

SENATE FINANCE COMMITTEE

April 19, 2018

1:34 p.m.

1:34:54 PM

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 1:34 p.m.

MEMBERS PRESENT

Senator Lyman Hoffman, Co-Chair
Senator Anna MacKinnon, Co-Chair
Senator Click Bishop, Vice-Chair
Senator Peter Micciche
Senator Donny Olson
Senator Gary Stevens
Senator Natasha von Imhof

MEMBERS ABSENT

None

ALSO PRESENT

Talia Eames, Tlingit and Haida, Juneau; Kara Nelson, Haven House Juneau, Juneau; Casey DenAdel, Recovery Coach, Juneau; Michael Vanlinden, Self, Juneau; Linda Watts, Self, Juneau; Chloe Abbott, Self, Juneau; Don Habegar, Community Coordinator, Juneau Reentry Coalition, Juneau; William Musser, Self, Juneau; Representative Dan Saddler; Representative Justin Parrish; Senator Tom Begich; Senator Mike Shower; Representative Lora Reinbold; Chris Nelson, Self, Juneau; Representative Mia Costello, Sponsor.

PRESENT VIA TELECONFERENCE

Cris Eichenlaub, Self, Eagle River; Julie Kitka, President, Alaska Federation of Natives, Anchorage; Nikki Rose, Self, Anchorage; Gregory Razo, Alaska Federation of Natives, Anchorage; Johnny Murdock, Self, Wasilla; Lisa Ameen, Self, MatSu LIO; Greg Wulrschick, Alaska Tire World, Anchorage; Shawn Williams, Self, Anchorage; Steve Williams, Alaska Mental Health Trust, Anchorage; Brenda Stanfill, Interior of Alaska for Non-Violent Living, Fairbanks; Bonnie Lilly,

Self, Anchorage; Michael Jeffery, Self, Canada; Kristin Bush, Self, Eagle River; Marsha Oss, Fairbanks Reentry Case Manager, Fairbanks; Bradley Miller, Self, Eagle River; Natasha Singh, Tanana Chiefs Conference, Fairbanks; Shenah Ray, Self, Anchorage; Hunter Matthews, Self, Anchorage; Mike Volz, Self, Anchorage; Lynette Clark, Chairman, Alaskan Independence Party, Fox; Stacy Johnson, Self, Anchorage; Jeff Landfield, Self, Anchorage; Sherry Miller, Self, Eagle River; Zach Pearson, PCHS, Kenai; Billy Charles, Self, Emmonak; Kate Halford, Self, Anchorage; Kathleen McLaughlin, Partners Reentry Center, Anchorage; Audrey Cucullu, Reentry Coordinator, Kenai Peninsula Reentry Coalition, Kenai; Tammy Wells, Self, Anchorage; Kathleen Shoop, Self, Palmer; Cynthia Strout, Self, Anchorage; Robert Gawrys, Self, Eagle River; Angela Camos, Self, Wasilla; Ken Federico, Self, Wasilla; Damita Duplantis, Self, Anchorage; Lars Gleitsmann, Self, Anchorage; Herman Morgan, Self, Aniak; Georgia Kustura, Self, Chugiak; Melissa Saunders, Self, Anchorage; Laura Wagner, Self, Anchorage; Darren Asplend, Self, Anchorage; Mark Martens, Self, Anchorage; Edith Grunwald, Self, Palmer; Michael Rose, Self, Anchorage; Nimi Tolva, Self, Homer; Vicki Wallner, Self, Palmer.

SUMMARY

SB 127 CRIMINAL LAW;PAROLE;PROBATION;SENTENCING

SB 127 was HEARD and HELD in committee for further consideration.

#sb127

SENATE BILL NO. 127

"An Act relating to criminal law and procedure; relating to controlled substances; relating to victims of criminal offenses; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violating municipal ordinances; relating to parole; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the duties of the commissioner of

corrections; relating to the duties of the Department of Health and Social Services; relating to civil in rem forfeiture actions; providing for an effective date by repealing sec. 193, ch. 36, SLA 2016, sec. 79, ch. 1, 4SSLA 2017, sec. 81, ch. 1, 4SSLA 2017, and sec. 83, ch. 1, 4SSLA 2017; and providing for an effective date."

^PUBLIC TESTIMONY

1:35:25 PM

Co-Chair MacKinnon read the title of SB 127. She advised that public testimony was limited to two minutes. She informed that the committee would proceed according to the order in which testifiers had arrived. She asked people to identify specific regions of the state when referencing crime in public testimony.

Co-Chair MacKinnon OPENED public testimony.

