

**ALASKA STATE LEGISLATURE  
JOINT MEETING  
SENATE JUDICIARY STANDING COMMITTEE  
HOUSE JUDICIARY STANDING COMMITTEE  
Anchorage, Alaska  
August 18, 2015  
1:38 p.m.**

**MEMBERS PRESENT**

SENATE JUDICIARY

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

HOUSE JUDICIARY

Representative Gabrielle LeDoux, Chair  
Representative Wes Keller, Vice Chair  
Representative Neal Foster  
Representative Bob Lynn  
Representative Charisse Millett  
Representative Matt Claman  
Representative Max Gruenberg  
Representative Kurt Olson

**MEMBERS ABSENT**

SENATE JUDICIARY

Senator Mia Costello  
Senator Peter Micciche

HOUSE JUDICIARY

All members present

**OTHER LEGISLATORS PRESENT**

Senator Johnny Ellis

**COMMITTEE CALENDAR**

PRESENTATION: PRISON COSTS AND REFORM: PERSPECTIVES FROM THE  
LOWER 48

## **WITNESS REGISTER**

ZOE TOWNS, Manager  
State Policy Work on Adult Sentencing and Corrections  
Public Safety Performance Project  
The Pew Charitable Trusts  
Washington, D.C.

**POSITION STATEMENT:** Provided an overview of the Pew Charitable Trusts' work on the Public Safety Performance Project in various states.

JAY NEAL, Executive Director  
Georgia Governor's Office of Transition, Support, and Reentry  
Atlanta, Georgia

**POSITION STATEMENT:** Provided an overview of Georgia's efforts related to criminal justice and sentencing reform.

KENNY ELLIS, Legislative Liaison  
The Office of the Lieutenant Governor of Mississippi  
Jackson, Mississippi

**POSITION STATEMENT:** Provided an overview of Mississippi's efforts related to criminal justice and sentencing reform.

RON GORDON, Executive Director  
Utah Commission on Criminal and Juvenile Justice  
Salt Lake City, Utah

**POSITION STATEMENT:** Provided an overview of Utah's efforts related to criminal justice and sentencing reform.

SENATOR GERALD MALLOY  
South Carolina Legislature  
Columbia, South Carolina

**POSITION STATEMENT:** Provided an overview of South Carolina's effort related to criminal justice and sentencing reform.

TERRY SCHUSTER, Senior Associate  
Public Safety Performance Project  
The Pew Charitable Trusts  
Washington, D.C.

**POSITION STATEMENT:** Provided an overview of the Alaska Department of Corrections prison population data.

DIANE CASTO, Deputy Commissioner  
Alaska Department of Corrections  
Juneau, Alaska

**POSITION STATEMENT:** Addressed the Alaska Department of Corrections' efforts related to recidivism reduction and reentry programming.

JUSTICE ALEX BRYNER, Retired Alaska Supreme Court Justice and Chair of the Alaska Criminal Justice Commission  
Anchorage, Alaska

**POSITION STATEMENT:** Provided an overview of the Alaska Criminal Justice Commission.

## **ACTION NARRATIVE**

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**CHAIR LESIL MCGUIRE** called the joint meeting of the Senate and House Judiciary Standing Committees to order at 1:38 p.m. Present at the call to order were Senators Wielechowski, Coghill, and McGuire; and Representatives Keller, Foster, Lynn, Millet, Claman, Gruenberg, Olson, and LeDoux.

### **PRESENTATION: PRISON COSTS AND REFORM: PERSPECTIVES FROM THE LOWER 48**

CHAIR MCGUIRE announced the business before the committee is to hear a presentation on prison costs and reforms from the perspective of states in the Lower 48.

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ZOE TOWNS, Manager, State Policy Work on Adult Sentencing and Corrections, Public Safety Performance Project, the Pew Charitable Trusts (Pew), Washington, D.C., explained that the presentation will consist of providing context around the national trends on sentencing corrections that brings Pew to the conversation and will help Alaska with its current engagement in justice reinvestment.

MS. TOWNS said the presentation includes four leaders from four different states who will share some of their experiences with criminal justice reform and sentencing corrections reform. She expressed hope that the committee members can extract some lessons that will be relevant for the work in Alaska. She identified the four leaders as follows:

- Jay Neal, Director of the Georgia Governor's Office of Transition, Support, and Reentry. Director Neal was a state representative at the time when Georgia took on its criminal justice reform effort several years ago.

- Ron Gordon, Executive Director of the Utah Commission of Criminal Juvenile Justice and senior staff to the Governor of Utah.
- Kenny Ellis, with the Office of the Lieutenant Governor in Mississippi.
- Senator Gerald Malloy, Judiciary Chair in the South Carolina Senate and helped with reform efforts in South Carolina.

MS. TOWNS stated that the four leaders come from very different states that came to address reform for a variety of reasons. She said the leaders will each speak about what brought their state to the reform issue.

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She said she will provide data findings that brought Pew to address sentencing reform. She explained that 10 years ago Pew started the Public Safety Performance Project. Pew was interested in the growing trend of incarceration in the United States and the poor returns on investment that states were getting in terms of public safety outcomes.

She said there were two trends that Pew focused on in its research and its technical assistance. The first trend pertains to the remarkable growth in the use of prisons and jails. By 2008, 1 in 100 American adults were in jail or prison, 1 in 31 adults were under some form of correctional control: jail, prison, probation, parole, or supervision. She said the growth was coming at a fairly extraordinary taxpayer expense. She reported that in 1997, total state corrections budgets were \$23 billion and today the total is \$54 billion. She affirmed that there was a real leap up in the amount of money that states were spending and taxpayers were spending on prisons and other correctional programs. She remarked that all of the correctional spending was getting a low return on investment in terms of recidivism outcome. She said policymakers were alarmed when Pew found that within 3 years of exiting state prisons the recidivism rate was over 40 percent.

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She said the high correctional costs and low returns that captured the attention of economists, criminologists, and state policymakers. This led to the second trend of states coming up with solutions to head in a different direction. The hope was to do more with less, make cost effective choices about who goes to prison, how long inmates stay, and determine outcomes sought in terms of recidivism

MS. TOWNS revealed that correctional science now has a large and robust body of research that offers assistance in understanding what works to change behavior. She said states have applied the correctional science research to state practices and policies. She remarked that a diverse group of states is pursuing justice reform and strategies across the country, including Alaska.

