

COMMITTEE REPORT
HOUSE

4/27/81

FURTHER:

(11)

Date: 2/25/82

Mr. Speaker:

The Committee on FINANCE has had HB 451

"An Act establishing a prisoner treatment program; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 451 (HESS) same title
 new title
- and recommends IT DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Albert P. Ede

John D. Galle

John D. Galle

John D. Galle

Hansen

Donald P. ...

Albert P. Ede

CHAIRMAN

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MEMBERS SIGNING
DO PASS

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OTHER RECOMMENDATIONS:

Carlton P. ...
CHAIRMAN

Original sponsor: Clocksin

Offered: 4/27/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 451 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a prisoner treatment program; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that
10 persons who are convicted of violent crimes or sexual offenses are likely to
11 commit acts of violence in the future. Physical and sexual violence is
12 learned behavior which can be altered through counseling and rehabilitation.
13 In order to protect the health, welfare, and safety of all persons in the
14 state, it is necessary to provide treatment to persons convicted of violent
15 crimes or sexual offenses or who exhibit violent behavior before they are
16 released into the community.

17 (b) It is the purpose of this Act to

18 (1) establish a program of treatment for persons convicted of
19 violent crimes or sexual offenses who are serving terms of imprisonment;

20 (2) help control violent behavior by providing continuing treat-
21 ment for persons released from imprisonment who have been convicted of vio-
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23 (3) authorize the Department of Health and Social Services to
24 admit persons convicted of offenses who exhibit violent behavior into the
25 program when the department determines the treatment will be beneficial.

26 * Sec. 2. AS 33.30 is amended by adding new sections to read:

27 ARTICLE 4. PRISONER TREATMENT PROGRAM.

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17 jurisdiction of an offense having elements substantially identical to a
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* Sec. 3. This Act takes effect July 1, 1981.

Original sponsor: Clocksin

Offered: 4/27/81
Referred: Finance

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Official Business

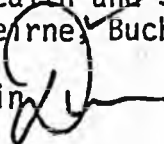
Alaska State Legislature

House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O

TO: Members, Health and Social Services Subcommittee
(Carney, Beirne, Buchholdt)

FROM: Don Clocksin 

DATE: February 3, 1982

SUBJECT: HB 450, 451 -- sex offender treatment

House Bill 451 would establish a sex offender treatment program in the Department of Health and Social Services for counseling and treatment of felony sex offenders residing in state prisons. House Bill 450 would appropriate \$492,000 for the treatment program.

Present funding for the program was inserted in last year's budget at the level of \$122,500. The Governor's Budget proposes \$148,100 for FY 83 (see Appendix A). Three contracts have been signed so far, in Fairbanks, Anchorage, and Juneau, to treat sex offenders in those institutions. If an amount of money is inserted into the FY 83 budget, passage of HB 450 is not necessary. However, passage of CSHB 451 is necessary to provide guidelines for the program, increase legislative control over the program, and assure continuous funding each year. I recommend funding somewhere between \$492,000 and \$148,100.

The sex offender treatment program being implemented in Juneau is described in Appendix B. A successful program in Washington State is described in Appendix C. Support for CSHB 451 (HESS) comes from the Judiciary (Appendix D) and the Department (Appendix E).

I encourage your support of this program.

Enclosures

M.E.N. Inc.
211 4th St. Rm. 304
Juneau, Ak. 99801
586-3585

February 22, 1982

House Finance Committee
Capitol Building
Juneau, Ak. 99811

Dear Committee Members:

This letter is a position paper on CS House Bill 451--"an Act establishing a prisoner treatment program" for persons convicted of violent crimes and sexual offenses.

I am writing as Director of M.E.N. Inc.--a counseling program for men in violent relationships and a member program of both the Juneau Sex Offender Treatment Task Force and the Alaska Statewide Network on Domestic Violence and Sexual Assault.

As a co-author (with Dr. Tony Mander) of the original proposal for state-wide prison services to physical and sexual assailants, I am very much in support of CSHB451. At M.E.N. Inc. we have encountered strong resistance from abusive men to acknowledge that they have a problem and to pursue treatment. External leverage from the criminal justice system is often necessary to bring men initially into treatment.