1:37:40 PM

CRIS EICHENLAUB, SELF, EAGLE RIVER (via teleconference), testified in support of the bill. He was concerned about residents taking the law into their own hands. He asserted that jails were full of drugs and thought there should be zero tolerance, including for tobacco products. He discussed sentencing. He discussed serious crimes such as vehicle theft. He thought public safety should be a priority and that laws should be for the maximum benefit of the people. He quoted Ben Carson. He referenced SB 91 [criminal justice reform legislation passed in 2016].

1:40:29 PM

JULIE KITKA, PRESIDENT, ALASKA FEDERATION OF NATIVES, ANCHORAGE (via teleconference), spoke in opposition to the bill. She opposed rolling back provisions of recent criminal justice reform. She agreed that public safety should be a priority but emphasized that resources were needed (such as substance abuse treatment) to break the cycle of recidivism. She thought SB 91 should have a chance to be fully implemented. She supported the prescription drug database. She had empathy for people that were victims of crimes but did not want to roll back criminal justice reform.

[1:42:32 PM](#)

NIKKI ROSE, SELF, ANCHORAGE (via teleconference), testified in support of the bill. She was part of a community patrol in the Sand Lake area. She considered that passage of SB 91 had provided an incentive for criminals. She was concerned with escalating crime. She thought the Anchorage Police Department (APD) was overwhelmed. She mentioned homicides in the Anchorage area, as well as drug-related crimes. She appreciated that her representative was active in the process. She stated there was increased drug trafficking in her area.

[1:45:21 PM](#)

GREGORY RAZO, ALASKA FEDERATION OF NATIVES, ANCHORAGE (via teleconference), spoke in opposition to the bill. He lived in College Village, and had lived in Peters Creek. He was a victim of crime. He had personal items stolen from his front yard. He had met with the state's congressional delegation and discussed the pervasive public safety problem in Alaska. He asserted that there was an unchecked public safety and drug problem in the state, and thought they were primarily the responsibility of the state. He discussed lack of law enforcement presence and responsiveness in villages. He believed cuts to public safety and municipalities and neglect of the opioid problem (lack of treatment, education and prevention) had led to the rise in addiction and crime. He was a member of the Alaska Criminal Justice Commission. He emphasized that the commission's recommendations were not the cause of the increase in crime and had been based on sound science and public policy.

[1:48:23 PM](#)

TALIA EAMES, TLINGIT AND HAIDA, JUNEAU, spoke in opposition to the bill. The tribe did not support the legislation. She noted that Alaska Natives were disproportionately represented in the criminal justice system. She discussed the high recidivism rate in the state. She mentioned the concept of compassionate accountability. She asserted that a full repeal of SB 91 would eliminate programs that would improve public safety. She felt that SB 91 was designed to invest in programs that addressed the root causes of crime and incarceration. She did not think it was possible to

incarcerate away disabilities. She thought that new laws needed a chance to work. She thought a full repeal of SB 91 would have unintended consequences.

[1:51:11 PM](#)

KARA NELSON, HAVEN HOUSE JUNEAU, JUNEAU, spoke in opposition to the bill. She relayed that she worked with incarcerated and post-incarceration individuals. She thought that the fears of victims of crime had been exploited. She was the victim of crime as well as a person that had committed crimes in the state. She asserted that felons and other Alaskans that had committed crimes deserved the same chances as others. She mentioned incarceration in correlation with substance abuse and mental health disorders. She asked the committee to consider all Alaskans.

[1:54:40 PM](#)

JOHNNY MURDOCK, SELF, WASILLA (via teleconference), testified in opposition to the bill. He had been in opposition to SB 91, which he considered to be poorly conceived. He did not think that there had been sufficient input from stakeholders. He thought SB 127 had good provisions but thought it was not developed by groups that were representative of people in Alaska. He thought there had been good parts to SB 91 and SB 127 but thought both bills did not systematically address the needs of Alaskans. He had two home security systems. He urged the Senate to consider a diverse group to represent multiple viewpoints on the issue. He did not think the bill was balanced.

[1:57:52 PM](#)

LISA AMEEN, SELF, MATSU LIO (via teleconference), testified in support of the bill. She referred to an explosion of property crime in her area. She referenced increased property crime, and illegal camping on her land. She thought that the passage of SB 91 had created a grey area. She believed that much of the state's crime problem was drug-related. She used the term "catch and release" to describe a practice with repeat offenders.

[2:00:54 PM](#)

Senator Micciche asked Ms. Ameen if she was in support of SB 127.

Ms. Ameen acknowledged that she was not entirely familiar with SB 127 and was unsure if it constituted more than a repeal of SB 91. She knew many people that had been victims of property crimes.