She set forth that all of the work done by states that have pursued reform has led to a new trend. She said for the first time, the prison population began to dip downwards in 2008. She admitted that the downward trend is hard to define as either momentary or sustainable. She noted that the prison population decline has been accompanied by a decline in crime as well. She stated that getting more public safety for less is a win-win that will hopefully continue over the coming years and decades.

CHAIR LEDOUX called attention to a graph that showed the incarceration rate increase for inmates incarcerated under state and federal jurisdiction from 1925 to 2008. She stated that the graph is absolutely astounding. She asked if the prison growth is due to more laws on the books.

MS. TOWNS agreed that there are a lot more laws on the books where both the number of laws and penalties have increased. She said state and federal policymakers have expanded criminal statutes where misdemeanors are felonies, aggravated felonies instead of felonies, degree of class is moved up, and the penalty ranges are changed. She specified that penalty enhancements and prison has reduced crime if targeted on serious, violent, and repeat offenders. She asserted that the effects from prison on lower level offenders can actually be criminogenic and possibly make them more likely to commit future crimes. She summarized that states are looking at whether or not they are targeting the right kinds of offenders.

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CHAIR LEDOUX asked what would happen if laws were rewritten to a presumptive based upon 1925 laws. She specified that an aggravator exception to a particular law would have to make sense.

MS. TOWNS replied that some states are doing a little bit of what Chair LeDoux suggested. She specified that states are not picking a moment in time to go back to and erasing the books. She said states are interrogating policies with fresh eyes to review their outcomes. She opined that states went down a prison

building path in the 1970s based upon a consensus that nothing worked to change criminal behavior and locking people up was the only alternative. She conceded that the field of criminology in the 1970s had not addressed questions about what can stop crime, what can prevent crime, what kind of policing works, what kind of community corrections programs work, and what kind of treatment works. She revealed that criminology currently has a robust and strong body of research that tells us what does and does not work. She summarized that the intent is to go back to some of the previous policies, but to also include new research about what works to prevent crime and reoffending.

REPRESENTATIVE GRUENBERG asked if the incarceration graph presented to the committee was based upon a percentage of population. He said the nation's population in 1925 was a lot less.

MS. TOWNS replied that the incarceration rate was approximately 2.3 million adult Americans behind bars in 2013. She stated that she will follow up with Representative Gruenberg regarding the graph's scale regarding the incarceration rates based upon the population in 1925.

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CHAIR MCGUIRE asked if Pew had taken into account a point at which the states began to deinstitutionalize the mentally ill.

MS. TOWNS replied a significant proportion of the offenders behind bars are struggling with mental health disorders. She asserted that a pretty big research consensus indicates that deinstitutionalization had a pretty big role in prison growth.

CHAIR MCGUIRE expressed appreciation for Ms. Towns' response. She said she recently attended a roundtable with lawmakers from western states and every state cited one of the largest percentages of those incarcerated were mentally ill. She said mentally ill incarcerations are not just an Alaskan problem. She summarized that the roundtable discussion centered on the fact that western states deinstitutionalized the mentally ill and went to community health models. She remarked that as states have gone into deficit spending, funding for community health programs has been cut and prisons have become the de facto institution again for the mentally ill. She said prisons are not backed up with the kind of training that mental health institutions have. She stated that she looked forward to hearing from the upcoming testifiers regarding how their states have addressed the mentally ill population percentage.

REPRESENTATIVE CLAMAN asked if the prison population graph the committee was referencing is actually a per capita statistic rather than a total population.

MS. TOWNS answered yes.

REPRESENTATIVE CLAMAN asked if there was a seminal point between 1925 and 2008 where a significant uptick occurred in prison populations.

MS. TOWNS answered that the 1970s showed a significant increase in addition to the 1980s and 1990s due to federal and state approaches to drug crime.

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JAY NEAL, Executive Director, Georgia Governor's Office of Transition, Support, and Reentry, Atlanta, Georgia, noted that he served in the state legislature for about nine years. He detailed that Georgia's prison population was roughly 56,000 when the state began its Justice Reinvestment Initiative (JRI) in 2011. He added that Pew provided technical assistance for JRI. He revealed that in addition to the 56,000 inmate population in 2011, 6,000 sentenced inmates were in county jails awaiting an open bed. He noted that Georgia was spending approximately \$25 million a year for county subsidies to house sentenced inmates in county jails. He revealed that Georgia currently has a prison population of 53,000 and the jail backlog has been eliminated. He detailed that in FY15 Georgia spent \$6,000 on jail subsidies rather than \$25 million. He summarized that in a matter of 3 years, Georgia eliminated its inmate backlog of 6,000 and saved the state roughly \$25 million in subsidies for county jails for housing state sentenced inmates.

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MR. NEAL revealed that he has a ministerial background and was never involved in politics until he ran for a state representative seat in 2002. He said his philosophy and feelings about addiction and the criminal element was very similar to many others' views that led to the steep incarceration rate increase in the 1980s into the 2000s. He noted that when the federal government passed "Truth in Sentencing in State Prisons" in the 1990s along with encouraging and incentivizing states to pass the three-strikes law, Georgia decided to do one better and passed a two-strikes law. He detailed that while the national incarceration rate was 1 in 31 adults, Georgia was 1 in 13 and the state continued to move in a direction where people

referenced Georgia as a penal colony. He said his campaign promise was to work toward better education, better business environment, and a safer community to raise children. He admitted that he embraced Georgia's high incarceration rate at the time and noted that he believed longer sentencing was an option if results were not being achieved.

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MR. NEAL asserted that mental health and addiction go hand-in-hand. He opined that one of the ironic characteristics of addiction is that people will continue to do the same thing over and over regardless of consequences that action brings, but the state responds to addiction by trying to use consequences to change addictive behavior. He revealed that one of the things that happened to him over the course of his first years in the state legislature occurred at the church he pastored. He noted that men from a nearby recovery residence started attending his church. He admitted that what he saw in the men from the recovery residence was 180 degrees from what he always believed about addiction. He said he could not understand the behavior of men who loved their families, but did not straighten up, get a job, take care of their families, and do the right thing. He detailed that the recovery residents were broken hearted and big, strong men who were in tears because they had failed their families. He said he began to struggle with what he had always believed about addiction.

He explained that he had an opportunity to begin to learn about the science of addiction and what it does to the brain. He said he realized that his approach through the years did not have any kind of scientific backing to it. He opined that the approach without scientific backing was treating individuals like criminals who were not criminally minded, but were behaving criminally as a result of their addiction. He remarked that incarceration of addiction driven crime was what was leading to the criminogenic factor that Ms. Towns talked about in her presentation. He remarked that a person changes in prison and does not come back the same, especially a person without a criminal mindset that is sent to prison due to their criminal behavior as a result of their addiction.

