

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

March 23, 2020

1:11 p.m.

MEMBERS PRESENT

Representative Matt Claman, Chair
Representative Chuck Kopp
Representative Harriet Drummond [via teleconference]
Representative Louise Stutes
Representative Laddie Shaw

MEMBERS ABSENT

Representative Gabrielle LeDoux
Representative Sarah Vance

OTHER LEGISLATORS PRESENT

Representative Jonathan Kreiss-Tomkins

COMMITTEE CALENDAR

HOUSE BILL NO. 307

"An Act relating to living conditions for prisoners."

- MOVED CSHB 307(JUD) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 307

SHORT TITLE: EXPANDING PRISONER ACCESS TO COMPUTERS

SPONSOR(S): STATE AFFAIRS

03/05/20	(H)	READ THE FIRST TIME - REFERRALS
03/05/20	(H)	STA, JUD
03/10/20	(H)	STA AT 3:00 PM GRUENBERG 120
03/10/20	(H)	Heard & Held
03/10/20	(H)	MINUTE(STA)
03/12/20	(H)	STA AT 3:00 PM GRUENBERG 120
03/12/20	(H)	Moved CSHB 307(STA) Out of Committee
03/12/20	(H)	MINUTE(STA)
03/13/20	(H)	STA RPT CS(STA) 7DP
03/13/20	(H)	DP: VANCE, HOPKINS, THOMPSON, SHAW, STORY, FIELDS, KREISS-TOMKINS
03/23/20	(H)	JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

KELLY HOWELL, Special Assistant to the Commissioner/Legislative Liaison

Department of Corrections

Anchorage, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 307 specific to a proposed committee substitute (CS) for HB 307, Version 31-LS1663\U, Radford, 3/19/20.

ACTION NARRATIVE

[1:11:11 PM](#)

CHAIR MATT CLAMAN called the House Judiciary Standing Committee meeting to order at 1:11 p.m. Representatives Claman, Kopp, Drummond [via teleconference], and Stutes were present at the call to order. Representative Shaw arrived as the meeting was in progress.

HB 307-EXPANDING PRISONER ACCESS TO COMPUTERS

[1:12:01 PM](#)

CHAIR CLAMAN announced that the only order of business would be HOUSE BILL NO. 307, "An Act relating to living conditions for prisoners." [Before the committee was CSHB 307(STA).]

CHAIR CLAMAN announced that the committee would consider a proposed committee substitute (CS) for HB 307, [Version 31-LS1663\U, Radford, 3/19/20, ("Version U"). Version U was adopted as a work draft following Ms. Howell's testimony.]

[1:12:33 PM](#)

KELLY HOWELL, Special Assistant to the Commissioner/Legislative Liaison, Department of Corrections, provided information regarding HB 307 and related to the proposed committee substitute (CS) for HB 307, Version 31-LS1663\U, Radford, 3/19/20. She stated that [HB 307, Version U] would address two critical areas related to a prisoner's rehabilitation and reentry needs: the expansion of approved purposes for which a prisoner may use a computer and the assurance that prisoners have a valid form of identification upon their release. She explained that [HB 307, Version U] would amend the section of

statute that relates to living conditions for prisoners, by removing the restriction that prohibits a prisoner from possessing a computer in his/her cell and expanding the approved purposes for which a prisoner may use a computer to include facilitation of: the prisoner's rehabilitation, the prisoner's compliance with a reentry plan or case plan, access to legal reference materials, visitation, and health care.

MS. HOWELL stated that these changes would not only allow prisoners to gain or maintain proficiency with current technology to assist with and support their rehabilitation and reentry needs and expand their positive social supports but would also aid in reducing contraband brought into the facilities. She explained that expanded use of technology affords inmates the ability to engage in programming that supports their rehabilitation and reentry, such as general educational development (GED) classes and testing, educational curricula, employment and life skills assessments and training, and web-based visitation with family and other prosocial community members. Ms. Howell stated that allowing visitation through web-based programming can reduce contact visitation, thus reducing opportunities for the introduction of contraband into secure facilities. She said that for inmates with family members in rural Alaska, this could provide a means to see and visit with incarcerated family members without incurring the cost of travel.

MS. HOWELL stated that Medicaid has identified that paper applications are slow to process and inefficient, and under [HB 307, Version U] inmates would have increased participation in their release planning by being able to complete their own web-based applications prior to their release, which would also serve to reduce paper applications awaiting review by another department. She said that the provision of computers for law library use would also reduce or possibly eliminate the use of typewriters in jail, which are costly to repair and currently mandated to be available to inmates to work on legal research in the law of library.

