

Native Culture Group
Box, 309



Juneau, Ak, 99802

January 30, 1980

To : Rep. Nels Anderson
Pouch "v"
Juneau, Alaska 99802

From : Byron E. Charles
Native Culture President
Juneau, Alaska 99802

Subject; Invitations

Dear Mr. Anderson;

I received the list of names of the Senators, Representatives. I would like to make you aware that instead of sending an invitation to each Senator, Representative; I thought it would be easier if I just sent you this letter stating that you and the following names below are cordially invited to attend our scheduled February 9th, 1980 meeting at 7:00 pm.

Senators

Sen. John Sackett
Sen. George Hohman
Sen. Frank Ferguson
Aide; Alphi Morris

Representatives

Rep. Phillip Guy
Rep. Jack Fuller
Rep. Sharoff
Rep. Vern Herlbert
Rep. Leo Schafer

Thank you for your time and attention to the above invitations.

Sincerely;

Byron E. Charles

Byron E. Charles
Native Culture President



rec'd 2/1/80

HB

983

#2

(parole board)

THE ALASKA CORRECTIONS MASTER PLAN:
LEGISLATIVE IMPLICATIONS

Prepared for the
ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
COMMITTEE ON FINANCE

Chairman: Representative Russ Meekins

Members:

Oral Freeman	Phillip Guy
Jim Duncan	Joe McKinnon
H. Moss	Brian Rogers
E. J. Haugen	Joe Montgomery

by

Roger V. Endell
Justice Center
University of Alaska
Anchorage, Alaska

November 8, 1979

INTRODUCTION

This paper has been developed for the purpose of presenting to the members of the legislature a succinct summary of the voluminous (600 page) Alaska Corrections Master Plan. The summary is purposely structured to indicate those areas of the Plan which have obvious legislative implications. That is, this summary includes only recommendations for 1) statutory changes, 2) operational funding (personnel), and 3) capital improvements above and beyond the "normal" correctional budgetary process. It is not an all-inclusive narrative summary of the Master Plan. Two executive summaries do exist which provide narrative descriptions of the Plan's contents. (See Alaska Corrections Master Plan: A Preliminary Draft Summary by Roger Endell, July 11, 1979 and Alaska Corrections Master Plan: Executive Summary by Moyer Associates, Inc., August 1979.)

This summary does not address Division of Corrections policies and procedures or Administrative Code issues directly. Changes in Division operational practices will no doubt follow legislative review and, conversely, action and major changes which may result from a review of this document and/or the entire Master Plan will have implications for correctional policy changes.

The summary provides for page reference numbers, general topics, and a brief description of the recommendations under the three major topical headings listed above. Detailed information can be found in the Master Plan volume which will explore the reasoning and justification for these recommendations.

Finally, the introduction narrative and the specific recommendations are provided here without editorial comment. These statements are extracted from the Plan as nearly as possible to the original wording. There, of course, is a risk that the summary and/or recommendations contained within are subject to misinterpretation because of the out-of-context and out-of-sequence format. The reader is asked to seek further information from the Plan via the reference number whenever questions may arise.

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COST CONSIDERATIONS

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A fundamental goal of recommendations that this master plan has is the provision of the most adequate corrections system for Alaska at the least possible cost. The single most effective means of accomplishing this is to avoid unnecessary incarceration of offenders, thereby avoiding the capital cost of constructing new facilities to accommodate growing inmate populations. Avoidance of unnecessary incarceration in turn requires development of a full range of community-based corrections programs, including pretrial release, probation, prerelease and parole supervision. This is the basic strategy advocated throughout the plan.

Alaska will not be able to avoid a certain level of capital expenditures to improve its corrections facility system, due to several factors:

1. The badly deteriorated condition of several existing facilities.
2. Overcrowding of a few key facilities even at current inmate population levels.
3. Inadequate space for programs and prison industries at nearly all existing facilities.
4. Court actions, both actual and potential, which will mandate that Alaska provide constitutional housing for all inmates.
5. The long-range goal to return all Alaskan inmates from federal institutions to state facilities (some of these inmates have very lengthy sentences and could not be adequately accommodated in any existing Alaskan facility).
6. Expressed interest in regionalized incarceration of sentenced inmates, which would require replacement of existing rural corrections facilities, which are now totally inadequate to house long-term inmates.

However, capital expenditures can be minimized through development of a full complement of community corrections alternatives to incarceration, and the delaying of all but the most essential construction or renovation until the full impact of diversion efforts can be achieved.

On the cost-effectiveness balance sheet, there are two types of expenditures which must be weighed: operating costs (primarily staff salaries) and capital costs (for construction). The improvement and expansion of adult community corrections services will require additional personnel as well as increased funds for the Division of Corrections' use in contracting for services for offenders. To offer statewide pretrial assessment and supervision services, prerelease programs and improved probation and parole supervision (using a tri-level caseload classification) would require an estimated 15 to 24 additional line staff positions in adult community corrections with today's workload levels. If workloads continue to grow at rates observed over the past eight years, staff needs could increase by as much as 40 percent by 1990, requiring creating of an additional 17 to 20 line staff positions. Staff requirements can be minimized through more concerted use of volunteers, but it is likely that over the next ten years, a full-fledged adult community corrections effort will require the addition of at least 30 full-time line staff. If the salaries and associated cost of each new position is estimated to average \$38,000 annually over this same time period, this would represent an increase in the annual operating budget of about \$1.15 million by 1990. Or, from another perspective, assuming that five new staff are added in each of the next three years and two every year for the next seven years, the estimated total additional staff cost over the next ten years would be \$7.3 million. If additional funds are made available for contractual services averaging \$200,000 annually, the total operating cost increase could be nearly \$10 million over the next ten years.

Similar estimates of the cost of improving youth services are made in that section of the plan, which concludes that the current budget of approximately \$2.3 million now spent on probation and contractual services for youths would grow to a total estimated annual budget of \$9.5 million in 1990. This would represent a cost of about \$7.2 million over the ten-year period to improve and expand community corrections alternatives for delinquent youths.

These increases in operating costs must be compared to the cost of constructing additional bedspace capacity to accommodate inmates who could be diverted to community services if they are available and adequate. If the cost of an Alaskan prison construction project is estimated to average \$107,000 per bedspace (see facility recommendations section of plan), then Alaska must avoid building only 94 adult bedspaces

over the next ten years to offset the total cost of improved community corrections services in that same period ($\$10 \text{ million} \div \$107,000 = 94$). In fact, construction cost savings over the next 20 years which could be attributed to improved ROR and prerelease programs total over \$36 million (the bedspace savings would total about 345), more than four times the additional ten-year cost of improved adult community corrections services (and approximately twice the 20-year cost). On the youth services side, if just the current out-of-state placement cost of about \$600,000 could be avoided through improved community-based programs for youths, the entire cost of such improvements would be offset. It is logical to assume that other operating cost savings would also accrue over the ten years due to decreased rates of preadjudication detention and post-adjudication commitment of youths (this is true of adult corrections as well).

Therefore, although it might seem like a large increase in funding, increased expenditures on improved community corrections services can actually result in an overall budgetary savings over time through avoidance of massive capital (construction) expenditures and decreases in institutional operating costs. If cost-effectiveness is of paramount importance, the course of action which Alaska must follow is clear. Community programs must be fully funded and staffed to safely divert the maximum possible number of offenders from unnecessary pretrial and posttrial incarceration.

FACTORS AFFECTING
CORRECTIONS POPULATIONS

Discussion

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to Factors
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The size and characteristics of offender populations in a corrections system should determine the policies and practices of that system. In order to effectively supervise and serve the needs of offenders on probation and parole, or incarcerated in jails and prisons, it is necessary to know the number and types of persons who make up these populations. Therefore, in order to plan for the future of corrections in Alaska, an awareness of the variables which interact to determine the number and types of offenders passing through its corrections system is essential. Based on an understanding of the factors which affect the size and qualities of probation, parole, jail and prison populations, policy-makers can choose future courses of action with greater confidence of attaining their desired outcomes.

Relationships between variables determining corrections populations can be viewed from both a mathematical and conceptual perspective. The mathematical relationship between population levels, admissions to and lengths of stay in corrections programs and facilities is relatively straightforward:

$$\begin{array}{rcl} \text{Average} & & \text{Number of Admissions} & & \text{Average Length of} \\ \text{Daily} & = & \text{Per Year} & \times & \text{Stay (in months)} \\ \text{Population} & & & & \hline & & & & 12 \text{ months} \end{array}$$

Thus, the average number of inmates in a prison (or on probation or parole) is directly related to the number of offenders admitted and their average length of stay in the facility or program.

In Alaska, the average monthly inmate population has grown from 440 in 1972 to approximately 720 at the end of 1978; this represents a nearly 64 percent increase in the size of the inmate population. Total adult admissions (including pre- and post-sentenced offenders) increased only about 25 percent in a similar period (1972 through 1977), while total person-days served by those admitted increased 32 percent in this 6-year interval. Thus, the increase in inmate population is

apparently attributable to an interaction between increased admissions and increased length of stay for at least a proportion of these admissions. As noted elsewhere, the probation/parole average monthly case-load has grown approximately 36 percent in the same time period, a less dramatic but still significant increase.

Although the mathematical relationships between populations, admissions and lengths of stay is apparently simple, the policies, practices and demographic variables which determine these basic factors interact in a complex manner. The number of admissions to a corrections facility or program is dependent on:

1. the crime rate: the number of crimes committed per 100,000 persons in the general population;
2. the arrest rate: the number of persons apprehended by law enforcement agencies;
3. the conviction rate: the proportion of those arrested who are found guilty; and
4. sentencing statutes and practices: the penalties prescribed by the legislature for each crime, judicial decisions and, informally, some prosecutorial discretion in choosing the sentence for each convicted offender.

These variables are in turn linked with other political and socioeconomic factors in a casual chain which has yet to be unraveled; employment levels, the age-group and racial/ethnic composition of the general population, and punishment philosophies of legislators, judges, administrators and the general public all have an impact on the criminal justice system, and therefore, on corrections populations.

The average length of stay of convicted offenders in corrections programs or facilities is a direct result of:

1. Sentencing statutes and practices; the length of offenders' sentences as determined by legislative statutes and judicial and prosecutorial discretion.
2. Paroling statutes and practices (affecting both prison and parole populations): determined by statute and parole board discretion.

3. "Good-time" statutes and practices (also affecting both prison and parole populations): determined by statute and Department of Corrections staff discretion.

Many of the same philosophies that shape the commitment practices of a state also have an impact on the length of time that offenders are expected to remain the responsibility of the corrections system.

Upon examination of the factors outlined above, it becomes apparent that corrections population levels are the end result of a complex series of decisions, most of which fall outside the jurisdiction of corrections systems. Reasons advanced for the spiraling increases in prison populations reflect the impact of these external forces. Prominent among these reasons are rising crime rates and unemployment levels, improved law enforcement, more efficient court processing, tougher attitudes toward offenders, and the age-group composition of the population.

Rising crime rates, linked by some to the depressed economy and higher unemployment rates of recent years, are often cited as a primary cause of growth in prison populations. However, reported crime rates may have shown a spurious increase in the past few years due to improved reporting methods. The rise in crime rates may in fact be abating; serious reported crime decreased nine percent nationwide during the first three months of 1977 when compared with the same period of 1976. In Alaska, the violent crime rate also showed a decline from 1975 to 1976. In addition, crime rates have historically had little or no correlation with incarceration rates, perhaps in part because of unreliable reporting and most probably because there are a large number of factors intervening between commission of a crime and commitment to prison. The impact of crime rate statistics on public attitudes toward criminals cannot be under-estimated; this may be the most direct causal link between reported increases in crime and rising prison populations. Societal fear of and a punitive response to criminal behavior have undoubtedly been exacerbated by an increased public awareness of crime.

Unemployment, which theoretically may motivate some types of criminal behavior, has been shown to be directly correlated with incarceration rates in many jurisdictions. Thus, as unemployment increases, incarceration rates often rise after a short time. However, as with crime rates, future unemployment levels cannot be accurately predicted, so they cannot

be reliably utilized as indicators for prison population projections.

Improved law enforcement, which can cause increases in both arrest and conviction rates, has also probably contributed to increased corrections populations. Similarly, more efficient court processing of criminal cases has probably been a factor in increased conviction rates, and in some jurisdictions has shifted the balance from pretrial to post-sentence incarceration (by shortening the length of time from arrest to sentencing for some jail inmates). The precise quantitative impact of improved law enforcement and court processing is difficult to estimate, either for present or future corrections population levels.

A changing attitude toward offenders, which has been evolving into a "get tough" stance, can affect both statutory and discretionary aspects of criminal Justice decision-making. The sentencing of a greater proportion of offenders to lengthier periods of confinement under more stringent parole policies will have a significant impact on prison populations and probation and parole caseloads. At present there are several divergent nationwide trends in correctional philosophies, which, coupled with regional differences in outlook, can have varying effects on corrections populations. An emphasis on reintegration of offenders through use of community corrections approaches would tend to reduce the number of persons confined in jails and prisons and increase probation and parole caseloads. On the other hand, a narrowly defined determinate sentencing structure (i.e., with definite terms but no shortening of existing minimum sentences) could cause substantial growth in incarcerated populations. The revised Criminal Code recently enacted in Alaska may increase the average daily inmate population by as much as 50 percent (see chapter on criminal justice decision-making for estimation methodology). Through an emphasis on community corrections and a more determinate sentencing structure are not inherently incompatible, careful consideration must be given to the impact upon inmate population size of lengthy determinate sentences for certain offenders.

One factor which is being increasingly utilized to predict the number of inmates who will be confined is the age-group composition of the general population. Incarceration rates are correlated with the size of the population between ages 18 and 34; this group is defined as being "at risk," since persons in this age range are most likely to be sentenced to incarceration.

Nationally, nearly 80 percent of the inmate population is part of this at-risk group. Since the U. S. and state census bureaus routinely develop future projections of the size of the general population, categorized by age groups, it is possible to use these projections in developing corrections population projections. However, this age group at-risk factor is also the one least amenable to change through legislation or policy-making, and so affords corrections administrators little guidance in effecting changes which may have a positive impact on their system. It is, quite simply, an effective tool for predicting the future size of corrections populations if statutes, policies and practices remain unchanged. Effective planning must include not only consideration of the outcome of current practices, but also an assessment of a range of options which require or assume system changes. In the realm of corrections population levels, small changes in any of a number of factors previously discussed can have a resounding impact.

Because substantial increases in Alaska's prison population are placing increasing pressure on many of the State's older and more deteriorated facilities, it may well be that a decrease in the inmate population is both necessary and desirable, so as to minimize the need for new construction. If so, some or all of the variables previously discussed as having an impact on the number of admissions and/or average lengths of stay could conceivably be modified to attain the desired decrease. Eliminating those factors which are less amenable to change (e.g., crime, arrest, conviction and unemployment rates, as well as the size of the at-risk age group), it is possible to pinpoint the factors which can reasonably be manipulated. A decrease in prison admissions can be accomplished through:

1. decriminalization of selected victimless or minor offenses;
2. increased use of diversion options prior to sentencing;
3. more efficient presentence release programs which shorten the length of time eligible defendants are detained prior to release; and/or
4. increased use of nonincarceratory sentences for a larger proportion of convicted offenders; these alternatives can include fines, restitution, probation and/or periodic imprisonment (work release).

A decrease in the average length of stay of prison inmates can be achieved through:

1. a reduction in the maximum sentences imposed for crimes, either through statutory change or modifications in judicial sentencing practices; and/or
2. an increase in the release rate, through an augmented parole granting rate, increased awarding of "good time," or more frequent use of prerelease programs for inmates serving the last months of their sentence.

Although some of these measures are more attainable and acceptable in the short run than others, all would have the impact of decreasing the prison inmate population, while some would increase either probation or parole workloads.

The objective is therefore to provide Alaska's corrections and criminal justice decision-makers with alternative courses of action regarding institutional corrections, as well as their cost implications, so that informed choices can be made regarding the future of Alaska's corrections system. For example, an analysis of current practices indicates the need for sound planning.

If current practices affecting inmate population size were to continue unchanged, Alaska would need to house an average daily population of somewhat over 1100 inmates by the year 2000 (this includes all females, federally housed prisoners and presentence detainees).

At the same time, it should be noted that the monthly and even daily fluctuation in Corrections population is substantial, apparently amounting to as much as 20% of the average figure on occasions. Due to this high variability, it seems likely that considerable attention could be given to either providing temporary additional holding capacity or to management programs which seek to damp out the daily and monthly variations, instead of attempting to provide the maximum number of cells for the highest possible number of prisoners.

SENTENCING, PRETRIAL RELEASE AND
PAROLE DECISIONS

Discussion

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- 535 . Sentencing
to
536
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to
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- Although each is in a separate branch of government, the corrections system is really the instrument of the courts. The courts determine the sentences of offenders and the corrections system carries them out. The effective use of a corrections system is therefore highly dependent on the quality of sentencing.
- Imprisonment is the most serious and most costly of the sentencing alternatives. If the courts send more offenders to prison than belong there, institutional resources are strained and wasted, and the quality of services and treatment for all imprisoned persons deteriorates -- in the end too much of the public's money must be expended on the construction and operation of institutions. On the other hand, if persons are placed on probation who belong in prison, the corrections system cannot provide the degree of protection to which the public is entitled.
- Aside from sentencing decisions, there is one other decision in which the court system prevails which has a direct effect upon corrections: pretrial release. The policies and practices of the courts determine which defendants will be released pending trial and which of them will be detained in corrections facilities. Thus, the courts largely determine the size of the unsentenced prisoner population detained in Alaska's corrections facilities. As has been documented elsewhere in the plan, both the criteria used to assess defendants' eligibility for pretrial release and the speed with which such release is effected can have a substantial impact on the size of the average daily prisoner population. Although the Division of Corrections can aid the court system in developing a comprehensive pretrial release program through offering prompt assessment services and supervision for selected releasees, the decision ultimately rests with the court, and the consequences must be borne by the Division's institutions and community services.
- The capacity requirements for correctional institutions could increase substantially over the next several years due to implementing the revised Criminal Code.

The cost implications of this increased inmate population, both in capital and operating expenditures, are significant (discussed in detail in the adult institutions section of the plan). The source of the population increase can be traced directly to the longer average length of stay which is likely to result from enacting the new Code. Thus, it would appear that although some of the Governor's Commission on the Administration of Justice goals may have been achieved by this new Code, particularly those related to limiting judicial and Parole Board discretion, the unintended consequence of enacting the revised Criminal Code may well be to inflate the sentenced inmate population of Alaska's correctional institutions to extraordinarily high levels.

Alaska's revised Criminal Code is a comprehensive attempt at sentencing reform which, unfortunately, may not go far enough to eliminate sentencing disparity, and which also may go too far in imposing lengthy sentences on recidivist felons.

Parole policies and practices have as direct an effect on corrections as do court actions in pretrial release and sentencing decisions. Parole policies determine, within statutory and judicially determined limits, the length of time a sentenced inmate serves in prison, and the type of conditions that are imposed on his or her parole. The criteria used by the Alaska Parole Board in its decision-making shape the manner in which the Division of Corrections utilizes its institutional and community supervision resources.

Parole services should not be discontinued; whether releasees are released through Parole Board action or at the end of a sentence determined by statute and guidelines, most will continue to require some type of "depressurization" to help them adjust to life in their home communities. Prerelease programs operated by the Division, such as work release and furlough, will become even more critical if parole is abolished. At this juncture, it may also prove to be necessary to statutorily provide for some portion of the end of every sentence to incarceration to be served under community supervision (similar to the mandatory release law now in effect).

It is not likely that parole decision-making will be abolished in Alaska in the near future, since such a step would require a thorough reexamination of the revised Criminal Code, and concerted efforts to develop a guidelines matrix for sentencing decisions which

could eliminate the need for Parole Board sentence adjustments. In addition, all inmates sentenced under old sentencing statutes will continue to be eligible for parole for some time to come. Therefore, given that the Parole Board will continue to function in Alaska for the foreseeable future, it is important that the Parole Board's policies and practices are consistent with the state's overall corrections philosophy, and that the Board is provided with sufficient resources and authority to efficiently accomplish its responsibilities.

Implementing any sentencing or parole reform requires the highest level of cooperation between the judiciary, the legislature, law enforcement, and the Division of Corrections. Corrections alone cannot hope to improve Alaska's sentencing or pretrial release practices; only with the cooperation of the other decision-makers involved can true and lasting improvements be achieved. In the relationship between corrections and the courts, corrections planning necessarily must become criminal justice system planning as well.

RECOMMENDED STATUTORY CHANGES

Discussion

REFERENCES

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- 70 Management In the interests of unifying correctional services in Alaska, it is recommended that the Department of Public Safety no longer have responsibility for any jail contracts and that the Division of Corrections assume responsibility for administering all present and future local jail contracts for the State of Alaska.
- 79 Management Appointment of a five member Correctional (Statewide) Advisory Board is recommended.
- 133 Community Services Legislation should prescribe uniform policies and procedures for screening and investigating persons awaiting trial as to their suitability for pretrial release and provision for supervision of any persons granted pretrial release who are deemed to require it. The legislation should authorize community corrections staff to carry out this function and provide funds for staff.
- 147 Community and Services The statutes should include:
- 540
1. a uniform criteria for eligibility for pretrial release;
 2. preliminary screening of all potential candidates by community services personnel, (including para-professionals and/or trained volunteers) with phone verification of all information;
 3. pretrial release recommendations by community services personnel to the district attorneys and courts;
 4. supervision by community services personnel of selected persons on pretrial release; and
 5. consideration should be given to a procedure under which persons charged with relatively minor offenses and who do not have a significant criminal history may have their charges dropped or suspended following a period of successful adjustment in the pretrial program.
- 205 Classification Statutes should consolidate the policies and procedures and relating to the various types of furloughs, work release and halfway houses. Assignment to these types
- 206

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of programs should be delegated to the institutional superintendents. The Parole Board should also be authorized to require the assignment of individual prisoners to any of these programs prior to the effective dates of parole release, as a means of prerelease testing.

224 Programs

Chief of Programs position is to be created in the Control Office management structure of the Division of Corrections. This officer each year will prepare an annual plan, in consultation with each institution program director, to support institutional program development and operation including personnel, equipment and contractual program arrangements for the rehabilitation of offenders within each institution. The program budget should be a separate line item in annual appropriations.

226 Programs

Legislation should be provided which would assign to the public school system the responsibility for providing educational instruction through the 12th grade within correctional institutions. It is recommended that contractual arrangements with personnel of local colleges for programs of higher education within correctional institutions should be obtained and expanded.

Industries

Alaska is one of only three states which does not have a prison industry law (the others are Delaware and Nevada). Prison industries statutes should be drafted which would include:

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1. establish prison industry program and generally define its purpose;

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2. establishment of a Prison Industry Advisory Board whose members should be appointed by the Governor;

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3. establishment of a Prison Industry Revolving Fund;

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4. authority to sell prison industry goods on the open market, possibly through existing in-state vendors;

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5. authority to lease prison facilities and grounds to private businesses which would employ prisoner-workers in such facilities or on such grounds;

to
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- 299 Industries 6. exemption of prison industry workers from the \$3.00 per day ceiling on wages established by law by Alaska 33.30.225;
- 298 7. establish the position of director of the prison industry program with a requirement for considerable management experience and with powers and duties described;
- 299 8. require that all prison industry operations observe the state and federal health and safety regulations;
- 299 and 304- 313 9. define the specific purposes for which prisoner's wages can be dispersed including (legislation should not fix prisoner wages): support of the prisoners' dependents, reimbursement to the state for an award made for violent crimes compensation, payment of a court award, reimbursement to the state for room and board (not to exceed the average daily cost of incarceration); purchase of clothing and commissary items, enforced savings to assure that funds will be available upon release.
- 479 Alcohol Legislation should authorize the State Office of Alcoholism, and provide necessary appropriation, to establish alcohol sleep-off centers in all communities where state-operated correctional institutions or contract jails are now being used for persons detained under the 12-hour detention law (the Uniform Alcoholism Act adopted in 1972). And, as recommended by the Governor's Interdepartmental Coordinating Committee on Alcoholism, similar centers should be established in other communities demonstrating a need for them. The centers should be operated on a contract basis by local agencies or groups, subject to standards issued by the Office of Alcoholism. The Office of Alcoholism should be allowed full authority to design and operate alcoholism treatment programs, both in correctional institutions and in the community.
- 519 Training See comment under Operational Funding -- Personnel (attachment listing, page 519) for legislation recommended for correctional training.
- 572 and 573 Parole It is recommended that legislation be created providing that:
1. the Alaska Board of Parole be composed of three full-time members;

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Page Topic

572 Parole
and
573

2. appointment be made by the Governor from a panel of candidates submitted by the Commissioner of Health and Social Services, preferably with the aid of an intergovernmental committee;
3. candidates for appointment to the Board should have a background of education and experience in the social or behavioral sciences, criminal justice, the law or clinical practice;
4. the Board should represent the major ethnic and minority groups found in Alaska;
5. the salary of Board members should provide adequate compensation for their work. (Elsewhere the plan cites the American Correctional Association Commission standards which recommends that "salaries of parole board members are comparable to those paid judges of courts of general jurisdiction (or highest trial court). In Alaska this salary would be equivalent to that of a Superior Court judge.);
6. the Board members should be located in Juneau;
7. the Governor should designate one of the members as chairman who would serve as the operational head of the Board.

575 Parole

Legislation should be considered to allow the Parole Board to give parolees whose paroles have been revoked credit on their sentence for time served on parole between the date of release from an institution and the date of arrest for a violation of parole conditions. The Board should be authorized by legislation to discharge from parole status at any time after two years (for persons with sentences of more than ten years) parolees who in the judgment of at least two members of the Board have so conducted themselves that they are unlikely to become again involved in violations of the law. Affirmative decisions should be made administratively, without the necessity for a hearing. However, when in the judgment of at least two members of the Board, discharge from parole should be denied, a hearing should be granted the individual parolee.

Consideration should be given to legislation, and/or changes in Parole Board procedure, under which the Board would conduct initial hearings, in the case of

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- 575 Parole prisoners with maximum sentences of five years or less, within four months of their commitment. At these hearings a presumptive release date should be set either by parole or by mandatory release (the latter in effect a denial). Prisoners with maximum terms of more than five years would be heard at least a month prior to the completion of the minimum terms, also for the purpose of setting a presumptive release date, either by parole or by mandatory release, setting an effective date of parole or setting a future date for a reconsideration hearing.
- 205 Parole and
206 See comment at reference page 205, Classification section, Statutory Changes, regarding Parole Board authorization to assign individuals to prerelease programs.

RECOMMENDED
OPERATIONAL FUNDING; PERSONNEL

Discussion

REFERENCES

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- 71 Management and 224 A function essential to the future operations of Alaska's institutions is program development. At present, there are few organized treatment programs available to inmates of Alaska's correctional facilities. In order to encourage coordinated development of such programs, an organizational focus on institutional programs will be essential. Creation of a position of "Program Coordinator" will satisfy this need; the staff person in this position would have responsibility for developing program policies, strategies and standards for all institutions. This officer would report to the Adult Institution Administrator and be located in the Central Office.
- 75 Management Because volunteers can be involved in a broad range of activities with offenders, including institutional and community programs, it is important that volunteer coordination be administratively placed in a centralized unit not identified with one type of correctional program more strongly than another. Since volunteers provide a very valuable additional staff resource for corrections, association of this function with other control services is logical. Addition of a Volunteer Coordinator to the responsibilities of the Central Staff Services unit is recommended.
- Other Central Office management positions recommended in the plan include:
- 76 1. a standard setting, inspection and architectural and capital development specialist;
- 77 2. a certified public accountant for budget development;
- 79 3. a public information officer;
- 140 4. at least one research/planner/data analyst who is assigned to work full time on community services problems.
- Field staff include:
- 143 Community Services 1. five community correctional personnel, client classification and differential association (first priority);

REFERENCES

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- 234 Industries and 300 to 303 4. Assistant Accountant (Palmer Correctional Center);
5. Industry Manager (Palmer Correctional Center).
- 320 Health One full time registered nurse per correctional institution with shared services between some institutions (e.g., Eagle River/Ridgeview; two Ketchikan institutions).
- 314 Health to 329 Contractual arrangements for medical, dental, mental health, alcohol and drug treatment personnel and services are recommended to be implemented under the direction of the coordinator of health services. A specific proposal from that officer should be made which would address each of these service needs for each facility.
- 339 Program One full time Program Director for each institution not already having such a position (Eagle River is currently the only facility having the equivalent position) for essential coordination and administration of classification decisions, contractual and in-house program offerings and work programs.
- 340 Institutional and Staff 341 A systematic methodology is provided for assessing with "reasonable accuracy" the number of security staff required to operate each institution "safely and effectively." This tool will provide correctional management with the opportunity to project optimal staffing needs rather than simply the minimal necessary to operate a given facility. (It remains for corrections officials to apply the outlined method before adequate institutional staffing patterns can be assessed.)
- 441 Juvenile to Staff 444 Manpower estimates for community service personnel for juvenile services are estimated to require 60 line personnel for 1978 at an estimated cost of \$2,285,320. Staff requirements are provided in the plan as follows: first judicial district = 8; second judicial district = 4; third = 36; fourth = 12. Figures are also provided in the plan for staff requirements and costs for the years 1990 and 2000. (The planners have not specified what proportion of the estimated 60 line personnel recommended for juvenile community services are now assigned, or could be assigned, from existing staff.)

REFERENCES

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- 143 Community Services
2. eleven community correctional personnel, pre-trial assessment and supervision;
 3. four paraprofessional and/or volunteer assessment and supervision personnel;
 4. five community correctional personnel, pre-release programs (i.e., adult community corrections will retain about 27 full time probation officer positions (including only line P.O. II and III) with transfer of some to juvenile services, the 24 positions above will be needed to implement fully the community corrections program including restitution and community service sentences provided for in the new Criminal Code. The reduction in the incarcerated population (and thus the capacity required to be provided in facilities) to be attained through even partial or gradual implementation of expanded community service programs are substantial enough to justify addition of needed staff and funds for providing and contracting for services. The long run cost benefits of maximal use of alternatives to incarceration, particularly in Alaska where new construction can potentially be minimized or avoided, are undeniable (without significant increased risks to public safety through close community supervision).
- 227 Program counselor positions: Nome Correctional Center and Ketchikan Correctional Center.
- 234 Industries and 300 to 303
- Prison Industries (short range):
1. Prison Industry Director (central office);
 2. Prison Industry Cost Accountant (central office);
 3. Prison Industry Shop Supervisors (initially Eagle River, Fairbanks, Juneau, Palmer).
- Prison Industries (long range):
1. Salesperson (Anchorage area);
 2. Industrial Engineer (central office);
 3. Planner/Analyst (central office);

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- 234 Industries and 300 to 303 4. Assistant Accountant (Palmer Correctional Center);
5. Industry Manager (Palmer Correctional Center).
- 320 Health One full time registered nurse per correctional institution with shared services between some institutions (e.g., Eagle River/Ridgeview; two Ketchikan institutions).
- 314 Health to 329 Contractual arrangements for medical, dental, mental health, alcohol and drug treatment personnel and services are recommended to be implemented under the direction of the coordinator of health services. A specific proposal from that officer should be made which would address each of these service needs for each facility.
- 339 Program One full time Program Director for each institution not already having such a position (Eagle River is currently the only facility having the equivalent position) for essential coordination and administration of classification decisions, contractual and in-house program offerings and work programs.
- 340 Institutional and Staff 341 A systematic methodology is provided for assessing with "reasonable accuracy" the number of security staff required to operate each institution "safely and effectively." This tool will provide correctional management with the opportunity to project optimal staffing needs rather than simply the minimal necessary to operate a given facility. (It remains for corrections officials to apply the outlined method before adequate institutional staffing patterns can be assessed.)
- 441 Juvenile to Staff 444 Manpower estimates for community service personnel for juvenile services are estimated to require 60 line personnel for 1978 at an estimated cost of \$2,285,320. Staff requirements are provided in the plan as follows: first judicial district = 8; second judicial district = 4; third = 36; fourth = 12. Figures are also provided in the plan for staff requirements and costs for the years 1990 and 2000. (The planners have not specified what proportion of the estimated 60 line personnel recommended for juvenile community services are now assigned, or could be assigned, from existing staff.)

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- 519 Training Legislation should be submitted for authority and funds which will enable the Division of Corrections to hire personnel to cover positions when the incumbents are absent for training purposes. This additional personnel increment should be equal to ten percent of the Division's authorized personnel spaces. The legislature should appropriate sufficient funds to support all corrections staff training necessary to comply with national standards. Most programs now supported by grant funds (totaling nearly 50% of the current annual corrections training expenditures) should be instated as permanent and essential parts of the state corrections budget. Adequate funds should also be appropriated for contractual training services.
- 573 Parole See comment under Statutory Changes (attached), page 573, for legislative recommendations concerning a full time permanent Parole Board of three members.
- 573 Parole One administrative assistant position should be added to the Parole Board for a total of two. Two clerical staff positions should be added to the Parole Board for a total of three. The positions of Executive Director of the Parole Board should be reconstituted as that of Staff Director, reporting directly to the Chairman.