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MR. NEAL explained that he began to look at what he needed to do as a representative to try to change Georgia's direction. He detailed that he became an advocate for recovery and served as a director for a residential drug treatment program in 2009,

ultimately leading to serving as the Director of the Governor's Office of Transition, Support, and Reentry (GOTSR).

He explained that Georgia began in 2011 with a bill to establish a criminal justice reform council with the focus on looking at sentencing and corrections reform. He revealed that Georgia's governor understood very clearly the need of addressing individuals who are not criminally minded in a different way. He noted that the governor was a former prosecutor as well as a former juvenile court judge. He added that the governor's son is a Drug Court judge in the State of Georgia.

He detailed that Georgia began to look at how to take non-criminally minded individuals who are caught up in addiction-driven crime and provide alternatives to address accountability as well as what is driving the criminal behavior. He revealed that criminal behavior goes away when an addict without a criminal mind gets into recovery.

He explained that as Georgia began criminal justice reform, a number of sentencing laws were changed; that led to individuals who were involved in drug and property offenses, mostly due to drug addiction, to be diverted from the prison system through Accountability Courts, Drug Courts, Mental Health Courts, Veterans Courts, and Day Reporting Centers, while holding the individuals accountable in a very rigorous way. He asserted that Georgia's approach is not gentle or soft, but a rigorous program that the individuals go through.

He specified that a legislative package for criminal justice reform was introduced in 2012 with the governor wanting consensus. He revealed that Georgia's Speaker of the House, Lieutenant Governor, Chief Justice of the Supreme Court, Attorney General, minority leaders of the House and Senate joined Governor Deal in a press conference that introduced a bill that set up the Criminal Justice Reform Council. House Bill 1176 passed in 2012 with a unanimous vote in both the House and Senate.

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MR. NEAL said the governor turned his attention to juvenile justice reform in 2013 and a comprehensive legislative package was passed unanimously in Georgia's House and the Senate. He remarked that Georgia's approach to sentencing reform for adults and juveniles has been comprehensive, but the governor asserted that lasting impact would require the state to address inmates leaving the prison system. He detailed that 21,000 individuals

annually leave Georgia's prison system and the intent was to address what the state does to ensure that individuals successfully return to their communities.

He detailed that the Georgia Council on Criminal Justice Reform was codified for a five year term with an assignment to address reentry via GOTSR. He said GOTSR manages a collaborative reentry effort among all departments, agencies, and communities. He asserted that reentry is a community issue and problem that requires community involvement for resolution. He revealed that legislation was passed in 2014 on the Georgia Prison Reentry Initiative. He said the Georgia Council on Criminal Justice Reform continues to address adult and juvenile reforms. The Georgia Legislature has committees that continue to look at oversight and measuring reform outcomes while other committees look at reentry. He remarked that voters have shown their understanding of the value of reform efforts when three legislators that voted against reform in 2015 were ultimately voted out of office.

He summarized that Georgia's reform initiative has been a holistic approach that does not have a "silver bullet." He asserted that reform has been data driven from the start with technical assistance by Pew. He noted that Ms. Towns was actually assisted Georgia during the very beginning. He said reform continues to be data driven and one of GOTSR's responsibilities is to ensure that the justice reinvestment savings are being utilized on evidence based, community centered programs. He noted that the first year saw \$17 million new dollars placed into community efforts.

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CHAIR MCGUIRE asked Mr. Neal to discuss Georgia's altered approach to offenders with addictions and how the process continues to be hard with severe penalties.

MR. NEAL replied that Georgia tried a number of things to provide an opportunity for individuals who were caught in drug and property crimes. He explained that every year approximately 5,000 to 6,000 individuals were entering prison for the first time with nonviolent drug and property offences; they are the individuals that Georgia is trying to give opportunities to through Accountability Courts or the Daily Reporting Centers in order to address the addiction that is driving the criminal behavior.

MR. NEAL noted that Accountability Courts were initially cherry-picking low risk and low needs offenders to assure success. He said based on best practices research, low risk and low needs offenders were shown to be at higher risk from a rigorous court setting. He revealed that Accountability Courts adopted standards where moderate and high risk offenders and high needs offenders are targeted. He revealed that Georgia currently has 100 Accountability Courts.

He explained that an Accountability Court is a lengthy and detailed two year process where offenders meet regularly with a staffing team. He said offenders are held accountable, drug tested on a regular basis, and required to get jobs. He summarized that opportunities are provided where interaction with the court system does not impact criminal records upon successful completion. He added that Georgia has done some things to deal with collateral consequences as well. He admitted that the state is not where it needs to be with collateral consequences, but significant progress has been made.

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REPRESENTATIVE KELLER commented that Accountability Courts may be Georgia's lead diversion tactic. He asked if GOTSR has found contractors or providers that offer treatment programs that work and if there is a shortage.

MR. NEAL replied that GOTSR works with community service providers, the criminal justice element of the Accountability Courts. He detailed that most of the treatment is provided by community service providers that contract with Accountability Courts. He added that additional community service providers are needed.

He said one of the areas GOTSR saw a need for was on the juvenile justice side. He detailed that 25 percent of all juvenile offenders receiving out of home placement were misdemeanors for status offenses; a grant program was created for communities to address that group. He detailed that status offenses meant that an offense would not occur if the individual was 21.

MR. NEAL said GOTSR also found that many communities did not have evidence based community service programs for juveniles. He noted that evidence shows that juveniles are more successful when they receive services from the community they are from. He detailed that a grant funded program was set up and counties in judicial circuits were invited to apply if they agreed to reduce

the number of out-of-home commitments by 15 percent. He revealed that out-of-home commitments were reduced by 62 percent in the first year. He added that in just over a year, evidence based community centered programs for juveniles are in every judicial circuit. He remarked that access for juveniles has been increased, but the state is not where it needs to be.

He said one of the things that Georgia has learned is that criminal justice reform is no just a one-shot policy change approach. He asserted that believing that making some policy changes will take care of all efforts moving forward is not going to work. He detailed that Georgia's reform effort is in its fifth year and the state continues to press on with a lot of support from the legislature as well as the public.

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CHAIR LEDOUX asked if mandatory treatment is always required.