Offenders who have been convicted of violent crimes and sexual offenses are in an ideal position to receive educational and therapeutic treatment. This treatment will enhance the rehabilitative process of the offender and provide for a smoother transition back into the community. The long-term result will be reduced recidivism and a safer community for us all.

Although we endorse CSHB451, there are also some problems with the legislation and some modifications that seem necessary. First in Section 1 (b) (3), the Department of Health and Social Services is designated as the agency to administer the treatment program. When this bill was originally written the Alaska Council on Domestic Violence and Sexual Assault was not in existence. The Council has now been in effect since October, 1981, and is the lead agency recognized by the state to provide treatment services to victims and perpetrators of domestic violence and sexual assault. The services described in CSHB451 are, therefore, clearly within the mandate of the council and the council should be designated as the agency to administer the treatment program.

Secondly, it is critical that the fiscal note attached to CSHB451 be approved in total. The bill states that both prison services and continued treatment programs will be provided--creating a panacea concept. The problem of sexual and physical violence in Alaska is immense. This bill creates seed money to meet one portion of a huge community need. It is extremely doubtful that the funding under this bill will sufficiently meet even the existing need for prison services and follow-up counseling. The seed money allocation for this year should be followed up with more comprehensive funding in the next fiscal year.

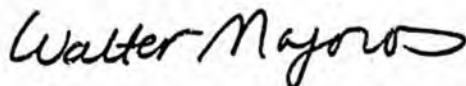
It is also critical that funding for the prisoner treatment program not compete with funding for existing domestic violence and sexual assault programs. The needs of victims of domestic and sexual assault are primary and must be met prior to providing treatment to offenders.

Finally, under Duties of the Department, Sec. 33.30.420, we believe the lead agency should be required to do the following:

- To study existing treatment models being utilized in Washington State and other areas and to provide specialized training to treatment providers prior to the initiation of treatment services. This is necessary to ensure maximum expertise in service delivery and program uniformity between treatment sites.
- To consult with experts in the field of domestic and sexual violence, particularly the Alaska Statewide Network on Domestic Violence and Sexual Assault.
- To document the arrest and conviction recidivism rates for offenders who receive treatment while incarcerated and to compare these rates to those of offenders not receiving treatment.
- To investigate the feasibility of a secure physical facility for sex offenders, separate from existing prison facilities. This model is currently being utilized in Washington State.

Thank you for the opportunity to testify on this bill. With the exceptions noted, M.E.N. Inc. whole-heartedly endorses CSHB451.

Sincerely,



Walter Majoros,
Director of M.E.N. Inc.

JAY S. HAMMOND, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

POUCH H 01
JUNEAU, ALASKA 99811
PHONE: 465-3030

DOCUMENT NO. 64-82

February 25, 1982

Ms. Cheryl Frasca
Administrative Assistant
Alaska State Legislature
House Finance Committee
Pouch V
Juneau, AK 99811

Dear Ms. Frasca:

In response to your question, attached please find a fiscal note for HB 451 - "Establishment of a Prisoner Treatment Program" outlining how we would implement the bill within the confines of the Governor's budget. Representatives from the Division of Adult Corrections will be available at your 1:30 pm hearing to answer any questions you may have.

Sincerely,



Helen D. Beirne
Commissioner

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 451
 Title An act establishing a prisoner treatment program
 Requested by House Finance Date February 25, 1982

II. FISCAL DETAIL

Agency Affected Health & Social Services
 Program Category Affected Offender Confinement, Reformation and Supervision
 BRU, Program, Or Subprogram(s) Affected Adult Confinement
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
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)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

The legislature appropriated \$122,500 to provide for sex offender Counseling during FY 1982. Contracts have been negotiated to provide these services in Fairbanks, Juneau and the greater Anchorage area. The Governor's FY 1983 budget requests \$148,100 for these services. Assuming that a 9% inflation factor is reasonable for negotiating for sex offender counseling at the same level of service, it will take \$133,500 to fund the existing contracts in FY 1983.

