

E. O.

54

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Executive Order No. 54  
 Title Creating Department of Corrections  
 Requested by Governor Date Jan. 16, 1983

II. FISCAL DETAIL

Agency Affected Department of Corrections  
 Program Category Affected Administration of Justice  
 BRU, Program, Or Subprogram(s) Affected Director's Office  
 (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 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>250.0</b>	<b>951.6</b>	<b>1008.7</b>	<b>1069.3</b>	<b>1133.4</b>	<b>1201.3</b>

FUNDING (Thousands of Dollars)

	250.0	951.6	1008.7	1069.3	1133.4	1201.3
GENERAL FUND	250.0	951.6	1008.7	1069.3	1133.4	1201.3
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Source)	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

The Executive Order will create the Department of Corrections necessitating the transfer of the Division of Corrections and Parole Board from the Department of Health & Social Services to the new department.

IV. DATE January 16, 1983 PREPARED BY Marsha Hubbard  
 AGENCY Dept. of Health & Social Services  
 Original: Legislative Finance PHONE 465-3331  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named) *D. Amity*  
 33-001 (Rev. 12/82)



# Alaska State Legislature

Senate  
Office of the Secretary

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

January 18, 1983

## M E M O R A N D U M

TO : Senator Josephson, Chairman  
Health, Education and Social Services Committee

FROM: Peggy Mulligan  
Secretary of the Senate

RE : Executive Order No. 54

Enclosed please find a transmittal letter from the Governor showing statutory corrections to Executive Order No. 54.

"AS 24.30.130 (b) An executive order proposing a change in the executive branch and requiring the force of law under § 23, art. III, of the state constitution shall be submitted to the presiding officer of each house on the day the house organizes. The legislature has 60 days of a regular session, or a full session if of shorter duration to disapprove the order. Unless disapproved by a special concurrent resolution introduced in either house, concurred in by a majority of the members in joint session, the order becomes effective at a date thereafter to be designated by the governor. An order submitted to but not disapproved by the legislature shall be published in the bound session laws and any codification of state law. (§ 41 ch 157 SLA 159; am § 12 ch 47 SLA 1961)."

Thank you.



EO 54

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 17, 1983

The Honorable President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. President:

Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance with AS 24.30.130(b), I am transmitting an executive order which [creates a Department of Corrections.] The new department is being created from the division of corrections which is currently located in the Department of Health and Social Services. This is similar to Executive Order No. 39's 1977 creation of the Department of Transportation and Public Facilities out of the former Department of Highways and Department of Public Works.

This Order's sec. 28 creates the new department. Section 29 then states that the commissioner is the principal executive officer and sets out some basic duties and powers. Section 29's AS 44.28.020 is based on AS 44.29.020(9) (amended in sec. 30 of the Order) and AS 44.29.020(17) (repealed in sec. 31), pertaining to the Department of Health and Social Services. Similarly, the new AS 44.28.030 is based on AS 18.-05.040(15).

Art. I, sec. 12, of the Alaska Constitution mandates that penal administration be based on protection of the public and reformation of the offender. Given the unprecedented increases in the prison population in the state, I believe that elevating the division of corrections to departmental status is necessary to achieve these twin goals and is in the best interests of efficient administration.


The problem of increasing crime in Alaska and how best to deal with those who are convicted of violations of the criminal law was the focus of a recent inquiry by a corrections task force that I created. In its January 3, 1983 report, the task force recommended the immediate elevation of the division of corrections to departmental status. According to members of the task force, this recommendation is strongly supported by all segments of the criminal justice system.

The Order does not transfer the responsibility for juvenile corrections matters and for offenders who are found guilty but mentally ill or not guilty by reason of insanity under AS 12.47.

Also, some responsibilities of the commissioner of public safety, principally the transportation of prisoners, have not been addressed in this Order. The decision on whether or when to transfer these responsibilities to the new commissioner of corrections will depend on such factors as the level of increased training that must occur before the new department can effectively and safely assume these responsibilities.

The phrase "Repealed effective July 1, 1987," which appears in brackets and capital letters in the AS 33.32 (correctional industries) headings for the sections being amended in secs. 15, 17, 19, 20, and 24 of this Order, appears in this Order because it appears in those headings in The Michie Company's publication of the statutes. That language is not being deleted, and the amendments made by this Order do not affect that statutory termination date of the correctional industries program. See sec. 7, ch. 53, SLA 1982.

Sincerely,

  
Bill Sheffield  
Governor

STATE OF ALASKA

TASK FORCE ON CORRECTIONS

A Report On the Status of Corrections

for

Governor William Sheffield

December/January 1982-1983

The Honorable William J. Sheffield  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

January 3, 1983

Dear Governor Sheffield:

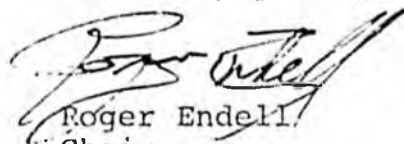
It is my pleasure to present to you the following report of the Task Force on Corrections. We have evaluated the issues and problem areas of correctional administration and management in Alaska as directed in your charge.

It is our hope that you will find the report of this Task Force and its policy recommendations useful to the future administration of a sound correctional system. We believe that it is not only possible but also mandatory that the executive, legislative and judicial branches of state government work diligently and harmoniously to carry out the directive of the Constitution of the State of Alaska for protection of the public and reformation of the offender.

We hope that this report will provide you with, at least, one tool toward that end.

We are pleased that we have had the opportunity to assist you.