MR. NEAL replied that going to an Accountability Court requires mandatory treatment. He admitted that there are times where offenders do not want to pay the price and choose prison instead of the Accountability Court. He shared that many individuals completing the Accountability Court process have said their lives have been saved, families reunited, and a new lease on life was provided. He said Accountability Courts are rigorous and mandatory treatment is part of the process.

CHAIR LEDOUX asked for an example of a sentence that an Accountability Court imposes.

MR. NEAL answered that most Accountability Courts are pre-adjudication and part of a plea agreement where an individual chooses the Accountability Court in order to avoid conviction. He added that some post-adjudications occur where an offender ends up in Accountability Court after struggling under parole or probation. He detailed that Accountability Court provides a high risk and high needs individual with an opportunity to deal with their addiction that resulted in their addiction driven crime. He specified that an individual going through a typical two year process meets with their treatment team on a weekly basis. He added that the treatment team's probation officer meets with a judge on a weekly basis as well to review an individual's progress and areas where improvement is needed. He reiterated that the Accountability Court process is very intense. He revealed that participants in the Accountability Courts become a community where a great deal of comradery is established between members and peer accountability is provided as well.

CHAIR LEDOUX asked what specifically makes the Accountability Court process "rigorous."

MR. NEAL replied that each individual receives an individual plan based on their own risk and needs. He explained that Georgia's detailed and complex assessment shows very clearly where an individual's risks and needs are. Individuals may receive intensive out-patient substance abuse counselling, mental health assistance, education opportunities, or job skills training. He asserted that a "one size fits all" approach restricts opportunities to be successful.

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CHAIR MCGUIRE said she considers the diversion program in Alaska to be rigorous when an individual is asked to give up their addiction and be rehabilitated. She detailed that individuals are required to submit to drug or alcohol testing and to make a commitment to their families and their lives to no longer be addicted. She said individuals that commit to the diversion program have a high success rate, but the commitment is big. She concurred that some offenders would rather go to jail than make the commitment.

MR. NEAL replied that commitment involves changing so many things that change is one of the reasons for success. He said commitment is a holistic approach to the overall need of the individual.

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KENNY ELLIS, Legislative Liaison, the Office of the Lieutenant Governor of Mississippi, Jackson, Mississippi, introduced himself.

RON GORDON, Executive Director, Utah Commission on Criminal and Juvenile Justice, Salt Lake City, Utah, introduced himself.

SENATOR GERALD MALLOY, South Carolina Legislature, Columbia, South Carolina, stated that he has been in the South Carolina Senate since 2002 and was chair of the Senate's reform commission.

MR. ELLIS revealed that Mississippi had the second highest incarceration rate in the U.S. prior to the state's criminal justice reform. He said Mississippi was spending astronomical amounts on the Mississippi Department of Corrections (MDOC) and the state was simply not getting a very good return on

investment. He detailed that the 10 years prior to reform, Mississippi's appropriations had gone up nearly 50 percent while the inmate population only increased by 4 percent. He said something had to change due to the disproportion between MDOC spending and its inmate population.

He disclosed that Mississippi is a very conservative state that is primarily Republican. He remarked that looking at criminal justice reform issues by a Republican or conservative was considered to be a bit taboo. He revealed that Mississippi decided to think "outside of the box" when Georgia's conservative leadership decided to approach criminal justice reform.

He shared that as Mississippi started digging into criminal justice reform, the state realized that more conservative philosophies applied. He said the state's frugal approach led to a better return on investment for the taxpayers' money. He revealed that through reforms, Mississippi was able to cut the budget by \$266 million, enough to roughly cover the state's MDOC appropriation for one year.

He added that Mississippi can now predict what its budgets will be as it moves forward. He noted that prior to reforms, Mississippi was unable to predict its yearly MDOC appropriation. He revealed that Mississippi would appropriate \$300 million to MDOC and the department would routinely require another \$50 million to \$60 million. He said appropriation instability did not allow the state to accurately project its next fiscal year for MDOC, the Department of Health, or anything that relying on general fund dollars.

He summarized that Mississippi's prison inmate population is down 4,000 since the state attained consensus on a bill that passed where reforms were enacted in July 2014.

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CHAIR MCGUIRE said she appreciates the overview on Mississippi's conservative political context and the concern for how voters would view criminal justice reform. She pointed out that Mr. Ellis did not mention the state's consideration for the value of human life and the rehabilitation of a person that has served their time and society has chosen to forgive. She concurred that addressing costs is important for legislative bodies. She asked if policies surrounding human life was taken into consideration by Mississippi.

MR. ELLIS answered yes. He said from the policy prospective, any agency will be looked at from a monetary prospective, but MDOC deals with human lives. He detailed that MDOC deals primarily with young individuals that may have slipped up, some due to problems with drugs. He said Mississippi's goal is to go ahead and truly correct the individuals that come to MDOC. He said Mississippi wants offenders to get the help they need, serve their time, stay out when they get out, and to be productive members of society.

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MR. GORDON explained that Utah had a couple of different policies to discuss once the state set its reform recommendations. He said one policy addressed saving money by implementing good recommendations that maintained or improved public safety, the other addressed improving the lives of people. He figured that fiscal savings would be more persuasive, but he found out that just the opposite was true. He detailed that Utah's policymakers had data to give them some level of comfort that public safety would be maintained and the dialog shifted to human lives. He noted that one Utah legislator shared a story where his business had been repeatedly broken into by a criminal with a drug addiction and the legislator stated that he was more concerned with how to break the individual's cycles of addiction and crime. He stated that he knew a significant step forward was made when the legislative discussion addressed saving lives rather than the number of prison beds and the criminal system budget.

He disclosed that Utah's Justice Reinvestment Bill passed in 2015 and the legislation was the darling of the session. He attributed the willingness to discuss different policies to the data and research provided by the Pew Charitable Trusts, the Crime and Justice Institute, and the Bureau of Justice Assistance. He said the Utah-specific data provided a level of assurance that the state was heading in a good direction.

He detailed that Utah has a fairly low incarceration rate, about half of the national average and the state felt that it was doing great. He remarked that Utah avoided some of the criminal justice policy pitfalls that have been a thorn in the side of other states. He admitted that Utah felt that the state did not see a need for significant, comprehensive reform. He asserted that Utah currently takes pride in the fact that the state is involved with the Justice Reinvestment Initiative (JRI).

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MR. GORDON revealed that Utah began discussions about relocating its aging 4,000 bed prison facility. He said the state got nervous when the discussion for a new facility went from 4,000 to 10,000 beds. He admitted that Utah knew that the new facility would eventually be filled with the state looking back asking how it got to that point. He detailed that Utah's governor called for a comprehensive criminal justice policy review and the task was charged to the Utah Commission on Criminal and Juvenile Justice (CCJJ) with assistance from Pew.

