

HB

103

POSITION PAPER

House Bill No. 103



"An Act establishing a Department of Corrections and transferring certain functions of the Department of Health and Social Services to the Department of Corrections; and providing for an effective date."

House Bill No. 103 adds a new chapter to Title 44 which establishes a Department of Corrections and gives the Department the responsibility to administer state programs including 1) state prisons and state prisoners; 2) probation and parole; 3) extraditions and detainers.

The bill changes the language in Titles 11, 12, 33, 41, 44, and 47 to reflect a Department of Corrections, rather than Department of Health and Social Services and/or Division of Adult Corrections. House Bill No. 103 excludes delinquent juveniles from the responsibilities of the new Department by omission of conforming amendments.

The Department of Health and Social Services supports the concept of House Bill No. 103 and recommends its passage. We do not view this bill as being in conflict of Executive Order 54 but, in fact, is supportive of the Governor's order.

Recommended by:

*Roger V. Endert*

Roger V. Endert, Director  
Division of Adult Corrections

Date:

2-9-83

Approved by:

*Robert London Smith*

Robert London Smith, Ph.D.  
Commissioner

Date:

2/11/83

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: House Bill No. 103 Date on Bill: January 21, 1983  
 Title: "An Act establishing a Department of Corrections . . ."  
 Sponsor: Reps. Fritz, Koponen, Furnace, Goll, and Davis  
 Requestor: \_\_\_\_\_

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
Capital	-0-	-0-	-0-	-0-		
Operating	250.0	951.6	1008.7	1069.3		
Total	250.0	951.6	1008.7	1069.3		

b. Revenues:

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
Revenue	-0-	-0-	-0-	-0-		

2. Source of funds to offset fiscal impact of bill:

The funding source to offset the fiscal impact for FY 1983 is contained in delete/add supplemental submitted by the Department of Health and Social Services. Funding for FY 1984 has not been identified by the bill sponsors.

3. Assumptions:

House Bill No. 103 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, creation of ten new positions, the reclassification of nine Division of Corrections positions and the transfer of 13 positions from the Department of Health & Social Services Divisions of Management and Budget and Administrative Services to the new Department.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376  
 Division: Adult Corrections Date: February 8, 1983

Approved by Commissioner: Robert London Smith Date: 3/7/83  
 Department: HEALTH & SOCIAL SERVICES

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

Pouch Y, State Capitol  
Juneau, Alaska 99811  
(907) 465-3991

February 25, 1983

MEMORANDUM

TO: Representative Mae Tischer

FROM: Jonathan Sheod *J.S.*  
Research Sta

RE: Texas Department of Corrections Education and Rehabilitation  
Programs  
Research Request 83-18

Heidi Borson of your staff requested that we provide you with information pertaining to the educational and rehabilitation programs operated by the Texas Department of Corrections (TDC). We have contacted officials with the TDC and obtained the following information.

The Texas Department of Corrections' education and rehabilitation services can be divided into three main classes of programs. First, Texas operates programs which provide vocational, basic, and college education. Second, Texas has a work policy which requires employment for all inmates. Finally, Texas offers a number of treatment programs for inmates.

Education

The educational programs in the Texas Department of Corrections are administered by its Treatment Division. The programs include the Windham School System, the Division of Continuing Education, and the Apprenticeship and Training Program.

The Windham School System was established as an independent school district for Texas state prisoners by an act of the Texas State Legislature in 1969. The Windham School System is comprised of the adult basic and vocational education programs in the Department's twenty-three institutions. Windham is part of the TDC's Education Department; however, as a school district, the Windham School System is funded through the Texas Education Agency's State Minimum Foundation Program. Therefore, Windham does not compete for funds with other areas of corrections operations.

Representative Tischer

February 25, 1983

Page Two

All twenty-three institutions in the Texas Correctional System have full competency-based education programs for grades K-12. Inmates can receive either a G.E.D. or a competency-based high school diploma.

In addition, each correctional unit has a vocational training program. In all, thirty different trades are taught in this program, although not every trade is taught at each institution.

According to Cheryl Moore, Assistant Director of Curriculum at Windham, the adult basic education program offers a diverse curriculum, which includes not only such basics as math, reading, communications, and science, but also music, art, dance, and physical education. The Windham School system is required to offer a wide range of courses to meet the Texas Education Agency's curriculum standards for school districts.

Inmates who score at a fifth-grade level or below on the Test of Adult Basic Education must participate in the basic education program until such time as they can score above the fifth-grade level on the test. After that, participation in the program is completely voluntary. Inmates can enter or leave the program at any time.

Inmates in the Texas prison system must work at some kind of a job within the system. According to Ms. Moore, participation in the education program does not excuse inmates from this obligation. Inmates typically attend school the equivalent of one day per week and work for four days per week.

The average daily count for the Windham School System is about 12,000 inmates. Ms. Moore stated that the system has a very high turnover rate, and considerably more inmates participate at some point during the year than is indicated by the daily average. The Texas correctional system as a whole has a population of approximately 34,000 inmates. The budget for the Windham School system was about \$11,000,000 in FY 82.

College courses are available through the TDC Division of Continuing Education. The TDC contracts with community colleges and a few universities in Texas to have instructors come to the institution and teach courses. Associate, Bachelor of Arts, and Bachelor of Science degrees are available to inmates through this program.

However, not all of the institutions in the Texas correctional system offer college courses. Inmates in institutions without college programs who desire to take courses can request a transfer to an institution that does offer college courses. But, because the prisons in the Texas system are classified by categories of inmate population, inmates

may not be eligible for transfer to some institutions. Furthermore, as the Texas correctional system has become more crowded, inmates may have to wait for substantial periods of time before space is available at another institution.

According to Ms. Moore, the Texas State Education Agency pays for the tuition of full-time community college students. The Department of Corrections pays for the first three credit hours of college for inmates, the inmates must pay for their next three credit hours, and the Texas Education Agency pays for any additional classes.

In addition to basic education and college, the Texas Department of Corrections also offers an apprenticeship program for inmates. The program is designed to meet the standards established by the Texas Labor Board, which certifies tradesmen. Inmates in this program receive some class work, but also practice their trade at the institution to which they are assigned. The kinds of trades available for apprenticeship are limited to those that are practiced at a particular institution. Trades currently available to inmates for apprenticeship include cooks, auto mechanics, butchers, and dental technicians.

#### Employment

Texas Department of Corrections officials frequently cited the strong emphasis the Department places on work ethic as a means of rehabilitation. As noted earlier, all Texas state prisoners are required to work. Prisoners are not paid for their labor, but receive "good time credits" for their work. Inmates may receive a maximum of two days credit for one day worked. The amount they receive is dependent upon the skill level of their employment and their behavior.

According to Charles Brown, Assistant Director of Public Affairs for the Department of Corrections, inmates entering the system begin by working at unskilled agricultural labor for a probationary period. If they demonstrate that they can adapt to the demands of regular work, they are given a job in one of the areas of corrections operation. These jobs may be in maintenance, food service, education, medical care, and many of the other operations of the Department. In addition, Texas operates a prison industry program which employs a substantial number of inmates. If inmates lack necessary skills to move straight into these positions, they are provided with on-the-job training.

It is generally agreed that Texas has the most comprehensive prison industry program in the nation. The state prison system manufactures

Representative Tischer  
February 25, 1983  
Page Four

virtually all of its product needs, including the production of its own food, the spinning of its own cotton for clothing, and the manufacturing of shoes for its prisoners. The system has 63,000 acres of land to grow its corn and cotton and to raise its 16,000 head of cattle. The Texas program also has a number of specialized industries; e.g., micro-filming and data processing of state agency records and refurbishing fire trucks and school buses.

Prior to 1979, state law prohibited the sale of prison-made products to any agency other than the Texas Department of Corrections. The statute has since been amended to allow goods to be sold to state and federal agencies and foreign governments on a contractual basis.

According to John Bradley, with the Texas Department of Corrections, the state prison system is able to realize substantially lower operating costs than most systems because of its extensive use of prison labor. Most bookkeeping in the plants, for example, is done with inmate labor. The system's 23 factories are managed with a supervision ratio of 9 inmates to 1 supervisor.

#### Treatment Programs

According to Charles Brown, the Texas Department of Corrections Treatment Division is the umbrella organization for several different types of services. The Windham School System, the Division of Continuing Education, health services, social services, and the chaplaincy program are all administered by the Treatment Division. This division is where those rehabilitative programs not related to inmate work are contained.

Mr. Brown stated that the Behavioral Medicine program offered a broad range of psychological treatment to fit the needs of the inmates. Programs include individual and group counseling, and medication. However, inmates who need very intensive mental health care are referred to the state mental hospital.

The Treatment Division also operates a pre-release program which assists inmates in obtaining employment, medical care and social services upon their release from prison. The Treatment Division also offers alcohol abuse treatment programs for inmates.

\*

\*

\*

We hope we have provided a useful overview of the education and rehabilitation programs provided to inmates of the Texas correctional system. If you have any questions, or should you want us to provide more detailed information on a particular program mentioned in this memorandum, please do not hesitate to contact us.

JS/sj

# High Court Asked to Give Police 'Room for Mistakes'

By Fred Barbash

Washington Post Staff Writer

The Supreme Court was asked yesterday to give police "room for some mistakes" by relaxing the controversial "exclusionary rule," which bars illegally seized evidence from criminal trials.

Illinois Assistant Attorney General Paul R. Biebel Jr. asked the court to establish a "good faith" exception to the 69-year-old rule: illegal evidence would be allowed when authorities could show they did not know it was illegal.

The exclusionary rule has become a symbol for many conservatives who believe there is an imbalance in the criminal justice system that lets criminals off on technicalities. Legislation has been introduced in Congress to create a good-faith exception.

But many groups, including the American Bar Association, support the strict application of the exclusionary rule, saying that it is the only effective deterrent to police abuse in searches and seizures.

The debate over the rule's application is considered one of the most important criminal justice disputes to come before the court in the last 20 years.

The case began on May 3, 1978, when police in Bloomington, Ill., received an anonymous letter alleging

that Susan and Lance Gates "make their living on selling drugs." The letter said that the couple had more than \$100,000 worth of drugs in their basement and soon would be traveling to Florida to obtain more. Authorities verified the couple's address and, with the help of the Drug Enforcement Administration, located the couple in Florida, where they were placed under surveillance.

While the Gates were returning to Illinois, police obtained a search warrant for the couple's home and car. On May 7, when the couple returned home, police conducted the search and found 350 pounds of alleged marijuana in the trunk of their car and more in the house, along with weapons, ammunition and drug paraphernalia. The couple was indicted on drug charges.

But before their trial an Illinois judge, in a ruling subsequently affirmed by the state's supreme court, ruled that the search warrant had been invalid because it was based on an anonymous letter. Under the exclusionary rule, all the evidence seized from the couple's car and home was declared inadmissible at trial. Illinois appealed to the U.S. Supreme Court.

If the Supreme Court upholds the "good faith" exception to the rule sought yesterday, the evidence could be admitted because the police

thought that they had a valid warrant.

"There is no evidence that the police acted in a willful, negligent way," Biebel told the justices. "Their action can only be characterized as thorough and professional. . . . This is clearly not the kind of police activity the exclusionary rule was meant to deter."

His argument was supported on behalf of the Reagan administration by Solicitor General Rex E. Lee.

"On the cost side," Lee said, "highly relevant and probative evidence was excluded, damaging the 'judicial integrity' of the legal process. On the benefit side, it is difficult to see anything that would be deterred. The police obtained the warrant. . . . They did what they should have done."

No one argued yesterday that the police had done anything wrong. This is why criminal law experts viewed the case as the perfect test of the exclusionary rule, first enunciated by the court in 1914.

The problem, it was conceded, was with the magistrate who issued the warrant based on the anonymous letter. The Fourth Amendment to the Constitution says that "no warrants shall issue, but upon probable cause" for believing that they will produce evidence of a crime.

Justice Sandra D. O'Connor,

whose vote is crucial for opponents of the exclusionary rule, asked how could the courts then deter "improper or even flagrant decisions by magistrates?"

"Under your view," she told Lee, "that would be perfectly all right."

"Not perfectly. . . ." Lee started to say before being interrupted by O'Connor.

"Perhaps there is a secondary motive [for the exclusionary rule]," she said. "Perhaps it's to make sure" that the government as a whole, and not just the police, "doesn't engage in misconduct."

Justice John Paul Stevens picked up the theme.

"How do you deter magistrates," he wanted to know. "Are you saying it's all right for magistrates to issue warrants on less than probable cause?"

The Gates' lawyer, James W. Reilly, also addressed this issue. Application of a good-faith exception in this case, he warned, "will immunize the warrant process" from review by courts. Reilly added that it would "establish a lesser standard for warrants" than the Constitution requires.

Reilly avoided the merits of the case almost entirely yesterday, while appealing to the Burger's court's sympathy for states' rights. He told the justices that the Illinois courts

based their decision on state law and state court rulings and that the Supreme Court should not even be reviewing it.

While procedural, this argument has proven effective in other cases in attracting votes from conservatives.

Yesterday was the second time the court has heard *Illinois vs. Gates*. In the first oral argument, in October, the "good-faith" exception was not an issue. The court specifically asked to have the case reargued on that point. This was an unusual action that required five votes and signaled the likelihood of a favorable ruling from a majority of the justices.

# Estelle says working with youth answer to rising prison population

By DAN HILL  
Staff Writer

Texas Department of Corrections Director W.J. Estelle challenged a crowd gathered at the monthly Chamber of Commerce First Friday luncheon, to "do something" about the rising prison population, by working with young people in their own community to keep them out of the criminal justice system.

"We've all got to stop and re-evaluate our priorities," Estelle said. "They don't just turn 18 years old, and suddenly turn criminal, they grow up that way."

Estelle said it was every individual's responsibility to take care of the children in his own home

and community, and take enough interest in them to let them know that there are alternatives to crime.

"You and I have taken that interest in our own children, most of us have anyway, but there are many others who have not, and that's why our prisons are full," Estelle said.

Estelle added that working on the problem of keeping individuals out of trouble is something that's going to take a lot of work.

"The real heroes in the criminal justice system are those who are spending their valuable time working with troubled youth, and even bigger heroes are those that totally get involved with our young

people before they get in trouble, giving them something wholesome to do, to keep them out of trouble in the first place."

Estelle said that the time has come for action and for a commitment to the children and youth, and that it had to start on the neighborhood and community level.

"We've got to come to the understanding that we've got to solve the problem ourselves, and you can start by controlling what goes on within a one-mile radius of where you work and live," he said.

Estelle said that everyone understands that you have to pay taxes to have good schools, and he See Estelle, Page 2A

## ed house center of controversy





## Estelle speaks

Department of Corrections Director W. J. Estelle speaks at the Lufkin Chamber of Commerce First Friday luncheon. (Staff Photo)

## Entertainers signed up for '83 Houston Rodeo

Livestock Show and officials announced Friday a line-up of performers scheduled for the Show, February 23 through March 6.

Performers include:

- 23, Kool and the Gang.
- 24, Mel Tillis.
- 25, Merle Haggard.
- 26, Hank Williams, Jr., and Lacy J. Dalton.
- 27, Eddie Rabbitt, and the Judds.
- 28, Conway Twitty,

and Ricky Scaggs, Janie

- March 2, Don Williams.
- March 3, Crystal Gayle.
- March 4, Larry Gatlin and the Gatlin Brothers Band.
- March 5, Charley Pride.
- March 6, Oak Ridge Boys.

Ticket sales began Saturday, Dec. 4 at the Astrodome box office, Ticket Master, and Ticketron outlets. Prices are \$8 and \$4.

They are also available by mail. Write Rodeo Ticket Director; P.O. Box 25395; Houston, Texas; 77265.

Rodeo tickets include admission to all livestock show events, except the NCHA World's Championship Finals and the World's Championship Rodeo.

## Estelle

Continued from Page 1A

said that the same sort of idea applies in the criminal justice system — you can't have the protection you want without paying for it.

## Abortion

Continued from Page 1A

abortion," Taylor said.

"Some people (in Planned Parenthood) are very well-meaning," Martin said, and do not know Planned Parenthood includes abortions in their counseling.

Taylor said Planned Parenthood does not actually perform abortions but provides "referral listings of places they can have it done."

The organization will recommend to the woman that she not have an abortion after the first trimester of pregnancy, Taylor said.

Planned Parenthood serves a need in Angelina County, Prince said. About 3,800 people in the county received services from it last year.

"We'll have to make a decision that is best for the majority. We can't satisfy everybody," he added.

Planned Parenthood in Lufkin will receive \$2,500 from United Way this year, according to Prince, less than one percent of the \$285,000 distributed by United Way in the county. That is about two percent of Planned Parenthood's total budget.

The Right to Life board is trying to incorporate for two reasons. Members want to become a tax-exempt charitable organization and to be more credible. "In the eyes of the public, you're more credible if you have an organization with structure," Martin said.

Right to Life also plans to form a political action committee. During elections the committee will publish a list of candidates and their positions on abortion, Martin said.

Eventually, the board would like to provide a counseling service for women on abortion alternatives. "If you take a stand against something, you have to provide viable options," Martin said.

Until then, they will work closely with Birthright, a national counseling service with an office in Nacogdoches.

Mrs. Karen Castillo, director of Birthright there, said the service provides counseling on alternatives such as adoption and maternity homes.

Birthright is not church-

Estelle has been the TDC since 1972, and sought-after speaker and lecturer in the field of justice.

Birthright will offer services and teach Right to Life volunteers how to counsel.

Since Birthright is not in politics, Mrs. Castillo said to Life will handle the aspect.

Martin said there are national pro-life, anti-abortion movements, and the local group hasn't decided which one to go with.

Dr. Brian Carlin, a member of the group, said his views on abortion are "fairly mild" compared to the views of Right-to-Life members. The doctor said he is not absolutely certain when the unborn is human.

He said he is against abortion because there is a possibility life begins at conception. "At least a person can say is that a possibility," he said. "If there is a possibility that there is a human there, you ought not to abort."

Carlin said that if the unborn is human, then it has the right to a process of law before death. "We don't have any reasons for aborting the kid."

Most abortions are done because of the inconvenience of the pregnancy, he said.

Even if the pregnancy is the result of rape, Carlin said the unborn has rights. "The state didn't do anything."

One of the national Right to Life organization's main goals is the passage of an amendment to the U.S. Constitution that would make abortion unlawful, Martin said.

Martin said Right to Life has nothing to do with birth control but "once a life has been produced, that life must be protected."

Martin said that although Right to Life opposes pro-abortion movements they "don't plan to be ugly to anybody about it. You're not going to change anybody's mind by being ugly. With an issue that's as emotional as that, you need to present it so people know you're doing it out of love for the unborn, rather than out of hate for someone else."

Although most people involved in Right to Life are church-

MSG 83-00001278 PRTY 1 03/17/83 10:36:56 ORIG: LA07 IN= 0002 OUT= 0119  
FROM: CAROL TO: JUNEAU LIO  
TARGET: LJHL SUBJ: POM

---

TO: REPRESENTATIVE ADAMS, CHAIRMAN, HOUSE FINANCE COMMITTEE  
REPRESENTATIVES BETTISWORTH, FLOOD, CRUSSENDORF, HURLBERT, LINDAUER,  
MARTIN, PESTINGER, WARD, ZHAROFF, AND DUNCAN  
REPRESENTATIVE CHARLIE RUSSELL, CHAIRMAN, HOUSE JUDICIARY COMMITTEE

FROM: THELMA P. LANGDON  
EXEC. ASSISTANT TO JOHN GARVIN  
ALASKA CHILDREN'S SERVICES  
1200 E. 17TH AVENUE  
ANCHORAGE 99504 276-4515

*DR*

RE: CSHB 103

WE ARE OPPOSED TO TRANSFERRING JUVENILE CORRECTIONS INTO THE NEW DEPARTMENT  
OF CORRECTIONS FOR SEVERAL REASONS. THE PHILOSOPHY OF TREATMENT FOR  
JUVENILES NEEDS TO BE DIFFERENT THAN THAT FOR ADULTS.

JUVENILE DELINQUENTS HAVE MORE IN COMMON WITH CHILDREN IN NEED OF AID  
THAN THEY DO WITH ADULT CRIMINALS.

WE RECOMMEND THAT IT REMAIN IN DHSS.

\*\*\*\*\*

\*\*\*\*\*

FROM: JEAN HIGGS, 2910 W. NORTHERN LIGHTS BLVD, 9-E, ANCH 99503  
H 248-3750 W 561-1905

I STRONGLY URGE YOU TO CONSIDER APPROPRIATION FOR SB 158,  
SECTION 15. RECOMMEND HOUSE BILL 202 BY ADAMS AND LISKA.  
RECOMMEND HOUSE BILL 103 BY JUDICIARY COMMITTEE. THE ABOVE  
ARE CONCERNS FROM AN ALASKAN CITIZEN.



FROM: SHIRLEE ANC LIO  
TARGET: LJHL SUBJ: POM

TO: FOMS JUNEAU INFO

4/1/83, SHIRLEE ANC LIO, 4992

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: JOHN W. MORRILL, 3621 CARLTON AVE., ANCHORAGE 99503  
H 248-4644 W 561-1433

RE: HB 103

*John W. Morrill*



PLACING JUVENILE OFFENDERS IN A DEPARTMENT EMPHASIZING INCARCERATION OVER TREATMENT AND REHABILITATION WOULD INCREASE JUVENILE AND ADULT CRIME. PRESENTLY INSTITUTIONALIZATION MEANS THE CHILD WILL BE AVAILABLE FOR INTENSIVE COUNSELING AND EDUCATION. COMMUNITY PLACEMENTS CAN'T GUARANTY AVAILABILITY. MR. ENDELL'S INSTITUTIONS WON'T PROVIDE TREATMENT; THEREFORE, JUVENILE OFFENDERS BECOME ADULT CRIMINALS.

\*\*\*\*\*

4/1/83, SHIRLEE ANC LIO, 4995

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: MIKE SHORT, 8631 TURF COURT, ANCHORAGE 99504  
H 337-5167 W 561-1433



I WOULD ENCOURAGE MEMBERS OF THE LEGISLATURE TO KILL HOUSE BILL 103. IF ADEQUATE RESEARCH IS DONE BY THE MEMBERS, I BELIEVE THE CHOICE IS OBVIOUS. THE BILL WOULD BE A TERRIBLE ALTERNATIVE TO THE CURRENT SYSTEM. PROBLEMS DO EXIST, BUT WOULD ESCALATE IF HB 103 IS APPROVED.

\*\*\*\*\*

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: GORDON HAYS, 7800 DEBARR #514, ANCHORAGE 99504  
333-9946 H 561-1433 EXT 83 W

RE: HB 103



RESEARCH THROUGHOUT THE US INDICATES A SIGNIFICANT DIFFERENCE BETWEEN JUVENILE AND ADULT CRIME AND THE OFFENDERS THEMSELVES. THE FOCUS OF FAMILY AND YOUTH SERVICES IS TREATMENT OF THE CAUSE; OF CORRECTIONS THE INCARCERATION OF OFFENDERS. THE TWO CANNOT BE COMBINED WITHOUT THE JUVENILE, THE FAMILY, THE ALASKAN SOCIETY SUFFERING.