[2:02:05 PM](#)

GREG WUITSCHICK, ALASKA TIRE WORLD, ANCHORAGE (via teleconference), testified about the crime problem in his area. He referenced the "catch and release" premise of recidivism. He discussed the designation of sanctuary cities. He discussed vehicle theft. He did not think SB 91 was working. He was the victim of repeat thefts. He discussed the cycle of arrest and recidivism. He thought criminals were coming to Alaska, stealing, and then returning home. He wanted to know how the problem was going to be solved.

Co-Chair MacKinnon stated that the committee heard Mr. Wruitschick's concerns and would be taking action on the bill.

Mr. Wuitschick wondered what would be done to save the state from the horrible crime increase. He was concerned that the police would not protect his property.

Co-Chair MacKinnon asked Mr. Wuitschick to direct further comments to her office via email.

[2:06:51 PM](#)

SHAWN WILLIAMS, SELF, ANCHORAGE (via teleconference), spoke in support of the bill. He stated he represented about 4,100 signers of a petition to repeal SB 91 organized by Change.org [a petition website operated by for-profit Change.org, Inc.]. He relayed that he was a small business owner and had lived in Alaska for 38 years. He thanked Senator Costello for sponsoring the bill. He thought there was an important question of time and money. He stated that he and his friends spent a lot of money protecting their personal property. He thought opioid addiction and a poor economy in the state were responsible for the increase in crime. He thought SB 91 had created an incentive for crime by removing punishment. He thought SB 91 should be repealed

and a new bill should be drafted to include modest criminal justice reform. He expressed opposition to previous testifiers. He relayed a story about theft. He emphasized that there was lawlessness in his city. He thought Washington D.C. was safer than Anchorage.

[2:10:35 PM](#)

STEVE WILLIAMS, ALASKA MENTAL HEALTH TRUST, ANCHORAGE (via teleconference), spoke in opposition to the bill. He reminded that Alaska Mental Health Trust Authority (AMHTA) beneficiaries were at an increased risk for contact with the criminal justice system and for longer periods of incarceration. The trust had partnered with many key stakeholders since 2005 to identify changes in policy and programs to mitigate the issue. He acknowledged increased criminal activities but did not correlate the increase with the passage of SB 91. He suggested that factors such as a declining economy, unemployment, and reductions in law enforcement and community-based treatment services. He thought the Alaska Criminal Justice Commission (ACJC) and the Alaska Justice Information Center could be helpful in understanding how the factors impacted policy. He thought more time was needed to see the effects of various criminal justice reform efforts. He noted that a data-driven approach was used to craft reform legislation and had been prudent in making adjustments to reform efforts. He thought that Alaska's laws before 2016 had not produced acceptable public safety results, and noted that recidivism rates had been approximately 66 percent for several years. He referenced associated collateral negative consequences to Alaskan children, families, and communities. He thought the prudent approach was to stay the course and continue to evaluate and adjust policies based on data.

[2:14:08 PM](#)

BRENDA STANFILL, INTERIOR OF ALASKA FOR NON-VIOLENT LIVING, FAIRBANKS (via teleconference), testified in opposition to the bill. She relayed that she had served as commissioner on the ACJC. She did not speak on behalf of the commission. She discussed the inefficacy of incarceration's in bringing down rates of violent crime or addressing underlying behavioral health issues. She thought the jail was used to warehouse individuals that communities did not want to deal with. She discussed instances in which justice was convoluted due to extenuating circumstances. She referenced

a national group that had assisted the commission in identifying that the largest growing population was that of the pre-trial individuals that could not produce bail. She addressed the issue of discrimination against the economically challenged, which represented a large population of Alaska Native individuals. She discussed the work of the commission, which resulted in a report to give to the legislature. She emphasized the need for on-demand substance abuse treatment. She thought drug abuse was a huge motivator for property crimes. She emphasized the need for reinvestment in alternate systems that could lead to positive long-term outcomes. She mentioned recidivism rates. She considered that passage of the bill would remove reinvestment dollars that were targeted for treatment, prevention efforts, and re-entry programs.

Co-Chair MacKinnon reminded that testimony was limited to two minutes.

2:18:33 PM

BONNIE LILLY, SELF, ANCHORAGE (via teleconference), spoke in support of SB 127. She did not think SB 91 had achieved its goals. She had worked in a treatment facility for adolescents. She thought required substance abuse treatment was the only answer. She thought criminals from other states would come to Alaska unless the laws were changed. She listed crimes committed in her area. She had attended community meetings on the topic of crime. She thought that passage of SB 91 had increased crime. She discussed the danger to police officers.