He revealed that CCJJ found that two thirds of Utah's prisoners were in prison for probation or parole revocations, not for new crimes, but for technical violations. He remarked that Utah was tired of dealing with technical violators and the state did not know what to do other than sending the individuals to prison after the ninth violation. He said Utah was failing the individual and the state by not supervising the technical violators appropriately. He detailed that many of the reform recommendations deal with strengthening community supervision and ending that cycle of recidivating. He said data showed that Utah was not intentionally deciding to incarcerate people longer and longer, but the state was incarcerating low level drug offenders longer and longer. He detailed that people who did not have a criminal history and did not have prior felony convictions were being sentenced to prison for longer periods of time. He admitted that Utah kept telling people that it takes a lot to go to prison in the state; however, the data showed that that is not always the case. He revealed that some of Utah's drug offenders go to prison with no felonies or one prior felony. He stated that the data was not always pleasant to receive, but the data was important in providing the foundation for everything the state did.

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SENATOR MALLOY said he has been the Chairman for the Senate Judiciary Committee in the South Carolina Legislature since 2002. He added that he is a lawyer and a Democrat from a rural area in South Carolina.

He explained South Carolina's demographics and political party affiliation as follows:

- Estimated population of 4.6 million.
- Each state senator represents 100,000 people.
- 46 senators in the South Carolina State Senate.
- 28 Republican senators, 18 Democratic senators.

- 124 members in the South Carolina House of Representatives.
- Approximately two thirds of South Carolina's House of Representatives are Republicans.
- Republicans are in all of South Carolina's constitutional offices, e.g. Governor's Office and the Department of Agriculture.

SENATOR MALLOY revealed that he was asked to chair a criminal justice task force in 2006. He specified that the task force was assigned to look at certain criminal matters and the findings revealed that the state needed to address sentence reform. He explained that he was asked to chair the Sentencing Reform Commission, a position that he thought was a setup to let people out of prison and he would ultimately be the scapegoat. He noted that he was reluctant at first, but realized that a safe community was important for enabling good educational matters and economic development.

He revealed that the Sentencing Reform Commission started as a group similar in makeup to Alaska's general assembly. He referenced an analogy, "Sometimes what we have to do is make sure that we can solve the problems that we can solve." He asserted that the Sentencing Reform Commission is a problem solving mechanism.

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He opined that the War on Drugs did not work and too many people were incarcerated. He explained that South Carolina had 25,000 inmates when the reform legislation was first introduced in 2010 and the 5-year projection was 28,000. He revealed that South Carolina currently has 20,500 inmates, down 4,500 from 2010. He added that the state was technically down 7,500 when compared against the projection for 2014. He pointed out that South Carolina has realized real savings by closing three and a half prisons. He noted that the governor that signed the bill in 2010 called the legislation the most important that he had signed, but added that results would not be known for 20 years. He said 35 percent of the savings are available for reinvesting.

He explained that South Carolina's sentencing reform involved the state's three branches: legislature, executive, and judiciary. He said reform consensus was non-partisan where the "P" in "politics" was taken out and put into "people." He said like Georgia, South Carolina passed reform legislation unanimously in the Senate with only four "no" votes in the House of Representatives.

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SENATOR MALLOY explained that South Carolina had a four-prong approach to sentencing reform: adopt common sense sentencing reforms, improve release policies, strengthen parole and probation, and establish an ongoing oversight committee. He noted that he is the Chair for the Sentencing Reform Oversight Committee and noted that the committee has a five year sunset.

He said the committee had strong law enforcement people that addressed release mechanisms. He noted examples for release changes as follows:

- Senior citizen inmates that were thought to be more docile were provided with a method of release.
- Schedule-1 drugs were changed to provide for conditional discharges.

He said the committee brought a conglomerate of people to the table and noted that victims were not forgotten. He added that restitution was expanded and the amounts received by victims was increased. He pointed out that some mandatory minimums were taken out and probation and parole were addressed. He remarked that the state ultimately realized that it did not have a system prior to sentencing reform. He said the South Carolina Department of Corrections is working on mental health and mental issues. He added that the state is also working towards Drug Courts. He opined that there is no one-size-fits-all.

He revealed that African Americans account for 30 percent of the state's inmate population. He said as an African American, the way South Carolina incarcerates African American males is reprehensible and immoral. He said training and diversity within the law enforcement community is needed.

He summarized that South Carolina's prison population is going down and the state's crime rate has gone down as well.

CHAIR MCGUIRE noted that Senator Malloy addressed diversity training. She reiterated a concern that Alaska has a disproportionate inmate population of African Americans and Alaska natives. She asked if South Carolina's reforms included training for corrections officers, identifying mental health issues, and rehabilitation for inmates incarcerated in a hard-prison.

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SENATOR MALLOY answered no. He said the bill addressed saving the Department of Corrections money and then to end up with programs that will help the department. He provided an overview where the bill addressed sentencing reform, supervision requirements, and administrative sanctions for people going back to prison for technical violations. He stated that the programming issue and not the warehousing issue within the South Carolina Department of Corrections addresses Chair McGuire's concerns. He summarized that saving money provides more money to be allocated towards programs and politics is about resource allocation. He remarked that the state will be better off allocating more resources towards programs. He said a determination has to be made whether to pay to be a rehabilitative and repentant society or a "lock 'em up" society.

MR. GORDON pointed out that Utah's reform package does address the issue of providing additional assistance to those with mental health disorders, both in the community as well as in the prison facility. He said a fundamental part of Utah's package makes sure that everybody who goes into the criminal justice system has an evidence based screening and assessment to identify specific needs. He admitted that Utah was previously treating crimes and not people. He said additional funds have been appropriated to identify specific needs and risk factors in the community and within the prison facility. He detailed that the development of standards for treatment has been mandated, something that Utah had not previously done. He added that providers now have to be certified and meet minimum standards in order to receive state funds.

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REPRESENTATIVE GRUENBERG noted that Senator Malloy was a Democrat and a member of the state's minority party. He asked why, as a minority member, he was put in charge of the Georgia Criminal Justice Reform Council.

SENATOR MALLOY answered that South Carolina's legislature is more of a meritocracy where hard work pays dividends when individuals minimize themselves for the greater good. He said partisanship was taken off of the table because reform was research driven and evidence based.