\*\*\*\*\*

4/1/83, SHIRLEE ANC LIO, 5014

TO: ALL MEMBERS, ALASKA LEGISLATURE  
FROM: ALBERT PHELAN, 7201 PECK, ANCHORAGE 99504  
H 338-5664 W 561-1433



I AM STRONGLY OPPOSED TO HOUSE BILL 103. I THINK IT WOULD BE A DETRIMENT TO THE EMPLOYEES OF H&SS WHO WORK AT MCLAUGHLIN AND TO THE MCLAUGHLIN YOUTH CENTER PROGRAM.

\*\*\*\*\*

TO: ALL MEMBERS OF THE LEGISLATURE  
FROM: LINDA VESPER, 533 A NORTH KLEVIN, ANCHORAGE 9954  
274-6156 H 561-1433 EXT 230 W  
RE: HB 103



DISGREE WITH THIS BILL BECAUSE OF THE INCLUSION OF JUVENILES.

EOM

4/1/83, SHIRLEE ANC LIO, 5056

TO: ALL MEMBERS, ALASKA LEGISLATURE  
FROM: TRACY ALLEN, 6630 WEIMER, APT. 1, ANCHORAGE 99502  
H 243-6753 W 561-1433



I AM ADAMANTLY OPPOSED TO HOUSE BILL 103. JUVENILE CRIME RATE IS UP. TO RETURN THEM TO THE STREET WOULD BE ENCOURAGING MORE OFFENDERS. THERE IS A BETTER REHABILITATION RATE WITH JUVENILES. WE NEED STRICTER JUVENILE LAWS. LETS HELP THEM SO THAT WE WON'T HAVE THEM IN ADULT JAILS.

\*\*\*\*\*

PG 05-00003309 PRTY 1 03/24/83 11:03:43 ORIG: LF01 IN= 0008 OUT= 0100  
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.  
SUBJECT: LJHL SUBJ: PCM

JR

TO: ALL MEMBERS OF THE HOUSE

FROM: MARSHA SCHNEIDER, ALASKA CHAPTER NATIONAL ASSOC. OF SOCIAL WORKERS,  
P.O. BOX 10430, FAIRBANKS 99701 HOME 456-5914

RE: CSHB103 (JUD)

ALASKA CHAPTER OF N.S.A.W. OPPOSE CSHB103(JUD). JUVENILE CENTERS  
SHOULD REMAIN UNDER THE JURISDICTION OF THE DIV. OF FAMILY YOUTH SERVICES  
FOR PURPOSE OF REHABILITATION AND TREATMENT.

\*\*\*\*\*

MSG 83-00004764 PRTY 1 03/31/83 13:01:14 ORIG: LA02 IN=00043170 DT= 0048  
FROM: JUNE, ANC LIO TO: POM, JNU INFO  
TARGET: LJHL SUBJ: POM

-----  
3/31/83, JUNE, ANC LIO, MSG 4764

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: CHARLES VESPER, 533-A NORTH KLEVIN, ANCHORAGE, AK  
(H) 274-6156 (W) 561-1433-EX-87

I VEHEMENTLY OPPOSE HB 103 BECAUSE OF THE INCLUSION OF JUVENILES.



\*\*\*\*\*



# TELEGRAM

ALASCOM, INC.  
PHONE: 586-6442  
JUNEAU, AK 99802

JR



1983 MAR 24 PM 12 19

#

02017 NL ANCHORAGE AK 50 03-24 1020 AST

PMS REP CHARLIE BUSSELL

POUCH V **1600**

JUNEAU AK

PLEASE SUPPORT RECONSIDERATION OF CSHB103 AND AMENDED TO  
DELETE SECTIONS THAT TRANSFER JUVENILE DELIQUENTS TO PROPOSED  
NEW CORRECTIONS DEPARTMENT

CLAUDIA MARTIN

SRA BOX 1629

ANCHORAGE AK 99507

MSG 83-00003091 PRTY 1 03/24/83 10:18:20 ORIG: LA01 IN= 0091 OUT= 0025  
FROM: SHIRLEE ANC LIO TO: POMS JUNEAU INFO  
TARGET: LJHL SUBJ: POM

3/24/83, SHIRLEE ANC LIO, 3091

JR

TO: REPRESENTATIVES BARNES, [REDACTED] AND HAYES  
FROM: DEBORAH BODKIN, 101 SWEET GALE COURT, ANCHORAGE 99502  
H 349-8175

I DO NOT SUPPORT CS HB 103, AS JUVENILE DELINQUENTS SHOULD  
NOT BE INCLUDED IN THE ADULT CORRECTIONS SYSTEM.

\*\*\*\*\*

MSG 03-00002587 PRTY 1 03/22/83 17:28:28 ORIG: LA02 IN= 0003 OUT= 0027  
FROM: JUNE, AND LIO TO: POM, JNU INFO  
TARGET: LJHL SUBJ: POM

3/22/83, JUNE, AND LIO, MSG 2587

JR

TO: SENATORS FAIKS, V. FISCHER, HALFORD, JOSEPHSON, KELLY, PETTYJOHN, RODEY,  
AND STURGULEWSKI

REPRESENTATIVES ABOOD, BARNES, BUSSELL, CLOCKSIN, FLOOD, FURNACE, HAYES,  
LINDAUER, LISKA, MARTIN, PESTINGER, PHILLIPS, TISCHER, UEHLING, AND WARD

FROM: LIANNE WESLEY, 5520 EAST 97TH, ANCHORAGE, AK  
MAILING ADDRESS: P. O. BOX 1251, ANCHORAGE, AK 99510  
(H) 349-1478

RE: CSHB 103

I OPPOSE INCLUDING JUVENILE CORRECTIONS IN THE NEW DEPARTMENT OF CORRECTIONS  
FOR THE FOLLOWING REASON:

I DON'T WANT MONEY SIPHONED FROM YOUTH CORRECTIONS TO ADULT CORRECTIONS.  
YOUTH SERVICES WORKS WELL IN THE DIVISION OF FAMILY AND YOUTH SERVICES.  
I PREFER THAT IT NOT BE PUT IN THE CONFUSION OF THE NEW DEPARTMENT OF  
CORRECTIONS.

\*\*\*\*\*

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE COMMISSIONER

POUCH N  
JUNEAU, ALASKA 99811  
PHONE: 465-4322

March 9, 1983



The Honorable Charlie Bussell  
Chairman  
House Judiciary Committee  
Pouch V  
Juneau, AK 99811


Dear Representative Bussell:

During your hearing last Friday on Cleary vs. Bierne, you asked Deputy Fire Marshal Gordon Brunton to clarify the fire protection requirements for correctional facilities with Mr. Roger Endell, Director, Division of Corrections.

State fire safety regulations require an automatic fire extinguishing system throughout a facility in which the personal liberties of the occupants are restrained. Mr. Brunton advises that either a water sprinkler system or an approved halon system is acceptable.

I hope this satisfies your concern. Mr. Brunton advised me that Mr. Endell is going to explore the feasibility of each system.

Sincerely,

  
Robert J. Sundberg  
Commissioner

cc: Roger Endell, Director  
Division of Corrections

Gordon Brunton  
Fire Prevention

# CRIME: punishment vs. prevention

Crime wins hands down as the political issue most likely to appear in every campaign. The anti-crime bandwagon is one nearly every candidate is ready to ride—waving slogans and solutions: capital punishment, tougher laws, stiffer penalties, more police, more jails, and more money.

Alaskan candidates were no exception this fall. They called for stronger anti-crime measures, although six new jails are in the works for Anchorage and the state's new criminal code is putting people behind bars at an extraordinary rate.

More jails and police may make the populace sleep a little sounder, but those who study crime, criminals and the justice system seem to agree that although these measures will cost a lot of money, they won't work.

"What we need to look at is alternatives to the use of law," said John Angell, director of Justice Center at the University of Alaska, Anchorage. "The only thing the law can do is administer retribution, and retribution doesn't seem very effective."

"We appear to be dealing with crime and corrections using the common sense of people who have not studied the problem, and the result is public policy that is not consistent with research findings on how to deal with the problem."

"The common sense solution to crime may be to build more prisons so you can lock more people up for longer periods of time, but it's the common sense of people who haven't studied the problem."

"Common sense, for example, tells you that conspicuous police patrols will control crime. It was tried and studied and it didn't change the incidence of crime," said Angell.

"We know that increasing the harshness of the criminal code will increase prison populations, but there has never been any research to show that tougher laws lead to a decrease in crime rates."

After Alaska's new criminal code was developed, modified by the legislature, and enacted in 1980, the prison population grew 28.3 percent in one year—the highest jump in the nation next to Mississippi's (28.8 percent).

"Alaska may soon be leading the pack in the proportion of its citizens behind bars, but that doesn't mean there will be less crime," Angell said.

Roger Endell, corrections specialist at the Justice Center, concurred. "Crime prevention strategy is the only strategy that makes sense in the light of what we now know."

"In Anchorage there are many calls for increasing the number of police officers: more police, more arrests, more people in the justice system, more people in jail. But we don't hear the question, *What do we get for all this?* Public policy should be newsworthy. We ought to be looking at the why."

"The policy decisions that are made are not always consistent with the recommendations of professionals and the best information we have on what is effective."

"Instead, society tends to fund projects and then, after the fact, try to evaluate the results. We need to design the evaluation into our justice projects. Funds should be provided to evaluate the effect of the public policy before it is put into effect."

"The legislature adopted a new criminal code that has resulted in the jailing of many more people, which is very costly, but it doesn't mean we now have a society. The probable impact of the code wasn't studied before it was adopted," said Endell.

Angell pointed out that justice-related policies are often formulated from recommendations of citizen's crime commissions that are popular in most cities and states.

"No one would think of appointing a citizen's committee of non-engineers to figure out how to get to the moon, and the problems associated with crime are infinitely more complex," he said.

"Unfortunately, people recognize the value of research for technology, but there seems to be no strong feeling that we should put money into research related to social problems. In the justice area, people are willing to spend money for things they can see, like police and jails, but not for understanding the pro-

blem.

"Politicians have made putting more police on the street a priority issue, although it's never been shown that this will cut crime. And there is no evidence that enacting the death penalty reduces violent crime. The homicide rate in North Carolina went up after the death penalty was imposed. It may be that the death penalty in some way legitimizes the violence by formalizing the punishment that will be inflicted."

The popular anti-crime measures often advocated in public will have no effect on that half of all criminal acts which are never reported to authorities. They are also unlikely to affect the "white collar" crimes committed by people of a higher socio-economic status than the majority of people who end up in jail.

"Punitive laws have the largest impact with people who have something to lose—status, reputation, money—and there are many people who don't have these things," Endell said.

"We have to get away from the punishment model, because research clearly indicates that punishment has no effect on the crime rate."

If common sense and punishment don't work, how can we have a safer society?

The first step advocated at the Justice Center was meeting the need to obtain a clear picture of what crimes are being committed, where, when and by whom. The second was the urgent need to develop alternatives to the punishment model, and the third was to improve what happens to people who are put in jail.

"One thing we're aware of is the need for a statewide system for collecting adequate data," Angell said. "People talk about rising crime rates, but we really don't know if life in Alaska is more hazardous today. We need to improve our record keeping system. And because 50 percent of all crimes are unreported, we need to carry out victimization studies."

Rather than counting the number of known crimes, victimization studies are

designed to find out how many people have been the victim of a criminal act.

The major source of data used to measure the trend and distribution of crime in the state is the Uniform Crime Reporting (UCR) Program. Data is collected by law enforcement agencies as crimes are reported. Seven offense categories representing the most common local problems, are defined as Crime Index Offenses: murder, forcible rape, robbery and aggravated assault make up the violent crimes; burglary, larceny-theft and motor vehicle theft make up the property crimes. They are serious because of their nature and the frequency with which they occur.

The UCR program was established in 1930 by the International Association of Chiefs of Police to provide crime statistics through which the nature and scope of the nation's crime problem could be understood. The Federal Bureau of Investigation took over the responsibility of receiving, tabulating and publishing the crime statistics, which are voluntarily submitted by police agencies. They are published each year as *Crime in the United States*.

There are several problems with the UCR program, according to *Crime in Alaska*, the state report prepared by the Office of Justice Assistance of the State Department of Law.

"The population bases which are used in computing crime rates are sometimes only estimates. This is especially true in non-census years. Also, crime may be either undiscovered and therefore unreported, or, as recent victimization surveys have indicated, unreported even though discovered.

"Despite these problems, UCR statistics do represent the basis for public awareness of crime and are the major source for a statistical understanding of the national crime problem. It is more reasonable to improve the existing program than to scrap it in favor of a new collection system which might prove more fallible," the report states.

A basic measurement in crime statistics is the crime index rate, defined as the number of incidents per 100,000

inhabitants. Because it relates the incidence of crime to the total population, it provides a means of comparing current and historical data for the state and allows Alaskan statistics to be compared with nationwide data.

During 1981, the Crime Index rate for Alaska was 5,949 per 100,000 persons, which represented a one-half percent increase over the 5,918 rate for 1980 and was slightly higher than the nationwide rate.

"It is important to understand how statistics are accumulated and what they represent," Endell said. In Alaska, the incidence of violent crime seems to be disproportionately high in smaller communities, but is underreported. Non-violent crimes, white-collar crimes and corporate crimes are also likely to be unknown.

It is important to realize that crime statistics can be manipulated by changing the way things are classified," Endell said. "In Oakland, there was a very high burglary rate, which included all parking meter break-ins. Removing parking meter break-ins from the burglary category resulted in a two-thirds drop in the burglary rate in one year."

Endell said that in another city, the crime statistics showed a large drop in the number of drug-related offenses in one year. A law enforcement official was called to Washington to be commended for this success in combating crime. However, it was actually caused by a money-saving cutback in the number of law enforcement agency clerks, which reduced the quality of record keeping and resulted in the apparent victory in the war against crime.

Endell described our current corrections system as an economic drain which has done little more than create warehouses of crime.

"One-half to two-thirds of the prison population is receiving far more custody than required, and the greater the degree of custody, the greater the cost," he said. "We need to look at alternative programs and facilities."

He said the concept of requiring offenders to make restitution for their

crimes is a reasonable one that should be politically appealing.

"We could institute programs through which non-violent inmates earn their way out of prison by working on public service jobs, such as construction of public projects in rural areas; or through employment in prison industries. The state has an obligation to provide inmates with legitimate work opportunities for which a legitimate wage is paid."

Under a restitution program, a person found guilty of a crime would be evaluated in terms of the threat he or she posed to society, and an evaluation would be made of the monetary restitution appropriate for the crime committed.

The criminal code would include a provision under which the court could choose to order restitution and the inmate would be assigned to work through which he or she could earn an eventual release from custody.

"We need to shift our focus from catching and convicting criminals to preventing criminal behavior," Endell said. "But we also need to improve what we're doing in corrections. It's a question of whether a person comes out of jail better or more bitter."

Another development which may lead to more effective policies is the bio-environmental approach to understanding and control of criminal behavior. Bio-environmental criminology uses genetics, biochemistry, psychology and sociology to explore questions about the early detection of deviancy and the environmental aspects of crime.

"There is no one cure all for the problem of crime, but there is no magic in time-only punishment either," Endell said.

It may be impossible to have a society that is completely free of fear, but our justice system seems to hold much room for improvement in the effort to reduce both crime, and the fear of crime.

At the Justice Center, this kind of understanding and impact is the goal.

THE NATIONAL  
LAW JOURNAL

12-13-82

©1982 The National Law Journal

VOL. 5—NO. 14

PRICE \$1.50

The Weekly Newspaper for the Profession

Overcrowding Forces States to Re-Examine Sentencing Philosophy

# Keeping the Lid on Prisons

BY DAVID RANIE

National Law Journal Staff Reporter

THE ENTHUSIASM of state lawmakers for a tougher response to crime is beginning to be tempered by the cold, hard fact that prison beds are a scarce commodity.

In a handful of states, the lack of space for prisoners has already caused legislators to change their minds about who should go to prison and how long they should stay there.

And, in some states, lawmakers are having these decisions made for them. At the end of last year, 31 states were under court order to reduce overcrowding and, in instances where a state has been slow to respond to judicial pressure, judges have even ordered the early release of prisoners.

Even in the states that are willing to bite the bullet and construct more prisons — and many are — the overcrowding problem is frequently so massive that the new supply of beds cannot keep up with the demand. In fact, a report prepared for the National Institute of Justice estimates that, at a cost of \$32,000 to \$40,000 per

*Continued on page 10*



'Even a Man of Wealth Can Have Trouble Finding



DeLo

The I

## HIGHLIGHTS

Marshals Revolt p. 2

U.S. DEPUTY marshals in Miami are suing their superiors, claiming that promotions have been improperly blocked.

BY JAM  
Nationa

and prisons that are horrendously overcrowded — and getting more so all the time — have begun to alter their thinking about who should be imprisoned, and for how long.

"What appears to be happening is that people who work in the [corrections] system are realizing that prisons are a scarce resource," said Deborah Jackson of Abt Associates, a consulting firm based in Cambridge, Mass., which is studying prison overcrowding for the National Institute of Justice, a federal agency. "It is very expensive to incarcerate people and very expensive to build prisons," she added. "Ten or 15 years ago, I don't think that was widely accepted."

"There are states where they are really beginning to look at what they are doing" with regard to incarceration policies, particularly "states that can't afford to keep on building [prisons]," echoed Gerald Kaufman, head of the Prison Overcrowding Project. The project, based in Philadelphia, is working with "decision-makers" in four states to develop strategies for controlling prison population size.

Ideally, taking into account the availability of prison beds may not be the best way to decide who goes to prison and how long they stay there, but it is a practical, rational approach to the overcrowding problem, said Diane Steelman of the National Council on Crime and Delinquency.

Those states that are giving serious consideration to overcrowding when setting criminal justice policies — and they are in the minority — have responded to the problem in a variety of ways.

A few of them are attacking the problem head-on, either by deciding to send fewer offenders to prison or by reducing their sentences. Others have decided to push prisoners out "the back door" — release them earlier

## *but it is a practical approach to the problem.*

legislators have focused their attention on releasing prisoners sooner to relieve congestion. The state has adopted a systematic plan for the early parole of non-dangerous prisoners when the inmate population reaches capacity.

Not all states, however, have pulled back from the idea of "getting tough" on crime after considering the costs involved. In Pennsylvania, Gov. Richard Thornburgh simultaneously proposed mandatory minimum sentences and appropriation of \$102 million for new prison construction. The legislature approved both plans.

Following is a closer look at what some of these states have done — or not done — because of prison overcrowding.

### **South Carolina**

When South Carolina legislators proposed stiffer penalties for habitual criminal offenders, including a mandatory life sentence for anyone convicted of three property offenses, they gave minimal consideration to the effect longer prison terms would have on the state's miserably overcrowded prison system, which is currently at 140 percent of capacity.

But William D. Leeke, commissioner of the state Department of Corrections, made it impossible for the legislators to ignore the bill's potential impact. His staff developed data which demonstrated that, if employed to the maximum extent possible, the proposed longer sentences would create a demand for as many as 3,748 new prison beds by 1998.

Considering construction costs of \$40,000 per bed and \$5,000 in annual operating costs for each prisoner, the total bill through 1998 could be as much as \$387.1 million, corrections officials estimated.

The legislators ultimately passed a

property offenders — to receive prison sentences.

The emphasis on violent crimes made the guidelines "very easy to sell politically," said Ms. Knapp, and they were approved by the legislature in 1980.

### **Michigan**

In 1978, Michigan voters approved a referendum abolishing the accumulation of "good time" — reduction of sentences for good behavior — for prisoners convicted of a felony. This measure, combined with the voters' rejection of a proposal to raise the state income tax to build more prisons, was a major contributor to prison overcrowding. That situation, in turn, led to passage of the Prison Overcrowding Emergency Powers Act.

The law, which took effect in January 1981, provides a mechanism for reducing the inmate population whenever it exceeds the state prison system's design capacity of 13,047 for 30 consecutive days.

When state prison officials inform the governor that this has occurred the governor "triggers" the emergency powers act and orders the officials to subtract 90 days from the minimum sentence of all inmates convicted of non-violent offenses.

This creates a pool of prisoners who are eligible for parole sooner than expected. But the prisoners' records are still scrutinized by the parole board, and only those who meet the board's qualifications are released.

The net effect is that prisoners who would have been paroled anyway are released up to 90 days ahead of time, said state corrections commission spokesman Calvin Goddard. "If you are not eligible for parole, you are not going to get out," he said. "That is the safeguard as far as the community is concerned."

that many plus an additional 500 to relieve present overcrowding, according to Mr. Miller.

Mr. Blumstein, a professor at Carnegie-Mellon University in Pittsburgh who once taught Mr. Miller, said Pennsylvania initially considered mandating minimum sentences for a broader range of offenses but decided that would be too expensive. "I think it would be irresponsible not to [make such calculations] at a time when prisons are overflowing," he said.

\*\*\*

That, however, is precisely what most states have been doing. And Mr. Blumstein, along with many other corrections experts, believes that will continue to be the rule rather than the exception.

The prison overcrowding problem, according to these experts, should be prodding state officials into a fundamental rethinking of their criminal justice systems, but that is unlikely to happen.

At best, more states are going to adopt the "Michigan plan" for their own use, which will ease overcrowding without addressing the underlying causes. "We are going to see more and more relief valves," said Allen F. Breed, director of the National Institute of Corrections, a prison reform group based in Washington.

Mr. Breed also predicts a "rebirth of parole" in states that have abolished the practice or curbed it by instituting mandatory sentences. Most experts, however, expect the well-established trend toward tough, mandatory sentences to continue.

"The pressure on the states to continue as they are, because of the popularity of the political position [of being tough on crime] is enormous," Ms. Steelman said. "I think very often the pressure will be [on legislators] to say: 'This will cost a lot down the pike. We will get to that later.'"

d  
7-  
to  
of  
551  
ur-  
11.

# Can Early Release Plans Keep the Lid on Prison?

Continued from page 1

new prison bed, between \$8 billion and \$10 billion in new prison construction is needed merely to meet the current demand for space in state and federal institutions.

And the space problem is getting worse. According to the latest federal Bureau of Justice Statistics data, the nation's prison population this year is growing at an annual rate of 14.3 percent, the biggest spurt ever. A major contributor to this population explosion, according to the bureau, is the abolishment of parole in four states, and the implementation in a number of states of mandatory and determinate sentencing laws.

These laws have generally been passed without an analysis of their impact on a state's prison population, according to corrections experts. Instead, legislators are merely pushing more people into state prisons — and making sure they stay there longer — without providing state corrections officials with the funding they need to absorb the flood of new arrivals.

The result, noted one prison reformer, has been "more and more bodies and less and less space."