Sincerely yours,



Roger Endell  
Chairman  
Task Force on Corrections

GOVERNOR'S TASK FORCE ON CORRECTIONS

December/January 1982-1983

Roger Endell, Chair  
Justice Center  
University of Alaska, Anchorage  
Anchorage, Alaska

Charles Adams  
Former Director, Division of  
Corrections and  
Former Executive Director  
Criminal Justice Planning Agency  
Juneau, Alaska

Ski Olsonoski  
ALASCOM  
Chair, Anchorage Crime  
Commission  
Anchorage, Alaska

Dan Branch  
Private Attorney  
Chair, Citizens Advisory Committee  
Bethel Regional Correctional Center  
Bethel, Alaska

Ed Rhodes  
Deputy Chief  
Anchorage Police Dept. and  
Mayor 'Tony Knowles'  
Representative  
Anchorage, Alaska

Charlotte Brower  
Former Magistrate, Barrow  
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Pat Wellington  
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Former Director  
Alaska State Troopers and  
Former Commissioner  
Alaska Department of  
Public Safety  
Anchorage, Alaska

Bert Campbell  
ALASCOM  
Judicial Qualifications Commission  
Anchorage, Alaska

John Carlson  
Former Mayor  
Fairbanks North Star Borough  
Fairbanks, Alaska

Kevin Bruce, Liaison,  
Special Assistant to  
Governor Sheffield

## TABLE OF CONTENTS

Membership, Governor's Task Force on Corrections	i
Introduction, Governor's Charge	1
Summary of Recommendations	4
Evaluation and Recommendations:	
Prison Overcrowding	8
Administrative Organization and Staffing Problems	18
Institutional Placement of Corrections in State Government	24
Communication and Coordination Among Justice Agencies	26
Municipal Responsibilities	28
Juvenile Corrections	31
Rehabilitation and Alternatives to Institutionalization	33
Acknowledgements, Interviewees by Geographic Area and Site Visits	38

## INTRODUCTION

### Governor's Charge

Governor William Sheffield's transition Task Force on Human Services identified the management and operation of the Alaska Division of Corrections as a "dominating problem" within the Alaska Department of Health and Social Services. The Task Force on Human Services recommended the appointment of a "Blue Ribbon Task Force on Corrections" to address the following issues and relevant policy and procedural concerns:

1. Prison overcrowding and examination of current capital improvement programs.
2. Rehabilitation and alternatives to institutionalization.
3. Administrative organization and staffing problems.
4. Communications and coordination among justice agencies.
5. Municipal assumption of pretrial detention responsibilities.
6. Institutional location of juvenile corrections in state government.
7. Institutional placement of Corrections in state government.

The Task Force on Corrections was directed to commence an investigation of these identified issues immediately and to prepare and submit a report and policy recommendations to the Governor in early January, 1983.

To carry out its mission, members of the Task Force used two principal investigative methods which provided sources of information. These methods included: 1) the review of a multitude of reports and planning documents written by both in-state and out-of-state correctional practitioners and consultants since 1976; and 2) a statewide and systematic series of interviews with persons from municipal and state governments and local communities who were both knowledgeable about correctional problems and issues, and who were capable of making sound recommendations which would address these problems and issues.

It was not the intent of this Task Force to accumulate all of the voluminous materials and information already existent on this subject and incorporate it into yet one more burdensome volume. We believe that the nearly one million dollars spent on a variety of correctional reports and plans over the past six years provides but one example of the crisis in correctional management. The division has been managed by four different directors in the past six-year period. The most recent director as well as the current director were both hired by the previous administration to move the Division of Correction toward a more stable management situation. Their task was made more difficult because of their lack of knowledge of the unique problems and potential advantages of Alaskan corrections.

Alaska need neither to continue to hire out-of-state leadership nor to contract with out of state consultants. We are not convinced that the other states have developed correctional systems superior to that of Alaska in spite of our current and temporary crisis. We are convinced that knowledgeable and capable leadership should be sought from within our population to manage corrections just as talented and capable Alaskans are found to direct and manage the other departments and divisions within the executive, judicial and legislative branches of state government.

It is clear that there is a crisis in corrections. It is also clear that with sound, long term, and professional management, most of the current problems can and will be resolved. The resolution of these problems will require full cooperation as well as coordination between and among all three branches of Alaska's government--executive, judicial and legislative.

## SUMMARY OF RECOMMENDATIONS

The following represents an abbreviated listing of the major policy recommendations to be found in this report. These statements are not comprehensive and are extracted out of context as an aid to the discussion of issues contained in the charge to the Task Force on Corrections.

### Prison Overcrowding

1. Except for the Anchorage Careage House, no correctional facilities should be closed until adequate new correctional space has been prepared. (p.9)
2. The Careage House should be utilized as corrections' Southcentral Alaska headquarters and as a correctional training center. (p.9)
3. The new Cook Inlet pre-trial facility should not be opened to inmate populations until the facility is ready for secure occupancy and the staff has been properly trained. (p.9)
- 4 &
5. The Third Avenue and 6th & C correctional centers in Anchorage should be utilized to hold short term offenders and those incarcerated for alcohol related offenses. (p.10)
6. The continued use of Ridgeview should be re-evaluated for potential correctional use in light of economic costs and public benefits. (p.11)
7. Hiland Mountain correctional center near Eagle River must be permitted to return to its original mission. (p.11)
8. Mentally disturbed offenders should continue to be housed temporarily at the Alaska Psychiatric Hospital. (p.12)
9. Sentenced adult female housing space at Meadow Creek (Eagle River) should be added as necessary with much less expensive architecture than past practice. (p.12)
10. The type and methods of construction of the two institutions at Palmer should be copied elsewhere as needed in the state. (p.13)