SENATOR MALLOY revealed that the third most incarcerated crime in South Carolina was driving under suspension where an individual receives a six month mandatory sentence after the third offense. He remarked that living in poverty or a lack of money are reasons for the cycle of driving under suspension. He

added that 44 percent of South Carolina's incarcerated were non-violent and in prison for less than 18 months. He said South Carolina was locking up people that the state was mad at rather than people who were bad. He summarized that the state has to make certain to rehabilitate those that can be rehabilitated and turn an individual from a tax burden into a taxpayer.

He asserted that mental illness is an issue that South Carolina has to address. He explained that by closing more prisons and saving substantial funds allows for more money to be placed in programs that handle mental health and rehabilitative issues in addition to expanding Drug Courts.

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REPRESENTATIVE KELLER thanked the presenters for conveying their experience with prison reform. He agreed that reform is a continual process. He asked if any of the states had to readdress something that required more attention.

MR. ELLIS replied that Mississippi strictly had to go back and rework the reform bill's language, there was no policy mistake. He detailed that the original reform bill set up an oversight task force that constantly monitors data and policies. He said the Mississippi Department of Corrections has been compiling data. He added that a separate Reentry Council was also set up. He noted that the Reentry Council is headed up by the Chief Justice of the Supreme Court of Mississippi and the federal judge in Mississippi. He concurred that reform is an ongoing expense.

MR. GORDON stated that Utah's Justice Reinvestment Report identified areas that required further attention that were not ready to be included in the state's JRI bill. He said like Mississippi, Utah established CCJJ as an oversight commission to track every data point and report back to the legislature.

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SENATOR MALLOY stated that Representative Keller's question asks where the reform programs are going versus where they currently are. He said South Carolina set up a Senate Oversight Committee as well. He detailed that the committee had a five year sunset and is currently in the process of renewal. He explained that he acts as a gatekeeper if someone files a criminal bill with a mandatory minimum, the bill must have a study that shows the financial as well as prison impacts. He noted that South Carolina is not a "one size fits all" state and judges were entrusted to decide without mandatory minimums. He detailed that

the Senate Oversight Committee meets with the state's parole board to review risk assessment issues and inmates release numbers. He explained that the committee is trying to put models together that assess variable costs, marginal costs associated with incarceration, and cost avoidance. He said based upon reform legislation, the state has a 35 percent model where savings are recommended back to the general assembly to possibly be invested into supervision. He admitted that the financial aspect involves 170 people from the legislature each time and reasonable people do disagree, but he asserted that the state is going in the right direction. He remarked that the reform legislation is not perfect and he wishes the state would have gone further.

SENATOR MALLOY set forth that Alaska can get a lot out of sentencing reform, particularly on drug crimes, treatment matters, and conditional discharges. He remarked that he did not know what Alaska's pretrial intervention is, but noted that South Carolina received a cost avoidance report from Clemson University which addressed the financial impact all the way down to the number of children that were not place in foster care due to the reform legislation. He said there is a lot of work that can be done and a lot of assistance that can be provided from all around. He said sentencing reform takes buy-in from each and every person that is evidence and research based. He asserted that a state has to find its own drivers. He summarized that South Carolina does not operate the way other states do and Alaska has to find the issues that works for Alaska.

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He noted that a U.S. Senator from South Carolina told him that the U.S. House of Representative and the Senate are taking up sentencing reform and pointed out that he questioned how conservatives can argue against reform based upon the facts.

CHAIR LEDOUX noted that Senator Malloy pointed out that a significant portion of South Carolina's prison population was made up of people who had traffic-related things like driving under suspension where the person could not pay so that basically the prisons were functioning almost as a debtors' prison. She asked if every state can expect to be surprised from a situation that Senator Malloy described due to the data from Pew where people actually knew about beforehand.

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SENATOR MALLOY replied sometimes legislators do not have political will. He said sometimes a problem can be recognized

but nobody does anything because a legislator might be perceived as being soft on crime, even though the public sometimes does not understand the issue. He asserted that the small things matter and noted that the following occurred after reform legislation was passed:

- Individuals with DUI related offenses were given an opportunity for monitoring where the person pays for monitoring rather than the state.
- An amnesty period was provided so that offenders can pay back their fines based on installment.
- DMV provides inmates that are released with identification for job applications rather providing a bus ticket to nowhere.

He said the statistics did not reveal the issues, but a study that put the statistics together allowed South Carolina to address non-DUI related offenses like incarcerating offenders for driving under suspension.

MR. GORDON explained that Utah never did a deeper data-dive on its drug offenders in prison. He admitted that Utah fought with Pew on their data's accuracy, but ultimately became alarmed that the state did not know everything about its prisoners.

REPRESENTATIVE CLAMAN opined that the power struggle between the three branches of government on the state and federal level had led to mandatory minimum laws that essentially sends a message that judges cannot be trusted to give the right sentence. He asked if South Carolina has recognized that a little more trust must be placed into the judiciary where judges are allowed to tailor the offense to the offender.

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SENATOR MALLOY answered yes. He detailed that South Carolina may be unique because the general assembly elects judges.

REPRESENTATIVE CLAMAN noted that Alaska has a merit based system for judges through the governor rather than the legislature.

SENATOR MALLOY detailed that South Carolina's judicial selection is a checks-and-balance process where the Judicial Merit Selection Commission screens judges through the South Carolina Bar Association and the public. He said three candidates are selected and brought before the general assembly. He remarked that providing a judicial sentencing flexibility treats judges responsibly and the judges will respond responsibly in return.

He asserted that providing judges with flexibility has worked because the state's crime rate is down 8 percent.

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TERRY SCHUSTER, Senior Associate, Public Safety Performance Project, the Pew Charitable Trusts, Washington, D.C., introduced himself.

DIANE CASTO, Deputy Commissioner, Alaska Department of Corrections, Juneau, Alaska, introduced herself.

JUSTICE ALEX BRYNER, Retired Alaska Supreme Court Justice and Chair of the Alaska Criminal Justice Commission, Anchorage, Alaska, introduced himself.

MR. SCHUSTER stated that his presentation will specifically focus on what is driving the growth in Alaska's prison population and what future prison growth will look like if additional reforms are not made.

CHAIR MCGUIRE confirmed with committee members that Mr. Schuster's presentation is entitled "Alaska Prison Growth Drivers and Costs."

MR. SCHUSTER said Alaska's prison population has grown 27 percent in the last decade, a significant amount of growth over a 10 year period. He set forth that his presentation examines what has driven Alaska's prison population growth and helps to identify area that may be worth examination and policy discussion.