2:22:09 PM

MICHAEL JEFFERY, SELF, CANADA (via teleconference), testified in opposition to the bill. He was a retired Superior Court Judge, and a 40-year resident of Barrow. He thought the reforms in SB 91 should be given time to work. He had recently attended a conference in Anchorage on the topic of reducing recidivism and had heard how states such as Texas (which had adopted similar evidence-based approaches to criminal justice) had not had a rise in crime and had saved a great deal of money. Savings had been used to provide more law enforcement and to provide effective programs and treatment. He agreed with a previous testifier.

Co-Chair MacKinnon thanked Mr. Jeffery for his service as a judge in Barrow.

[2:24:27 PM](#)

KRISTIN BUSH, SELF, EAGLE RIVER (via teleconference), spoke in support of SB 127. Members of her family had been victims of crime. She thought the crimes were a result of the passage of SB 91. She discussed increases in many types of crime. She did not care about reducing recidivism, but rather about public safety. She discussed a property crime in which the perpetrator was not charged. She was concerned the state would have a future of criminal anarchy.

[2:26:40 PM](#)

MARSHA OSS, FAIRBANKS REENTRY CASE MANAGER, FAIRBANKS (via teleconference), testified in opposition to the bill. She thought it was too early to determine the cause of increased crime. She had worked in the reentry field for 30 years, including in other states. She thought the bill was a knee-jerk reaction to a perceived increase in crime. She thought the programs from SB 91 needed time to work. She discussed anecdotal information about programs not having the opportunity to work.

[2:29:23 PM](#)

BRADLEY MILLER, SELF, EAGLE RIVER (via teleconference), spoke in support of SB 127. He thought SB 91 should be repealed. He informed that his daughter was murdered in Eagle River in 2014. He discussed parole and probation changes because of SB 91. He thought the changes made it easier for criminals to be released back on the street. He acknowledged that SB 91 saved the state money on incarceration. He thought the rise in crime was making access to drugs easier. He thought that SB 91 made it easier to obtain drugs. He did not think there was appropriate rehabilitation services available.

[2:32:38 PM](#)

NATASHA SINGH, TANANA CHIEFS CONFERENCE, FAIRBANKS (via teleconference), testified in opposition to the bill. She informed that Tanana Chiefs Conference represented 37 federally recognized tribes in Interior Alaska. Addressing public safety was an important priority to the conference.

She reminded that Alaska Native communities had faced the highest rates of crime (including domestic violence and sexual assault) in the nation. She noted that Alaska Natives were disproportionately represented as victims of crime. The conference had supported SB 91. She thought there was misinformation about criminal justice reform. She asserted that it was false that reform allowed for a murderer to have easier parole or probation. She referenced public testimony that alleged the police had told the public it could not arrest or prosecute offenders, and thought such anecdotal stories were not accurate. She had observed law enforcement officers misquoting the law and erroneously attributing situations to SB 91. She thought it was unfortunate that criminal justice reform had been proposed at a time when there was such a high rate of egregious crimes. She pointed out that crimes such as murder and armed robbery had not been included in the criminal justice reform.

[2:35:13 PM](#)

SHENAH RAY, SELF, ANCHORAGE (via teleconference), spoke about the high rate of crime in her area. She had been born and raised in Alaska. She was a victim of car theft twice in one week. Her apartment building had experienced a shooting. She questioned the effectiveness of SB 91. She supported the repeal of SB 91.

[2:36:54 PM](#)

HUNTER MATTHEWS, SELF, ANCHORAGE (via teleconference), discussed the high rate of crime in his area. He shared his concern for his family. He thought criminals were not being held accountable.

[2:38:00 PM](#)

MIKE VOLZ, SELF, ANCHORAGE (via teleconference), testified in support of the bill. He discussed accountability. He understood the need for treatment. He supported the repeal of SB 91. He asserted that the public would respond to crime if there was not sufficient law enforcement response. He wanted more accountability for criminals. He encouraged citizens to speak up. He asked the committee to focus less on money and more on people. He commented that the people of the state deserved better.

[2:42:40 PM](#)

CASEY DENADEL, RECOVERY COACH, JUNEAU, spoke in opposition to the bill. She stated that she was a property owner. She was a person in long-term recovery. She was an advocate for others and was a recovery coach that helped individuals find jobs, housing, treatment, and other resources. She thought the increase in crime was a public health issue that could not be solved by arrests.

