

**ALASKA STATE LEGISLATURE  
SENATE JUDICIARY STANDING COMMITTEE**

12:03 p.m.

**MEMBERS PRESENT**

Senator Lesil McGuire, Chair  
Senator John Coghill, Vice Chair  
Senator Mia Costello  
Senator Bill Wielechowski

**MEMBERS ABSENT**

Senator Peter Micciche

**OTHER LEGISLATORS PRESENT**

Senator Johnny Ellis

**COMMITTEE CALENDAR**

Crime Summit

- HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record.

**WITNESS REGISTER**

CARMEN GUTIERREZ, Owner  
Justice Improvement Solutions  
Anchorage, Alaska

**POSITION STATEMENT:** Provided an introduction and brief overview of the Recidivism Reduction Plan.

JUSTICE ALEX BRYNER, Commissioner  
Alaska Criminal Justice Commission

**POSITION STATEMENT:** Discussed the work of the Alaska Criminal Justice Commission.

RON TAYLOR, Commissioner  
Department of Corrections  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed recidivism reduction and reentry efforts DOC is undertaking.

SUSANNE DI PIETRO, Executive Director  
Alaska Judicial Council  
Alaska Court System  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed the work of the Alaska Judicial Council.

Gary VanLandingham, Director  
Pew-MacArthur Results First Initiative  
Pew Charitable Trusts  
Washington, D.C.

**POSITION STATEMENT:** Described the Pew-MacArthur Results First Initiative

KAREN FORREST, Deputy Director  
Administration/Programs  
Division of Juvenile Justice  
Department of Health and Social Services (DHSS)  
Juneau, Alaska

**POSITION STATEMENT:** Discussed DJJ activities and programs.

AL WALL, Director  
Division of Behavioral Health  
Department of Health and Social Services (DHSS)  
Juneau, Alaska

**POSITION STATEMENT:** Discussed the apprenticeship program.

RICK SVOBODNY, Deputy Attorney General  
Criminal Division  
Department of Law (DOL)  
Juneau, Alaska

**POSITION STATEMENT:** Discussed the Department of Law's perspective of recidivism and pre-trial services and offered suggestions.

KAREN LOEFFLER, United States Attorney  
District of Alaska  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed the federal government role in crime reduction in Alaska and what it is doing with outreach prevention and smart on crime.

MYRON FANNING, Deputy Chief of Police  
Anchorage Police Department

Municipality of Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed four programs designed to reduce recidivism.

TONY PIPER, Program Manager  
ASAP Statewide and 24/7 Sobriety  
Division of Behavioral Health  
Department of Health and Social Services (DHSS)  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed the 24/7 Sobriety Program.

DENNIS JOHNSON, Director  
Alaska Pretrial Services  
Kenai, Alaska

**POSITION STATEMENT:** Presented information about electronic monitoring.

JANET MCCABE, Partners for Progress  
Anchorage, Alaska

**POSITION STATEMENT:** Described the Partners Reentry Center in Anchorage.

DENISE MORRIS, President and CEO  
Alaska Native Justice Center  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed ANJC programs and initiatives to reduce recidivism.

NICOLE BORROMEO, General Counsel  
Alaska Federation of Natives  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed AFN interest in and efforts to reduce recidivism.

MARIE STEWMAN, Director of Planning and Grants  
Southcentral Foundation  
Family Wellness Warriors Initiative  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed SCF efforts to reduce recidivism.

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

**POSITION STATEMENT:** Discussed the need for a long-term strategy to measure the effectiveness of a program.

NANCY MEADE, General Counsel  
Administrative Staff  
Alaska Court System  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed the Court System's integral partnerships, the important work yet to be done, and the questions that still need answers so that more programs and steps can be taken.

JEFF JESSEE, Chief Executive Officer  
Alaska Mental Health Trust Authority  
Department of Revenue (DOR)  
Anchorage, Alaska

**POSITION STATEMENT:** Discussed the critical need for a central data repository and analytical capacity that does not currently exist in the criminal justice system.

#### **ACTION NARRATIVE**

[12:03:24 PM](#)

**CHAIR LESIL MCGUIRE** called the Senate Judiciary Standing Committee meeting to order at 12:03 p.m. Present at the call to order were Senators Ellis and Chair McGuire.

#### **Crime Summit**

[12:03:45 PM](#)

CHAIR MCGUIRE announced the opening of the Crime Summit and discussion on ways state dollars can be put into the penal system that results in better outcomes for human beings.

SENATOR ELLIS thanked the chair for her leadership and her staff for organizing the summit. Noting that the process began last year, he said there is much more to do on recidivism reduction, justice reinvestment, and right on crime. The state can't afford to build another prison, because of the human lives involved and the state's budget.

CHAIR MCGUIRE said in 2003, it caught members attention when the Alaska Criminal Justice Council recommended re-examining probation and pretrial strategies, strengthening rehabilitative programming to reduce recidivism, looking at new and restorative justice possibilities, providing more community diversion opportunities so that people actually heal and recover,

improving mental health practices, and re-examining the dollar amounts applied to property crimes.

By 2007, Alaska had five times the prison population that it had in 1981 and spending had doubled. SB 64 was a step forward, but today the Department of Corrections is operating at 101 percent of its capacity and in the last decade spending on corrections increased by more than 86.6 percent.

She said today she is looking at how people who make mistakes can receive help while incarcerated to hopefully stop the revolving cycle of getting out and then returning to prison. She wants to look at why people make mistakes - do they have mental illness or an addiction? What happens within the corrections system, who comprises the population, and what do people do when they get out? She said the co-chairs of the Finance Committee don't know how to absorb the costs of this particular budget.

CHAIR MCGUIRE said two weeks ago the committee had a mental health lunch and learn offering information about drug therapy using Vivitrol that treats opiate and alcohol addiction. Now they want to look at what other places have done and best practices to adopt, because what has been done is too expensive and doesn't lead to the results people want.

12:12:12 PM

CARMEN GUTIERREZ, Owner, Justice Improvement Solutions, Anchorage, Alaska, said she is on contract with the Alaska Mental Health Authority to write the 2015 Recidivism Reduction Plan. She highlighted her background as an attorney for over 25 years and service as a deputy commissioner to the Department of Corrections.

She said the Recidivism Reduction Plan comes from House Bill 266 that passed last year. Intent language directed the Department of Corrections (DOC), the Department of Labor and Workforce Development (DOLWD), Alaska Housing Finance Corporation, the Department of Health and Social Services (DHSS), and the Alaska Mental Health Trust Authority to work together gathering data on substance abuse, mental health, employment, housing services needed, and current services being provided to returning citizens. They were to propose effectiveness and efficiency measures and develop a plan for those who are being released from correctional institutions that collaboratively address the needs of those returning citizens. The goal was to assist the main departments to improve treatment and outcomes for recently released inmates.

She reviewed the reasons there is concern about recidivism reduction in Alaska. In January, DOC was operating at 101 percent of its general capacity (not maximum). It cost the state \$250 million to build Goose Creek and the annual operating budget is \$50 million per year. The problem is that the prison population continues to grow 3 percent per year. The Pew Public Safety Project publication notes that Alaska has the 3rd fastest growing prison population in the U.S., second to Wyoming and Iowa.

MS. GUTIERREZ said the 3 percent growth rate exceeds the population growth by four fold, despite crime rate decreases in Alaska. According to FBI statistics, property crime rates have dropped 40 percent and violent crime has dropped 9 percent.

[12:16:43 PM](#)

She noted that in 2007 and in 2008, states that faced the same significant budget deficits that Alaska is facing decided it wasn't realistic to think they could build themselves out of the problem by building more prisons.

Today, DOC incarcerates more than 6,300 individuals, including electronic monitoring (EM) and halfway houses. According to a recent Judicial Council study, over 255,000 Alaskans have been convicted of an offense since 1980 and 95 percent have been released into Alaska communities. In 2014, 377 convicted felons were released into Alaska communities each month. Of those, 63 percent, or 238 people, recidivated in 2011. At \$158 per inmate per day that cost is \$37,762 per day. That is just the cost of corrections; it doesn't include courts, police, prosecutors and defense attorneys, or the cost of new victims.

[12:19:33 PM](#)

MS. GUTIERREZ said Alaska is at a crossroads. It will either have to spend \$300 million to build a new prison or recommit to send inmates out of state or invest in cost-effective strategies that target the actual factors that are driving Alaska's prison population growth.

How are those strategies determined? Ms. Gutierrez said the Pew Public Safety Performance Project offers free technical assistance in identifying factors driving prison population growth and helps come up with targeted evidence-based solutions to address those drivers, not to be soft on crime, but to meaningfully hold offenders accountable and improve public safety in the process.

[12:21:20 PM](#)

MS. GUTIERREZ discussed the factors driving rising prison population growth. The first is that the number of pre-trial and un-sentenced inmates has increased from 27 percent in 2002 to 40 percent in 2014. This means that prisons are largely filled with individuals unable to post bail who are awaiting the outcome of their case. It is also significant that the number of non-violent offenders has increased from 48 percent in 2002 to 64 percent today. She highlighted that the public overwhelmingly believes that reformation trumps incarceration for non-violent offenders. Prison is for the violent. Another driver is that the increased average stay has more than doubled from 2002 to 2014. Also, the number of probation violations has increased and has become the second reason for felony incarceration in the state.