He explained that his presentation breaks up Alaska's prison population into three groups. He said the first group is the pretrial population that accounts for a bit more than a quarter of Alaska's prison inmates. The second group is the sentence population that accounts for half of the inmates in Alaska's prison that have been sentenced to a term of imprisonment. He said the third group accounts for a little less than a quarter of the population are the probationers and parolees who have violated the terms of their supervision.

MR. SCHUSTER referenced prison population changes that have occurred between 2005 and 2014 as follows:

- Sentence offenders has grown 14 percent.
- Pretrial population has grown 81 percent.
- Probation and parole violators has grown 15 percent.

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He said the growth in the pretrial population can be attributed to two things: more people coming into prison pretrial and or people could be spending more time in prison during pretrial. He specified that data has shown that fewer people are coming into pretrial over the last decade, but people are staying in prison for longer periods of time.

REPRESENTATIVE KELLER asserted that a very alarming warning signal is people spending more time incarcerated pre-adjudication.

MR. SCHUSTER compared lengths of pretrial stay between 2005 and 2014 as follows:

- 11,000 people were arrested and held pretrial for non-violent misdemeanor charges, accounting for more than half of the pretrial population in 2014.
- 75 percent of all of the pretrial prison admissions are non-violent and violent misdemeanors in 2014.
- Non-violent misdemeanor defendants are staying 3 days longer.
- Violent misdemeanor defendants are staying 7 days longer.
- Non-violent felony defendants are staying 3 weeks longer.
- Violent felony defendants are staying 1 month longer.

He noted that non-violent misdemeanor defendants staying 3 days longer adds up when applied to thousands of detentions.

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REPRESENTATIVE CLAMAN asked if the pretrial stay for felony defendants is a reflection of how long it takes to get to trial or to plea.

MR. SCHUSTER replied that he would be hesitant to agree with Representative Claman's statement. He noted that the majority of people coming into pretrial are misdemeanor defendants and more than half are never released during their pretrial period. He added that defendants with felony charges are more likely to go to trial and their stay may be attributed to pretrial negotiations as well as higher bail dollar amounts.

REPRESENTATIVE CLAMAN commented that as a policy matter, trying to reduce the pretrial time for non-violent felonies and misdemeanors should be addressed.

MR. SCHUSTER replied Pew thinks that the length of stay during pretrial is an area that the Alaska Criminal Justice Commission should address.

He stated that the sentence population makes up half of Alaska's prison population; that population has grown 14 percent between 2005 and 2014. He pointed out that the number of people being sent to prison was higher in 2005 than 2014. He explained that admissions to prison for sentenced offenders is not what is driving the growth, but the length of stay has increased. He revealed that 6,500 people were sentenced to a term in prison for a non-violent offense in 2014, accounting for 82 percent of the people who were sentenced to prison.

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CHAIR LEDOUX asked how many violent misdemeanors pleaded to a non-violent misdemeanor in 2014.

MR. SCHUSTER replied that he did not have the information.

He addressed length of stay for non-violent felony sentenced offenders and revealed that length of stay has increased across the board for all types of non-violent felony offenders. He detailed that length of stay for property and drug offenders increased by a month, length of stay for alcohol and public offenders increased by three months. He added that multiplying the increases by hundreds and thousands of cases adds up to a lot of prison beds that Alaska was not using 10 years ago.

CHAIR LEDOUX asked what a felony offense is for public order.

MR. SCHUSTER explained that a lot of the public order offenses are weapons offenses where a felon is in possession of a weapon. He added that he did not know if an aggravated misdemeanor for public order can become a felony.

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He revealed that violent felony offenders are also spending longer time in prison than in 2005. He specified that there are two categories of violent felonies in Alaska: person offenses and registerable sex offenses. He revealed that person offenses are staying 17 percent longer and sex offenders are spending 86 percent longer. He explained that the length of stay was arrived at by only looking at people who had been released and noted that very long sentences of 40 years or longer were not calculated because the individual had not been released. He admitted that

the length of stay calculation was conservative because the longer sentences were not taken into consideration.

MR. SCHUSTER summarized that a lot of low level offenders are being sentenced to prison. He added that the length of stay in prisons has increased for both non-violent and violent felony offenders. He remarked that the increase in length of stay has been driving the state's growth in the sentenced population.

He addressed probation and parole violators and noted that data was derived from a snap-shot comparison between July 1, 2005 and July 1, 2014. He reiterated that the things that can contribute to population growth are people coming into prison on supervision violations and or people staying for longer periods of time for supervision violations. He explained that the data was ascertained by looking at how many people are coming into prison on probation and parole revocations. He detailed that revocations were broken down into length of imprisonment categories that was imposed: 0-7 days, 8-30 days, 1-3 months, 3-6 months, 6 months to 1 year, etc.

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He revealed that more people received prison revocations in 2014 than in 2005. He detailed that the biggest growth is in the 0-7 day's category due partially from the creation and expansion of the Probation Accountability and Certain Enforcement (PACE) Program where people are going into prison on very short revocation sanctions. He explained that the PACE Program focuses on high risk offenders that are on probation and violations of conditions lead to prison revocations. He noted that the PACE Program also captures people who are detained in prison while awaiting their revocation hearing and the judge of the parole board awards the time served while being detained. He detailed that the average person waits about a month prior to a revocation hearing, but technically the person's prison revocation is categorized as 0-7 days.

He pointed out that increases also occurred in all of the revocation time period categories. He noted that a robust body of research indicates that longer lengths of stay for technical violations goes against reducing recidivism rates. He explained that community supervision deals with swift and certain sanctions that are proportional to violations and is less disruptive to people's lives.

CHAIR LEDOUX asked if those who are going in for revocations are committing other crimes or just screwing up their parole.

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MR. SCHUSTER replied sometimes it is both where people are coming in on technical violations when new criminal activity is being investigated. He detailed that an individual with a new crime falls into the pretrial group and a person coming in on a technical violation will fall into the supervision violators group.

CHAIR LEDOUX asked what good is parole after a person has served their time in prison.

MR. SCHUSTER said an example of the use of parole applies to a situation where a person is sentenced to 24 months of prison with 22 months suspended. So the individual serves 2 months in prison with probation afterwards. He detailed that most people actually are released with some period of probation already attached to their sentence. He explained that sometimes people who are released on parole end up being on both parole and probation at the same time.

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CHAIR LEDOUX asked what the difference is between parole and probation.