[2:44:18 PM](#)

MICHAEL VANLINDEN, SELF, JUNEAU, testified in opposition to the bill. He was a re-entry case manager. He was in long-term recovery from substance use disorder. He was able to obtain his driver's license after completing therapeutic court and because of provisions of SB 91. He discussed the cycle of addiction and recovery. He thought the answer to the state's crime problem was treatment rather than incarceration.

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LINDA WATTS, SELF, JUNEAU, testified in opposition to the bill. She discussed her personal history of trauma and lack of support resources. She suffered from disabilities and trauma. She had been incarcerated. She had experienced homelessness. She had received services and assistance from the Juneau Re-entry Coalition. She listed services she received. She was concerned that passage of the bill would limit importance services. She discussed the small number of case managers in the re-entry program.

[2:49:24 PM](#)

LYNETTE CLARK, CHAIRMAN, ALASKAN INDEPENDENCE PARTY, FOX (via teleconference), spoke in support of the bill. She discussed the high rate of crime in the country. She thanked Co-Chair MacKinnon for her comment about committee work. She discussed opposition to SB 91 when it was originally proposed. She thought substance abuse treatment was an important component of the solution. She referenced Senator Micciche's comments regarding portions of SB 91. She thought the bill could be fine-tuned to include the positive provisions of SB 91. She referenced SJR 1. She thought that SB 127 had a better structure than SB 91. She supported a complete repeal of SB 91. She lived in a

village of 200, North of Fairbanks. She had seen changes in her community involving theft. She was a fourth generation Alaskan and had family in Anchorage. She discussed the high rate of crime in Anchorage. She expressed concerns for her safety. She thought the bill had a lot of good content. She wanted the committee to understand that Alaskans wanted to feel safe and continue to exercise constitutional rights. She encouraged the legislature to adjourn by May 9, 2018.

[2:55:06 PM](#)

STACY JOHNSON, SELF, ANCHORAGE (via teleconference), spoke in support of SB 127. She supported the repeal of SB 91. She discussed fears for her safety due to increased crime. She considered that there was lawlessness because of the passage of SB 91. She lived in the Mountainview neighborhood in Anchorage and had seen increased crime and suspicious activity. She asserted that the criminal offenders in her neighborhood had been released from prison due to SB 91. She supported passage of the bill.

[2:59:03 PM](#)

JEFF LANDFIELD, SELF, ANCHORAGE (via teleconference), testified in opposition to the bill. He did not think SB 91 was responsible for the rise in crime in the state. He thought the increase in crime was due to addiction. He lamented budget cuts to the Department of Public Safety, the Division of Behavioral Health, and the Department of Law. He thought drug companies were partially responsible for the high rates of addiction. He thought the state's crime problem was largely the fault of lawmakers. He discussed the state's fiscal crisis. He discussed a lack of facilities for substance abuse treatment.

Co-Chair MacKinnon asked if Mr. Landfield supported or opposed the bill.

Mr. Landfield stated that he thought SB 127 was a farce.

[3:02:02 PM](#)

SHERRY MILLER, SELF, EAGLE RIVER (via teleconference), spoke in support of the bill. She supported a full repeal of SB 91. She discussed her personal story as a victim of crime that resulted in the death of her daughter. She was concerned that her voice had not been heard. She cited

discretionary parole as the reason her daughter's killer could potentially walk free. She mentioned victim's rights.

3:05:07 PM

ZACH PEARSON, PCHS, KENAI (via teleconference), spoke in opposition to the bill. He had been incarcerated for violent crimes related to drug use and alcoholism. He had used the services of a treatment center, and now worked at a public health center. He discussed his personal experience working with formerly incarcerated individuals. He thought incarceration did not solve the problem of crime. He had not benefitted from the passage of SB 91. He discussed the needs of incarcerated individuals. He had participated in a recidivism reduction conference.

3:07:58 PM

CHLOE ABBOTT, SELF, JUNEAU, testified in opposition to the bill. She shared her story of incarceration, substance abuse, trauma, and lack of services. She had struggled with the disease of alcoholism for 30 years. She felt that SB 91 had made a positive impact in her life. She had been sentenced for driving under the influence of alcohol the same day that criminal justice reform went into effect. She had been able to retain employment and make positive life changes.

3:10:40 PM

DON HABEGAR, COMMUNITY COORDINATOR, JUNEAU REENTRY COALITION, JUNEAU, testified in opposition to the bill. He emphasized that public safety was part of the mission of the Juneau Reentry Coalition. He supported fixes to SB 91 when problems became apparent. The coalition had been invited to be part of a public safety task force and believed there was a deficit in funding for prosecutors.