CAPITAL IMPROVEMENTS:
FUNDING ACQUIRED

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387 Institutions

1978 Bond Issues:

Topic	Amount	Status
1. Construct and equip Anchorage pre-trial jail facility	\$12,367,000	Replacement
2. Construct and equip Ketchikan pre-trial jail facility	1,992,700	Replacement
3. Construct Fairbanks Youth Facility (open residential facility)	2,400,000	New
4. Renovate Anchorage Sixth Avenue Jail Annex Facility	1,421,800	Renovation
5. Construct Nome Youth Residence Center	792,000	New
6. Construct McLaughlin Youth Center Gym	1,300,000	Addition
7. Construct Juneau State Jail Recreation and Program Facilities	1,300,000	Addition
8. Construct Juneau classroom and learning lab	200,000	Addition
9. Construct Bethel Correctional Facility	3,129,000	Replacement
TOTAL	\$24,902,500	

1979 Legislative appropriation:

10. Provide funds for housing sentenced female inmates	2,000,000	Replacement
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Previous Bond Issue or Legislative Appropriation:

11. Construct and equip Juvenile Center, Juneau	?	New
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CAPITAL IMPROVEMENTS:
FUNDING NEEDED

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- 39 Community Corrections Consider multipurpose "community corrections center" which include in one complex the various facilities required for all correctional purposes -- probation and parole staff offices, secure confinement of offenders and halfway house sectors -- a promising proposal for smaller communities, especially where new construction seems to be indicated (e.g., Ketchikan, Bethel, Barrow, 6th Avenue Annex after completion of the new pretrial facility).
- 385 Institutions Construct and equip a replacement for the Nome Correctional Center for regional sentenced and unsentenced inmates.
- 386 Construct and equip state regional correctional center in Kodiak
- Construct and equip state regional correctional center in Kenai.
- 388 The Gruzen study recommends a major renovation of the Anchorage Third Avenue Facility. The Moyer group recommends abandonment but offers no recommendation for placement of short term sentenced offenders or those awaiting classification now held at Third Avenue.
- 392 Major renovations are needed at the Fairbanks Correctional Center (\$7,464,000).
- Major renovations are needed at the Juneau Correctional Center (\$4,760,000).
- Renovations at both of these facilities are needed for additional inmate housing and program space.
- 392 Construct the originally designed additional two 40-person housing units at the Eagle River Correctional Center and additional industry space (\$3,808,000).
- 398 Construct and equip a 400 person facility in the Anchorage area to house sentenced inmates from the Anchorage area as well as sentenced females from across

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the state, and any inmates with long sentences from other regions where the regional facilities cannot provide adequate housing for long-term inmates. (The plan cautions that the overall capacity of 400 "may or may not be appropriate" -- implying that any facility of 400 or less would meet national standards for facility capacity.) Cost estimates for various sizes of this facility range from a low of 10 million dollars to a high of over 100 million dollars depending on a variety of policy options and other capacity improvements elsewhere in the system. For example, with renovations or addition to Juneau, Fairbanks and Eagle River facilities (above) a long term facility for 217 is estimated to be required at a cost of \$23,219,000 (in 1979 dollars). A facility of this size and type should have an expansion capability.

CONCLUSION

Approximately 30 million dollars of capital improvements have been authorized for expansion and remodeling of an insufficient and out-dated state correctional system. These improvements will only improve upon or replace existing facilities, except for Fairbanks, Nome and Juneau juvenile facilities which are new and not recommended in the plan.

Alaskan policy makers are immediately faced with major decisions which will determine whether additional multi-millions of dollars will be spent on creation of new institutional space or whether lower sums will be directed toward developing alternatives to new prisons and jails.

To reiterate earlier statements in summation:

A fundamental goal of recommendation is that this Master Plan has is the provision of the most adequate corrections system for Alaska at the least possible cost. The single most effective means of accomplishing this is to avoid unnecessary incarceration of offenders, thereby avoiding the capital cost of constructing new facilities to accommodate growing inmate populations. Avoidance of unnecessary incarceration, in turn, requires development of a full range of community-based correction programs, including pre-trial release, probation, prerelease and parole supervision. This is the basic strategy advocated throughout the plan.

If cost effectiveness is of paramount importance, the course of action which Alaska must follow is clear. Community programs must be fully funded and staffed to safely divert the maximum possible number of offenders from unnecessary pretrial and posttrial incarceration.

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Parole Board Adopts Guidelines

By Samuel H. Trivette
Director
Alaska Parole Board

The members and staff of the Alaska Board of Parole have been quietly working on making some significant changes in its philosophy and operating procedures for the last few years. The direction of the board has changed significantly during this time and is about to receive another major overhaul.

The board has adopted a policy to implement a "parole guidelines model" as the method of releasing sentenced offenders on parole. If the grant money is received as anticipated, this approach could be in full operation by the fall of 1978.

Just Deserts

This approach is basically a "just deserts" model, insuring the uniformity of punishment through tightly structured discretion. This "just deserts" idea has been gaining increased prominence in the criminal justice field in the last few years.

It suggests a person's sentence should be based upon what he did, and not what someone thinks he might do in the future.

If the crime committed is severe, his punishment should also be severe in order to express the requisite degree of condemnation. A minor crime should provide for a mild sanction.

Offenders whose offenses are equally serious deserve penalties of equal severity.

Discretion Not Abolished

Proponents of this model and of similar models realized at the outset that discretion cannot be abolished in the criminal justice system. The system can only hope to identify the areas of discretion, isolate and structure the discretion, and keep as much public visibility as possible to insure that discretion is not abused and will be continually reviewed.

Guidelines Described

The guidelines consist of a table, set up on a grid, with an X and Y axis. On the vertical axis common criminal offenses are listed in four or five categories, going downward from the least serious to

the most serious. The criminal offense is taken from the judgment. The top horizontal axis contains the criminal history/risk scores, also in four or five categories going left to right from the best risk to the worse risk.

The offender's risk score is derived from concrete, verifiable information from his file, including such items as number of prior convictions, age at first conviction, serious drug problems, previous probation experiences, etc.

Where each of the offense categories intersect each of the criminal history/risk scores on the grid, a customary range of time normally served is established for that offense with the given background. This tightly structured discretion would require the release of persons convicted of similar crimes with similar backgrounds within the same range of time.

Deals Only With Sentence Disparity

Let me emphasize that this guideline approach deals only with the problems of unwarranted disparity in sentences of those offenders sentenced to periods of incarceration.

The decision of whether or not to grant probation or to incarcerate would still be the responsibility of the judiciary, and they have a great deal of discretion in a large majority of cases, even with the revisions suggested by the Criminal Code Revision Subcommittee.

In summary, the parole guidelines model tightly structures parole release discretion through the adoption of explicit parole standards, and makes the decision-making more visible and subject to review.

The disparities in the length of time offenders serve would be greatly reduced. In making decisions, the board would be looking at the offender's previous behavior, rather than attempting to guess at future behavior.

Only concrete, verifiable factors would be considered. Although we know that one of the best predictors of future criminal behavior is prior criminality, the distinction between prediction and having the "punishment fit the crime" is a critical and significant one in helping the public understand the Parole Board's operation.

Advantages

Based upon research and information available from other jurisdictions the following positive features would accrue to the criminal justice system as the result of the board's adoption of a parole guidelines approach to releasing offenders.

A. It would be established in statute and in administrative rule that the primary purpose of incarceration in correctional facilities is for the punishment of the offender.

The punishment must be commensurate with the severity of the offense and the offender's prior criminal history, i.e., George Jackson could no longer be required to serve 12 years for larceny of \$70 and Claudine Longette could not be sentenced to serve only 30 days for a homicide. An offender who embezzled \$150,000 would serve considerably more time than the offender who took a \$150 jacket from Sears ("just deserts").

Corrections would still be responsible for offering programming to offenders in correctional facilities, but the parole release date would not be tied to the programming, which we have known for years has absolutely no correlation with success or failure on parole. Programming would still be encouraged in a non-coercive manner.

Little emphasis would be placed on trying to predict behavior on parole once released. Considerable research has told us that when we try to predict the future dangerousness of people, or who will succeed on parole, we obtain a high percentage of "false positives," those people mistakenly characterized as a poor risk or as being dangerous, who have no difficulty when they are released.

B. The guidelines system assures that release is based on concrete, verifiable criteria so that the offender's personal history, social status, or family situation would not be used as bases for the decision.

It removes the subjectivity from the decision-making and reduces the "game playing" often associated with board hearings. Decisions outside the guidelines could be made only for a good cause, requiring specific written reasons.

C. The guidelines model will reduce inherent unwarranted discrepancies in the lengths in the sentences being served by

Model

offenders sentenced throughout the state. I emphasize that these discrepancies in sentencing are no reflection on the ability of our state judiciary, but simply a limitation because of the number of offenders sentenced by approximately 40 judges statewide.

No matter how proficient these 40 people come in following the general principles established by our Supreme Court, it is unlikely they will obtain the degree on consistency and equity that a small collegial body of board members following specific written standards whose primary function is and has been for decades, the fixing of terms of incarceration.

The "guidelines" is a better vehicle for handling this problem than appellate review as the guidelines deal with all sentenced offenders required to serve six months or more, not just those who decide to appeal. The role of the board is obviously changing. The board is developing a new kind of expertise with the adoption of the "just deserts" concept—the skill in developing standards for duration of confinement.

D. Parole release dates would be established early in the sentence (within six months of sentencing) and these release dates could be changed only if the offender was involved in serious misconduct or if he was severely emotionally disturbed at the time of the release date. This aspect of the guidelines itself provides some very positive benefits for the criminal justice system.

1. The offender no longer faces the uncertainty of not knowing when he had served "enough time" and is to be released. Game playing on the part of all parties is greatly reduced since the release decision is based upon the concrete information rather than individual biases or assumptions.
2. It would allow the Division of Corrections to project institutional populations with a much greater degree of accuracy, and enable the administration to much more accurately assess the need, if present, for additional correctional facilities.
3. Allows the Division of Corrections to know early in the sentence, offenders' release dates so that they can ade-

quately program the offenders without fear that a substantial change would be made in the release date. This would be a great help in the classification system and assist Corrections in utilizing more appropriate criteria for the classification decision.

E. Guidelines would make administrative appeals and court appeals of Parole Board decisions much easier to process and the issues easier to define with the concrete criteria and the guidelines matrix.

F. Adoption of the system would reduce a large number of routine, detailed letters being sent to all offenders not being paroled, even through frequently the offenders would be released within any realistic guidelines table established.

It would allow parole board staff to devote more time to policy, program concerns, and other important issues.

G. The Parole Board maintains the flexibility to continually revise and update the guidelines based upon current community values and research being compiled on the guidelines criteria. It can handle unusual cases effectively with minimal cost to the citizens of the state. The need for correction of defects and omissions has been necessary in all guideline systems and they can be much more easily handled by an administrative body.

H. The adoption of these specific guidelines with appropriate tables will enable us to explain the policies of the Parole Board to the general public and thus promote the understanding of the responsibility of the Parole Board and of other segments of the criminal justice system.

I. The parole guidelines model is supported nationally by many critics of traditional parole that realized many of the goals the "flat-time" "presumptive," or "determinate" sentencing schemes can be better addressed by a well-developed guidelines model.

The parole guidelines model has received strong support from many long-time criminal justice administrators, criminal justice academicians, judiciary, and others.

In November 1977, the American Bar Association on the Legal Status of Prisoners recommended legislation along the lines of our parole guidelines model as envisioned in our recent grant proposal.

J. The parole guidelines model was presented to the Criminal Code Revision Subcommittee in November 1977, and the proposed legislation adopted by them requires the guidelines be established through the cooperative efforts of the executive and judicial branches of government.

The "Joint Advisory Commission on Prison Terms and Standards" would be the first legislatively mandated cooperative body in the criminal justice system with the specific responsibility for improving the quality of parole decision-making by utilizing the expertise of both Parole Board members and sentencing judges.

BURGLARY WORKSHOP

The Traffic Institute of Northwestern University is sponsoring a Robbery and Burglary Control Workshop, Sept. 25-29, at Nashville, Tenn.

The purpose of the workshop is to develop effective crime reduction program relating specifically to robbery and burglary through preventive and tactical efforts.

Subjects covered during the workshop will include:

- Crime reporting and clearance.
- Community crime prevention programs.
- Resource allocation.
- Patrol management techniques and strategies.
- Communications and holdup information services.
- Analysis of robbery and burglary factors.
- Goals of police service.
- Use of decoys.
- Model tactical units.
- Management of special tac units.
- Tactical approaches to robbery and burglary.
- Tactical holdup alarm systems.
- Nonuniformed patrol apprehension strategy and tactics.
- Police patrol and crime prevention productivity measures.

The workshop fee is \$300 and registration can be made through:

Registrar
The Traffic Institute
405 Church Street
Evanston, Ill. 60202

What Parole Guidelines Can Do

By Sam Trivette
Executive Director
Alaska Parole Board

The Criminal Code Revision Commission spent two years reviewing various sentencing schemes in developing its Criminal Code Proposal, and finally adopted a concept incorporating both a presumptive sentence component as well as parole guidelines component.

No Light Decision

The commission's decision to incorporate the parole guidelines model did not come lightly and was adopted only after being made aware of some of the following information.

Many of the very strong and vocal opponents of traditional parole throughout the United States have backed off of their strong support of determinate and presumptive sentencing schemes, and are now supporting a parole guideline model similar to the system functioning in the State of Oregon.

For example, the Council of State Governments had adopted a paper and policy statement recommending the abolishment of parole. But, at a recent conference in Colorado, the author of that paper indicated he now feels the parole guidelines system as operating in several jurisdictions was more viable than other "flat time" sentencing schemes without discretionary release.

At the same conference, a number of professional people were in attendance from the State of California which has recently adopted a "model determinate sentencing" bill. The determinate sentencing bill abolishes discretionary release from incarceration and much more tightly structures the discretion of the sentencing judge.

Each of these professionals from California had been extremely supportive of the determinate sentencing concept when initially proposed to the state legislature, but all are unanimously opposed to it now because of the manner in which it is actually functioning. They are working actively to have the bill repealed, and instead strongly supported a structured parole guidelines concept.

This coalition of college professors, ex-offenders, consultants and criminal justice professionals all agreed that the basic philosophy behind determinate or presumptive sentencing is valid, but that the goals supporting that philosophy would be better met by the parole guidelines model.

Community Release Supported

The American Bar Association has been a very avid opponent of traditional parole. However, in a position paper last fall, they recommended a "community release board," separate from the court, established to determine the length of prison terms. A review of their paper indicates the separate "community release board" with tightly structured discretion is the same as envisioned by the Alaska Criminal Code Commission in its sentencing proposal with parole guidelines.

Sentencing Commission

The Law Enforcement Assistance Administration recently had a report prepared on parole by Andrew von Hirsch, Professor of Criminal Justice at Rutgers University. Professor von Hirsch, the author of a book released in late 1976 entitled *Doing Justice*, strongly supported a flat time sentencing scheme with discretion being left to the court and the legislature.

Since this book was published in 1976, Professor von Hirsch received the grant from LEAA and spent a considerable amount of time in states which have been working on changing sentencing laws.

After becoming intimately familiar with the various concepts involved with the discretion issue; and spending time in such states as California and Oregon which have adopted different sentencing models, Professor von Hirsch is now advocating the establishment of a separate commission or board from the judiciary that would set the length of prison terms.

Von Hirsch testified before the United States Senate last summer in supporting the Oregon Model that would establish the Advisory Commission on Prison Terms requiring that the judiciary and parole board work together in setting up the standards for the parole guidelines.

To quote some of his relevant testimony: "Sometimes it is supposed that the alternative to a lot of sentencing discretion is to have the legislature set the sentencing standards. Suggestions to limit the judge's discretion provoke arguments about the ills of legislative sentencing, for instance, the tendency of some legislatures to adopt harsh penalties to show toughness on crime.

"I do not believe that the legislature is well suited to write the sentencing standards. Aside from the dangers of escalating the penalties for political reasons legislatures simply do not have the necessary time.

Adequate standards are complicated and will require experimentation and revision over time. The standard-setting agency would be capable of reviewing and adjusting these standards continually, in the light of accumulating judicial experience with the use of such norms.

"A Congress that each year must decide an international budget and develop major programs in the fields of energy and job creation and a host of other areas simply does not have the time and resources for the task of reviewing and fine tuning sentencing standards adopted in the previous sessions.

"It is preferable, I think, to create a special rule-making agency, namely a sentencing commission, to set up the standards of the subcommittee bill, Senate 437, as well as the Kennedy Bill Senate 181, and our Javitts Bill proposal; a specialized rule-making agency having setting of standards as its primary function can develop expertise in this task, it could regularly modify and revise its norm on the basis of experience."

Statewide Conference

The Statewide Conference on Incarceration and Re-Entry Alternatives was held in Anchorage on January 19-21, 1978, to bring together diverse elements of the criminal justice system for public education and policy recommendations.

At least three of the workshops at this conference specifically addressed the issue of sentencing. One group recommended the narrowing of discretion in all sectors of the criminal justice system, beginning with the police and including

the prosecutor, the judge, the classification process, determination of good time, and the parole board.

The criminal code bill, as finally approved, increases the discretion of the police, prosecutor, and the classification process; it both increases and decreases the discretion of the court, probably having little net effect; the only discretion that is cut back relates to the parole board, where discretion is either more severely curtailed or entirely eliminated.

Another workshop group strongly supported the parole guidelines model in the Criminal Code Revision Commission proposal as being helpful in eliminating unwarranted differences in sentencing. The participants of this group were also supportive of other aspects of the Criminal Code Revision Commission proposal which curtailed the discretion in other areas of the system (such as good-time and classification).

The third workshop recommended that "The Parole Board implement a system similar to the federal parole board's guidelines which include a salient factor score, as soon as possible." The U. S. Parole Commission's guidelines are similar to the model adopted by the Criminal Code Revision Commission and for which a federal grant has been received by the Department of Health and Social Services, Parole Board, to implement a guidelines system.

I believe it is of great significance that many of the participants of this conference were not criminal justice employees, but interested citizens who took their own time interacting with criminal justice professionals in order to recommend positive changes to our system. Their suggestions should be given close attention.

Will Reduce Disparity

The guidelines model would reduce inherent unwarranted discrepancies in the lengths of the sentences being served by offenders sentenced in various jurisdictions throughout the state.

Discretion is much better defined and controlled, and very importantly—is measurable, under this concept. Data would be available on how closely the guidelines are being followed, and the "mitigating/aggravating factors" are more

explicit and are quantified and measurable under the guidelines model.

Release dates would be based upon objective criteria rather than family background, social history, etc. The specific weight given to each factor would be known in each case as the guidelines model requires the articulation of numerical values rather than a broad statement of the reasons for the length of the prison term.

In other words, under the present system and under the Criminal Code, as finally adopted, two different judges can give essentially identical reasons for imposing a 5-year sentence and a 15-year sentence (assuming the presumptive sentence is ten years), and utilize the same reasons for these two very different sentences, and those widely varying sentences would be legal and acceptable.

More Consistency

A much greater degree of consistency can be developed having five people applying one set of guidelines instead of approximately 40 judicial officers applying the statutes giving different weights to each of the mitigating/aggravating factors under broad presumptive terms.

Cases can be judged in relationship to similar cases throughout the state rather than other cases that the individual judge has handled. Consistency under the parole guidelines model is also enhanced simply because the board members review approximately seven times the number of felony cases the average judge sentences in one year. This statewide consistency is of major importance in improving the criminal justice system.

Appeals Easier

The guidelines model would make administrative appeals and court appeals of board decisions much easier to process and the issues easier to define with the concrete criteria and the guidelines matrix.

The guidelines are a better vehicle for handling the unwarranted disparity problems than appellant review as the guidelines deal with all sentenced offenders required to serve six months or more, not just those who elect to appeal. Abuse of discretion would be much easier to define

than the current "clearly mistaken" rule of the Supreme Court currently in use for sentence appeals.

Maintains Flexibility

The guidelines model using an administrative body such as the Parole Board maintains the flexibility to continually revise and update the guidelines based upon current community values and research compiled on the guidelines criteria.

The need for correction of defects and omissions has been necessary in all sentencing schemes and can be much more easily handled by an administrative body rather than the legislature. The inherent flexibility allows alterations in the guidelines based upon changes in community perception of offenses and in the addition or deletion of aggravating and mitigating circumstances.

In the last six months, new research techniques have developed a much more sophisticated prediction ability that would hopefully dovetail with the guidelines model insuring less risk to the community from those released.

Incarceration is for Punishment

A very important section deleted from the Criminal Code Revision Commission proposal in the final Criminal Code Bill was a section that made very clear that the purpose of incarceration was for the punishment for the commensurate with the seriousness of the crime and prior record.

This statement was developed after considerable discussion in which the members of the Commission felt the public should understand the primary purpose of incarceration was for punishment of the defendant.

Programming and services to offenders was encouraged in correctional facilities and the state correctional system would still have a responsibility for programming offenders. Including this section in the statute would have made clear, however, that the most severe sanction available to the state, imprisonment, is primarily for the purpose of punishment.

Far more programs are available in the community for the "rehabilitation" of offenders and far less serious sanctions

(Continued on Page 4)

Anchorage Check Program

by Sema Lederman
Community Crime
Prevention Program

On August 21, 1978, a new program for prevention and prosecution of bad check writers was proposed to the Anchorage Chamber of Commerce.

Speaking on the panel of experts was Mike O'Neill, of O'Neill Investigations, Captain Ralph Christianson of the Anchorage Police Dept., Joseph Balfe, District Attorney, District Court Judge Laurel Peterson, and Superior Court Judge Ralph Moody.

Also participating in the program were Robert Tober of the FBI, and "Paul," who had served a total of 12 years in various penitentiaries for felonious check-related offenses. The program was moderated by Sema Lederman.

Joint Project

The new procedures were developed jointly by the Community Crime Prevention Program (Criminal Justice Planning Agency), and the Crime Prevention Committee of the Chamber. After the initial presentation to the Chamber, comments and criticisms were received from merchants and incorporated into the process which is now endorsed by the criminal justice agencies concerned and the merchants themselves.

Merchants' Role

The unique features of the program focuses on merchants taking an active role in investigating and prosecuting bad check writers. There are guidelines for determining acceptability at the time a check is written, such as:

- Not accepting two-party or payroll checks;
- Not accepting counter or start-up checks;
- Requiring Alaska driver's license, a State identification; and
- Writing the place of employment, residence and work phone number, or check writer clerk's initials, and amount of purchase on the check.

For Prosecution

Should a check be returned to the merchant as unpayable, a certified letter, with notification that he/she has 24 hours

to make payment. If the merchant does not receive payment, the merchant signs an affidavit stating that he/she agrees to testify in court or release involved store personnel to participate in court proceedings, and that the merchant will not accept payment or restitution unless so directed by the courts.

The latter is most significant, as often in the past merchants dropped charges if restitution is made after police and prosecutors have gone to considerable effort in bringing a case to court. A practice which has dampened prosecution in the past.

Parole Guidelines

(Continued from Page 3)

are available to the criminal justice system than imprisonment for violating laws, and the statement above clarifies succinctly the purpose of incarceration if it is to be utilized.

Removes Uncertainty

One of the primary criticisms of parole boards throughout the nation has been the uncertainty of when the offenders would be released to parole supervision, if at all. Under the guidelines model, release dates would be established within six months of sentencing, to the distinct advantage of the board, the offender, and the correctional system.

Only 10 Per Cent For Good Time

The Criminal Code Revision Commission proposal included a provision stipulating that offenders would receive 10% of their sentence for good time based upon good institutional behavior. This 10% figure was proposed by Norman Carlson, Director of the Federal Bureau of Prisons, in testimony to the Congress on a similar federal sentencing bill last summer. Carlson has the reputation of being a very "tough" administrator and responsible for over 25,000 inmates in the federal correctional system.

He indicated that the 10% good time figure was quite sufficient to control the institutional behavior of inmates.

Certified letter forms and affidavits are available now at the Anchorage Police Department, and the District Attorney's office is prepared to carry through on all cases which are brought to them.

Nationally, the U. S. Chamber of Commerce estimates a billion dollars or more is lost each year.

In Anchorage bad checks have become a major liability. It is estimated merchants are losing several hundred thousand dollars annually. But in 1977, only 57 bad-check cases were brought to court in Anchorage, or less than one-half of one percent of the 1977 cases.

Presently, Alaska Statutes provide for a reduction of 28% to 34% for good institutional conduct and program involvement. The final version of the criminal code provides for about a 25% reduction for good time.

The guidelines model offers a much more tightly structured systematic approach for determining the length of incarceration for convicted offenders, requiring the cooperation of the executive and judicial branches, and promoting consistency throughout the state in establishing prison terms.

The primary purpose of incarceration should be stated in the statute and offenders should be released from custody when they have served a reasonable time for the crime committed based upon the defendant's prior record.

Decisions would be made upon concrete, verifiable information rather than other extraneous material.

Because of the mathematical process utilized, persons outside the decision-making process could easily verify whether or not the guidelines are being followed as promulgated.

Increasing Support for Guidelines

In summary, many of the professionals dealing with the sentencing issue nationwide for several years now have become strong supporters of a parole guidelines model either by itself, or in conjunction with some form of general determinate or presumptive scheme.

DISCUSSION OF PRESUMPTIVE SENTENCE MODEL
AND PAROLE GUIDELINES MODEL

June 6, 1978

The Criminal Code Revision Commission spent a number of days reviewing various sentencing schemes, and finally adopted a concept incorporating both a presumptive sentence component as well as parole guidelines component. A strong vote to support a combination of these two concepts came after the Commission had viewed various sentencing schemes over a two year period of time.

Their decision to incorporate the parole guidelines model did not come lightly and was adopted only after being made aware of some of the following information. Many of the very strong and vocal opponents of traditional parole throughout the United States have backed off of their strong support of determinate and presumptive sentencing schemes, and are now supportive of a parole guideline model similar to the system functioning in the state of Oregon. For example, the Council of State Governments had adopted a paper and policy statement recommending the abolishment of parole. However, at a recent conference in Colorado, the author of that paper indicated he now feels the parole guidelines system as operating in several jurisdictions was more viable than other "flat time" sentencing schemes without discretionary release. At the same conference, a number of professional people were in attendance from the state of California which has recently adopted a "model determinate sentencing" bill. The determinate sentencing bill abolishes discretionary release from incarceration and much more tightly structures the discretion of the sentencing judge. Each of these professionals from California had been extremely supportive of the determinate sentencing concept when initially proposed to the state legislature, but all are unanimously opposed to it now because of the manner in which it is actually functioning. They are working actively to have the bill repealed, and instead strongly supported a structured parole guidelines concept. This coalition of college professors, ex-offenders, consultants and criminal justice professionals all agreed that the basic philosophy behind determinate or presumptive sentencing is valid, but that the goals supporting that philosophy would be better met by the parole guidelines model.

The American Bar Association has been a very avid opponent of traditional parole. However, in a position paper last fall, they recommended a "community release board" separate from the court established to determine the length of prison terms. A review of their paper indicates the separate "community release board" with tightly structured discretion is the same as envisioned in the Alaska Criminal Code Commission's sentencing proposal with parole guidelines.

The Law Enforcement Assistance Administration recently had a report prepared on parole by Andrew von Hirsch, Professor of Criminal Justice at Rutgers University. Professor von Hirsch was the author of a book released in late 1976 entitled "Doing Justice", which was strongly supportive of a flat time sentencing scheme with the discretion being left to the court and the legislature. Since this book was published in 1976, Professor von Hirsch received the grant from LEAA and spent a considerable amount of time in states who have been working on changing sentencing laws. After becoming intimately familiar with the various concepts involved with the discretion issue and spending time in such states as California and Oregon who have adopted different sentencing models, Professor von Hirsch is now advocating the establishment of a separate commission or board from the judiciary that would set the length of prison terms. Professor von Hirsch testified before the United States Senate last summer in supporting the Oregon Model that would establish the Advisory Commission on Prison Terms requiring that the judiciary and parole board work together in setting up the standards for the parole guidelines.

To quote some of his relevant testimony; "The advantages of the Sentencing Commission, sometimes it is supposed that the alternative to a lot of sentencing discretion is to have the legislature set the sentencing standards. Suggestions to limit the judge's discretion provoke arguments about the ills of legislative sentencing, for instance, the tendency of some legislatures to adopt harsh penalties to show toughness on crime. I do not believe that the legislature is well suited to write the sentencing standards. Aside from the dangers of escalating the penalties for political reasons legislatures simply do not have the necessary time. Adequate standards are complicated and will require experimentation and revision over time. The standard-setting agency would be capable of reviewing and adjusting these standards continually, in the light of accumulating judicial experience with the use of such norms.

"A Congress that each year must decide an international budget and develop major programs in the fields of energy and job creation and a host of other areas simply does not have the time and resources for the task of reviewing and fine tuning sentencing standards adopted in the previous sessions.

"It is preferable, I think, to create a special rule making-agency, namely a sentencing commission, to set up the standards

of the subcommittee bill, Senate 437, as well as the Kennedy Bill Senate 181, and our Javitts Bill proposal; a specialized rule making agency having setting of standards as its primary function can develop expertise in this task, it could regularly modify and revise its norm on the basis of experience."

The Statewide Conference on Incarceration and Re-Entry Alternatives was held in Anchorage on January 19-21, 1978, to bring together diverse elements of the criminal justice system for public education and policy recommendations. At least three of the workshops at this conference specifically addressed the issue of sentencing. One group recommended the narrowing of discretion in all sectors of the criminal justice system, beginning with the police and including the prosecutor, the judge, the classification process, determination of good time, and the parole board. The current House version of the criminal code bill increases the discretion of the police, prosecutor, determination of good time, and the classification process; it both increases and decreases the discretion of the court, probably having little net effect; the only discretion that is cut back relates to the parole board, where discretion is either more severely curtailed or entirely eliminated.

Another workshop group strongly supported the parole guidelines model in the Criminal Code Revision Commission proposal as being helpful in eliminating unwarranted disparities in sentencing. The participants of this group were also supportive of other aspects of the Criminal Code Revision Commission proposal which curtailed the discretion in other areas of the system (such as good-time and classification), although many of these changes are also not included in the House proposal. The participants were strongly supportive of the Criminal Code Revision Commission bill in articulating the goals of the criminal justice system and the purposes of sentencing, which again were not included in the House version in the Criminal Code bill.

The third workshop recommended that "The Parole Board implement a system similar to the federal parole board's guidelines which include a salient factor score, as soon as possible." The U.S. Parole Commission's guidelines are similar to the model adopted by the Criminal Code Revision Commission and for which a federal grant has been received by the Department of Health and Social Services, Parole Board, to implement a guidelines system.

I believe it is of great significance that many of the participants of this conference were not criminal justice employees, but interested citizens who took their own time interacting with criminal justice professionals in order to recommend positive changes to our system. Their suggestions should be given close attention.

The guidelines model will reduce inherent unwarranted discrepancies in the lengths of the sentences being served by offenders sentenced in various jurisdictions throughout the state. Discretion is much better defined and controlled, and very importantly is measurable, under this concept. Data will be available on how closely the guidelines are being followed, and the "mitigating/aggravating factors" are more explicit and are quantified and measurable under the guidelines model. Also, the ranges in the guidelines would be much tighter than those in the current bills before the legislature. Release dates will be based upon objective criteria rather than family background, social history, etc. The specific weight given to each factor would be known in each case as the guidelines model requires the articulation of numerical values rather than a broad statement of the reasons for the length of the prison term.

In other words, under the present system and under the proposal before the legislature, two different judges can give essentially identical reasons for imposing a five year sentence and a 15 year sentence (assuming the presumptive sentence is ten years), and utilize the same reasons for these two very different sentences, and those widely varying sentences would be legal and acceptable.

A much greater degree of consistency will be developed having five people applying one set of guidelines instead of approximately 40 judicial officers applying the statutes giving different weights to each of the mitigating/aggravating factors under broad presumptive terms. Cases will be judged in relationship to similar cases throughout the state rather than other cases that the individual judge has handled. Consistency under the parole guidelines model is also enhanced simply because the board members review approximately seven times the number of felony cases the average judge sentences in one year. This statewide consistency is of major importance in improving the criminal justice system.

The guidelines model would make administrative appeals and court appeals of board decisions much easier to process and the issues easier to define with the concrete criteria and the guidelines matrix. The guidelines are a better vehicle for handling the unwarranted disparity problems than appellant review as the guidelines deal with all sentenced offenders required to serve six months or more, not just those who elect to appeal. Abuse of discretion would be much easier to define than the current "clearly mistaken" rule of the Supreme Court currently in use for sentence appeals.

The guidelines model using an administrative body such as the Parole Board maintains the flexibility to continually revise and update the guidelines based upon current community values and research compiled on the guidelines criteria. The need for correction of defects and omissions has been necessary in all sentencing schemes and can be much more easily handled by an administrative body rather than the legislature. The inherent flexibility allows alterations in the guidelines based upon changes in community perception of offenses and in the addition or deletion of aggravating and mitigating circumstances.

In the last six months, new research techniques have developed a much more sophisticated prediction ability that would hopefully dovetail with the guidelines model insuring less risk to the community from those released.

Another very important section deleted from the Criminal Code Revision Commission proposal was a section that made very clear the purpose of incarceration was for the punishment for the offender, commiserate with the seriousness of the present crime and the offender's prior record. This statement was developed after considerable discussion in which the members of the Commission felt the public should understand the primary purpose of incarceration was for punishment of the defendant. Programming and services to offenders would strongly be encouraged in correctional facilities and the state correctional system would still have a responsibility for programming offenders. However, including this section in the statute would make clear that the most severe sanction available to the state, imprisonment, was primarily for the purpose of punishment. Far more programs are available in the community for the "rehabilitation" of offenders and far less serious sanctions are available to the criminal justice system than imprisonment for violating laws, and the statement above clarifies succinctly the purpose of incarceration if it is to be utilized.

One of the primary criticisms of parole boards throughout the nation has been the uncertainty of when the offenders would be released to parole supervision, if at all. Under the guidelines model, release dates would be established within six months of sentencing, to the distinct advantage of the board, the offender, and the correctional system.

The Criminal Code Revision Commission proposal included a provision stipulating that offenders would receive 10% of their sentence for good time based upon good institutional behavior. This 10% figure was proposed by Norman Carlson, Director of the Federal Bureau of Prisons, in testimony to

the Congress on a similar federal sentencing bill last summer. Carlson has the reputation of being a very "tough" administrator and responsible for over 25,000 inmates in the federal correctional system. He indicated that the 10% good time figure was quite sufficient to control the institutional behavior of inmates. Presently, Alaska Statutes provide for a reduction of 28% to 34% for good institutional conduct and program involvement. The House version of the criminal code maintains the 34%. The responsibility for administering good time rests with the superintendent of each correctional facility. The discretion available to the Division of Corrections in the form of good time, is as much, and sometimes more than that available to the parole board under present statutes. Nothing in the House version of the bill curtails this good time discretion or limits it.

