

SB

32

COMMITTEE REPORT
SENATE

1/16/79

FURTHER: Judiciary

Date: 2/16/79

Mr. President:
The Committee on Health, Education & Social Services has had SB 32
adopting the Interstate Corrections Compact

WITH INDIVIDUAL REC.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Carlisle J. ...
Betty Fabiankamp

MEMBERS HAVING
OTHER RECOMMENDATIONS:

...

Alvin ...
 CHAIRMAN
 DO PASS

SB* 32 "An Act adopting the ^{S. HESS 79-80} ~~Interstate~~ ⁸⁰ Corrections Compact"

By: The Rules Comm. By Request

Introduced 1-16-79

Logged 1-16-79

Referred - Judiciary

Comm. Meeting 2-16-79

" Action - passed with letters
of protest to Judiciary

Joe Green - Gov's Office
Janice Hites - HSS
Arthur Conestoga
Position paper & FN Review

Amy Webb, Division of Corrections
Walter Jones, Division of Corrections

Amy Webb. We're supporting adoption of the interstate corrections compact. This compact would be a viable means to place prisoners in institutions outside of the state in other state institutions in order that they could receive special treatment (inaudible) If their families were residing in another state it would be a step in the rehabilitative program to keep them near their family so they could continue their family relationship.

It would also offer Alaska citizens the opportunity to return to Alaska to serve time were they to become involved in criminal activity outside the state.

Sen. Fahrenkamp. I'd understood already that prisoners could be taken out of state now.

Amy Webb. The majority of our outside prisoners are in the federal bureau of prisons. That is not included under the state.

Sen. Fahrenkamp. If I am arrested and wind up in a correctional facility and I want to get a certain training that they are offering in Florida, the State of Alaska would pay my way down right?

Amy Webb. If you were classified to that facility.

Sen. Fahrenkamp. If I were qualified and classified, what qualifications would make a person qualified, if they had a training there that you couldn't get here?

Amy Webb. That would be one consideration. Your custody level, your behavior in the institution, you would probably be given some testing here to see if you were intellectually and physically able to be involved in that type of program.

Sen. Fahrenkamp. Once there and the times comes to get out of the institution, then we ship them back here to let them out?

Amy Webb. Right, unless they don't want to return.

Sen. Fahrenkamp. We would train them while in the institution and ship them wherever they went in the exchange program and when they get out, if they want to come back, we pay their way.

Amy Webb. That's correct.

2/

Sen. Ferguson. Under the federal bureau plan, the feds classify the prisoners and send them to a state that they think that those prisoners should go. Under this state plan, who classifies these people?

Amy Webb. We would classify the people that we had jurisdiction over. An Alaska citizen in another state could request to come back to Alaska to serve time if at that time the classification was done by the sending state. The state that has jurisdiction would approach us.

Sen. Ferguson. Do we pay the same rate the other states pay for being custodian of the prisoners?

Amy Webb. No, we would pay the man day cost of care at that state at that time which is usually less than it is compared to Alaska

Sen. Ferguson. The reason I ask that question, the fiscal note is one of those where we get a zero. Under the federal system I think it goes anywhere from \$16 per day for prisoner care up to about \$46 per day.

Amy Webb. I have not followed the states; Florida is \$25 per day for a woman.

Walter Jones. There are more than one reason for wishing to become a member of this compact. The main reason is that we would be able to expand our program capability and it will probably be fiscally cheaper to go this route than not to go this route. However, the federal bureau of prisons won't be able to continue to take Alaskan prisoners who are management problems that need maximum security in order to safeguard their life forever. They are running 33% over capacity in their own facilities; they have to go before Congress and get their money to build their facilities. They are concerned that someday Congress is going to cut them off and say get rid of those state prisoners that you take care of and you will have more room for federal prisoners. We are trying to look ahead in this matter. We are not saying that we should send our Alaskan prisoners all over the country, but we are saying we should have some options to take care of specialized needs of prisoners wherever the program will help reintegrate the individual back into the community. Especially if this prisoners resources are in another state where he will go eventually anyway. The theory is that it is easier for a person to go from one custody to a lesser custody, finally on work release and then out on parole. We already have the interstate compact for probation and parole which allows us to supervise each other's probations and parolees in any state in the union.

