co-Chair MacKinnon shared that the conversation was about a young man who might be 19 engaging in consensual sex with someone under age, because they had not checked the person's age. Ms. Morton stressed that a 19-year-old person is not a child.

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Co-Chair MacKinnon wondered if a pedophile or a sexual deviant was an addict. Ms. Morton deferred to an expert to discuss.

Co-Chair MacKinnon stressed that this was an uncomfortable topic. She shared that individuals who may be emotionally triggered by the conversation should contact a local support system, and shared that STAR had a hotline available online and in her office. She thanked the presenter. Ms. Morton shared that the Safe Children's Task Force was looking at implementing Erin and Bree's Law. She felt that appropriate education materials and information would help to establish appropriate boundaries in dating relationships regarding physical or sexual violence or activity. She felt that the education may provide less of a concern about the young people interacting sexually. She stressed that children who had been provided with appropriate material may enhance school culture.

Co-Chair MacKinnon shared that she served on the task force, and thanked Senator Dunleavy. She had shared with the governor some ideas that the Senate Finance Committee wanted to enact in the bill, and the governor had pushed for what he thought was best for Alaskans. She shared that Senator Dunleavy helped to provide issues to assist young people in receiving education. She felt that Senator Dunleavy received some unfair criticism related to sexual violence and education. She remarked that there were efforts to enact education programs related to domestic

violence and sexual assault; suicide; and alcohol and drug treatment.

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CARMEN GUTIERREZ, OWNER, JUSTICE IMPROVEMENT SOLUTIONS, ANCHORAGE (via teleconference), introduced her testified in support of the bill. She remarked that the state expended a tremendous amount of money on corrections. She shared that, in FY 16, the state spent \$324 million for Department of Corrections (DOC); which did not include the Court System, Department of Public Safety (DPS), Department of Law (DOL), and the cost of indigent criminal defense. She stated that two out of three inmates return to the system within the first three years. She stressed that most of those people return to the system within six months, because they are released without community-based support. She felt that the state could not maintain the failed practices of the past, and assume that there was a promotion of public safety for Alaskans. She felt that the criminal justice system results demonstrated that prison alone was not a cost effective public safety strategy. She supported the legislation, because it promoted public safety reentry strategies aimed at not providing a "hand out", but a "hand up." She stressed that every time a former offender successfully returned to their community, there was one less crime; less criminal justice expense; healthier families and communities; and the state had earned the goodwill of Alaskan citizens by pursuing policies that promoted public safety. She hoped that SB 91 would provide a better way to conduct criminal justice business. The legislation supported evidence based recidivism reduction public safety promotion efforts through examining practices that had been informed by a tremendous amount of criminal justice research. The bill helped the criminal justice practitioners to identify those individuals who were at risk of offending; identify their needs that must be addressed to decrease that risk; and enabled prison officials and probation officers to identify a comprehensive plan to address those risks and needs. The pretrial services program was a mechanism to encourage offenders at a teachable moment. She shared that she had worked as a criminal defense attorney, and the first thing she would do was put her client in a treatment program. She stressed that just after an arrest or charge was a crisis moment where the offender could see and feel how their lives had become out of control. She stressed that the

ability to go into treatment at a moment that they were receptive to do so, in many cases, changed their lives and positively impacted their sentence. The federal system had used pretrial services for decades. The pretrial services kept the offender in the community safely by monitoring them in a public safety minded fashion. She felt that it was far more effective than the third party custodian system, which was a fiction that helped judges and prosecutors feel that they are promoting public safety. She stated that SB 91, through justice reinvestment, funded community based treatment such as substance abuse and cognitive behavioral treatment. According to the Washington State Institute of Public Policy, the single most effective way to change an offender's pattern of criminality was to require participation in a cognitive behavioral treatment program in a community. She felt that the treatment program could be inexpensive and did not require a psychologist.

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Ms. Gutierrez shared that a key to successful reentry was the ability to find employment. She asserted that there were too many barriers for individuals with criminal records to find work. She shared that the American Bar Association examined all of Alaska's statutes and regulations and found that 1,625 Alaska statutes and regulations imposed collateral consequences for offenders convicted of felonies and misdemeanors. She shared that many of the collateral consequences pertained to housing, employments, the receipt of public assistance, and the ability to drive a vehicle. She felt that SB 91 would remedy one of the greatest impediments to returning citizens: the inability to legally drive a vehicle.

Ms. Gutierrez felt that the prison beds should be used for the most dangerous offenders.

Co-Chair MacKinnon thanked Ms. Gutierrez for her service.