[12:24:24 PM](#)

MS. GUTIERREZ discussed a potential solution citing the experience in Texas. The state most notorious for being hard on criminals decided it could not afford to spend \$900 million to fill the projected 17,000 prison bed shortfall over five years. As an alternative, they identified reformatory programs that targeted the prison drivers and invested \$241,000 million in evidence-based strategies to reduce recidivism. There were drug courts, intermediate sanction facilities, residential treatment programs, prison treatment programs, community based substance abuse treatment programs for probationers and a PACE form of probation. The recidivism rate dropped 25 percent; crime dropped 18 percent, the imprisonment rate dropped 10 percent, and they have avoided nearly \$3 billion in prison costs.

[12:26:23 PM](#)

She said that in 2007 the only reformatory program in Alaska was a federally-funded substance abuse treatment program. With the legislature's support, programs on substance abuse, educational/vocational and cognitive behavioral treatment were instated over time. These are the three "gold standard" reformatory programs that have proven to address recidivism. But as of 2014, only 2.9 percent of the DOC operating budget went to these programs. Recidivism was at 66.03 percent in 2007 and then it started to drop coincidentally with the implementation of the programs.

MS. GUTIERREZ said the recent DOC audit indicates that it is running very high-quality and effective institutional and community based reformatory programs. The Alaska Criminal Justice Commission's work, reentry programs operated by the

Alaska Native Justice Center in the Partner's Reentry Center, PACE, Sobriety 24/7 and therapeutic courts are working, and the DOC has a fabulous relationship with the Alaska Housing Finance Corporation and the Department of Labor and Workforce Development (DOLWD).

MS. GUTIERREZ stated that what isn't working is that Alaska has no systematic method to collect and analyze criminal justice data (addressed on page 39 of the Recidivism Reduction Plan). This is what the state needs and what Pew would talk about in a little while. Other than ad hoc studies that are mostly done by the Judicial Council and University of Alaska Anchorage (UAA) Justice Center, there is no way to report to the legislature on the effectiveness of their programs or the trajectory of the prison population other than from the masterful work done by the DOC data analyst.

[12:29:57 PM](#)

MS GUTIERREZ concluded her comments saying the state needs an effective reentry program that includes a reentry coordinator. To improve reentry outcomes, community-based reentry efforts need support and community-based substance abuse treatment needs to be expanded. She said the report notes that it costs \$105 a day to provide treatment in the community. Clearly, there is a significant savings to help people in their homes and communities as opposed to uprooting them because they violated a condition of probation, because they couldn't stay sober. She said the next step is to hear from the legislature about whether it wants to move toward evidence based strategies as an alternative to incarceration. There is no reason why Alaska should have anything other than better outcomes than those were achieved by Texas.

[12:32:35 PM](#)

SENATOR ELLIS thanked Ms. Gutierrez for her ongoing efforts and recalled a previous budget cutting exercise by the Senate Finance Committee. They thought that getting rid of all the substance abuse programs in the prisons was going to be a wise financial investment for the State of Alaska, and it was exactly the opposite. It was an "epic fail in terms of judgement in our state budgeting."

He asked her to recap the cost difference between hard bed incarceration (\$158) and the average cost of community-based substance abuse and mental health treatment services.

MS. GUTIERREZ said the cost of community-based services varies widely throughout the state and depending on the program, but according the Division of Behavioral Health the cost is \$105 per day in an urban community. It is higher in rural communities that are attempting to serve women with children. She said the good news is that community-based treatment is not only cheaper but it is also addressing people's issues in their actual day-to-day life circumstances. The Washington Institute of Public Policy has found that the benefits of the program are going to exceed the cost by 100 percent.

MS. GUTIERREZ said she didn't know the cost of treating individuals in custody, but the acute psychiatric beds at the DOC are extraordinarily expensive. Moreover, there are only 44 acute beds available in DOC and 168 sub-acute beds. The department has a more limited capacity for serving mental health needs than any other provider in Alaska.

She said she didn't know the cost of running the Anchorage Community Mental Health Program but it is much less than the cost of running the acute psychiatric beds at DOC. She stressed that the capacity is in the community. She mentioned the two DOC reentry programs - the Identify Institutional Discharge Program (IIDP) and the ADAP Plus Insurance Continuation (APIC) Program - that are very successful and provide significant cost savings to Alaskans. The recent Alaska Mental Health Trust Authority/DOC study shows that trust beneficiaries recidivate at a much higher rate than do non-trust beneficiaries, and their cost to the state is significantly higher in custody than when they are in the community.

[12:38:54 PM](#)

CHAIR MCGUIRE recognized Justice Bryner and thanked him for his work.

[12:39:31 PM](#)

JUSTICE ALEX BRYNER, Alaska Criminal Justice Commission, said that the commission is a powerful group and discussed what it is doing and what has been working. He reviewed the commissioners and their experience in alternative sentencing and early initiatives that worked that didn't rely on incarceration, although none were evidence based. The fact that some of the initiatives are still around means they do work.

He noted that over 30 states had undergone reform like Texas and overall the evidence shows practices that work and those that don't work. It corroborates the fact that incarceration, alone

as the main effort to handle criminal problems, spurs the growth of recidivism. The bottom line is to ensure public safety, but the question is how to do that while at the same time reducing the vast prison cost.

JUSTICE BRYNER said the commission is made up of top level members of the executive branch, people who know how to make things work. Alaska has the resources to make these evidence-based programs work and we know how much can be saved by assisting reentry, he said. A lot of released prisoners are charged with participating in a community program, but they don't do it because they can't afford to participate after just being released. They go back to prison.

Every state has to tailor its efforts based on evidence-based practices in other states, but Alaska is unique because of its large size and small population. Also, releasing a person from a village into a large urban area like Anchorage sets the person up for likely failure. The statistical development of those programs is a very significant factor and a big cost and now the Pew Commission specializes in preparing them. They have a tremendous amount of proven information about what will work that can be adjusted state by state. The Pew Commission does it all for free and essentially ends up leaving the Alaska database in the hands of Alaskans who will keep it up from that point on. "So, how can we afford not to pay for that service when it's free?"

He highlighted that the Pew Foundation was available at the inception of the commission's work but because of a lack of communication and misunderstanding they couldn't get what was necessary to bring the Pew Commission in. Simply a letter of intent is needed from each branch of government and unfortunately that wasn't forthcoming last year. He expressed hope that it would with the new governor. Yesterday, the Criminal Justice Commission considered the issue and voted unanimously to recommend to the legislature, the Judiciary and the Executive branches to do what is necessary to request help from the Pew Commission.

[12:53:35 PM](#)

CHAIR MCGUIRE said the Senate would work with the other body to ensure that the letter is prepared by the Speaker and President.

JUSTICE BRYNER offered to answer questions and briefly discussed the work on sentencing, probation and parole inconsistencies.

CHAIR MCGUIRE said the committee would like to have him discuss the report at another time.

12:56:23 PM

At ease from 12:56 to 12:58 p.m.

12:58:23 PM

RON TAYLOR, Commissioner, Department of Corrections, Anchorage, Alaska, said he will focus on the work that's done internally at DOC. Ms. Gutierrez captured the work that is going on outside the department with sister agencies. It is good for the public to understand that a lot of the work related to recidivism reduction and reentry is already being done and it has taken a great deal of effort. He displayed the DOC mission statement as a reminder that it is more than confinement. It is the reformative programs piece that Ms. Gutierrez discussed. It is also how to do a better job of successfully and safely transitioning people from the institutions into the communities.

COMMISSIONER TAYLOR reviewed the data from the unified system of prisons. He said about 37,100 offenders are booked into DOC facilities. This represents over 22,000 individuals. As of June 30, 2004, 6,200 persons were either in one of the institutions, at a halfway house or on electronic monitoring. Another 6,000 some were on probation or parole. Addressing current trends, he focused on older inmates and the rising medical costs. That population continues to grow at an even faster rate than the young population. Not only are they staying longer, but they're getting older. This results in increased medical costs, because DOC provides all their medical care while they're in custody. The most troubling data point to him personally is the over-representation of minority populations. Right now the commissioner, the deputy commissioner, and an acting director of institutions are African Americans. Someone recently pointed out that considering the statistics, one of the three should be in prison. That hits very close to home and he knows that's the same for the Alaska Native community. What this says is that something is wrong. We have to do a better job of reaching the young men and women inside the institutions and making sure that they stay out.

He discussed the FY14 annual and daily costs of having someone in a hard prison bed versus community residential centers, electronic monitoring, and probation and parole. It costs \$142 per day for a hard bed; just under \$90 per day in a halfway house; \$23 for electronic monitoring; and probation and parole costs about \$7.50 per day. The breakdown of the hard bed cost is

\$103 for institutional confinement, \$22 for healthcare, \$8 for statewide administrative direct costs, \$5 for support, and about \$4.17 for reformative programs. Proportionally, the programming costs are a very small part.

1:04:34 PM

COMMISSIONER TAYLOR said the reentry process is about getting people ready when they come into the institution, helping them transition out, and doing the job to keep them out. This model involves seven phases and is based on transitioning from prisons to the community model. He noted that a former DOC colleague helped develop this model when he worked for the National Institute of Corrections. He said it's interesting that recidivism rates are in line with bookings. The curve of booking rates and recidivism are about the same going back to 2003. In 2010 there was a high of 42,000 and now it's down to 37,000. Bookings have dropped below the 2005 numbers yet there is now a higher percentage of those that are un-sentenced than sentenced. That is startling. The question is whether more should be done in the pretrial phase so they aren't booked into the jails and prison.

1:06:58 PM

COMMISSIONER TAYLOR said that in the first phase of the assessment and classification, DOC has done a good job of looking at the persons coming through the system and trying to determine their risks and needs and strengths. The risks are not only in terms of security for housing but also the risk to reoffend. The needs, strengths, and motivations are assessed to help them be successful inside the institution and as they transition to the community.