What this compact does is allow us to do the same thing with prisoners. Therefore they have a much more enhanced and flexible program in terms of security or rehabilitative services.

34.
Sen. Ferguson. I don't have a problem with sending some prisoners to other places. What I'm looking at is, all of a sudden we send 5 prisoners out and they send 15 to us.

Walter Jones. To take care of that problem, each state has its own capability to reject to accept. If we are full up and don't have any room or if we can't handle that type of management problem we can say no, and they can say the same to us.

Sen. Sturgulewski. Are you also able to do that if you have financial limitations at that period of time? Does your ability to say no go into that area?

Walter Jones. Yes.

Sen. Fahrenkamp. In transporting these prisoners back and forth, do you not have to have an officer accompany these prisoners?

Amy Webb. A State Trooper would accompany them.

Sen. Fahrenkamp. How do we manage the budgeting?

Walter Jones. That would be the State Troopers expense. Our fiscal note was the expense to our department, we can't speak for another department.

Sen. Fahrenkamp. Then, this will bring about an increase in expenditures in that will bring about more travel from another department.

Walter Jones. Perhaps not, it may bring about more travel. I doubt if it will bring about more money on the basis that because of the decreased cost of institutionalization in the South '48 as compared to the manday costs of an institution in the Alaska facility.

Sen. Ferguson. Are our jails in Alaska at the maximum?

Walter Jones. Yes.

Sen. Ferguson. We passed a bond bill, how long will it take for those projects to be done, about 3 years?

Walter Jones. I would guess if everything goes according to schedule a minimum time of 1981 to 1984.

Sen. Ferguson. The feds are at a maximum. In Alaska I assume we get some federal prisoners from Alaska that we have to send outside to federal prisons.

Walter Jones. I don't know about the federal situation, I know we take care of a few federal prisoners for the feds, but its much less so than in terms of how many we send out. We have

2.
167 adult prisoners with the federal system right now. I estimate we have less than 30 federal prisoners in our state now.

Sen. Ferguson. Will the federal prisoners, will they be able to participate in this program.

Walter Jones. That might be a possibility, it depends on what kind of arrangement we could make with the director of the federal bureau of prisons. I don't know yes or no. We can only speak for Alaska prisoners on this bill that are under state jurisdiction.

Sen. Fahrenkamp. Moved the bill out with individual recs

Sen. Ferguson. I object. Is there another referral for this bill? Then I have no objection, I still think that there is a financial implications.

Sen. Ferguson. Could you have your staff write a letter to judicial to see if they would ask for a fiscal note?

Sen. Hackney. OK

POSITION PAPER / Department of Health and Social Services

POSITION PAPER

SENATE BILL NO. 32

"An Act adopting the Interstate Corrections Compact; and providing for an effective date."

The Department of Health and Social Services and the Division of Corrections are in support of Senate Bill No. 32.

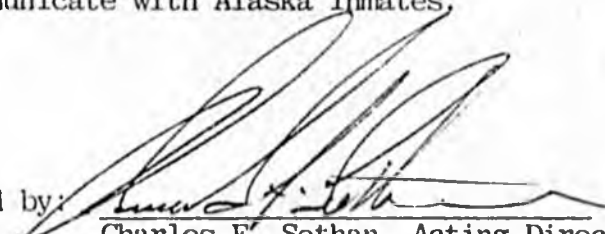
Alaska is presently a party to the Western Interstate Corrections Compact along with 11 other states. There are presently 16 member states to the Interstate Corrections Compact; 5 of those states are also parties to the Western Corrections Compact. In effect, joining the Interstate Corrections Compact would increase Alaska's out-of-state placement resources for prisoners by 50 percent; 11 additional states.

The Interstate Corrections Compact was initiated in order to allow an exchange of prisoners for the purpose of treatment and long-range release planning. Also, the Compact provides a means of placing prisoners out of state for protective purposes.

Alaska has prisoners with special needs. Membership in the Interstate Corrections Compact would expand the Division of Corrections ability to meet these special needs, and provide the most effective rehabilitation programs on an individual basis without increasing the cost of care.

Alaska would maintain jurisdiction over prisoners confined out of state. Alaska would also have the authority to inspect out-of-state facilities and to communicate with Alaska inmates.

