

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

March 23, 2021

3:01 p.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Matt Claman, Vice Chair
Representative Geran Tarr
Representative Andi Story
Representative Sarah Vance
Representative James Kaufman
Representative David Eastman

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 44

"An Act relating to the practice of accounting."

- MOVED CSHB 44(STA) OUT OF COMMITTEE

HOUSE BILL NO. 118

"An Act relating to state identifications and driver's licenses for persons in the custody of the Department of Corrections; relating to the duties of the commissioner of corrections; relating to living conditions for prisoners; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 44

SHORT TITLE: PRACTICE OF ACCOUNTING; LICENSURE

SPONSOR(S): REPRESENTATIVE(S) THOMPSON

02/18/21	(H)	PREFILE RELEASED 1/8/21
02/18/21	(H)	READ THE FIRST TIME - REFERRALS
02/18/21	(H)	STA, L&C
03/11/21	(H)	STA AT 3:00 PM GRUENBERG 120
03/11/21	(H)	Heard & Held
03/11/21	(H)	MINUTE(STA)

03/16/21 (H) STA AT 3:00 PM GRUENBERG 120
03/16/21 (H) Heard & Held
03/16/21 (H) MINUTE (STA)
03/23/21 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 118

SHORT TITLE: EXPANDING PRISONER ACCESS TO COMPUTERS

SPONSOR(S): REPRESENTATIVE(S) KREISS-TOMKINS

03/01/21 (H) READ THE FIRST TIME - REFERRALS
03/01/21 (H) STA
03/18/21 (H) STA AT 3:00 PM GRUENBERG 120
03/18/21 (H) Heard & Held
03/18/21 (H) MINUTE (STA)
03/23/21 (H) STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

LAURA BROOKS, Division Operations Manager
Division of Health and Rehabilitation Services
Department of Corrections
Anchorage, Alaska

POSITION STATEMENT: Answered questions pertaining to HB 118.

DON HABEGER, Community Coordinator
Juneau Reentry Coalition
Juneau, Alaska

POSITION STATEMENT: Answered questions pertaining to HB 118.

KATIE BOTZ
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 118.

CHRISTINA LOVE
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 118.

LINDA SETTERBERG, Community Coordinator
Fairbanks Reentry Coalition
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 118.

CARMEN LOWDRY, Executive Director
Alaska Network on Domestic Violence and Sexual Assault
Juneau, Alaska

POSITION STATEMENT: Testified on HB 118.

BARBARA MONGAR, Coalition Coordinator
Mat-Su Reentry Coalition
Matanuska-Susitna, Alaska

POSITION STATEMENT: Testified in support of HB 118.

ACTION NARRATIVE

[3:01:53 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 3:01 p.m. Representatives Claman, Eastman, Story, and Kreiss-Tomkins were present at the call to order. Representatives Vance, Kaufman, and Tarr arrived as the meeting was in progress.

HB 44-PRACTICE OF ACCOUNTING; LICENSURE

[3:02:40 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be HOUSE BILL NO. 44, "An Act relating to the practice of accounting." [Before the committee, adopted as a working document on 3/9/21, was the proposed committee substitute (CS) for HB 44, labeled 32-LS0302\B, Fisher, 3/8/21 ("Version B").]

CHAIR KREISS-TOMKINS invited final comments from the committee.

[3:03:27 PM](#)

REPRESENTATIVE STORY stated her support for moving the bill out of committee.

[3:04:03 PM](#)

REPRESENTATIVE EASTMAN drew attention to an outstanding concern regarding the definition of "reports", which was discussed in a previous committee hearing. He offered his belief that the definition of the term is overly broad. He clarified that committee's intent is not to change the nature of the accounting practice by broadening the requirements pertaining to the issuance of reports, as they are no longer limited to financial statements.

[3:05:30 PM](#)

REPRESENTATIVE CLAMAN offered his appreciation to the sponsor for bringing the bill forward so that standards are maintained

for a profession that many consumers use. Additionally, he returned attention to the discussion on "may" versus "shall", opining that the use of either would not prevent [accountants] from doing an effective job. In response to Representative Eastman, he stated his belief that the committee's discussion reflected that the definition of "report" is consistent with the scope of reports that accountants traditionally provide in their practice. He added that the current language in the bill reflects his intent.

CHAIR KREISS-TOMKINS noted that the fiscal note is \$5,300, all of which is covered by the licensing fees from the [Board of Public Accountancy].