This would mean that there would be \$14,600 available to expand the level of services in correctional centers currently covered by sex offender counseling contracts.

The Governor's FY 1983 budget also contains a \$144,000 request for Psychological/Alcoholism Counseling. From within these funds, a modest contract(s) could be negotiated to provide counseling for

IV. DATE February 25, 1982 PREPARED BY Roger C. Lange
 AGENCY Division of Adult Corrections
 PHONE 465-3376

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

JCC

House Bill No. 451

An act establishing a prisoner treatment program

February 25, 1982

Page 2

offenders with a history of physical violence/violent crimes.

Funding at this level, however, would permit little or no counseling upon release, as required in Sec. 33.30.400(4). There is no information available regarding the number of individuals requiring continued counseling upon their release from a correctional center, or how long these individuals would be receiving the counseling services.

Therefore, the zero fiscal note is predicated upon the assumptions that the funding level requested by the Governor will not be reduced by the legislature, and that there would be only a minimal increase in counseling services above the existing level.

POSITION PAPER

HOUSE BILL NO. 451

"An Act establishing a prisoner treatment program; and providing for an effective date."

House Bill No. 451 would establish a program of treatment for persons convicted of violent crimes or sexual offenses who are serving terms of imprisonment.

The Act would establish the treatment programs in the three largest prison facilities in Anchorage, Juneau and Fairbanks to include: education, individual and group counseling, pre-release planning, and post release counseling.

Current Practice

At the present time, the Division of Adult Corrections does not have programs specifically addressing the issue of violence; however, the Division does have programs aimed toward problems of which violence may be a manifestation. Moreover, we provide a limited program for the sexual offender at the Lemon Creek facility. The program is on a professional services contract with Dr. Tony Mander and an enlargement of that program was to be determined after the FY '82 budget was decided by the Legislature. A program addressing the treatment of the violent offender is under consideration and would be addressed in the FY '83 budget request.

The Division of Adult Corrections agrees with the concept of the bill; however, we would offer the following recommendations:

a. Since there are so few people who are skilled in the treatment of violent and sexual offenders, and those who are, generally are either in private practice or currently employed in a similar program, it would be more appropriate to provide this treatment under one or more professional services contracts. Additionally, it would take many months to train qualified staff adequately and there might not be the need for full time staff at every facility.

b. The Act, Article 4, Sec. 33.30.400, line 27, specifies development of the treatment programs at Fairbanks, Juneau and Anchorage. We would suggest a provision which would permit development of such programs at other locations, as it cannot be determined now what the needs at other locations might be. At Bethel and Nome, for example, the Division expects to develop a range of helping programs which meet the needs of offenders in those regions.

POSITION PAPER/Department of Health & Social Services

The Department supports the concept of House Bill No. 451.

Recommended by: C. F. Campbell
Charles F. Campbell, Director
Division of Adult Corrections

Date: 4/20/81

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner

Date: 4/21/81

THE LEGISLATURE OF THE STATE OF ALASKA
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FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	536.3	584.5	637.2	694.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
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III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

It is assumed that the special appropriation of \$492,000 in HB # 450 establishes the program level anticipated with the establishment of the prisoner treatment program.

A 9% inflation factor was applied annually to the base year funding in computing need for subsequent fiscal years.

IV. DATE April 9, 1981 PREPARED BY Roger C. Lange
 AGENCY Division of Adult Corrections, H & SS
 PHONE 465-3376
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) M&B Approval [Signature] Date 4/21/81

Original sponsor: Clocksin

Offered: 4/27/81
Referred: Finance

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CS FOR HOUSE BILL NO. 451 (HESS)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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Introduced: 4/1/81
Referred: Health, Education &
Social Services and Finance

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BY CLOCKSIN

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(4) present a report on the prisoner treatment program to
the legislature within 30 days of the beginning of each regular session.
* Sec. 3. This Act takes effect July 1, 1981.