11. The state should move immediately to evaluate and obtain additional available sites for expansion of correctional operations in the Kenai and Matanuska-Susitna Boroughs. (p.13)
12. Comprehensive correctional services regional centers should be constructed in both Nome and Bethel utilizing either "stick built" or prebuilt modular units or a combination of both. (p.14)
13. All new correctional construction proposals should be evaluated in relationship to the need for increased bed capacity statewide. (p.14)
14. The state should continue to maintain a number of dangerously violent Alaska offenders within the Federal Bureau of Prisons system. (p.15)
15. Either a Matanuska-Sustina or Kenai Borough site should be developed and utilized to provide maximum security prison space. (p.15)
16. Correctional construction should be recognized as a high priority among all units of state government. (p.16)
17. A maximum security institution is needed to securely house a portion of the Alaska offender population. (p.17)

#### Administrative Organization

18. The recently completed management plan for corrections should not be fully implemented. (p.19)
19. The revised classification system should be implemented in concert with correctional reorganization and development. (p.19)
20. Corrections should be managed on a decentralized regional basis. (p.20)
21. All jail contracts should be managed by the Department of Corrections. (p.21)
22. A well trained correctional staff is mandatory and critical to efficient management. (p.22)

### Institutional Placement of Corrections in Government

23. The Division of Corrections should be moved quickly and decisively in toto by immediate executive order to Departmental status. (p.24)
24. A Commissioner of Corrections should be appointed by the Governor as soon as possible. (p.24)

### Communication and Coordination Among Justice Agencies

25. A cabinet level body should be directed to coordinate policy and law implementation for the effective administration of justice. (p.26)
26. Management personnel of the agencies of justice (state and local) should coordinate the activities of these agencies at the local and regional level. (p.26)
27. The present partial settlement agreement efforts in the Clearv et al. case should be halted and reviewed immediately. (p.26)

### Municipal Responsibilities

28. Municipalities should not be made responsible for the costs of pre-trial incarceration of offenders held on state criminal charges, but municipal-state coordination is essential. (p.28)
29. The state should move immediately to address the law, policies and procedures with regard to public drunkenness and drunk driving. (p.29)
30. The state Office of Alcohol and Drug Abuse should provide comprehensive program services to correctional populations in cooperation with local municipalities. (p.29)

### Juvenile Corrections

31. All youth correctional functions should be organized as a separate division within the Department of Corrections when reorganization is completed and functional. (p.21)

### Rehabilitation and Alternatives to Incarceration

32. The prisoner population of the State of Alaska should be put to work. (p.33)

33. Offender education and recreational programs should be made available to prison populations during the non-work hours of those prisoners. (p.34)
34. A systematic evaluation of approximately 150 parole eligible offenders should be conducted immediately. (p.35)
35. Corrections should provide the opportunity to every offender the resources of a halfway house program for those about to be released -- corrections must correct. (p.35)

## PRISON OVERCROWDING

Class action suits, media accounts, and expert as well as lay opinion have confirmed beyond all doubt that Alaska's statewide system of correctional centers is overcrowded beyond any reasonable margin of safety and security. The Task Force is well aware that the Constitution of the State of Alaska mandates that the state's correctional system must reform offenders and protect the public. In our judgment, the current crisis in corrections only insures that the state cannot carry out its Constitutional mandate. The State of Alaska must move immediately and with diligence to resolve overcrowding in the correctional system.

The members of the Task Force on Corrections are cognizant that the public has demanded that state and local officials "get tough on crime," that the public's attitude is appropriate, but that it is also extremely costly. Therefore, we have developed a series of recommendations which will alleviate the overcrowded conditions in our correctional system at lower costs than proposed by the previous administration which will, at the same time, we believe, provide adequately for protecting the public and reforming offenders.

Recommendation 1:

With the exception of the Anchorage Careage House, no facilities currently holding incarcerated accused or sentenced offenders should be closed until and unless adequate new correctional space has been fully prepared and readied for occupancy.

Recommendation 2:

The Careage House in Anchorage should be utilized immediately as the Division of Corrections' headquarters. All Anchorage area central office, institutional, field services and training employees should be moved immediately from the Frontier Building in Anchorage to this new location for greater cost and operating efficiency. This facility is now owned by the state so that only the costs of utilities and minor necessary renovations need be incurred for the Division of Corrections to operate efficiently from this site.

Recommendation 3:

In spite of the tremendous pressure on the managers of the correctional system, the transfer of offenders into the new Cook Inlet Pretrial Facility in Anchorage should not take place until the institutional staff has been hired, fully trained, and the facility has been completed. To do otherwise will almost assuredly result in major management problems and raise the risks of difficulties within the offender population. When completed, this facility could

operate, as designed, to book and hold all Anchorage area pre-trial detainees, and could have, again as designed, full-time on site magistrate services. This latter procedure would save police man hours and the great expense of prisoner transportation and prevent the unnecessary incarceration of persons able to be released on their own recognizance or to make bail. Use of video equipment would appear to be practical in both Anchorage and Fairbanks at the present time.

Reccmmendation 4:

The Third Avenue Correctional Center should be utilized to hold short-term offenders, and especially those incarcerated for alcohol-related offenses. It is inappropriate to utilize the facility for booking of new arrestees, for long term offenders, or for the purposes of classification of offenders as was proposed to the Task Force during our discussion with the current director.