In summary, many of the professionals dealing with the sentencing issue nationwide for several years now have become strong supporters of a parole guidelines model either by itself, or in conjunction with some form of general determinate or presumptive scheme. The guidelines model offers a much more tightly structured systematic approach for determining the length of incarceration for convicted offenders, requiring the cooperation of the executive and judicial branches, and promoting consistency throughout the state in establishing prison terms. The primary purpose of incarceration would be stated in the statute if the Criminal Code Revision Commission proposal is adopted and offenders would be released from custody when they have served a reasonable time for the crime committed based upon the defendant's prior record. Decisions would be made upon concrete, verifiable information rather than other extraneous material. Because of the mathematical process utilized, persons outside the decision making process could easily verify whether or not the guidelines are being followed as promulgated.

Many of the professionals referred to in this paper have indicated an interest in the outcome of the sentencing bill here in Alaska, and have verbalized a willingness to travel to the state and testify personally before the legislature if this is desired. There are some other knowledgeable persons that have had the opportunity to review many of the sentencing structures in other jurisdictions and including those states that have recently changed their structures, and these people are willing to present testimony here in Alaska if it is desired.

MANUAL
FOR
ALASKA STATE
PROBATION & PAROLE OFFICES
DIVISION OF CORRECTIONS
DEPARTMENT OF HEALTH & SOCIAL SERVICES

5

PROBATION & PAROLE MANUAL

PREFACE

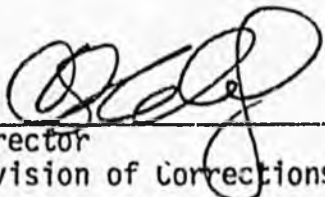
This manual is designed and printed in such a manner that the pages and sections may be replaced as necessary. When replacement pages are issued from the Division of Corrections' Central Office, the old sheets are to be removed and sent to the Central Office where they will be destroyed. Whenever a change is issued to an office, the old sheets must be returned within a period of ten days. This is necessary in order that all manuals will be up to date and contain the same information.

Copies of the manual will be distributed to each institution and to each field probation office. The manuals will be numbered and signed for by the responsible officer in charge of the institution or office.

This manual and all subsequent amendments are the property of the State of Alaska. Each manual has been serial numbered and must be accounted for at all times.

It is not possible to cover every situation, policy procedure, or regulation that may be necessary or develop within a probation and parole setting in one manual. A manual is intended to serve as a guide and to establish basic minimum requirements. It will also serve to provide uniform and consistent measures for similar operations throughout the system. Each regional office will establish its own rules and regulations and procedures for carrying out the policies contained in this manual. These regulations must be submitted to the Director for his approval.

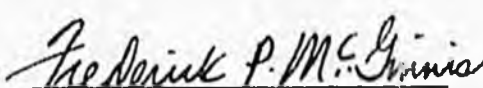
Signed:



Director
Division of Corrections

12/13/72
Date

Approved:



Commissioner
Department of Health
& Social Services

1/10/73
Date

INTRODUCTION

The Constitution of the State of Alaska under Article I, Section 12, provides the basis on which our present correctional system is founded. Although the reference is not lengthy, the intent is clearly spelled out for it provides that penal administration shall be based upon the principal of reformation and upon the need for protecting the public.

In order to carry out the constitutional mandate, the Division of Corrections has adopted the following philosophy and goal: "It is the philosophy of the Division of Corrections of the State of Alaska, that all persons are worthwhile, and their behavior is understandable and can change. It is the goal of the Division of Corrections to develop and provide programs designed to change the offender in order that he may function within the norms and laws of the community in which he chooses to live. Community protection will be reinforced by the implementation of these programs."

The State Legislature has given statutory authority for the care, custody and treatment of all State probationers and parolees to the Commissioner of the Department of Health and Social Services. The Commissioner, in turn, has administratively delegated the responsibility to the Director of the Division of Corrections whereby rules, regulations and procedures have been developed for the operational standards of all State probation and parole offices in Alaska.



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Subject:
PRELIMINARY INTAKE
(JUVENILE)

PURPOSE

To standardize preliminary intake procedures.

POLICY

Title 47 of the Alaska Statutes indicates that only the Juvenile Court has the authority to determine which children will be formally petitioned to Juvenile Court or be processed informally when allegations are presented. It is the responsibility of the individual Juvenile Court in a specific judicial district to establish policy and regulations to implement policy. It is the responsibility of the Court Intake Officer or Corrections' Probation Officer acting as an Intake Officer, in the absence of a Court Officer, (Alaska Children Rules, rule 4 - Sec. F) to carry out the Court's policy.

PROCEDURE

Each Regional Probation and Parole Supervisor shall establish procedures which are suitable and agreeable to the specific judicial district in the same probation-parole region, to carry out that particular judicial district's Juvenile Court's policy.



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2101

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Subject:

INTAKE ASSIGNMENTS
(JUVENILE & ADULT)

PURPOSE

To establish statewide standards in reference to assignment of cases (informal and formal).

POLICY

(A) Cases that come to the attention of the regional and district offices will be assigned to line staff for investigation, planning and recommendation. Such assignments will be made by Regional Probation-Parole Supervisors, District Supervisors, Line and Project Supervisor, but not clerical staff.

(B) Formal intake assignments shall be received from the Corrections' Central Office Interstate Desk, Alaska Court System (Superior Court and Standing Masters for the Children's Court), Alaska Parole Board, Alaskan correctional institutions and Alaskan law enforcement agencies, where no formal Court Intake Officer system exists and the probation staff member serves as a Court Intake Officer.

(C) Informal intake referrals and assignments may be received from parents, children, schools, other agencies and private persons. It should be understood that intake assignments of these matters must have the court's sanction and supervision is voluntary between the client and the Division of Corrections, as the Division has no legal jurisdiction unless the Division requests it and receives it through a formal court action.



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Subject:

INTAKE ASSIGNMENTS
(JUVENILE & ADULT)

(D) Adult misdemeanants may be accepted for a court report if there is time for the accepting region or district to complete an investigation. However, intake acceptance is not mandatory, but will be accepted at the discretion of the receiving regional or district office.

PROCEDURE

Each Regional Probation and Parole Supervisor shall develop procedures in writing to carry out the above policies.



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2102

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Subject:

INITIAL COURT REPORTS

PURPOSE

To establish content and quality of initial court reports (juvenile and adult).

POLICY

(A) All initial court dispositional reports shall contain the present sub-headings and a definite plan for the adult or juvenile offender. The present standard formats shall be utilized for court reports statewide until further notice. The plan should include the needs of the individual offender and how they are going to be met, where the program is to take place and how long it should take. If institutionalization is recommended, the same standard applies concerning type of custody and treatment program recommended.

(B) Content should be brief and to the point. The "Present Offense" category should be explained and taken from official sources other than the District Attorney's legal description of the offense. Information should include narrative as to what actually occurred during the offense time in a condensed version.

(C) A high degree of quality is necessary in terms of good sentence structure, logic, factual reporting, planning and evaluation. Supervisors should read reports carefully for technical and professional mistakes and illogical statements. Recommendations should be easily understood. The reader should be able to predict what the general recommendation is going to be before it is read as a result of reading the evaluation and plan.



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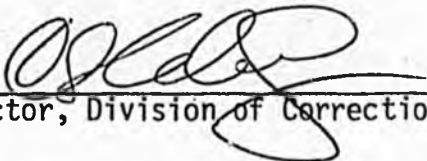
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Subject:

INITIAL COURT REPORTS

(D) Financial information should be accumulated for recommendations regarding payment of restitution, fines and payment of costs for care. Family insurance policies and eligibility requirements for Social Security and Veteran's Administration benefits should be screened as a possible financial resource.

Approved:


Director, Division of Corrections

4/19/73
Date


Commissioner, Department of
Health & Social Services

5/25/73
Date



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Dept. of Health & Social Services
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2103

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Subject:

OTHER REPORTS

PURPOSE

To establish the number and types of intake reports which are written, time frame when reports must be completed and content and quality of reports.

POLICY

(A) All probation-parole staff shall accept and complete the following types of reports: Juvenile Court Disposition reports, adult oral and written Pre-Sentence reports, Interstate Investigation reports, Pre-release reports, Furlough reports, supplemental court reports, various miscellaneous reports and Post-Sentence reports, when referred by the court system, Parole Board, correctional institutions, Interstate Compact, Central Office and the line officer's immediate supervisor.

(B) All initial court reports shall be completed and filed within 30 days of assignment if the court system does not require an earlier time parameter. If the court allows, the 30-day limit can be extended if the assigned staff member justifies to the supervisor the need for more time because of circumstances beyond the control of the assigned staff member. These circumstances should be unique and occur only in exceptional cases.

All other intake reports, with the exception of Post-Sentence Reports, shall be completed and filed within three weeks from the time the case was assigned.



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Subject:

OTHER REPORTS

Post-Sentence Reports need not be completed right after the defendant is sentenced, if a Pre-Sentence wasn't done, on those defendants who are placed on probation and remain in the same court jurisdiction for supervision. However, if the defendant is sentenced to an institution, a Post-Sentence Report should be completed within three weeks as the receiving institution will need the report for classification purposes. When probation is revoked, a Post-Sentence must be completed within three weeks for the same reason.

If the defendant receives probation but will be supervised in another district, region or state, a post-sentence must be completed within three weeks.

(C) All reports classified as "other" should be completed according to existing instructions from the Interstate Desk and the Parole Manual of the Alaska Board of Parole.

(D) Court reports have priority, regarding completion, over all other types of intake reports. Regional discretion may be used concerning the other types of intake reports.

PROCEDURE

Regional supervisors of probation and parole shall establish procedures to carry out this policy.



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Subject:

NEW CASES

PURPOSE

To establish when a new case shall be opened and closed.

POLICY

(A) A new case shall be opened at the time of referral in the intake stage and may be closed during the same phase if no further action will be required by the Division when intake has been completed. A file folder with the referral's name affixed on the label shall be given to the assigned officer with as much preliminary data as possible concerning the referral. Files closed at the intake level during any month will be transferred to the Central Records Unit by the 15th of the following month.

(B) If the Division has need to continue the matter, the case shall be left open and appropriate disposition made.



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Subject:

INSTITUTIONAL PRE-RELEASE
PLANNING

PURPOSE

To establish institutional pre-release guidelines in order to enhance the development of a realistic supervision plan.

POLICY

(A) Probation-parole staff should be involved in juvenile and adult pre-release planning and whenever possible with the release unit of the releasing institution and person to be released. The offender's plan should be discussed thoroughly and the offender and assigned officer should have a clear understanding of what will be expected of each other. Probation or parole conditions should be carefully explained to the person soon to be released. This orientation can be completed on an individual or group basis.

(B) The assigned field officer shall then investigate the release plan for its authenticity and whether or not it is the best plan available. If the assigned staff member does not feel that the plan is authentic or realistic, it then becomes the staff member's job to try and develop a better plan with the offender and appointed institutional official. The assigned field staff member has the authority to approve or disapprove a particular plan. In any event, if the offender has been approved for release to a workable plan it becomes a joint responsibility between the assigned staff member, offender and institutional representative to develop a suitable plan of release.



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Subject:

INSTITUTIONAL PRE-RELEASE
PLANNING

(C) When a release plan is approved, no later than three weeks from the date of assignment, the approving officer must inform the holding institution of the date when release is to be made along with appropriate reporting instructions.



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2200

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Subject:

PROBATION/PAROLE SUPERVISION

PURPOSE

To establish standards for probation and parole supervision.

POLICY

(A) When a person is granted probation or parole, it is necessary that the assigned staff member immediately or, as soon as possible, arrange for a face-to-face interview in order to become acquainted, discuss the conditions of supervision and implement the community plan. This initial supervision interview will be possible with few exceptions. It is understandable that when a probationer or parolee arrives in the state from another state to a remote location where no staff member is stationed that an interview may not take place for some time. However, contact can be made by mail through other agency persons located in the same area in which the offender resides or by phone.

There shall always be some type of initial contact made to set up a supervision plan.

(B) The individual regional or district office shall establish office and street contact times with those placed under supervision to meet the needs of the person under supervision. Field contact is preferable to office contact, and should be used when possible. It shall be the prerogative of the individual operating unit to determine what times are most beneficial



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Subject:

PROBATION/PAROLE SUPERVISION

for supervision and treatment purposes. However, office schedules should be reported to Central Office and office hours must conform with the State mandate of 8:00 a.m. to 4:30 p.m., Monday through Friday. In the larger offices, someone should open the office at 8:00 a.m. every work day. This does not mean that every staff member must report to work at that time if a different shift is required to meet supervision demands.

(C) Every probationer and parolee shall be contacted at least once a month, with the exception of those to whom the Parole Board has granted the minimum supervision status of reporting once a year to the Parole Administrator.

If monthly contact is not needed, it is probable that supervision is unnecessary. In this case, the court should be petitioned to terminate probation, or the Parole Board should be petitioned to place the parolee on minimum supervision status.

(D) Supervision reports by mail shall be authorized when: No personal contact is possible because the person resides or works in a remote location.

(E) Each contact, regardless of type, shall be recorded in the file as outlined in the Field Action Notice card (FAN) written procedures.

PROJ

Regional Supervisors of Probation and Parole shall adopt procedures to implement this policy.



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2201

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Subject:

SUPERVISION REPORTS

PURPOSE

To establish standards for supervision reports to the court system, interstate authority and Parole Board.

POLICY

(A) Probation and parole staff shall provide the following reports:

To the Court System

1. Juvenile annual review reports to be filed with the court of jurisdiction by the court jurisdiction anniversary date.
2. Special progress and conduct reports as required by individual courts.
3. Supervision termination reports.

To the Parole Board

1. Progress and conduct reports when requested by the Board.
2. Parole termination reports.



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Subject:
SUPERVISION REPORTS

To the Interstate Authorities

1. Progress and conduct reports semiannually.
2. Special reports upon request by the sending state.
3. Supervision termination reports.

(B) The supervision report shall supply the following minimum data:

1. Identification information to include name, age or birthdate, physical characteristics, offense history, sentence and type of commitment (eg. probationer - parolee) and expiration date;
2. Residence address, employment or school location;
3. Supervision plan and whether or not the person being supervised is on or off plan, what problems and strong points exist. List corrections or recommendations that should be made and sign the report.

PROCEDURE

Each Regional Probation-Parole Supervisor shall adopt procedures to implement the above policy.



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Subject:
REVOCATION REPORTS

PURPOSE

To establish standards for revocation reports to the court system, interstate authority and the Parole Board.

POLICY

(A) Probation and parole staff shall provide revocation reports to above three systems with the following information:

1. Identification data as listed in "B-1&2" of Section 2201;
2. Brief history of progress and conduct under supervision;
3. Violation allegations listed in order by date of occurrence.
Allegations should answer the questions who, what, when, how and, if possible, why;
4. The report should be accompanied by any evidence or other documentation which the officer considers pertinent.
5. The report should include a recommended disposition.

PROCEDURE

Each Regional Probation-Parole Supervisor shall adopt procedures to implement this policy.



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Subject:

FURLOUGH LAW SUPERVISION
RESPONSIBILITIES

PURPOSE

To establish policy and procedures to implement the Furlough Law.

POLICY

(A) When an offender is released from an institution on furlough for less than 30 days, the regional or district office shall be notified, prior to his release, for what purpose and how long. The closest supervising office shall provide service to the offender if he requests help. An active supervision will not take place in the field office because of the shortness of the release period. The institution shall retain the file and jurisdiction.

(B) Prior to an offender being released from an institution for more than 30 days, the institution will notify the regional or district office that the offender is being released and to what program, where the offender will reside and any other pertinent information. The released offender shall report to the field office for supervision and assistance.

(C) Periodic progress reports will be supplied to the releasing institution by the field staff. The official file will be retained by the institution in order that computation of good time may be continued. A dump file will be utilized by the supervising field staff until supervision ceases.

In all cases, the releasing institution retains jurisdiction and the responsibility to return the offender if this becomes necessary.



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Subject:
FURLOUGH LAW SUPERVISION
RESPONSIBILITIES

PROCEDURE

The Regional Probation-Parole Supervisors shall adopt procedures with the institutions in their respective regions to implement this policy.



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Subject:
MANDATORY RELEASE

PURPOSE

To establish mandatory release guidelines and standards.

POLICY

(A) Every inmate released from a correctional institution who has been awarded good time is to have a certificate of "Good Time Award and Mandatory Release" filled out and placed in his file. If an inmate is released with less than 181 days good time to his credit, he or she is released without supervision. If an inmate is released at the expiration of his sentence less accrued good time of more than 180 days, the inmate is released under mandatory release supervision and is considered as if he were on parole.

(B) The releasing institution fills out the Mandatory Release Conditions form and the releasee should sign it before he leaves the institution. If the inmate doesn't sign it, have him sign during the first interview with the parolee. If the parolee refuses to sign it, the parolee is in violation and the assigned officer may arrest him and request a parole revocation warrant.

(C) If the assigned officer desires further conditions of mandatory release, include these conditions under the last condition which is #9.



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Subject:

MANDATORY RELEASE

(D) All offices should have a small supply of Terms and Conditions of Mandatory Release on file in case the releasee enters the supervising office without having signed his conditions. Further, the assigned officer may desire to change or add to condition #9 and these forms will allow the officer to do so.

PROCEDURE

All Regional Probation-Parole Supervisors shall work with the Superintendents in their respective areas to adopt procedures to implement this policy.



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Subject:

PROBATION-PAROLE SUPERVISION
CONFLICT

PURPOSE

To establish guidelines to determine when parole supervision stops and probation supervision begins.

POLICY

When probation supervision is to follow parole supervision, be it mandatory release supervision or regular parole, the assigned staff member will contact the court of jurisdiction to establish whether or not the court desires probation supervision to commence. If not, then a petition for probation termination must be filed. If probation supervision is still ordered to follow, then supervision shall be ongoing, but under conditions of probation rather than parole.

PROCEDURE

All Regional Probation-Parole Supervisors shall request policy clarification on this issue from the presiding Superior Court Judge in their regions.



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Subject:

RESTITUTION, FINES &
SUPPORT PAYMENTS

PURPOSE

To establish policy for the payment of restitution, fines, and support payments.

POLICY

(A) Restitution, fines and support payments may be ordered by the court during the sentencing (adult) or disposition (juvenile) hearing.

(B) It shall be the policy of the field office in all cases to request that the court specify amount and frequency of installments. This will avoid conflict between probationer and probation officer.

(C) It is preferable that, when possible, the court specify that payments are to be made direct to the court clerk's office. This enhances rapport between probationer and officer, and avoids burdensome bookkeeping procedures.

(D) If the court of jurisdiction desires the assigned staff member to collect the payments, all money obligations are to be paid to the probation officer by money order or certified check. No cash or personal check is ever acceptable.

PROCEDURE

(Regional Probation-Parole Supervisors shall establish procedures in each region with the respective Superior Courts as to how and by whom collections



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RESTITUTION, FINES &
SUPPORT PAYMENTS

shall take place. Each Regional Supervisor shall first explain to the court system what the preferred probation-parole policy is regarding this issue.



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Subject:

VIOLATION DECISIONS

PURPOSE

To establish guidelines when offenders and juveniles under our supervision should be brought to the court's attention when an alleged violation has occurred.

POLICY

(A) All felony acts should be brought to the court's immediate attention. Serious misdemeanors should also be brought to the court's attention. It behooves all Regional Probation-Parole Supervisors to meet with the judges in their respective jurisdictions and, through joint discussions, determine regional policy on what type of other ^{violations} conditions of probation the judges want brought to their attention. Further discussion should take place to determine what type of violations the judges want to leave up to the discretion of the supervising staff.

(B) Parole policy should be developed by the Parole Board with the Division of Corrections staff to determine the same issues as outlined in "A" of this policy.

PROCEDURE

Each Regional Probation-Parole Supervisor shall meet with the members of Superior Court in each judicial district to determine policy and procedures regarding the above issue.



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2208

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Subject:

CASELOAD AUDITS

PURPOSE

To establish a statewide policy for Caseload Audits.

POLICY

(A) In order to assure that offenders are being contacted, services are being delivered, conditions of supervision are being met and files, with the necessary information, are being kept up to date. It is necessary that caseload audits be completed by line, special project and district supervisors once a month on 1/3 of each caseload assigned to the staff member under their respective supervision.

For those staff whose supervisor is not or cannot be in personal contact once a month, their entire caseloads shall be audited at least once every two to three months during a regular supervisory trip.

(B) The audit format to be used statewide is as follows:

1. Type and number of contacts with persons on caseload, such as personal or collateral.
2. Classification of cases.
 - a. By tests if tests are used
 - b. By program (optional)
 - c. By type of security (Maximum, medium, minimum)



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Subject:
CASELOAD AUDITS

3. Case problems and deficiencies.
4. Recommendations and solutions to #3.
5. Conditions of supervision and how the offender is meeting them.
6. All cases to be audited that are coming up for early termination or normal expiration one month hence, or cases to be transferred one month in the future.
7. At least 1/3 of each officer's caseload will be audited each month. In three months time, a complete audit of each caseload will occur.

PROCEDURE

Each Regional Probation-Parole Supervisor shall adopt procedures to carry out this policy.



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Subject:

SEARCH OF PERSONS ON
PROBATION & PAROLE

PURPOSE

To establish under what condition skin searches may or may not be done.

POLICY

(A) Only institutional personnel may carry out skin searches. No probation or parole staff member may conduct this type of body search. If a skin search is deemed necessary, the person to be searched should be placed under arrest, escorted to the nearest correctional facility and request made of the institutional staff to carry out the search. Solid probable cause for arrest and search should be established before an arrest is made.

(B) Probation-parole staff may search the clothing and personal effects of a person under arrest for obvious weapons and contraband in order to ensure the safety of the escorting personnel to the nearest institution.

PROCEDURE

Each Regional Probation-Parole Supervisor shall adopt procedures to carry out the above policy.

CR05 CR06 JP03
10-10-78 #7

ED COLEMAN
JOHN CAIN
KEITH STELL

THE DEPT. OF PUBLIC SAFETY WILL MAIL SPECIAL COMMISSIONS TO TROOPER DETACHMENT COMMANDERS TOMORROW. THE DETACHMENT COMMANDERS WILL SEND THESE COMMISSIONS TO QUALIFIED PROBATION OFFICERS. A COPY OF THESE COMMISSIONS WILL BE SENT TO ME. AS SOON AS I RECEIVE A COPY I WILL NOTIFY YOU WHO IS AUTHORIZED TO CARRY A FIREARM.

UNTIL A NEW POLICY IS ESTABLISHED, THE OLD POLICY ON FIREARMS SHALL BE UTILIZED THAT POLICY NUMBER IS #210.

WALT JONES

CC: C. SOTHAN

PLEASE ACK. MESSAGE #7 AND THANKS.

MEMORANDUM

TO: Herb Maschner, Assistant Director-Anch
Walter B. Jones, Assistant Director-Jnu
Michael Gilbert, Training Officer
All Institutional Superintendents
All Regional Administrators

DATE: March 9, 1977

FILE NO:

TELEPHONE NO: 465-3376

Thru: Charles E. Sothan, Deputy Director

FROM: William H. Huston, Director
Division of Corrections

SUBJECT: Carrying of Concealed
Weapons

You are hereby directed to disseminate the following policy to all employees under your supervision and all new employees during their orientation period.

Until further written notice from the Director, the carrying of concealed weapons by members of the Division and/or the carrying of weapons aboard aircraft as part of official duties for the Division is not condoned or authorized by the Division of Corrections.

Exceptions to this memorandum (such as prisoner transportation, etc.) must be authorized on an individual basis and in writing by the Director.

WHH:cc



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Subject:
FIREARMS POLICY

PURPOSE

To establish departmental policy regarding the use of firearms by probation/parole staff.

POLICY

It is the policy of this department that the primary effort of the probation/parole officer should be directed toward helping offenders live responsibly in the community and toward providing the judicial and executive branches with information and advice in order to facilitate good decisions regarding the management of sentenced offenders in the community. In order to further this policy, it has been determined, after a great deal of careful consideration and consultation with agencies from other jurisdictions, that it is neither necessary nor desirable for probation/parole officers to regularly carry firearms in the performance of their duties. Indeed, the carrying of firearms on a regular basis alters the role of the officer, affects the relationship between the offender and the officer, and is inimical to the proper performance of these duties.

It is recognized, though, that there may, under certain circumstances, be an element of danger in the work of the probation/parole officer and that there are rare occasions when having a firearm could conceivably reduce that danger. However, it is the position of this department that a firearm often escalates a non-deadly situation into a deadly one, and



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the officer may be in a more dangerous position by having the weapon.

For all the reasons stated above, the carrying of firearms on a regular basis by probation/parole officers is prohibited. The remainder of this policy will establish the policy for carrying firearms under special circumstances.

It is incumbent on the individual probation/parole officer to maintain a proper concept of his role as a member of a helping profession; therefore, it is also appropriate for the individual officer to decide whether to carry a firearm under the following provisions of this policy.

Those probation officers who wish to exercise their option to carry firearms on selected occasions:

1. Must be qualified in the use of firearms according to established divisional policy (see attachment).
2. Must be assigned to adult matters exclusively or must refrain from working with juveniles while carrying a firearm. An exception to this rule is when the field officer is working in a remote area of the state and has no opportunity to secure his weapon because a qualified locked depository is not available.

The circumstances which will be considered acceptable reasons for carrying a firearm are:



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1. When the probation/parole officer has reason to believe that the probationer or parolee who needs to be interviewed is involved in felonious criminal activities, might be armed or in the company of others who are armed.
2. When it is of immediate importance to arrest the probation or parolee and no law enforcement officer is available for assistance.
3. Where there is a substantial likelihood that the arrest of a potentially dangerous probationer or parolee might be necessary and no law enforcement officer is available.

When, on the basis of one or more of the above reasons, a probation/parole officer makes the decision that he or she needs to be armed for a specific contact, he or she shall file with the respective regional administrator or with the respective district supervisor a justification report in the form of a brief memorandum containing the following information:

1. Name of case and identification number.
2. Status of case (probationer/parolee).
3. Occurring offense and significant features of prior criminal record.
4. Place, date, and time contact is expected to be made.



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5. Specific reason why carrying of a firearm is deemed necessary.
6. Reason why a regular law enforcement officer is unavailable for assistance.

This information will suffice for Section I of the justification report.

Section II will be in the form of a dated addendum to the justification report to be filed immediately after contact has been made. It will consist of a brief description of the contact and information as to whether the firearm was needed.

The justification report need not be lengthy, and it may be handwritten. Regional administrators may wish to devise a form for the submission of the firearms justification report. Probation/parole officers who are situated in offices other than at the location of the regional administrator will file their reports by mail with Section I being mailed before the contact; Section II within the first business day after the contact.

Regional administrators will review all justification reports as they are submitted and will forward them to the Assistant Director of Probation/Parole and Youth Services on a monthly basis. After the Assistant Director reviews the reports, he will make an oral report to the Director of the Division of Corrections as to the extent of the carrying of firearms.



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FIREARMS POLICY

The purpose of the justification and report procedure is:

1. To provide the Director of the Division of Corrections with detailed documentation regarding the use of firearms by division personnel, taking into account the possible serious implications of firearms use.
2. To provide the Director with data upon which further policy modification might be based.

PROCEDURE WITH REGARD TO WEAPONS

Each regional administrator will assure that the following procedures are carried out:

1. All weapons will be maintained in the arms locker when not in the possession of a qualified probation officer.
2. Probation/parole officers will not use their personal weapons or ammunition in connection with their official duties. The Division of Corrections will provide the weapon and ammunition.
3. The regional administrator will maintain control of the arms locker at all times and, in district offices, the district supervisor will maintain control of the arms locker.



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4. Weapons and ammunition inventories are to be conducted once a month and documented.

5. A weapons log will be maintained. The log will indicate the time and date the weapon, holster, and ten rounds of ammunition were issued along with the name of the person issuing the equipment and the person receiving the equipment. The serial number of the weapon will also be listed in the log. The request for issuance of a weapon will be for a specific or single activity or situation as identified above. After completion of contact, the weapon, holster, and ammunition is to be returned to the regional administrator or district supervisor and locked back into the arms locker as soon as possible.

The following general procedures will apply to all probation/parole officers of the Division concerning the use of firearms:

1. Probation/parole officers will, under no circumstances, accompany state troopers or other law enforcement personnel on raids or stakeouts.

2. All firearms will be carried under positive control and out of sight at all times, except in the event it becomes necessary to defend his/her own life or the life of another person. Firearms



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will be drawn only when an individual is offering an immediate and unswerving, felonious threat to life and where no other defense alternative, such as retreat or outside help, is available.

3. Under no circumstances will a weapon be fired at any person who is running away to escape arrest.
4. Warning shots will not be fired.
5. An officer who fires a weapon for any reason in the line of duty (other than to qualify with it) will immediately make a report in writing as to the circumstances of the shooting to the Director through the supervisory structure. The Director will appoint a three-member board to review the shooting circumstances. If possible, two members of the review board will consist of the Assistant Director and the Regional Administrator from the region in which the shooting occurred.
6. The strictest safety precautions will be observed continuously. Firearms used by probation/parole officers will be considered loaded and treated as such at all times.
7. Firearms will not be carried while traceable quantities of behavior-altering substances are in the bloodstream. Under no circumstances will an off-duty officer carry a weapon into an establishment which serves intoxicating beverages.



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FIREARMS POLICY

8. Handgun calibres will have the capability of single and double action. No load of more than 156 grains of lead will be used. Ammunition used in the firearm will be issued by the Division of Corrections. The Division will prescribe the nomenclature of the firearm load.

Because of the potential for serious injury or death from the use of firearms, and because the use of such weapons by probation/parole officers is inappropriate in most instances, compliance with this policy will be carefully monitored by the Director and strictly enforced.

Approved:

Charles F. Campbell
Charles F. Campbell, Director
Division of Corrections

Date

6/20/79

Helen D. Beirne
Helen D. Beirne, Commissioner
Dept. of Health & Social
Services

Date

6/20/79

ALASKA DIVISION OF CORRECTIONS FIREARMS TRAINING
STANDARDS FOR PROBATION/PAROLE OFFICERS

The probation/parole officer must successfully complete the following training criteria before he/she can carry or maintain a firearm while in performance of their duty for the Department of Health and Social Service, Division of Corrections.

1. Must successfully pass the "Shoot Don't Shoot" exercise.
2. Must attend a four hour seminar in legal provision and restrictions on the use of firearms. The probation/parole officer must then successfully pass a legal provision exam.
3. Must participate in eight hours of firearms training at a firing range.
4. Must score a minimum of 75 points for certification at the firearms range within the time prescribed.
5. Must fire a minimum of sixty rounds at a firearms range every three months for continued familiarization.
6. Must annually requalify on a firearms range with a minimum score of 75 points.

All initial training, annual requalification and certification will be conducted by the Alaska Division of Corrections Training Officers. The required sixty round, three month familiarization may be certified by a Regional Administrator. Documentation of the Familiarization fire will be forwarded to the training academy.

Enclosed is the Federal Bureau of Investigation 2" Barrel Course which will be required for all firearms qualification.

FEDERAL BUREAU OF INVESTIGATION

2" BARREL COURSE

- A. The following course of fire is designed for those individuals in the Department who carry issue model 36 S & W 2" revolvers

- B. Requisites
 - 1. Target - Silhouette B - 27
 - 2. Ammo - 40 rounds - wadcutter - 10 rounds standard issue-.38 special.
 - 3. Equipment - 54" barricade at 25 yard line.

- C. Phase I Time 25 seconds - 5 rounds issue ball 5 rounds wadcutter
 - 1. Stage A
 - a. Upon command, at the 7 yard line, load 5 rounds standard issue ammo and holster.
 - b. On the sound of the whistle, shooter draws, fires 5 rounds, double action, reloads with 5 rounds wadcutter & fires 5 more rounds in total time of 25 seconds. At the sound of the whistle the line is cleared and shooters are instructed to load 5 round wadcutter for stage B.
 - 2. Stage B - Same as Stage A, except 10 rounds of wadcutter ammo is fired.

- D. Phase II Time 30 seconds - 15 yard line - 10 rounds wadcutter.
 - 1. Upon command shooters load 5 rounds wadcutter & holster.
 - 2. Upon whistle, draw, fire 5 rounds, double action, & reload with 5 more rounds wadcutter & fire them double action in 30 seconds.

- E. Phase III Time 10 seconds - 15 yard line - 5 rounds issue ball.

- F. Phase IV Close Combat Proficiency Course



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Subject:
ARREST

PURPOSE

To establish a statewide policy concerning the physical arrest of the probationer or parolee.

POLICY

(A) A probation-parole staff member may place a probationer or parolee under arrest only when no law enforcement officer is available, and immediate arrest is necessary to protect the probationer or parolee or other members of the community, to protect the staff member, or to prevent the probationer or parolee from absconding.

(B) The normal policy shall be, with the exception of "A", to obtain a warrant from the court of jurisdiction and request law enforcement officers to make the arrest.

(C) In the event the rule of exception listed in "A" is apparent, the arresting staff member should always have at least one other staff member in attendance to help him, should advise the person being arrested of his rights after informing the person that he or she is under arrest for probation or parole violation, and immediately conduct a clothing search of the arrested person to uncover any concealed weapon.

The use of handcuffs is discretionary and left up to the judgment of the arresting staff member. In the event handcuffs are used, they should always



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ARREST

be placed on the wrists of the person under arrest behind the back and never in front.

PROCEDURE

Each Regional Probation-Parole Supervisor shall adopt suitable procedures to implement the above policy.

MEMORANDUM

TO: [All Probation/Parole Officers
Division of Corrections

DATE: September 8, 1977

FILE NO.

TELEPHONE NO.