## A Change in Thinking

"Pushing tougher sentences can be viewed as the legislative version of the free lunch," said Alfred Blumstein, an expert in prison demographics and chairman of the Pennsylvania Commission on Crime and Delinquency.

Recently, however, some states faced with the twin problems of recession-induced fiscal restraints and prisons that are

than their sentences would normally permit.

State officials in some states have gone on record in favor of alternatives to incarceration.

Earlier this year, Georgia Gov. George Busbee wrote a letter to state judges asking them to consider alternatives to incarceration, such as victim restitution and "intensive probation," for non-violent offenders. And in Nevada, which claims the highest incarceration rate of any state, some legislators' support for alternatives was spurred by the State Department of Prisons' request for \$70 million in new prison construction.

Similarly, in South Carolina, legislators decided against passing a tougher sentencing law after learning they would need to undertake an exorbitantly expensive prison construction program to accommodate the growth in inmate population that would result.

Utilizing a unique approach, Minnesota has altered its sentencing guidelines with an eye toward the available number of prison beds. The guidelines are designed to reduce the prison population slightly.

And in Michigan, where the state prison system has been found to be unconstitutionally overcrowded, the

"watered-down version" of the bill earlier this year that has had little impact on the state prison population, according to state officials.

"We weren't arguing that the legislature shouldn't incarcerate [habitual offenders] for long periods of time," said Mr. Leeke. "Our argument was: where are you going to put these people? . . . Don't put an impossible burden on the corrections system until you know you can pay for it."

## Minnesota

When the Minnesota legislature established a Sentencing Guidelines Commission in 1978, it asked the commission to take current "correctional resources" into consideration when developing new guidelines. The commission staff, interpreting this broadly, responded by proposing guidelines that were designed so that the average projected prison population would be 95 percent of capacity.

The result, according to Mr. Blumstein, is "a very good illustration of establishing a sentencing policy that tries to be responsible in terms of its impact."

The commission also sought to give less weight to an offender's past crimes than the earlier sentencing guidelines. Previously, property offenders with moderate criminal histories were likely to receive prison sentences, but first offenders, even if convicted of "a fairly serious crime," were rarely sent to prison, said Kay A. Knapp, commission director.

Consequently, the new guidelines call for a greater proportion of violent offenders — and a lesser number of

A "prison overcrowding emergency" has been declared three times since the law was passed, enabling the early release of about 2,300 inmates.

Four other states — Connecticut, Georgia, Iowa and New Jersey — have adopted similar laws, according to the National Institute of Corrections.

The so-called Michigan plan, said Ms. Steelman, "is terrific. I wish all these states would adopt it. What they have done is provide a rational and orderly way to deal with prison overcrowding."

Even when states have the money for prison construction, it takes four or five years to build a prison, she said. In the meantime, "the only logical way to deal with excess people is to let them out."

## Pennsylvania

Governor Thornburgh, a former U.S. attorney in Pittsburgh, has earned a reputation for being tough on crime. So it was no surprise when he pushed the legislature to pass a tough new mandatory sentencing law that calls for a minimum of five years' imprisonment for those who are repeat violent offenders, those who commit violent crimes on public transportation and those who commit violent crimes with a firearm.

But, unlike most politicians, Mr. Thornburgh also asked for \$102 million for new prison construction to handle the expanded inmate population the tougher sentences are expected to produce.

"We knew if we were going to put people away, we had to know where we were going to put them" said Harold D. Miller, an aide to the governor who helped develop the new corrections program. The state, estimating that the new sentencing laws will create a demand for a minimum of 1,880 new beds, has decided to build that many plus an additional 500 to

*Taking into account the availability of prison beds may not be the best way to decide who goes to prison and how long they stay there,*

## State given time to reduce jail crowding

ANCHORAGE (AP) — The state has been given more time to reduce the inmate population of the crowded Sixth Avenue jail.

Superior Court Judge Victor Carlson said Friday he is convinced "the executive branch of government, at its highest levels, is making an effort to deal with the problem."

Carlson cited recent legislative approval of a request from Gov. Jay Hammond to add 70 new prison guards to the state system.

Assistant Attorney General Mike Stark asked for additional time to complete the hiring and training of a staff for the recently renovated 45-bed wing at Post Six, known for-

merly as the Ridgeview Correctional Center.

The wing is to be used to handle the overflow from the Sixth Avenue facility where the population fluctuates between 120 and 150, although the design capacity of the jail is 100.

A pre-trial detention center is under construction on Post Road, just east of the downtown area, and is expected to be completed by December. Until then, prisoners awaiting trial will continue to be mixed with convicted prisoners.

Tim Stearns, an attorney for a group of inmates who sued the state in 1977 over jail conditions, objected to the 30-day extension granted by Carlson.

"If corrections had wished to comply with the court order, it would have been complied with by now," Stearns said. "I don't think a delay in moving the people from Sixth Avenue is going to help that institution or the other institutions."

While Carlson gave the state until March 15 to get the Sixth Avenue population down to 100, he ordered an April 12 court appearance to prove that the state has complied with a 1979 order mandating general improvements at the jail.

Among other things, prisoners complain about cold food, a lack of linens and toiletries, and having to sleep on the floor without mattresses.

Anchorage Times  
Anchorage, AK

## Court upholds 'emergency aid doctrine'

Associated Press

The state Court of Appeals has ruled that police acting in response to an immediate life-saving emergency legally can enter a private home without permission and gather incriminating evidence without a warrant.

The court issued that decision Thursday in upholding the conviction of David Gallmeyer of Wrangell on a charge of being a felon in possession of a firearm.

Police were called to the Gallmeyer home on April 12, 1978, by his wife, Linda. She told them by telephone that her husband had pushed

her out of the house after a fight, and she asked their help in getting her 15-month-old baby out of the house.

While officers were en route, Gallmeyer placed the baby on the porch. When they arrived, Mrs. Gallmeyer told them her husband was intoxicated and had several guns in the house.

One of the responding officers decided he should talk with Gallmeyer to make certain he was calm before any attempt was made to remove the baby.

The officer called to Gallmeyer, then entered the home without permission. Once inside, he saw that

Gallmeyer had a gun stuck in the waistband of his trousers. He grabbed it, and Gallmeyer was charged with being in possession of a firearm while intoxicated.

Police subsequently discovered that Gallmeyer was a convicted felon, and he was charged with and convicted of being a felon in possession of a firearm.

In upholding the conviction, the Court of Appeals said the "emergency aid doctrine" justified the warrantless entry of the home because police held a reasonable belief that a life-threatening emergency existed.

# Overcrowded Sixth

## Avenue Jail hits deadline today

By SHEILA TOOMEY  
Daily News reporter

A court-ordered deadline for reduction of the population at the overcrowded Sixth Avenue Jail expires today and a Superior Court Judge is expected to rule this afternoon on a state request that the deadline be extended to March 15.

Dec. 17, Judge Victor Carlson found the state in contempt of a 1979 court order and gave corrections officials 60 days to reduce the number of prisoners at Sixth Avenue to no more than 100. The jail population Thursday was 140, but was expected to fall to the high 120's today due to scheduled releases, according to Superintendent Russ Moody. An additional 45 pre-trial prisoners are being houseing in a wing at Post Six (formerly Ridgeview), he said.

Prisoner affidavits filed in Superior Court Thursday, in preparation for today's hearing, complain of inadequate

sanitary facilities, a lack of towels and sheets and inmates being forced to sleep on the floor because of a bed shortage.

The Legislature approved the hiring of 70 new corrections officers last week, according to Assistant Attorney General Mike Stark. The requested deadline extension will give the Division of Corrections enough time to hire and train the personnel needed to staff another 45 beds at Post Six by March 15, Stark

said. Moody plans to transfer inmates with low security classifications to the Post Six facility as soon as it is staffed, he said.

Today's hearing is the latest in a battle that began in 1977 when a group of prisoners filed suit against the state demanding that prison conditions be improved. In 1979, Judge James Singleton ordered seven pages worth of improvements including areas such as food, medical care,

clothing, exercise, plumbing, bedding, censorship of outgoing mail and telephone access. "With the apparent exception of mail censorship, defendants continue to be in violation of the above provisions of (Judge Singleton's) order," charged lawyer Tim Stearns, who represents the inmates.

The Sixth Avenue Jail houses arrested men awaiting trial and some convicted felons awaiting sentencing. The building is

old, with poor plumbing and a faulty heating system. It consists mostly of dormitories holding up to 32 prisoners each. "We are overcrowded and understaffed," Moody said Thursday. "All things considered, and by comparison to any other institution like ours, I think we're doing very good."

Stearns charged that most of the violations at sixth avenue are not directly related to overcrowding.

Anchorage Times  
Anchorage, AK

### Court to study jail conditions

Overcrowding at Anchorage's Sixth Avenue jail is scheduled to come under court scrutiny again today when the state asks for more time to relieve the overcrowded conditions.

In December, Superior Court Judge Victor Carlson gave corrections officials 60 days to reduce number of prisoners at the jail to no more than 100. On Thursday, the jail population was about 140.

But state officials, who hired 70 new correctional officers last week, say they need an extension until March 15.

Carlson will hear arguments in the case this afternoon.

The Peninsula  
Clarion  
Kenai, AK

FEB 19 1980

### 33 indictments of false native dental care

ANCHORAGE (AP) — A Delta Junction dentist has been indicted on 33 counts of fraud for allegedly cheating the government by submitting claims for care never provided natives in rural Alaska, U.S. Attorney Michael Spaan says.

The indictments against James Goodman, 32, were returned Wednesday.

According to Spaan, the dentist was under contract with the U.S. Public Health Service to provide the care.

# Jail given another month to cut population

By SHEILA TOOMEY  
Daily News reporter

State corrections officials won a one-month reprieve in Superior Court Friday when Judge Victor Carlson gave them until March 15 to reduce the prisoner population at the Sixth Avenue Jail to no more than 100 inmates.

Assistant Attorney General Mike Stark asked for the additional time to permit the hiring and training of guards for a new 45-bed wing at Post Six, formerly Ridgeview Correction-

al Center. The recently renovated wing is intended to house the overflow from the crowded Sixth Avenue Facility.

Noting recent legislative approval of a request from Gov. Jay Hammond for 70 new prison guards, Carlson said he is convinced "the executive branch of government, at its highest levels, is making an effort to deal with the problem."

The inmate population at Sixth Avenue fluctuates between about 120 and 150 prisoners awaiting trials or sentencing. A new pre-trial jail is now under construction on Post Road, east of downtown. It is scheduled to open in December.

While he agreed to a 30-day extension, Carlson ordered the state to appear in court April 12 prepared to prove that it has complied with a 1979 court order mandating seven pages of general improvements in jail conditions. Carlson also ordered Sixth Avenue supervisor Russ Moody to report to him by

Monday on the current availability of blankets, towels, sheets, toothbrushes and soap in the jail.

The judge instructed Moody to take the temperature of food served to inmates over the weekend in order to test inmate charges that jail food is usually served cold.

In December, Carlson gave the state until Feb. 19 to comply with the requirements of the 1979 court order.

Tim Stearns, an attorney representing a group of inmates who filed suit against the state in 1977, argued against any extension. "If corrections had wished to comply with the court order, it would have been complied with by now," Stearns said. "I don't think a delay in moving the people from Sixth Avenue is going to help that institution or the other institutions."

Stearns said he believes Moody's personal efforts to improve jail conditions are not being supported by his superiors. Affidavits from inmates, filed with the court Thursday, charge that prisoners often have to sleep on the floor without blankets or sheets. They also complain about the alleged lack of medical care and physical exercise.

Carlson agreed that he, too, was concerned about the possibly explosive situation in the overcrowded jail.

Assistant Attorney General Stark called the complaints "a long recipe list," with some charges false, some exaggerated and some true."

# Fairview halfway house approved

By LARRY CAMPBELL  
Daily News reporter

Fairview residents turned out in force Monday night to argue against allowing a halfway house for recently discharged mental patients to be located in their neighborhood.

But the Anchorage Planning and Zoning Commission, by a 5-1 vote, approved a permit allowing the

center to remain in operation.

Residents' comments — heavily weighted against what mental health experts call a "transitional living center" — came during a public hearing before the commission. The commission earlier had approved a permit for the facility, which has been operating in a limited capacity since November, but a technical gaff required the

issue to be considered again.

Fairview Community Council officials and area residents said they feel the neighborhood's opinions were ignored. The hearing was held at the Fairview Community Center.

Gordon Glaser, president of the Fairview Community Council, told

See Back Page, FAIRVIEW

## Fairview residents oppose halfway house, but permit is approved

Continued from Page A-1

commissioners the prior decision on the halfway house violated the neighborhood's sense of involvement with the planning and implementation of the project.

"Community involvement and fear in this community are linked," Glaser said.

Glaser emphasized the involvement of Fairview residents with other community programs such as S.T.A.R. (Stand Together Against Rape) and the AWIC (Abused Women's Aide in Crisis) shelter. Both programs are located in the Fairview area.

"We are participating wholeheartedly in programs like these," Glaser said. But with the halfway house, "nobody seemed to bother to ask us."

Dr. Gary Vreeman, director of the Anchorage Community Mental Health Center, testified that the halfway house is needed, and that the Fairview area is an ideal location for the facility because it is located close to public transportation, shopping centers, recreational

facilities and a Post Office.

Vreeman tried to allay fears expressed by some residents that the halfway house might bring patients with violent tendencies into the neighborhood.

"People with a mental illness are typically withdrawn," Vreeman said. "A center like this helps to make them feel they are not failures."

He said the center's screening procedures for accepting residents to the facility eliminates patients with histories of violence, sexual aberration or alcohol or drug abuse.

But most of the Fairview residents who spoke at the hearing were unconvinced.

"They never consulted us and we are bitterly against this halfway house," said Helen Mason, secretary of the community council. "This isn't a good place to be if you don't get community cooperation."

Mason also spoke of concerns felt by a number of residents that the Fairview area already was inundated with social service

facilities, such as those mentioned by Glaser.

The halfway house was originally granted a permit in November to operate as a quasi-institutional facility designed to assist newly released mental patients from Alaska Psychiatric Institute and other mental institutions in re-entering society.

Residents receive basic training in house-keeping, cooking, shopping and other self-support skills. Eventually, halfway house residents who successfully complete the program will leave the center and live on their own.

Eight patients had already moved into the six-plex at 921 E. 10th Ave. when community residents appealed the commission's earlier permit approval. When it was learned that a malfunctioning tape recorder made it impossible to provide a verbatim transcript of the earlier proceeding, a new permit and hearing process was begun.

In the interim, the halfway house was prevented from accepting 10 more residents.

# Overhaul of prisons advised

By HAL SPENCER

The Associated Press

JUNEAU — Gov. Bill Sheffield should create a separate department for Alaska's beleaguered prison system, build more jails including a maximum security prison and put prisoners to work, a task force said Monday.

The task force, headed by Roger Endell, a University of Alaska, Anchorage, professor, also recommended that the state launch alcohol and drug abuse programs in jails, keep a number of violent offenders in the Federal Bureau of Prisons system and close no existing correctional facilities, with the exception of the Anchorage Careage House, until replacement facilities are found.

The Careage House should be used as the Division of Corrections headquarters, the task force said.

The task force also recommended that jail construction be viewed as a high priority among all units of state government, that corrections be managed on a decentralized, regional basis and that corrections staff be well trained.

The recommendations were among 35 presented to the governor, who said the suggestions "will be highly valuable to the administration as we prepare the state budget and possible bills for introduction to the 1983 Legislature."

Sheffield appointed the panel in mid-December with instructions that it forge solutions to Alaska's growing corrections crisis — a crisis most evident in the state's overcrowded jails.

But Sheffield had no immediate reaction to the specific proposals, and his office said he would have none pending further study.

No cost figures were attached to the task force's recommendations. Independent work now being done by various state agencies will develop the potential costs of the recommendations, according to John Greely, Sheffield's deputy press secretary.

See Back Page, TASK

## Task force recommends overhaul of state corrections system

Continued from Page A-1

"It is clear that there is a crisis in corrections," the task force said. "It is also clear that with sound, long-term and professional management, most of the current problems can and will be resolved."

The Division of Corrections, currently within the Department of Health and Social Services, should be elevated to cabinet-level status, the task force said.

Citing what it called a "crisis in correctional management," the panel said, "We have found unanimous agreement from virtually all persons interviewed, from all regions of the state, and from 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 said the department should be created in a "quick and clean" fashion through executive decree.

"The division has been managed by four different directors in the past six-year peri-

od," the panel said. "The most recent director as well as the current director were both hired by the previous administration to move the Division of Corrections 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 Alaska corrections."

The Division of Corrections is currently headed by Robert Hatrak, who could not be reached for comment on the study Monday.

The panel also said a commissioner of corrections should be appointed as soon as possible. A deputy commissioner and four regional directors should be appointed by the commissioner, the task force said.

"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, the court system" and others that the state needs such a facility.

The group also urged 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 task force said the Department of Transportation and Public Facilities "should recognize prison construction as a high priority. Building supplies and prisoner labor should be used in building renovations and in the construction of non-secure buildings."

"The prisoner population should be put to work," the panel said.

The task force said corrections "must be given the resources to provide meaningful work opportunities for the offender population," listing as examples clearing land, rehabilitating streams and maintaining parks.

Recognizing that alcohol and drug abuse help to swell jail populations, the task force said the state, in cooperation with local governments, should provide prisoners with substance abuse programs. "There is a crucial need for a comprehensive approach to the problem of substance abuse," the panel said.

# Overhaul of prisons advised

By HAL SPENCER  
The Associated Press

JUNEAU — Gov. Bill Sheffield should create a separate department for Alaska's beleaguered prison system, build more jails including a maximum security prison and put prisoners to work, a task force said Monday.

The task force, headed by Roger Endeli, a University of Alaska, Anchorage, professor, also recommended that the state launch alcohol and drug abuse programs in jails, keep a number of violent offenders in the Federal Bureau of Prisons system and close no existing correctional facilities, with the exception of the Anchorage Careage House, until replacement facilities are found.

The Careage House should be used as the Division of Corrections headquarters, the task force said.

The task force also recommended that jail construction be viewed as a high priority among all units of state government, that corrections be managed on a decentralized, regional basis and that corrections staff be well trained.

The recommendations were among 35 presented to the governor, who said the suggestions "will be highly valuable to the administration as we prepare the state budget and possible bills for introduction to the 1983 Legislature."

Sheffield appointed the panel in mid-December with instructions that it forge solutions to Alaska's growing corrections crisis — a crisis most evident in the state's overcrowded jails.

But Sheffield had no immediate reaction to the specific proposals, and his office said he would have none pending further study.

No cost figures were attached to the task force's recommendations. Independent work now being done by various state agencies will develop the potential costs of the recommendations, according to John Greely, Sheffield's deputy press secretary.

See Back Page, TASH

## Task force recommends overhaul of state corrections system

Continued from Page A-1

"It is clear that there is a crisis in corrections," the task force said. "It is also clear that with sound, long-term and professional management, most of the current problems can and will be resolved."

The Division of Corrections, currently within the Department of Health and Social Services, should be elevated to cabinet-level status, the task force said.

Citing what it called a "crisis in correctional management," the panel said, "We have found unanimous agreement from virtually all persons interviewed, from all regions of the state, and from 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 said the department should be created in a "quick and clean" fashion through executive decree.

"The division has been managed by four different directors in the past six-year peri-

od," the panel said. "The most recent director as well as the current director were both hired by the previous administration to move the Division of Corrections 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 Alaska corrections."

The Division of Corrections is currently headed by Robert Hatrak, who could not be reached for comment on the study Monday.

The panel also said a commissioner of corrections should be appointed as soon as possible. A deputy commissioner and four regional directors should be appointed by the commissioner, the task force said.

"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, the court system" and others that the state needs such a facility.

The group also urged 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 task force said the Department of Transportation and Public Facilities "should recognize prison construction as a high priority. Building supplies and prisoner labor should be used in building renovations and in the construction of non-secure buildings."

"The prisoner population should be put to work," the panel said.

The task force said corrections "must be given the resources to provide meaningful work opportunities for the offender population," listing as examples clearing land, rehabilitating streams and maintaining parks.

Recognizing that alcohol and drug abuse help to swell jail populations, the task force said the state, in cooperation with local governments, should provide prisoners with substance abuse programs. "There is a crucial need for a comprehensive approach to the problem of substance abuse," the panel said.

# State chief will support KILA home

NEWS MINER

By SCOTT YATES 3-4-82

Staff Writer

## HOME . . .

(Continued from page 1)

alarm system. Doors are wired to a central switchboard which lights if they are opened. Two teams of six supervisors each will work at the halfway house and at least two people will be awake at all times. The personnel will not, however, be responsible for restraining individuals. If someone leaves, state troopers will be called to apprehend them.

"Before we get excited about that, let me tell you the type of person lodged there is not the type who would go into a community, either Fairbanks or Ester and raise havoc," Link said.

Jones added that the prisoners are screened and only those posing the lowest risk possible will be considered.

"They have to show they can function in that environment. Everyone who is eligible doesn't go through a halfway house," Jones said.

Jones said that of 314 people who went through halfway houses during the past year, 265 completed the program successfully, that is, they didn't violate any rules which caused them to be sent back to jail.

Jones explained that those who fail the program usually commit infractions like drinking or returning late.

Armed with the contract between the state and KILA, residents asked who is ultimately responsible for the prisoners and any damage they might cause. A clause in the contract says the state is held harmless, but there was a difference of opinion whether that would hold up in court. Several members of the audience asked that the attorney general make a determination as to responsibility.

Link said during the meeting that KILA had spent \$30,000 of its own funds getting the building opened. He indicated the mortgage came due Thursday and was now delinquent because the state contract hadn't been signed.

Deciding there had been "adequate public dialogue" a state corrections official said he will recommend that the state sign an agreement with KILA Inc. to run a 56-bed halfway house near Ester.

Walt Jones, assistant director of corrections, made the announcement near the end of a KILA board of director's meeting which saw 42 Ester residents show up to express their concern over the facility. Although the halfway house has been occupied by 21 persons since Feb. 26 under an existing agreement with the state, a contract amendment has not yet been signed to take into account the expanded capacity.

Rep. Mike Davis, who listened to the meeting over a teleconference hookup, said he did not think a KILA board of directors meeting constituted an adequate public hearing.

He was surprised to learn that the facility has been occupied despite earlier objections by Ester residents.

Leaders of the Ester opposition meanwhile said they will continue to wage their fight against the halfway house. Mark Davis said this morning he's "almost positive" that residents will go to court.

"The people of Ester were denied due process."

Apologies notwithstanding, residents remained unsatisfied with the explanations of KILA board President John Link Thursday night. Explaining that he was out of town when the controversy surfaced, Link said, "From what I can reconstruct, I think we are all suffering from the disability of not knowing what's going on."

Link told the group that he never considered the halfway house part of Ester and he accepted blame for not talking with residents.