The classifications were changed because DOC is risk averse. They looked at the number of people that are over classified and then made sure they were housed with similarly classified persons. A greater emphasis was then placed on the behavioral and programming pieces.

COMMISSIONER TAYLOR said the LSI-R is the primary assessment tool that they use. Turning to the LSI-R as the primary instrument is a recent phenomenon inside the institution. They had been using four or five different screening assessments while they were inside the institution, but he learned that limited staff was being overworked. So he decided to focus on moderate and high risk people in rural areas and what issues need to be addressed to help them be successful when they leave the institution.

Making appropriate referrals is essential once the needs are known. The department's performance review was noted for one of the most robust and comprehensive programming in the nation, which is really saying something - going from 2007 when there was very little to no programming inside the institution. The legislature gave DOC guidance on focusing on programming and they put that into practice.

Transitioning:

He was embarrassed to say the final management plan was developed inside the walls by institutional probation officers and wasn't shared with the field. So, stakeholders, probation and parole officers weren't getting anything to help them continue to work that was being done inside. So, the new management plan is the guide for the inmate; it captures all of the programming that the person has been involved in, all the assessments that have been done with their results. It will help transition that person into the community whether to a community provider or to probation and parole.

The community image is going to be the biggest focus. He said DOC needs time to implement some of the things it has put in place. But as outcomes are reported people want you to do more. So, please let the department put in place what it has been asked to do in terms of pace, risk assessment, and in terms of the huge prisoner reentry initiative that is being worked on right now that involves getting the community to recognize their part in it, more than just housing and employment, looking at identification and benefits, and tapping into the available Alaska Native/American Indian resources.

He added that the department had done an incredible job of outreach to the Alaska Native Justice Center and the Bristol Bay Health Corporation, but more needs to be done. Including a better understanding of available resources that are already in the communities.

COMMISSIONER TAYLOR said the third phase of the transition is inmate release preparation. People from the institution are released to the CRC (halfway houses), electronic monitoring or some other community placement, and then probation and parole are discharge. DOC is working with probation officers to streamline that process.

He said about 13,000 people are released a year, but less than 25 percent actually get released to probation and parole. Over

half are being discharged without any supervision, any reporting requirements or structure whatsoever. Another 22 percent are released to informal probation; nothing happens to them if they stay out of trouble over a certain period of time, whereas probation and parole is active supervision. This all means that 75 percent of persons being released from the system will have no active supervisions whatsoever. That is why it is so critical to ensure that all partners are coming to the table to work on this.

In November DOC kicked off of its prisoner reentry initiative and invited stakeholders and community coalitions to the table to start seeing the real challenge. "We want our Alaska Native communities, our African American communities coming inside our institutions to help us deal with people and transition people prior to their release, so that we're connecting them to services and resources well before they are being released from institutions, and that they understand that they have a responsibility." Should they go home connected to resources and a supportive environment, or just get dropped off?

[1:16:57 PM](#)

He said probation and parole caseloads have increased by almost 40 percent, and since 2002 the Alaska Native population has grown by almost 30 percent and non-Natives by almost 40 percent. The same is true for probation and parolees that are age 45 and older. The trend inside the institutions is occurring in the field.

COMMISSIONER TAYLOR said probation and parole violations continue to be near the top of those persons coming back into the institution. In fact, he was concerned that they are getting people to just waive their parole and not necessarily go through a formalized process. They would rather do their time in jail than stay out in the community. Something is wrong with that picture if that is the message they are sending.

He was grateful for the work done on probation and parole in terms of changing supervision strategy from monitoring and surveillance, but looking at how to do a better job of collaborating with their partners and focusing on success.

This shift has to also occur inside the institutions, but moving from an enforcement or secure confinement to allowing people to come in to work with them and focusing everyone on success will be a big job. The job of every person in the Department of Corrections should be when that person comes into the door, our

job does not end until they are discharged completely out of the system.

Future efforts should be focused on graduated sanctions, so that the number of people coming back on technical violations that really should not be in the system are in an alternative sanction or alternative placement and being linked to the level of risk they pose to reoffend and to the community.

[1:19:44 PM](#)

COMMISSIONER TAYLOR said DOC will continue to work towards reducing recidivism and continue to use every effort with the prisoner reentry initiative to bring all partners to the table. They want to work in line with what is already working and what is culturally relevant for their community.

CHAIR MCGUIRE thanked him for his presentation.

[1:21:40 PM](#)

SENATOR COGHILL asked him to discuss the pretrial population.

COMMISSIONER TAYLOR said that population needs more scrutiny at every level. He said we need to look at bail and some sort of risk assessment to get an idea if a person will pose a significant enough risk to warrant placing them in an alternative place, or to keep them in the community on electronic monitoring or something else. DOC, legislators, judges, the public defender agency, and the Department of Law all need to get involved and address that issue comprehensively.

SENATOR COGHILL said he'll ask the Department of Law the same question because someone may be presumed innocent until proven guilty but they're still in jail.

[1:24:26 PM](#)

SENATOR COSTELLO and Senator Wielechowski joined the committee.

SENATOR COGHILL observed that the members clearly heard that new reforms can be instituted slowly, but the body is under pressure to find ways to keep the public safe and not overfill prisons.

[1:26:12 PM](#)

SUSANNE DI PIETRO, Executive Director, Alaska Judicial Council (AJC), Alaska Court System, Anchorage, Alaska, said AJC takes its responsibility seriously and has conducted many studies to improve the administration of justice and make reports to the

legislature. The criminal justice arena is now the most important issue they are working on.

MS. DI PIETRO said in 2007 the AJC released the first Recidivism Report in Alaska looking at a sample of people who had been charged with a felony in 1999. They followed these people for three years and found that about 66 percent were rearrested, remanded, or convicted of another crime. This means they weren't reformed by their contact with the criminal justice system.

To its credit, the state took that number as a wakeup call and the legislature formed and funded the Alaska Criminal Justice Working Group, an interagency group of executive and judicial branch leaders who come together once a month or so and talk about operational issues and efficiencies within the criminal justice system. The legislature also strengthened therapeutic courts and funded through the Institute for Social and Economic Research (ISER) a report called "The Cost of Crime in Alaska." That report was first presented at a Crime Summit in 2009 and it is the report that is cited in the Recidivism Reduction Plan that Ms. Gutierrez authored.

In 2011, Ms. Di Pietro said, the AJC released a follow-up report that looked at not only felons but also misdemeanors. Since there are more misdemeanants than felons, they had to look at about 20,000 records of people who had been released back into the community in 2008 and 2009. They found that during the first year after return to the community about 27 percent of felons and 35 percent of misdemeanants were rearrested. Interesting to think that the ones who committed the less serious crimes were actually the ones who were recidivating at a higher level. At the end of two years following return to the community the gap had widened with 39 percent of the felons and 48 percent of the misdemeanants rearrested. Most re-arresting happens within the first six months or a year after release. So, it really starts to look as though catching those people when they first come out is the best chance of moving the recidivism rate down.

[1:30:29 PM](#)

MS. DI PIETRO discussed the types of offense saying that sex, driving, and drug offenders had surprisingly lower recidivism rates than those convicted of violent non-sexual offenses and property or other types of offenses. One way to look at it is that maybe something is being done with sex offenders that is helping.

[1:31:22 PM](#)

SENATOR WIELECHOWSKI asked what people are doing to get rearrested.

MS. DI PIETRO replied their definition of recidivism is quite expansive. It's re-arrest, which may lead to nothing; remand, which is where you go back to jail but you may not stay there very long; or reconviction. It's actually the people who are coming back on technical probation violations, not ones who are coming back on new crimes. For people who committed a new offense, it's whether they committed the same offense but whether they committed any new offense. She offered to follow up with more information.

SENATOR WIELECHOWSKI said he'd like that, because he thought there were some issues with parole and probation and how people are dealt with when they are out.

SENATOR COSTELLO asked if funding is a problem.

MS. DI PIETRO confirmed that finding funding for research is a struggle. They have used grants and RSAs from other state agencies that have an interest in the research being done. The sentencing study is being done with existing resources and it is moving depressingly slowly. She highlighted that research is the most valuable resource the council can offer state policy makers.

The council studies also found more attention is needed for young offenders (less than 35 years old), those with prior criminal records and racial disparities. She elaborated that the council had examined sentencing practices for evidence of racial disparities, but one of those studies had not been done in a while. But generally, people come into the criminal justice system at disproportionately high rates of racial minorities, particularly Native American and African American. They come through the system, but there are not significant sentencing disparities for them with a couple of exceptions. They are called unjustified disparities because they can't be explained by any legally recognizable means. However, they discovered that many other things have a bigger impact on sentence length than race. For example, whether you were incarcerated pretrial.

MS. DI PIETRO said the news is not all grim. The Mental Health Trust Authority with the DOC released a report in 2014 that found recidivism had gone down about 9 percent among trust beneficiaries; they also used a slightly different definition of recidivism than the Judicial Council had. The build up in the

DOC programing that the commissioner just spoke about could be the reason for the drop. Those programs were being built right before the rate dropped. It is known, but can't be proven, that on a national level substance abuse treatment and certain kinds of robust evidence-based programming that occurs within institutions can decrease recidivism.