FROM: Samuel H. Trivette *SH*
Executive Director
Alaska Board of Parole

SUBJECT: Parole Violation Warrants

This policy memorandum is a followup of my AJIS message regarding parole violation warrants. As stated in the AJIS message, this change in policy is the result of the State of Alaska Supreme Court Opinion #2885, Tyrone E. Davenport v. State of Alaska, dated September 2, 1977, and received in our office on September 7, 1977. Basically the decision held that there was no error in the issuance of the parole violation warrant or the handling of this particular case; but they did spell out some new guidelines that they felt were necessary to avoid unnecessary litigation in future cases. "Nevertheless, to avoid unnecessary appeals from warrants issued on oral statements, the contents of which may be the subject to argument, we shall require in the future that a written statement indicating probable cause be filed with the parole board or member as justification for issuance of the warrant." "Since all members of the Court agree that probable cause is required, it is necessary to state how such probable cause shall be established. Unless written evidence is submitted, unnecessary trials and appeals will occur." The Court also commented on the arrest of a parolee without a warrant, as authorized by AS 33.15.200. "Nevertheless, except in cases where exigencies require an immediate arrest, the parole officer should secure a warrant from the parole board or a member of it as provided for in AS 33.15.200."

POLICY

Before a parole violation warrant is issued by the Alaska Board of Parole, the parole officer must submit in writing to the board representative a written statement indicating the reason why the parole officer feels that probable cause exists to believe that the parolee has violated conditions

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of his parole. This statement should include information about what conditions the parolee has allegedly violated. Any other information that might clarify the alleged violations is permissible and welcome by the board.

Normally the parole officer should secure a warrant from the board before arresting a parolee. However, if exigencies are present that require an immediate arrest, the parole officer may arrest parolees without a warrant as provided for by statute. If the parole officer feels that the parolee may abscond supervision, may jeopardized the health or safety of himself or others in the community if not arrested immediately, the parolee should be arrested immediately. As soon as possible thereafter, the parole officer should notify the board representative of the arrest, the reasons for the arrest, and prepare the written statement to the board set out in the paragraph above. The parole officer shall include in this statement the reasons he felt the immediate arrest was necessary. This statement must be provided to the board no later than 5 working days from the date of arrest unless special circumstances prevent this, and approval is given by the board. Then a parole violation warrant may be issued.

END OF POLICY

The question of whether or not to arrest a parolee is still going to call for an individual decision in each case by the supervising parole officer. This policy is not intended to supercede the parole officer's authority or responsibility for this decision, but is established to provide some guidelines pursuant to the Supreme Court decision. I believe the intent of the Court is to insure that documentation for such decisions is made available so that any cases that are appealed are settled based upon the facts available at the time, and not on old memories.

What this means is that you are going to have to write up the first page of the violation report outlining the alleged violations before the parole violation warrant is obtained. This does not interfere with your ability to arrest a parolee at any time if the circumstances required the immediate arrest.

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If you feel that a parole violation warrant needs to be issued in a specific case that is not allowed by these guidelines, feel free to call me at any time, and we will consider exceptions on a case by case basis. Thank you.

SHT/vh

cc: Walt Jones ✓
Mike Dindinger



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Subject:

OFFENDER SUPERVISION IN
CONTRACT FACILITIES
(Effective 08/16/76)

PURPOSE

To develop policy regarding the authority, responsibility and accountability of institutional and probation staff who are assigned to investigate and supervise juvenile and adult offenders housed in facilities under contract with the Department of Health and Social Services, Division of Corrections.

POLICY

Any Division of Corrections' employee who has been assigned to investigate or supervise an offender in a contractual facility has the authority under AS 33.05.040 and AS 47.10.160 to enter the contractual facility premises and conduct division business. If possible, the employee should always conduct business during normal office hours and during the normal work week. However, if in the opinion of the assigned employee, it is necessary to conduct business during other than normal work days or hours, the employee has the authority to enter the contractual facility when it is necessary and timely. The odd hour and work day visit should be made with discretion and not without the employee's supervisor's knowledge and approval. During normal visitation, the staff member should attempt to contact the facility in advance to advise the contractual facility staff that a correctional employee will be visiting at an approximate time and on a certain day. It is not necessary to inform or notify the contractual facility if an unscheduled visit is deemed necessary for security reasons. However, if the contractual facility staff can be notified without breaching security,



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notification and the purpose of the visit should be made. The assigned correctional staff member has the responsibility to make on-site visits to contractual facilities when possible. It is realized that when offenders are housed in contractual facilities outside of the correctional officer's or probation officer's immediate travel jurisdiction, personal visitation may not be feasible. However, the assigned officer still has the responsibility and accountability to inquire and receive periodic reports from the contractual facility regarding facility program, program changes, conduct and progress of the offender. The contractual facility has the responsibility to furnish the reports upon request.

PROCEDURES

Each regional probation manager and superintendent shall develop local procedures to implement the policy. A copy of these procedures shall be sent to the appropriate central office manager.

Approved: [Signature]
 Director, Division of Corrections

8/2/76
 Date

[Signature]
 Commissioner, Dept. of Health & Social Services

8/6/76
 Date



Subject: TRANSPORTATION OF JUVENILES
Effective 03/01/77)

PURPOSE

To establish policy when juveniles, under the Division of Corrections' immediate responsibility, may travel without escort, must travel with escort, and when and how restraints are to be used.

POLICY

A. Juvenile Travel Without Escort.

Juveniles under the Division of Corrections' responsibility may travel without escort if the assigned officer determines:

1. The juvenile is not dangerous to others or himself, has no run-away history, is not likely to abscond and is not returning to detention or a custody hearing.
2. The youth is a status offender, or charged with a non-violent misdemeanor offense, on a non-stop flight from the point of departure to the point of destination and can be met at the airport by a Corrections' employee, and is considered not dangerous to others or himself.
3. The youth has completed an institutional program satisfactorily and is traveling to a release program and can be met at the



destination point by a Corrections' employee, an adult parent or guardian.

4. The juvenile is on pass from an institution, and the pass allows the specific youth permission to travel unescorted from point to point.

B. Juvenile Travel With Escort.

Juveniles must travel with an escort when:

1. The youth has been committed to a correctional institution by the court and is being transferred to an institution or from one institution to another.
2. The youth must leave the institution for court, medical, dental, classification or emergency travel.
3. The youth has been classified by the regional classification committee for placement in an institution where some type of security exists to keep residents on campus grounds.
4. A youth is arrested by a correctional employee.



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Subject: TRANSPORTATION OF JUVENILES

C. Correctional professional employees shall escort juveniles under our jurisdiction. If a correctional employee is not available, a peace officer may escort. If a peace officer is not available, a professional Criminal Justice employee may escort, but only in extreme emergency and with authorization from the Assistant Director, Deputy Director, or Director of Corrections in Central Office.

The following correctional employees are cleared to escort youth in custody:

1. Probation Officers.
2. Probation Officer Trainees.
3. Probation Aides.
4. Community Counselors.
5. Correctional Officers.
6. Youth Counselors.
7. Correctional Management Staff.

Male employees shall escort male youth and female employees will escort female youth. Where this is not possible, a male and female officer may escort male or female youths when more than one escorting officer is necessary.

Clerical staff shall not be assigned escort or guard duties.



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Subject: TRANSPORTATION OF JUVENILES

D. Juvenile Travel With Restraints.

The escorting officer must use handcuffs or a restraining belt with cuffs when escorting a juvenile who:

1. Has a background of runaway, escape, or assaultive behavior.
2. Is being escorted from a correctional, detention, or other secure facility to an appointment in the community and will be returned to a secure facility.
3. Is boarding an aircraft or leaving the aircraft. The restraints may be removed during flight.

If a restraining belt is not available, handcuffs may be applied to the wrists behind the juveniles back. However, handcuffs may be applied to the wrists in front of the youth if, in the judgment of the escorting officer, it is safe to do so. The escorting officer must be ever cognizant that handcuffs applied to wrists in front of the body can be used as a deadly weapon.



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Subject:

TRANSPORTATION OF JUVENILES

Approved:

[Signature]
Director, Division of Corrections

2/10/77
Date

Francis S. Williamson
Commissioner, Dept. of Health &
Social Services

2/23/77
Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2214

Page Number

1 of 2

Subject: FAMILY HOME VISITS

PURPOSE

To establish procedures for returning juveniles to their homes on family visits from an institution, group home, or foster home placement. . .

POLICY

The division recognizes the potential treatment value of maintaining continual and direct contact between the child, who has been removed from his parental home and placed in another setting, and his parents. Therefore, when the following conditions exist the division will assume financial responsibility for returning a child from that placement outside of his parents home for the purposes of a family visit once during any 12-month period:

- (1) When the supervising probation officer verifies that the parents are not financially able to pay for their child's travel costs;
- (2) When the parents, child, supervising probation officer and the child's assigned worker agree that the family visit will be of beneficial treatment value;
- (3) When the child does not require an escort to travel according to criteria in existing policy #2213, it should be clearly understood that the child's behavior must have demonstrated that he or she can



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Subject:

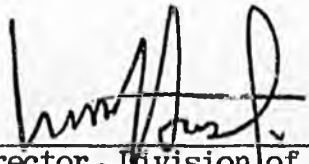
FAMILY HOME VISITS

be trusted and be responsible enough to make the trip. The division will not assume any financial responsibility to pay for the child's caseworker to accompany the child on family visits. The cost of the caseworker's travel is the responsibility of the private care provider, should the provider want its staff to accompany the child.

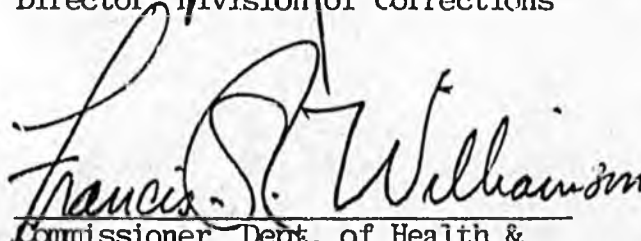
PROCEDURE

Each regional administrator shall adopt procedures to implement this policy. A copy of the adoptive procedures will be sent to the Assistant Director.

Approved:


 Director, Division of Corrections

11/29/77
 Date


 Commissioner, Dept. of Health &
 Social Services

12/1/77
 Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Subject:
GENERAL

PURPOSE

To establish policy regarding the general classification of persons referred to the Division.

POLICY

In determining program, all non-institutional placement possibilities are to be considered before institutional placement is recommended.

PROCEDURE

Each Regional Probation and Parole Supervisor shall adopt procedures to maintain this policy.



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Subject:

JUVENILE IN-STATE
CLASSIFICATION COMMITTEE

AUTHORITY

The Commissioner of the Department of Health and Social Services has delegated the authority to the Director of the Division of Corrections to develop and implement appropriate regulations under statutes cited in AS 47.

PURPOSE

To establish policy for the classification of juveniles.

POLICY

In order to expedite and assure due process to those juveniles in the custody of the Division of Corrections, the following policy will be followed. A local classification committee will be established in each district at the discretion of each Regional Administrator when the following minimum criteria exist:

1. Local detention facilities are present.
2. When two or more professional staff are assigned to a district.



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CLASSIFICATION COMMITTEE

Regional Administrators will designate members and/or assume the duties of the chairperson of the committee. The chairperson of the committee shall be an employee of the Division of Corrections. The committee will be selected from employees of the Division when possible or practical. In those districts where it is not possible to select all Division employees, attempts will be made to find suitable committee members from the Public Defender's Office, Department of Law, Division of Social Services, schools and local law enforcement agencies or mental health authorities.

Each classification committee shall be responsible for selecting institutional placements for all juveniles committed to institutional programs, for other juveniles in custody when out-of-state placement is recommended by the assigned probation officer, or when the assigned officer feels a referral to the committee is necessary to assure the most appropriate placement for that individual juvenile. Only after all appropriate in-state placements have been explored or exhausted, will an out-of-state placement be considered. When such a decision is made, the committee chairperson will document efforts made by the committee to place the juvenile in an in-state placement.

PROCEDURES

The classification committee shall normally hold meetings as scheduled



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CLASSIFICATION COMMITTEE

by the Regional Administrator. The chairperson is responsible for setting the agenda and notifying parties to be present. Classification meetings shall be informal and non-adversary in nature. Primary concern will be meeting the placement needs of the juvenile being considered by the committee. Factors to be considered are individual treatment needs, protection of the (general) public, need for family contacts, and any other pertinent factors.

The juvenile to be classified and his parents or legal guardian shall be given five working days advance notice in writing of the classification hearing, unless the concerned parties agree to waive the time period in writing. When possible, such notice shall be hand delivered by the assigned probation officer immediately following the Children's Court Hearing at which the child was ordered placed in an institution. Notice may also be served by certified mail. In such cases, the return receipt as well as a copy of the written notification, shall be retained as a classification committee record.

Prior to classification, the responsible probation officer is to bring the case file up to date. He shall orally present a summary of the child's background security and treatment needs with a recommendation for placement to the classification committee. When unable to appear in person, the presentation may be made in writing or by another probation officer who is familiar with the case. The classification committee



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JUVENILE IN-STATE
CLASSIFICATION COMMITTEE

shall have access to all reports, diagnostic evaluations, staff evaluations, medical reports, court reports, or any other pertinent information concerning the juvenile to be classified. This information will be treated as confidential by all committee members.

The juvenile being classified shall have the right to appear before the committee, speak in his own behalf, be represented by an attorney of record, present witnesses and hear statements of all witnesses, including the responsible probation officer. If a witness or an attorney is requested, this will be noted. The committee may request information and/or appearances as necessary to develop an understanding of the child sufficient to make a placement decision.

After the hearing and/or reading of all necessary information, the committee members will deliberate in private (voting members only). Following deliberation, each member shall write down his findings and conclusions on a vote sheet. Placement shall be determined by majority decision and the placement decision, along with concurring findings, shall be recorded in writing. Factors taken into consideration to reach a placement decision should include the treatment objectives for the child, protection of the public and the child, and the resources available to the Division of Corrections. These must be specific and include alternatives considered and reasons for rejecting those alternatives. All in-state resources shall be exhausted for placement consideration before out-of-state placements are considered.



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Subject: JUVENILE IN-STATE
CLASSIFICATION COMMITTEE

Immediately following a placement decision, the committee shall verbally inform the child of that decision and the findings on which it was based. Written notice of findings shall be provided to the juvenile, his attorney, and the child's parents or legal guardian within ten working days following the classification action. Such notice shall be hand delivered by a Division of Corrections' employee or delivered by certified mail. Return receipts shall all be retained as a part of classification committee records.

In the event the placement facility designated by the committee refuses a referral, the child shall be reclassified without undue delay. Other reclassifications may be considered at the request of the designated placement facility, the probation officer, the Assistant Director of Probation/ Parole, or on a motion of any classification committee member. Reclassification hearings shall be conducted under the same procedures as an original classification meeting.

Following a placement decision, a referral packet shall be prepared in accordance with requirements by the designated institution. Packets for the out-of-state contractual facility shall be routed through the Division's Deputy Interstate Compact Administrator. The master case file shall be considered the placement packet for referrals to McLaughlin Youth Center.

When the designated institution has accepted the referral, it shall be



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Subject: JUVENILE IN-STATE
CLASSIFICATION COMMITTEE

the responsibility of the assigned probation officer to make transportation and escort arrangements. Arrangements for children classified out of state must be coordinated with the Deputy Interstate Compact Administrator who will designate the region or institution responsible for the escort.

Prior to the child's transfer to the treatment facility, the assigned probation officer shall notify the child's parents or legal guardian of the transfer date. No child shall be transferred unless the appropriate findings and judgment is made available to the designated institution.

The chairperson of the classification committee shall maintain records of each classification proceeding including, but not limited to, copies of "Notice of Classification Hearing," "Committee Findings," "Member Findings and Conclusions," and certified mail receipts noted in other sections of these procedures.

Each committee member, the assigned probation officer, the child's master case file, and the central office of the Division of Corrections shall be furnished a copy of each committee finding, as well as member findings and conclusions.

The chairperson of the classification committee shall maintain program and placement procedure information for all placement alternatives.



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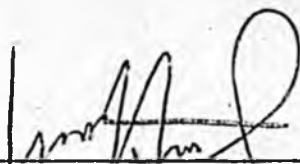
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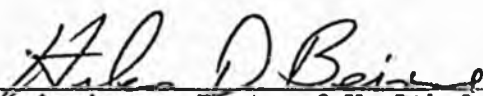
Subject: JUVENILE IN-STATE
 CLASSIFICATION COMMITTEE

Contested cases for institutional in-state placements, all out-of-state placements, and those rejected for placement by the McLaughlin Youth Center will be submitted to the Assistant Director of Probation/Parole for review and resolution of these placement conflicts.

Approved:


 Director, Division of Corrections

6-29-78
 Date


 Commissioner, Dept. of Health &
 Social Services

7-6-78
 Date



State of Alaska
Dept. of Health & Social Services
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2302

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Subject:
ADULT CLASSIFICATION

PURPOSE

To establish guidelines for involvement with institutional staff in the classification of adult offenders. To establish policy for the classification of adults under supervision by the field service.

POLICY

(A) Each regional or district office where an adult institution is located shall send a representative to sit as a member of a weekly adult classification meeting for adult offenders. ^{however} If a scheduled classification meeting is cancelled, the institution shall notify the regional or district office ahead of time.

~~(B) Each staff member who supervises adult offenders shall utilize the Goal Attainment Scale sheet (PPR) as a planning and classification tool. The FIRO B and F tests are optional for use as a classification tool, but are recommended.~~

(B) ~~(B)~~ Each staff member who supervises adult offenders should also classify cases according to how often the person needs to be contacted, where contacts should be made and what needs to be accomplished during the contact.



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Subject:
ADULT CLASSIFICATION

PROCEDURE

~~Each Regional Probation and Parole Supervisor shall utilize the procedure outlined in the Personal Plans and Results Manual (PPR) and adopt any additional procedures which may be necessary and peculiar to the specific regional operation.~~

Attachment: ~~PPR Manual~~



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Subject: OUT-OF-STATE JUVENILE
CLASSIFICATION COMMITTEE

PURPOSE

To establish policy regarding the general classification of juveniles placed in out-of-state institutions.

POLICY

The central office classification committee will interview each child in an out-of-state facility at least once every six months. The purpose of this interview will be to monitor the child's placement, current case-work needs, and act as a case audit by central office of field placements.

The committee will be composed of a committee chairman who will be the Alternative Care Coordinator and at least two Regional Administrators who will be designated as members by the Assistant Director prior to each classification tour. When determined appropriate, the Assistant Director can designate a district OR LINE supervisor (Probation Officer III) as an alternate member of the committee in lieu of designating a Regional Administrator as a committee member.

PROCEDURES

The duties of the chairman are:



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Subject: OUT-OF-STATE JUVENILE
CLASSIFICATION COMMITTEE

- (1) Establish classification committee itinerary.
- (2) Modify itinerary of the classification committee during the life of the committee, if necessary.
- (3) Implement classification committee procedures.
- (4) Supervise classification committee members while assigned to the committee.
- (5) Establish the duty hours of the committee.

It will be the responsibility of the chairman, at the completion of the out-of-state classification of each child, to submit a report with a committee finding to continue or release the child from placement and to suggest alternatives if appropriate to do so. This classification action will be submitted through the Assistant Director to the appropriate regional classification committee to implement the committee's findings.

The regional committee will act on the finding action of the central office committee within 15 duty days from receipt of finding and the assigned officer will develop a suitable release plan within three weeks if the recommendation was for release.



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Subject: OUT-OF-STATE JUVENILE
CLASSIFICATION COMMITTEE

If the regional committee does not concur with the findings of the central office committee, it is the responsibility of the regional committee chairman to:

- (1) Submit a written report within ten duty days to the Assistant Director. This report will include the following:
 - (a) Case narrative.
 - (b) Reason(s) why the regional committee cannot comply with the findings of the central office committee.
 - (c) Alternative placement plan proposed by the regional committee.
 - (d) Reason(s) justifying the alternative plan.

The Assistant Director will make the final decision of those cases where the regional committee appeals the findings of the central office committee.

Regional committee chairmen are responsible to notify the central office classification chairman of the date when action was taken in compliance with the findings of the central office committee, or that of the Assistant Director in cases which are appealed. Notification will be



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Subject: OUT-OF-STATE JUVENILE
 CLASSIFICATION COMMITTEE

in the form of a message which can be placed in the child's file.

Approved:

[Signature]
 Director, Division of Corrections

7/20/78
 Date

[Signature]
 Commissioner, Dept. of Health &
 Social Services

7/19/78
 Date



State of Alaska
Dept. of Health & Social Services
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Section Number

2304 (Field)
1001 (Inst.)

Page Number

1 of 3

Subject:

TRANSFERRING JUVENILES
TO ADULT FACILITIES
(Effective 03/01/77)

PURPOSE

To provide an avenue, whereby, those persons residing in juvenile correctional institutions, who are over the age of 18 and are highly disruptive to the point of jeopardizing the safety, treatment and welfare of the younger wards of the state, may be transferred to an adult correctional institution.

POLICY

The Division of Corrections has a specific charge of providing treatment and safekeeping to those juveniles in their custody. However, in some cases, there are persons who are in the juvenile institution over the age of 18 under a juvenile commitment who cannot be released due to the fact that they do not meet the criteria for being safe to remain at large, or there is a high probability of them violating the law when they are released. These 18-year-olds usually have a long delinquency history and a poor response towards treatment in a juvenile institution. These cases may be a severe management problem, specifically, if they are disruptive and threatening to the group. In these cases, it is felt that these 18-year-old residents can best be dealt with in an adult environment. Therefore, it is felt that these youths may be transferred to an adult institution, if the following criteria and procedures are met.



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Subject:

TRANSFERRING JUVENILES
TO ADULT FACILITIES

PROCEDURE

In the event that an 18-year-old fits one or more of the following criteria, he or she may be transferred to an adult institution: 1) Severe management problem; 2) Disruptive to the program; 3) A definite threat to younger residents. If, in the opinion of the Superintendent of the institution, that individual fits this category, the resident may be referred to the McLaughlin Center Review Board. If the Review Board concurs, the following procedure will take place:

1. Superintendent of the institution refers the case to the Director, Division of Corrections, complete with a placement packet and material justifying the transfer.
2. Upon approval by the Director, each youth's packet is sent to the Assistant Director in charge of adult institutions in Anchorage for appropriate placement. The Assistant Director designates placement, and it is the responsibility of the juvenile facility to transport the individual.
3. The case is then referred to the Regional Administrator who has the responsibility for monitoring the progress and recommending the release of the individual. The Regional Administrator will assign the



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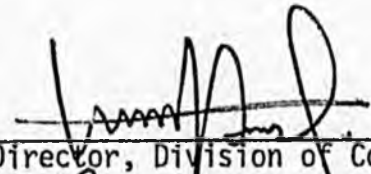
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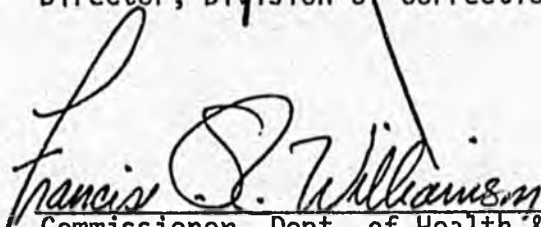
Subject: TRANSFERRING JUVENILES
 TO ADULT FACILITIES

resident to a specific probation officer for monitoring. This is especially important as adult facilities have a release date that is specific, while the juvenile's release date is indeterminate up to the 19th birthday. Therefore, the responsible probation officer will work with the designated adult institution when it is felt by the probation officer and the Superintendent of the institution that the person is ready for release if the youth has not reached his 19th birthday. The release is submitted to the classification board for final approval prior to release from the institution.

4. In no case will the youth be confined in an institution past his 19th birthday without a specific court order granting such confinement.

Approved: 
 Director, Division of Corrections

2/10/77
 Date


 Commissioner, Dept. of Health &
 Social Services

3/1/77
 Date



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Dept. of Health & Social Services
Division of Corrections

Section Number
2400

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Subject:
PLACEMENTS

PURPOSE

To establish policy regarding the gathering and updating of material regarding programs for adult and juvenile persons under supervision.

(A) It shall be the responsibility of all field staff members to acquaint themselves with the existing material on program placement opportunities within the State of Alaska and outside of the State regarding institutions and field placements.

(B) It shall be the responsibility of each field office to keep and maintain a current file of information on hand regarding those placements for use by field staff.

(C) It shall be the responsibility of Central Office to investigate and develop placement opportunities and disseminate this information to all field offices for their placement files.

(D) It shall be the responsibility of field staff to feed information on possible new placements and current program information on present placements to Central Office immediately upon the field staff member's return to his office from a visit to a placement. This current information shall then be distributed to all offices by Central Office.



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Subject:
PLACEMENTS

The information on possible new placements should include the address of placement, staffing pattern, costs per day per person and extra miscellaneous costs, pertinent program information, number of placements available to the Division, age range and sex of referrals accepted, and a recommendation from the visiting staff member as to whether or not the placement should be used and reasons why.

The information on current placements should be regarding program change and any other information the visiting staff member deems advisable to report.

(E) Central Office shall consider new placements on the basis of need, current budget allowances, and program acceptability.

(F) All field staff members shall consider their specific districts or regions first, statewide placements second, and out-of-state placements third, in order to place the person as close to his home and family contacts as possible.

(G) The above policy information applies to field placements (individual foster homes, relative homes, group homes, halfway houses and treatment centers of various types not identified as institutions) and institutions both public and private.

(H) All field staff shall consider Division of Corrections operated program first, other state agency programs second, and private contractual programs third. This is always necessary for budget consideration.



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Subject:
PLACEMENTS

(I) Before a private placement is made, the staff member making the placement should be sure that a valid contract exists between the Department of Health and Social Services and the private agency and that the Division has access to the placement. This information is available at Central Office.

PROCEDURE

()
Each Regional Probation-Parole Supervisor shall adopt procedures to implement this policy.

()



State of Alaska
Dept. of Health & Social Services
Division of Corrections

2401

1 of 2

Subject: OUTWARD BOUND PROGRAMS

PURPOSE

To establish policy regarding the referral criteria for juveniles to Outward Bound Programs (Experiential Learning) as a cost effective alternative to incarceration.

POLICY

The responsible supervising Probation/Parole Officer or the McLaughlin Youth Center Review Board may make individual referrals to regional classification committees of those juveniles under supervision for placement in Outward Bound (experiential learning) programs when the following criteria are met:

1. When the juvenile has been adjudicated delinquent and placed under an institutional order, or when revocation proceedings have taken place and the juvenile is subsequently placed under an institutional order.
2. When the court has entered a deferred order of institutionalization pending the satisfactory completion of an Outward Bound Program.

Policy exception: The Assistant Director or his designee may make block referrals to Outward Bound Programs to allow flexibility in participation of demonstration and/or pilot projects.



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Dept. of Health & Social Services
Division of Corrections

2401

2 of 2

Subject: OUTWARD BOUND PROGRAMS

PROCEDURES

When a juvenile has been classified to an Outward Bound Program and has been found medically sound by a doctor's examination, the classification material will then be forwarded to the Alternative Care Coordinator for review.

Existing classification policies and procedures will be followed to implement this policy. Please see attached participant referral criteria.

Approved:

C F Campbell
Charles F. Campbell, Director
Division of Corrections

6-13-79
Date

Helen D. Beirne
Helen D. Beirne, Commissioner
Dept. of Health & Social
Services

6-18-79
Date

MEMORANDUM

DATE: June 29, 1979

All Regional Administrators
Superintendent, M.Y.C.

FILE NO:

TELEPHONE NO: 465-3376

FROM: Walt Jones
Assistant Director
Division of Corrections

SUBJECT: Participant Criteria Adventure
Based Education/Outward Bound

As a means of implementing the new probation/parole policy concerning referrals to Adventure Based Education/Outward Bound Programs, please provide those probation/parole officers and members of institutional review boards who deal with juveniles the following selection criteria for program participants:

1. All juveniles who are at least 15 years of age and who are determined by Classification Committee not to represent a danger to themselves or others, and would be placed in any in-state or out-of-state private care or state-operated facility can be considered for referral to A.B.E./O.B. programs.
2. The boy or girl referred must have expressed willingness to participate in the program. The personal commitment need not be of greater degree than the course being selected by probationer as an option and alternative to undetermined placement elsewhere; or, as a defined step toward emancipation.
3. Those referred must be aware of, and willing to comply with all specific conditions of release to participate in this program and program rules that prohibit smoking or drug/alcohol use.
4. The boy or girl must be in reasonably good physical condition with no medical problems or handicaps of sufficient severity to endanger health or safety.

The attached research questionnaire is to be completed by the probation officer or M.Y.C. Review Board member for each referral submitted to the Classification committee for review. All questionnaires are to be sent to Central Office, Attention Mr. Reece, including those for youngsters who were referred to but not classified to Outward Bound Program.

After preliminary screening by the responsible probation/parole officer, the normal classification process will be followed. Classification committee referrals will be forwarded through the Alternative Care Coordinator who will review and submit the referral to the Department of Community and Regional Affairs (who were assigned monies by the Legislature to provide A.B.E./O.B. programs) for final program determination.

Attachment

WJ:db

ADVENTURE BASED EDUCATION

PROJECT EVALUATION

Two aspects of the A.B.E. experiment will be evaluated. First, the effectiveness of the project to modify juvenile behavior will be considered and, secondly, a cost comparison of A.B.E. vs. other more conventional treatment programs will be made.

To determine whether A.B.E. is successful in its rehabilitating effort, participants will be studied for evidence of reduced occurrence of socially unacceptable behavior. A checklist of such unacceptable behaviors has been compiled and A.B.E. participants will be evaluated in relation to frequency and severity of antisocial acts both during and after completion of A.B.E. experiences. Similar data will be compiled from the records of matched cohorts who have been exposed to no A.B.E. experience. It would be useful if these non-A.B.E. subjects could be further identified by treatment type, and most desirable if the controls could include a subset of juvenile offenders who were not afforded any supervised treatment whatsoever.

The checklist of behavior is composed of items related to identification (name, age, race, sex, etc.) general demographic information (home of record, composition of family, employment history, educational history, etc.) and delinquent history. The behavior samples include program progress and success, plus post-program record of re-contact with criminal justice authorities. It will record any revocation or modification of the orders of

probation and any incidence of institutional placement or status change. A section of the questionnaire provides the supervising field officer an opportunity to record his (subjective) evaluation of the child's behavior.

The experimental design herein to be employed is a conventional type depending for its effectiveness upon the adequacy of the control variables upon which the selection for matching takes place. A discussion with Lew Reece reveals that we are capable of determining demographic and criminal history variables of juvenile offenders. Following is a preliminary list of those measures which we will employ to effect our matching of experimental and control groups of offenders: age, sex, race, home of record, offense, prior delinquent history, educational level.

The study of cost effectiveness will be made by comparing cost of treatment under the A.B.E. schedule (both total cost and by child per treatment day) with the known costs of existing treatment alternatives. Each child chosen for enrollment in the adventure based series will be evaluated for a determination of the most likely placement to which he would have been sent had there been no A.B.E. option. Costs of these various alternatives per child will be estimated and aggregated to afford a basis for the cost comparison

Behavior Checklist for Evaluation of Adventure Based
Education Treatment Model for Juvenile Offenders

Sec I - Background Information

TREATMENT GROUP _____

- 1) Name: _____
- 2) Age: _____
- 3) Sex: M _____ F _____
- 4) Race: White _____ Black _____ Native _____ Other _____
- 5) Home of record _____ 5a) Place of arrest: _____
- 6) Living with parents: Yes _____ No _____; Both parents: Yes _____ No _____
- 7) If child is not living with both parents, who is the head of household?
Father _____ Mother _____ Other person _____
- 8) Occupation of head of household _____
- 9) Is head of household presently employed? Yes _____ No _____
- 10) What is highest grade completed by juvenile named in 1) above? _____
- 11) Last date enrolled in school _____
- 12) Has juvenile in 1) above ever been employed? Yes _____ No _____
- 13) Last date of employment _____
- 14) With what offense if this juvenile now charged? _____
- 15) List all previous offenses for which petitions have been filed. _____

- 16) Is this juvenile known to have a history of substance abuse? Yes _____
No _____ Not known _____ (if yes, describe) _____

- 17) List any prior treatment programs this juvenile has had. _____

(Sec II - Post-treatment measures

- 1) Did the juvenile complete the treatment program? Yes___ No___
- 2) How would you rate his performance in the treatment environment?
very good___ good___ average___ below average___ poor___
- 3) Has the juvenile had any known contact with criminal justice
authorities since he finished the treatment phase? Yes___ No___
(if yes, describe)_____
- 4) Has there been any modification of the orders of probation for this
juvenile since he completed the treatment? Yes_ _ No___
(if yes, describe)_____
- 5) What is your opinion as to the success of the treatment program
insofar as effecting an improvement in this juvenile's socialization?

PRIORITY

KEITH STELL, R.A.

ED COLEMAN, R.A.

JOHN COLEMAN, R.A.

PAVE ARNOLD, R.A.

REF: MESSAGE RE P & P #2500

DISREGARD ABOVE MESSAGE SENT TO YOU YESTERDAY. FURTHER CHECKING HERE INDICATES THAT CERTAIN PORTIONS OF THAT INFORMATION IS OUTDATED. FURTHER REFLECTION ON THIS

MATTER INDICATES THAT IT WOULD BE UNWISE TO ATTEMPT TO WRITE A FIXED DETAILED CODING POLICY BECAUSE OF FREQUENT CHANGES THAT OCCUR IN THE CODING NUMBERS AND PROCESS.

THEREFORE THE FOLLOWING INTERIM POLICY SHOULD BE FOLLOWED BY RECEIPIANT PROBATION OFFICES AND M Y C. UNTIL A FORMAL POLICY IS ISSUED.

(A) IT IS THE RESPONSIBILITY OF EACH PERSON, WHO HAS THE DUTY TO CODE BILLS, AND THAT PERSON'S SUPERVISOR, TO READ, THOROUGHLY UNDERSTAND AND FOLLOW THE PERIODIC INSTRUCTIONS ISSUED BY CENTRAL OFFICE UNIT.