JUSTICE BRYNER specified as follows:

Under Alaska law, probation happens when you have a portion of a sentence that is imposed but it is suspended that you don't have to serve, as long as you are on good behavior and comply with conditions imposed by the court. If you violate those conditions, you can have your probationary period unsuspended and the remainder or portion of the remainder of your sentence can be imposed.

Parole occurs when you are sentenced into prison for a specific time. In serving your time, if you serve your time and get credit for good time served, under the parole provisions you get a certain amount of credit for good time that shortens the actual sentence and you can get released before your actual number of days are served. When you are released you are released to parole which means, again you have to comply with conditions of service, you have to comply with all of the conditions of your parole which is just like probation there, and if you violate them, you can be

taken back to the court and then the court can impose the rest of that sentence and you can be forced to serve the rest of your unserved sentence.

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CHAIR LEDOUX asked what would happen if time served in prison was strictly used and parole was done away with. She pointed out that prisons are ending up with a significant number of people who are going to prison for technical violations of parole rather than for a new crime.

JUSTICE BRYNER replied that an effective strategy for technical violators, especially with low risk offenders, is to shock the offender with a short stay in jail and probation rather than unreasonably imposing excess prison time. He explained that the strategy lets the offender know to take their situation seriously.

MR. SCHUSTER stated that there are also a lot of benefits to community supervision where people are coming out of prison to have extra support and be held accountable when they are most likely to have some trouble reentering the community. He noted that Deputy Director Casto will address reentry efforts that the Alaska Department of Corrections (DOC) is working on to make sure that during those moments when people are transition from prison that they have support in place and a plan for success.

MS. CASTO explained that she has been with DOC for a little over two months. She noted that her background includes work in health and social services: 20 years with the state and 17 years in the non-profit sector. She said DOC is a huge and complicated system, but not so different from health and social services where DOC is just further down the continuum of care.

She revealed that DOC is putting a lot of effort into the issues related to recidivism reduction and reentry programming. She divulged that one of the reasons DOC Commissioner Taylor brought her on was due to her experience working with communities, partners, establishing services, and doing case management; things that were not being done by the department. She pointed out that many DOC staff members questioned the hiring of a person with a "social work" background. She asserted that she is trying to change the department's terminology to address reentry as "case management."

MS. CASTO addressed Chair LeDoux's point and noted that the department is focusing on what can be done to assist a person

rather than just holding them and saying that they are being watched. She said the intent is to help guide and provide services to assist with community entry in a positive way.

She said coming back from the other side for many of Alaska's inmates who have been in the prison system for a long time is a real shock where friends, family members, a home, and job are gone. She added that an individual may also be struggling with substance abuse or a mental health situation.

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She explained that DOC's plan is to work with its community partners. She detailed that DOC works strongly with the Department of Labor and the state's unions to do apprenticeship programs to train and provide good skills to inmates prior to release. She added that DOC works with its partners in housing and the Alaska Housing Finance Corporation to make sure inmates have housing lined up prior to getting out.

She revealed that she was surprised at the number of inmate cases with severe mental health or physical health problems. She noted that she has been working for the last 15 years in mental health and substance abuse and she was surprised by the severity level.

She explained that DOC will begin developing its partnership with communities to address how inmates will be moved back into the communities. She specified that DOC has reentry coalitions in four communities: Fairbanks, Matanuska-Susitna Valley, Anchorage, and Juneau. She revealed that funding from the Alaska Mental Health Trust will allow DOC to award grants to the four coalitions to hire coordinators. She detailed that services will be developed to better lay out a plan so that returning citizens do not go back to prison on technical violations or come back to a community just because they need a place to live. She revealed that during a recent prison tour that a sergeant from the facility shared that a number of people will commit low level crimes just to return to prison in order to have a place to live with meals and healthcare. She asserted that DOC must do a better job in providing better services on the outside than on the inside in order to help people be successful.

MR. SCHUSTER explained that absent further reform, Alaska's prison population is expected to grow 27 percent and cost at least \$169 million over the next ten years. He detailed prison population projections without further reform as follows:

- 1,400 additional prison beds will be required.
- Current prison bed capacity will be exceeded in 2017.
- 128 beds in a reopened facility will be exceeded in 2018.
- The cost to reopen a facility and transfer excess prisoners to out-of-state facilities amounts to \$169 million.
- Building a new prison would likely cost more than \$169 million, the Goose Creek facility cost \$240 million to build.

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He said Governor Walker, the Speaker of the House, and the Senate President have come together with other leaders and agreed upon a process aimed at curbing Alaska's future prison growth in a way that is safe, protects public safety, and holds offenders accountable; they have charged the Alaska Criminal Justice Commission (AJC) with developing a comprehensive package of recommendations for reforms. He detailed that reforms would be statutory and budgetary for the Legislature to consider during the upcoming legislative session.

He said AJC is a diverse group of stakeholders that includes lawmakers: Representative Keller and Senator Coghill. AJC is also comprised of judges, law enforcement members, DOC's commissioner, the attorney general, a public defender, an Alaska native representative, an advocate for victims' rights, and a representative for the Mental Health Trust Authority. He detailed that over the past year, AJC has been holding meetings and gathering testimony from public hearings around the state. He revealed that AJC will be holding additional public meetings in Fairbanks, Bethel, Nome, Kotzebue and surrounding villages to make sure peoples' voices are heard from remote and rural areas as well. He added that AJC will be holding policy development meetings during the fall and presenting a report to the Legislature in December.

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REPRESENTATIVE FOSTER said he appreciates AJC's open process to get out to rural Alaska and the entire state.

CHAIR MCGUIRE thanked the Pew Charitable Trusts for assisting the state with data. She said she appreciated hearing from the representatives from the different states on how they incorporated Pew's data in turning things around.

JUSTICE BRYNER thanked the Pew Charitable Trusts for assisting AJC and providing their technical expertise that allows the

commission's process to be data driven. He asserted that Pew's experience encourages the commission to believe that it is doing something that can succeed. He thanked the state's three branches of government for agreeing to invite Pew. He expressed gratitude to the Legislature on a bipartisan basis for adopting SB 64. He specified that SB 64 gave AJC the authority to undertake and complete the process. He asserted that all AJC members would agree that the Legislature's action was very insightful and very timely.

CHAIR MCGUIRE thanked Senator Ellis, co-prime sponsor of SB 64, for joining the committee meeting. She thanked all House and Senate members for their time as well.

#### ADJOURNMENT

3:45:53 PM

The meeting was adjourned at 3:45 p.m.