Recommended by:


Charles E. Sothan, Acting Director
Division of Corrections

1/26/79
Date

Approved by:


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

2/1/79
Date

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Proposed Legislation
 Title An Act Adopting Interstate Corrections Compact
 Requested by Department of Health & Social Services Date 1/9/79

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Administration of Justice
 Budget Request Unit(s) Affected Adult Confinement

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE January 9, 1979 PREPARED BY *Leeland Hally*
 AGENCY Division of Corrections
 PHONE 465-3376
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Furnished by the Senate Judiciary Committee

January 15, 1979

President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

Under authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a bill which would make Alaska a party to the Interstate Corrections Compact.

Under current law, Alaska is a party to the Western Interstate Corrections Compact, along with eleven other states. This measure is similar to that compact; however, it allows the state a broader choice of correctional facilities nationwide in which prisoners may be incarcerated than are presently available. By joining the Interstate Corrections Compact, Alaska will be able to place offenders in an additional eleven states. It is not necessary to withdraw from the Western Interstate Corrections Compact in order to become a party to this compact.

Enactment would enable the Division of Corrections to enter into contracts with party states for incarceration of our prisoners. Thus a wider range of rehabilitative programs would be available without the increased costs attendant in establishing such programs within our own correctional facilities.

Jurisdiction over persons confined out-of-state is retained by Alaska although such persons would still be subject to the rules of the institution where confined. The state also retains the power to inspect the facilities utilized and to visit the inmates.

Sincerely,

Jay S. Hammond / JWS

Jay S. Hammond
Governor

would open for specialized treatment

IV. DATE January 9, 1979

PREPARED BY
AGENCY
PHONE

Leeland Salley
Division of Corrections
465-2376

POSITION PAPER / Department of Health and Social Services

Furnished by the Senate Judiciary Committee

POSITION PAPER

SENATE BILL NO. 32

"An Act adopting the Interstate Corrections Compact; and providing for an effective date."

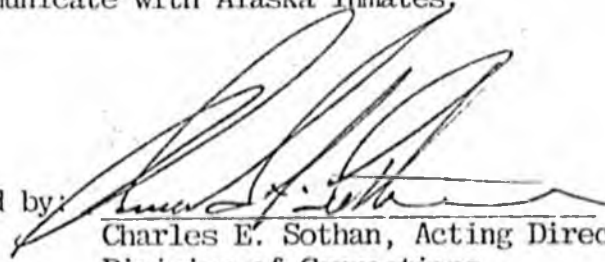
The Department of Health and Social Services and the Division of Corrections are in support of Senate Bill No. 32.

Alaska is presently a party to the Western Interstate Corrections Compact along with 11 other states. There are presently 16 member states to the Interstate Corrections Compact; 5 of those states are also parties to the Western Corrections Compact. In effect, joining the Interstate Corrections Compact would increase Alaska's out-of-state placement resources for prisoners by 50 percent; 11 additional states.

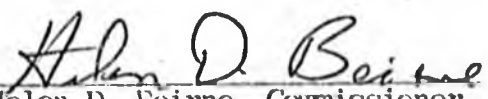
The Interstate Corrections Compact was initiated in order to allow an exchange of prisoners for the purpose of treatment and long-range release planning. Also, the Compact provides a means of placing prisoners out of state for protective purposes.

Alaska has prisoners with special needs. Membership in the Interstate Corrections Compact would expand the Division of Corrections ability to meet these special needs, and provide the most effective rehabilitation programs on an individual basis without increasing the cost of care.

Alaska would maintain jurisdiction over prisoners confined out of state. Alaska would also have the authority to inspect out-of-state facilities and to communicate with Alaska inmates.

Recommended by: 
Charles E. Sothan, Acting Director
Division of Corrections

1/26/79
Date

Approved by: 
Helen D. Beirne, Commissioner
Department of Health &
Social Services

2/1/79
Date

Page 1

line 19 improve How??

How many prisoners to we have from out of state?

Page 2

line 12 does this include juveniles?

line 27 what does 'extra ordinary' mean?

Page 3

line 6 define -

27 how does this work? inspection: visiting

Page 5

line 12 'buried'??