(B) IT IS THE CENTRAL OFFICE FISCAL UNITS' RESPONSIBILITY TO UPDATE AND KEEP CURRENT PAYMENT CODES AND ISSUE CURRENT CODE CHANGES ON A TIMELY BASIS TO APPROPRIATE FIELD OPERATING UNITS.

DOLORES LARSON SHALL IMMEDIATELY ISSUE UPDATED INSTRUCTIONS AND PAYMENT CODES TO ALL PROBATION OFFICES AND M.Y.C..

WALT JONES

CC: LEE DALBY

CC: DOLORES LARSON



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2500

Page Number

1 of 1

Subject:

CODING

PURPOSE

To establish policy regarding the proper coding of all bills charged to the Probation-Parole Section of the Division of Corrections.

POLICY

(A) It is the responsibility of each person who has the duty to code bills, and that person's supervisor to read, thoroughly understand and follow the "GUIDE FOR USE OF NEW CODE STRUCTURE" when coding bills for payment. This guide is dated July 3, 1972 and was sent to each Regional Supervisor of Probation and Parole for implementation.

(B) Any transportation and per diem related to the escort of a juvenile to McLaughlin Youth Center is to be coded to the operating budget of MYC as a part of the confinement program. 06-66-4-202. ?

The Travel Requests may originate in the escorting office with the above code and copy sent to MYC to the attention of the Administrative Officer.

PROCEDURE

Each Regional Supervisor of Probation and Parole shall adopt procedures to implement this policy.



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Dept. of Health & Social Services
Division of Corrections

Section Number

2501

Page Number

1 of 2

Subject:

BILLINGS

PURPOSE

To establish statewide policy and guidelines regarding payment method of billings, routing, justification for billings.

POLICY

(A) After the responsible person has coded the bill according to the "Guide for Use of New Code Structure," the bill should be checked for accurate coding procedure and sent to fiscal for payment according to the Commissioner's P & P 350-3.

(B) With the exception of group home or foster care payments, any bill which exceeds \$200 should be justified in writing with the approving officer's signature. The justification should include all resources which have been explored and found not to be useful for payment of the bill. A copy of the justification should be placed in the client's file. Do not send a copy of the justification along with the bill. It should be kept on file for audit purposes.

(C) Individual foster home billings should be placed on the appropriate billing format now in use and carefully checked by supervisors for accuracy before signing and submittal for payment. The appropriate foster home schedule should be used and known by each officer who submits a bill for payment. The



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2501

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2 of 2

Subject:

BILLINGS

Officer should always know and certify how many days of a specific month the child was in the actual care and control of the foster parent.

(D) Group home operators generally use their own billing formats. However, the primary responsible office should still carry out the policy listed in paragraph "C", sentence 3.

(E) For blood relative foster home payments, the normal rate may be sanctioned only by the Commissioner's office after the approval of a written justification as to why an exception to departmental regulation should occur.

(F) Out-of-state foster home billings received in Central Office will be processed by Central Office. A copy of the completed paperwork will be forwarded to the officer having primary responsibility to indicate payment is being made. Should any field staff member receive a bill for out-of-state foster care, the bill should be processed by the officer according to the usual procedures and called to the attention of the Interstate Unit. Out-of-state foster home payments must be equal to the latest information from the receiving state, but no more than the going rate in that state. It is the responsibility of the assigned staff member to determine through interstate channels what the other state pays for foster care.

PROCEDURE

Each Regional Supervisor of Probation and Parole shall adopt procedures to carry out the above policy.

MEMORANDUM

TO: [All Regional Administrators

THRU: Walt Jones
C.P.O.

DATE : March 8, 1976

FROM: Ed Mitchell
Administrative Officer
Division of Corrections

SUBJECT: Support of minor AS 47.10.120.

Situations have arisen where the court has ordered the parents of a minor to pay a sum which will cover in full or in part the support of the delinquent minor. According to AS 47.10.120(c), the sums ordered and collected must be credited directly to the general fund.

The practice of allowing the parent to make a court ordered direct payment to the Division of Corrections placement for non-discretionary services, although it saves our precious budget, it must be discontinued immediately.

Please review your juvenile placements that may be affected. Notify the placements homes and institutions to invoice the state rather than the parent or guardian for payment. Notify the parent or guardian to make court ordered payments directly to the court clerk. The court clerk should be instructed to make Section 47.10.120 payments to the Division of Corrections. We in turn will deposit the payments to the general fund.

If your reading of the specific court orders would inhibit the above administrative action go back to court with an amended order to accomplish the end interpreted above.

EM/eb

cc: Bill Huston

The second sentence of (Section 47.10.120(a)) states that:
"When a delinquent minor is committed under this chapter the court shall order that the parent of the minor pay in a manner which the court directs a sum which will cover in full or in part the support of the delinquent minor."

Section 47.10.120(c)

"The sum collected from a parent under this section shall be credited to the general fund of the state."



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
2502

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1 of 1

Subject:
CLOTHING

PURPOSE

To establish policy for the purchase of clothing for foster care children.

POLICY

(A) When an individual child is placed on probation in foster care and is in need of an initial wardrobe, the assigned staff member is authorized to purchase clothes for the child if the parents or legal guardian cannot provide enough suitable clothes. The foster parent is not expected to finance initial clothing needs.

(B) The clothing purchase should be kept reasonable within a view to provide practical warmth and comfort. It is expected that the initial cost of clothing will be higher in colder climates and in higher cost of living areas within the state. After the first clothing purchase, the foster parent is expected to utilize at least \$20 of the monthly foster care rate to add to or maintain the existing wardrobe.

PROCEDURE

Each Regional Supervisor of Probation and Parole shall adopt procedures to implement this policy.

MEMORANDUM

TO: Keith Stell, R.A.-Juneau
Ed Coleman, R.A.-Anchorage
John Cain, R.A.-Fairbanks

PRIORITY

DATE : March 9, 1976

FROM: Walter B. Jones, Jr.
Chief, Probation-Parole Services
Division of Corrections

SUBJECT: Clothing Maintenance
Private Care Institutions

In order to alleviate confusion regarding whether or not the Division of Corrections maintains clothing of children in private care institutions, please be advised of the following:

1. The Division of Corrections or the child's parents or guardian will supply the initial clothing wardrobe required when the child begins his placement in a private care institution.
2. The private care institution will maintain the child's clothing needs during the child's stay in the institution. Part of the cost for the daily care rate has been set aside to cover clothing maintenance.

An exception to #2 is Turning Point Boys' Ranch. The Division and/or the parents or guardian will pay for the cost of clothing maintenance during the child's placement at Turning Point.

Please distribute this memorandum to all probation staff who work with juveniles.

WBJ:cc

cc: William H. Huston
Ed Mitchell
Carl Nickel
Dolores Larson



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2503

Page Number

1 of 3

Subject:

MEDICAL & DENTAL TREATMENT
FOR JUVENILES IN DIVISION
CUSTODY (Effective Date 3/9/77)

PURPOSE

To establish policy and procedures regarding authorization and payment for medical and dental treatment.

POLICY

It is the policy of the Division to pay for all necessary medical and dental expenses for juveniles in the custody of the Division when there is no other payment source. This policy includes payment for abortions when necessary.

McLaughlin Youth Center:

The superintendent of a state-operated institution will provide health services to all residents in their care. The health services and medical care provided will be in accordance with accepted medical practice and the appropriate state regulations for health services.

The superintendent shall remain cognizant of departmental and division medical plans, policies and procedural details regarding the delivery of health services and apply same to the health and care of residents within the institution's jurisdiction.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2503

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2 of 3

Subject:

MEDICAL & DENTAL TREATMENT
FOR JUVENILES IN DIVISION
CUSTODY

Private Care Facilities:

In non-emergency matters concerning medical and dental treatment of juveniles in our custody and housed in private care facilities, the private care facility operator or foster parent must receive authorization from the assigned probation officer before medical and dental treatment is administered. The same rule applies in the case of abortions after the proper court procedures have been followed. Contact the court of jurisdiction for guidance in what legal procedures are necessary.

For emergency medical and dental matters, the private care operator or foster parent may seek treatment immediately without prior authorization, but must notify the assigned officer as soon as possible.

Payment for the medical or dental service shall be made by the Division of Corrections only after the assigned staff member has screened and exhausted other payment sources such as:

1. Parents or legal guardian.
2. Private insurance policies.
3. U. S. Public Health Service for native descent children.
4. Social Security benefits for dependents.
5. Military or veteran benefits for dependents.



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2503

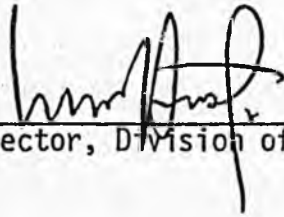
Page Number

3 of 3

Subject:


MEDICAL & DENTAL TREATMENT
FOR JUVENILES IN DIVISION
CUSTODY

Approved:



Director, Division of Corrections

3/9/77
Date



Commissioner, Dept. of Health &
Social Services

3/9/1977
Date

05 JRO1
1 #9
CAIN
OLEMAN
H STELL

PRIORITY

SUB: TRANSPORTATION COSTS OF PRISONERS

UPON RECEIPT OF THIS MESSAGE IMPLEMENT THE FOLLOWING AS AN INTERIM POLICY PENDING A FORMAL POLICY ISSUANCE.

POLICY

IT IS THE INTERIM POLICY OF THE DIVISION OF CORRECTIONS THAT EACH PERSON WILL BE PROVIDED THE COST OF TRANSPORTATION TO THE PLACE OF ARREST IF THE FOLLOWING CONDITIONS PREVAIL:

1. THE DEFENDANT IS BEING RELEASED BY THE COURT AFTER ARRAIGNMENT.
2. THE DEFENDANT IS BEING RELEASED FROM HIS PLACE OF ARRAIGNMENT OR DETENTION WHERE A CORRECTIONS EMPLOYEE IS STATIONED AND, THEREFORE, CAN ARRANGE TO PAY FOR TRANSPORTATION.

THE COST OF TRANSPORTING RELEASED PRISONERS, FOLLOWING THE SERVICE OF A SENTENCE, IS THE RESPONSIBILITY OF THE DIVISION OF CORRECTION.

PAGE ONE OF TWO PAGES.....PLEASE ACK. A S A P

CRO5 HS21 JRO1
'-21-77 #9 PAGE TWO

JOHN CAIN
ED COLEMAN
KEITH STELL

PROCEDURES

THE INSTITUTION THAT HAS THE RESPONSIBILITY FOR SUCH AN OFFENDER WILL ISSUE A DIVISION OF CORRECTIONS TRAVEL REQUEST (TR) TO THE PLACE OF ARREST. IF THE OFFENDER DOES NOT WISH TO BE RETURNED TO THE PLACE OF ARREST, HE MAY BE PROVIDED WITH TRANSPORTATION TO ALTERNATE SITES SELECTED BY HIM, UPON COMPLETION OF HIS SENTENCE, UP TO THE AMOUNT WHICH IT WOULD BE NECESSARY TO PAY FOR HIS RETURN TO HIS ORIGINAL PLACE OF ARREST.

WALT JONES

PLEASE ACK. PAGE TWO OF MESSAGE # 9. THANKS. EVA



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2504

Page Number

1 of 2

Subject: TRANSPORTATION OF PERSONS
UPON RELEASE FROM CRIMINAL
PROCEEDINGS

PURPOSE

To implement Title 33.30.160 relating to the transportation of prisoners.

POLICY

It is the policy of the Division of Corrections, Department of Health and Social Services, that each person will be provided transportation to the place of his or her arrest upon release at any stage of a criminal proceedings. Title 33.30.160 provides that such costs of transportation shall be paid from the appropriation of the Department of Public Safety. The cost of transporting released prisoners, following the service of sentence, will be the responsibility of the Division of Corrections.

PROCEDURES

1. Any offender who has served a sentence within a state, local or federal institution will be provided transportation from the institution to his place of arrest by the Division of Corrections. The institution that has the responsibility for such an offender will issue a Division of Corrections TR to the place of arrest. If the offender does not wish to be returned to the place of arrest, he may be provided with transportation to alternate sites selected by him upon completion of his sentence up to the amount which it would be necessary to pay for his return to his original place of arrest.



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Division of Corrections

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Subject:

TRANSPORTATION OF PERSONS
UPON RELEASE FROM CRIMINAL
PROCEEDINGS

2. Any person who is arrested and booked at a correctional institute, state or local, and is released at any time for any legal reason during the criminal proceedings will be provided transportation to the place where he was arrested. The responsible institution or probation officer will issue a Department of Public Safety coded TR to the person to return to his place of arrest. Each institution or probation officer will obtain the necessary code from the Department of Public Safety. The officer issuing the TR will also notify the local representative of the Department of Public Safety. All effort should be made to coordinate the travel of an offender under condition listed above with travel of State Troopers or representatives of the Division of Corrections.

Approved: _____

Director, Division of Corrections

Date _____

4/3/73

Commissioner, Department of Health
and Social Services

Date _____

4/4/73



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
2505

Page Number
1 of 1

Subject:
USE OF PRIVATELY OWNED VEHICLE
FOR STATE BUSINESS

PURPOSE

To establish policy regarding the use of privately owned vehicles for state business.

POLICY

Probation and Parole Officers who desire to use their personal vehicle at the rate of ~~12¢~~ ^{state} per mile ^{prescribed by the state} are to contact the Regional Supervisor of Probation and Parole to obtain permission. After authorization has been approved each probation officer should contact the regional office of the Division of Administrative Services for the necessary information regarding auto inspection, insurance and billing instructions. After the vehicle has been approved, the Regional Supervisors of Probation and Parole shall set monthly mileage limits according to his budget constraints.

PROCEDURE

Regional Supervisors of Probation and Parole shall adopt procedures to implement this policy.



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Dept. of Health & Social Services
Division of Corrections

Section Number
2506

Page Number
1 of 2

Subject:
FOSTER HOME LICENSES

PURPOSE

To establish policy regarding foster home licenses.

POLICY

A foster home is a facility that cares for less than six children not related by blood or marriage to the foster parents. An institutional home is an establishment providing regular care and service for six or more children not related by blood or marriage to the owner or operator. In accordance with the Director of the Division of Corrections and in accordance with the Division of Family and Children's Services, henceforth, probation staff will do home studies and submit their findings and recommendations to Regional Supervisors of the Division of Family and Children's Services. Those probation officers, who are assigned by Regional Supervisors to recruit, should contact the Division of Family and Children's Services office and obtain their foster home requirements. Please note that those foster homes which house children of the age of 16 or older do not need a license. However, the procedure for licensing the foster home should be followed, and the probation officer and Regional Supervisor of Probation and Parole should be satisfied that the foster home meets the standards of the Department of Health and Social Services.

It is possible to place a child in a foster home pending investigation and permanent approval of the foster home upon application for a provisional (temporary) license. A provisional license may be obtained for ten days or



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Dept. of Health & Social Services
Division of Corrections

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Subject:

FOSTER HOME LICENSES

60 days. This provision is listed in order to give a staff member time to complete the investigation report and recommendations, and also provide for immediate placement of the child. If, for some reason, the Regional Supervisor of Probation and Parole and/or the probation officer finds that the home is not suitable after the investigation is completed and a child resides in the home, the child must immediately be removed and other placement found.

PROCEDURE

Each Regional Supervisor of Probation and Parole shall adopt procedures to implement this policy.

Approved: _____

Director, Division of
Corrections

Date

Commissioner, Department of
Health & Social Services

Date

DIVISION OF FAMILY AND CHILDREN SERVICES

Department of Health and Social Services
Juneau, Alaska

To: Regional Offices
District Offices
Central Office Staff

Numbered Memo: 72-169
Date: December 27, 1972

From: Stanley P. Harris, ACSW
Director

Subject: Child Care Licensing
Sub-Subject: Foster Homes, Group Foster
Homes, Family Day Care Homes,
Group Family Day Care Homes

Effective January 1, 1973, the responsibility for approving all Foster Homes, Group Foster Homes, Family Day Care Homes and Group Day Care Homes will be delegated to the Regional Supervisor. The new procedure supercedes previous numbered memos on licensing for foster care and day care. Pertinent information in previous numbered memos will be incorporated into manual material.

THE NEW PROCEDURE IS AS FOLLOWS:

- 1. District Offices, SOS, BIA, the Division of Corrections, and other agencies providing home studies will send to the Regional Office for approval:
 - a. The application (CWS #9 revised 12/72)
 - b. The home study
 - c. The request for licensing (CWS #80 revised 12/72)
 - d. A Day Care BAF

Each Regional Office shall make its own policy regarding the number of copies desired and copies of back-up materials such as reference letters and physical examination reports.

- 2. The Regional Office will review these materials and return them to the District Office or other agency for correction and additional information if necessary.
- 3. The Regional Supervisor or designee will sign the CWS #80 and confirm or change the effective date.
- 4. The license will be typed in the Regional Office with the effective date typed in for the Commissioner's signature. Inclusive dates shall be typed under special instructions for all provisional licenses. Any other limitations or provisions will also be typed under special instructions.
- 5. The Regional Office will send the original only of the CWS #80, the license, the home study, the application, and the Day Care BAF, to the appropriate consultant in Central Office.

6. At this time the Regional Office will send a copy of the CFS #80 to the District Office or other agency indicating Regional approval and confirmed effective date.
7. Day Care R/F: Previously the Day Care facility R/F was submitted at the time of application. DCF R/Fs are now to be initially submitted with the license request, CFS 80. Use Action code A. Changes (Action code F) would now include 1) license denial, 2) address change, 3) family composition change, 4) termination of license. See numbered memo 72-120 for examples. Reminder: Please check for an existing case number. If a case number has already been assigned, use the existing case number, Action code F, and Program #3.
8. Central Office will not be reviewing all studies. Spot checks will be made periodically to insure quality and uniformity. If the Commissioner's Office has any questions on the study, we will refer them back to the Regional Supervisor for reply. The signed original license will be mailed to the applicant and a copy of the signed license returned to the Regional Office for forwarding to the District Office or other agency signifying final approval. It should be remembered that a copy of the signed license is not an official document.

LICENSING CATEGORIES:

1. Permanent License - A full study shall be submitted following the correct study outline and all requirements shall be met.

If a provisional license was previously granted, a supplement to the provisional study shall be submitted covering the deficient items or concerns of the worker. These items must be numbered and titled according to the correct study outline. It must reach the Regional Office with a new CFS #80 by the date of the provisional license's expiration.

Licensing files shall be flagged for yearly review. We shall make every effort to have instructions for the review distributed within 30 days.

2. Provisional License - The following time restrictions are to be used in provisional licensing.
 - A. Sixty (60) day time limit. A full study shall be submitted following the correct study outline.

Provisional licenses will ordinarily be granted for 60 days only. This category will be equivalent to a probationary performance period. Good care cannot always be determined on the basis of an interview, or even several interviews. The 60 days will allow the Social Worker an opportunity to observe the parent

probationary interacting with children. It will also allow time to finish all paper work and to correct minor deficiencies.

A full study shall be submitted. The following are the only minor deficiencies allowable and should be noted as missing in section VIII of the study.

Fire Extinguisher

If locally obtainable, a fire extinguisher will be required. One must be ordered for provisional status. Appropriate exits will have to exist in the house.

Police Checks

Confirmation of the police check that the family is without conviction of felony frequently takes time to obtain.

Reference Letters

Reference letters frequently take time to obtain. At least one reference must be supplied for provisional status.

Water Supply and Sewage System

Since we are dependent upon other departments and agencies for the water supply and sewage system test, a provisional license could be granted pending verification of these safety factors.

B. Ten (10) day time limit.

The need for this category is related to emergency placement only when no licensed home is available. The District Office will send a CWS #80 to the Regional Office on the first working day following the placement of the child in an unlicensed home. Inclusive dates and a short statement of the emergency shall be typed under special instructions.

Accompanying the CWS #80 will be a paragraph stating the circumstances of the emergency. The paragraph must include a minimal evaluation of the people and the home. The home must at least have enough room and no apparent hazards. The Social Worker must inform the parents that time tests will have to be obtained

on the following day. This paragraph will form the basis for granting the license and the basis for payment. The license will be typed in the Regional Office and submitted to Central Office for signature.

Before the 10 days has passed, a full study shall be submitted or the home shall no longer be used. The study must reach the Regional Office by the expiration date or a memo sent stating that the home is not being used.

REVISED FORMS AND STUDY OUTLINE

A supply is being sent to all agencies involved.

1. CWS #80 - The revised CWS #80 is attached. See its use in the new procedure above. Separate CWS #80's should be submitted to recommend provisional and permanent licenses. Please destroy earlier versions.
2. Authorization to Release Medical Information (CWS #105)

The district office or authorized agency should stamp this form with the agency address before it is sent to the applicant. If a health problem is suspected, this form should be sent to the doctor to further evaluate the applicant. If the information gained warrants further investigation, a physical examination shall be required.

3. Application for Permit to Care for Children (CWS #9 - attached)

The revised CWS #9 was developed to solve the following problems:

- Out of date application forms in day care and foster care.
- Differing regional policies concerning family day care requirements.
- Complex studies and numerous numbered memos that discourage social workers from completing the task.
- Some foster care studies arriving in Central Office that are not as complete as day care studies.
- Difficulties in reviewing studies for some essentials buried in paragraphs.

The new application:

- a. The new application form to be used for both foster care and family day care, should cause more thought on the part of the applicant.

- b. The new study outlines will supercede regional licensing policies. The study will generally follow the application outline and is to be strictly adhered to for uniformity and ease of reviewing studies.
- c. Social workers will initial in the left hand column of the application that they have checked and approved what appears on that line. Example: fire extinguisher in working order. *C.M.* Then the initialed items may be deleted in the study. The application will be submitted along with the study for review. Then essential safety factors may be easily reviewed by looking for initials in the left hand column. Basic descriptions will then make up the study.
- d. The revised application should be studied carefully for the requirements built into it.

FOSTER CARE AND DAY CARE STUDY OUTLINE:

Copies of the revised foster care and day care study outlines are being sent to all Regional and District Offices. These outlines are to be followed when drafting the narrative studies. The different sections of the studies shall be numbered and lettered according to the corresponding section of the outline. If a section of the outline does not apply to a particular family's situation, that section must still be listed in the narrative study followed by "not applicable" (i.e. "I.I.D. N.A.")

By 6-1-73 the outlines will be re-evaluated with regards to their overall effectiveness and usefulness. Any appropriate changes, deletions or additions will be made at that time.

SPH:PM:clm

Copies to: Office of the Commissioner
Administrative Services
Statistical Services
Central File

FOSTER CARE STUDY OUTLINE

- (
1. Identifying Information:

Husband:	name,	birthdate	
Wife:	"	"	
Children:	"	"	
Other household members:	"	"	relationship to family

Residence Address: (if difficult to find, also include instructions for reaching home)

Mailing Address: (only, if different from residence address)

Telephone number:

Race:

Religion:

Place and Date of current marriage:

 - II. Application:
 - A. When did family first apply and to whom (DFCS, DHA, etc.) for licensing?
 - B. What interest or need motivated them to apply and are their reasons for applying realistic?
 - C. What was family's reaction to your interpretation of agency's policies and procedures?
 - D. Has this family been previously licensed as a foster or day care home? If so, what was our experience with them? Have they provided foster care in another state? If so, seek an evaluation from the other state and summarize its contents.

 - III. The Family:
 - A. Place and date of current marriage. Have husband or wife been previously married? When and for how long? Why was previous marriage terminated? Comment on stability of current marriage. If single, has party been married? When and for how long? Why was marriage terminated?
 - B. Brief physical description of husband and brief biographical sketch including early family experiences, education, military experience, work history, important hobbies or leisure activities, and important community or social affiliations.
 - C. Same information for wife.
 - D. Paragraph on each child giving physical description, statements regarding grade and progress in school, relationship with family and peers. Does child have
- (

- any unusual abilities or adjustment problems?
- E. If other persons live in household, give brief account of their relationship to the family and the reason they are living in the home. What would be the extent of their involvement with a foster child?
 - F. Have husband or wife had experiences with children outside the home (scouting, Partners, Sunday School, etc.)? If so, describe.
 - G. Give your evaluation of husband and wife's parenting abilities and attitudes toward children. How well would family assimilate a foster child? How receptive would natural children be to a foster child?
 - H. What is family's religious affiliation? Are they active in church? Would a foster child be required to attend church with the family, or would he have the option to attend another church or to not attend at all?

IV. Home Environment:

- A. General description of interior and exterior of home including age and condition of house, number and type of rooms, type of neighborhood, adequacy of furnishings and housekeeping standards.
- B. Describe bedroom(s) that would be used by a foster child. Where is bedroom located in house and would it be shared or private?
- C. Describe play areas and play equipment inside and outside home.
- D. Discuss fire safety of home including safety and maintenance of heating system, adequacy of electrical wiring (especially important for older homes), number and location of exits (large ground floor windows that open easily may be included). Describe family's emergency fire escape plan; a night time plan is particularly important. Remind family that this plan must be discussed with any older foster children who would be expected to escape by themselves. An ABC dry chemical fire extinguisher is required; verify in study that one has been purchased and mention where it is located in the home. Do all adults and older children know how to use the fire extinguisher?

V. Program

- A. Inform foster parents of the medical services children are eligible for through our department and tell them about the procedures for obtaining these services. Tell them of their responsibility for seeing that foster children get needed medical and dental care and immunizations.
- B. Give general discussion of family's leisure time activities. How well would a foster child be included? Would allowances be made for a child's own interests and activities?

- C. Tell parents about the clothing/spending allowance included in the foster home payment and discuss its use. Describe parents' response.
- D. What kind of support will parents give a foster child in relation to his schoolwork? What are their attitudes toward education and its importance? Will the child have a study area?
- E. What kind of discipline do the parents employ? How will they handle inappropriate or undesirable behavior?
- F. How will the parents reward or encourage a child and share in his/her successes?
- G. Do the foster parents have any first aid knowledge? What first aid supplies do they keep on hand?
- H. Do the parents have an adequate understanding of the nutritional needs of children? Are they prepared to cope with food preferences or unusual eating habits?

VI. Preferences:

- A. Describe age, sex, race and number of children desired. Is the family willing to consider children with special needs or problems?
- B. Is the family's preference realistic? If not, explain.

VII. Personal Information:

- A. Summary of three reference letters.
- B. Findings from police clearance.
- C. General statement regarding mental and physical health of all family members. Has anyone in the family ever been treated or hospitalized for mental disorders, alcoholism or drug abuse? If a problem exists, or if you suspect a problem, seek additional information from the family's physician. (Be sure that the husband and wife have each signed an Authority to Release Medical Information, OHS #105). If the information obtained indicates the need for a physical examination, you may require one.

VIII. Analysis and Recommendation:

- A. If you have any additional comments, observations or information about this family that does not appropriately fit into the preceding sections, include them here.
- B. Follow through contacts are important. Pinpoint one or two areas in which you feel the foster parents need support or technical assistance during the coming year. Be specific about your plans for follow through.

C. make a summary statement of the family's strengths and weaknesses followed by your recommendation. In the recommendation, state the number and ages of the children you want the home to be licensed for. State which agency will be using the home. If recommending a provisional license, also give inclusive dates that license will be in effect and conditions that have to be met for a permanent license to be issued. Include a statement regarding any limitations, i.e. if home is being licensed for a particular child or sex only.

Submitted by:

Agency: _____

Worker's name (Initialed)

Title: _____

Date: _____

DIVISION OF FAMILY & CHILDREN SERVICES

Application for Permit to Care for Children
(As provided Chapter 17 SLA 1951)

For Agency
use only

Foster Care: Foster Home
Group Foster Home

Day Care: Family Day Care Home
Group Day Care Home

Directions: Please do not write in the left hand column. Continue on the back when more space is needed. When completed return this form to the Family & Children Services District Office or other authorized agency with the required physical examination forms attached. Please circle one of the above types of home license for which you are applying.

I. IDENTIFYING INFORMATION

NAME: _____
(Last Name) (husband) (Wife) (maiden Name)

MAILING ADDRESS: _____
(Number) (City)

(State) (Zip) (Telephone)

RESIDENCE ADDRESS: _____
(If different)

II. MOTIVATION

WHY DO YOU WISH TO CARE FOR CHILDREN?

III. THE FAMILY

PEOPLE LIVING IN YOUR HOME:

	First Name	Birthdate	Age	Race	Religion	Highest Grade Completed
Husband						
Wife						
Children						

Name: _____
(Last) (First)

OTHER PERSONS IN YOUR HOME:

Last Name	First Name	Birthdate	Age	Race	Relationship to Family	Occupation or School Grade

PLACE AND DATE OF MARRIAGE: _____

SOURCE OF FAMILY INCOME: _____

HOW LONG DO YOU EXPECT TO BE IN THIS AREA: _____

WHAT EXPERIENCE HAVE YOU HAD WITH CHILDREN? DO YOU HAVE ANY SPECIAL TRAINING OR QUALIFICATIONS THAT YOU WOULD LIKE TO MENTION?

IV. HOME ENVIRONMENT

A. General description

Number of rooms _____ number of bedrooms _____

Where will the child or children sleep? _____

Describe outdoor play area. _____

Do you have bodily injury liability insurance? _____

B. Safety

Do you have at least one 5 lb. ABC dry chemical fire extinguisher in good working condition? _____ If not, would you be willing to buy one? _____

Do you have two exits at remote parts of the house that are usable year round? _____

Are windows operable and large enough for emergency exits? _____

Heat Source? _____

Location? _____

Name: _____
(Last) (First)

Are flammable or liquid combustible materials stored away from furnace or other heat sources? _____

What fire escape or other disaster plans do you have? _____

Are poisons, cleaning supplies and medicines stored safely away from young children? _____

Are firearms locked safely away from young children? _____

C. Health

Do you have adequate first aid materials? _____

Check source of water supply. City Water Private Well Date last tested & approved _____

Tested Community Water Supply

Other if other, explain source and state when source last tested. _____

If sewage system is not on a city line, describe: _____

Name and address of hospital nearest your home: _____

Name and address of your Doctor: _____

Is a Public Health or Alaska Native Service nurse available to provide service to your family? _____ What would you do in case of a medical emergency? _____

Name of person who could care for children in an emergency? _____

V. PROGRAM

WHAT ACTIVITIES DO YOU PLAN FOR CHILDREN? _____

Name: _____
(Last) (First)

HOW DO YOU PLAN TO WORK WITH CHILDREN TO ENCOURAGE THEIR SOCIAL AND PERSONAL DEVELOPMENT? _____

HOW DO YOU PLAN TO HANDLE INAPPROPRIATE CHILD BEHAVIOR? WHAT DISCIPLINE TECHNIQUES DO YOU PLAN TO EMPLOY? _____

VI. PREFERENCES

-----FOSTER CARE-----

FACTS ABOUT THE CHILDREN YOU WOULD LIKE TO TAKE INTO YOUR HOME.

Sex	Age	Race	Religion	Children with special needs?	How many?

What is your religious preference? _____

If a child is not of your faith would you have any objections to his attending another church or no church at all? _____

Pastor's name _____ Address _____

-----DAY CARE-----

Sex	Ages	Children with Special needs?	Full Day Care?	Before & After School Care?	How many?

VII. PERSONAL INFORMATION:

Give the names of three (3) personal references, not related to you, who know you well:

NAME	ADDRESS	TELEPHONE NUMBER
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

HAVE YOU OR YOUR SPOUSE BEEN CONVICTED OF A FELONY ANYTIME DURING THE PAST FIVE YEARS? Yes No

IF YES PLEASE EXPLAIN THE CIRCUMSTANCES ON THE BACK OF THIS PAGE. (State when convicted and what the felony was.)

Name: _____
(Last) (First)

AN ANNUAL NEGATIVE TINE TEST OR SATISFACTORY CHEST X-RAY IS REQUIRED FOR ALL PERSONS IN THE HOME OVER ONE(1) YEAR OF AGE.

Mother: Results Attached _____ Dated: _____

Father: Results Attached _____ Dated: _____

(Names of Others:)

_____ Results Attached _____ Dated: _____

_____ Results Attached _____ Dated: _____

_____ Results Attached _____ Dated: _____

_____ Results Attached _____ Dated: _____

_____ Results Attached _____ Dated: _____

_____ Results Attached _____ Dated: _____

_____ Results Attached _____ Dated: _____

DO YOU OR ANY MEMBER OF YOUR FAMILY HAVE A HEALTH, MENTAL HEALTH, ALCOHOLISM, OR DRUG ABUSE PROBLEM?

If so, what is the condition? _____

A SIGNED AUTHORIZATION TO RELEASE MEDICAL INFORMATION IS REQUIRED FOR THE DAY CARE MOTHER OR FOSTER PARENT APPLICANTS.

Release(s) Attached: _____

To the best of our (my) knowledge, the above statements are complete and correct. We agree to permit the above references to give information regarding all members of the household. We understand that a routine check of city and state police records will be made for adult members of the household.

SIGNATURES: _____
(applicant)

(applicant)

(Date)

We thank you for your expression of interest in providing child care for the children of Alaska. Your efforts and cooperation are greatly appreciated. This application is a statement of intention and can be withdrawn by you at any time.

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

Division of Family & Children Services

Recommendation Regarding Child Care License

I am recommending that a ___provisional___permanent child care license be issued to:

Name

Address (mailing)

Effective Date

TYPE	NO. OF CHILDREN	AGE GROUP
<input checked="" type="checkbox"/> A. Foster Home	_____	_____
<input type="checkbox"/> B. Group Foster Home	_____	_____
<input type="checkbox"/> C. Family Day Care Home	_____	_____
<input type="checkbox"/> D. Group Day Care Home	_____	_____
<input type="checkbox"/> E. Day Care Center	_____	_____
<input type="checkbox"/> F. Other (Specify)	_____	_____

Special Instructions: Give conditions of provisional license and specify inclusive dates provisional license is to be in effect.

District Representative

Date

Regional Supervisor Approval or Designee

Date

DIVISION OF FAMILY AND CHILDREN SERVICES

Department of Health and Social Services

Authorization to Release Medical Information

Circle One: Day Care Applicant Foster Care Applicant

TO:

Name: _____
(Agency, Physician, Clinic, Hospital,
Institution, or School providing past
Services.)