"We never for a minute thought the people of Ester would raise a fuss. Believe me, if we had, we would have been out at the community center. Whatever blame there is rests on my shoulders. You have our apology."

After presenting a brief history of KILA, which means "friendly spirit" in Inupiat. Executive Director Frank Gold sat silently through most of the proceedings while Link and Jones were bombarded with questions.

Residents were told that security at the facility relies primarily on an

(See HOME, page 5)

# New prisons chief scraps Woronzof jail

By TOM KIZZIA  
Daily News reporter

1/7/83

The new head of Alaska's prison system said Thursday he wants to set aside plans for a new prison at Point Woronzof and find a way to solve overcrowding problems without immediate construction of a new jail in Anchorage.

Roger Endell, a university professor and former Alaska corrections official, was named Thursday to replace Robert Hatrak as chief of corrections. A spokesman for

Gov. Bill Sheffield said the change was made to bring "fresh ideas and fresh leaders" to the prison system.

The new approach was immediately evident. A plan outlined Thursday by Endell would do away with the proposed jail at Point Woronzof, west of Anchorage International Airport. Former Gov. Jay Hammond and Mayor Tony Knowles agreed last November to build a new prison there.

Endell's plan also would close the controversial Car-

eage House jail in the middle of a Tudor Road residential neighborhood. Endell said he wants to convert it to a Southcentral headquarters for corrections within weeks after he begins his job Monday.

As an alternative, Endell wants to purchase and remodel as jails existing facilities in the Matanuska-Susitna and Kenai Peninsula boroughs. He also wants to keep open the Ridgeview Correctional Center, which the Hammond administration had declared decrepit and wanted to close.

Endell said his plan would be a cheaper and quicker way to relieve overcrowding in Alaska's prisons. It also would do away with the longstanding problem of finding a new prison site in Anchorage.

The Point Woronzof site would require a lengthy permit process by the municipality and a costly extension of utilities, Endell said.

A likely alternative site appears to be a former missile base at Goose Bay, on the

See Back Page, CORRECTIONS

## Corrections chief decides against Point Woronzof jail

Continued from Page A-1

north side of Knik Arm. Allen Korhonen, acting commissioner of the Department of Health and Social Services, said Thursday that corrections officials favored it as a site for a medium-security prison and planned to tour the base next week.

Other sites under discussion include the Wildwood Center in Kenai, a former radar base on Ohlson Mountain in Homer, and sites in Seward and Palmer.

Under the Hammond administration, corrections officials had argued that a medium-security prison was essential in Anchorage.

Medium-security prisons for 100 inmates at any two of the new locations possibly could be erected in a year, using modular materials, Endell said. These sites could

also be used for maximum-security prisoners, according to Endell, who said the state may reconsider its earlier decision to build a single 300-bed prison for its biggest security risks.

Endell said he favored small regional facilities and said problems could develop if all the most difficult prisoners were housed together.

The need for minimum-security space in Anchorage can be met by keeping the Ridgeview and Third Avenue jails open, Endell said. The state had previously planned to close them after a new pretrial facility on Post Road opens sometime this spring.

Endell, who was head of a special Sheffield administration task force on corrections, is inheriting most of the same problems faced by Hatrak, who was on the job only nine months.

The task force report appeared to give more attention to concrete solutions to overcrowding than to rehabilitation programs. But it could be called only a moderate shift of emphasis from his predecessor's reliance on "community-based" programs such as halfway houses.

"He's a professional corrections administrator," Endell said of Hatrak, who was not criticized by name in the task force report. "A number of the problems in corrections he obviously inherited."

The task force was critical of the high turnover in corrections management. The next director, the task force said, should be someone already familiar with the state's jails.

The job description fits 42-year-old Endell well. A resident of the state for more than two decades, he served as assistant superintendent of

the Juneau Correctional Center from 1971-73, the Third Avenue Jail in Anchorage from 1973-74, and the Eagle River Correctional Center from 1974-76.

He was most recently an associate professor of justice at the University of Alaska, Anchorage Justice Center. A Sheffield spokesman said Endell has written extensively about the penal systems in the Soviet Union and Finland.

The Endell task force recommended that corrections be removed from the Department of Health and Social Services and placed in a new Department of Corrections. Endell said Thursday he expected the new department would be created soon, with him as commissioner, but he was not sure whether it would be created by the legislature or by executive decree.

# Anchorage Daily News

Winner, 1976 Pulitzer Prize Gold Medal for Public Service

Katherine Fanning  
Editor and Publisher

Howard Weaver  
Managing Editor



Gerald E. Grilly  
General Manager

Steve Lindbeck  
Editorial Page Editor

Lawrence Fanning, Editor and Publisher, 1967 to 1971  
Alaska's Only Morning Newspaper • Founded in 1945 by Norman C. Brown

## Let convicts do jobs for the city

Petty criminals may spend time behind a broom instead of behind bars under a promising state-municipal proposal that could spruce up the city while easing overcrowding in local jails. Still in the discussion stages, the proposal would put selected individuals convicted of misdemeanors to work sweeping bike trails, clearing roadside rubbish or even shelving library books instead of cooling their heels in already overcrowded jails.

Under the program, individuals convicted of such non-violent crimes as shoplifting, writing bad checks and littering could be assigned community service instead of jail time or a suspended sentence. Predetermined guidelines would screen out offenders inappropriate for the program, which could put up to 2,500 to work for the community at a cost of \$150,000.

The local proposal dovetails appropriately with a report released Monday by the Governor's Task Force on Corrections. The report recommends community services opportunities as a method of acquiring eight-hour-a-day work habits and law-abiding skills. The report emphasizes the need for such programs now. We agree.

Although community service is not a new idea — the state Pretrial Intervention Program already coordinates community service projects with local non-profit agencies — the public works aspect of this proposal makes it especially attractive at a time of dwindling dollars and overcrowded prisons. It costs money to incarcerate a person; idle hours in overcrowded conditions do not make that money well spent.

Although a rough draft of the proposal is still a month off, we think this expanded local intervention program has merit — especially in light of the city's budget crunch and the state's jail crunch. If properly implemented, it's a program that could benefit the city — which is raising taxes to help fund basic capital projects maintenance — the jails, and even the petty offenders who could be channeled through the system in a productive, positive manner.

## Welcome mat

NEW STATE JAILS and maybe a maximum security prison or two will be hot topics on the political scene during the coming legislative session. Let's hope the legislators will not overlook offers from communities that want this kind of business.

Seward, for one, has invited state officials to consider their port city as the site of a new jail or prison. For one thing, it would be good for the community's economy, bringing a new and steady payroll to town along with considerable construction dollars. For another, new detention facilities have to go *someplace*, and Seward would be fulfilling a civic duty by providing the site and the support required.

The Kenai Native Association has proposed converting the old Wildwood military station near Soldotna, which it now owns, into a minimum security prison. The Kenai Peninsula Borough gave it a strong endorsement and state officials, we're happy to say,

apparently have responded favorably. Opposition, however, has surfaced in the form of an editorial in the Peninsula Clarion that took issue with Wildwood as a site. It said "putting a prison in the midst of a community is dubious public policy," and suggested better options should be available.

SEWARD AND KENAI are possibilities, obviously. And other smaller cities, looking for a steady addition to the local economic base, likewise might be receptive to the prospect of playing host to a state jail or prison.

But there still seems to be a lack of enthusiasm among those in the corrections system to give serious consideration to outlying areas.

The attention always seems to have been focused on Anchorage. Detention facilities here are more convenient for the lawyers, the judges, the convicts and the state employees in the system.

And if those are the primary criteria, it's no wonder there hasn't been much serious discussion of sites beyond the confines of urban and suburban Anchorage.

But with the stated interest from Seward and the Kenai Native Association, there is reason to think the prospect of finding new locations is not as gloom-and-doom as officials would have people believe.

IT HAS BEEN suggested that surplus pipeline camps be used and that's a worthy idea.

A former congressman from the East captured headlines earlier this year by proposing the use of an uninhabited Aleutian Island as a federal prison. That's not necessarily a hair-brained idea.

No matter what solution is found eventually, there's no doubt the problem will be a big ticket item for the new administration and the legislature to address. But it is not a problem that can't be solved — with enough thought (and probably a lot of dollars).

## Oops

AN EDITORIAL in these columns the other day said nice things about Sen. Don Gilman's efforts to learn more about what's going on in Anchorage, since he now represents the south end of town even though he lives in Kenai.

The same opinion piece expressed the hope that Sen. elect Paul Fischer of Kasilof, who represents the same district with Mr. Gilman, would follow suit.

Well, it turns out that Mr. Fischer was in attendance at the now-famous secret meeting this week when the municipality presented the mayor's \$196-million "wish list" to area legislators.

The mix-up came because it was inaccurately reported that the Fischer who was present was Sen. Vic, not Sen. Paul. Whoever did the reporting got the two confused.

State may need to double space 3-4-83

## Prisons said to be 'busting at seams'

By DAVID RAMSEUR  
News-Miner Bureau

JUNEAU—Alaska may have to double its prison space to nearly 2,000 beds within four years at a cost of perhaps \$130,000 a bed, if the state is to keep up with the skyrocketing number of persons convicted of crimes.

That's one of the findings of a newly released report by the research arm of the state House of Representatives.

The 60-page report says the state's prison population is expected to exceed 2,000 by 1987, compared to the current inmate population of nearly 1,300.

The current rate means that one out of every 400 Alaskans is in prison, which is significantly higher than the national average of one in every 600 persons.

Release of the report comes on the heels of considerable state activity on prison issues. Gov. Bill Sheffield recently proposed creating a separate state Department of Corrections.

His capital budget submitted to the Legislature calls for the construction of a new \$45 million, 302-bed maximum security prison.

And lawmakers are considering a multitude of measures to tighten state criminal laws on everything from sexual assault to drunk driving. Many of those revisions will result in more inmates who would require additional prison space.

The House Research Agency report, authored by Betty Barton and Jon Sherwood, says the crime rate is partly responsible for the growing need for prisons.

In 1980, Alaska's crime rate was less than one percent lower than the national rate. In that year, Alaska ranked 14 among the states for its crime rate. Between 1980 and 1981, Alaska's violent crime rate—murder, assault, rape and robbery—increased 27 percent.

The report points to several reasons for that increase. Among them: an in-

crease in the population of young adult males who are responsible for a large percentage of crime; poor economic conditions; and social problems such as alcohol abuse.

Other factors will affect a growing prison population in Alaska, says the study. One of the most important is a 1981 class action suit filed by an inmate which requires the state to relieve over-crowding and improve prison conditions.

The report outlines several courses state officials can take on corrections issues. Those include:

- Increasing prison bed space, which appears to be the most popular among the Sheffield administration and key legislators.

- Modifying state laws that determine who goes to prison and for how long.

- Strengthening prison management through reorganization.

- Improving communications and

(See PRISONS, page 5)

## PRISONS . . .

(Continued from page 1)

decision-making in criminal justice agencies.

Some state officials, such as those in former Gov. Jay Hammond's think-tank agency, say building more prisons without looking at other problems is an incorrect solution to a skyrocketing prison population.

But "locking them up and throwing away the key" appears a popular notion with this Legislature and administration.

The report reaches no conclusions about the dilemma other than to suggest any answer will be costly.

"The rate of increase in prison populations—at least in the immediate future—is expected to grow," concludes the report.

"In light of this, it is becoming increasingly important that government become more efficient in its management of offender populations and its use of existing facilities."

More than \$1.3 million is budgeted for this year for the administration of justice, an increase over 1982 of nearly 30 percent.

Sheffield has proposed an \$83.9 million prison building program for next year which includes an 80-bed Fairbanks pre-trial facility and 32 additional beds for the youth wing in Fairbanks.

# Prison staffing fortified

by Jeff Berlner  
Times Writer

4/28/83

Fourteen new corrections staffers begin work at the Palmer prison today and 40 guards remain on mandatory overtime in the wake of two escapes last week.

An emergency situation continues at the prison, said superintendent Stanley Zaborac.

"Prison policies and procedures have been modified to limit the freedom of inmates to move from their living areas to other areas of the institution," Zaborac said today.

"Correctional officers are working 12-hour shifts and we're bringing people in on their days off," Zaborac said. Each guard is averaging one day of overtime per week, Zaborac said.

Zaborac has asked the legislature to declare the situation an emergency and approve a supplemental budget to pay for the 14 new staff members and overtime for the entire 54-person corrections staff.

Funding to complete a fence around the medium security wing of the prison also is in the request. One hundred of the prison's 242 inmates are in medium security. The minimum security section houses 142 prisoners. The prison is designed to hold 206 men.

Although all 14 people hired by Zaborac are termed temporary, he said he is seeking additional money to make them a permanent part of the staff.

The need for more staff is so critical, Zaborac said, that the new officers will receive an abbreviated training course: they'll complete 16 hours of classroom training today and then spend the weekend under the tutelage of experienced staff before being put on their own Monday.

Although the state of emergency continues at the prison, Zaborac said the facility is more secure than it has been in the past.

Five inmates escaped in two separate incidents. All five were recaptured and have been charged with escape.

# Anchorage Daily News

Winner, 1976 Pulitzer Prize Gold Medal for Public Service

Katherine Fanning  
Editor and Publisher

Howard Weaver  
Managing Editor



Gerald E. Grilly  
General Manager

Steve Lindbeck  
Editorial Page Editor

Lawrence Fanning, Editor and Publisher 1967 to 1971  
Alaska's Only Morning Newspaper • Founded in 1946 by Norman C. Brown

## Report on prisons deserves attention

No pricetag has been attached yet, but the ideas collected in a single report by a special task force on state prisons represent an apparent consensus on Alaska's corrections needs. Expect state policy to begin to coalesce around the major conclusions.

The major themes: construction of more jails and a maximum security prison; elevation of the Division of Corrections to department status; and creation of "meaningful work opportunities" for prisoners. Other important aims: establishing drug and alcohol abuse programs in Alaska prisons, decentralization and regionalization of prison administration, an end to persistent "crisis in correctional management," and greater stability at the head of the system.

There are weaknesses in the report -- chiefly the shorthanded consideration of alternatives to incarceration, in a state that imprisons more of its citizens than it can handle -- but the conclusions and recommendations will be useful as Gov. Sheffield and the legislature begin coping with current stresses in the system. What's important about this effort is that it gives added currency to important ideas about prison management.

The most intriguing is the idea of putting prisoners to work -- for both themselves and the society. Meaningful labor long has been the missing component in prisons whose stated aims included "rehabilitation." But rehabilitation is an elusive goal when enforced idleness -- not to mention boredom, substance abuse, overcrowding and actual or potential violence -- is the major fact of prison life. Assuming proper security safeguards can be arranged, prisoners put to work clearing land, rehabilitating streams or maintaining parks, to name a few tasks, could both spend their time usefully and repay their debt to society in a constructive way.

Substance abuse, too, deserves serious attention. It has become almost cliché for prison studies to point out the impact of alcohol and drug abuse on prison populations, and the overwhelming need for prisoners to cope with their compulsions before re-entering society. What the task force report accomplishes is to add that perspective to the public agenda -- to encourage a response from the political system on what should be a mainstay of prison programs in Alaska.

In all, the task force has produced a useful report. The conclusions are neither startling nor revolutionary -- but they deserve attention in Alaska's halls of power in the months and years to come.

March 26, 1983

WaV

Dear Vsv:

Thank you for taking the time and effort to send a Public Opinion Message conveying your thoughts on HB 103.

As you know, this Bill passed from the House on a 40/0 vote as CSHE 103 Judiciary. A great deal of work by myself and the entire Judiciary staff resulted in the Bill as presently written.

It is my belief Roger Endell, with the organization he is building, will be able to improve the operation of Adult Corrections to an acceptable level, as well as properly transfer Youth Corrections on July 1, 1983, as provided for in HB 103.

It is my further belief that the elevation of Youth Corrections to a Division status within the new Department of Corrections will enable that Division to continue its improvement, from the sad state of affairs it was in such a short time ago, joining properly to perform for the State its agency tasks in a manner and mode acceptable and desired by all.

Thank you again for taking the time to become involved with the Legislative process. Together we can make a difference.

With best regards I remain,  
Sincerely,

Representative Charlie Russell  
Chairman, Committee on Judiciary

CB:cmz

Document Name: add HB 103  
Diskette Name: CHARLI

VaVCecile Kleinkauf  
4201 MacInnes  
Anchorage, Alaska 99504  
VsVMS. Kleinkauf

VaVHelen S. Craig  
2503 Sprucewood  
Anchorage, Alaska 99504  
VsVMS. Craig

# Corrections director searches out site for prison

By RONNIE CHAPPELL  
Daily News correspondent

2/13/83  
KENAI — Corrections Director Roger Endell has crisscrossed the Kenai Peninsula since taking office earlier this year, making stops in Homer, Kenai and Seward. Next week, he returns to visit Nikiski.

The reason for all of this travel is simple. He's got 1,500 prisoners on his hands right now and there's space

Native corporation optimistic state will pick Wildwood site. Story, Page B-2

for only 900 in the state's existing prisons. He is looking for places to build new prisons, and he is looking for communities that want them.

According to Endell, there are two such communities on the Peninsula.

People in Seward are ac-

tively encouraging the state to build a new \$40 million, 300-man maximum-security prison there. Endell said earlier this week that plans to develop a 220-man medium-security prison near Kenai have won the endorsement of the local City Council.

A decision on the maximum security prison — and where to put it — will be made by the legislature this year.

The state had planned to build the new facility near Palmer, but that changed late last year when the Seward City Council contacted the Division of Corrections.

Endell described Seward's business and government leadership as "outright enthusiastic" over the prospect of becoming the home of the state's first penitentiary. "They are in an excellent position to be a contender"

for the prison, he said.

The medium-security prison would be developed at Wildwood, an old Air Force Base that is owned by the Kenai Native Association. The Native corporation has offered to lease a three-story, concrete barracks building, garage and gymnasium to the state.

Endell is enthusiastic about

See Page B-2 CORRECTIONS

## Corrections director on a search for site for state prison

Continued from Page B-1

the Wildwood site. "It has the highest potential of any existing site" now being considered for use as a corrections facility, he said.

Once the state has completed its evaluation of the buildings offered by the Native corporation, Endell said he plans to move quickly to close negotiations on the acquisition.

"We're close to an agreement now," he said. "In the next couple of weeks we hope to sit down and finalize it."

According to Endell, the state is looking for a long-term lease with the option to purchase at a fixed price.

The Native corporation has offered to lease the state three buildings for 20 years for \$600,000 a year. The corporation would like to retain title to the property, said corporation President George Miller, but is willing to consider a sale if the state insists.

143  
The value of that transaction to the Native corporation could increase substantially in coming weeks as the state is now talking about acquiring seven buildings instead of three, Miller said.

A movie theater, medical clinic, bowling alley and grocery store with ample cold storage space are all adjacent to the concrete barracks building that would form the heart of the new prison.

If the Native corporation and the state conclude an agreement later this month, the new prison could be up and running by early fall, Endell said.

A "nucleus staff" will be dispatched to Kenai immediately to oversee renovation of the physical plant, begin program development, establish contact with local businesses and begin the process of screening and hiring 40 to 70 new employees.

Endell estimated it will cost about \$1 million to convert the old Air Force base

into a prison. A sprinkler system will have to be installed in the barracks building. Wooden doors will be replaced with metal ones, and existing windows will be replaced with secure ones.

Control rooms and an electronic security system also will be installed.

The perimeter of the 10-acre prison will be surrounded by two security fences that are 20 feet apart. Both will be 18 feet high and topped with razor ribbon. An observation tower will be constructed on top of the three-story barracks building.

The proposed prison has not earned the support of everyone in the community. More than 250 Central Peninsula residents signed a petition opposing the Wildwood site.

In response to that opposition, the borough assembly rescinded a resolution endorsing the idea. In its place it enacted a measure calling on the Division of Corrections to

hold public hearings on the Peninsula before reaching a final decision on the Wildwood site.

Endell said he is satisfying that request by meeting with city councils and chambers of commerce in Seward, Homer, Kenai and Nikiski.

Endell assures those he talks with the state will not locate a prison in a community where there is strong public opposition, and he said he hasn't seen strong opposition on the Peninsula.

Assemblyman Kenn Stephens, who fought the prison, agrees opposition to the proposal has cooled.

"People have calmed down," Stephens said. "Folks aren't complainin' on Soundoff (a radio call-in show broadcast by a Kenai radio station), and I haven't gotten any phone calls on it at all."

"The state's got its mind set, and people are resigned to the fact that there's going to be something there."

# State prison chief urges legislators to create corrections department

By HAL SPENCER 1/21/83  
The Associated Press

JUNEAU — The problems facing Alaska's prison system are firmly rooted in poor management — a situation that would change with creation of a corrections department, Roger Endell, state corrections chief, said Wednesday.

A corrections commissioner, who would oversee the department, could "pick up the phone and hire people, and more significantly, can pick up the phone and fire them," Endell told a joint meeting of the House and Senate health, education and social services committees.

Endell, whose corrections

division is now within the Department of Health and Social Services, said that under the current situation, management officials, with the exception of the corrections director, are classified employees who cannot be easily dismissed.

The joint committee met to consider Gov. Bill Sheffield's Executive Order 54, which calls for creation of a corrections department. The move was recommended by a corrections task force, of which Endell was chairman.

The lawmakers deferred action, agreeing to meet in separate committees to take a closer look at the projected cost of the department.

Endell was able to provide only the "bottom-line" figures — about \$250,000 for the rest of fiscal 1983, ending June 30, and almost \$1 million for fiscal 1984.

"I can't believe it would be that high," said Sen. Rick Halford, R-Chugiak.

Endell said the department would have six management level employees and "support staff." The six would include a commissioner; two deputy commissioners working in Juneau and Anchorage respectively; and three regional directors overseeing correctional facilities in Southcentral, Southeast and the Bush respectively.

## Endell urges prison industry

by Steve Rinehart 1/29/83  
for The Times

Homer — Prison industry — everything from growing potatoes to building campsites — could help the corrections system pay its bills while teaching inmates better skills, said new state corrections chief Roger Endell.

While inmates can't be forced to earn their keep, he said, "my attitude is they will have to earn their privileges."

"I'm not advocating a return to the ball and chain," Endell said in a speech here this week. "It will be the inmates' choice. But those who chose not to work would be 'warehoused,' with space to sleep and little else."

Endell was in Homer to address the Homer Chamber of Commerce. Ohlson Mountain, a former military installation near Homer, is being considered as a site for a

new medium-security prison.

Endell, who was appointed director of corrections by Gov. Bill Sheffield, said it has been his experience that most inmates prefer to work, gain some skills, and make some money.

Legally, inmates can be paid up to half the minimum wage, he continued, although they can also be charged for some services and forced to use a portion of their wages for family support.

Among suggestions Endell offered were that inmates do park and recreation work in remote locations. Trails, recreation cabins and fire pits could all be built by inmates.

There are many prison industries which would not compete with private enterprise, he said. For example, inmates could grow potatoes in the Palmer area since

local growers can't meet consumer demand.