Recommendation 5:

The Correctional Center Annex at 6th and C in Anchorage recently received approximately \$1.4 million of renovations in order to comply with a judgment of the court to make it constitutionally sound. It should continue to be fully utilized as a booking facility until the new Cook Inlet institution is operationally ready. Even after Cook Inlet comes on line, the Annex can and should continue to serve as an adequate facility to house short term offenders.

Recommendation 6:

The Ridgeview facility should also continue to be utilized until the Cook Inlet institution is ready. With the opening of Cook Inlet, use of the Ridgeview correctional center should be re-evaluated for potential correctional use in light of economic costs and public benefits. It is possible that Ridgeview could be converted for use as a regional halfway house/community services facility for offenders about to be released and for offenders whom the courts wish to sentence to short term and/or pretrial incarceration (usually followed by probationary supervision). There is a drastic need for this type of less costly facility in the Anchorage area and public opinion should support a "lower risk" use of this present site. Structural and design improvements may be borne by present Division of Corrections expertise and prison labor.

Recommendation 7:

The Hiland Mountain Correctional Center near Eagle River must be relieved as quickly as possible of the burden of too many inmates in the available space. This facility must return to its original mission as a rehabilitation center for first offenders and those of low security risk. This institution has, in the past, been recognized nationally and even internationally as the model correctional center in which offenders might be reformed. The state must insure that the institution performs its task

as it was intended to perform. Mentally disturbed offenders should not, under none but the most unusual of circumstances, be permitted to be housed at this institution.

Recommendation 8:

Mentally disturbed offenders should continue to be housed temporarily at the Alaska Psychiatric Hospital until a special unit can be designed to treat these offenders within appropriate security facilities to be determined by the Division of Mental Health. The Task Force is cognizant of the June 20, 1980 Task Force Report which specifically addresses these issues. We recommend that the report be carefully re-evaluated.

We believe that the Division of Mental Health must assume responsibility for the security and treatment of mentally disturbed offenders. We have found that the previous administration had gone "full circle" in periodic changes of policy with regard to those offenders. This lack of consistency in management decisions has contributed to the current confusion and jeopardizes offender, as well as public, safety.

Recommendation 9:

The Meadow Creek (Women's) Correctional Center near Eagle River and adjacent to the male facility is an example of architectural extravagance where simplicity and a more spartan environment would have sufficed. It now houses 28

adult women and has a capacity of 30. If expansion becomes necessary, less expensive units can be utilized to extend existing capacity.

Recommendation 10:

The two correctional institutions at Palmer (actually near Sutton) provide good examples of the appropriate mix of tax dollars and inmate labor. The original Palmer Camp (minimum security) was built from the ground up by inmate labor (capacity is now approximately 100 offenders). We recommend that this practice be encouraged and continued. The new, nearly \$5 million medium security facility on the same grounds also houses approximately 100 male offenders. Both facilities are fully utilized but there is a clear need for a full range of prison work programs which would keep all offenders busy for at least 40 hours per week.

Recommendation 11:

The State of Alaska should move immediately to evaluate and to obtain available sites which could be utilized to house correctional operations. Site selection should insure provision for rapid availability of housing for up to 100 offenders. Capacities at these sites should have the potential to be increased. The Task Force recommends that one site be located within the Matanuska-Susitna Borough and the other in the Kenai Borough. Sites which have the advantage of existing grounds, utilities and buildings, and which could have security modules added at relative low cost

and high benefit, should be of priority concern. With rapid site acquisitions, this Task Force believes that overcrowding in the Division of Corrections could be addressed dramatically within nine months to one year.

Recommendation 12:

Institutions have previously been approved for construction at both Bethel and Nome. Apparently the availability of funds for the Nome institution are currently in doubt. The Bethel funds have deteriorated in value due to mismanagement of site selection and building design delays. We strongly recommend that either the new Palmer institutional model ("stick built") or prebuilt modular units or any combination be incorporated for sites at both Nome and Bethel as quickly as possible. These facilities should serve as comprehensive correctional services regional centers. They would meet the needs of the southwestern Bethel area and the needs of the Seward Peninsula and Western Alaska regions for short term offenders (up to one year), probation and parole services, community supervision, halfway house, and other correctional related services. These institutions would help to relieve the pressure on the existing state facilities, provide regional treatment and incarceration capabilities, and provide state correctional services where very little now exists.

Recommendation 13:

The Task Force is aware of expansion work at the

Fairbanks and Juneau Correctional Centers and of a new replacement facility in Ketchikan. Ironically, while these modifications are essential, they will not add substantially, if at all, to the overall correctional system bed capacity. With new facilities to be developed rapidly in the Matanuska-Susitna and Kenai Boroughs, these other state regional correctional centers can return to a more efficient operational posture. It may be necessary and advisable to add a pretrial capability to the Fairbanks institution but this should be re-evaluated in light of our other recommendations. We recommend that all new construction proposals be evaluated in relationship to the need for increased bed capacity statewide. The potential for utilizing prison labor should also be evaluated.

Recommendation 14:

The 188 Alaska prisoners currently being held within the Federal Bureau of Prisons need not all be returned to Alaska. This Task Force recommends that the out-of-state population of offenders be carefully screened so that those who might be ready to be returned to Alaska could be brought back in small numbers as new space is readied for them in both new and existing facilities. It should be possible to continue to maintain a number of dangerously violent Alaska offenders within the FBP system.

Recommendation 15:

Related to #14 immediately above, this Task Force

recommends that either the Matanuska-Susitna or Kenai Borough site, or both, should be utilized to provide maximum security space potential to house Alaska's more serious offenders through the use of maximum security units. Such facilities holding up to 300 offenders have been built in the outside states using modular units and are apparently functioning well at low cost relative to poured concrete and steel institutions and have ample security provisions. Only Butler buildings (or similar) need be added for industrial work and/or recreational space.