Address: _____
Street or Mailing

City State Zip Code

This information is being requested
in order to determine whether the
applicant is physically, mentally,
and emotionally able to provide foster
care (24 hour care) or day care for
children. Any communicable disease,
health, mental health, alcoholism, or
drug abuse problem should be noted in
the information as well as positive
health factors.

I hereby give my consent to have any pertinent records and information relating
to my past medical care forwarded to

_____ Requesting District Office or Agency Stamp

_____ Signature

_____ Street or Mailing Address

City State Zip Code

_____ Date

WITNESS: _____
Signature

ADDRESS: _____
Street or Mailing

City State Zip Code



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
2507

Page Number
1 of 1

Subject:
DISCHARGE PAYMENTS

PURPOSE

To implement Title 33.30.160, the Alaska Statutes, which deals with the adoption of regulations for discharge payments.

POLICY

It is the policy of the Division of Corrections, Department of Health and Social Services, not to provide discharge payments (gate money) to state offenders being released from state, federal or local institutions. This policy is adopted due to the fact that the state, by an alternate policy, does provide transportation to the place of the offender's arrest and necessary clothing, in accordance with Section 801 and 802 of the Institutional Manual. Each offender will receive any gratuity payments trust account balances accumulated while at the institution at the time of his release.

Approved: _____

Director, Division of Corrections

Date _____

4/3/72

Commissioner, Department of Health
& Social Services

Date _____

4/4/73



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2508

Page Number

1 of 1

Subject:

ANNUAL CHILD CARE LICENSING
REVIEW

PURPOSE

To establish policy for reviewing child care licenses.


POLICY

Each foster home that has been licensed by the Department of Health and Social Services must be reviewed one year from the date of the existing foster home license according to the attached Division of Family and Children's Services memo and form.

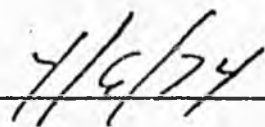
PROCEDURE

(See attached.)

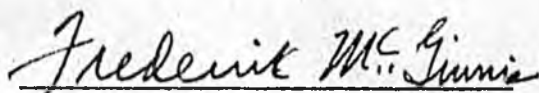
Approved:



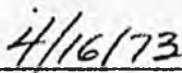
Director, Division of Corrections



Date



Commissioner, Department of
Health & Social Services



Date

DIVISION OF FAMILY AND CHILDREN SERVICES

Department of Health and Social Services
Juneau, Alaska

To: Regional Offices
District Offices
Central Office Staff

Numbered Memo: 72-169 Addendum

Date: March 2, 1973

From: Stanley P. Harris, ACSW
Director

Subject: Child Care Licensing
Sub-Subject: Annual Licensing
Review

Attached is the New Annual Licensing Review Form #106. This form is to be used annually to review all homes currently licensed. We realize that there is a backlog of homes that have not had a licensing review for more than a year. Regional Offices shall develop procedures and priorities for handling the backlog and direct their offices accordingly.

Use of the Annual Review Form:

The Annual review form shall be mailed yearly to all persons who are currently licensed for Foster Care or Family Day Care, one month before the effective date of the license. Also include the CWS 105 for adults. A friendly letter thanking them for their service and requesting an appointment to review their home and program would be appropriate. The review form # 106 was specifically designed to incorporate all points of the new application #9 with emphasis on experience rather than plans.

The form will cue the licensee to check many things including fire safety and extinguisher, water test, first aid materials, emergency care and time tests. As in directions for the original application, your initials in the left hand column will signify that you have reviewed and approved what appears on the corresponding line of the form. It is not necessary to then include that point in the study.

Annual Review Licensing Study:

No new study outline was developed for the review. Use the same day care and foster care outlines that appear in the original version of this numbered memo. Emphasis in the review should be placed on the successes and failures that the family has had with children during the past year, as well as any significant changes or developments that may affect the family's license status.

In the review study, list all of the topical headings enumerated in the original study outline. If the item does not apply to the family's situation write "Not Applicable" (NA) after the heading. For any item that has not changed since the last review study (in many cases the original study) simply write "no change" (NC) after the topical heading. If any item was not adequately covered in the previous study, it must be expanded in the review. One task may be omitted. If the police clearance for the previous year revealed no problem, it will not be necessary to obtain a second police clearance unless the review form indicated a recent felony.

Each review study shall be completed with a reiteration of the licensing recommendation, or with a new recommendation if the family's situation or child

preference has changed. If the original recommendation is altered, a new license and CWS #80 shall be submitted to Central Office with review study and form #106. Also, the family should be advised to return their old license to the Department when they have received the new one.

When you find deficiencies:

In some homes you will find deficiencies. When you do, the following procedures should be followed:

- 1) Discuss the deficiency or problem with the family
- 2) Document your findings in the review study and list the remedial steps that you and the family have agreed upon.
- 3) Document again in a letter to the licensee. Specify the date by which the deficiency must be corrected. Send by Registered mail with a return receipt requested.
- 4) When deficiencies are not corrected within the specified time, the matter should be referred to the Regional Supervisor for evaluation and assistance in making a disposition. Each case will have to be considered individually. However, when all attempts to reach a mutually satisfactory solution have been exhausted, the ultimate recourse is Revocation of the license. This action must be processed through the Commissioner, and the family must be given 90 days notice (see AS47.35.050). Hopefully, though, a family could be encouraged to voluntarily relinquish their license before revocation action is necessary. If revocation does become necessary, any foster or day care children in the home should be removed as soon as the decision is made, even though the 90 days have not yet lapsed.

SPH:PM;BH:maa

Copies to: Office of the Commissioner
Administrative Services
Statistical Services
Central Office File



ANNUAL REVIEW LICENSING FORM

For Agency
use only

Foster Care: Foster Home
Group Foster Home

Day Care: Family Day Care Home
Group Day Care Home

The Department of Health & Social Services requires that all foster and day care homes be reviewed annually. Therefore, we are asking that you please complete this questionnaire. A social worker from the Division of Family & Children Services or other authorized agency will be contacting you soon to set up an appointment for a home visit. The worker will pick up this questionnaire during the visit. Please do not write in the left hand column. Continue on the back when more space is needed. (Please circle one of the above indicating the type of home for which you are licensed.)

I. IDENTIFYING INFORMATION

NAME:

(Last Name) (husband) (middle) (Wife) (Maiden Name)
(Initial)

MAILING ADDRESS:

(Number) (City)

(State)

(Zip)

(Telephone)

RESIDENCE ADDRESS:

(If different)

II. REACTIONS

Name:

(Last)

(First)

WHAT HAVE BEEN YOUR REACTIONS TO BEING A DAY CARE MOTHER OR FOSTER PARENT: CONCERNS, COMMENTS, SATISFACTIONS, PROBLEM AREAS.

WHAT HAVE BEEN YOUR REACTIONS CONCERNING YOUR RELATIONSHIP WITH THIS AGENCY: CONCERNS, COMMENTS, SATISFACTIONS, PROBLEM AREAS.

III. THE FAMILY

PEOPLE LIVING IN YOUR HOME:

	First Name	birthdate	Age	Race	Religion	Highest Grade Completed
husband						
Wife						
Children						

OTHER PERSONS IN YOUR HOME:

Last Name	First Name	birthdate	Age	Race	Relationship to Family	Occupation or School Grade

HAS YOUR MARITAL STATUS CHANGED SINCE YOUR LAST LICENSING REVIEW? _____

Explain: _____

SOURCE OF FAMILY INCOME: _____

HOW LONG DO YOU EXPECT TO BE IN THIS AREA: _____

HAS YOUR PARTICIPATION IN THE FOSTER CARE OR DAY CARE PROGRAM CREATED ANY SPECIAL PROBLEMS OR UNIQUE EXPERIENCES FOR YOU OR ANY OF YOUR FAMILY MEMBERS?

IV. HOME ENVIRONMENT

A. General Description

Since the last licensing review, have you made any additions or significant spatial changes in your home or outdoor play area?

With the addition of foster care or day care children have you had any difficulty providing for the extra space needed? _____

Explain: _____

Do you have bodily injury liability insurance? _____

B. Safety

Do you have at least one 5 lb. ABC dry chemical fire extinguisher in good working condition? _____

Do you have two exits at remote parts of the house that are usable year round? _____

Are windows openable and large enough for emergency exits? _____

Heat Source? _____

Location? _____

Are flammable or liquid combustible materials stored away from furnace or other heat sources? _____

What fire escape or other disaster plans do you have? _____

Have you had practice fire drills? _____

Are poisons, cleaning supplies and medicines stored safely away from young children? _____

Are firearms locked safely away from young children? _____

Are firearms and ammunition stored separately? _____

C. Health

Do you have adequate first aid material? _____

Check source of water supply. City Water Private Well Date last tested & approved _____

Tested Community Water Supply
Other if other, explain source and state when source last tested. _____

Name: _____
(Last) (First)

If sewage system is not on a city line, describe: _____

Name and address of your Doctor and/or Public Health Nurse: _____

What would you do in case of a medical emergency? _____

Name of person who cares for your children in an emergency? _____

V. PROGRAM

WHAT ACTIVITIES HAVE YOU FOUND SUCCESSFUL WITH CHILDREN? _____

WHAT ENCOURAGEMENTS AND DISCIPLINE TECHNIQUES HAVE YOU FOUND SUCCESSFUL WITH CHILDREN? _____

DO YOU BELONG TO OR PARTICIPATE IN ANY GROUPS CONCERNED WITH CHILDREN? _____

HAVE YOU ATTENDED ANY WORKSHOPS OR TRAINING SESSIONS IN THE FIELD OF CHILDREN? _____

WOULD YOU PARTICIPATE IF SUCH PROGRAMS WERE OFFERED? _____

WHAT MEALS AND SNACKS DO THE CHILDREN IN YOUR CARE PARTICULARLY ENJOY? _____

DESCRIBE THE WAYS IN WHICH THE CHILDREN'S PARENTS HAVE BEEN HELPFUL OR PROBLEMATIC FOR YOU. _____

Name: _____
(Last) (First)

(DO YOU OR ANY MEMBER OF YOUR FAMILY HAVE A HEALTH, MENTAL HEALTH, ALCOHOLISM,
OF DRUG ABUSE PROBLEM? _____

If so, what is the condition? _____

A SIGNED AUTHORIZATION TO RELEASE MEDICAL INFORMATION IS REQUIRED ANNUALLY FOR THE
DAY CARE MOTHER OR FOSTER PARENTS.

Release(s) Attached: _____

To the best of our (my) knowledge, the above statements are complete and correct.
We agree to permit the above references to give information regarding all members
of the household.

SIGNATURES: _____
(Applicant)

(Applicant)

(Date)

We thank you for your time and concern in providing child care for the children
of Alaska. Your efforts and cooperation are greatly appreciated.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
2600

Page Number
1 of 1

Subject: OUT-OF-STATE PLACEMENT OF
JUVENILES FOR INSTITUTIONS
(PUBLIC OR PRIVATE), FOSTER
HOMES OR RELATIVES' HOMES (INTERSTATE)

PURPOSE

To establish policy regarding the attached interstate procedures concerning the above subject.

POLICY

Each Regional Supervisor shall ensure that the attached procedures are implemented and used by those staff under his supervision.

NOTE

The attached procedures do not apply to normal Interstate Compact referrals regarding adults and juveniles. Relative foster home placement out-of-state is a Compact matter, but institutional cases are not.

PROCEDURE FOR OUT-OF-STATE
PLACEMENT OF JUVENILES

This procedure applies only to the movement of juveniles out of state to institutions (public or private), foster homes, or relative homes. It does not apply to adults, to intrastate movement of juveniles, or to the return of juveniles from out of state.

I. CRITERIA

- A. For private institutions, the California Youth Authority, other state institutions, and federal institutions.
 - 1. Court judgment declaring a child delinquent and institutionalized.
 - 2. Classified for placement by Regional Classification Committee.
 - 3. Be physically able to enter rehabilitation program.
- B. For foster or relative homes.
 - 1. Adjudged delinquent or in need of supervision.

II. PROCEDURE

- A. For private institutions, the California Youth Authority, other state institutions, and federal institutions.
 - 1. Prepare placement packet (original and 3 copies).
 - a) Current Judgment & Finding orders with current Court Reports. (Must include current social history.)
 - b) Current medical and dental reports.
 - c) Psychological or psychiatric reports within last nine months
 - d) School transcripts.
 - e) Classification Board Summary.
 - f) Detention Summary (if applicable).
 - g) Incident Reports (if applicable).
 - 2. Present case before Classification Committee.
 - 3. Cover letter with any additional information.
 - 4. Fill out referral form provided by institution [California Youth Authority referral form YA 1.411A Rev. 3(8-69)] for CYA. (Most private institutions have their own forms.)

5. Cover letter, referral document and placement packet are sent in placement folder to Interstate Supervisor in Juneau.
6. Interstate Compact Unit will send folder to California Youth Authority or appropriate federal or private institution who will notify Interstate Compact Unit of acceptance or rejection. Acceptance will include medical and dental consent forms to be signed by parents. (Time limit may vary with institution.)
7. Interstate Compact Unit will then notify probation officer of California Youth Authority or federal institution action. If accepted, probation officer will be notified of travel date. The Regional Supervisor of Probation and Parole or his designee will determine escort needs and coordinate with the Interstate Compact Unit and will then notify California Youth Authority or federal institution of arrival date and time.
 - a) Probation officer will use one copy of acceptance as authorization when escorting child.

B. Placement in foster or relative home.

1. Prepare placement packet (original & 3 copies).
 - a) Current Judgment & Finding Orders with current Court Reports. (Must include current social history.)
 - b) Current medical and dental reports.
 - c) Psychological or psychiatric reports within last nine months
 - d) School transcripts.
 - e) Detention Summary (if applicable).
 - f) Incident Reports (if applicable).
 - g) Application for Interstate Compact services and Agreement to Return.
2. Cover letter with any additional information and ask for current foster home rates there. (Foster or relative foster homes only)*
3. Cover letter and placement packet are sent to Interstate Compact Unit.
4. Interstate Compact Unit will send folder to Interstate Compact in receiving state who will forward to the proper agency.

*Relative foster homes are relative homes which are paid foster home rates under special authorization.

5. Potential supervising agency will evaluate placement for minor and will accept or reject case. This will be sent to Interstate Compact in receiving state who will forward this to Interstate Compact Unit in Alaska who will notify probation officer. If accepted, probation officer will be notified of travel date and escort services if needed. Probation officer will obtain medical and dental consent forms. The Interstate Compact Unit will advise the supervising agency in receiving state of date and time of arrival. Interstate Compact Unit will coordinate escort travel requests with escort trips available.
 6. Interstate Compact Unit will send cover letter to Interstate Compact in receiving state on medical expenses, foster home payment, etc.
 7. When possible, transportation for the juvenile will be paid by the parents or legal guardian.
- C. All letters, documents, etc., sent to Interstate Compact Unit must be original and three copies.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2601

Page Number

1 of 2

Subject:

OUT-OF-STATE FOSTER HOME CARE

PURPOSE

To establish policy regarding out-of-state foster care for Alaskan children placed in an out-of-state contract institution.

POLICY

(A) Foster placement of Alaskan contract cases out of state.

1. When it appears that an Alaska contract case is ready for release from an out-of-state institution, Alaska will be notified through existing channels of communication by the Classification Program Specialist in the contract institution. If out-of-state placement is to be suggested, a copy of the correspondence containing this suggestion will be routed to the Alaska Division of Corrections, Juneau, attention of the Deputy Administrator, Interstate Compact.
2. After Alaska has determined that suitable resources are not available here, the request for out-of-state placement will be referred from Alaska to the receiving state through regular Interstate Compact channels.
3. While the case is being considered for out-of-state placement, the minor may be released from the institution to the placement resource on a trial placement basis. This will be done at the discretion of the out-of-state Classification Unit. During the



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2601

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Subject:

OUT-OF-STATE FOSTER HOME CARE

trial placement, the case will be handled as any other out-of-state placement. Foster placement acceptance must be arranged and accepted. Foster home payments, medical bills, clothing purchases, etc., will be handled by the Alaska probation officer who has primary responsibility for the child.

Alaska will then address a letter to the foster parents stating the amount of the foster home payments and the date of commencement. The letter will also include authorization and billing instructions for emergency medical care as outlined in parts of this manual.

4. Medical care bills for medical emergency care can be sent direct to Alaska for payment. The foster parents will receive authorization for emergency medical care and billing instructions in a letter from Alaska. Any elective medical procedure should receive advance approval from Alaska before being undertaken. The out-of-state parole agent should advise his own Interstate Unit by memo of the need for such care, and the request will then be forwarded for Alaska's approval.
5. On initial clothing purchases, advance approval from Alaska is required. The parole agent will advise the Interstate Unit by memorandum of the subject's clothing needs and the estimated amount. If approved, Alaska will forward a check in the appropriate amount to the foster parents.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

2602

Page Number

1 of 1

Subject:

CASE MOVEMENT AND CONTROL

PURPOSE

To establish policy regarding ^{ultimate} ~~primary~~ responsibility and ^{immediate} ~~secondary~~ responsibility and services rendered in each aspect.

POLICY

(A) Each Regional Supervisor of Probation and Parole shall adopt procedures to instruct all staff under their supervision in the operational aspects of the attached definition covering ^{ultimate} ~~primary~~ and ^{immediate} ~~secondary~~ responsibility of all Corrections' cases.

(B) Each Regional Supervisor of Probation and Parole shall adopt procedures to implement this policy along the guidelines attached to this policy.

DEFINITION OF ACTIVE CASE

Statewide -

P. O. has ultimate responsibility and could have immediate but not necessarily

A person, under corrections' jurisdiction, who has been placed in the community or a non-divisional institution within the state of Alaska.

Regionwide -

P. O. has ultimate responsibility and could have immediate but not necessarily

A person, under Corrections' jurisdiction, who has been placed in the community or a non-divisional institution within the same region.

District wide -

P. O. has immediate responsibility and may have ultimate responsibility

A person, under corrections' jurisdiction, who has been placed in the community or a non-divisional institution within the same district.

P. O. has immediate and

Those persons detained in divisional correctional institution

ultimate

as a condition of probation or pending a revocation

responsibility

action.

DEFINITION OF INACTIVE CASE

State wide -

P. O. could have ultimate responsibility but not immediate responsibility.

A person, under Alaskan Corrections' jurisdiction, being supervised in another state by another compact agency, or in a Divisional Correctional Institution in this state.

Region wide -

P. O. could have ultimate but not immediate responsibility.

A person, under corrections' jurisdiction, being supervised in a field placement in another region in the state.

District wide -

P. O. could have ultimate but not immediate responsibility.

A person, under corrections' jurisdiction, being supervised in a field placement in another district in the state.

Exception

P.O. has ultimate and immediate responsibility.

Those persons detained in a divisional correctional institution as a condition of probation or pending revocation action shall be considered active cases.

ROUGH DRAFT

POLICY AND PROCEDURE CONCERNING
RESPONSIBILITY AND ACCOUNTABILITY
FOR CORRECTIONS CASES

PURPOSE:

To develop a uniform policy so each component of Corrections recognizes its distinct responsibilities in the total continuum of reintegrating cases into the community.

To build better casework communications between components so each will enhance offender reintegration.

To prevent cases from going unattended because responsibility and accountability are misunderstood.

POLICY:

Every Corrections employee who has casework interaction will be informed of his personal responsibility for the delivery of services in accordance with the following definitions of responsibility and accountability.

ULTIMATE RESPONSIBILITY is a community responsibility independent of legal or judicial jurisdiction. By accepting ultimate responsibility for a case, the assigned officer is accepting the burden of reintegrating the case into the community, regardless of whether or not the case is immediately present within that community.

With ultimate responsibility flows authority to make reintegration decisions based upon the identified resources of the case and the community.

The officer is accountable to build case stability within the community.

The officer is accountable to develop incentives to help the community to accept its responsibility for reintegration.

The officer is accountable to report to Central all case movements and changes in responsibility according to official procedures.

IMMEDIATE RESPONSIBILITY is an operating unit responsibility to produce and deliver direct services to the case when the operating unit is not holding ultimate responsibility. Immediate responsibility is temporary; the return of the case to the community of ultimate responsibility is expected. The notion implies that the case must receive institutional services or that the "home" community lacks resources to handle the case. In a strict sense, the operating unit is an agent of the officer holding ultimate responsibility.

With immediate responsibility flows the authority to make treatment decisions based upon needs identified by ultimate responsibility and/or diagnosed by the immediate responsibility.

The operating unit is accountable to continually and periodically review case progress with the office of ultimate responsibility.

The operating unit is accountable to mutually plan for the eventual return of the case to the community with the officer holding ultimate responsibility to the case.

The operating unit is accountable to report to the officer holding ultimate responsibility any imminent changes in immediate responsibility or placement.

The operating unit is accountable to report to Central case movements according to official procedures.

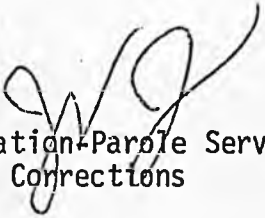
PROCEDURE:

All institutions and field offices will follow the procedures established by the Director of the Division of Corrections.

MEMORANDUM

TO: All Regional Administrators
& District Supervisors
Division of Corrections

DATE : March 29, 1974

FROM: Walt Jones 
Chief, Probation-Parole Services
Division of Corrections

SUBJECT: Policy Change

As agreed upon by John Cain, Keith Stell, Fred Fowler representing Ed Coleman, and myself, inter-regional juvenile institutional placements will no longer change immediate responsibilities from sending to receiving regions unless ultimate responsibility also changes.

The exception to this rule is that in the case of an inter-regional institutional transfer to the McLaughlin Youth Center, McLaughlin will always become immediately responsible. And, likewise, if a juvenile is transferred out of state, the other state will always be immediately responsible even though the placement is in another institution.

Please recall that in order for ultimate responsibility to change, the child's resources, in terms of family and school, must have changed to the receiving region.

An inter-regional institutional placement is defined as a placement to a facility that is licensed to house more than ten children according to Division of ^{Social} Family and Children's Services' guidelines. In all other inter-regional placements, such as foster and group homes or placements housing ten or less, the case and immediate responsibility will be transferred for supervision and treatment purposes from the sending region to the receiving region as is now done.

To: All Regional Administrators
& District Supervisors
Page 2 - Memorandum

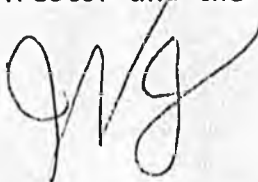
March 29, 1974
Re: Policy Change

Those private facilities which fall in the institutional category will have to be notified to send the bill to each respective Regional Administrator for those placements from his region, for scrutiny and approval of payment.

All officers should review carefully and correct their April caseload register-turnaround document to properly reflect this change in policy.

The original assigned probation officer of an inter-regional institutional placement will retain immediate responsibility and accountability and will have to maintain frequent contact on a monthly basis with the institution and youth, and note progress and conduct and receive regular reports from the holding facility.

This memo will suffice until a formal policy is issued after it has been approved by the Division Director and the Commissioner of Department of Health and Social Services



WJ/mjr

cc: Mr. Richard Gilbert, ACS-Anchorage
Ms. Mabel Rasmussen, Hospitality House-Fairbanks
Mrs. Ilene Hahn - Turning Point Boys Ranch
Kathy Schroeder, Division of Corrections

The sending region will inform the receiving region that the bill is coming into the region as a courtesy.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
2603

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Subject:
INTERSTATE COMPACT MANUAL

PURPOSE

To establish policy which governs the procedures to carry out the attached condensed Interstate Compact Manual.

POLICY

(A) Each Regional Supervisor of Probation and Parole shall adopt procedures to instruct staff in the proper use of the Interstate Compact Manual.

(B) Each Regional Probation and Parole Supervisor shall be responsible for staff adherence to the attached condensed manual.

DEPARTMENT OF HEALTH & SOCIAL SERVICES

DIVISION OF CORRECTIONS

INTERSTATE COMPACT MANUAL

INTRODUCTION

One of the objectives of the Division of Corrections is to provide a service both to the client and the community.

Interstate Compact exists as a mechanism whereby juveniles and adults can be placed in situations which are better suited to their needs.

If we want to provide better service and if interstate is a tool which can provide that service, then the most efficient way of using the compact will also more efficiently provide that service, both to the client and the public.

This then is the reason for this manual.

FORMAT

There is one new form PIP (for Placement-Investigation-Progress) which is to be used for investigations, placement requests and progress reports. Special reports will use the old Field Report Forms. Violation reports will use the new violation report forms sent out in January of '72. Four copies of these forms must be filled out and sent to the Interstate Unit. Three of these are then sent to the sending or receiving state.

PACKETS

A. Interstate Placement Requests packets must include:

1. ³Four copies Agreement to Return and Application for Compact Services.
2. ³Four copies of Judgment and Finding.
3. ³Four copies of Conditions of Parole or Probation.
4. ³Four copies of Court Report or Pre-Sentence Report.
5. ³Four copies of PIP form. Note: Under comments please state why you wish to place person out of state. For juveniles also list resources (financial) here in Alaska.

B. Interstate Placement Investigation (or Home Evaluation).

1. ³Four copies of PIP form to Interstate Unit.
2. Under comments, indicate and justify rejection recommendation.

C. Interstate Special Reports (Use Field Report form).

Purposes:

1. Answering a specific request for information not contained in recent reports.

2. Requesting information concerning an interstate case (ours or theirs) under supervision.
 3. Requesting information for a Pre-Sentence or Post-Sentence Investigation from an agency in another state involved in the Interstate Compact. (Does not include law enforcement agencies, institutions, etc., only probation-parole agencies.)
 4. Reporting the death of an interstate case.
 - a. Give brief statement as to cause and circumstances of death.
 - b. Attach certified copy of the death certificate which can be secured from the Bureau of Vital Statistics in your region.
 5. Advising of arrival of interstate case not going through the normal procedure of Interstate Placement Investigation.
 - a. Give date of arrival in State of Alaska.
 - b. Give residence.
 - c. Explain current situation.
 6. Securing permission or advising of temporary visit to another state or advising of return to sending state for visit.
 - a. Give a brief summary of the subject's adjustment; reasons for visit; address and names of persons he wishes to see; method of travel and companions; dates and length of visit.
 7. Permission to marry.
 - a. Give summary of subject's adjustment; summary of the interview with prospective bride, if possible; legal freedom to marry (attach certified copies of final divorce decree in case of prior marriages if available) support payment to previous spouses, if any; economic preparedness; pregnancy, if applicable.
- D. Pre-Sentence Assistance Report (use Field Report form).
1. Identification:
 - a. Date request received.
 - b. Indicate information requested.
 - c. Who, when, where and how contacted.

2. Information:

- a. From this point, subheadings (underlined, but not capitalized) which follow our Pre-Sentence Report format should be used, Family Background, Education and Employment History, etc. These headings should be in the order of a Pre-Sentence Report, and should be limited to those items specifically requested in the referral from the other state.

3. Evaluation

- a. This section to be used only when specifically requested by another state, and without your recommendation unless specifically requested.

E. Interstate Report of Violation.

1. Four copies each of three new Violation Report forms sent to the interstate desk within five days of violation.
2. Memos until adjudication completed bi-weekly.

Procedures

A. Placement request to place our people in another state.

1. Prepare Placement Request Packet.
2. Send packet to Interstate Unit (four copies of everything).
3. Packet will be sent to receiving state (three copies).
4. Answer will be received from receiving state at Interstate Unit in Central Office (2-5 weeks).
5. Answer will be sent to probation officer making initial request.

NOTE: This whole process usually takes about six weeks - prepare your clients for this time lag. In cases of emergency, call Alaska Interstate with all of the information necessary to prepare a placement packet and the interstate desk shall call the receiving state to obtain permission to send the person before the paper work.

B. Placement Investigation

1. Placement request is received from sending state at interstate desk.
2. Request is forwarded to appropriate regional office with due date. (Normal time allowed - 1 month.)

3. Placement investigation is conducted by probation officer.
 4. New PIP form (four copies) is filled out and sent to interstate desk.
 5. Interstate checks to make sure recommendation is consistent with interstate rules of operation etc., and forwards reply to sending state.
- C. Interstate Special Reports (as name implies used for special situation requests, etc.)
1. Answer to special request from another state.
 2. Request information from another state.
 3. Four copies to interstate desk.
- D. Pre-Sentence Assistance Reports
1. Request received from requesting state (or Alaska P.O.) at interstate desk.
 2. Request sent to appropriate Alaska P.O., or other state.
 3. Investigation conducted by P.O., or other state.
 4. Report (four copies) sent to interstate desk by Alaska P.O. or other state.
 5. Report forwarded to requesting state or Alaska P.O.
- E. Interstate Report of Violation
1. Report due (four copies) within five working days of violation.
 2. Memorandums due every two weeks until adjudication completed.
 3. Completed on new Violation Report forms of 1/72.

Time Limits

1. Placement Investigation - four weeks from date received at interstate desk.
2. Special requests from other states - two weeks or as requested.
3. Pre-Sentence Assistance Investigation Reports - two weeks or as requested.
4. Violation Reports - five working days from date of violation.
5. Progress Reports are due six months from date of Placement Investigation Report and each six months thereafter.

Special Problems

It is recognized that this manual does not cover all situations, problems, etc. It is not intended to. Flexibility is usually inversely proportional to the number of rules set forth. I think interstate should be as flexible as possible, therefore, for any special problems or emergency situations, please call the interstate desk for help.

In some cases, we do not receive all the forms or information we need from certain states. In those cases, the interstate desk will request the missing information and make a decision whether to send the available information to the field for processing.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
2700

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Subject:
ACCOUNTABILITY & RESPONSIBILITY

PURPOSE

To establish policy governing the accountability and responsibility of Regional Supervisors of Probation and Parole.

POLICY

(A) Each Regional Supervisor of Probation and Parole shall be held accountable and responsible to submit, when requested, budget information, according to the accepted format, to Central Office.

(B) Each Regional Supervisor of Probation and Parole shall be held accountable and responsible to control budget expenditures within his respective region to the extent that no deficit occurs at the end of the fiscal year unless prior approval is received from his immediate supervisor in writing to run a deficit.

PROCEDURE

Each Regional Probation and Parole Supervisor shall adopt procedures to implement this policy.



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 Dept. of Health & Social Services
 Division of Corrections

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2800

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Subject:

COMMUNICATIONS

PURPOSE

To establish policy on the use of the above mechanisms for communication between Division employees, inter-division communications, inter-departmental communications, etc.

POLICY

(A) When an employee desires to communicate with someone of higher rank than himself in the Division or Department, private or public agency, the memo should always be addressed through his immediate supervisor and the supervisor shall initial the memo indicating his knowledge of the communication. ^{*} It is important that ~~supervisors~~ ^{persons} at all levels be kept advised of events within their responsibility in order to be accountable, correct possible errors and have the opportunity to comment on the communication.

PROCEDURE

Each Regional Supervisor of Probation and Parole shall adopt procedures to implement this policy.

** The same concept applies to non written communication. The person desiring to speak should go through his or her supervisor.*



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Subject:

PUBLIC SPEECHES

PURPOSE

To develop policy and procedure for probation and parole staff regarding public speeches.

POLICY

In order to acquaint the public with programs of the Division of Corrections, Regional Supervisors and other key staff personnel are encouraged to accept as many speaking engagements and public appearances as possible without interfering with their management responsibilities.

PROCEDURE

The Regional Supervisor is to advise the Chief of Probation and Parole Services of scheduled speaking engagements and public appearances by any staff member as soon as they are accepted. Such reports shall contain:

1. Nature and type of appearance
2. Subject matter or topics for discussion
3. Date and time of scheduled appearance

Compensation for participation and public information programs related to the employee's job and responsibilities shall not be accepted.



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2802

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Subject:
NEWS MEDIA (PUBLIC RELATIONS)

PURPOSE

To establish policy regarding the use of the news media and public relations.

POLICY

(A) Each Regional Supervisor of Probation and Parole has the responsibility and authority to carry on an active public relations program to encourage positive education and participation of the community in its program whenever advisable and possible.

(B) Each Regional Probation and Parole Supervisor shall have the authority to release information to the news media regarding the employment of new professional staff..

PROCEDURE

Each Regional Probation and Parole Supervisor shall adopt procedures to implement this policy.



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Section Number
2900

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Subject:
OFFENDER RECORDS

PURPOSE

To develop policy and procedures for the establishment of maintaining offender records.

POLICY

Each person referred to probation-parole services will have an individual file maintained. This record will contain all information concerning the person under our jurisdiction and will include information developed prior to his admission by probation and parole field staff or other sources.

PROCEDURES

All field staff will follow the procedures as developed by the Division of Corrections' research and development staff. New procedures will be developed at the time the Alaska Justice Information System becomes operational.



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Dept. of Health & Social Services
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Section Number

2900.1

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Subject:

PROCEDURE FOR ORGANIZING
CORRECTIONS' CASE FILE MATERIAL
(4-73)

PURPOSE

To establish a uniform method of organizing the contents of case file material on all persons under Corrections' jurisdiction.

To enhance the efficient retrieval of information maintained according to the standards established by the following procedure.

PROCEDURE

All field offices and institutions which create, transfer out; or receive into their offices, case files will observe the following guidelines:

1. All case files will be maintained in 8 1/2 x 14" manila folders.
2. As a general rule, with exceptions as further noted in sections 6a, 6c and 7b, the material maintained on both the left and right side of the folder shall be in strict chronological order of document creation with the oldest on the bottom to the newest on top.
3. No duplicate documents shall be kept in the case file and wherever practical the original or best copy should be kept.
4. Pictures, negatives of pictures, and micro-fiche will be kept in a top-end-open envelope suitably posted or stapled to the bottom center on the left side of the folder.
5. All material maintained on the right side of the folder will be separated by 8 1/2 x 14" yearly dividers made of the same quality and color of stock as the file folder. The bottom of each divider will be prominently marked with the year 1966, 1967, etc. signifying the year which all documents immediately beneath that year represent. (Procedurally, it would be best to review all files and insert a new divider for the last year each January as a special clerical project)

The left side of the folder will not contain yearly dividers.