Currently, Endell said, the state contracts with a Canadian firm to do the laundry for the state ferry system. Juneau inmates could do the job as well and for less cost, he said.

As for the traditional prison industry — stamping license plates — Endell said he has been told there aren't enough vehicles in Alaska to make the business pay. However, he said, the state has sign-making equipment in storage, which could easily be put to use by prisoners making road and street signs for state and local governments.

Inmate labor could also be used to renovate prison sites, Endell said, thus lessening the high cost of needed improvements in the prison system.

## Jail overcrowded — now

By CHRIS JARVIS 1/26/83  
Empire Staff Reporter

Although Gov. Bill Sheffield has proposed a \$81.8 million appropriation for construction of new jails, that doesn't help the overcrowding now being experienced at the Southeast Regional Correctional Institute at Lemon Creek.

Officials here are hoping a new maximum security wing now under construction will house prisoners by fall, easing some of the crowded conditions.

The rated capacity at Lemon Creek is 111 beds with 18 extra beds for those being held before arraignment and people serving weekend sentences. Monday night, however, 146 people were housed at Lemon Creek, jail Superintendent Bill Huston said today.

While no major disturbances have occurred at the jail because of the overcrowding, Huston said a series of "small things you just don't put your finger on" often lead to troubles.

"The emotional level increases when you

have this many people being held against their will," he said.

"Some discipline problems crop up when you have a lot of bodies," he said. For an example he cited a prisoner turning over a table in the mess hall out of frustration caused by tensions from overcrowding.

With only 45,000 square feet of living space, problems are bound to happen, Huston said. Until the new 53-bed maximum security unit is opened and other facilities are built in the state, there is potential for problems.

The Lemon Creek construction project started this fall and should be ready for occupancy by the fall of 1983, Huston said.

Eventually, Huston would like to convert the 24 and 22 bed dormitories now at the jail into single and double bed cells.

When you have 24 people living together in the same room during a long period of time, problems and tensions often come to the surface, Huston said.

The jail also needs additional space for activities, Huston said. But until the need for beds is lessened, none of the existing

living space will be eliminated, he said.

Another problem facing jail administrators is the inability to plan ahead, especially on weekends when bookings increase because of arrests made by Juneau Police and Alaska State Troopers.

Noting that troopers and police have the option to not jail people arrested for traffic and other offenses, Huston said he is unwilling to second guess their actions.

"It's easy to sit back and say how Roger Staubach should have thrown that ball, but it's different when you're out there," he said referring to decisions police and troopers must make in the field.

"They not only are responsible for public safety but for the safety of the person too," Huston said.

Because police and troopers seldom want to make crack downs public before carrying them out, and unlike the Lower 48 where short term prisoners are housed in city and county jails, Lemon Creek must house long term prisoners as well as make room for those prisoners arrested or there for weekends or awaiting trial.

3-4-83  
y TOM KIZZIA  
nd RONNIE CHAPPELL  
aily News reporters

The state has proposed to convert three surplus federal sites into medium-security prisons in an attempt to eliminate prison overcrowding by January.

In a plan ordered by Superior Court Judge Douglas Seraphely as part of a settlement of a class action lawsuit over prison conditions, Director of Corrections Roger Endell also proposes to build a 250-bed prison from scratch at Point Barrow in Anchorage, as well as a maximum-security prison at an undetermined location.

The plan calls for the state to increase the number of

misdemeanants diverted from jail to community programs, and proposes to increase the number of "soft beds" used primarily by offenders with chronic alcohol problems.

Endell said that Alaska currently has 1,445 inmates — 431 more than it has room for.

The state could move 220 inmates into a former military base at Wildwood near Kenai in six to nine months, the plan says. In addition, the state has proposed to convert a former missile base at Goose Bay on the north side of Knik Arm into a jail for 200 inmates by fall of 1984 and a federal communications site at Chiniak, 49 miles by road from Kodiak, into a jail for 130 to 150 inmates, per-

haps in early 1984.

However, at a public hearing in Kenai Thursday night, Endell said that a final decision on whether to put a prison at Wildwood has not been made.

"It's a plan, that's all," he said, adding that the state has not yet negotiated an agreement with the owners of the base, Kenai Native Association.

Endell said the state would not develop the Wildwood site if residents oppose it. "If you don't want us here, we'll fold up our tents and go somewhere else," he told a crowd of about 150 attending the hearing.

About half of those testifying at the hearing opposed

putting a prison at Wildwood. Petitions containing the names of 400 people in opposition were presented to Endell.

Others, however, testified in favor of the prison, and the Kenai Chamber of Commerce and Kenai Peninsula Fire Chiefs' Association gave Endell resolutions supporting it.

Endell said the Goose Bay site is owned by the federal government, while the other two sites are now in private hands.

With these three sites in hand, the plan would scrap plans to expand an \$11.7 million pre-trial facility in Fairbanks and a \$9 million pre-trial facility in Juneau.

The plan does not outline the costs of the three pro-

posed prisons, but said they would result in "tremendous cost savings."

The legislature would have to approve \$45 million to build a maximum-security prison for 300 to 400 prisoners. Sites under consideration are Palmer, Seward, Kenai and Haines.

The state would also have to come up with \$35 million to build a new jail in Anchorage to hold sentenced prisoners waiting for a permanent assignment to prison. This new facility would allow the state to retire the existing Third Avenue and Sixth Avenue jails.

The state is seeking \$5.6 million to finish a 50 to 80 bed Nome Regional Correc-

tional Center, and plans to add a new 50-bed jail in Bethel with existing funds.

Endell said lack of funding from the legislature, plus "poor management practices" by previous administrations, has contributed to the overcrowding problem.

Endell said factors that have led to overcrowding include a stronger criminal code, fewer releases by the Board of Parole, tougher sentencing, and an increase in the number of police and prosecutors.

"Getting tough is admirable, but it is also tremendously expensive. It is now time to pay the bill," he said.

## Remote prison sites

**THE MENTION** of putting state prisons in remote areas brings cries of horror from the lawyers, the courts — and the prisoners.

They are quick to say that prisoners need easy access to their lawyers and to the courtrooms. They also say the prisoners need to be close to law libraries, psychiatrists and counselors.

A re-orientation of that kind of thinking could be in order.

It's true that these services and various aids to prisoner welfare are mandated by the legislature and the courts.

But there's no reason why the lawyers and doctors and books and counselors can't be taken to the prisoners when they're needed, rather than

having the prisoners themselves in the center of things.

Selecting prison sites for the convenience of the prisoners doesn't make much sense, particularly the long-term prisoners. This is especially true when it's so difficult to get residents of a community to accept a prison as a neighbor.

There are exceptions. Prisoners on trial or awaiting sentence or whose terms are measured in days, not months or years, for instance, really do need to be close to the lawyers and the courtrooms. But the ones with lengthy terms don't.

Alaska is a land of remote places. It should be easy to find sites for prisons.

# Governor names Endell prisons chief

by Jeff Berlner  
Times Writer

1/6/83

Director of Corrections Robert Hatrak resigned Wednesday at the request of Gov. Bill Sheffield, and was immediately replaced by University of Alaska professor Roger Endell.

Endell, 42, headed a Sheffield-appointed corrections task force that offered policy recommendations radically opposed to those followed by Hatrak.

Endell, a 22-year Alaska resident and a 1966 graduate of UA-Fairbanks, has been an associate professor of music at the University of Alaska for six years. For six years before that, he served as an assistant superintendent at state prisons in Anchorage, Eagle River, and Juneau.

Hatrak's nine-month stint as prisons chief was marred by accusations of conflict of interest, charges that he had improperly let corrections contracts, and questions about his past.

While prison superintendent at New Jersey's Rahway State Prison, he was the object of a criminal investigation in New Jersey and later fired. Then, as Multnomah County (Ore.) correction director, a Portland grand jury recommended that he be fired from the job.

Endell said today that the Division of Corrections will steer state corrections in a different direction than it was going under Hatrak.

Endell will take over the helm Monday. His first task will be "getting the division reorganized and set up as a department, assuming the governor agrees it will go to department status," he said.

The task force headed by Endell recommended that the Division of Corrections be taken out of the Department of Health and Social Services and that it be elevated to department status run by a commissioner who answers to the governor.

Prisoners will be moved out of the controversial Careage House — the nursing home turned prison which caused a storm of protest from the mayor and neighbors of the Tudor and Lake Otis facility — and the building will be transformed into the state corrections headquarters, Endell said today.

The efforts of Hatrak and assistant attorney general Mike Stark to settle an inmate lawsuit will be dropped, Endell said, indicating he'll work with the new attorney general to fight the inmate's suit over prison conditions. That was another task force recommendation.

"Serious prison overcrowding has to receive the constant attention of the director," Endell said.

But Endell said he thinks the problem can be solved at a lot less expense than proposed by the Hammond administration, notably Hatrak and acting commissioner of health and social services Allen Korhonen.

Without naming a dollar

## Endell

(Continued from page A-1)  
amount, Endell said, "I'm hoping we can do it for less."

Endell said he has ideas for coming up with as many as 400 new prison beds without "building concrete structures from the ground up."

He said the "very serious problems facing corrections are solvable" but will require "cooperation between the judicial, legislative and executive branches."

"The corrections system has 'a lot of catching up to,' Endell said, so that the state prison system can handle all the people being funneled into it by the courts and as a result of new laws passed by the Legislature.

The task force report showed "very clearly there were substantial problems in management,"

Endell said, noting that the report stopped short of singling out Hatrak by name.

Endell said he will meet with the prison superintendents at the outset and anticipates none of the in-fighting and management problems which marked Hatrak's tenure as prison chief.

The "crisis in correctional management" can be solved with "sound, long-term and professional management," Endell's task force wrote, noting that the department has had four directors in six years.

But Endell called his appointment as the fifth director "a positive sign," proving that qualified Alaskans are available (a reference to selecting the last two directors from out of state), and because he already has a good working relationship with corrections.

"I know most of the people. I know most of their strengths and weaknesses," he said.

Endell said there may be a

shake-up within corrections as a result of task force recommendations to establish regional corrections centers in Fairbanks, Juneau and the Bush. Attrition, through retirements of superintendents, may also clear some positions.

Endell candidly acknowledged Hatrak's problems but called him "a professional."

"He's had some tough experiences," Endell said of Hatrak. "He tried to do an admirable job. He's had some difficulties. But when he was appointed, the man knew he might be out of a job with the change in administrations."

Hatrak said today he was not told why he was losing his job — only that "my resignation would be accepted."

Hatrak, 45, was given the news Wednesday by acting commissioner of health and social services Korhonen.

Calls to Korhonen were returned by the governor's office and

Sheffield spokesman Pete Spivey said the change was prompted by the governor's "desire to change leaders."

"The division of corrections has obviously gone through a lot of turmoil and I assume Hatrak's part of it," Spivey said.

The main finding of the task force, Spivey said, was that "the division has not had very much strong leadership."

Hatrak said he had no warning of the sudden change.

"The governor has the right and prerogative to field his own team. And he's probably better off fielding his own team. I feel strongly about that. It's his choice."

Hatrak said corrections problems promise to be a big issue in the Legislature in the coming session and "corrections needs to go into this with as strong a position as possible."

Other people died

MSG 83-00005696 PRTY 1 04/05/83 14:53:30 ORIG: LA01 IN= 0025 OUT= 0106  
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO  
TARGET: LJHL SUBJ: F O M

---

TO: ALL MEMBERS OF THE LEGISLATURE  
FROM: ANDY KAPALKO, 2221 MULDOON ROAD #277, ANCHORAGE 99504  
338-3121 H 561-1433 W  
RE: HB 103

*Judiciary  
Referral*

INFORMATION GATHERED INDICATES THAT IN CREATING A DEPT OF CORRECTIONS  
IT WOULD BE BEST TO ALLOW JUVENILE SERVICES TO REMAIN UNDER HEALTH AND  
SOCIAL SERVICES. PLEASE DON'T IGNORE GOOD ADVICE AND COMMON SENSE. VOTE  
AGAINST ANY BILL THAT WILL MOVE YOUTH CORRECTIONS TO THE NEW DEPT OF  
CORRECTIONS.

EOM



# Alaska Foster Parents Association

P. O. BOX 8651 • ANCHORAGE, ALASKA 99508



April 13, 1983



Mr. Charlie Bussekk  
Pouch V  
Juneau, AK 99811

Dear Mr. Bussekk:

Alaska Foster Parent Association urges you to not pass HR 103 as written. We are opposed to the inclusion of juvenile corrections with adults under the New Department of Corrections for the following reasons:

- 1) With the many urgent tasks confronting a new Department of Corrections juveniles would be the last considered and be overlooked.
- 2) The philosophical treatment of juvenile offenders is and needs to continue to be different. Juvenile corrections is still a home, family, and community oriented treatment and rehabilitative program rather than punitive.
- 3) Crimes of juvenile offenders are different from adult--
  - a) mostly property crime status offenses,
  - b) less successful and less financial involvement,
  - c) mostly non-violent, without weapons.
- 4) Juvenile offenders have a greater link with the Department of Health and Social Services than with adult corrections. They are often victims of child abuse, neglect and family breakdown. The biggest difference between juvenile delinquents and child in need of aid in foster homes is the delinquents have been caught! There must be strong coordination between those responsible to child in need of aid care and juvenile corrections as many move from one system to the other. When the new Department of Corrections is being set up we fear we will lose the treatment, the prevention like that now exist under the Department of Health and Social Services. There must be close coordination between juveniles in foster home placements and youth correctional facilities.
- 5) In many cases a juvenile under corrections is able to go into a foster home while still on probation. This not only saves the state a significant amount of money (over \$100 per day per child) but is a more successful treatment mode. Division of Family and Youth Services has recently developed a specialized foster care program to provide more services and support to foster homes to enable more juveniles to be kept in foster homes rather than youth correctional facilities. Also, in rural Alaska you would have to duplicate services now carried under the Division of Family and Youth Services: i.e. new foster homes and therefore be more costly.

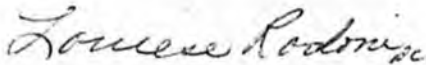
April 13, 1983

Page 2

In closing we urge you to not include juvenile corrections under the new Department of Corrections but keep them under Department of Health and Social Services. One suggestion to counter the argument that juvenile offenders are just like adults is to strengthen the waiver laws to allow more serious juvenile offenders to be tried as adults.

If you need more information please do not hesitate to call or write the Alaska Foster Parent Association.

Sincerely,



Louiese Rodoni, President  
Alaska Foster Parent Association  
333-2323

JR



4/4/83, SHIRLEE ANC LIO, 5403

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: GRANT KLOTZ, 251 MCCARREY ST., UNIT 14, ANCH 99504  
H 333-4302 W 561-1433

I OPPOSE HOUSE BILL 103. I FEEL IT WOULD BE DETRIMENTAL TO  
ALL JUVENILES IF PASSED.

\*\*\*\*\*

# Legislation would create separate state Department of Corrections

The Associated Press

NEWS 1/22/83

JUNEAU — Legislation to create a separate state Department of Corrections was introduced in the House by Rep. Milo Fritz, R-Anchor Point.

Gov. Bill Sheffield has proposed the same thing in an executive order. The corrections program is now administered by the state Division of Adult Corrections within the Department of Health and Social Services.

Fritz' bill, introduced Friday, would make the new cabinet-level department responsible for overseeing state prisons and prisoners, probation and parole, and extraditions detainees.

Sheffield submitted his executive order to the Legislature on the opening day of the 1983 session, and it would become law unless the Legislature acts on it within 60 days. Action on the Fritz bill means the Legislature would have its say on if and how the department is

to be set up.

The Fritz measure was one of nine bills and resolutions filed in the House Friday. Other legislation introduced included:

- A bill (HB104) to provide compensation for victims of violent crimes, including injury or death. The limit would be \$25,000, except in the case of the death of a victim with more than one dependent. Then the compensation could go to \$40,000.

- A bill (HB105) requested by the governor to appropriate the capital and operating budgets as well as the Permanent Fund Dividend Program.

- A bill (HB107) to allow an adult person to have an attending physician withhold or withdraw life-sustaining procedures if death is imminent.

- A resolution (HCR12) requesting the governor to order a study of a canal between the Yukon and Kuskokwim rivers.

# Sheffield wants to see corrections elevated

From staff and wire reports

JUNEAU — The Alaska House Monday was asked by Gov. Bill Sheffield not to block an executive order creating a Department of Corrections.

If legislators do not take action within 60 days, the Division of Corrections, now part of the Department of Health and Social Services, will be upgraded to a cabinet-level department in state government.

Kevin Bruce, Sheffield's special assistant for corrections, said the change is scheduled for April 1.

The governor's order issued Monday followed the recommendation of a task force studying Alaska's corrections system, said Pete Spivey, Sheffield's press secretary.

Some of the division's problems include overcrowding and mismanagement of some corrections programs, he said.

Sheffield had two choices

NEWS 1/18/83  
on how to get the division more attention, Spivey said. He could have created a new department, the route he chose, or appointed a deputy commissioner solely for corrections.

Plans call for the new commissioner of corrections to be headquartered in Juneau. An assistant commissioner's office would be located in Anchorage, Bruce said.

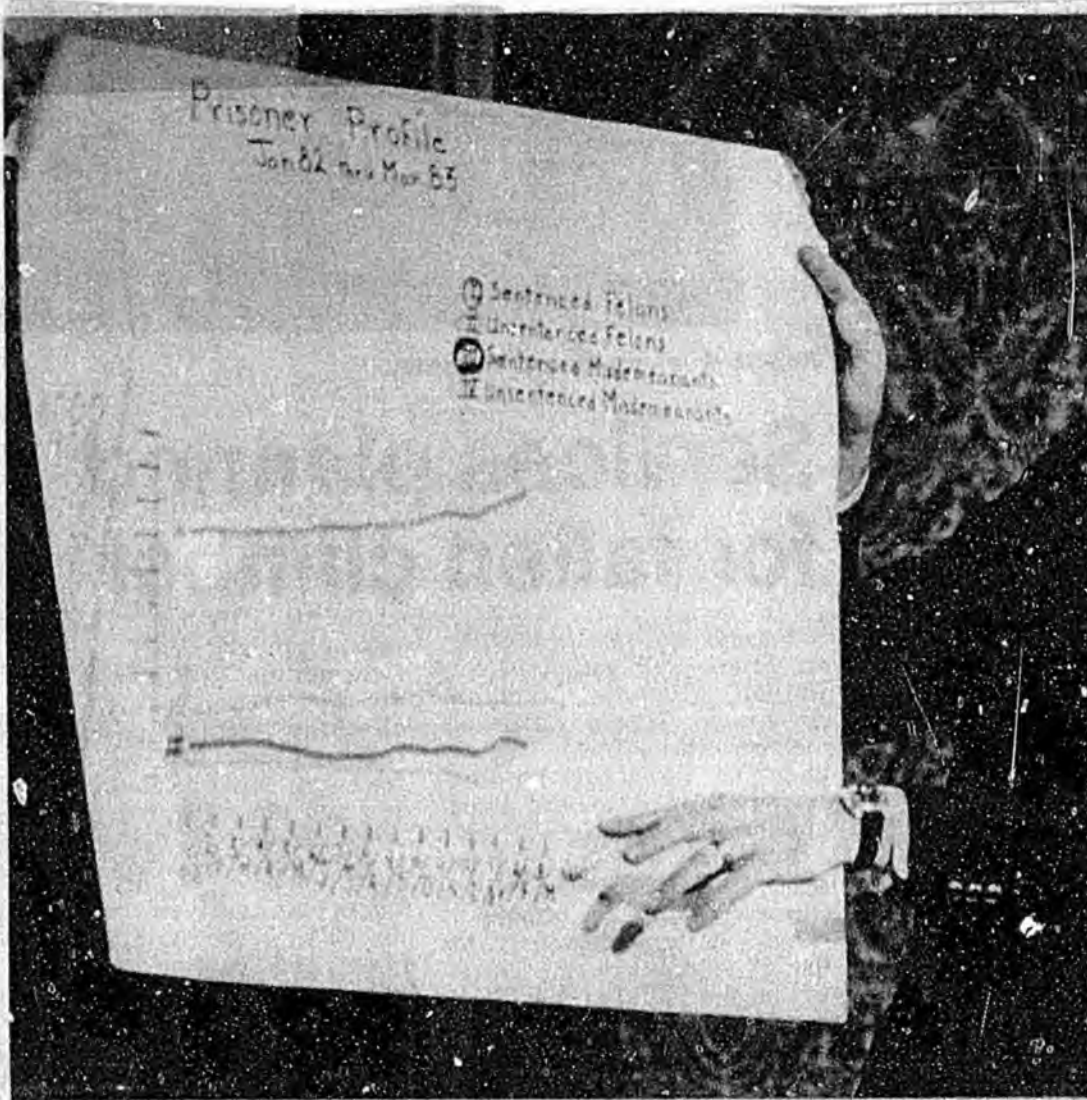
The governor's assistant could not say for certain Monday that Roger Endell, who was appointed last week by Sheffield to head the division of corrections, would be the new commissioner.

"The governor didn't promise to make him the commissioner of corrections but he would be the most likely candidate," Bruce said.

The corrections budget for this year is \$40 million.

The new department's proposed budget for fiscal year 1983-84 will be just under \$41 million, Bruce said.

40103  
JR



Roger Endell shows a prisoner profile chart to the Anchorage Chamber of Commerce.

# Corrections chief cites high

7-22-83  
By LARRY CAMPBELL  
Daily News reporter

Solving Alaska's crowded jail problem will be expensive, the director of the state's division of corrections said Monday.

But Roger Endell said the state, if officials use good business sense, can both protect society and promote reform programs designed to make inmates productive, tax paying members of society.

In a speech to the Anchorage Chamber of Commerce, Endell discussed jails in economic terms, talking of costs, ratios of return for investments, and economies of scale.

"We find it's very easy to pass a law to incarcerate offenders, but we're also finding it is very expensive to be

tough on crime," Endell said. "There's no doubt that we have a crisis situation in crowding. One out of every 106 Alaskans is in some sort of incarceration now, including juveniles and adults."

As evidence for the cost of jailing criminals, Endell pointed to the \$60 million operating budget and \$100 million capital improvements budget he is requesting from the legislature for 1983.

While some of that money will be used to take care of current inmates, room also will have to be provided for the estimated 24 new inmates a month that enter the correctional system, he said.

Minimum security facilities have been proposed in buildings in Kenai, Cape Chiniak

and Goose Bay, and Endell said a new maximum capacity prison capable of holding 400 inmates is also a necessity.

"Felons require spacious space," he said. "On the other side of the balance sheet, Endell would insist on economic feasibility in establishing facilities and rehabilitation programs."

He said he wanted inmates "return to the cost of incarceration."

To that end, Endell would pursue an alternative program aimed at inmates pay back fines. The program in addition to existing statutes that pro-

## ocused in C

times on the head with a ax handle, prosecutors said. After stealing Land car, the three youths of Anchorage where they were apprehended by Landesman's body, was in a sleeping bag, was soon afterward in wood the trailer.