[1:38:12 PM](#)

Therapeutic Courts also reduce recidivism, more particularly for misdemeanants than felons if they complete the programs. It also turns out the people convicted of less serious felonies are more likely to recidivate than those convicted of more serious felonies. The obvious thought is to focus on the most serious offenders, but she thought they should focus on the less serious offenders, the ones slipping through the cracks. Along those lines, the Division of Behavioral Health is working with the Alaska Court System on the Misdemeanant Access to Recovery Program. The AJC has been engaged to evaluate the results of that program. It looks at people who have two DUI convictions, but are out of compliance with some of their requirements and, therefore, thought to be at risk of a felony offense. The idea is to assess and provide appropriate substance abuse treatment for them. Then see if that helps decrease the recidivism rate for that type of offender.

MS. DI PIETRO closed by saying that the Judicial Council welcomes the opportunity to be of assistance in any way.

[1:40:49 PM](#)

SENATOR COGHILL thanked her and said there is an access to justice question with a kid in Nenana who can't drive to a specialty court whereas someone in Fairbanks using a public system can get there. There is also a question in Anchorage of the willing participants being greater than the ability of the courts to perform. He asked who gets left behind in this particular arena.

MS. DI PIETRO said the Criminal Justice Working Group hadn't looked at that although there is a therapeutic court in Bethel, which serves people from the YK Delta. The Criminal Justice Commission is looking quite seriously at those services for people who don't live in hub communities.

[1:43:53 PM](#)

GARY VANLANDINGHAM, Director, Pew-MacArthur Results First Initiative, Pew Charitable Trusts, Washington, D.C., discussed two initiatives. The Results First initiative is a partnership

between the Pew Charitable Trust and MacArthur Foundation; their job is to help states make better choices recognizing that there is a lot of evidence out there about what works. The challenge is getting that information into a usable and understandable format.

Results First builds the capacity within states to access that information and not only look at what the good programs are but what would happen if they were done in Alaska; things done in the Lower 48 don't always work well here. This initiative builds tools that states can use to look at what makes the most sense to fund, using a return on investment approach like businesses do.

MR. VANLANDINGHAM said the policy challenge is that everybody wants to do the right thing, to invest in programs that will have the biggest impact on the citizens of the state and to do things that work, and when times are tough to cut programs which aren't particularly effective and to preserve the programs that are the best performers. The question then is which ones are which, because no state has the comprehensive information about all the programs it administers, how much is being spent on them, what the performance rates are, and to be able to compare those programs. Without that information it's tough to make strategic budget choices. States have traditionally done the easy thing, which is cut across the board and hope agencies can figure it out because they are closer to the situation.

[1:47:41 PM](#)

MR. VANLANDINGHAM said the solution is to bring systematic evidence into the system on an ongoing basis. The Results First approach finds all of the national research and builds it into a decision model that states can use to inform the process. It focuses on programs that are out there, what their effectiveness is and then asks if they are worth putting money into. Are there other alternatives that would be a better investment for the state? The goal is to equip lawmakers to make the best spending choices they can and to achieve policy goals by spending money that is already in the system.

First they ask what is being funded now and come up with a program inventory, a budget and the percent of the budget going towards those programs. This is useful information, but it doesn't tell what the best programs are. By using the national research base, they can look at what is known about those programs by building sort of clearing house and putting the research in one spot. The database ranks the highest rated

programs in green; yellow programs are promising; programs in grey are ones that sounded good but didn't work. Red programs sounded good, but actually tended to make things worse when implemented. Staff can be directed to evaluate programs or track outcomes, things that would put beginning programs on the same competitive basis for funding as other programs.

1:52:40 PM

MR. VANLANDINGHAM explained how the approach works applying Alaska specific data to the national research base of about 30,000 evaluations. He displayed a slide showing meta-analysis of Washington State's Functional Family Therapy Program that serves deep end juvenile justice offenders. Traditionally when kids start getting into serious trouble, they're taken away from the community and put in a secure facility for a long period of time. They are provided intensive services - educational, counseling, drug treatment - to turn their life around. When they've reached that point, they will be released back to the community. All states do this, but there are a couple of challenges; first, it is really expensive (\$60,000 to 200,000 per client per year) and, second, it doesn't work that well. After about six months the kids are back in trouble again and back into the system. On an investment basis, it is very expensive and doesn't have the best outcomes.

MR. VANLANDINGHAM discussed other options. He said Functional Family Therapy is an alternative that many states are starting to experiment with; it keeps the kids in the community and provides intensive services to the youth and their family. If parents can be taught how to discipline their teenager, it doesn't have to be done for them; research indicates that recidivism rates are reduced by 22 percent compared to the norm.

He displayed Washington specific costs and savings which equated to \$29,000 in benefits for the criminal justice system, because kids aren't coming back into the system. The cost of arresting, prosecuting, and defending the youth is saved as well as the cost to the community for the cost of the crime. National research has good information on the costs of different types of crime. For example, a robbery traditionally has an impact of \$250 to society; higher level crimes have a higher cost. The \$29,000 represents both the cost to taxpayers as well as the cost to society for that recidivism reduction.

MR. VANLANDINGHAM said it's a fact that kids who stay in school have better employment outcomes and become taxpayers instead of tax consumers. And kids who go through this program in the

community tend to have better educational outcomes and tend to graduate from high school more than kids who don't. About \$10,000 comes into society because the program is more effective at helping kids complete their education in the community than sending them off to a residential commitment bed.

Also, public health costs tend to go down. The kids are less likely to get into trouble and show up in the ERs and more likely to become employed and have their own health insurance - \$300 on average. But if the benefits are added up, that 22 percent equates to \$37,000 for an investment of about \$3,300. Looking at this on a taxpayer return investment ratio, Washington State is getting \$11 for every \$1 that it puts into this program. It's a pretty good buy.

[1:57:25 PM](#)

MR. VANLANDINGHAM said it is good to know that is a good program, but it is more important to do this on a portfolio basis asking what the investment choices are and comparing the return on investment for adult and juvenile programs. They typically find there is not a strong correlation between how much a program costs and what it delivers, but by viewing the analysis, some things can be identified as best buys - adult programs, cognitive behavioral therapy programs don't have the biggest benefit for clients but on a dollar for dollar basis about \$25 for every \$1 that Washington State put into the program. On the juvenile programs, aggressive replacement therapy helps kids deal with stress positively rather than by criminal offending. It has a \$37 return on investment.

By contrast, "Scared Straight" is a program that sounds good and has its own TV show, but research shows it's very ineffective. Kids going through the program are more likely to commit offenses and more likely to commit more serious offenses than kids that are left alone. Sending them to prison for a day to be yelled at doesn't really scare them to stay on the straight and narrow. Rather, it tends to be a university for crime. Washington State lost about \$200 for every youth put through this program before it was dropped.

[1:59:20 PM](#)

MR. VANLANDINGHAM stated that Results First is four years old and is working in both red and blue states across the country. At the end of the day everyone agrees that tax dollars should be spent on things that work.

He provided examples from Mississippi and New Mexico. In Mississippi the legislature has really adopted Results First as the way they want to start doing business. They focused on criminal justice and started to build this approach into other policy areas. First, they established a statutory policy for standards of evidence and directed agencies to inventory programs and match them against the evidence base and to come back to the legislature with the analysis. They are completing the return on investment analysis to the criminal justice system and this session they are focused on replacing a program which they found isn't getting what they want to do and putting that money towards something that will have better outcomes for their citizens.

New Mexico implemented the model in all the policy areas including criminal justice, substance abuse, mental health, drug programs, early childhood education programs, and prevention programs. That state is starting to build into areas such as K-12 education and Medicaid. Over the last two years, that legislature has directed about \$50 million towards evidence based programs that their analysis shows will have good outcomes. They have also looked at the cost of doing nothing, and determined that the inmates that they let out of prison in 2012 will cost the state over \$300 million over the next 12 years if they don't do anything differently. Policy makers have started thinking about having more money in the future for things they care about and turning some of those cost drivers around by investing in programs that work.

[2:02:32 PM](#)

MR. VANLANDINGHAM said the Public Safety Performance Project is another initiative of Pew that is a sister project to the Justice Reinvestment Initiative (JRI). The difference is that the Justice Reinvestment Initiative process really works with states to identify the policy drivers that are contributing to growth in the criminal justice population and its costs. It typically looks at sentencing, community control programs, and then helps create a package of reforms that would be considered by the legislature next year.

Results First is more of an investment advice portfolio approach. They would work with Finance and Budget staff to build these models with the idea that this would be an ongoing resource going forward as part of the budget element process.

[2:03:44 PM](#)

He explained that Results First is a partnership between Pew and MacArthur and a state. They look for three things from a state. The first is a commitment to being open to evidence-based policy making and a letter of invitation from the legislative presiding officers and the governor to move forward. The second is to be able to provide the necessary data, which they have determined is doable for the state. Third is a willingness to dedicate the resources to doing this.

There is no cost for the services; Results First provides the econometric models and databases and technical assistance, but it requires some bandwidth. Folks who supply the data would have to be told it is a priority. A policy working group would need to be appointed to shepherd through the process; the current stakeholders would be very good for this. The University of Alaska has volunteered to house this in Anchorage and get it going. States have been doing unique things that are very innovative and that information is being shared. Results First would provide the software free of charge and technical assistance to help staff learn how to analyze the data and put it into the model. They provide ongoing technical assistance and will continue building these tools out into other policy areas.

[2:07:02 PM](#)

CHAIR MCGUIRE asked what happened last year.

MR. VANLANDINGHAM said there was an election coming up and it got caught up in that process.

SENATOR COGHILL said Governor Walker supports this and he believes legislative leadership will support it, as well. He then asked what unique challenges he sees with gathering data.

MR. VANLANDINGHAM responded that every state struggles with bandwidth. But it is an educational process. It takes a while to get people thinking about it.