6. Contents of left side of folder.
 - a. the bottom most document is always the FBI rap sheet.
 - b. proceeding upward in ascending chronological order of date of creation: all legal papers, which shall include
 - all documents signed by judges and magistrates
 - affidavits
 - petitions
 - amending orders
 - temporary orders



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Subject: PROCEDURE FOR ORGANIZING
CORRECTIONS' CASE FILE MATERIAL
(4-73)

- orders for psychiatrics
 - pre and post-sentence reports
 - other court documents
- c. the top of the left side should always contain:
- R-84 (FBI report of final disposition as defined in Institutional P&P 102), if it has not been completed and transmitted, followed by ---
 - flash notices, if any, followed by---
 - the judgments and commitments relating to current relating to current Corrections jurisdiction.
7. Contents of right side of folder
- a. proceeding upward in ascending chronological order of date of creation, all other documents will be maintained.
- b. the top of the right side should always contain:
- the institutional or field service chronological cumulative note, followed by---
 - the most current admission sheet (booking sheet or face sheet), followed by---
 - the latest institutional time accounting sheet if the person has been or is institutionalized.
8. No documents shall be removed from the case file because they are thought to be non-essential.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

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2901

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Subject: CRIMINAL HISTORY RECORDS

AUTHORITY

7 AAC 60.155 states that "the director shall adopt a divisional manual implementing the relevant sections of the Alaska Statutes, the Alaska Administrative Code, and policies and procedures of the division of corrections and the Department of Health and Social Services."

PURPOSE

To establish divisional policy to implement federal regulations and state statutes regarding the knowledge and use of criminal history records.

POLICY

Federal regulations and state statutes regarding the collection, storage and dissemination of criminal history information mandate that users read, understand and comply with the following adopted and enacted policies.

Every divisional employee, when collecting, storing and disseminating criminal history information, will read, understand and comply with Federal Title 28, Chapter 1, Part 20 - Criminal Justice Information; Title 13, Alaska Administrative Code, Chapter 25, Article 2, Section 210-300; Alaska CJIS regulation; Title 6, Alaska Administrative Code, Chapter 60, Articles 1-5; and Chapter 62.



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 Division of Corrections

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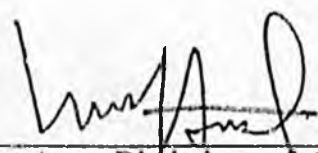
Subject: CRIMINAL HISTORY RECORDS

The Division of Corrections has signed a User's Agreement with the Department of Public Safety. This Agreement stipulates the specific conditions that correctional employees must adhere to when participating as a user.

Misuse of criminal justice information may not only result in disciplinary action by the employer, but also civil action for actual damages and criminal penalties of a fine of not more than \$1,000 or by imprisonment of not more than one year.

PROCEDURE

Each Superintendent and Regional Administrator is to ensure that, upon receipt of this policy and attachments, each divisional employee will understand that he will be held accountable to be familiar with its contents and comply with the appropriate regulations, statutes and procedures.

Approved: 
 Director, Division of Corrections

4/3/78
 Date


 Commissioner, Dept. of Health &
 Social Services

4/4/78
 Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
3000

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Subject:
HARDWARE

PURPOSE

To establish policy regarding the responsibility of Regional Supervisors concerning Hardware training.

POLICY

It is the responsibility of each Regional Supervisor of Probation and Parole to conduct pre-service training for new employees and in-service training for all employees on a regular schedule and on an as-needed basis. Regional Supervisors shall send copies of their topics and schedules of training to Central Office for informational purposes.

The following topics should be covered as well as any other training topic which may be pertinent to a specific region.

1. Alaska Statutes dealing with Criminal Justice and Rules of Children's Procedure.
2. Manual interpretation.
3. State, department and division nomenclature orientation.
4. Available resources for treatment or placement for offenders and children.
5. All types of report writing and line staff administrative requirements.



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Subject:

HARDWARE

7. Parole Board Policy Manual.
8. Minimum Supervision Standards.

PROCEDURE

Each Regional Probation and Parole Supervisor shall adopt procedures to implement this policy.



State of Alaska
Dept. of Health & Social Services
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3001

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Subject:

SOFTWARE

PURPOSE

To establish policy regarding software training.

Software training is defined as the education of staff in counseling and therapeutic techniques that staff may want to use in the treatment of offenders and children.

POLICY

Software training that requires staff participation at a therapeutic level will be voluntary. Examples of such experiences are in-depth sensitivity training and encounter groups. Software training presented by other methods may be mandatory.

PROCEDURE

Each Regional Probation-Parole Supervisor shall adopt procedures to implement this policy.



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3002

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Subject: STAFF DEVELOPMENT
(Effective 07/01/75)

PURPOSE

To establish the policy and procedures for staff development programs in the Division of Corrections, Department of Health and Social Services.

POLICY

It is the policy of the Division of Corrections, Department of Health and Social Services, that all employees will participate in a staff development program. The responsibility for the development of the staff training program rests with the Division Training Supervisor of the Division of Corrections. The Superintendent of each adult correctional institution and the Regional Administrator of each Probation/Parole Region, in conjunction with the Training Officer of the Division, will implement the training program for his personnel.

All top and middle managers will have at least 40 hours a year of executive development training, including training in the operations of police, court, prosecution and defense attorneys.

All new staff members will have at least 40 hours of orientation training during their first six months on the job, and at least 60 hours of additional training during their first year of employment.

All staff members, after their first year, will have at least 40 hours of additional training per year.



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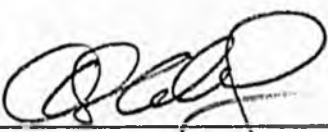
Subject:
STAFF DEVELOPMENT

PROCEDURES

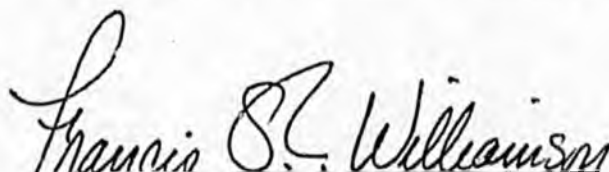
The Regional Administrator of each region, in conjunction with the Training Supervisor for the Division of Corrections, will be responsible to see that, prior to achieving permanent employee status, each new employee will receive training as outlined for that position in the Alaska Division of Corrections Employee Training and Staff Development Program.

The Training Officer of the Division of Corrections will be responsible for placing in each employee's personnel file a report of training accomplished and whether or not it was completed satisfactorily.

Approved: _____


Director, Division of Corrections

6/11/75
Date


Commissioner, Dept. of Health &
Social Services

6/20/75
Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
3100

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Subject:
GENERAL RULES FOR EMPLOYEES

PURPOSE

To establish general rules for employees of the field services in the Division of Corrections.

POLICY

(A) Every employee of the Division of Corrections, regardless of classification position, or duty station, should be ever mindful of his special identification by the public as having a public trust in the respected place in the Criminal Justice System.

(B) Laxity of conduct in your position, as well as in your private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect adversely upon you as an individual and the Division of Corrections as a whole. Every employee should conduct himself in his position, as well as in his private life, so that the public will regard him as a good example of a law-abiding responsible citizen. The employee must guard against placing himself in a position in which any person can expect special consideration or in which the public can reasonably assume the special consideration has been given.

GENERAL RULES

(A) Any employee of the field services, regardless of his classification or position description, is expected to perform any service which he has been



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Subject:

GENERAL RULES FOR EMPLOYEES

deemed capable of performing. He will be held responsible for the performance of the duties assigned and for the proper supervision of any offender detailed to work under his direction.

(B) All employees will report for duty punctually at the time directed and shall not leave their post or duty station prior to being properly relieved or obtaining permission of their supervisors.

(C) Every employee when on duty is expected to devote full time to his responsibility. He is not permitted to engage in any activities that would prevent him from providing proper supervision to the offenders in his care.

(D) Employees shall, at all times, maintain a quiete but firm demeanor in their dealings with offenders. The use of indecent or abusive or profane language is forbidden. No employee shall strike or lay hands on an offender unless it be in defense of himself, or if it would be necessary to prevent an escape, a serio's injury to a person or property, or to quell a disturbance. In such cases, the amount of force necessary to accomplish the desired results is permitted.

(E) For the violation of regulations or orders, failure or neglect in the performance of duties or for conduct prejudicial to the best interests of the service, or for any other good and sufficient reason, the Regional Supervisor may suspend an officer or employee for a period not to exceed five (5) days.



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Subject:

GENERAL RULES FOR EMPLOYEES

Any suspension shall be promptly reported to the Chief of Probation and Parole Services. In accordance with the state personnel rules and regulations, the Regional Supervisor may recommend a suspension of more than five (5) days or termination of the employee to the Director of the Division of Corrections.

(F) Each Regional Supervisor shall keep a complete list of employees, addresses and telephone numbers. It is the responsibility of each employee to advise the Regional Supervisor in writing of any change in his address or telephone number.

(G) Each employee of the Division of Corrections will be provided an identification card that includes a current picture. Identification cards must be carried by employees at all times when they are on duty.

(H) Every employee is encouraged to make any recommendations or suggestions regarding the policies and procedures of the Division. Suggestions should be submitted to the Regional Supervisor for his review prior to submission to the Division's central office.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

3101

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Subject:

EMPLOYEE TRANSFERS & PROMOTIONS

PURPOSE

To establish uniform policy and procedure for the transfer and promotion of employees of the Division of Corrections.

POLICY

(A) All transfers and promotions will be in accordance with the personnel rules and regulations of the Division of Personnel, Department of Administration. It is the policy of the Division of Corrections, whenever possible, to promote personnel within the Division.

(B) The lateral transfer of an employee from one class to the same class will receive first consideration.

(C) It is the responsibility of each individual employee to make application for promotion or transfer.

PROCEDURE

Every employee will follow the procedures as outlined in the rules and regulations of the Division of Personnel, Department of Administration, and rules and regulations developed by the Department of Health and Social Services for promotion and transfer.



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Dept. of Health & Social Services
Division of Corrections

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3102

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Subject:
BUSINESS TRANSACTIONS

PURPOSE

To establish a policy for all employees of the Division regarding business transactions with offenders committed to their care or under the jurisdiction of the Division.

POLICY

No employee of the Division of Corrections, Department of Health and Social Services, shall enter into any agreement to conduct, or consummate at a future time, a business transaction with any individual(s) under the supervision (probation, parole, institutionalization) of the Division. A "Business Transaction" for the purpose of this policy, shall be considered to be an exchange of goods or services for financial or property remuneration. Exchange of personal property is also to be considered as a "Business Transaction."



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3103

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Subject:

BRIBES, GIFTS, OR GRATUITIES

PURPOSE

To establish a policy regarding the offering or accepting of bribes, gifts or gratuities.

POLICY

No employee of the Division of Corrections shall accept a bribe, gift or gratuity from any offender, a relative or friend of any offender, or any person who has or expects to have business dealings with the Division.

It is the responsibility of an employee to report immediately in writing to the Regional Supervisor of Probation and Parole of any attempt at bribery. Any offer of a gift, tip, or gratuity shall be declined and similarly reported.

Acceptance of any such bribe, gift, or gratuity by any employee of the Division may result in discharge from employment and possible prosecution.



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Subject:

DRESS

PURPOSE

To establish policy regarding clothing worn by field staff when on duty.

POLICY

Each Regional Supervisor of Probation and Parole shall determine the appropriate dress for field staff under his supervision with the exception that all male staff members shall wear a sport or suit coat and a tie when appearing in court.

PROCEDURE

Each Regional Supervisor shall adopt procedures to implement this policy.

MEMORANDUM

TO: [All Office Supervisors
Division of Corrections

DATE : April 11, 1974

FROM: Thomas R. Branton (TRB)
Administrative Officer
Division of Corrections

SUBJECT: Division of Corrections'
Employees' Security Clearance Check

The Division of Corrections has, for many years, required certain job classes, as part of their recruitment processing, to be fingerprinted. Such background investigation has identified to us those people who were ex-offenders and others who had police contact records.

Effective immediately, it will be the Division policy to conduct a fingerprint, FBI check, background investigation on all existing employees and on each new employee.

With the employee turnover at a fairly high rate and additional security demands being placed upon the Division because of the user regulations surrounding the Alaska Justice Information System, etc., it is vitally important to have background information available.

Please have each employee currently in your office unit report to the local police station or the nearest State Correctional Center and have a set of applicant fingerprints completed. The "kickback" from these fingerprint cards is to be sent directly to the Division of Corrections, Central Office, the attention of Charles G. Adams, Jr., Director. When these replies are received, you as a supervisor will receive any information which the Central Office determines to be of importance to you in the operation and management of your office unit.

In the case of a new employee; this investigation is to be completed prior to the individual reporting for his first day on the job. Therefore, inform Central by teletype or terminal so we can expedite our clearance back to your office on new applicants.

Please verify to this Office no later than May 15, that all employees for which you have any supervisory responsibility have a fingerprint kickback on file.

A formal policy and procedures will be disseminated regarding this matter as soon as it clears the necessary approval levels. This memorandum should be incorporated in your Policy and Procedures Manual as a temporary measure until supplanted.

Thank you.

TRB:cc

MEMORANDUM

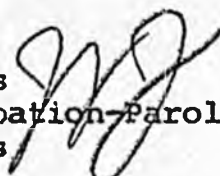
TO: [Keith Stell
Regional Administrator
SERO

DATE : March 23, 1973

FROM: ~~XXXX~~ Joe Seale
Regional Administrator
NRO

SUBJECT: BOARD OF PAROLE POLICY &
PROCEDURE MANUAL

Ed Coleman
Regional Administrator
SCRO

FROM: Walt Jones 
Chief Probation-Parole
Services

Gentlemen, I was only able to obtain 13 copies of the manual, one for each office, in the State. Therefore, it will be necessary for each region to duplicate as many copies as necessary for staff. Please supply each of your district offices with at least one copy.

You will note that the manual speaks more to policy rather than procedure and it has to do with the action of the Board. The manual, for the most part, does not indicate what policy or procedures we follow once the Board has released the offender to parole status. In those few instances where the manual indicates action on our part, the action does not conflict with our operational manual.

WJ:ap

cc: Charles Adams
Thomas Branton

Enclosure: Manuals



State of Alaska
Dept. of Health & Social Services
Division of Corrections

3105

1 of 2

Subject:

AJIS TERMINAL OPERATOR SECURITY
(Effective 09/01/75)

PURPOSE

To develop uniform standards of Division of Corrections AJIS Information security.

To insure that AJIS terminal operators and other AJIS authorized personnel are aware of security responsibility, as well as fines and punishment provided for under Alaska State Code. Specific regulations regarding AJIS are referred to in the AJIS user's guide, pages 6-1 through 6-15 inclusive.

POLICY

All Division of Corrections employees requiring AJIS use or information will, as prescribed under 6AAC 60.040.(a), have a fingerprint check and background check prior to clearance in either using AJIS or obtaining AJIS file information.

No AJIS information obtained on a Division of Corrections terminal will be given to any other agency without the signed approval of the Terminal Security Officer.

All personnel authorized use of AJIS terminals will stamp AJIS messages with the following:

CONFIDENTIAL

**FOR CRIMINAL JUSTICE AGENCY USE
ONLY. UNAUTHORIZED USE OF THIS
INFORMATION IS PUNISHABLE BY
FINE & IMPRISONMENT.**



State of Alaska
Dept. of Health & Social Services
Division of Corrections

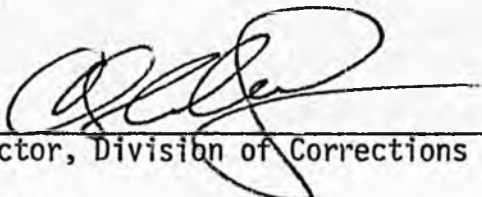
Section Number
3105

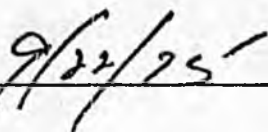
Page Number
2 of 2

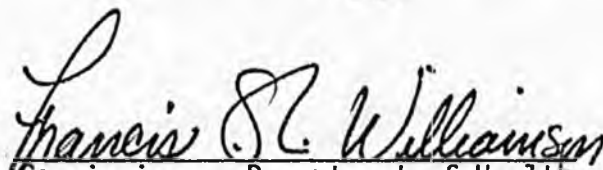
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AJIS TERMINAL OPERATOR SECURITY

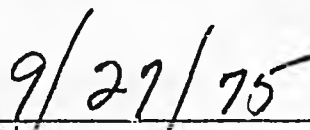
All Division employees will sign a security agreement with the Division of Corrections' Terminal Security Officer, a copy of which will be sent to the Division Security Officer at Central Office, Juneau.

Approved:


Director, Division of Corrections


Date


Commissioner, Department of Health
& Social Services


Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

3106

1 of 4

Subject: PROBATION OFFICER IDENTIFICATION
(Effective 04/15/76)

PURPOSE

To properly equip management and line personnel with appropriate identification suitable to carry out their duties as described in Alaska Statutes 33 and 47.

POLICY

1. The Chief Probation Officer, Probation Officer IV's, Probation Officer III's, Probation Officer II's, Probation Officer I's, Probation Aides and Probation Officer Trainees shall be issued a badge, credential case and identification card when employed by the Division of Corrections.
2. Each person issued the identification as described in paragraph (1) shall carry this identification at all times when on duty. The identification will only be presented when official business is being conducted by the employee. Each employee issued the identification must determine when the identification needs to be presented during official business. This normally means when the employee is investigating an official matter or making an arrest.
3. It is important that staff do not abuse the use of the identification. To do so would bring discredit to fellow employees, the Division, Department and the State of Alaska.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

3106

Page Number

2 of 4

Subject:

PROBATION OFFICER IDENTIFICATION

If a report is received and verified by management that the employee has abused the use of the identification, appropriate corrective or disciplinary measures will be taken immediately.

4. If an employee loses the identification or damages the identification so that it must be replaced, the employee must pay for its replacement.

PROCEDURES

1. The Division of Corrections' Central Office shall distribute the appropriate number of identifications to each regional office. Each Regional Probation Administrator shall issue his staff a credential case and badge. Each Regional Administrator must be certain that each employee has a valid departmental identification card before the employee is issued the badge and case.
2. When the employee receives the case and badge, he will place his identification card in the case.
3. Each Regional Administrator will issue a case and badge with one star to each Probation Officer III. Each Regional Administrator will be issued a case and badge with two stars. All badges to be issued to Probation Officer II's, Probation Officer I's, Probation Aides and



State of Alaska
Dept. of Health & Social Services
Division of Corrections

3106

3 of 4

Subject: PROBATION OFFICER IDENTIFICATION

Probation Officer Trainees will be numbered in numerical sequence.

When the Regional Administrator issues the identification, the probation officer shall sign a receipt that he or she has received the article and is responsible for its proper use and safekeeping. This receipt shall be kept on file in the staff member's working personnel file and a copy of it will be sent to the Chief Probation Officer.

4. When a probation officer manager or officer terminates from specific probation duties for any reason, the employee must relinquish the case, badge and identification card on or before termination of duties. If the employee then assumes new responsibilities within the probation class series, appropriate identification must be issued when those duties are commenced.
5. Relinquished cases and badges shall be re-issued to new employees.
6. Each Regional Administrator shall submit to the Chief Probation Officer a master list of badge numbers, who the shield and case is issued to, and on what date the employee received the identification. When identification is relinquished or re-issued, these amendments must be noted and mailed to the Chief Probation Officer, and he will have the master list updated.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

3106

Page Number

4 of 4

Subject:

PROBATION OFFICER IDENTIFICATION

7. The Regional Probation Administrator shall be responsible for the implementation and enforcement of this policy and procedure in his region.

Approved:

Walter B. Jones Jr. for Wm. Houston
Director, Division of Corrections

Date

4-16-76

Catherine M. Lloyd
Commissioner, Dept. of Health &
Social Services

Date

4-16-76



Subject: EMPLOYEES AS FOSTER PARENTS
(Effective 12/15/76)

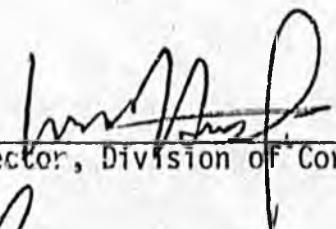
PURPOSE

To establish a policy for all employees of the Division regarding the placement of children who are under the jurisdiction of the Division as foster children in the employee's home.

POLICY

In order to avoid allegations of conflict of interest toward employees of the Division of Corrections or toward the Division itself, no employee of the Division may accept a child under Corrections' jurisdiction for placement, nor make application to become a foster parent of a child who is under the jurisdiction of the Division of Corrections. This does not preclude a Corrections' employee from being a foster parent to a child not under Corrections' jurisdiction, if the prospective parent and employee has received approval from the Director of Corrections.

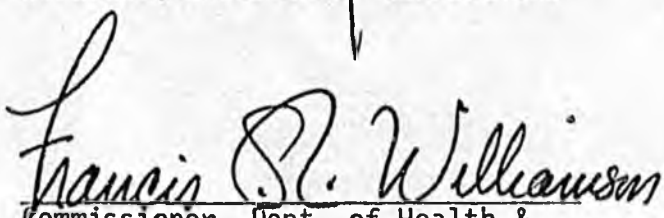
Approved:



Director, Division of Corrections

12/9/76

Date



Commissioner, Dept. of Health &
Social Services

12/10/76

Date

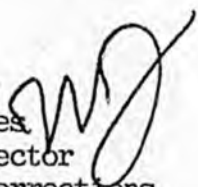
MEMORANDUM

TO: All Regional Administrators

DATE: May 16, 1979

FILE NO:

TELEPHONE NO:

FROM:  Walter B. Jones
Assistant Director
Division of Corrections

SUBJECT: Overtime Regulations

Now that all overtime hearings have been completed and you have been informed which probation staff are eligible, please be advised of the following probation and parole unit regulations concerning this subject.

1. Regional Administrators of Probation and Parole are delegated the authority to sign overtime vouchers after the R.A. has reviewed and assured himself that other overtime regulations have been followed.

Ref. message of 1-4-79 re: overtime (see attached)

Each overtime voucher shall have attached a memo of justification. Justification shall include, what activity occurred and why it had to occur on an overtime basis.

2. Overtime is allowed to eligible employees for:
 - A. Required court and parole board appearances.
 - B. An arrest of a probationer or parolee by the supervising officer is immediately mandatory in order to prevent a serious misdemeanor or felony from occurring.
 - C. An arrest is necessary to prevent a probationer or parolee from absconding supervision or doing physical harm to others or him/herself.
 - D. The assigned Probation Officer's presence is necessary at a certain time to complete the arrest process, such as to sign a remand when a probationer or parolee is being apprehended and booked without a warrant by police at the request of the Probation Officer.

- E. Travel time exceeds the normal work week and this arrangement cannot be avoided due to flight or other travel schedules which conflict with normal allowable work hours for various reasons, such as weather, emergencies, etc.

These regulations are to be considered temporary. A permanent policy will be written later after sufficient experience is obtained and modifications are written to establish a final document. Meanwhile, please provide each manual holder with a copy of this memorandum. Each manual holder shall place these regulations after P&P #3107 for ready reference and mark the manual index accordingly.

Regional Administrators should plan employee's work time to produce the required investigation and supervision assignments, including paperwork, during the normal work week.

Budget and Management has made it very clear that we are expected to operate within our budget limitations and cannot rely on a supplemental to cover deficit spending. It is important to retain the thought; more personnel may be subject to lay-offs to cover overtime expenses in FY 80 if these regulations are not monitored closely and constantly by supervisory staff.

WBJ:cf

Attachment: Department Policy #330-1 (Overtime Regulations)
Message dated 1-4-79 (Overtime)
Overtime Work Authorization Report

cc: Charles F. Campbell
Charles E. Sothan
Leland T. Dalby

A PERFORMANCE REVIEW
OF THE
ALASKA STATE BOARD OF PAROLE

May 9, 1979

Commissioner of the Department of
Health and Social Services
Deputy Commissioner of the Department
of Health and Social Services
Deputy Commissioner of the Department
of Health and Social Services
Deputy Commissioner of the Department
of Health and Social Services

Dr. Helen D. Beirne
Allen Korhonen
Frederick McGinnis
Catherine M. Lloyd

Members of the
Alaska State Board of Parole

Chairman
Vice-Chairman
Member
Member
Member

William Lyons
Beverly Dunham
Dan Kosoff
Conrad Miller
Al Widmark

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

FINANCE DIVISION,
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

June 19, 1979

Members of the
Legislative Budget and Audit Committee:

In accordance with the intent of Title 24 and 44 of the
Alaska Statutes, the attached report is submitted for your
review.

A PERFORMANCE REVIEW
OF THE
ALASKA STATE BOARD OF PAROLE

May 9, 1979



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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PURPOSE AND SCOPE OF THE REVIEW

Purpose

In accordance with the intent of Alaska Statutes 24.20.271 (1) and 44.66.050 (sunset legislation), an audit of the Alaska State Board of Parole was conducted to review Board activities and accomplishments to determine if the Board has been operating in an effective, efficient, and economical manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Alaska State Board of Parole will be reestablished. The law currently specifies that this Board will terminate on June 30, 1980, but will continue until June 30, 1981, for the purpose of concluding its affairs.

Scope

The functions reviewed include the Board's general operations and administration. Our review consisted of the following:

1. Evaluation of applicable statutes and regulations.
2. Questionnaires sent to current and past Board members.
3. Questionnaires sent to Parole/Probation Officers.
4. Interviews with employees in the criminal justice system associated with the parole system.
5. Review of other states' parole boards.
6. Analyses and tests of the Board's records.
7. Complaints filed with the Ombudsman's Office.

Scope Constraints

This review was hampered by the following constraint:

1. The Board has not developed and reported performance information regarding its effectiveness and accomplishments as required by AS 37.07.090 and AS 33.15.130.

ORGANIZATION AND FUNCTION

Article III, Section 21, of the Alaska Constitution states that a parole system shall be established by law. AS 33.15, or the Parole Administration Act, is the law that establishes the Alaska State Board of Parole and its authority. The Board consists of five part-time members who meet quarterly to hear parole-related matters. The members are appointed by the Governor, with confirmation by the legislature, and serve without salary although travel costs and per diem is provided. The Board has an administrative staff which currently consists of an Executive Director, Parole Board Officer and two clerical personnel.

The Board basically conducts two types of hearings: release hearings and revocation hearings. By statute, an inmate may not be considered for parole release until a statutory minimum time in prison has been satisfied (AS 33.15.080 requires that at least one-third of the sentence be served in confinement before parole eligibility). Upon application, an eligible inmate will be considered for parole and will appear before the Board. The Board will consider the case in view of certain criteria (e.g., institutional behavior, release plans, past record, recommendations, etc.). A parole decision will either release an inmate on parole, continue the case for future consideration or deny parole. Since FY'74, the Board has averaged 225 release hearings per year of which an average of 80 per year were released on parole.

When it has been determined that a parolee has violated a law or condition of parole, the Board will hold a revocation hearing to decide upon the course of action to take in the case. The Board may choose to revoke the violator's parole and return the parolee to prison, whereby, no credit is allowed against the sentence for time served on parole; parole may be revoked and the parolee re-paroled without time credited against the sentence for prior time on parole; or no action may be taken. The Board has the authority to establish terms and conditions of parole, and their enforcement, which is accomplished through revocation proceedings. Since FY'74 the Board has averaged 27 revocation hearings per year.

AS 33.15.080 gives the Board the authority to release prisoners from confinement. Accompanying the Board's authority is the responsibility for public welfare. In each parole release case, the Board weighs the benefits of granting parole release against the inherent risks involved. The benefits of parole embrace opportunities for successful community life and reduced monetary and social costs which follow successful parole release cases. The risks involve additional social and monetary costs that will result from parole violations.

The Board receives General Fund appropriations to support its operations. The Board's primary expenditures are for personal services relating to the administrative staff and travel associated with the various Board meetings and hearings.

REPORT CONCLUSION

Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these issues the legislative oversight committees should consider the findings and alternatives presented in this report in reaching their decisions.

Report Conclusion

Article III, Section 21, of the Alaska Constitution requires the establishment of a parole system. The current system comprises a parole release program administered by the Alaska State Board of Parole. We found no viable alternative to the present system at this time; therefore, in our opinion, the Board should continue to administer the parole release program.

The parole decision process requires a great deal of dedication of time and effort on the part of each Board member. We commend the members for their service in what is oftentimes a complex and difficult job. However, there are some areas where the Board can improve in efficiently and effectively serving the public interest.

In Recommendation No. 1 we recommend that the Board be more specific in formulating objectives so that performance can be gauged. Without specific objectives, strengths and weaknesses of Board activities cannot be readily identified. We also have recommended that the Board maintain necessary information which would contribute to evaluating performance as well as planning and controlling current activities. (see Recommendation No. 2).

Other areas that need to be addressed comprise making parole matters clear to interested parties and the public. The Board should codify its regulations and make it available to all interested persons (see Recommendation No. 5). In addition, periodical reports as required by law should be prepared and distributed to the governor and legislature (see Recommendation No. 3). The adoption of these recommendations will serve to clarify Board activities for individuals either directly or indirectly involved with parole matters.

Some Board members have expressed that the public is often confused about parole. Holding public meetings will serve to enlighten those with questions on Board activities and could be a means through which public input is recorded (see

Recommendation No. 4). Support for parole policy changes is one use of formal public input. Both clarifying parole issues and recording public input will contribute to public interest.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board should establish specific objectives and related measurement criteria so that its performance can be evaluated.

The Board's FY 1979 budget documents state that its objective is to maintain a less than 8% rate of felonies committed by parolees within one year after parole release. Measurement of this objective alone, however, is not sufficient to determine the degree of effectiveness experienced by the Board in serving the public. The Board has not established any other specific program objectives through which its performance can be evaluated.

Specific objectives should describe what the Board intends to accomplish during the current period and should be consistent with long range goals. To be capable of measurement, objectives should be well-defined including a description of methods of measurement. When specific objectives are not identified, both the Governor's office and the Legislature cannot adequately evaluate the Board's performance.

Recommendation No. 2

The Board should maintain necessary information to ensure the effective management of Board activities.

The Board keeps case files on parolees and some statistics on types of cases heard. However, the information has not been adequately summarized for purposes of analyzing the parole program.

The Board needs information for purposes of measuring performance and analyzing decisions. It is essential for any decision-making body to review the significance and effects of past decisions to adequately plan for future decisions.

Maintaining complete information will benefit the Board in several ways. Some uses of such information may entail:

- 1) Scheduling workloads;
- 2) analyzing trends - similar decisions when viewed overtime may reveal positive or negative results and support policy changes;
- 3) assisting planning efforts and research of other agencies; and

- 4) controlling risk in parole decisions - valid statistics may support parole release or revocation decisions and show the degree of risk based upon historical evidence.

With sufficient information, any alternatives to the parole release system or parole procedures can be better analyzed. Procedures should be developed which address what and how information is to be maintained as well as reported.

Recommendation No. 3

The Board should prepare and submit reports as required by law.

Reports sent to Comm. H.S.S.

The Board has not followed statutory reporting requirements, per AS 37.07.090 and AS 33.15.130. AS 37.07.090 requires each State agency to submit a performance report to the Division of Budget and Management no later than September 1, for the preceding fiscal year. AS 33.15.130 requires that annual reports containing various statistical data and a computation and analysis of dispositions in criminal matters by State courts be submitted to the Governor, the Commissioner of the Department of Health and Social Services and the Attorney General.

To contribute to governmental effectiveness, the Board should disseminate the results of its operations to appropriate parties. The report required by AS 33.15.130 is essential for planning and analyzing matters relating to parole. In the 1977 legislative session, the Legislature, in conjunction with sunset legislation, amended the performance reporting statute (AS 37.07.090) to require agencies to specifically address eight criteria. This report would provide a useful tool for evaluating the Board in relation to performance reviews and other matters.

Recommendation No. 4

The Board should encourage public participation for consideration in parole related matters.

It is the Board's policy in the conduct of its meetings to allow the presence of only those individuals who are considered necessary under the circumstances. For parole hearings, this is required to secure the confidential nature of the hearings as well as protect the objectivity of hearing decisions. Administrative meetings, however, do not share the same characteristics as case hearings. Administrative meetings are held at irregular times during the year for the purposes of transacting general business of the Board.

We were informed by Board members that the public is sometimes confused about parole and may misconstrue the Board decisions. This has happened despite the Board's efforts to be in contact with various community groups and governmental organizations.

As another avenue in seeking public input the Board should hold public administrative meetings. Public meetings will provide broad public representation in the development of parole regulations and be a means to formally record public input, which would assist the Board in determining how much "risk" the public is willing to bear regarding parole release.

Further, procedures should be developed to cover the agendas of public meetings and notification of the public as to time, place and nature of each meeting. A formal record should be kept of each meeting which delineates matters acted upon and any changes in Board policy or procedures.

Recommendation No. 5

The Board should codify its regulations in a clear form readily available to the public, inmates and all others requiring information about the Board's operations.

AS 33.15.100 states: "The board shall adopt rules which it considers necessary or proper with respect to the eligibility of prisoners for parole, the conduct of parole hearings, and conditions of release to be imposed on parolees".

Rules governing the Board's operations should be a clear statement of its procedures and requirements in parole matters. However, the Board's rules are currently contained in two manuals, and an assortment of updating memos and various forms. This creates a situation in which the rules cannot be immediately or clearly identified and may be subject to arbitrary change.

Although the Board members and staff may personally know the rules, it is also important for the rules to be available for anyone requiring them; the present form does not adequately allow for this. A codification of the rules would not only make them readily available to others but also would facilitate making refinements and improvements in the Board's rules and procedures.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analysis of Board activities relates to the public need factors defined in the "Sunset" law. This analysis is not intended to be all inclusive, but addresses those areas we were able to cover within the scope of our review.