Ridgely was found guilty of first-degree murder Friday.

The Ridgely trial apparently has caused conce

## Land pro school b

By MARTHA ELIASSEN  
Daily News reporter

The Anchorage Board learned Monday that two new elementary schools authorized by May's bond election are slipping further behind because of land acquisition problems.

Ravenwood Elementary School, planned for the River valley, was delayed again Friday when three landowners who have been negotiating with the school district declined to sign a sale agreement.

The land in question is an eight of fifteen acres near Goose Bay, and Endell said a new maximum capacity prison capable of holding 400 inmates is also a necessity.

The school district asked the municipality to write a letter claiming responsibility for any land needed so the bidding can proceed on schedule. However, school president Lee Gorsuch questioned the wisdom of proceeding without clear title land. The school district directed to continue negotiations, and pursue continuation if necessary.

Negotiations are continuing for a site for View Elementary School in South Anchorage. The board chose an alternate site for the school late last year after the first site was

# House will review proposal to set up prison department

3-21-83  
Times

by Bill White  
Times Juneau Bureau

Juneau — House members today plan to debate a bill to set up the prison system in its own department, four days after lawmakers rejected a similar proposal offered by Gov. Bill Sheffield.

The House Finance Committee pushed the bill out this morning in a rush to get it to the full House today.

The 27 House majority members voted as a bloc last week in joint session with the Senate to reject Sheffield's proposal in the freshman governor's first major defeat.

But House Majority Leader Ramona Barnes, R-Anchorage, said after that vote she expected the House to pass the bill that would do almost the same thing as Sheffield's executive order.

Lawmakers and administration officials have been pushing for a separate prisons department as a means of dealing more directly with Alaska's inmate crunch. The state's prisons are holding about 400 more inmates than they were designed for.

The finance panel's action came over the objections of Sheffield administration officials. They favored the bill, except for a new provision inserted late last week by the Judiciary Committee.

John Pugh, deputy commissioner of health and social services, told the Finance panel members the new section would put juvenile delinquents under the new prisons department.

Sheffield opposes that action, and so does Roger Endell, who would head up the new department, Pugh said.

Instead, all except the most serious juvenile of-

fenders should continue to be handled by the family services division of his department, he said.

Rep. Charlie Bussell, chairman of the Judiciary Committee, said his panel's version of the bill "will make a strong working department." The department will handle criminal suspects more efficiently and will save the state money if its jurisdiction includes juveniles, the Anchorage Republican said.

Michael Price, head of the family services division, said that when a youth commits a crime it is most often because of a failure within his family. "Ultimately it's the family that will deal with this youth."

Everyone is concerned about juvenile criminals, he added. "The question is what is the most effective way to deal with this problem."

If juvenile delinquents go under the new prisons department, about 220 staffers from the family services division will go with them. But about 240 social workers, who now also deal with offending youths and their families, will not be transferred, Price said.

Juvenile crime has not been the problem newspaper reports have painted it to be, Price added.

In fact, for the last two years, the juvenile crime rate in Anchorage has stayed level despite a rapidly rising population, he said. In 1981, the last year for which there are figures, 6,120 youths were arrested. Of those, 2,047 committed crimes for which they wouldn't have been charged if they were adults, such as curfew and drinking violations, he said.

Only 60 of the 6,120 were arrested for crimes of violence, he said.

HB103  
JR

## Prisons department bill stalled in committee

The Associated Press

JUNEAU — The minority Democrats Monday delayed, at least for two days until the Alaska House meets again, passage of a bill to create a Department of Corrections.

The minority prevented the bill (HB103) from moving to the third reading — when it can be approved as law — by preventing the needed three-fourths vote. The vote was 11-25 against movement.

Democrats indicated they want a clear signal from Gov. Bill Sheffield's administration on whether the juvenile corrections should be moved immediately to the new department.

Creating the corrections department separate from the Department of Health and Social Services was the subject of an executive order turned down last week by the Legislature.

At one point, lawmakers said they had been told the administration would be satisfied with juvenile correc-

tions in the new department. But that opinion was a personal one of Division of Corrections Director Roger Endell, according to an Endell letter read by Rep. Jim Duncan, D-Juneau.

Endell, Duncan said, now has taken the Sheffield administration position to delay the shift of juvenile corrections from the health and social services department.

But House Judiciary Chairman Charlie Bussell, R-Anchorage, said as late as Saturday Endell said he could live with the juvenile corrections coming into his department July 1, 1983.

It was when minority Democrats failed to get that date delayed a year that they came up with the parliamentary tactic to hold the bill over a day.

Clocks in and other Democrats fought for keeping juvenile corrections in DHSS so the new department could get itself operating with stability.

POUCH V  
JUNEAU, ALASKA 99811  
465-4990  
PO Box 4-1325  
ANCHORAGE, ALASKA 99509  
248-1515



CHAIRMAN  
HOUSE JUDICIARY COMMITTEE  
MEMBER  
HOUSE RESOURCES COMMITTEE

Representative Charlie Bussell

ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES

March 21, 1983

Ms. Patsy Turner  
SRA Box 6266  
Palmer, Alaska 99649

Dear Ms. Turner:

Thank you for taking the time to express your interest in the legislative process.

After several hours of hearings on HB 103, CSHB 103 was developed in include youth corrections.

Additional hearings were conducted on the bill on the 17th of March which resulted in CSHB 103 being moved from the Judiciary Committee.

It was read across the Floor of the House on the 18th of March and referred to the House Finance Committee.

A copy of the bill is enclosed for your further information.

Thank you again for your interest in the process and taking the time to become involved.

Warm regards,

Representative Charlie Bussell  
Chairman, Committee on Judiciary

CB:lyn

enclosure

Patsy Turner  
SRA Box 6266  
Palmer, AK 99645

March 10, 1983

The Honorable Charlie Bussell, Chairman  
House Judiciary Committee  
Capitol Room 126  
State Capitol  
Pouch V  
Juneau, Alaska 99811



RE: HB 103 or CSHB 103 (HESS)

Dear Chairman Bussell:

I am a Social Work student at the University of Alaska, Anchorage. I am following HB 103 regarding establishing a Department of Corrections as a part of a class on social welfare policies and issues.

I would like to know if this bill is scheduled for a hearing in the Judiciary Committee in the near future, when it will move from your committee and any other information that you may have concerning the status of this bill.

I am also interested to know if there is opposition to CSHB 103 and what position the opposition takes.

Your prompt attention to this matter will be sincerely appreciated. and it will assist me in preparing my report for my class.

Respectfully,

*Patsy Turner*

CSHB 15(Loans)am

Representative Barnes moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

Representative Uehling moved and asked unanimous consent that the House adopt the letter of intent on CSHB 15(Loans)am which appears on page 432 of the journal. There being no objection, it was so ordered.

A drafting error was noticed, and the following engrossing change was necessary for CSHB 15(Loans) am:

Page 2, line 2

After "life" insert "for the individual"  
and delete [FOR HIM].

Representative Malone gave notice of reconsideration of his vote on the letter of intent.

CSHB 15(Loans)am was referred to the Chief Clerk for engrossment.

HB 103

HOUSE BILL NO. 103 (establishing a Department of Corrections and transferring certain functions of the Department of Health and Social Services to the Department of Corrections; effective date) was read the second time with the Health, Education and Social Services Committee report (page 243 of the journal), the Judiciary Committee report (page 533 of the journal) and the Finance Committee report (page 571 of the journal).

Representative Barnes moved and asked unanimous consent that CSHB 103(Jud) (same title) be adopted in lieu of the original bill.

Representative Clockuin objected.

Representative Barnes moved and asked unanimous consent that the House recess until 4:30 p.m., March 21, 1983. There being no objection, the House recessed at 12:00 noon.

AFTER RECESS

The House was called back to order at 4:37 p.m.

A third roll call showed all members present except Representative Adams who had been previously excused from a call of the House today; and Representatives Goll and Malone.

HB 103

HOUSE BILL NO. 103 was again before the House in second reading at this time.

The question being: "Shall CSHB 103(Jud) be adopted in lieu of the original bill?" The roll was taken with the following result:

CSHB 103(JUD) MOTION

Yeas:	25	Abood, Barnes, Bettisworth, Bussell, Cato, Cowdery, Flood, Fritz, Fuller, Furnace, Grussendorf, Hayes, Herrmann, Hurlbert, Lacher, Lindauer, Liska, Martin, Miller, M.W., Pestinger, Phillips, Ringstad, Shultz, Tischer, Ward
Nays:	11	Clocksia, Davis, Duncan, Koponen, Larson, McBride, Miller, M.H., Szymanski, Vaska, Wendte, Zharoff
Excused:	1	Adams
Absent:	3	Goll, Malone, Uehling

And so, CSHB 103(Jud) was adopted.

CSHB 103(Jud)

Amendment No. 1 by Duncan, M. M. Miller, McBride and Davis:

Page 32, line 22

Delete "1983" and insert "1984".

## HB 103, ESTABLISHING A DEPARTMENT OF CORRECTIONS

The proposal to change the division of corrections within the Department of Health and Social Services to departmental status is one that is supported by the Governor's office, correctional professionals, and the House HESS committee.

Elimination of the correctional crisis in this state is of primary concern to me, and I know that members of the Judiciary committee are keenly aware of the problems facing the correctional system. The overcrowding, the mismanagement, the poor conditions and lack of alternatives to incarceration, are all challenges that face us in the current legislative session. You have heard the briefing on the Cleary case and know that the problems are real and that cooperation between all branches of government will be necessary.

With proper administration, budgeting, and organization, the problems can be solved. Proper management is the beginning. The new Department of Corrections and a responsive management team will be the first step. By creating a Department, a commissioner and executive staff can be appointed who answer directly to the commissioner. The existing division of corrections has been plagued with inconsistent management within the division and within the Department of Health and Social Services. The division has placed a disproportionate load on several Department of Health and Social Services programs, and the goal of the division of corrections is not necessarily consistent with the

goals of the Department of Health and Social Services, which are oriented toward public health, public assistance, mental health, and family and youth services.

The proposal to create a new department, as presented to the HESS committee, is to retain 9 existing positions and transfer them to the new department. One existing position in corrections will be retained and ten new positions will be created. Mr. Endell and his staff can speak better to the fiscal and administrative makeup of the department, so I will leave that to him.

The issue of juvenile corrections was discussed by the committee. The consensus of the committee was that juvenile corrections should be included within the new department, but the transition should occur after the new department is established and has been able to correct some of the immediate problems at hand.

The lack of specific information regarding the department of corrections has been frustrating for those of us who must evaluate the proposal. However, in this instance, considering the scope of the problem and the urgency of the problem, I am willing to give the Governor the benefit of the doubt and trust his office to implement an effective corrections program.

MILF FRITZ

EO 54 - Sheffield  
HE 103 - Fritz

"Creating a Department of Corrections"

"An Act establishing a Department of Corrections and transferring certain functions of the Department of Health and Social Services to the Department of Corrections; and providing for an effective date."

---

BACKGROUND INFORMATION:

Executive Order 54 establishes a Department of Corrections, replacing the Division of Corrections currently operating correctional institutions and programs under the Department of Health and Social Services. Adult penal institutions, the correctional industries program and probation and parole is proposed to be placed in the new department's jurisdiction. Juvenile corrections remain the responsibility of the Department of Health and Social Services. Responsibilities for the transportation of prisoners and mentally ill offenders are not addressed.

The "TASK FORCE ON CORRECTIONS STATUS REPORT" was submitted to Governor William Sheffield in December/January, 1982-1983. A summary document of the impact of those thirty four (34) recommendations relative to EO 54 and HB 103 is attached here. As of this date Corrections is reporting that they are currently complying with fifteen (15) of the recommendations; they have future plans to deal with eight (8) of them; eleven (11) of the recommendations they agree with but at the present time have no plans with compliance.

Staff requested "organizational development" information in order to compare staffing levels and requirements of three phases : (a) Pre-transitional Management Team; (b) Transitional Management Team; (c) Operational Department of Corrections.

Staff additionally requested fiscal information relative to previous administrative levels of function and organization within the Division of Corrections as a comparison with the proposed elevation to departmental status and the accompanying fiscal impact that it would address.

As additional support to EO 54, the Division of Corrections through the Department of Health and Social Services has submitted their position paper, attached here for review.

The Committee presently has copies of the "Population Management Plan" which addresses some of the concerns and issues relative to the Executive Order and House Bill before them. Submission to the Committee of the "Mini Corrections Master Plan" has been requested and it appears as though that will be available some time on or about the fifteenth of the month of March, 1983.

Although the "TASK FORCE ON CORRECTIONS STATUS REPORT" addresses both the problem of juvenile corrections and the transportation of prisoners, these are questions that the committee still has to address to future testimonial before them.

IMPACT:

Sectional Analysis done by staff of HESS is attached.

FISCAL NOTE:

Attached

WITNESSES:

Roger Endell, Corrections

STATUS OF TASK FORCE RECOMMENDATIONS  
DIVISION OF ADULT CORRECTIONS

A. COMPLY

- | <u>NUMBER</u> | <u>TEXT</u>   |
|---------------|---|
| (1)           | Except for the Anchorage Careage House, no correctional facilities should be closed until adequate new correctional space has been prepared.  |
| (2)           | The Careage House should be utilized as corrections' South-central Alaska headquarters and as a correctional training center.   |
| (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.            |
| (6)           | The continued use of Ridgeview should be re-evaluated for potential correctional use in light of economic costs and public benefits.  |
| (8)           | Mentally disturbed offenders should continue to be housed temporarily at the Alaska Psychiatric Hospital.   |
| (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.             |
| (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. |
| (13)          | All new correctional construction proposals should be evaluated in relationship to the need for increased bed capacity statewide.   |
| (15)          | Either a Matanuska-Susitna or Kenai Borough site should be developed and utilized to provide maximum security prison space.   |
| (17)          | A maximum security institution is needed to securely house a portion of the Alaska offender population.   |
| (18)          | The recently completed management plan for corrections should not be fully implemented.   |
| (19)          | The revised classification system should be implemented in concert with correctional reorganization and development.  |
| (20)          | Corrections should be managed on a decentralized regional basis.  |
| (27)          | The present partial settlement agreement efforts in the <u>Cleary et al.</u> case should be halted and reviewed immediately.  |
| (34)          | A systematic evaluation of approximately 150 parole eligible offenders should be conducted immediately.   |

B. FUTURE

NUMBER

TEXT

- (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.
- (7) Hilland Mountain correctional center near Eagle River must be permitted to return to its original mission.
- (9) Sentenced adult female housing space at Meadow Creek (Eagle River) should be added as necessary with much less expensive architecture than past practice.
- (14) The state should continue to maintain a number of dangerously violent Alaska offenders within the Federal Bureau of Prisons' system.
- (21) All jail contracts should be managed by the Department of Corrections.
- (31) All youth correctional functions should be organized as a separate division within the Department of Corrections when reorganization is completed and functional.
- (32) The prisoner population of the State of Alaska should be put to work.

C. AGREE

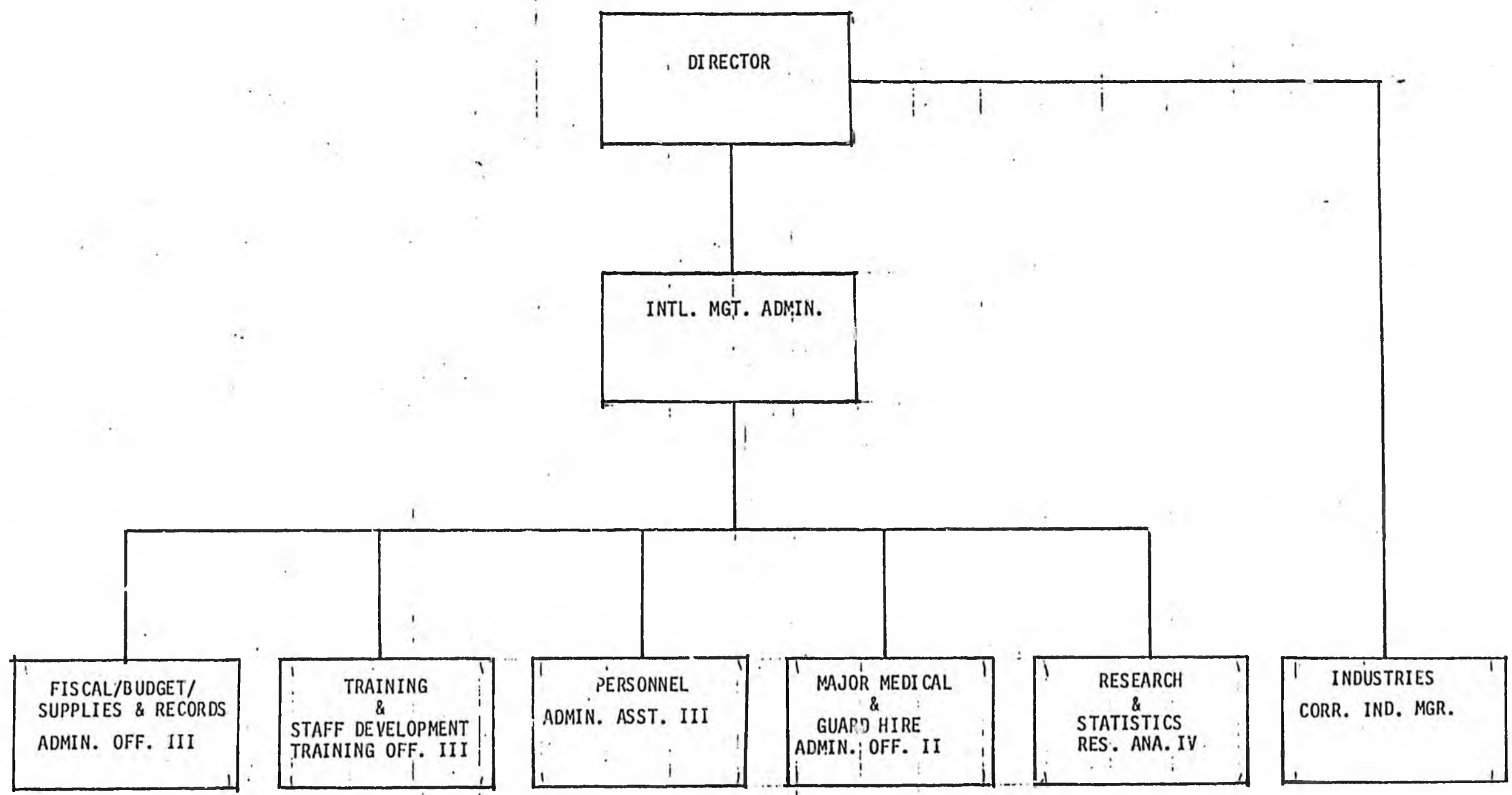
NUMBER

TEXT

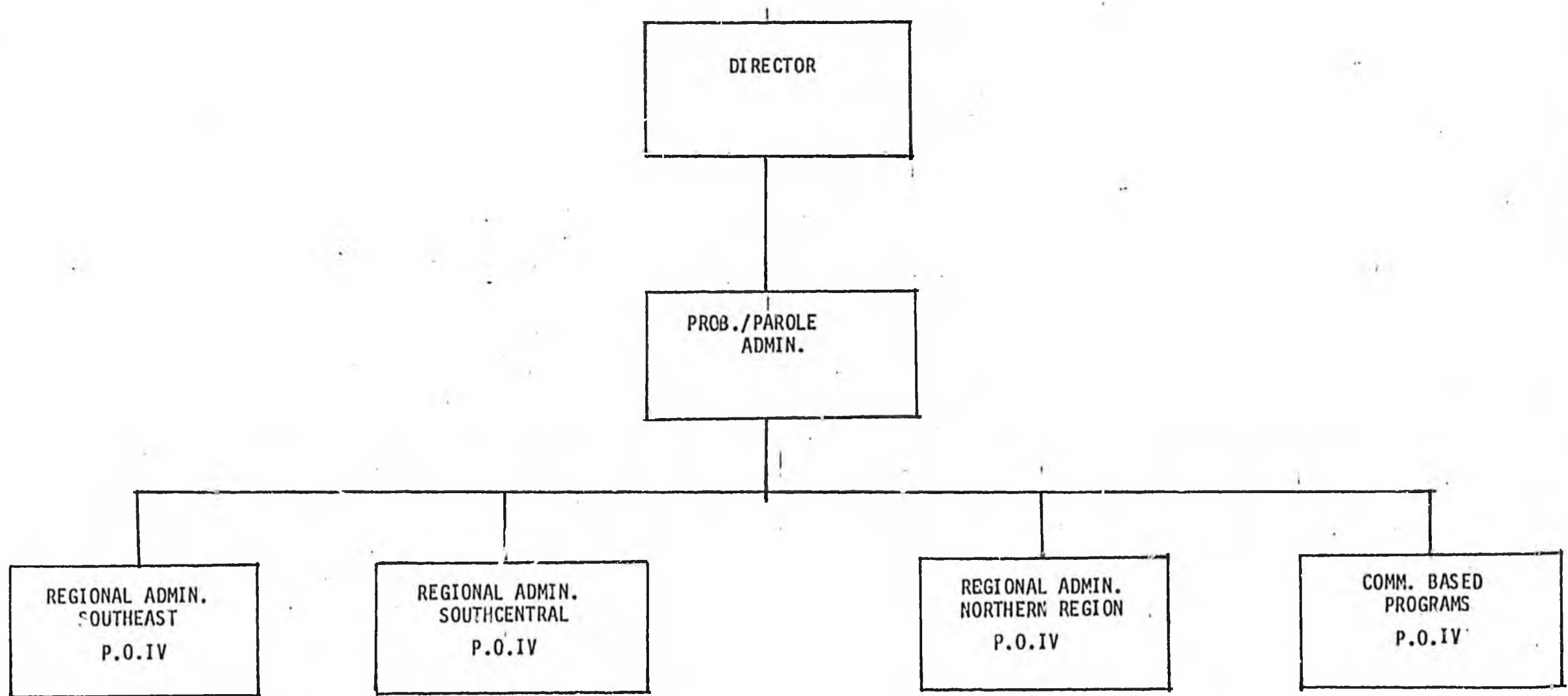
- (10) The type and methods of construction of the two institutions at Palmer should be copied elsewhere as needed in the State.
- (16) Correctional construction should be recognized as a high priority among all units of state government.
- (22) A well trained correctional staff is mandatory and critical to efficient management.
- (23) The Division of Corrections should be moved quickly and decisively in toto by immediate executive order to Departmental status.
- (24) A Commissioner of Corrections should be appointed by the Governor as soon as possible.
- (25) A cabinet level body should be directed to coordinate policy and law implementation for the effective administration of justice.
- (26) Management personnel of the agencies of justice (state and local) should coordinate the activities of these agencies at the local and regional level.
- (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.
- (29) The state should move immediately to address the law, policies and procedures with regard to public drunkenness and drunk driving.
- (30) The State Office of Alcoholism and Drug Abuse should provide comprehensive program services to correctional populations in cooperation with local municipalities.
- (33) Offender education and recreational programs should be made available to prison populations during the non-work hours of those prisoners.
- (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.