Recommendation 16:

The Task Force recommends that new site acquisitions, construction additions and building renovations be completed expeditiously as the highest priority through the channels of state government while minimizing both hindrances and costs. The Department of Transportation and Public Facilities should recognize prison construction as a high priority. Building supplies and prisoner labor should be utilized in building renovations and in the construction of non-secure buildings. Security buildings should be built expeditiously by contract labor from the private sector and full service warranties on all new construction should be mandatory. Corrections should have its own facility planners who can expedite construction and renovation work statewide. We recommend that a project evaluation be required upon completion of all major construction.

Recommendation 17:

Finally, in regard to the need for a maximum security facility in Alaska, the Task Force received clear and compelling testimony from state and local police representatives, the court system, knowledgeable citizens, and correctional professionals that Alaska now needs a maximum security institution. Our recommendation is that the Cook Inlet building design and/or modular security units be constructed in a Southcentral location.

ADMINISTRATIVE ORGANIZATION AND  
STAFFING PROBLEMS

A clear and consistent pattern of evidence and opinion has been presented to this Task Force that the Division of Corrections has suffered, and is suffering from, a lack of clear leadership from within the Division and from within the Department of Health and Social Services. We earlier identified the fact that the Division of Corrections has been headed by four directors over the past six-year period, and that the most recent past director and the current director were employed by the previous administration from positions they held in the lower contiguous states. They came to Alaska with the disadvantages of not knowing the "territory" and those within the system who were weak from those who had/have strong potential leadership and management ability.

We believe that strong, decisive and professional leadership and management is essential to successful correctional operations in this state. Further, a sense of history, of past failures and accomplishments, of goals and objectives peculiar to the unique strengths and weaknesses of Alaska and Alaskans is essential for state correctional managers.

The multitude of reports, plans and recommendations from experts and practitioners from within the state and beyond have repeatedly stated that we need not transfer and repeat the mistakes of correctional systems elsewhere. We have found, as one interviewee stated, that too often divisional and departmental management decisions have been based, not on merit, but on perceptions. Interrelationships and coordination of services within the Department of Social Services have proven to be complex and perhaps impossible under the current umbrella structure of the Department. We will address the institutional placement of corrections within state government in a separate section.

We make the following recommendations with regard to the elimination of organization and staffing problems within the current organization of corrections.

Recommendation 18:

The management plan recently completed at a cost of over \$100,000 by the Touche-Ross management and accounting firm should not be implemented until it has been reviewed by the new Department of Corrections. Portions of the plan appear to be unrealistic and unworkable.

Recommendation 19:

While the division managers may be commended for their efforts to develop an improved classification system for the division, we believe that even a superlative classification system will be of little use when bed space alternatives are

not yet available to which offenders might be classified. In order for a correctional classification system to work effectively, there must exist a range of correctional institutional and community placement alternatives with available space in each, to which offenders may be directed. A range of facilities from maximum, medium, minimum, to and including, community halfway houses must first be available. While a sophisticated matrix classification system will be useful eventually, we feel it ironic that the basis for the management structure of the system can be found in a report to the Alaska Legislature written five years ago in 1978. We recommend that the revised classification system be implemented in concert with division reorganization and development.

Recommendation 20:

We have examined the potential reorganization of the organizational and management structure of the division along both functional and regional lines. This Task Force strongly recommends that the division be reorganized immediately upon a decentralized regional concept. It is our opinion, and the opinion of the majority of the interviewees within and outside of corrections, that a regionalized management structure would bring increased efficiency and accountability to correctional operations statewide. While a specific plan is inappropriate for this Task Force, our preliminary findings are that regional

directors should be appointed for each of the geographic regions - southeast, southcentral, and interior. A fourth regional director should be appointed to manage correctional services in rural Alaska - an area that has suffered from a policy of "benign neglect." Regional Directors should be partially-exempt positions. Each regional director should have full responsibility and authority for managing all correctional services in the region. These responsibilities should include but not be limited to the supervision of institutions, probation and parole, other field services and personnel and budget, and should include coordination with the presiding superior court judges, trooper detachment commanders, district attorneys, public defenders, local chiefs of police and peripheral service agencies. Each regional director should be encouraged to establish local citizen advisory groups to advise him or her on correctional programs in the area. Communications between the state's citizens and correctional managers will be enhanced via this mechanism.

Recommendation 21:

The members of this Task Force recommend that the agreement for administration of local jail contracts should transfer, under a new agreement, from the Department of Public Safety to a new Department of Corrections and that both governmental units should prepare their FY 84 budgets

accordingly. We believe that all correctional operations administered in part, or totally, by the State of Alaska should be housed in only one administrative unit.

Recommendation 22:

Professionalism in the ranks of the correctional system and in the management structure is of critical concern to this Task Force. Formal educational standards should be established, in addition to agency in-house training for all correctional and field service positions. A uniformed, neat and well-groomed correctional officer staff within the institutions with a well-trained, and professional demeanor would do much to enhance the morale and credibility of correctional staffs. The need for initial and periodic formal education and training is critical. Training can be physically conducted at the Careage House in Anchorage where board and room can be provided at low relative cost.

INSTITUTIONAL PLACEMENT OF CORRECTIONS  
IN STATE GOVERNMENT

As stated previously by the transition Task Force on Human Services, the management and operation of the Division of Corrections is a "dominating problem" within the Alaska Department of Health and Social Services and is of critical concern. Several factors were identified by that Task Force which contributed to that assessment. Our Task Force on Corrections, in re-examining those previous conclusions, and in conducting our own independent investigation has found agreement that it is essential to move Corrections to departmental status.