- I. The extent to which the board, commission or program has operated in the public interest.
 1. The Board is working toward a "parole guidelines" approach to parole decisions which should, when implemented, provide additional support for parole decisions. Also, the guidelines should allow for more efficient Board operations.
 2. The Board is currently addressing its informational needs through drawing upon resources available from other agencies. For example, the Criminal Justice Planning Agency is in the process of developing an information system through federal funding wherein the needs of the parole system will be considered.
 3. We determined from our analysis of parole revocations for FY'74 - FY'77 that less than 8% of the paroles were revoked within one year after parole release as a result of new felonies. This compares favorably with available national statistics as well as other States on an individual basis.

- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 1. The Board has not codified its rules and procedures (see Recommendation No. 5).
 2. The Board has not fully identified specific program objectives nor maintained proper information for performance evaluation (see Recommendation No. 1 and 2).
 3. The Board has revised its filing system which will result in added efficiency in extracting case information.

III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

1. The Board has recommended the clarification of some areas of the Parole Administration Act. In addition, the Board attempts to monitor and provide input for legislation affecting the parole process.

IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

1. No formal record has been kept from which a determination can be made on how feedback from interested persons is used by the Board in evaluating its effectiveness. However, we were able to determine that the Board has been active in soliciting input from various public and private organizations.

V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

1. Public participation has not been allowed at administrative meetings, thus no formal public input has been recorded in developing procedures and regulations (see Recommendation No. 4).
2. Since regulations cannot be readily made available, interested parties cannot be confident of having all information for purposes of making observations or suggestions for improvements (see Recommendation No. 5).

VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.

1. Seven complaints have been processed by the Ombudsman. Of the seven, five were determined to be unsupported and two were discontinued or rectified. As of February, 1979, one case was in process which related to improper parole consideration.

2. We found no record of complaints filed with the Department of Health and Social Services concerning the Parole Board.

VII. The extent to which a board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.

1. The Alaska State Board of Parole does not regulate entry into an occupation or profession.

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

1. We found no evidence of hiring practices or Board appointments that are contrary to State personnel practices.

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

APPENDIXES

APPENDIX A

ALASKA STATE BOARD OF PAROLE
SCHEDULE OF AUTHORIZATIONS, EXPENDITURES AND ENCUMBRANCES
 For the Year Ended June 30, 1978
 (UNAUDITED)

	<u>Authorizations</u>	<u>Expenditures</u>	<u>Encumbrances</u>	<u>Lapsed</u>
Personal Services ¹	\$ 83,400	\$ 81,021	\$ 4,937	\$ (2,558)
Travel and Per Diem ²	40,100	32,710	3,383	4,007
Contractual Services	24,189	7,268	421	16,500
Commodities	2,090	1,213	114	763
Equipment	<u>3,020</u>	<u>4,236</u>	<u>15</u>	<u>(1,231)</u>
<u>Totals</u>	<u>\$ 152,799</u>	<u>\$ 126,448</u>	<u>\$ 8,870</u>	<u>\$ 17,481</u>

-
1. Personal services expenditures primarily relate to the Board's three permanent administrative staff.
 2. The Board members reside in different areas of the State and parole hearings are held on location at the correctional institutions.

APPENDIX B
SUMMARY OF PAROLE REVOCATIONS
 For the Period July 1, 1973 - June 30, 1977

	<u>Parole Revocations, July 1, 1973 - June 30, 1977</u> ¹			
	<u>New Felonies</u>		<u>Technical Violations</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Revoked within one year after parole release	23	7%	28	9%
Revoked after more than one year after parole release ²	12	11%	18	6%
<u>Totals</u>	<u>35</u>	<u>11%</u>	<u>46</u>	<u>15%</u>

-
1. This summary is based on data obtained from Board records and percentages are based upon a total of 319 parole releases over the four year period. The Board's objective is to maintain less than a 8% new felony rate by parolees within a year of parole release.
 2. This information is not complete since post-FY'77 data has not been considered for this summary. For example, there may be FY'78 or '79 parole revocations which relate to a pre-FY'78 parole release.

APPENDIX C
SUMMARY OF PAROLE RELEASE HEARING DISPOSITIONS
 For the Period July 1, 1973 - June 30, 1978

<u>Fiscal Year</u>	<u>Total Cases Heard</u>	<u>Disposition of Parole Release Hearings</u>		
		<u>Paroled</u>	<u>Continued</u>	<u>Denied</u>
1974	220	81	115	24
1975	247	98	130	19
1976	223	69	110	44
1977	207	71	77	59
1978	228	79	80	69
<u>Total of all Fiscal years</u>	<u>1125</u>	<u>398</u>	<u>512</u>	<u>215</u>
Five year average	<u>225</u>	<u>80</u>	<u>102</u>	<u>43</u>

APPENDIX D

QUESTIONNAIRE SENT TO BOARD MEMBERS

1. (A) What do you believe to be the goals and objectives of the Board of Parole?

<u>Description</u>	<u>Number of Responses (See Note 1)</u>
<i>To return people to society when ready.</i>	2
<i>To save taxpayers' money.</i>	1
<i>To help the parolee in making social adjustment.</i>	3
<i>To have less than 8% new felonies by parolees.</i>	1
<i>Return parolees to custody to prevent future crime.</i>	1

- (B) What goals and objectives do you feel the Board has succeeded in meeting? Has not succeeded in meeting?

No response.

2. (A) How does the Board measure its progress in meeting its goals and objectives?

<u>Description</u>	<u>Number of Responses</u>
<i>By research.</i>	1
<i>Parolees' success or failure is a standard of measure.</i>	2

- (B) Is there anything additional that you would consider valuable in evaluating the performance of the Board?

<u>Description</u>	<u>Number of Responses</u>
<i>Need more research.</i>	1
<i>Need better case history and time to study cases.</i>	2

3. (A) Is the staff from the Department of Health and Social Services and/or other departments adequate to perform and enforce all laws and regulations relating to the Board of Parole?

<u>Description</u>	<u>Number of Responses</u>
<i>Attorney General's staff is adequate.</i>	1
<i>Administrative staff is inadequate.</i>	3

- (B) What staff support services are provided adequately? Inadequately?

<u>Description</u>	<u>Number of Responses</u>
<i>Attorney General's staff is adequate.</i>	1
<i>Policy, planning and support staff is inadequate.</i>	3

4. What evidence exists demonstrating that the Board has operated in the public's best interest?

<u>Description</u>	<u>Number of Responses</u>
<i>Some people never will be paroled.</i>	1
<i>We listen to the public.</i>	1
<i>Quality of the performance of the Board is high.</i>	2

5. What evidence exists demonstrating that the absence of Parole regulations and/or the Board would be detrimental to the public's best interest?

<u>Description</u>	<u>Number of Responses</u>
<i>The requirement of each regulation is intended to assist the parolee as well as protect the public.</i>	1

6. Has the Board recommended any statutory changes which are generally in the public's best interest?

<u>Description</u>	<u>Number of Responses</u>
<i>Yes.</i>	1

6. (cont'd)

<u>Description</u>	<u>Number of Responses</u>
No.	1
Not sure.	1

7. Are there any statutes or regulations that you believe to be obsolete, vague, unduly restrictive and/or inadequate to provide the Board with the responsibility and power to properly govern the purpose and activities of the Board? Please list and explain.

<u>Description</u>	<u>Number of Responses</u>
Yes.	2

8. What changes could be made to the Board which would improve its service to the public?

<u>Description</u>	<u>Number of Responses</u>
Need more personnel support.	1
Need more office space.	1
The Board is effective as it is.	1
There should be an alternate member in the Board.	2
There needs to be some younger Board members.	1
Compensation should be adjusted to meet expenses.	1
Board needs to have written guidelines.	1

9. Is the current five-person, part-time Board structure adequate to efficiently and effectively process parole cases?

<u>Description</u>	<u>Number of Responses</u>
The current structure is adequate.	3
Because of workload, a full-time board may be necessary.	1

10. Do you feel a "parole guidelines model" will be beneficial to the Board in deciding on Parole cases? Why?

<u>Description</u>	<u>Number of Responses</u>
Yes.	3

11. Additional comments.

<u>Description</u>	<u>Number of Responses</u>
If the Board is dissolved parolees would have to finish parole time under some system.	1
Many people do not understand or know the functions of the Board.	2
People don't know the difference between probation or parole.	1

Note 1

We sent the above questionnaire to five current Board members as of December 12, 1978 and seven previous members. Of the twelve questionnaires sent, we received three responses, representing current members. There may be more than three responses to each question since a member may have answered with more than one response.

APPENDIX E

QUESTIONNAIRE SENT TO PROBATION-PAROLE OFFICERS

		<u>Responses (Note 1)</u>		
		<u>Yes</u>	<u>No</u>	<u>Opini</u>
				<u>No</u>
1.	<u>What can be done to contribute to the parole system's effectiveness? Are there any services now provided by the Parole Board that need improvement? Should any additional services be rendered?</u>			
	<i>N/A</i>			
	<u>Typical response (Note 2).</u>			
	a. <i>Organize Parole Board to include professional members.</i>			
	b. <i>The Board is doing a good job.</i>			
2.	<u>Do you feel that your recommendations concerning parole cases are given adequate consideration (to pre-release plan responses; revocation petitions)?</u>	11	2	1
3.	<u>Do you believe the Board has operated in the public's best interest, why or why not?</u>	10	3	1
	<u>Typical response if Yes.</u>			
	a. <i>The Board is mostly successful and mindful of its responsibilities.</i>			
	<u>Typical response if No.</u>			
	a. <i>Sometimes decisions are not well thought out.</i>			
4.	<u>Do you ever have any problems in contacting a Board member for parole related business? Please specify.</u>	5	9	-0-
	<u>Typical response if Yes.</u>			
	a. <i>It has sometimes been difficult to contact a Board member to obtain an arrest warrant for a parole violator.</i>			
	<u>Typical response if No.</u>			
	a. <i>Parole Board staff are readily available.</i>			

- | | | | | |
|----|---|---|---|-----|
| 5. | <u>Do you feel that parolees have had more or less success than probaioners in readjusting to society?</u> | 4 | 5 | 5 |
| 6. | <u>Do you feel the Board is overly lenient or restrictive in reviewing applications for parole, why or why not?</u> | 1 | 9 | 4 |
| | <i>Typical response if No.</i> | | | |
| | a. <i>The Board is fair in granting parole and neither too lenient or restrictive.</i> | | | |
| 7. | <u>Do you feel that those parolees you have been in contact with in the past have represented "good risks"?</u> | 8 | 2 | 4 |
| 8. | <u>Should the Board be allowed to terminate parole at a date earlier than presently required by law?</u> | 9 | 5 | -0- |

Note 1

Total responses	<u>14</u>
Number of questionnaires mailed to State employed field probation-parole officers.	<u>40</u>
Questionnaire response rate	<u>35%</u>

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

POUCH H 01 - JUNEAU 99811

August 6, 1979

RECEIVED

AUG 6 1979

LEGISLATIVE
AUDIT

Gerald L. Wilkerson, CPA
Division of Legislative Audit
Legislative Affairs Agency
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

Members of my staff have reviewed your audit report entitled "A Performance Review of the Alaska State Board of Parole". Generally, we find your recommendations helpful. There appears to be two areas where clarification is necessary.

The first is \$14,200 of the funds identified in Appendix A as lapsing where part of a LEAA Grant that was carried forward into Fiscal Year 1979.

The second item and more difficult is that of the information contained in Appendix B and C. There has been two methods of tabulating the information. Members of the Parole Board and your staff presented two differing opinions.

It would be greatly appreciated if your staff could provide the criteria used in compiling the grouping. This would allow myself and others in the Department to compare the two methods. Another response will be provided after the methods have been reviewed.

Thank you for the opportunity to respond to the audit report.

Sincerely,

Helen D. Beirne
Helen D. Beirne
Commissioner

DEPT. OF HEALTH AND SOCIAL SERVICES

BOARD OF PAROLE

ALASKA BOARD OF PAROLE
POUCH H - 01E
JUNEAU, ALASKA 99811
PHONE: (907) 465-3384

August 2, 1979

RECEIVED

AUG 3 1979

LEGISLATIVE
AUDIT

Mr. Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Response to Audit
Report - Parole Board

Dear Mr. Wilkerson:

The statement on page three under the section entitled "Scope Constraints" is erroneous. All reports required pursuant to AS 33.15.130 have been completed and filed with the Commissioner's office. Copies of these annual reports have been copied for your Division on at least two occasions. Reports required pursuant to AS 33.15.130 have been submitted since at least 1975. Because of limited staff, these reports are cursory in nature and are of little value to non-criminal justice administrators or the Legislature. Additional funding should be provided if more comprehensive reports are desired. The Governor's Budget and Audit staff should provide the necessary forms to all State agencies so that they can comply with AS 37.07.090. Neither of the reports outlined in AS 33.15.130 or AS 37.07.090 will be of much value in evaluating the performance of the Board without much more comprehensive data such as that being collected under the current "parole guidelines" grant on a limited number of cases and the information expected to be collected under the "OBSCIS" grant.

The statement in paragraph one, page five, is incorrect, regarding the Board having two clerical personnel. The Board has never had two clerical positions authorized in my eight years with the Board. We did have a temporary CETA for several months this past year.

Mr. Gerald L. Wilkerson
Page 2
August 2, 1979

Paragraph number three of page five does not correctly outline the options available to the Board at revocation hearings. The first two options in the second sentence are correct, the third is not. Besides the first two options, the Board may also:

1. Find the parolee in violation but allow him to remain on parole with any other conditions it deems appropriate.
2. Revoke parole and require the parolee to serve the remainder of his sentence minus good time earned.
3. Continue the case to the next hearing for additional information.

The last sentence in paragraph three of page five is also incorrect. The Board has averaged 22 revocations per year, not 27. This includes a substantial number of mandatory release revocations of those offenders placed on supervision by operation of law without any control by the Parole Board (AS 33.20.040). Five of the revocations in 1978 were in this category. Actual number of revocations of offenders released by a discretionary decision of the Board would probably be closer to 18 per year.

We agree the Board should be more specific in formulating one other objective, the only one suggested by the staff of Legislative Audit, relating to an acceptable level of technical revocations by the Board. This objective has been specified in the preliminary FY-81 budget. Other specific measureable objectives have been established previously, are a part of the Board's records, and copies have previously been sent to Legislative Audit. After discussing this topic again with Legislative Audit staff on July 18 and 20, no other recommendation was made other than the technical violation rate objective.

The Board strongly disagrees with the "Report Conclusion" in paragraph four of page seven that the Board should "maintain necessary information which would contribute to evaluating performance as well as planning and controlling current activities". Elaboration is provided later in this response.

Mr. Gerald L. Wilkerson
Page 3
August 2, 1979

The Board agrees with the recommendation that it codify its regulations (elaboration provided later in this response). Current regulations have already been made available to all known interested parties and we will continue this practice. A comprehensive set of regulations was presented to the Board members on July 5, 1979, and they were approved with several minor changes by the Board members present on July 20, 1979. The Board awaits the comments of the Attorney General's Office before formally sending them out to interested parties for comment and then adoption.

Codifying Board regulations as suggested in paragraph five on page seven will benefit a small number of employees that frequently work with or within the criminal justice system. However, only a comprehensive education and information effort will have any impact on helping the general public understand and be able to offer realistic suggestions about the Parole Board. Public meetings attended by staff or Board members in the past have been of limited value in enlightening the public but we agree the public should have the opportunity for the input. Again, only a concerted public information effort will be of much value in educating the public. These comments are based upon many years of experience with the public in handling Corrections-related matters.

FINDINGS AND RECOMMENDATIONS

The findings under recommendation number one on page nine are erroneous as written. The Board does have other specific and articulated objectives than the one referred to in your report. Legislative Audit staff have refused to acknowledge the presence of others not contained in the FY-79 budget even though contained in other related documents and in Board rules and regulations. All of these have been copied for Legislative Audit. (See memo of January 16, 1979 for a brief summary). The Board certainly wishes to establish long range goals but finds this impossible without adequate staff to compile data for the members to provide them with bases for future planning.

The first sentence (underlined) under recommendation number two on page nine is not true and has no basis in fact. The Board staff is quite familiar with "necessary information" from many other jurisdictions and we know the information we maintain will very favorably compare with these other systems.

Mr. Gerald L. Wilkerson
Page 4
August 2, 1979

Our case files are comprehensive and would take a person well acquainted with them at least 1 to 1 1/2 hours to digest the material contained in each case file for the initial hearing. What is true is that most of this information is not coded, compiled, or analyzed and made available to the members in a usable fashion. A quick comparison of current case files with older files will show that the quality of the files has been significantly upgraded in recent years. The Boards' attempts to get someone else to analyze the data or to allow the Board to hire staff that could assist with this task have been well documented. Again your staff have already been provided with copies of information to support this. We heartily agree that there is an urgent need to compile and analyze case information and management information that is already available in the Board office. The need to collect and analyze other information will become apparent once this first step is taken. Establishing procedures for maintaining and reporting data will be established once the staff is available to complete the work.

The Board has complied with the reporting requirements of AS 33.15.130 as noted earlier in this response. Comments have already been made about the lack of compliance with AS 37.07.090. We would gladly comply with this statute if provided the forms and instructions for completing them. AS 33.15.130 requires the Board to submit data regarding its decisions to the administration. This has been done. The statute does not require that the Board include "a computation and analysis of dispositions in criminal matters by State courts . . .", as stated in your report. The statutory language is clearly discretionary and the Board certainly does not anticipate taking on this mammoth task without specific legislative direction and the necessary staff.

Again, the Board wishes to comply with AS 37.07.090 if given the forms and instructions to accomplish the task. We would welcome the resources to enable us to complete a comprehensive rather than a perfunctory annual report pursuant to AS 33.15.130.

The Board agrees with recommendation number four as set forth on page ten. We feel we have complied with this to the greatest extent possible with the funds appropriated. Your staff was supplied with a documented list of numerous meetings attended by Board representatives with citizen groups, individuals, and of course other governmental agencies. The only suggestion your staff made to augment current

Mr. Gerald L. Wilkerson
Page 5
August 2, 1979

practice, is to make administrative meetings open to the public. In fact, these meetings are not nor have they ever been "closed" to the public. But they have been held in conjunction with Board hearings as time permits in recent years simply because no funds were available for them. You cannot advertise an administrative meeting you do not know if you are going to be able to hold. Case decisions are the primary responsibility and we have not had the funds to hold specific meetings to obtain public comment. We will gladly do this if funds are supplied. We agree with notification of public meetings, agenda, etc. as recommended and they would obviously be complied with if the money is forthcoming. Funding for such meetings have been requested in the Board's preliminary budgets in the past and we have again requested funds for this activity in the preliminary FY-81 budget submission. A record of all administrative Board meetings is already being kept.

The Board concurs in recommendation number five on page 11. Your report does not reflect that this has been a priority of the Board. The annotated regulations have been prepared by staff and reviewed by the members. The Board is awaiting the comments of its attorney before sending the proposed regulations out to the affected agencies and the public for comment. The final step is making final changes, adopting the regulations, and training affected Corrections staff regarding the changes. If we are supplied with funds and staff, this task will be completed before the full Legislature holds hearings regarding this report.

ANALYSIS OF PUBLIC NEED

The Board concurs in the comments in Section I, page 12. Subsection three should point out that the documented figures show the roles released by the Board were convicted of far fewer felonies than any other Board in the country, even with 1 1/2 to 4 1/2 year follow-up from release. This is very significant. This data was reviewed with your staff on July 18, 1979.

Regarding Section II, page 12, subsection 2 is incorrect for the reasons stated previously about recommendation number two, page nine. It is significant that your report made absolutely no reference to "budgetary, resource, and personnel matters" in your analysis as called for in the sunset statute.

Mr. Gerald L. Wilkerson
Page 6
August 2, 1979

Nor was any explanation given for failure to address this most important issue. A recent group of corrections professionals hired to help analyze the corrections system in Alaska and plan for the future of the system did discuss some of these issues.

First of all, they indicated the Alaska Parole Board exceeded the national standards developed for adult paroling agencies in most respects. In the areas where the Board fell short, most of the suggestions made to bring us in compliance with national standards were either changes in the statutes or increased funding by the Legislature. Of great significance is the fact that the Corrections Masterplan Legislative Subcommittee adopted most, if not all, of the recommendations of these corrections consultants regarding the operation of the Parole Board, at a meeting on July 16, 1979. Although there are some inaccuracies in the consultant's report, it is essentially accurate as provided to your staff earlier this year.

Although you have ignored our suggestions that changes are needed in the statutes, we strongly encourage the Legislators to review the recommendations of the corrections specialists contained in their report. I would also suggest a copy of the national standards be provided any legislator who is interested in what statutory changes would be necessary to allow the Alaska Board to become accredited. (Money was budgeted to allow the Board to apply for accreditation in 1978, but we did not pursue this, in great part because of the need for these statutory changes). Finally, the Masterplan report strongly recommended increased staff for the Board to allow us to comply in the few areas we do not at the present time. We believe that this is one case in which a small amount of additional funding will allow the Board to operate more efficiently and comprehensively and provide everyone with information that they all want about the Board's operation.

The Board agrees with Section III, page 13. Interestingly, much of the legislation we have recommended in recent years is also included in the national standards and in the recommendations in the Corrections Masterplan consultant report already referred to.

Mr. Gerald L. Wilkerson
Page 7
August 2, 1979

We agree with Section IV, page 13. Inasmuch as much of the feedback the Board gets is in the form of telephone calls, comments made at meetings attended by Board representatives, etc., this information will never be available for analysis. All of our old correspondence files were available for the legislative audit staff to review for comments if they had wished. The partial list of Board contacts with citizen and government groups is extensive. A survey of these contacts would take minimal time and would show the attitude of these people about the operation of the Board.

The comments listed under Section V, page 13 are not true. We have never barred anyone from attending an administrative Board meeting. These meetings are not advertised and public input has not been solicited in the past for the reasons enumerated in the comments regarding recommendation number four. Regulations of the Board have been made available to anyone that has requested them in the past and copies have been widely circulated in the Alaska criminal justice system. Where a change was made in the policy, the change was provided the party requesting the information. The Board has complied with this section to the greatest possible extent with the funds and staff available, even though we have been working to codify the regulations. See previous comments about the status of implementation of recommendation number five.

We have no problems with Section VI, pages 13 and 14. However, our correspondence files do contain many letters addressed to the Board that we answer, answer for the Commissioner, and for the Governor's office, that are available for analysis regarding the operation of the Board.

We concur with Section VII, page 4.

We concur with Section VIII, page 14. Of significance is that the Governor and the Board have made a concerted effort to insure a broad cross section of the Alaska community is represented on the Board. The current makeup of the Board includes 1 Alaska Native male, 1 white female, 1 black male, and 2 caucasian males.

Legislative Audit has chosen to not deal with Section IX, page 14. I strongly suggest that the recommendations of the

Mr. Gerald L. Wilkerson
Page 8
August 2, 1979

Corrections Masterplan consultants and the legislative subcommittee on Corrections recommendations be made available to the members of the Legislature that receive this report so that they will have some idea of what is recommended to allow the Board to operate more effectively and efficiently.

A footnote to Appendix A needs to be added to clarify that most of the \$17,481 "lapsed" money was money from a federal grant that was moved over to be used during calendar year 1979. It did not lapse.

Legislative Audit figures in Appendix B are grossly inaccurate. Legislative Audit was notified of this on July 18, and on July 20, 1979. We have carefully rechecked our figures and they are accurate. Since our figures as given to Mr. LaVine from Legislative Audit have not been disputed, I assume they have no quarrel with them. Although LaVine does not think the difference is significant, the total number of new felony convictions is only 12, rather than the 35 reported in the report. I think the citizens of the State would be concerned if the figure was as high as 35. The report figures for new felonies is almost three times the actual figures; and the technical violation figures reported are much lower than the parolee files reflect. With the corrected figures, the Board's return to jail for a new felony conviction is much lower than the average, and the technical violation rate is a little higher than the national average. The corrected summary data are enclosed as Attachment A to this response.

The figures for Appendix C are somewhat inaccurate, but no gross errors exist. For the record, the corrected figures in the same format are attached to the letter as Attachment B.

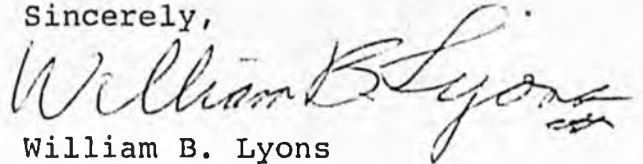
The response to the questionnaire sent to probation/parole officers was low because many of the employees receiving the questionnaire were assigned to handle juvenile cases only. Also, questionnaires were not sent to the 11 institutional probation/parole officers who work extensively with the Board. Interest among these employees is high regarding Parole Board matters. Legislative Audit was notified of this oversight on their part in December, 1978, but questionnaires were never sent to these employees. I suggest they be included in any future questionnaires.

Overall, the Board agrees with most of the comments made under each of the five "recommendations", even though the

Mr. Gerald L. Wilkerson
Page 9
August 2, 1979

recommendations themselves are mostly very inaccurate. These recommendations should be corrected so the public and the Legislators are not misled or misinformed. The inaccuracies we have pointed out are mostly substantive rather than technical. The Board is very concerned by the reticence on the part of your staff to correct obvious inaccuracies in the report such as the data compiled in Appendix B regarding new felonies. We stand ready at any time to support our statements contained in this response and the figures we have supplied to correct the data included in the Appendixes.

Sincerely,



William B. Lyons
Chairman

WBL/vh
cc: Helen D. Beirne
Commissioner

P.S. Although your staff agreed to provide us with a copy of the audit report and receive our comments before making it available to the Legislative Budget and Audit Committee, I understand it has already been made available and discussed with the Committee members. I trust you will advise them of the errors in the data in your draft report. Of course, the errors we have pointed out in the audit report also apply to the summary report of June 19, 1979, and because of the abbreviated nature of it, the inaccuracies in that summary unfortunately are maximized. This summary certainly should be corrected. Since the other members of the Board have requested I reply in their behalf to the audit report, please accept this letter as representative of the comments of the entire Board.

CORRECTED

APPENDIX B
SUMMARY OF PAROLE REVOCATIONS
For the Period July 1, 1973 - June 30, 1977

Parole Revocations, July 1, 1973 - June 30, 1977¹

	<u>New Felonies</u>		<u>Technical Violations</u>	
Revoke within one year after parole release	8	2.6%	56	18.5%
Revoked after more than one year after parole release ²	4	1.3%	19	6.3%
<u>Totals</u>	<u>12</u>	<u>4 %</u>	<u>75</u>	<u>24.8%</u>

1. This summary is based on data obtained from Board records and percentages are based upon a total of 319 parole releases over the four year period. The Board's objective is to maintain less than a 8% new felony rate by parolees within a year of parole releases.
2. This information is not complete since post-FY'77 data has not been considered for this summary. For example, there may be FY'78 or '79 parole revocations which relate to a pre FY'78 parole release.

* Research verified and rechecked in June, 1979 By Alaska Board of Parole.

CORRECTED

APPENDIX C
SUMMARY OF PAROLE RELEASE HEARING DISPOSITIONS
For the Period of July 1, 1973 - June 30, 1978

<u>Fiscal Year</u>	<u>Total Cases Heard</u>	<u>Dispositions of Parole Release Hearings</u>		<u>Denied</u>	<u>Other</u>
		<u>Paroled</u>	<u>Continued</u>		
1975	252	93	133	22	4
1976	214	53	92	61	8
1977	212	75	78	52	7
1978	226	64	72	78	12
<u>Total of all Fiscal Years</u>	<u>1132</u>	<u>362</u>	<u>496</u>	<u>241</u>	<u>33</u>
Five year average	226 <u>226</u>	<u>72</u>	<u>99</u>	<u>48</u>	<u>7</u>

* Research verified and rechecked in June, 1979, By Alaska Board of Parole.

THE LEGISLATURE

FINANCE DIVISION
POUCH WF-STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

August 7, 1979

Members of the
Legislative Budget and Audit Committee:

We have reviewed the responses of the Parole Board and the Department of Health and Social Services and the auditor's comments are listed below.

Recommendation No. 1

The Board should establish specific objectives and related measurement criteria so that its performance can be evaluated.

The Board's response to Recommendation No. 1 states in part:

"...We agree the Board should be more specific in formulating one other objective, the only one suggested by the staff of Legislative Audit, relating to an acceptable level of technical revocations by the Board. This objective has been specified in the preliminary FY-81 budget. Other specific measureable objectives have been established previously, are a part of the Board's records, and copies have previously been sent to Legislative Audit. After discussing this topic again with Legislative Audit staff on July 18 and 20, no other recommendation was made other than the technical violation rate objective."

Auditor's Comment:

It is the position of Legislative Audit that it is the responsibility of the Board and its Executive Director to prepare and establish specific objectives to manage and evaluate the parole program of the State of Alaska. It is not appropriate for Legislative Audit to establish specific objectives necessary to manage and evaluate the activities of the Board. The other specific objectives mentioned in the Board's response are not program objectives but are administrative in nature.

Recommendation No. 2

The Board should maintain necessary information to ensure the effective management of Board activities.

The Board response in part states:

"...The first sentence (underlined) under recommendation number two on page nine is not true and has no basis in fact. The Board staff is quite familiar with "necessary information" from many other jurisdictions and we know the information we maintain will very favorably compare with these other systems.

Our case files are comprehensive and would take a person well acquainted with them at least 1 to 1 1/2 hours to digest the material contained in each case file for the initial hearing. What is true is that most of this information is not coded, compiled, or analyzed and made available to the members in a usable fashion. A quick comparison of current case files with older files will show that the quality of the files has been significantly upgraded in recent years. The Board's attempts to get someone else to analyze the data or to allow the Board to hire staff that could assist with this task have been well documented. Again your staff have already been provided with copies of information to support this. We heartily agree that there is an urgent need to compile and analyze case information and management information that is already available in the Board office. The need to collect and analyze other information will become apparent once this first step is taken. Establishing procedures for maintaining and reporting data will be established, once the staff is available to complete the work."

Auditor's Comment:

The Board in their response above states that most of their information has not been coded, compiled, or analyzed and made available in a usable fashion. It is the position of Legislative Audit that information must be usable in order to ensure the Board has the necessary information to manage its activities. For example, the Board as of the date of the audit (May 19, 1979) did not have statistical information on parole revocations (Appendix B). Information of this type is essential to evaluate the effectiveness of the parole program.

Recommendation No. 3

The Board should prepare and submit reports as required by law.

The Board agrees that they have not complied with AS 37.07.090. However, the Board states that they have complied with AS 33.15.130. The Board's response states in part:

"... all reports required pursuant to AS 33.15.130 have been completed and filed with the commissioner's office. Copies of these annual reports have been copied for your Division on at least two occasions. Reports required pursuant to AS 33.15.130 have been submitted since at least 1975. Because of limited staff, these reports are cursory in nature and are of little value to non-criminal justice administrators or the Legislature."

Auditor's Comment:

We have not received a copy of the annual report as stated in the Board's response. We requested a copy of the annual report again on July 18, 1979 from the Executive Director and of this date have not received a copy.

Recommendation No. 4

The Board should encourage public participation for consideration in parole related matters.

The Board's response to Recommendation No. 4:

"...The Board agrees with recommendation number four as set forth on page ten. We feel we have complied with this to the greatest extent possible with the funds appropriated. Your staff was supplied with a documented list of numerous meetings attended by Board representatives with citizen groups, individuals, and of course other governmental agencies. The only suggestion your staff made to augment current practice, is to make administrative meetings open to the public. In fact, these meetings are not nor have they ever been "closed" to the public. But they have been held in conjunction with Board hearings as time permits in recent years simply because no funds were available for them. You cannot advertise an administrative meeting you do not know if you are going to be able to hold. Case decisions are the primary responsibility and we have not had the funds to hold specific meetings to obtain public comment. We will gladly do this if funds are supplied. We agree with notification of public meetings, agenda, etc. as recommended and they would obviously be complied with if the money is forthcoming. Funding for such meetings have been requested in the Board's preliminary budgets in the past and we have again requested funds for this activity in the preliminary FY-81 budget submission. A record of all administrative Board meetings is already being kept.

Auditor's Comment:

The thrust of this recommendation is to encourage more public participation in the parole process.

We affirm our recommendation as written.

Appendix A

Board's Comment:

The Board states that \$17,481 of funds identified in Appendix A as lapsing did not lapse.

Auditor's Comment:

The figures contained in Appendix A are per the State Annual Report. If the figures contained in the Annual Report are incorrect, we suggest that personnel of the Board contact the Division of Finance.

Appendix B

Board Comment:

"...Legislative Audit figures in Appendix B are grossly inaccurate. Legislative Audit was notified of this on July 18, and on July 20, 1979. We have carefully rechecked our figures and they are accurate. Since our figures as given to Mr. LaVine from Legislative Audit have not been disputed, I assume they have no quarrel with them. Although LaVine does not think the difference is significant, the total number of new felony convictions is only 12, rather than the 35 reported in the report. I think the citizens of the State would be concerned if the figure was as high as 35. The report figures for new felonies is almost three times the actual figures; and the technical violation figures reported are much lower than the parolee files reflect. With the corrected figures, the Board's return to jail for a new felony conviction is much lower than the average, and the technical violation rate is a little higher than the national average. The corrected summary data are enclosed as Attachment A to this response."

Auditor's Comment:

We do not agree with the Board's statement that our figures are inaccurate or that the difference is insignificant.

Our figures in Appendix B for new felonies and technical violations are based on Board records as of the date the Parole Board revoked parole and does not include subsequent

Auditor's Comment Continued:

changes which may have reduced a felony to a technical violation. It should be noted that at the time of the audit the Board did not have any statistical information on parole revocations.

It is our position that a new felony should be measured at the time the Board revokes his or hers' parole, because this is a clearer indication of the parolee's behavior while on parole rather than when the charges against a parolee for a new felony is finally resolved due to action by the Prosecuting Attorney or the courts.



Gerald L. Wilkerson
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Division of Legislative Audit