SENATOR COGHILL said Alaska geography "kicks the feet out from under us" on a lot of issues, especially with bandwidth and transportation. He expressed gratitude for the work already done in other states and then articulated potential challenges. Litigation is part of the American culture and mediation is one of the things that "just has to work better."

CHAIR MCGUIRE expressed support for moving forward.

SENATOR COGHILL said the Judicial Council attended a conference in California and gathered a lot of valuable data.

2:14:05 PM

KAREN FORREST, Deputy Director of Administration/Programs, Division of Juvenile Justice, Department of Health and Social Services (DHSS), Juneau, Alaska, said with corrections facing the rising population, she was here to share what is being done in juvenile justice in the hopes that it can enlighten and provide some opportunities for learning their challenges and successes that might help in the adult system, as well.

The successes over the last 12 years from the time they started their system improvement effort are ones that all Alaskans can share in, because it's been a collaborative effort across communities, partner agencies, and the support of the Judiciary Committee.

MS. FORREST said they began the system improvement effort in 2002, recognizing that having the data was critical to understanding how to move forward. They created a Juvenile Offender Management Information System that has been foundational to their success.

When that system was implemented, they learned that Alaska has one of the highest secure confinement rates in the nation for juveniles. So, they implemented the detention assessment instrument, an objective screening tool that went along with probation officers' judgement to reinterpret and determine which youths needed to be securely confined and which could be served in the community. In doing that, they worked with community partners to build alternatives to detention, and began to use electronic monitoring and provided grants to communities to provide non-secure shelter beds. They also implemented a risk-need screening assessment, similar to adult corrections, to begin to understand the reoffending risk. This is important if you take a low risk offender and put him through the court process, the outcome can be worse. The intervention needs to be targeted to the risk to reoffend.

MS. FORREST said they also heard the Washington Institute of Public Policy share some information around the aggression replacement training and took it to heart. They investigated it and it has been implemented in the long-term secure institutions. It has a favorable cost benefit ratio.

She said they worked hard over the last 12 years to address behavioral health needs of youth in the juvenile justice population. Being able to determine whether or not a youth has a mental health or a substance abuse problem has taken quite a lot in terms of implementing screening tools, collecting the data and beginning to develop targeted interventions for them. With help from the legislature and Trust Authority they went from having one mental health clinician position in 2002 to 14 positions across their 8 facilities. They are also screening youth almost throughout the system. A high rate of youths in the system have mental health and substance abuse needs and programs are being developed to address those not just in a facility but in the community with community partners.

2:20:47 PM

SENATOR COGHILL asked if risk assessment is transferable to the adult system because of the confidentiality nature of most hearings.

MS. FORREST confirmed that it is transferable to the adult system.

SENATOR COGHILL said he thought some of their success comes from the fact that the LSI-R is done earlier.

MS. FORREST replied yes; they use a screening version of that tool with all youths that come into the system. About 25 percent of the youths go through the formal court process and then they use the full assessment for them. They inform the disposition of the case.

She shared that they interviewed former DJJ clients who were currently in DOC facilities and asked what they could have done differently to help them avoid where they are now. The results were very clear; they said it would have made a difference to get help with their substance abuse problems and help learning a skill so they could find a job.

SENATOR COGHILL asked if there is outreach to workforce development and if it's taken root since that survey.

MS. FORREST answered yes and yes; they are focused on five areas of improvement: reducing the general recidivism numbers, working with Alaska Native youth, improving outcomes for youth behavioral health needs, focusing on employment outcomes, and focusing on educational outcomes. Youth in the system show significant improvement in math and/or reading skills. They have

been working the DOLWD the last couple of years through the Workforce Investment Act Project and working with community businesses. For example, developing jobs where youth will leave the facility during the day and work and come back in the evening.

SENATOR COGHILL said substance abuse would be an immediate barrier to entering the workforce. He asked how the retraining programs have worked and if it is too voluntary.

MS. FORREST said most youths are already in the community and if they are not in school, job skills need to be developed that will help them be successful. Substance abuse treatment is really key, she said, and they are in the process of implementing a program in long-term institutions that is transferable and applicable in detention and community based settings. They wanted something that could be expanded and built upon. The state has a lot of different programs and it would be helpful if the good ones could be identified and replicated.

[2:28:53 PM](#)

AL WALL, Director, Division of Behavioral Health, Department of Health and Social Services (DHSS), Juneau, Alaska, said the DOC apprenticeship program in the adult population is successful and they are discussing how substance abuse treatment can be linked better to the participants of that program so that it follows them while they are in the program and after they leave.

MS. FORREST said the juvenile crime rate in Alaska has dropped by 56 percent in 12 years along with a small drop in the population of juveniles which averages out to 51 percent. The average daily population of facilities has dropped by 33 percent in that same amount of time. Lessons have been learned and information can be shared that may be helpful as the state goes forward in the adult system.

One of the challenges in the adult system is the same Alaska Native youth are overrepresented throughout different points in the system. DJJ is looking for any new opportunities to collaborate with tribal entities and other rural providers to strength those parts of the system.

She said recidivism rate for youths released from deep end long-term secure programs was about 60 percent for FY2014 and 45 percent for those released from formal probation services. This says that those in the very deep end have the highest likelihood

of reoffending. This is what one would expect and if it was different she would be concerned.

On any given day DJJ serves about 1,000 youth and only about 165 are in an institution; the bulk of youth are in the communities.

[2:32:19 PM](#)

MR. WALL said part of the responsibility of Behavioral Health is to provide the reentry population with efficient and effective treatment at the lowest cost possible to provide them with every opportunity to succeed as they go out into the general population. The Sobriety 24/7 Program is new but it is having tremendous results. He reviewed two programs that have worked well: therapeutic courts and community based treatment plans.

Fourteen Therapeutic Courts are running in six different communities and Kenai is currently building one. The models have been so successful that a tribal court has been talking about starting one. Community-based treatment programs are the backbone of treatment for the mentally ill or substance abuse population, and a very high percentage of the reentry population falls into this category. Much of the treatment being provided after a person is released from prison is done at these community behavioral health centers. Because the treatment occurs in their own community with the supports around them, the youths have an opportunity for employment and education; they have the support of family or friends to keep them straight. Statistics show they have been very successful.

A couple other programs are the Misdemeanor Access to Recovery Program and the Partners for Progress.

SENATOR COGHILL thanked Ms. Forrester and Mr. Wall for their work.

MR. WALL said he would pass the compliment on to the providers.

[2:37:06 PM](#)

RICK SVOBODNY, Deputy Attorney General, Criminal Division, Department of Law (DOL), Juneau, Alaska, said prosecutors are opposed to recidivism and would like the rate to be zero. He offered some important considerations for the committee to think about; pre-trial services was the first. He explained the average time to a felony trial in Anchorage was over 600 days, whereas criminal rules suggest it should be 120 days. The delay of years is a big problem for institutions. It would be better to move those people out of pre-trial where they aren't getting

the correctional services that have been described for those people who have been sentenced.

He said Ms. Di Pietro said there was a disparity in sentencing for those who were held in custody pretrial and the sentence that they received post-trial. That sounds bad, but it's an indication that the system is working. He explained that a judge's decision to set bail is set by rule and statute. The rule says the court is to make a determination about conditions of release based on 1) whether the person a flight risk or likely not to appear for court, and 2) whether the person is a danger to the community. So, it actually indicates that judges are making good decisions in the beginning about bail.

He explained the statutory provision that deals with bail. The judge looks at whether the person is employed, whether they have family ties, and whether they have prior convictions. It's not called an assessment tool, but that is what it is. He voiced support for having a more evidence based assessment tool that could be given independently either by corrections or the court system. That is how the federal courts deal with it.

MR. SVOBODNY suggested another consideration is to expand the ability of corrections/probation officers to include some type of supervision pretrial. He explained that electronic monitoring (EM) doesn't stop criminal behavior; it just indicates where the person is at a particular time. A good share of the pretrial programs are privately run and have no standards, and prosecutors are skeptical of several of the entities that offer the service. So, corrections should have the ability in regulations to set standards for electronic monitoring that would make people feel safer in making decisions about releasing people on EM.

MR. SVOBODNY turned to mental health issues, describing it as the biggest block in the system. It used to be that most misdemeanor cases were resolved within a week or two of the person being charged with an offense. There were local mental health programs that defense council could get their clients in to and the cases were dismissed as long as the person was in the treatment program. In the 1970s the state chose a mental health model that promised to decrease the Alaska Psychiatric Institute (API) in favor of funding local treatment programs. Mental health lands were sold, the trust model was funded, and the resources were supposed to be put in the community. The problem is that community mental health really never evolved. For example, Juneau had two mental health programs that would take

people involved in the criminal justice system and today it has zero.

This has created serious issues with prosecutors whose job is to protect the public. They're going to bring people to trial even when they know they have cognitive issues that will make it difficult to understand a trial. He cited the example of someone raping a little girl in the village for the third time. Each time the court finds the person not competent, that competency can't be restored, and they're let go. He stressed that something has to be done with people who are not competent either to stand trial or weren't competent at the time of trial while meeting the prosecutor's goal to protect the public.

[2:51:37 PM](#)

MR. SVOBODNY said a "final rock in the road" is data collection. No one disagrees that it needs to be done and it needs to be shared. This could be an easy fix for the legislature that doesn't cost money. Title 18 has a provision for a data governance committee housed in the Department of Public Safety (DPS). It wasn't designed properly. It was designed to bring all the players to deal with data that was "kind of police data." It needs to be "just data" and it needs to be a body that has sufficient governance authority to compel participation from the state agencies.