3:12:06 PM

WILLIAM MUSSER, SELF, JUNEAU, spoke in opposition to SB 127. He was in long-term recovery from an addiction. He received treatment services from out-of-state. He had seen benefit from SB 91 on a personal level as well as for others. He was a convicted felon who had been incarcerated. He discussed his experience with incarceration and drug abuse. He thought there should be more criminal justice

reform in a positive way while including multiple stakeholders.

[3:15:23 PM](#)

BILLY CHARLES, SELF, EMMONAK (via teleconference), testified in opposition to SB 127. He was on the board for the Alaska Federation of Natives representing the 56 villages on the Yukon Delta. He thought time was needed to observe the long-term outcomes of SB 91 reforms. He discussed research and suicide prevention. He had found that 42 percent of incarcerated individuals that were in prison due to probation or parole violations, which he thought demonstrated a lack of community support.

[3:17:29 PM](#)

KATE HALFORD, SELF, ANCHORAGE (via teleconference), spoke in support of SB 127. She supported a repeal of SB 91. She had lived in many unsavory areas of Anchorage, including Mountainview and Fairview, and owned property in Spenard. She acknowledged that SB 91 was not entirely to blame for a rise in crime and thought the rise in opioid addiction in the state was a factor. She thought SB 91, in combination with the opioid epidemic, was problematic. She described her experiences as a victim of property theft and other crimes. She carried a firearm and other deterrents. She thought police had done a great job but had power taken via the passage of SB 91. She agreed that people needed help but also thought people needed to be held accountable. She asserted that SB 91 put sex offenders and petty thieves in the same category. She was concerned about vigilante behavior.

[3:22:54 PM](#)

Senator Micciche clarified that the vehicle theft C-felony issue had been improved with the passage of SB 54 [legislation passed in 2017 to address issues with prior criminal reform legislation].

Ms. Halford specified that most of the crimes she described happened in the Bootlegger's Cove area of Anchorage.

[3:23:54 PM](#)

KATHLEEN MCLAUGHLIN, PARTNERS REENTRY CENTER, ANCHORAGE (via teleconference), spoke in opposition to SB 127. She pointed out that 95 percent of incarcerated individuals would be released at some point. She asserted that previous criminal justice reform (SB 91) had given an additional layer of accountability for people that were re-entering into communities by funding community-based re-entry services. She stated that her re-entry center had done research to determine if the services made a difference, and she had concluded the affirmative. She referenced a study of 300 individuals that accessed services and had an 18 percent rate of recidivism while actively participating in the program while receiving housing. She requested that the committee consider not passing SB 127.

[3:26:02 PM](#)

AUDREY CUCULLU, REENTRY COORDINATOR, KENAI PENINSULA REENTRY COALITION, KENAI (via teleconference), spoke in opposition to the bill. She stated she was a person in long-term recovery, as well as a victim of violent crime. She had worked with Crime Stoppers, local police, Department of Corrections, and other entities on the topic of criminal justice. She supported treatment options in lieu of incarceration. She worked with 50 individuals that were endeavoring to become contributing members of society. She thought it was premature to say that SB 91 was to blame for the rise in crime in the state. She considered that crime had been rising in Alaska since the 1980s. She commended the restorative justice initiative in the Spring Creek Correctional Facility.

[3:28:23 PM](#)

TAMMY WELLS, SELF, ANCHORAGE (via teleconference), testified in support of SB 127. She worked within the criminal justice system and had served as a community resource officer trying to reduce recidivism. She referenced previous testimony. She thought there was a lack of leadership and personal responsibility and thought criminal justice reform was the reason for the rise in crime. She thought people were leaving the state due to the rise in crime.

[3:32:00 PM](#)

KATHLEEN SHOOP, SELF, PALMER (via teleconference), spoke in support of SB 127. She felt that SB 91 was "too criminal friendly." She felt that public safety must be addressed, but she sympathized with the testifiers.

[3:32:54 PM](#)

CYNTHIA STROUT, SELF, ANCHORAGE (via teleconference), testified in opposition to the bill. She felt that SB 91 must be given time to work. She was an attorney and had practiced law in Alaska for 35 years. She discussed the efficacy of previous criminal justice philosophies. She echoed the previous comments by Ms. McLaughlin.

[3:34:41 PM](#)

ROBERT GAWRYS, SELF, EAGLE RIVER (via teleconference), spoke in support of the bill. He thought SB 91 was an abomination. He was a lifelong Alaskan and had observed a significant rise in crime. He discussed the option of concealed carry of a firearm. He thought there should be strong penalties to deter crime. He discussed the effects of property crime. He thought criminals deserved to be treated fairly but not at the expense of law-abiding citizens.