[3:07:48 PM](#)

REPRESENTATIVE CLAMAN moved to report CSHB 44, Version 32-LS0302\B, Fisher, 3/8/21, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 44(STA) was moved out of the House State Affairs Standing Committee.

HB 118-EXPANDING PRISONER ACCESS TO COMPUTERS

[3:08:10 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 118, "An Act relating to state identifications and driver's licenses for persons in the custody of the Department of Corrections; relating to the duties of the commissioner of corrections; relating to living conditions for prisoners; and providing for an effective date."

CHAIR KREISS-TOMKINS invited questions from the committee.

[3:09:33 PM](#)

REPRESENTATIVE KAUFMAN expressed his continued concern about the execution of the bill as it pertains to safety and security and whether [the tablets] could be safely "sandboxed" to mitigate potential negative effects.

[3:10:43 PM](#)

LAURA BROOKS, Division Operations Manager, Division of Health and Rehabilitation Services, Department of Corrections, explained that the tablets are created with a multi-layer

security matrix and tested in much larger [facilities] than Alaska's. Additionally, they are equipped with a secure platform that allows access only to approved content while prohibiting access to personal settings and the Internet. While there are specific programs that could be downloaded, she said, [the tablets] would not provide direct access to anything outside the secure network. She added that the tablets are designed to be tamper-proof and to meet correctional safety standards.

REPRESENTATIVE KAUFMAN asked whether the tablets are sole sourced from a specific brand or vendor or are a commodity item. He inquired about the supply chain.

MS. BROOKS reported that only a handful of vendors supply the tablets to correctional centers. She reiterated that the vendors have years of experience with [correctional] systems larger than Alaska's. She explained that [the tablets] are not widely accessible, adding that they are built specifically for the correctional environment by vendors that are familiar with the safety and security practices of correctional facilities.

REPRESENTATIVE KAUFMAN asked for the name of the supplier.

MS. BROOKS offered to follow up with the requested information.

REPRESENTATIVE EASTMAN sought to clarify whether the tablet hardware or software is built for the correctional environment.

MS. BROOKS answered both. She explained that the tablets are designed to be tamper-proof; additionally, the included software is specific to correctional safety standards.

[3:14:13 PM](#)

REPRESENTATIVE EASTMAN inquired about the repercussions of tampering with a tablet.

MS. BROOKS said currently, there are no policies or procedures for electronic devices. She conveyed that the department plans on developing policies specific to the bill. She noted that there are sanctions and a disciplinary process for inmates that misuse materials for hobby craft, adding that DOC anticipates implementing similar policy for the tablets.

[3:15:12 PM](#)

REPRESENTATIVE VANCE questioned how the department would immediately [implement the bill] without the tablets. She also inquired about the anticipated demand. Additionally, she asked Ms. Brooks to explain how the bill would work within the prison system and what the plans are for the future.

MS. BROOKS stated that there are numerous available options, including paperless access for grievances, commissary requests, medical requests, and access to medical records. Additionally, educational content, access to the law library, and e-books. She said that would all be developed along with policy and procedure for inmate access. Regarding immediate use, she said the bill, as it's currently written, would allow the department to provide additional access. She offered the example of access to GED services, which would be supervised by staff.

[3:17:40 PM](#)

REPRESENTATIVE VANCE inquired about the fiscal impact, asking how many tablets would be needed.

MS. BROOKS said most of the vendors provide the tablets, which come with preapproved content and services. She noted that the fee structures vary depending on the vendor.

[3:18:39 PM](#)

REPRESENTATIVE CLAMAN referenced a website, gtl.net, which professes to transform correctional facilities through technology. He surmised that there are many businesses that provide services to the correctional industry nationwide. He asked if in addition to tablets, there are numerous providers that focus their services on the correctional industry both public and private.

MS. BROOKS shared her understanding that there are a number of vendors that provide a variety of services specific to the correctional environment whether it be tablets or MP3 players. She reported that there is a correctional market and vendors who cater to that niche.

REPRESENTATIVE CLAMAN asked if that holds true for things like medical services and medical records. He asked if the department often contracts with vendors that offer specialized services for corrections.

MS. BROOKS confirmed that is so. She said the department identified the importance of purchasing an electronic health record that was not built for a hospital or a clinic. She added that in the future, the department would look to purchase an electronic health record that is specific to the correctional environment to meet specific needs.