[2:55:48 PM](#)

KAREN LOEFFLER, United States Attorney, District of Alaska, Anchorage, Alaska, said she wanted to address two things: where the federal government fits in and what it is trying to do with outreach prevention and smart on crime. She noted that the packet has a pie chart summary of the types of cases her office does. It shows for the last three years that 70 percent of their work is violent and drug related crimes (listed as Organized Crime and Drug Enforcement Task Force (OCDETF)) that are connected to big organizations in the Lower 48. Law enforcement agencies sign on and it gives some money to pay overtime to the state and locals working on big organizations. The people committing these crimes fail the recidivism test.

She said she is very understaffed. A verdict came in yesterday, and she typed up the press release for a recent case to illustrate what the federal court gets when the state programs fail. These were individuals of a violent drug related gang; they were convicted of kidnapping, fire arms charges, home invasions, drug trafficking, money laundering, sexual torture of one of the victims over a drug debt, and HIPPA violations. She

said she wasn't trying to shock the committee, but when the first set of programs with the state fails, this is who her office gets. They do this in partnership with all of their law enforcement partners: DEA, FBI, the Alcohol, Tobacco and Firearms Anchorage Police Department, Valdez Police Department, Alaska State Troopers, the Crime Lab, the postal inspectors, Homeland Security, Providence Hospital, and Marshalls. When they do these cases, one of the best in the Alaska is that they work "very collaboratively with our partners."

[3:01:16 PM](#)

MS. LOEFFLER said she just requested funding for a staff person to partner with state and private entities to try to reintegrate fairly hardened criminals into society. "If we can turn them around, we're taking 100 crimes off the street." Her office isn't as far along as the state, but she is trying to work up a reentry court. She explained that some of the penalties have been reduced in 18 USC 35.82 for people who have long drug sentences. In November 15, 2015 about 30-40 Alaska defendants will be released into Alaska, and she wants things in place to provide services. She expressed hope that in a year they would have more of a program to reintegrate these people and give them a chance.

She said her office does a lot of sex trafficking prosecutions and victim outreach. Victims are often young Native women who are brought from rural areas into Anchorage, picked up by pimps, and turned onto drugs. She said her office is always available to talk about the problem, but it doesn't always result in solutions. They are in the schools talking about the heroin problem. That type of outreach is very important and is taken on in addition to other duties.

CHAIR MCGUIRE thanked Ms. Loeffler and asked her to return later to talk about sex trafficking.

MS. LOEFFLER said it's a passion of hers, but she can't advise the legislature on law.

SENATOR WIELECHOWSKI asked if she would talk about marijuana.

MS. LOEFFLER replied no, she wouldn't talk to the legislature directly about marijuana, but she would work with the executive branch. She reiterated that she can't advise the legislature on law.

SENATOR WIELECHOWSKI asked if the federal government intends to prosecute people for marijuana.

MS. LOEFFLER said her office does major cases involving public safety, but the Cole memorandum is not a law; it doesn't bind anybody and doesn't create any rights. If the state protects public safety that's one thing and if it doesn't, she has the authority to step in. She is focused on cases like the ones she describing.

SENATOR COGHILL expressed gratitude for her collaboration on child pornography issues.

At ease from 3:10:41 p.m. to 3:20:42 p.m.

3:20:42 PM

MYRON FANNING, Deputy Chief of Police, Anchorage Police Department, Municipality of Anchorage, briefed the committee on the four major programs to reduce recidivism. These are the Probation Accountability and Certain Enforcement (PACE) program, the 24/7 Alcohol and Substance Abuse Monitoring Program, the Alaska Domestic Violence and Sexual Assault intervention Program (ADVSAIP), and the Crisis Intervention Team (CIT). He noted that the MOA's director of DHSS was online to answer specific questions about the municipality's very effective recidivism reduction program. He would also discuss APD's CIT and its recidivism reduction statistics.

He explained that the PACE program is an intensive probation program where every violation is dealt with immediately and sanctions are imposed. APD was part of the pilot project in 2010, partnering with agencies throughout the state. Warrants are issued for any probation violation such as failed drug testing or missed meetings with probation officers. APD's primary role is to make the PACE warrants a priority and serve them quickly.

MR. FANNING advised that APD was part of the 24/7 pilot project. In that program participants are required to provide daily in person alcohol or drug tests. APD's primary role is to respond to the testing facilities and arrest participants for a failed test.

He said the Alaska Domestic Violence and Sexual Assault Intervention Program (ADVSAIP) is an extremely effective program. It holds violent offenders accountable and provides a safety net for the victim. This program, which started in 2006,

created the first database in Alaska that provides offender bail conditions to any police officer in the state through the Alaska Public Safety Information Network (APSIN). In Anchorage, police officers conduct compliance checks and warrant services for both misdemeanor and felony cases upon request. The program provides emergency funds to victims for rent, security, transportation, medical care, and relocation. The ADVSAIP partners are the Anchorage Police Department, the State of Alaska, the Anchorage municipal prosecutor, the Anchorage Department of Health and Human Services, Standing Together Against Rape (STAR), Abused Women's Aid in Crisis, and Victims for Justice. He displayed a list of the 38 communities throughout the state that have been assisted by ADVSAIP. APD's role in the program is twofold. They meet with a municipal prosecutor to do an extensive background investigation on possible participants in an effort to identify those that are likely to reoffend. Those cases are turned over to the compliance officers for close monitoring.

MR. FANNING displayed a bar graph showing the effectiveness of ADVSAIP. Between 2006 and 2012, the recidivism rate of participants in the program dropped 48.3 percent, from 65.8 percent in 2006 to 35.7 percent in 2012. He also displayed a graph showing the number of arrests for violations of conditions of release (VCOR) between 2006 and 2012. Arrests for VCOR increased 393 percent throughout the state. The primary reason was that officers knew the bail conditions because of the database.

3:27:00 PM

Over the same 2006-2012 time period, the average number of domestic violence (DV) arrest warrants served per month in Anchorage increased 67.1 percent. Because of the real-time information, the number of days to serve a DV arrest warrant decreased from 62 days to 10 days, or 70.4 percent. Compliance increased 46 percent. He reviewed the FY2015 funding for ADVSAIP. \$850,000 or 45 percent of the funding was requested from the Department of Public Safety and \$1.033 million or 55 percent is from other sources. He noted that just today he saw a federal funding request for this program in excess of \$1 million for this year.

3:28:00 PM

MR. FANNING discussed the APD Crisis Intervention Team (CIT). It offers a trained police response that focuses on de-escalation and resolution. APD currently has 90 sworn police officers and 30 unsworn personnel trained in CIT techniques. This has reduced the need for patrol officers to respond to chronic mentally ill

offenders. CIT officers coordinate treatment for chronic offenders in an effort to divert them from the criminal justice system and into a proper program. This is better for the community.

[3:29:52 PM](#)

MR. FANNING described the Anchorage Youth Court as an extremely effective juvenile diversion program for youths in grades 7 through 12. Data from 2008 showed that 89 percent of the youths that completed their Youth Court obligations did not reoffend. It is a program that is run by juveniles for juveniles with adult oversight. The cost per defendant is \$457 with \$50 paid by each defendant. The program involves community service and restitution.

[3:31:25 PM](#)

SENATOR ELLIS asked what happens to low income kids that can't afford the \$50 fee to participate in Youth Court.

MR. FANNING said he believes the fee can be waived, but if it isn't he'll work toward that and suggest more community service as the offset.

[3:32:29 PM](#)

TONY PIPER, Program Manager, Alcohol Safety Action Program (ASAP) Statewide and 24/7 Sobriety Monitoring Program, Division of Behavioral Health, Department of Health and Social Services (DHSS), Anchorage, Alaska, provided an update on the pilot ASAP Statewide and the 24/7 Sobriety Program. He reported that the department partners with a lot of the groups present today. This includes APD on the 24/7 program, the Alaska Native Justice Center on substance abuse programs in rural areas, Partners for Progress for help with reentry, the Wellness Court for therapeutic activities, the Mental Health Trust, and the Department of Law.

MR. PIPER said his focus today is to discuss the 24/7 Sobriety Monitoring Program, which was implemented after the last legislative session with the passage of Senate Bill 64. It is one of the Smart Justice programs, an evidence-based initiative that is designed to ensure public safety by testing participants twice a day, roughly 12 hours apart, for alcohol. People who come in for drug testing call and come in on a random basis for a test. If a participant tests positive, the sanction is immediate. Law enforcement is called and the person is arrested and probationers are immediately remanded.

He explained the process. Attorneys, with judicial agreement, refer people to the program that likely will benefit. These people are either on release conditions prior to their hearings or they are under probation conditions. The program could also be used in Child in Need of Aid (CINA) cases so that parents can be reunited with their kids under sober conditions. For testing they partner with Alaska Pretrial Services in Anchorage. There are two testing locations along the bus route and some in-house testing devices for people that have limited mobility for some reason. Since inception over 20,000 portable breath tests have been administered with just 21 failures. Twenty of those people were reassigned to the program and compliance has been 100 percent so far. Over 2,300 drug tests have been administered with 26 failures. Twenty one of those people were reassigned to the program and 16 have been successful to date.

The cost for alcohol testing is \$2.50 per test or \$5 per day, which is paid by the participant. The cost of the drug tests range from \$10 to \$50 depending on the drug. The division is preparing to open programs in Fairbanks and then Kenai. The intention is to spread it throughout the state. He closed his comments briefly highlighting other potential applications of the program such as license applications.

At ease from 3:39:58 to 3:42:39 p.m.