[3:37:20 PM](#)

Co-Chair MacKinnon informed that the Conference Committee on SB 285 and SB 286 that was scheduled for 3:30 p.m. would be relocated in order to continue public testimony. The Conference Committee would meet in the Beltz room at 4:00 p.m.

Vice-Chair Bishop agreed to chair the meeting for remaining public testimony.

Co-Chair MacKinnon recognized members that were in the gallery.

Co-Chair MacKinnon asked all Legislative Information Offices to cease taking names for public testimony. She directed anyone that still wished to testify to submit written testimony via email.

[3:40:15 PM](#)

ANGELA CAMOS, SELF, WASILLA (via teleconference), testified in support of the bill. She had been a resident for more than 20 years. She discussed increased crime in her area. She had sat on a victim's advisory committee with the Department of Corrections in the 1990s. She discussed the effects of budget cuts. She was supportive of habituation and rehabilitation. She asked the committee to carefully examine how to help underserved populations. She discussed emergency services response time.

3:44:00 PM

KEN FEDERICO, SELF, WASILLA (via teleconference), spoke in support of the bill. He stated that he listened to a previous committee hearing and thought that personal property crimes had been minimized. He mentioned previous testimony referencing vehicle theft. He thought bail guidelines should be left up to judges. He referenced the Class C felony category. He knew two pre-trial parole officers that were being paid at a high rate. He asserted that there needed to be oversight. He had gleaned that local police would not pursue stolen property other than vehicles.

3:46:53 PM

DAMITA DUPLANTIS, SELF, ANCHORAGE (via teleconference), testified in support of the bill. She stated that she was born and raised in New Orleans, Louisiana. She lamented the increase in crime in the state. She believed that SB 91 was to blame for increased crime and supported its repeal. She thought that Anchorage was seeing most of the effects of SB 91. She shared concerns about theft and home invasion.

3:50:20 PM

LARS GLEITSMANN, SELF, ANCHORAGE (via teleconference), spoke in support of the bill. He supported full repeal of SB 91. He urged the committee to consider the testimony of private citizens versus that of special interest groups. He discussed previous testimony. He expressed concern about retaliation against those that testified against SB 91. He feared for the safety of his family. He thought many crimes went unreported due to fear of rising insurance rates. He was the owner and operator of a retail business. He thought many people had lost jobs and been forced to leave the state. He thought there was a steady influx of criminals

from the Lower 48. He expressed concern about drugs in prisons. He emphasized the importance of victim's rights.

Co-Chair MacKinnon handed the gavel to Vice-Chair Bishop.

[3:55:06 PM](#)

HERMAN MORGAN, SELF, ANIAK (via teleconference), testified in support of the bill. He discussed homelessness. He discussed the importance of public testimony. He supported a repeal of SB 91.

[3:59:45 PM](#)

GEORGIA KUSTURA, SELF, CHUGIAK (via teleconference), testified in support of the bill. She supported the comments of previous testifiers. She thought SB 127 would help mitigate some of the problems created by SB 91. She thought there needed to be a deterrent for crimes. She thought the government could not provide substance abuse treatment.

[4:01:22 PM](#)

MELISSA SAUNDERS, SELF, ANCHORAGE (via teleconference), spoke about her struggles as a victim of crime and loss of her possessions. She was a lifelong Alaskan. She discussed the story of a convicted felon and thief. She was concerned for her personal safety.

[4:05:03 PM](#)

REPRESENTATIVE LORA REINBOLD testified in support of the bill. She stated that the ideas behind SB 91 were failed ideas from the 1960s and 1970s. She discussed the history of criminal justice reform efforts. She recounted that when Alaska used the "tough on crime" model, it had enjoyed a decrease in crime. She thought crime had been redefined in SB 91. She discussed pre-trial backlogs, bail changes and associated legislation. She thought SB 91 had created a faulty pre-trial risk assessment tool that did not allow judges to look at crime in outside jurisdictions. She discussed parole and probation changes. She stated that FBI statistics reported Alaska as the most dangerous state in the nation. She thought the government was losing public trust. She discussed increased crime and drug abuse. She referenced a bank robbery in Russian Jack. She thought the

laws were soft on drugs. She appreciated testimony related to reform. She thought SB 127 was a vehicle that the legislature could use. She thought the bill needed work. She identified that there were at least 12 provisions of SB 91 she wanted to keep.

[4:09:55 PM](#)

LAURA WAGNER, SELF, ANCHORAGE (via teleconference), spoke in support SB 127. She thought there had been an astronomical increase in crime. She thought there needed to be accountability for non-violent offenders. She had been held at gunpoint and robbed twice in the past year at her place of employment. She supported repeal of SB 91. She had quit her job.