MS. HOWELL stated that having a valid form of identification upon release is critical to a prisoner's reentry success, as almost everything a person needs to do upon release from prison requires identification, including obtaining employment, taking a drug test, securing housing, and attending court-ordered counseling. She said that some of the people who participated in one of several reentry simulations across the state may have experienced this for themselves. She stated that [HB 307,

Version U] would ensure that the Department of Corrections (DOC) and the Department of Administration (DOA) would work to ensure that anyone serving an active term of imprisonment of more than 120 days has a valid form of identification before he/she is released. She commented that as heard in many other committees, the vast majority of prisoners in DOC's custody will be released back into the community, and [HB 307, Version U] would make meaningful changes to help ensure persons leaving the department's custody are better equipped for success on the outside. She encouraged a prompt and favorable action on the proposed legislation.

[1:16:51 PM](#)

REPRESENTATIVE STUTES asked Ms. Howell how [HB 307, Version U] would reduce contraband being brought into facilities.

MS. HOWELL answered that one of the hopes of the proposed legislation is that it would allow prisoners to use technology to conduct visitation via the web, and by reducing the contact of person-to-person visitation, the opportunity for contraband to be introduced into facilities would be reduced as well.

REPRESENTATIVE STUTES remarked that that makes good sense, and she asked whether there were limitations on "web surfing" put on the computers that inmates use, so that inmates can access only certain websites.

MS. HOWELL answered that the current plan is to not allow use of the Internet, so computers would be monitored by staff within the institutions and most of the programming would be preloaded; any type of web-based application, such as visitations, would be monitored. She said that [HB 307, Version U] is essentially asking for DOC to have the ability to begin implementing these programs. She stated that there are still some obvious scenarios that would need to be worked out, but should the proposed legislation pass, DOC would have the ability to outline and formalize the different methods by which a prisoner could use a computer. She said that at this point, going online and having unfettered access to the Internet is not envisioned.

[1:19:08 PM](#)

REPRESENTATIVE DRUMMOND offered her understanding that there was no fiscal note included with the proposed legislation, and she asked whether the computers that would be allowed in prisoners'

cells would be their personal property or department-owned technology allowed into the prisoners' cells on a shared basis.

MS. HOWELL answered that currently technology such as tablets are made available, and there is funding in the department's budget to be able to purchase a limited number of tablets. She reiterated that the department was still working out how this would work in practice and getting the program in place. She said that whether it be personal property or DOC property, there should not be significant, if any, fiscal impact under [HB 307, Version U].

REPRESENTATIVE DRUMMOND offered her understanding that web access is required in order to have [virtual] face-to-face technology operable on a computer. She questioned whether there was another way to do so.

MS. HOWELL answered that DOC has been exploring available technology, and there are certain tablet computers that allow for visitation remotely through secure, locked-down, web-based software. She said that if a web-based application, such as Skype, were to be used through the Internet, then it would be monitored by DOC staff. She clarified that [HB 307, Version U] would provide DOC the opportunity to start looking at what the options are in order to select the best technology that would keep inmates and staff safe and allow for the expanded uses provided under the proposed legislation.

REPRESENTATIVE DRUMMOND remarked that school districts have the technology "down pat" to limit access of "unsavory websites" on the web, and she suggested that DOC contact the school districts. She pointed out that the Anchorage School District is getting ready to distribute 20,000 "Chromebooks or laptops or tablets" to its students who are currently at home. She said that these devices are already programmed to keep students from "wandering around on the Internet" anywhere other than "where they're supposed to be." She expressed that DOC would not have to look far to find secure web-surfing technology, as it is already being done with tens of thousands of students in Alaska.

CHAIR CLAMAN asked for confirmation of his understanding that DOC would be providing supervision for electronic visits in prisons in the same way that in-person visits are currently supervised, as in there are people watching the prisoners the entire time.

[1:24:00 PM](#)

MS. HOWELL confirmed that is correct.

[1:24:20 PM](#)

REPRESENTATIVE KOPP moved to adopt the proposed committee substitute (CS) for HB 307(JUD), Version 31-LS1663\U, Radford, 3/19/20, as a work draft. There being no objection, Version U was before the committee.

[1:24:49 PM](#)

CHAIR CLAMAN opened public testimony on HB 307, Version U. After ascertaining that there was no one who wished to testify, he closed public testimony.

[1:25:27 PM](#)

CHAIR CLAMAN asked whether any committee members were thinking of offering amendments to HB 307, Version U. He expressed that his interest was to waive the second hearing and move the proposed legislation from committee. He commented that he didn't sense any objections to that idea. He explained that he would call an at-ease in order to wait for the required number of committee members to be present in order to move a bill out of committee.

[1:25:47 PM](#)

The committee took an at-ease from 1:25 p.m. to 1:27 p.m.

[1:27:05 PM](#)

REPRESENTATIVE KOPP moved to report CSHB 307(JUD), Version 31-LS1663\U, Radford, 3/19/20, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 307(JUD) was reported from the House Judiciary Standing Committee.

[1:27:56 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at [1:28] p.m.