The three guiding factors of greatest relevance are: 1) that the Division has suffered from lack of continuously stable and professional management within the Division and within the Department of Health and Social Services; 2) the fiscal and management needs of the Division of Corrections has placed tremendous demands on the resources of the Department of Health and Social Services; and 3) the primary factor and mission of the Department of Health and Social Services has been oriented toward community health, public assistance, mental health and family services and is neither

efficiently organized nor properly prepared to address the problems of corrections within the criminal justice system. Therefore, the Task Force on Corrections recommends the following:

Recommendation 23:

The Division of Corrections should be moved quickly and decisively in toto by immediate executive order to departmental status. We have found unanimous agreement from virtually all persons interviewed, from all regions of the state, and from all segments of the criminal justice system - police, courts, corrections, law - and from the citizen sector that departmental status is not only justified but necessary. The Task Force has considered previous proposals which discussed a transitional phasing-in of the division toward a cabinet level position. We have concluded that a transitional movement will cause undue delays and probably result in a less efficient and more burdensome administrative process. We recommend a "quick and clean" transfer by executive decree.

Recommendation 24:

A Commissioner of Corrections should be appointed by the Governor as soon as possible. A deputy commissioner and four regional directors (the latter explained in a recommendation elsewhere in this report) should be appointed by the commissioner to manage the new Department of Corrections.

COMMUNICATION AND COORDINATION AMONG  
JUSTICE AGENCIES

This Task Force and the practitioners in the justice system from both the previous and present state administrations, and those from municipal law enforcement departments whom we interviewed, are clear in their request for statewide coordination of criminal justice policy and law. The activities of the Governor's Commission on the Administration of Justice under the direction of the previous administration were primarily oriented toward the dispersion of federal dollars which emanated from the Law Enforcement Assistance Administration (LEAA). With the demise of the federal program, the Governor's Commission (GCAJ) ceased to function.

New criminal laws and new policies and procedures emanating from one department or sector of the government can have a serious impact on the management and administration of other governmental units. For this reason alone, it is critical to insure that clear communication and sound coordination take place among the managers of the justice system statewide. We recommend the following:

Recommendation 25:

The Governor should empanel members of his administration who have justice administration responsibilities, invite representatives of appropriate related agencies, and appoint lay citizens to coordinate policy and law implementation for the effective administration of justice.

Recommendation 26:

Appropriate management level personnel of the agencies of justice should meet regularly for the purpose of coordinating the activities of the justice agencies at the local and regional level. These groups should be made up of the regional director of corrections, the presiding superior court judge, the local chief (or chiefs) of police, the local trooper detachment commander, the district attorney, the public defender, a municipal attorney and a lay citizen. We found at least one excellent example of this type of coordination and recommend that this management technique be emulated at least regionally across the state.

Recommendation 27:

We believe there are serious potential ramifications from the current effort at pre-settlement in the Cleary case. We strongly recommend that the present partial settlement agreement effort between the State of Alaska and Michael Cleary et al be halted and reviewed immediately and that the state proceed to trial, if necessary, in defense of the State.

## MUNICIPAL RESPONSIBILITIES

The Task Force has examined the potential for municipal assumption of pre-trial detention responsibilities. This issue has been of concern because of the differences which exist between the larger urban population centers of the state and the smaller municipalities. That is, within the larger cities, no municipal facilities exist to hold prisoners while they await trial. The burden of pre-trial detention is assumed by the state. On the other hand, the small town police chief must be administratively responsible for housing the arrestee until trial or other disposition is reached. The state has therefore developed contractual arrangements with local municipalities to reimburse or otherwise pay for the maintenance of prisoners held on state charges.

It can cost approximately \$50 per day to book and hold a minor criminal offender in a jail bed which may have cost up to \$125,000 per bed to construct. It is clear that relatively minor offenders should be held in less costly prison or jail space.

There should be an incentive for local municipalities to increase their crime prevention and criminal diversion programs at least for minor offenders who potentially take

up expensive bed space needed for the serious criminal predator. It has been argued that if the municipalities were paying all costs of pre-trial incarceration related to crime at the local level, a substantial incentive (because of the high costs of incarceration) would exist for the cities to develop substantial prevention and diversion programs.

Recommendation 28:

The Task Force on Corrections recommends that municipalities not be made responsible for the costs of the pre-trial incarceration of offenders held on state criminal charges. The impact of such a requirement would be that very costly expenditures would be incurred immediately by every municipality statewide. We believe that the state can and should be responsible for the management and administration of criminal defendants being tried under state statutes. We do believe and strongly recommend however, that careful coordination between and among the criminal justice professionals in both state and local governments is essential to sound management of the system.

Corrections managers do not and cannot select their prison population. The gatekeepers at the front door of the state system of corrections are the local police, troopers, prosecution and court personnel. They should work cooperatively to insure that offenders are held in space appropriate to the level and nature of their offense.

Corrections has an obligation to insure that a variety of types and levels of security is available to the law enforcement community.

Recommendation 29:

While we are reluctant to recommend that still other task forces be formed to investigate and resolve other issues, it is clear that there is a compelling need to address the law, policies and procedures with regard to public drunkenness and drunk driving. The issue has appropriately been identified by the public and in the media as one which demands specific attention. We therefore recommend immediate attention to this issue.