REPRESENTATIVE CLAMAN asked if the reason that DOC had not gone further in implementing computer access for inmates is because the current statute flatly prohibits it.

MS. BROOKS answered yes, that is a big part of it.

[3:21:47 PM](#)

REPRESENTATIVE STORY asked how the tablets would provide inmates with updated skills for success after release.

MS. BROOKS explained that when DOC works on further developing its reentry unit or education in its vocational programs, the department looks to reach the inmates in a variety of ways, including classroom instruction and self-study materials. Further, she acknowledged that there are other ways to reach them via tablet, such as educational courses, instructional videos, study material, and reentry courses. She shared the example of videos that show offenders who released to community successfully and offer first-person advice. She said regular access to that type of video could be an important part of the department's reentry program expansion. Additionally, DOC could assist offenders in applying for Medicaid through the tablet process, she suggested.

REPRESENTATIVE STORY questioned whether the tablets would have the capacity to provide vocational skills in the Internet technology (IT) field, such as coding.

MS. BROOKS pointed out that DOC would have to be cautious in offering IT training. She said many prisoners who have been in the system for an extended period of time are not familiar with computers and cannot apply for jobs online. She suggested that the tablets could help with that by providing a simulated online job application that could teach them how to fill out applications for the future.

[3:25:42 PM](#)

CHAIR KREISS-TOMKINS characterized correctional facilities as time capsules, such that people who were incarcerated before widespread Internet access could be reentering into a digitalized world that is foreign to them. He asked Ms. Brooks to speak to the reentry of inmates who served longer terms.

MS. BROOKS reflected on inmates, both in custody and released, who talk about the struggle of transitioning from no electronics to applying for jobs and scheduling appointments online. Although the tablets would not allow access to the Internet, she said, there are simulations that could allow practice without direct access to the Internet. She discussed how the tablets could help inmates recognize future challenges by offering real-world advice from individuals who had been incarcerated and overcame obstacles after release.

[3:28:27 PM](#)

CHAIR KREISS-TOMKINS asked for a scenario wherein DOC would provide tablet use for interpersonal communication with the outside world via text or e-mail.

MS. BROOKS said the department has not entertained that option at this stage; however, she noted that there are correctional systems that offer "e-mail-type" access. She explained that the programs designed for the tablets have an algorithm that is intended to identify high-risk words and phrases that could be code or gang related. She said the algorithms are constantly evolving to ensure that messages are screened and sent to the correct recipient - similar to the screening of handwritten mail that leaves facilities. She emphasized that DOC is not ready to explore that option.

[3:30:25 PM](#)

REPRESENTATIVE KAUFMAN asked if the department had considered any performance metrics that could measure the success of these programs.

MS. BROOKS maintained that transitioning to paperless requests could save time for staff and expedite processes. She stated that there are likely numerous performance indicators that could identify benefits and efficiencies for the department.

REPRESENTATIVE KAUFMAN urged the department to consider how to measure the success of inmate release to ensure that the program is benefiting the department. He suggested considering the big

picture and the desired "core achievement" to ensure that these programs are delivering benefit for the cost incurred.

[3:32:35 PM](#)

CHAIR KREISS-TOMKINS surmised that recidivism would be a key indicator. He asked if that is correct.

MS. BROOKS replied that [recidivism] is an indicator of numerous factors. She expressed her hope that if additional education and reentry services could be provided, recidivism would decline. She expounded that during the COVID-19 pandemic, DOC learned that access to outside treatment providers, reentry coalitions, and case managers is critical. She said without in-person contact it becomes difficult to connect individuals to the outside [world].

[3:33:51 PM](#)

REPRESENTATIVE TARR expressed her support for the bill. She related that many neighbors in her district had been impacted by the criminal justice system. She shared a personal anecdote about the importance of reentry services. Additionally, she emphasized that many individuals in state custody are from disadvantaged backgrounds and were victims themselves; further, those individuals many have not had opportunities to education, job training, or resume writing. She opined that to further deny them the opportunity to make the most of life is wrong.

[3:35:58 PM](#)

REPRESENTATIVE STORY inquired about Mr. Habeger's vision for the tablets.

[3:36:34 PM](#)

DON HABEGER, Community Coordinator, Juneau Reentry Coalition, explained that coalitions are interested in improving state law to allow for "continued access." He expressed his hope that the tablets could provide improved access so that interpersonal connection could be brought to fruition. He offered the example of helping a releasing inmate to prepare for a job interview, which could be accomplished through this improved access.