Organizational Chart  
prior to transitional  
Management Team

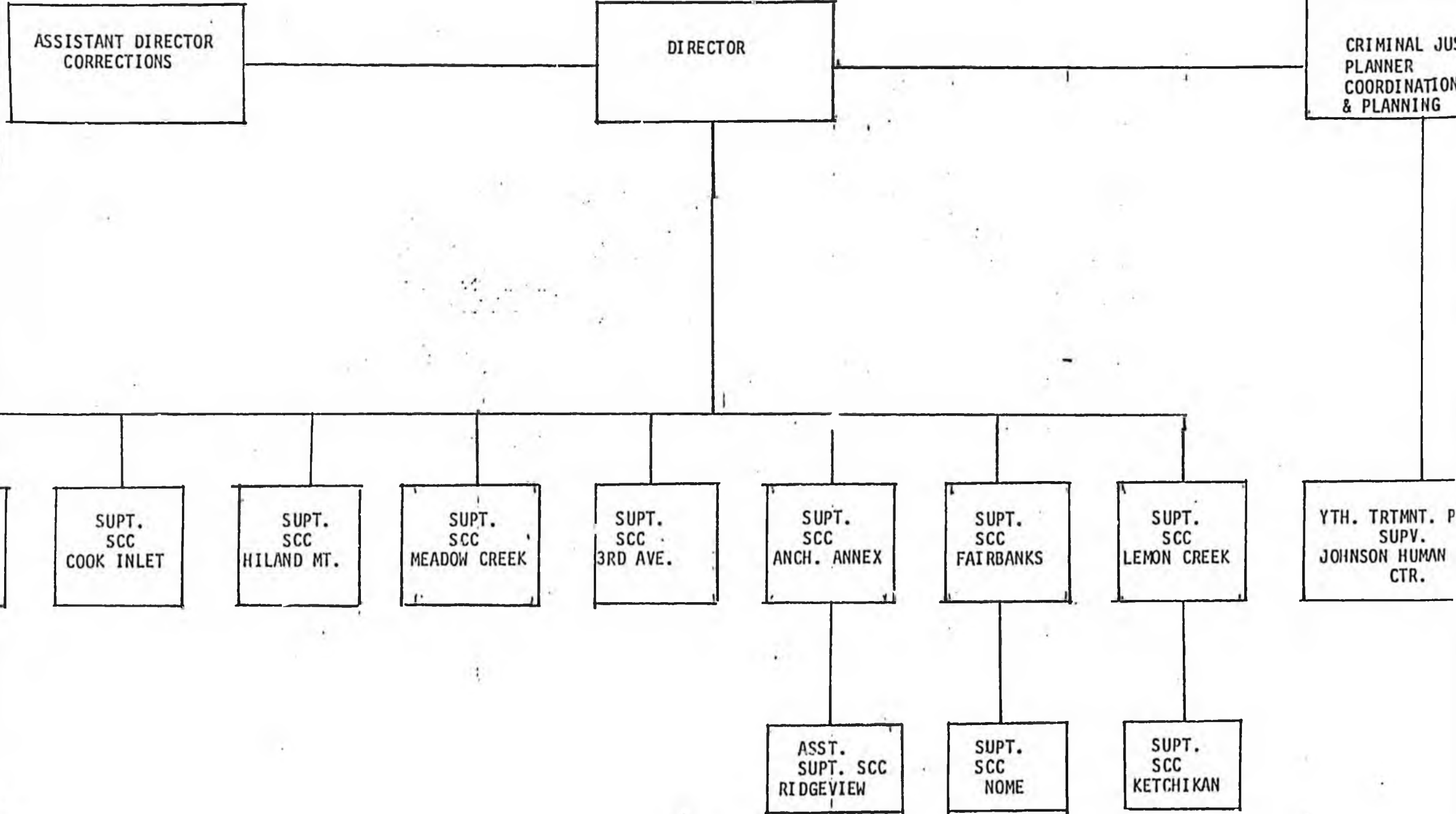
DIVISION OF ADULT CORRECTIONS  
ADMINISTRATION & SUPPORT

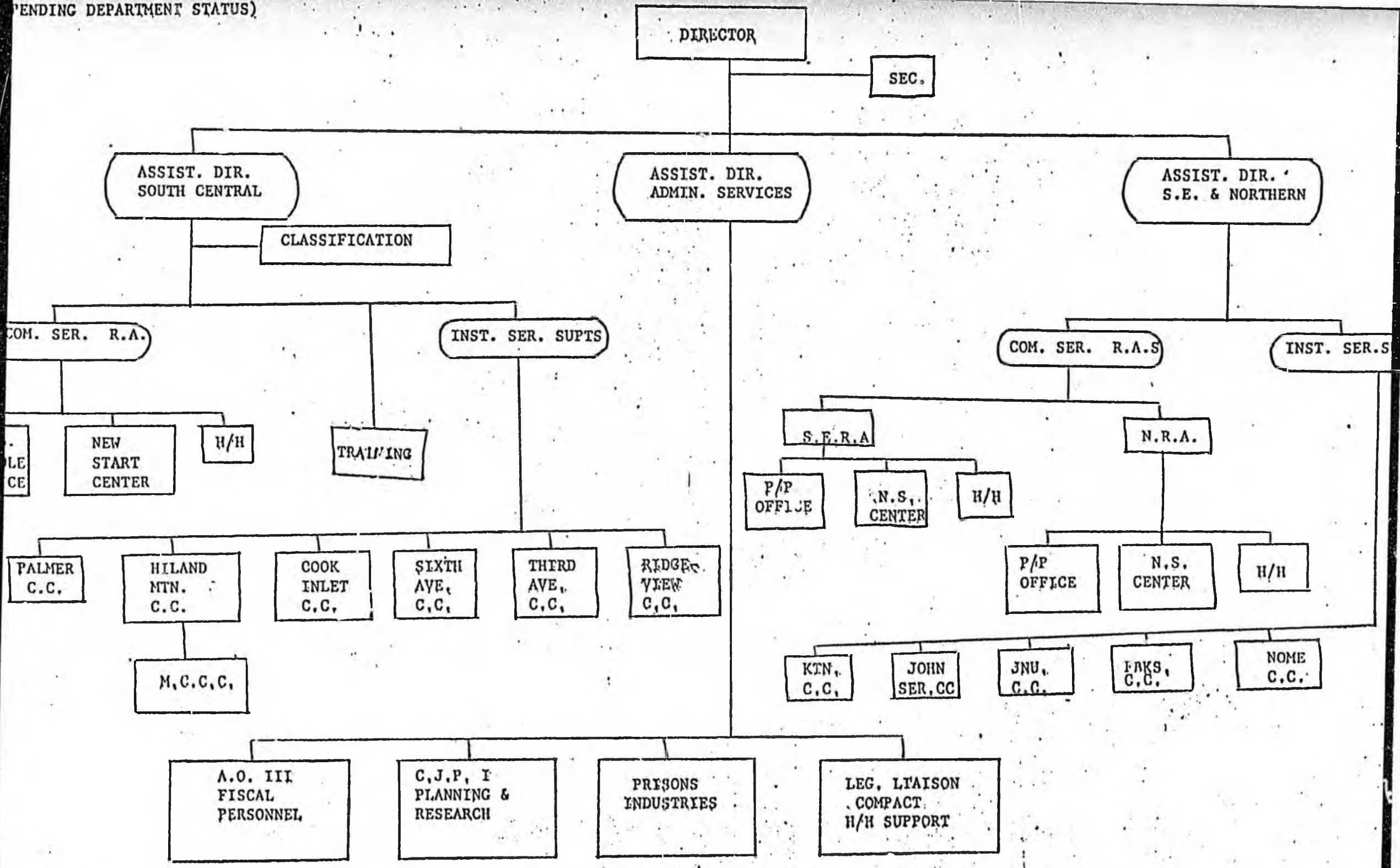


DIVISION OF ADULT CORRECTIONS  
PROBATION & PAROLE



DIVISION OF ADULT CORRECTIONS  
OPERATIONS





DEPARTMENT OF CORRECTIONS

OFFICE OF  
THE  
COMMISSIONER

OFFICE OF THE  
ASSISTANT COMMISSIONER  
OF OPERATIONS

S.C. Correctional Facilities,  
S.C. Probation Offices,  
Statewide Classification,  
Training Academy, and  
Statewide Prison Industries

OFFICE OF THE  
ASSISTANT COMMISSIONER  
ADMINISTRATION

Research, Planning,  
Data Processing, Capital  
Construction, Budget,  
Finance, and Personnel

OFFICE OF THE  
NORTHERN & INTERIOR  
REGIONAL DIRECTOR

Northern & Interior  
Correctional Facilities,  
and Northern & Interior  
Probation Offices

OFFICE OF THE  
SOUTHEAST  
REGIONAL DIRECTOR

Southeast Correctional  
Facilities, and Southeast  
Probation Offices

OFFICE OF THE  
RURAL  
REGIONAL DIRECTOR

OFFICE OF THE COMMISSIONER				
EX	Commissioner			RC
PX	Exec. Sec. II	R/14		NP
PX	Spec. Asst. II	R/23		NP
GG	Info. Off. II	R/17		NP
GG	Clk Typ III	R/8		NP

OFFICE OF THE ASSISTANT COMMISSIONER OF OPERATIONS				
PX	Ast. Com.	R/28		RC
PX	Spec. Asst. I	R/21		RC
GG	Sec. II	R/11		NP

OFFICE OF THE ASSISTANT COMMISSIONER ADMINISTRATION				
PX	Asst. Com.	R/28		RC
GG	Sec. II	R/11		CP
GG	Sys. Anal II	R/20		NP
GG	Per. Off. III	R/20		NP
SU	Acct. Sup V	R/22		RC
GG	Adm. Off I	R/17		NP

OFFICE OF THE NORTHERN & INTERIOR REGIONAL DIRECTOR				
PX	Reg. Dir	R/24		RC
GG	Sec. I	R/10		RC

OFFICE OF THE SOUTHEAST REGIONAL DIRECTOR				
PX	Reg. Dir	R/24		RC
GG	Sec. I	R/10		RC

OFFICE OF THE RURAL REGIONAL DIRECTOR				
PX	Reg. Dir	R/24		NP
GG	Sec. I	R/10		NP

**TYPE OF ACTION NECESSARY**  
 RC - Reclassification of Current Position  
 NP - New Position  
 CP - Current Position

**BARGAINING UNIT**  
 E Exempt  
 PX Partially Exempt  
 GG General Government  
 SU Supervisory Unit

New Positions

Range	Title	Loc	Monthly Salary	Variable Benefits	Suppl Benef	Health Insur	Total	FY83 3 mos	FY84 12 mos
14 X	Exec Secretary II	AWA	2241	383	137	240	3001	9003	36012
11	Secretary II	EBA	1862	318	114	240	2534	7602	30408
23 X	Spec. Asst. II	AWA	4149	709	254	240	5352	16056	64224
17	Info. Officer	AWA	2757	471	169	240	3637	10911	43644
8	Clerk Typist III	AWA	1553	265	95	240	2153	6459	25836
24 X	Reg'l. Dir.-Rural	AWA	4936	844	303	240	6323	18969	75876
20	Pers. Officer	AWA	3469	593	213	240	5122	15366	61464
17	Admin. Officer I	AWA	2824	483	173	240	4720	11160	44640
20	Systems Anal. II	AWA	3394	580	208	240	4422	13266	53064
9	Secretary I	EBA	1803	308	111	240	2462	<u>7386</u>	<u>29544</u>
SUBTOTAL								116,178	464,712

Reclassifications

PCN	From	To	Net Change:	
			3 mos	12 mos
4001	Director, Div of Corrections	Commissioner, Dept of Corrections	1380	5520
4840	Dep. Director Operations	Asst. Comm. Operations	3210	12840
4613	Dep. Director Administration	Asst. Comm. Administration	3210	12840
4813	Internal Mgmt. Administrator	Accounting Supervisor V	-0-	-0-
4159	Asst. Superintendent	Regional Director (Fbks)	7032	28128
4036	Probation/Parole Admin.	Regional Director (Juneau)	-0-	-0-
4513	Clerk Typist III	Secretary I (Juneau)	759	3036
4679	Clerk Typist III	Secretary I (Anchorage)	759	3036
4510	Asst. Director Corrections	Special Assistant I	<u>-0-</u>	<u>-0-</u>
SUBTOTAL			16,350	65,400
GRAND TOTAL			132,528	530,112

DEPARTMENT OF HEALTH AND SOCIAL SERVICE POSITIONS WHICH ARE TRANSFERRING TO  
THE NEW DEPARTMENT OF CORRECTIONS OFFICE OF ASSISTANT COMMISSIONER OF ADMINISTRATION

FROM DIVISION OF MANAGEMENT AND BUDGET

<u>Title</u>	<u>Range</u>	<u>PCN</u>	<u>Loc</u>
Program Budget Analyst III	R/19	0004	AWA
Public Facilities Planner II	R/21	0501	AWA
Public Facilities Planner I	R/20	0503	EBA
Public Facilities Planner I	R/20	0502	EBA
Accounting Clerk I	R/8	0504	AWA
Clerk Typist II (PPT)	R/7	0505	EBA

FROM DIVISION OF ADMINISTRATIVE SERVICES

<u>Title</u>	<u>Range</u>	<u>PCN</u>	<u>Loc</u>
Personnel Officer I	R/16	0056	EBA
Clerk IV	R/9-	0095	AWA
Accounting Clerk I	R/8	0046	EBA
Clerk Typist III	R/8	0058	EBA
Acct. Clerk II	R/9	0020	AWA
Acct. Clerk II	R/9	0016	AWA
Acct. Clerk II	R/9	0049	AWA

FY 82

STATE OF ALASKA -- BUDGET UNIT SUMMARY

10:54

7/02/81

CATEGORY: ADMINISTRATION OF JUSTICE  
 AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES

PROGRAM: CORRECTIONS ADMIN & SUPPORT

COMPONENT DESCRIPTION	FY81 ATH	FY81 SUP	CONT	REQUEST	GOV AMD	GOVERNOR	HOUSE	SENATE.	F.C.C.	BILLS	LEG.REC.
ADMINISTRATION & SUPPORT	1583.2		1478.4	1478.4		1467.9	1394.5	1335.0	1815.0		
TRAINING & CAREER DEVELOPMENT			270.9	270.9		270.9	257.3				
MM TOTAL	1583.2		1749.3	1749.3		1738.8	1651.8	1335.0	1815.0		
MM CHANGE VERSUS FY81 ATH				10.4%	-100.0%	9.8%	4.3%	-15.6%	14.6%		
OBJECT DESCRIPTION											
PERS. SERV.	1114.4		1264.5	1264.5		1264.5	1201.3	965.2	965.2		
TRAVEL	79.5		89.2	89.2		89.2	84.7	58.0	58.0		
CONTRACTUAL	295.4		354.4	354.4		343.9	326.7	288.7	288.7		
COMMODITIES	31.5		33.2	33.2		33.2	31.5	15.5	15.5		
EQUIPMENT	12.4		8.0	8.0		8.0	7.6	7.6	7.6		
GRANTS, CLMS											
MISC.	50.0								480.0		
FUNDING SOURCE											
GENERAL FUND	1583.2		1749.3	1749.3		1738.8	1651.8	1335.0	1815.0		
MM GENERAL FUND CHANGE VS. FY81 ATH				10.4%	-100.0%	9.8%	4.3%	-15.6%	14.6%		
POSITIONS											
FULL-TIME	34.0		32.0	32.0		32.0	32.0	27.0	27.0		
STAFF-MONTHS	408.0		384.0	384.0		384.0	384.0	324.0	324.0		

## STATE OF ALASKA -- BUDGET UNIT SUMMARY

10:54

7/02/81

CATEGORY: ADMINISTRATION OF JUSTICE  
 AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES

PROGRAM: ADULT PROBATION &amp; COMM PROGRAM

COMPONENT DESCRIPTION	FY81 ATH	FY81 SUP	CONT	REQUEST	GOV AMD	GOVERNOR	HOUSE	SENATE	F.C.C.	BILLS	LEG.REC.
ADULT PROBATION 1ST JUD DIST	210.8		370.5	489.2		468.8	370.0	370.0	417.8		
ADULT PROBATION 2ND DIST			101.1	159.2		159.2	144.0	144.0	144.0		
ADULT PROBATION 3RD JUDICIAL D	945.6		1344.2	1400.1		1360.5	1286.4	1286.4	1319.7		
ADULT PROBATION 4TH JUDICIAL D	452.1		532.4	704.7		672.2	590.0	590.0	657.0		
COMMUNITY BASED PROGS.	1018.0		1173.1	1173.1	644.1	1125.4	1658.6	1658.6	2052.7		
MM TOTAL	2626.5		3521.3	3926.3	644.1	3786.1	4049.0	4049.0	4591.2		
MM CHANGE VERSUS FY81 ATH				49.4%	-75.4%	44.1%	54.1%	54.1%	74.8%		
OBJECT DESCRIPTION											
PERS. SERV.	1621.8		2225.3	2528.3		2528.3	2285.0	2285.0	2428.8		
TRAVEL	29.8		39.6	66.6		66.6	60.3	60.3	62.2		
CONTRACTUAL	918.0		1056.4	1090.3	644.1	988.1	1531.2	1531.2	1538.7		
COMMODITIES	17.9		22.0	28.4		28.4	25.1	25.1	26.3		
EQUIPMENT	5.9		140.0	174.7		174.7	147.4	147.4	150.2		
LANDS/BLDGS	33.1		38.0	38.0							
GRANTS, CLMS									385.0		
FUNDING SOURCE											
GENERAL FUND	2626.5		3521.3	3926.3	644.1	3786.1	4049.0	4049.0	4591.2		
MM GENERAL FUND CHANGE VS. FY81 ATH				49.4%	-75.4%	44.1%	54.1%	54.1%	74.8%		
POSITIONS											
FULL-TIME	51.1		58.0	67.0		67.0	64.0	64.0	66.0		
PART TIME	1.0		1.0	1.0		1.0	1.0	1.0	1.0		
STAFF-MON'HS	612.0		702.0	810.0		810.0	774.0	774.0	798.0		

## STATE OF ALASKA -- BUDGET UNIT SUMMARY

10:50

7/02/81

CATEGORY: ADMINISTRATION OF JUSTICE  
 AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES

PROGRAM: ADULT CONFINEMENT

COMPONENT DESCRIPTION	FY81 ATH	FY81 SUP	CONT	REQUEST	GOV AMD	GOVERNOR	HOUSE	SENATE	F.C.C.	BILLS	LEG.REC.
PALMER CORR. CNTR	1492.6		1479.6	1694.2		1694.1	1552.4	1495.3	1694.1		
ANCH.STATE CORR.CNTR	1270.9		1529.5	1529.5		1529.5	1453.1	1453.1	1529.5		
JUNEAU CORR.CNTR.	2377.5		2694.1	2694.1		2474.3	2350.6	2350.6	2474.3		
FAIRBANKS CORR.CNTR.	2677.0		3157.5	3157.5		3157.5	2999.7	3059.7	3174.0		
KETCHIKAN CORR.CNTR.	819.8		945.6	945.6		917.6	871.5	871.5	917.6		
ANC.ANNEX CORR.CNTR.	1713.9		1938.0	1938.0		1938.0	1841.0	1841.0	2052.6		
EAGLE RIVER CORR. CNTR	2314.0		2641.4	2641.4		2641.4	2509.4	2509.4	2609.2		
RIDGEVIEW MANOR	1046.8		1226.6	1226.6		1028.8	977.5	977.5	1018.5		
HOME CORRECTION CENTER	755.3		866.9	866.9		781.8	742.8	742.8	781.8		
JUNEAU WOM & JUV. FAC.				156.5	445.5	156.5	394.0	394.0	394.0		
MASTER PLAN STATEWIDE POOL	366.1		584.5	584.5		584.5	555.3	555.3	555.3		
PRISON INDUSTRIES			155.7	155.7		155.7	147.9	147.9	147.9		
LOCAL FACILITIES	1127.0		1412.2	1522.2		1522.2	1446.1	1446.1	1522.2		
OUT OF STATE CONTRACTUAL	2519.5		4175.5	4175.5		4175.5	3966.8	3966.8	4175.5		
MAJOR MEDICAL & GUARD HIKE	750.7		768.9	968.9		968.9	920.5	920.5	968.9		
** TOTAL	19231.1		23576.0	24257.0	445.5	23726.3	22728.6	22731.5	24015.4		
** CHANGE VERSUS FY81 ATH				26.1%	-97.6%	23.3%	18.1%	18.2%	24.8%		
OBJECT DESCRIPTION											
PERS. SERV.	10682.3		12785.7	13141.2	133.2	13141.2	12520.4	12663.3	13316.3		
TRAVEL	106.8		141.8	141.8	10.2	141.8	144.5	144.5	149.8		
CONTRACTUAL	5465.9		7583.1	7705.6	174.9	7394.7	7110.5	7110.5	7432.8		
COMMODITIES	1872.2		2031.4	2034.4	81.2	2034.4	1972.0	1972.0	2033.1		
EQUIPMENT	205.1		88.9	88.9	32.6	88.9	89.3	89.3	91.8		
LANDS/BLDGS	203.5		219.8	219.8							
GRANTS, CLMS	575.3		725.3	925.3	13.4	925.3	891.9	891.9	931.6		
MISC.	120.0							60.0	60.0		
FUNDING SOURCE											
GENERAL FUND	19231.1		23576.0	24257.0	445.5	23726.3	22728.6	22731.5	24015.4		
** GENERAL FUND CHANGE VS. FY81 ATH				26.1%	-97.6%	23.3%	18.1%	18.2%	24.8%		
POSITIONS											
FULL-TIME	308.0		308.0	319.0	6.0	319.0	323.0	321.0	328.0		
PART TIME	4.0		3.0	3.0		3.0	3.0	3.0	3.0		
STAFF-MONTHS	3727.0		3987.0	4119.0	72.0	4119.0	4167.0	4143.0	4227.0		

FY 83

STATE OF ALASKA -- BUDGET UNIT SUMMARY

13:21

6/10/82

AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES  
CATEGORY: ADMINISTRATION OF JUSTICE