[3:42:39 PM](#)

DENNIS JOHNSON, Director, Alaska Pretrial Services, Kenai, Alaska, described pretrial release solutions. He displayed a visual to illustrate the key to the 24/7 Program, which is a swift and immediate response to test failures. He described the evidence based pretrial electronic monitoring and stressed that monitoring needs to be real time and used in combination with curfews, help with housing, and reentry for employment. He recommended incorporating in HB 15 some type of credit in sentencing for participating in the 24/7 Program and staying drug and alcohol free. It rewards the desired behavior and saves money. He opined that incorporating electronic monitoring with a heightened 24/7 would be advantageous. He reiterated that elective monitoring needs to be active and real time. He displayed a visual to illustrate the every 60 second tracking capabilities. It is the only evidence-based system that's used by the federal government under the National Sex Offender Registry Act. Integrating electronic monitoring into the 24/7 program costs \$22-\$28 per day, which is about the national average. It's an 82 percent reduction in hard bed costs.

MR. JOHNSON highlighted the FY2013 grant-funded pilot program that helped people get into jobs and housing. The program cost was \$250,000 and it resulted in a \$1.27 savings for that fiscal year.

At ease from 3:54:07 p.m. to 3:55:39.

3:55:39 PM

JANET MCCABE, Partners for Progress, Anchorage, Alaska, explained that the Partners Reentry Center was initiated by community nonprofits and supported by state agencies. It's a grassroots approach to reducing recidivism through community-based collaborative reentry programs. She highlighted that recidivism is twice as likely when the person reentering the community is homeless. She said that in the community setting, closing the revolving door requires three keys: stable employment, safe housing, and positive social support.

MS. MCCABE reviewed the role of the Community Reentry Center in the DOC reentry process. Prior to release, DOC probation officers arrange housing with center staff and provide essential information on individual risks and needs. The center provides employment assistance for DOC halfway house residents. The goal is to give individual support so each person can become a productive member of the community and begin to look at themselves that way.

She said the Anchorage Partners Reentry Center opened in August 2013 in collaboration with the Department of Corrections, the Alaska Native Justice Center, Nine Star Education and Employment, and the Department of Labor and Workforce Development (DOLWD). To accommodate different needs requires a variety of temporary housing types, of employment assistance, and supporting programs. Culturally specialized referrals are available. She reviewed the obligations of participants, which includes getting a job and paying rent, and the obligations of staff and volunteers, which is based on respect. She displayed an extensive list to illustrate that the center has developed a broad network of partners and referral resources.

MS. MCCABE said that through weekly case coordination meetings with all who work directly with participants, services are tailored to fit individual risks and needs. She reported that in January the center assisted about 51 people each workday. A proud achievement is that more than 340 employers have hired program participants.

CHAIR MCGUIRE thanked Ms. McCabe for the work she'd done of over the years.

[4:06:26 PM](#)

DENISE MORRIS, President and CEO, Alaska Native Justice Center, Anchorage, Alaska, said that ANJC recognizes the enormity of the recidivism problem and that it will take collaboration to find a solution. She related that the Alaska Native Justice Center (ANJC) receives its tribal authority through Cook Inlet Region, Incorporated (CIRI). It was established in 1993 as the direct consequence of the section of the Alaska Native Commission Report that dealt with justice, social, economic, and other issues. The report indicated that Alaska Natives represented about 14 percent of the population, but almost 50 percent of the incarcerated population. In its role as a catalyst and convener, ANJC has been working on this issue since then. She recalled that in 1995 ANJC and Sheldon Jackson College hosted the first Justice Conference and most of the participants are represented today.

ANJC has been working in reentry programs since about 1996 and has been providing formal reentry services since 2005. They have provided reentry services to about 2,500 people. The wraparound services start 180 days [pre-release] and continue for as long as the services are needed. They partner with South Central Foundation for behavioral health, medical care, dental care, optometry care, and behavioral health; Cook Inlet Tribal Council for housing, job placement, and behavioral health.

MS. MORRIS described the program as a promising program that is also a best practice. All the work has been done with no funding from the state, but the hope is that there will be support as federal dollars shrink. She noted that ANJC recently received a federal grant under the Second Chance Act. The services are available to anyone that asks, not just Alaska Natives. She said the peer to peer component of the program makes it successful. Participants are required to check in with their case manager on a weekly basis, attend weekly support group learning circles, and attend weekly peer to peer meetings. The goal is for individuals to come full circle. Giving back 40 hours of community work service is a requirement for graduation. Program graduates include small business owners that hire and mentoring the next cohort. Some graduates return to volunteers. They are productive members of the community and they're giving back to society. These programs save dollars and build lives.

MS. MORRIS expressed gratitude to Commissioner Taylor for opening DOC's door to the Alaska Native Justice Center and giving support whenever they were asked.

[4:13:42 PM](#)

NICOLE BORROMEO, General Counsel, Alaska Federation of Natives, Anchorage, Alaska, said AFN is the largest Alaska Native organization in the state. It represents 165 federally recognized tribes, 141 village corporations, all 12 regional corporations, and the 12 nonprofit consortia that contract to run federal programs. Their mission is to enhance and promote the cultural, economic, and political voice of the Alaska Native community.

She said AFN is interested in recidivism primarily because of the significant overrepresentation of Alaska Natives in the prison population. Alaska Natives make up just 20 percent of the state population yet 40 percent of the prison population. This is unacceptable and AFN wants to be a part of the collaborative effort to develop an effective and efficient reentry system to solve the problem.

MS. BORROMEO said the Alaska Native community believes that the collaboration is working. Inviting the Alaska Native community to participate in the Crime Summit is a step in the right direction. Tribal governments and organizations should be utilized to develop and implement programs on the local level as alternatives to incarceration. They have capable entities that are willing and able to do so. The Alaska Native Justice Center is one. In terms of what's not working, we need to take this beyond consultation and move to active collaboration, she said. It needs to be an ongoing dialog. We can't just have one and be done. This will take "all hands on deck" to solve this problem. We're prepared to be a participant and to help you do so.

MS. BORROMEO concluded her comments highlighting that nonprofits in the Native community have a proven track record of working on the problems of recidivism and reentry. She referred to page 36 of the 2015 report that details the \$600,000 allocation to one nonprofit, and suggested that nonprofits in the Native community could benefit from those funds as well.

[4:17:39 PM](#)

MARIE STEWMAN, Director of Planning and Grants, Southcentral Foundation (SCF), Family Wellness Warriors Initiative, explained that SCF is an Alaska Native rural nonprofit healthcare corporation that serves 65,000 Alaska Natives and American

Indians throughout the state. Their mission is to achieve wellness through health and related services. The corporate objective is to reduce the rate of domestic violence, child abuse, and neglect. This objective is incorporated in Southcentral Foundation's 80 programs.

The Family Wellness Warriors Initiative (FWWI) is one of those programs. Working within the prison system TWWI has provided a culturally relevant Transformational Living Community at the Palmer Correctional facility since 2004 and the Highland Correctional facility since 2012. A SCF employee works with TLC inmates in the prison, and provides monthly reports. An intensive 40-hour training is offered with follow up after release. Graduates of the program receive a generous care package of behavioral and medical services.

MS. STEWMAN said this reentry model includes culturally relevant programs. The Four Directions outpatient program offers substance abuse and mental health counseling and the Qu yana Clubhouse [blends medical services with Alaska Native tradition and structure for adults with severe and persistent mental illness.] She said the people that enter these programs don't go back into prison.

MS. STEWMAN said the Southcentral Foundation is finding that their 80 programs are working. She emphasized that these programs and the work the Alaska Native Justice Center and the Alaska Federation of Natives are doing is part of the solution.

MS. MORRIS added that while the Alaska Justice Commission report has good recommendations, the Alaska Native community as a whole is concerned that it mentions just one program as a promising practice and it mentions just one program for funding. There was no mention of the extensive work that has been done in the Alaska Native community related to recidivism. The Native community wants to be a part of the collaboration to find a solution and the AFN passed a resolution supporting ANJC involvement in this issue. As a result of this report, the AFN has designated that reducing recidivism is a number one priority. Right now they are participating in the National Congress of the American Indian soliciting national support for the issue.

CHAIR MCGUIRE shared a story from a constituent about his growing concern that discrimination in the justice system is not being addressed. He suggested more training is needed for parole officers and corrections officers about cultural awareness and

perceptions about race. He also advocated to have in-house programs for Alaska Natives to rebuild their identity. He feels that young Native men in prison are more susceptible losing their identity and they are more susceptible to rape.

SENATOR COGHILL discussed the importance of improving communication, dovetailing tribal authority and state government, providing victim services, and maintaining public safety.

MS. MORRIS noted that the Southcentral Foundation and the Alaska Native Justice Center both provide comprehensive victim services programs, including legal representation. Responding to an earlier question from Senator Ellis about what happens to those who can't afford a program, she relayed that ANJ offers the Prime for Life program that is entirely free for individuals that have been detained for a minor consuming alcohol charge.

[4:31:43 PM](#)

QUINLAN STEINER, Director, Public Defender Agency, Department of Administration (DOA), Anchorage, Alaska, echoed the need to focus on programs to reduce recidivism combined with a long-term strategy for measuring their effectiveness. He pointed out that certain policies and strategies have increased costs substantially from year to year and haven't necessarily had the intended effect. "It's worth paying attention to the policies that result in incarceration in the first place." Over the years the state has increased penalties with limited judicial discretion. And there is good data that shows that increasing penalties and increased incarceration is not actually impacting recidivism. It's simply incarcerating people for longer periods of time. It may be counter intuitive but there is good data that shows that short periods of incarceration for individuals who are at low or moderate risk of committing another crime actually increases recidivism. There are certain crimes that are listed as misdemeanors that could easily be dealt with as violations and get the same effect at a significantly reduced cost.