Recommendation 30:

We recognize the high statistical correlation between alcohol abuse and crime. We recommend that the State Office of Alcohol and Drug Abuse (SOADA) should provide alcohol and drug abuse program services in cooperation with local municipalities to correctional centers and community service offices statewide. There is a crucial need for a comprehensive approach to the problem of substance abuse, including "in-house", after care and follow-up program services to offenders.

## JUVENILE CORRECTIONS

Following completion of the Correctional Master Plan for the State of Alaska in 1979, the previous Commissioner of the Department of Health and Social Services moved the juvenile corrections segment of the Division of Corrections to the Division of Family and Children's Services. The argument for this move was primarily that the juvenile side of the corrections organization always would receive secondary prioritization in relationship to the demands of adult confinement. The benefits were to be that greater attention to juvenile needs would be the result of the transfer of juvenile institutions and probation supervision services to the family services division.

We have heard ample and persuasive testimony that all persons who have been adjudicated as delinquent or criminal should be managed organizationally within the same governmental unit. We are convinced that the age of the offender separates juvenile crime from adult crime and that many of the most serious crimes are being committed by young offenders.

We have also found duplication of effort within the Department of Health and Social Services. Where previously

a probation officer in Nome, Barrow or Haines, for example, could supervise and direct both adults and juveniles, it now seems that these services may require both adult and juvenile specialists.

It is also clear that serious juvenile offenders require strong and decisive management by both the courts and corrections. Violent juvenile offenders require secure supervision and incarceration.

Related to the preceding discussion, we make the following recommendations.

Recommendation 31:

The entire present organization of youth corrections should be moved as a Division of Juvenile Corrections, to the new Department of Corrections when reorganization is completed and functional. Management of this division should be decentralized to fit the regional organization of the Department. For example, the juvenile institution in Fairbanks and the juvenile probation and field services operations should be accountable to the regional director of corrections in Fairbanks. There is no apparent need to add additional staff to juvenile corrections as a result of this transfer, although there may be a need for additional juvenile staff for other reasons to be defined at a later date.

REHABILITATION AND ALTERNATIVES  
TO INCARCERATION

The public has a right to demand a positive return for its investment in corrections. While protection of the public from the offenders who are sent to jail or prison is reasonably assured, that protection exists primarily during the length of the prisoner's incarceration. Long term protection can only be brought about by the reformation of the offender as mandated by the Constitution of the State of Alaska. Prisoners can return to the state's population as better persons or more bitter as a result of their prison experiences.

Idleness in our prison system, mixed with overcrowding can and will produce chaos and perhaps result in violence to both property and persons. There is a dearth of meaningful work opportunities for the prison population. Make-work institutional maintenance is the routine alternative for even a minority of prisoners. Prison industries and public works projects should be implemented in all long term correctional centers. Restitution and community services opportunities for individual prisoners who are not security risks should be made available and taken into consideration by parole authorities for those prisoners who are eligible.

A system of relatively inexpensive community treatment halfway houses should be available within the Department of Corrections range of institutions. Offenders who fail or who are not yet ready for release should not be eligible for these lesser security facilities. However, all offenders nearing eventual release should be placed under the carefully coordinated and supervised system of halfway house resources. A full range of maximum to halfway house security level institutions is essential to the reformation of offenders and the efficient management of offender populations. We recommend the following:

Recommendation 32:

The prisoner population in the State of Alaska should be put to work. While the unemployment rate in Alaska is seasonally and regionally high, the citizens of the state can no longer endure an idle segment of otherwise able bodied prisoners. Prison industries and public works projects have been adequately addressed in the Correctional Master Plan. It is not our intent here to review those already voluminous plans. We intend to emphasize the need for a halt to planning and the commencement of activity. Corrections must be given the resources to provide meaningful work opportunities for the offender population. Cutting and clearing of land, stream rehabilitation, trail building, and parks maintenance and construction are but a few examples of public works projects which would benefit

the citizens of the state as well as the non-violent offender population. Eight hour a day work habits can be learned and law abiding skills can be developed. Adequate pay to prisoners can and should be permitted with the responsibility that the working offender repay the state and/or the victim for at least the partial cost of his crime. His or her family can be partially supported as a result of prison labor, board and room can be at least partially paid, and small amounts can be set aside in savings toward release. The non-working offender should not be entitled to the same privileges granted to the working population.

Recommendation 33:

We agree with current correctional policy that any offender who does not possess a high school diploma or its equivalent should be required to complete a G.E.D. program if feasible within the length of his or her incarceration.

We feel strongly however, that these offenders and those who already possess a high school diploma and who wish to take part in educational and recreational programs should do so in their non-working hours - the same as working citizens of the state outside of the prison system. Higher education courses, arts and crafts and other culturally oriented programs should be encouraged and funded. But prisoners pursuing college educations should seek out and apply for Alaska Student Loans the same as "freeworld"

students. The Department of Corrections should coordinate and contract with local school districts, the Department of Education, and the University of Alaska Statewide Systems for teaching resources.

Recommendation 34:

This Task Force has learned that there are approximately 150 parole eligible offenders within the corrections' institutional population. These offenders apparently meet all of the current qualifications for eligibility for parole consideration but have not applied. In relationship to the very high cost of prison bed space and the current crisis in overcrowding, we strongly recommend that a systematic evaluation of these offender eligibles be conducted immediately.