Senator Micciche asked Ms. Wagner if she wanted the committee to keep the provisions of SB 91 that were tougher on crime.

Ms. Wagner answered in the affirmative.

Senator Micciche was willing to make changes to SB 91. He thought there were provisions of SB 91 that were tough on crime.

[4:12:14 PM](#)

DARREN ASPLEND, SELF, ANCHORAGE (via teleconference), testified in support of the bill. He was a lifelong Alaskan. He spoke to the increased crime in Anchorage. He reported hearing gunfire frequently. He referenced the comments of Senator Micciche. He stated that APD had done an amazing job. He expressed concerns about the environment in the Mat-Su Valley. He had experienced property theft. He understood the need for reform but remained concerned about the rest of the population. He expressed concerns about declining tourism due to increased crime rates.

Vice-Chair Bishop handed the gavel to Co-Chair MacKinnon.

[4:16:21 PM](#)

MARK MARTENS, SELF, ANCHORAGE (via teleconference), spoke in support of the bill. He discussed a burglary at a gun store in Anchorage, in which two individuals stole approximately 40 weapons. He blamed the theft on passage of

SB 91. He relayed the story of his cousin who had been killed during a robbery. He supported a repeal of SB 91. He acknowledged that rehabilitation was required but felt that it could not be forced upon people.

[4:18:46 PM](#)

EDITH GRUNWALD, SELF, PALMER (via teleconference), supported SB 127. She advocated for increased sentencing. She spoke in support of the death penalty. She asked the committee to differentiate between public testimony from private citizens versus special interest groups. She shared that her son had been murdered. She wanted judges to have more discretion. She wanted the bail schedule restored to be based on the severity of the crime. She wanted felony crime levels returned. She thought criminals came from out of state because of SB 91. She supported reform, rehabilitation, and re-entry programs. She emphasized that punishment for crime must come before rehabilitation.

[4:23:40 PM](#)

MICHAEL ROSE, SELF, ANCHORAGE (via teleconference), testified in support of the bill. He stated that he was an attorney. He echoed the comments of previous testifiers. He thought the key to rehabilitation was that individuals needed to make the choice themselves. He thought most people in the criminal justice system did not have the desire to change themselves. He thought SB 91 had assumed that every person could be rehabilitated. He thought criminal justice reform had weakened judges, prosecutors, and penalties.

[4:26:21 PM](#)

NIMI TOLVA, SELF, HOMER (via teleconference), spoke in support of the bill. She thought there had been unintended consequences of SB 91. She thought there had been compelling testimony on both sides of the issue. She thought criminals were bolder. She supported the repeal of SB 91.

[4:28:33 PM](#)

VICKI WALLNER, SELF, PALMER (via teleconference), testified in support of the bill. She had been sober for 28 years. She discussed the impacts of crime in her family. She was

not opposed to treatment for addiction. She emphasized that it was the government's responsibility to keep the public safe.

[4:31:49 PM](#)

CHRIS NELSON, SELF, JUNEAU, spoke in opposition to the bill. He was the father of a formerly incarcerated person. He had volunteered inside the prison system. He supported SB 91 and had seen the results of treatment provided by the bill, whereas there had been none before. He agreed that parts of SB 91 needed to be adjusted.

[4:34:32 PM](#)

Co-Chair MacKinnon CLOSED public testimony.

REPRESENTATIVE MIA COSTELLO, SPONSOR, thanked the committee for hearing the bill. She had written down the names of every testifier, along with their stories. She wanted to convey that the legislature was working to make communities safe and did not think the public was aware of the fact.

Co-Chair MacKinnon thanked the committee for hearing public testimony. She appreciated the perspectives that had been shared by testifiers. The committee had also recorded the names of testifiers. There had been 56 testifiers on the bill. She set aside the bill.

Vice-Chair Bishop stated that there had been 186 emails pertaining to the bill.

Co-Chair MacKinnon reiterated that those who did not have the opportunity to offer public testimony could provide written testimony to the committee.

Senator Micciche thanked the sponsor. He thanked the testifiers for their respectful demeanor. He thought crime rates were high but pointed out that rates had also been higher at other times for certain crimes. He thought the effects of opioids were at a new high. He thought there were good provisions in SB 91 but thought there were criminal justice reform issues to evaluate and work on. He appreciated individuals that waited in line to testify. He hoped to continue the conversation in order to improve the criminal justice system.

SB 127 was HEARD and HELD in committee for further consideration.

Co-Chair MacKinnon discussed the agenda for the following day

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ADJOURNMENT

4:40:11 PM

The meeting was adjourned at 4:40 p.m.