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KATHLEEN MCLAUGHLIN, DIRECTOR, PARTNERS REENTRY CENTER, ANCHORAGE (via teleconference), spoke in support of SB 91. She remarked that victims and reentrants were often the same person. She felt that SB 91 was safety driven, and smart on crime. She remarked that the Reentry Center had been open since 2013. She furthered that there was a real

plan database. She shared that, of the 2992, on average there were 60 to 64 people a day. She stated that there was no waitlist. She remarked that felons or misdemeanants were housed immediately. She stressed that the first thirty days were the most risky. She remarked that the residents must partner with the center. She shared that participating in the program at least three times per week made them less likely to recidivate.

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Ms. McLaughlin shared that many people were released to Anchorage by default, and SB 91 recognized that people needed a safe area and community. She announced that 34 percent of the center population was Alaska Native. She stated that 500 of that population were sex offenders. She remarked that there were some individuals that were "hard wired" to make dangerous decisions in society. She shared that the sexual offenders needed to be accountable, and the communities must heal a restorative justice model. She felt that individuals must be held accountable and keep communities safe. She stated that the center was able to examine what works and does not work. She stressed that a reentry plan must be evidence based and analyzed. She stated that the center had partnered with other reentry programs. She pointed out that the Vivitrol Program worked well. She stated that people were given vivitrol shots on the day of their release, to reduce heroin overdoses upon release. She shared that there was a reentrant who died of a heroin overdose during a celebration of obtaining a job. She stressed that addiction affected all of society. She stated that the center's housing was sometimes contingent on using vivitrol. She shared that there were currently 49 people, and 28 had chosen to use vivitrol, and only 4 had recidivated. Those four had not taken a second shot. She stressed that 19, of the 21 who refused vivitrol, had recidivated. She felt that the new program was successful. She shared that the center partnered with the health clinic, and people were signed up for Medicaid to cover the cost of the shots.

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Ms. McLaughlin shared that there was a reentry coordinator in DOC, who was motivated to examine the right thing for society. She stressed that most of the people who were currently incarcerated, would be released. She shared that

one-half of the Alaska Natives in the center did not want to be in Anchorage, therefore there was a program to return them to their communities. She stated that there was work with DOC to return those individuals to their communities. She stressed that some natives had great trouble finding work in the urban community. She stressed that the person must be invited back to their community, before they were returned home. She invited the community to tour the center. She stressed that transparency and data driven services were the most important aspects of the center.

Co-Chair MacKinnon noted that there was work with prisoners to apply for assistance programs prior to their release from jail. She did not believe those efforts were allowed under state law. She shared that her office had been contacted about drafting a technical amendment to allow for applications prior to release. Ms. Gutierrez responded that there was already work to prepare Medicaid applications. She remarked that individuals who were 30 days or less from release from either a halfway house or institution; they were able to prepare Medicaid applications. She stated that those in the halfway house would go to the center, and the United Way and Alaska Food Coalition assist in those applications. She stressed that those applications would not become effective until the date of release. She restated that there would be no benefits granted prior to release. She stressed that those individuals would be put in the queue.

[9:50:31 AM](#)

JAYSON WHITESIDE, DIVISION OF MOTOR VEHICLES (DMV), ANCHORAGE (via teleconference), introduced himself.

Co-Chair MacKinnon queried comments in the proposed changes to the driver's license provision. Mr. Whiteside replied that the DMV was in support of the section that allowed drivers to reobtain driving privileges after an acquittal or case throw out. He stated that there was a small percentage of people who had an administrative license revocation for various reasons. He stressed that there had never been a clause in the law to address those individuals. He felt that the bill would provide relief for the drivers that fell under that category.

Co-Chair MacKinnon discussed the following meeting's agenda.

Senator Dunleavy requested an examination of other state's umbrella concepts of sexual assault. Mr. Schilling replied that he would examine how other states treated sex offenders in regard to discretionary parole.

Senator Dunleavy wanted to know if the state's treated different types of sexual assaults. He wondered if the sexual assault offenders were treated differently from one another. Mr. Schilling responded that he believed that the states accommodated for the different spectrums of sex offenses. He agreed to provide further information.

Senator Dunleavy wondered if the states that had a drop in recidivism should be examined to determine whether they treat sex offenses properly. Mr. Schilling agreed to provide that information.

Co-Chair MacKinnon asked whether other states had "carved out" specific offenses, such as sexual assault; and whether crimes against children were tried in a different manner. Mr. Schilling agreed to provide that information.

Vice-Chair Micciche recommended Section 11.41.434, because it addressed sexual abuse of a minor. He wondered why there was a logic to not prove intent or consent, because a minor under a certain age did not have the ability to provide consent.

GARY FOLGER, DEPARTMENT OF PUBLIC SAFETY, ANCHORAGE (via teleconference), introduced himself.

Co-Chair MacKinnon queried a position on the bill. Mr. Folger replied that he was in support of the bill.

SB 91 was HEARD and HELD in committee for further consideration.

ADJOURNMENT
9:55:58 AM

The meeting was adjourned at 9:55 a.m.