Recommendation 35:

The Department of Corrections should provide the opportunity to every offender the resources of a halfway house program for those about to be released. Offenders should be encouraged to be self-sufficient, apply for jobs, seek out community treatment resources and renew the ties with the law abiding community including family and friends. Close coordination and carefully organized transitions should be mandatory as the offender moves from secure institutions to halfway houses and finally to the community. Probation and parole field staffs should develop community resources and a system of community volunteers to assist

offenders in making the transition. Community service halfway houses should also be available to probationers, parolees, and ex-offenders who are in need of assistance. The use of university and community college interns should be encouraged in these facilities. Finally, the Department of Corrections should assure that alcohol, mental health and vocational rehabilitation services provided through other departments and divisions of state and local governments are heavily utilized. These offenders should not receive treatment not otherwise available to "ordinary" citizens. However, corrections must correct.

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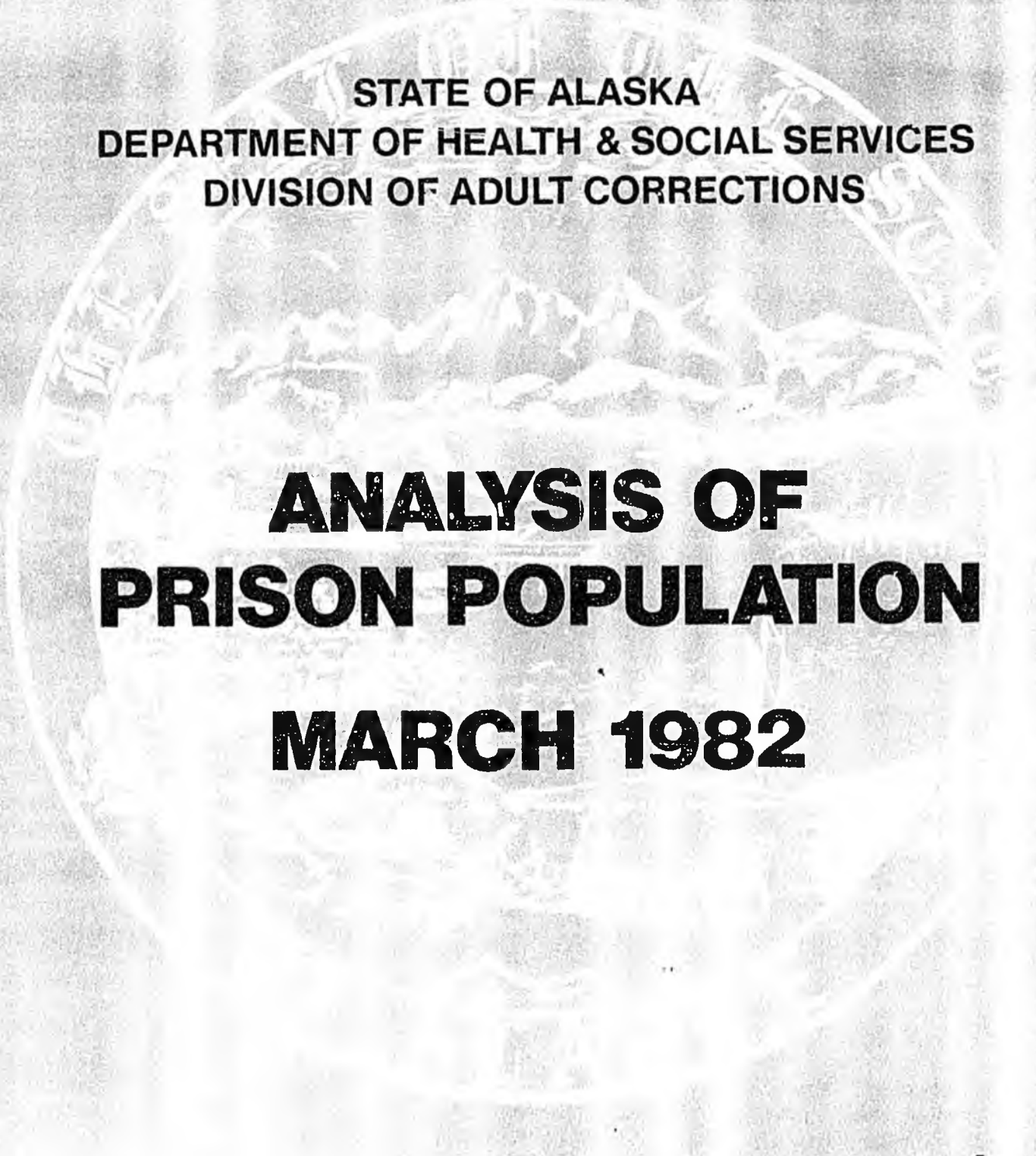
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Correctional Center Site Visits

Anchorage, 3rd Avenue  
Ridgeview  
Cook Inlet (under const.)  
Meadow Creek (Eagle River,  
women)  
Palmer Med. Security  
Palmer Jail - new (under  
const.)  
Fairbanks Youth Facility  
Bethel  
Juneau Johnson Center

Anchorage, 6th Avenue  
Careage House  
Hiland Mountain (Eagle  
River, men)  
Palmer Min. Security  
Palmer Jail - Police  
Dept. (old)  
Fairbanks Corr. Ctr.  
Barrow  
Kenai City Jail

NOTE REGARDING THE FOLLOWING FRAME(S) ON MICROFILM:  
COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES.  
TITLE PAGE ONLY HAS BEEN FILMED.

The background of the cover features a large, faint circular seal of the State of Alaska. The seal contains a landscape with mountains and a sun, surrounded by the words "STATE OF ALASKA" and "1907".

STATE OF ALASKA  
DEPARTMENT OF HEALTH & SOCIAL SERVICES  
DIVISION OF ADULT CORRECTIONS

**ANALYSIS OF  
PRISON POPULATION**

**MARCH 1982**