PROGRAM: CORRECTIONS ADMIN & SUPPORT

COMPONENT DESCRIPTION	FY82 ATH	FY82 SUP	CONT.	REQUEST	GOV AND GOVERNOR	HOUSE	SENATE	F.C.C.	BILLS	HOUSE 2
DIRECTORS OFFICE	1815.0		1270.2	1526.8	1364.0	1364.0	1275.1	1364.0	336.7	1275.1
CAREER ENHANCEMENT TRAINING			277.9	277.9	281.1	283.9	269.5	281.1		269.5
CORRECTIONS CAREER ENHANCEMENT	130.3									
** TOTAL	1945.3		1548.1	1804.7	1645.1	1647.9	1544.6	1645.1	336.7	1544.6
** CHANGE VERSUS FY82 ATH				-7.2%	-15.4%	-15.2%	-20.5%	-15.4%	-100.0%	
OBJECT DESCRIPTION										
PERS. SERV.	1055.7		1145.1	1312.7	1229.9	1229.9	1143.0	1229.9		1143.0
TRAVEL	70.1		91.0	142.8	106.0	106.0	106.0	106.0		106.0
CONTRACTUAL	308.7		279.9	307.1	279.9	279.9	279.9	279.9		279.9
COMMODITIES	23.2		27.1	31.1	24.3	27.1	27.1	24.3		27.1
EQUIPMENT	7.6		5.0	8.0	5.0	5.0	5.0	5.0		5.0
LANDS/BLDGS									336.7	
MISC.	480.0						-16.4			-16.4
FUNDING SOURCE										
GENERAL FUND	1945.3		1548.1	1804.7	1645.1	1647.9	1544.6	1645.1	336.7	1544.6
** GENERAL FUND CHANGE VS. FY82 ATH				-7.2%	-15.4%	-15.2%	-20.5%	-15.4%	-100.0%	
POSITIONS										
FULL TIME	29.0		29.0	33.0	30.0	30.0	30.0	30.0		30.0
STAFF MONTHS	348.0		348.0	396.0	360.0	360.0	360.0	360.0		360.0

## STATE OF ALASKA -- BUDGET UNIT SUMMARY

13:20

6/10/82

AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES  
CATEGORY: ADMINISTRATION OF JUSTICE

PROGRAM: ADULT PROBATION &amp; COMM PROGRAM

COMPONENT DESCRIPTION	FY82 ATH	FY82 SUP	CONT.	REQUEST	GOV AMD	GOVERNOR	HOUSE	SENATE	F.C.C.	BILLS	HOUSE 2
ADULT PROBATION 1ST JUD DIST	417.8		455.8	455.8	460.3	465.0	436.1	460.3		56.4	436.1
ADULT PROBATION 2ND DIST	144.0		177.4	177.4	175.6	177.4	166.2	175.6		93.6	166.2
ADULT PROBATION 3RD JUDICIAL D	1319.7		1327.7	1327.7	1318.2	1341.3	1256.9	1318.2			1256.9
ADULT PROBATION 4TH JUDICIAL D	657.0		676.3	676.3	726.4	683.3	640.9	726.4			640.9
COMMUNITY BASED PROGS.	2052.7		1751.5	2026.5	1966.0	2026.5	1985.5	1966.0			1985.5
** TOTAL	4591.2		4388.7	4663.7	4646.5	4693.5	4485.6	4646.5		150.0	4485.6
** CHANGE VERSUS FY82 ATH				1.5%	1.2%	2.2%	-2.3%	1.2%	-100.0%		
OBJECT DESCRIPTION											
PERS. SERV.	2428.8		2583.2	2583.2	2632.9	2613.0	2452.1	2632.9		93.2	2452.1
TRAVEL	62.2		104.0	104.0	104.0	104.0	104.0	104.0		22.6	104.0
CONTRACTUAL	1538.7		1654.8	1929.8	1876.1	1929.8	1929.8	1876.1		28.8	1929.8
COMMODITIES	26.3		28.7	28.7	27.3	28.7	28.7	27.3		1.9	28.7
EQUIPMENT	150.2		18.0	18.0	6.2	18.0	18.0	6.2		3.5	18.0
LANDS/BLDGS											
GRANTS, CLMS	385.0										
MISC.							-47.0				-47.0
FUNDING SOURCE											
GENERAL FUND	4591.2		4388.7	4663.7	4646.5	4693.5	4485.6	4646.5		150.0	4485.6
** GENERAL FUND CHANGE VS. FY82 ATH				1.5%	1.2%	2.2%	-2.3%	1.2%	-100.0%		
POSITIONS											
FULL TIME	66.0		65.0	65.0	65.0	65.0	65.0	66.0		3.0	65.0
PART TIME	1.0		1.0	1.0		1.0	1.0				1.0
STAFF MONTHS	798.0		786.0	786.0	780.0	786.0	786.0	792.0		26.0	786.0

POSITION PAPER

EXECUTIVE ORDER 54

Executive Order 54 would establish a Department of Corrections. Departmentalization of Corrections would (1) ensure that Corrections is in fact a full partner in the criminal justice system; (2) enable the needs and problems of Corrections to be routinely presented to the Governor; (3) enable the agency to actively and effectively support its budget request throughout the administrative and legislative process; (4) provide continual professional guidance based on sound correctional experience, training, and management expertise in correctional systems from top departmental administrators; and (5) streamline the organizational structure for more effective correctional management.

Within the Alaska criminal justice system, a Department of Corrections would exceed the Judicial Branch and Department of Law, both in number of employees and in size of budget. Corrections is exceeded in size only by the Department of Public Safety. All criminal justice system agencies, including the Division of Adult Corrections, are budgeted together in the Administration of Justice category for appropriations. Corrections is in practice and responsibility a full partner in the criminal justice system. However, Public Safety and the court system organization are such that administrative heads are selected due to a refined knowledge in their specialized fields. The Director of the Division of Adult Corrections possesses that expertise; however, those in the DHSS Commissioner's Office must advocate for a broad range of human services, including Corrections. For the benefit of the criminal justice system, the increasing complexity of corrections makes it important that top administrators be expert corrections practitioners; they should not have their attention segmented to the other human service needs.

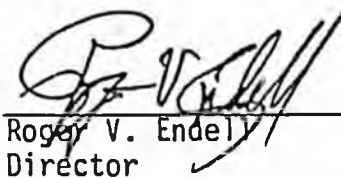
While, generally, Corrections and other divisions would be likely to benefit from the result of this departmentalization, the effect of separation would not be entirely beneficial to components of Department of Health and Social Services. The dual constitutional mandate for protection of the public and rehabilitation of the offender makes it essential that a human service emphasis be included among the highest Corrections' goals and objectives. Since most of the State's social and human support services are available from agencies within the Department of Health and Social Services, there is some cause to continue Corrections as a component agency within this department. While needed Department of Corrections' services could be secured from Department of Health and Social Services' agencies by negotiated agreement, there is great value in providing these services within the departmental planning and policy development structure in order to most effectively integrate social and human support services within the State. Creation of a separate department would not entirely relieve other Department of Health and Social Services' divisions and agencies from Corrections' demands for services since the need will continue to exist and the demand will simply be made by a separate department rather than by another division within this same department.

In terms of administrative support, the creation of a Department of Corrections could be beneficial to both the criminal justice component of DHSS, as well as to the remaining divisions and offices of the Department. The

urgency and nature of Corrections' issues require an increasingly larger portion of the efforts and attention of top DHSS administrators. Not only are the other human service programs impacted by more top administrative time being directed to corrections' issues, but also by an increasing portion of the Department's fiscal resources being committed to address Corrections' urgent needs. It must be remembered that the basic human services programs are not incidental, but rather are vital programs impacting every Alaskan. It is not likely that the demands of Corrections will slow significantly in future years. Each new institution will require a large number of new employees and pending litigation offers the prospect for committing the state to continued policy and program development, extensive renovation of existing facilities, and the need for even more fiscal resources to support expanded operations.

The Department of Health and Social Services believes the creation of a Department of Corrections would allow increased focus on the critical problems inherent in the operation of programs for adult offenders, would increase the effectiveness of the criminal justice system as a whole, and would be generally beneficial to the operation of other offices and divisions within DHSS. The Department supports the approval of Executive Order 54.

Recommended by:

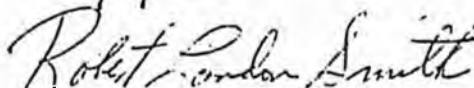


Roger V. Endely  
Director  
Division of Adult Corrections

Date:

2/8/83

Approved by:



Robert London Smith, P.H.D.  
Commissioner  
Department of Health and  
Social Services

Date:

2/22/83

MEMO TO: Health, Education and Social Services Committee  
FROM: Dave Palmer  
SUBJECT: Executive Order 54 and HB 103  
DATE: January 25, 1983

HB 103	11.71.305	Places rehabilitation of persons convicted of personal use of controlled substances with the Dept. of Corrections instead of the Dept. of Health and Social Services.
HB 103	12.55.025	Transfers authority from DHSS to DOC for determining which facility is to be used for those people imprisoned and not on bail.
EO 54		not addressed.
HB 103	12.55.055	Changes jurisdiction of prisoners performing community work from DHSS to DOC.
EO 54	"	Same
HB 103	12.55.185	Repeals the definition of the division of corrections within DHSS.
EO 54	"	Same
HB 103	12.70.220 (c)	Changes from DHSS to DOC authority to comment on extraditions. (Should probably refer to §(b) also).
EC 54	"	Same
HB 103	33.05.080	Changes definition from DHSS to DOC in Title 33, Probation, Prisons, and Prisoners.
EO 54	"	Same
HB 103	33.15.260	Substitutes Commissioner of DOC for Commissioner of DHSS in definitions of Title 33.
EO 54	"	Same
HB 103	33.30.130	Transfers authority from Dept. of Public Safety to DOC for transportation of persons pending arraignment or commitment.
EO 54	"	Not changed

HB 103	33.30.900	Changes reference from commissioner of DHSS to commissioner of DOC in Title 33.
EO 54	"	Not Changed
HB 103	33.32.070	Changes from DHSS to DOC in reference to Correctional Industries Program.
EO 54		
HB 103	33.35.010	Reference to Commissioner of DHSS is changed to Commissioner of DOC pertaining to the Agreement on Detainers.
EO 54	"	Referenced, but not changed
HB 103	33.35.040	Same as 33.35.010.
EO 54	"	Same
HB 103	33.36.040	Authorizes commissioner of DOC, not commissioner of DHSS to implement interstate corrections compact.
HB 103	33.36.100	Changes reference from DHSS to DOC pertaining to the Western Interstate Corrections Compact.
EO 54	"	Same
HB 103	41.20.110 (b)	Changes reference from Commissioner, DHSS to Commissioner, DOC for volunteer trail work by prisoners.
EO 54	"	Not Addressed
HB 103	44.17.005	Adds Dept. of Corrections to list of State of Alaska departments.
EO 54	"	Same
HB 103	44.29.020 (9)	Excludes administration of correctional institutions from DHSS duties (leaves probation and parole, however).
HB 103	44.29.020 (17)	repeals probation and parole from DHSS duties.
EO 54	44.29.020 (17)	same as above, but creates 44.28.010 to add probation, parole, and adult penal institutions to DOC.

HB103	47.08.050 (8)	Changes authority from DHSS to DOC for medical services for people in custody.
EO 54	"	Not addressed
HB 103	47.17.020 (a)	Changes reference from division of corrections to department of corrections relating to child abuse cases.
EO 54		Not addressed
HB 103	47.21.010 (b)	Changes from division of corrections to department of corrections authority over juvenile offenders. <i>ADVENTURE BASED EDUCATION</i>
EO 54		Not addressed <i>D.H.S.S.</i>
HB 103	47.30.845 (5)	Changes authority from division of corrections to department of corrections regarding confidential records
EO 54	"	Not addressed
HB 103	47.37.040 (3)	Changes from division of corrections to department of corrections the agency to work with the office of alcoholism of DHSS for programs for inmates or parolees.

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

JAN 27 1983  
POLICE - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

M E M O R A N D U M

January 26, 1983

SUBJECT: Department of Corrections  
(HB 103)

TO: Representative Milo Fritz

FROM: *LHA* Linn H. Asper  
Legislative Counsel

In preparing a Senate duplicate of HB 103 we have determined that an additional section should be added to your bill to delete a reference to the division of corrections that I missed when I prepared the draft of HB 103. This could be added in a committee substitute by the Health, Education and Social Services committee. The proposed addition is as follows:

Page 4, after line 1, insert a new section to read:

\* Sec. 9. AS 33.15.010 is amended to read:

Sec. 33.15.010. STATE BOARD OF PAROLE. There is in the department a board of parole consisting of five members to be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. One of the members, who shall be chairman of the board, shall be a person with training or experience in the field of probation and parole, [AND THAT MEMBER MAY BE AN OFFICIAL OR EMPLOYEE OF THE DEPARTMENT] but that member may not be an official or employee of the department [DIVISION OF CORRECTIONS]. The term of each of the other four members of the board is four years and until a successor is appointed and qualified. Successors are appointed in the same manner as provided for the board members first appointed. A vacancy shall be filled for the unexpired term.

Re-number succeeding bill sections accordingly.

LHA:ljb

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

I. REQUEST  
Bill/Resolution No. EO 54  
Title Executive Order Creating Department of Corrections  
Requested by Governor

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	132.5	530.1	561.9	595.6	631.4	669.2
200 TRAVEL	45.0	48.0	50.9	54.0	57.2	60.6
300 CONTRACTUAL	60.5	356.5	377.9	400.6	424.6	450.1
400 COMMODITIES	4.0	17.0	18.0	19.1	20.2	21.4
500 EQUIPMENT	8.0					
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	250.0	951.6	1008.7	1069.3	1133.4	1201.3

FUNDING (Thousands of Dollars)

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-

POSITIONS

FULL TIME	10.0	10.0	10.0	10.0	10.0	10.0
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

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, creation of ten new positions, the reclassification of nine Division of Corrections positions and the transfer of 13 positions from the Department of Health & Social Services Divisions of Management and Budget and Administrative Services to the new Department.

	FY.83	PFT	PPT
Adult Confinement	33402.1	498.0	4.0
Probation & Parole	4928.1	72.0	-0-
Admin. & Support	1645.1	30.0	-0-
Parole Board	258.3	4.0	-0-
	<u>40233.6</u>	<u>604.0</u>	<u>4.0</u>

IV. DATE 1/13/83

PREPARED BY Marsha Hubbard  
AGENCY Dept. of Health & Social Services  
PHONE 465-3331

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

33-001 (Rev. 12/81)

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: Executive Order No. 54 Date on Bill: \_\_\_\_\_  
 Title: Creating a Department of Corrections  
 Sponsor: Governor  
 Requestor: \_\_\_\_\_

1. Estimated fiscal impacts on: Department of Corrections

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating			250.0	951.6	1008.7	1069.3		
Total								

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

For FY 83 a delete/add supplemental appropriation request has been submitted. The funds are to be deleted from the Permanent Fund Dividend Hold Harmless BRU.  
 FY 84 funding will be included in budget revisions submitted by the Department of Corrections.

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: Division of Budget & Administration - G. H. H. H. Phone: 465-8082  
 Division: Division of Budget & Administration Date: February 17, 1983  
 Approved by Commissioner: Robert Landon Smith, M.D. Date: 2/22/83  
 Department: Health & Social Services

5. Distribution:  
 Original to Legislative Finance  
 Copy to OMB  
 Copy to Sponsor  
 Copy to Requestor

2/8/83

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 103

Title Creating a Department of Corrections

Requested by House HESS Committee Date Feb. 9, 1983

II. FISCAL DETAIL

Department of Corrections

Agency Affected

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>		951.6	1008.7	1069.3		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		951.6	1008.7	1069.3		
FEDERAL FUNDS		0	0	0		
OTHER (Specify Source)		0	0	0		
		0	0	0		

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

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

Functions of the department of corrections under HB 103 are essentially identical to Executive Order 54. This note is based on the fiscal note prepared for EO 54 and precedes the Dept. of Health and Social Services note, which is not expected to arrive for the hearing.

IV. DATE February 9, 1983

PREPARED BY Dave Palmer

AGENCY House HESS committee

PHONE 465-3777

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

MEMORANDUM

March 7, 1983

TO: Representative Charlie Bussell  
Chairman, House Judiciary Committee

FROM: Mark K. Johnson  
Staff Counsel, Rep. Flood *MKT*

SUBJECT: Executive Order 54 and HB 103: Creating a Dept. of Corrections

-----

As you may know, before coming to the legislature, I worked for the Department of Health & Social Services and was directly involved in preparing the operating budget for the Division of Corrections. I continue to be in touch, on a personal level, with several members of the staff of that agency.

On at least two separate occasions, agency personnel have indicated to me that the fiscal note prepared in support of Executive Order 54 is inadequate and would not provide sufficient funds to cover the expenses of departmentalization.

Thus, funds for supply and personnel functions in the new department do not exist.

One area that might deserve the attention of the committee is the resources that are being given up by the Department of Health & Social Services in the administrative area. Corrections represents a major portion of the work load on the Division of Administrative Services and the Division of Management & Budget of the present department. Will the separation of Corrections result in transfers of appropriate personnel and funds?? The answer to this question is probably not. The creation of the new Department of Corrections is seen privately by some members of the Department of Health & Social Services as an opportunity to reduce their workload without related reductions in staff.

I would be pleased to discuss this matter further with you if you desire.

3-17-83

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CSHB 103 (Jud) Date on Bill: \_\_\_\_\_  
 Title: "An Act establishing a Department of Corrections . . ."  
 Sponsor: Reps. Fritz, Koponen, Furnace, Goll, and Davis  
 Requestor: \_\_\_\_\_

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital			-0-	-0-	-0-	-0-		
Operating			*	951.6	1008.7	1069.3		
Total			*	951.6	1008.7	1069.3		

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

Funding source for FY 83 is add/delete in SB 158 submitted by the Governor.

3. Assumptions:

House Bill No. 103 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, creation of ten new positions, the reclassification of nine Division of Corrections positions and the transfer of 13 positions from the Department of Health & Social Services Division of Management and Budget and Administrative Services to the new Department.

Transfer of Juvenile Corrections will delete 220 employees and 11 million dollars from DHSS and add the same amount to the Department of Corrections. The additional cost for 4 positions may be necessary to cover the administrative and personnel responsibilities associated with the transfer of the 220 positions to the Department of Corrections.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: David R. Palmer *[Signature]* Phone: 465-3777  
 Division: House HESS Committee Date: 3/17/83

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department: \_\_\_\_\_

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

## STATE OF ALASKA -- BUDGET UNIT SUMMARY

17:22

1/26/83

AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES  
 CATEGORY: ADMINISTRATION OF JUSTICE

PROGRAM: YOUTH CORRECTIONAL SERVICES

COMPONENT DESCRIPTION	FY83 ATH	FY83 SUP	CONT.	REQUEST	GOV AMD GOVERNOR	HOUSE	SENATE	F.C.C.	BILLS	LEG.REC
ADMINISTRATION	178.5		226.7	226.7	178.5					
FIRST DISTRICT	498.1		527.1	591.2	527.1					
THIRD DISTRICT	1126.5		1164.2	1260.8	1164.2					
SECOND & FOURTH DISTRICT	890.5		907.6	956.7	907.6					
NCLAUGHLIN YOUTH CENTER	5956.6		6062.7	6327.8	6062.7					
FAIRBANKS YOUTH FACILITY	1319.0		1379.8	1499.6	1379.8					
NOME YOUTH FACILITY	975.4		987.3	987.3	902.3					
JUHEAU WOMEN'S & JUVENILE FAC.	151.0		148.7	156.8	148.7					
KETCHIKAN FACILITY	180.0									
** TOTAL	11275.6		11404.1	12006.9	11270.9					
** CHANGE VERSUS FY83 ATH				6.4%	-100.0%	-100.0%	-100.0%	-100.0%		
OBJECT DESCRIPTION										
PERS. SERV.	8895.1		9112.6	9581.6	9066.2					
TRAVEL	177.3		176.9	176.9	165.1					
CONTRACTUAL	1114.4		1084.0	1084.0	1009.0					
COMMODITIES	574.9		569.0	584.1	569.0					
EQUIPMENT	85.4		12.7	47.7	12.7					
GRANTS, CLMS	428.5		448.9	532.6	448.9					
FUNDING SUMMARY										
GENERAL FUND	11275.6		11404.1	12006.9	11270.9					
** GENERAL FUND CHANGE VS. FY83 ATH				6.4%	-100.0%	-100.0%	-100.0%	-100.0%		
POSITIONS										
FULL TIME	222.0		222.0	222.0	221.0					
PART TIME	1.0		1.0	1.0	1.0					
STAFF MONTHS	2857.0		2847.0	2847.0	2835.0					

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 103

Title Creating a Department of Corrections

Requested by House HESS Committee

Date Feb. 9, 1983

II. FISCAL DETAIL Department of Corrections

Agency Affected \_\_\_\_\_

Program Category Affected Administration of Justice

ERU, 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>		951.6	1008.7	1069.3		

FUNDING (Thousands of Dollars)

		951.6	1008.7	1069.3		
GENERAL FUND						
FEDERAL FUNDS		0	0	0		
OTHER (Specify Source)		0	0	0		
		0	0	0		

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Functions of the department of corrections under HB 103 are essentially identical to Executive Order 54. This note is based on the fiscal note prepared for EO 54 and precedes the Dept. of Health and Social Services note, which is not expected to arrive for the hearing.

IV. DATE February 9, 1983

PREPARED BY Dave Palmer

AGENCY House HESS committee

Original: Legislative Finance

PHONE 465-3777

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-901 (Rev. 12/82)

(7)

COMMITTEE REPORT  
HOUSE

2/14

FURTHER: JUDICIARY  
FINANCE

1/21/83

Date: Feb 11, 1983

Mr. Speaker:

The Committee on FESS has had HB 103  
An Act establishing a Department of Corrections and transferring certain  
functions of the Department of Health and Social Services to the  
Department of Corrections; 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 103(HESS)  same title
- new title
- and recommends it do pass
- AND attaches a "Letter of Intent"  ~~New~~ Fiscal Note Sup # 2
- Zero Fiscal Note Attached
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]  
[Signature]  
[Signature]  
Michael W. Miller  
MILLO H. FAITZ  
[Signature]  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[Signature]  
 CHAIRMAN  
MILLO H. FAITZ

HB 103 TITLE & SPONSOR SUMMARY

14:34 2/17/83 PAGE 1 OF 2

AMENDED TITLE:

AN ACT ESTABLISHING A DEPARTMENT OF CORRECTIONS & TRANSFERRING  
CERTAIN FUNCTIONS OF THE DEPARTMENT OF HEALTH &  
SOCIAL SERVICES TO THE DEPARTMENT OF CORRECTIONS; AND PROVIDING  
FOR AN EFFECTIVE DATE

PRIME SPONSOR: FRITZ.

CO-SPONSORS: KOPONEN, FURNACE, GOLL, DAVIS.

CURRENT STATUS: 2/14/83 IN (H) JUDICIARY

REFERRAL: FINANCE

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/21/83	01	0080	FIRST READING -- COMMITTEE REPORTS
02/14/83	02	0243	HESS -- CS06
02/14/83	03	0243	F/NOTE HSE SUPPL #8
			JUDICIARY
			FINANCE
			RULES
****	**	**	*** ** *