Pretrial incarceration is a really important issue. There are longer and longer periods of pretrial incarceration. We're seeing a lot of cases where people are getting out right at the plea. They are unable to get out of jail on bail because of stacked conditions, monetary bail, third party custodian, 24/7 which may all individually be good ideas and good programs but when they're stacked and prevent people from getting out of jail it has an effect that undermines their very intent. There is

good data that shows that even a little bit of incarceration can increase recidivism rates.

A lot of the pretrial work that can be done, we're a little bit inflexible on, he said. There's programs for deferred prosecution that we could use or deferred sentencing and provide incentives to participate in programming rather than spend that time in jail. Much of that gets back to the programs themselves. They are insufficient programming available that we could use to help deal with some of the issues that are leading to people ending up in jail and driving up the cost.

MR. STEINER said a more flexible approach could benefit all parts of Alaska, particularly rural Alaska. Centralization has its benefits, but one of them is not flexibility. Collaborating with communities and tribal courts and other community organizations that can assist in helping clients go from incarceration in the justice system to out is necessary to make advancements in some of the issues we're dealing with here today, he said.

MR. STEINER said the justice system is not simply about moving cases along. There is strong indication that procedural justice reduces recidivism. There's an individual assessment of the case so that there is a fit between what clients understand is happening and the response their getting from the system as a whole.

He said that without addressing these things we have increasing pretrial incarceration, increasing percentages of individuals who have been convicted of nonviolent offenses who are in jail, longer sentences and increased costs. Though there is indication that the efforts of corrections has done some to reduce recidivism, there needs to be a longer and more intense strategy. In this climate it might not be popular, but this requires attention and funding. Those programs will produce benefits in the long run, not just in costs to the system as a whole but human costs. The latter are harder to measure but they're significant.

CHAIR MCGUIRE asked why the numbers of nonviolent offenders in Alaska prisons have increased.

MR. STEINER replied in part it's because of the number of nonviolent crimes that have been ratcheted up to a felony and the habitual offense strategies where the third offense becomes a felony. Those are designed to deal with individuals who are

getting into trouble repeatedly, but if there is no work on the front end at that misdemeanor level, that strategy just produces longer incarceration.

CHAIR MCGUIRE asked what percentage of the nonviolent offender population has mental health issues and what percentage has an addiction to drug or alcohol.

MR. STEINER deferred to Mr. Jessee.

CHAIR MCGUIRE said she'd like more information about the large nonviolent population, including the number of crimes that were committed under the influence of drugs or alcohol.

MR. STEINER said anecdotally he can say that a significant portion of the public defender cases involve drug and alcohol addiction and somebody with a mental health diagnosis.

CHAIR MCGUIRE asked if he had an opinion about why the percentage of older inmates is increasing.

MR. STEINER replied he didn't know the answer.

[4:41:38 PM](#)

NANCY MEADE, General Counsel, Administrative Staff, Alaska Court System, Anchorage, Alaska, stated that the Court System is an integral partner with many of groups that are looking at programs that have been implemented, the important work yet to be done, and the questions that still need answers so that more programs and steps can be taken. She summarized some of what the committee heard today. As former-Justice Bryner testified, the knowledgeable and experienced Criminal Justice Commission is trying to find answers to some of the questions that have been raised. The committee also heard about the [Pew-MacArthur Results First Initiative] and the offer to help look at case files and data to identify some of the factors that are confounding people right now. Some of the steps that group is taking are probably the same steps that the legislature will want to take in the future, she said.

MS. MEADE related that the Court System is an active member of the Criminal Justice Working Group. She described this as a step toward interagency cooperation, highlighting that the Department of Corrections (DOC), the Department of Labor and Workforce Development (DOLWD), the District Attorney's Office, the Public Defender Agency, and the Court System work cooperatively to address a lot of different criminal justice issues. That helps

the conversation work smoothly. She also noted that the Court System was very involved in the Recidivism Reduction Plan Work Group that Ms. Gutierrez discussed.

MS. MEADE conveyed that the Court System has been and will continue to be very active in the efforts of all the different groups, and is eager to implement any new smart justice programs the legislature chooses to adopt. There is considerable enthusiasm among individuals within the Court System to get new practices in place with regard to changes in bail or probation or sentencing.

CHAIR MCGUIRE thanked Ms. Meade for the work she does interfacing with the Judiciary Committee.

CHAIR MCGUIRE asked Mr. Jessee to discuss mental health, traumatic brain injury, and the percentage of poverty and homelessness of inmates within the Department of Corrections (DOC).

[4:45:47 PM](#)

JEFF JESSEE, Chief Executive Officer, Alaska Mental Health Trust Authority (AMHTA), Department of Revenue (DOR), Anchorage, Alaska, reported that 65 percent of the inmates in the Department of Corrections are AMHTA beneficiaries, and 54.8 percent have co-occurring disorders. These people recidivate at a higher rate than other inmates and spend longer times in corrections.

CHAIR MCGUIRE asked him to follow up with the data sorted by male, female, single mothers, single fathers, education brackets, mental health brackets, addiction brackets, and any other relevant factors.

MR. JESSEE expressed appreciation for the request because it points out the need for a central data repository and analytical capacity that does not currently exist in the system. Somebody has to collect the data from the various sources to inform the strategies to make intelligent decisions. He suggested that the Justice Center at the university could assume that role. He pointed out that people have been working on recidivism for years, but organizations change and historical knowledge is sometimes difficult to maintain.

He said a lot of what happened last year in House Finance was to look at recidivism in the context of the cost of building another prison or recommitting to send people to a prison in

another state. The committee was encouraged to expand its thinking on the subject beyond state agencies, to include things like housing, employment, and support for recovery. He observed that the body wasn't really aware of how those things were connected. He commented on the intent language that focused on state agencies getting things moving. He pointed out that on page iii of the Recidivism Reduction Plan, the first recommendation was to partner with Alaska Native entities. He discussed talking to Ms. Morris with the Alaska Native Justice Center about this missing piece and the proposal to House Finance that the next phase involve an actual implementation plan. It would have specific strategies, the outcomes of those strategies, the cost, the timeline, the outcomes, and the long-term savings to the state. He opined that direction would be forthcoming to put together an implementation plan. Using resources like Pew and others makes this doable, he said.

MR. JESSEE said he'd be remiss if he didn't touch on the third rail. He pointed out that a lot of the people coming out of corrections are single males between the ages of 18 and 65.

If you want somebody else to help pay for this, you need to start thinking about Medicaid expansion, because that's a really powerful tool. And Behavioral Health, as far as our beneficiaries, is where the greatest impact of expansion is going to be and enable us to access a funding source for a lot of the substance abuse support that we just can't fund right now. And we don't see the state in a position to generate additional grant dollars - 100 percent GF - in order to provide that support for sobriety in the community.

He said he understands that a lot of questions need to be answered, but Medicaid expansion would be a major factor in being able to carry out an implementation plan for reducing recidivism.

CHAIR MCGUIRE asked what the cost savings would be.

MR. JESSEE replied he didn't have a specific number but it would be in the millions. Figuring that out would be part of the implementation plan.

Responding to the concern about singling out a single program in the [Recidivism Reduction Plan], he explained that the point wasn't to give it preference over all other programs. It was to

not lose ground on a program that was working. He reiterated the commitment to work with tribal partners, hopefully with guidance from the finance committees about an implementation plan.

CHAIR MCGUIRE thanked Mr. Jessee and all the other participants. She noted that the meeting was televised and recorded as a follow up resource, and that she and the committee would work with the House Finance Committee to keep from replicating efforts.

[4:58:33 PM](#)

SENATOR ELLIS said it was a magic moment last year when Senate Bill 64 passed unanimously. Progressives like himself and conservatives like Senator Coghill put political and partisan differences aside and found common ground to do the substantive work that is continuing here. He said it appears that everybody is pulling together, seeing the inner-connectedness of these efforts and how to build on the synergies between nongovernmental agencies and the agencies of government to make a difference in people's lives, to provide hope and redemption and rehabilitation.

He recalled the constitutional amendment effort a few years ago to remove the words "rehabilitation" or "reformation" as one of the purposes of Alaska's penal system. It was partisanship run amok just as it was when a particular legislator directed his staff to cut all treatment programs in the prison system. He said it's taken over a decade to achieve a bipartisan consensus to say that wasn't a wise idea and we're building back those programs because they're cost effective.

He expressed appreciation for Chair McGuire's efforts to put the state on the path of developing an Alaska model that will be emulated across the country or across the world.

CHAIR MCGUIRE recalled the effort he referenced and the notion that bad people that have done bad things should not be rewarded by rehabilitation. She stated agreement with Senator Coghill that the best thing that could happen for a victim of a crime is that the perpetrator could return to the community as a reformed person.

[5:02:43 PM](#)

SENATOR COGHILL recognized the significant contributions of Senator Ellis, former Senator French, and former Senator Dyson. He commented on healthy pathways and ongoing work and observed

that prison is a good place to keep people when they need to be kept, but it is not the best place to rehabilitate.

CHAIR MCGUIRE remarked that this topic has been on this committee's radar for a long time, and this is a start toward looking at the issue in a different way.

[5:06:54 PM](#)

There being no further business to come before the committee, Chair McGuire adjourned the Senate Judiciary Standing Committee meeting at 5:06 p.m.