[3:38:36 PM](#)

REPRESENTATIVE STORY asked whether the reentry coalitions use performance metrics to measure success.

MR. HABEGER answered yes. He explained that reentry case managers work with the Department of Health and Social Services (DHSS) to track successes [and failures] for each person on their case loads. He stated his hope that in time, the coalition would have a robust statewide data set that indicates what works and what does not.

[3:40:27 PM](#)

CHAIR KREISS-TOMKINS opened public testimony on HB 118.

[3:40:54 PM](#)

KATIE BOTZ expressed her opposition to HB 118. She reflected on her personal experience as a victim of sexual assault and expressed concern about the possibility of an offender accessing [the Internet] from prison. She stated her belief that if the tablet security could be bypassed, prisoners would find a way to do that. Should the bill pass, she recommended that tablet usage be allowed only in a controlled environment rather than in individual cells. She urged the legislature to exercise caution and to be victim oriented.

[3:46:18 PM](#)

CHRISTINA LOVE stated her support for HB 118. She reported that each week, about 10,000 people are released from state and federal prison facilities in the U.S. She explained that successful reintegration depends on how quickly one can get valid identification. She said it's a major hurdle, which has only become more burdensome during the pandemic. She pointed out that when people are incarcerated for long terms, the government ID may no longer be valid upon release. Nonetheless, identification is needed for basic life necessities, such as housing, employment, medical care, banking, government benefits, and food programs. She went on to state that digital technology in Alaska's prison system has been a huge hurdle for providing higher education, which is an important factor in prevention. In conclusion, she reiterated her support for HB 118.

[3:48:01 PM](#)

LINDA SETTERBERG, Community Coordinator, Fairbanks Reentry Coalition, expressed her support for HB 118. She emphasized the

importance of community connection and access to technology for individuals released from incarceration. She reported that many [prisoners] do not have basic computer skills and are unable to access treatment providers, telehealth, or Zoom meetings, which can be components of treatment after release. She shared a personal anecdote about the importance of phone calls with her son who was incarcerated. She said regular phone calls helped his mental health. She reported that the Fairbanks Reentry Coalition's recidivism rate is at 11 percent among the 200 individuals who have participated in its program.

[3:50:41 PM](#)

CARMEN LOWDRY, Executive Director, Alaska Network on Domestic Violence and Sexual Assault (ANDVSA), informed the committee that ANDVSA is the federally recognized domestic violence and sexual assault coalition in the state. She added that ANDVSA is a membership-based organization that is governed by 23 community-based domestic violence and sexual assault agencies. She expressed support of efforts to ensure that incarcerated individuals who are reentering communities have the skills, support, and access to do so [successfully]. She questioned why the language "and may not be used for any other purpose" was deleted from [Section 4, subparagraph (I)]. She shared that when people leave incarceration, they sometimes attempt to contact former victims. She shared her belief that the deleted language was a "safeguard" for victims because it ensured that the access to tablets would be contained within those areas that actually facilitated rehabilitation of the case plan. She recommended keeping that deleted language.

[3:54:31 PM](#)

BARBARA MONGAR, Coalition Coordinator, Mat-Su Reentry Coalition, informed the committee that the coalition consists of a collaboration of individuals, community stakeholders, nonprofit agencies, and business partners that are united and committed to reducing recidivism among citizens returning to the Matsu. She expressed support for the bill expanding allowable use of inmate access to computers to include reentry planning, healthcare, visitation, and legal reference material. She reported that due to COVID-19, case managers' access to the prisons was cut off. That access, she said, was to help prisoners start reentry planning, which increased their chances of success after release.

[3:56:09 PM](#)

CHAIR KREISS-TOMKINS, after ascertaining there was no one else who wished to testify, closed public testimony on HB 118.

CHAIR KREISS-TOMKINS, addressing Ms. Lowdry's question [pertaining to the deleted language in Section 4, subparagraph (I)], read the following remarks from DOC, as follows:

The language deals with what can be offered an inmate via programming. If the language remains, then the department is restricted to offering the inmates the programs only listed in the bill. If the language is removed, then it allows the department to adjust programming with the times. As you know, things change all the time, and we would like the flexibility to do so. It doesn't directly deal with victims and the department remains vigilant in protecting all crime victims.

[HB 118 was held over.]

[3:58:09 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 3:58 p.m.