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STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY  
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary standing committee  
joint meeting with HESS

"	"	2-21-85	1:30 pm
"	"	2-22-85	1:30 pm
"	"	2-25-85	1:30 pm
"	"	2-26-85	1:00 pm
"	"	2-27-85	1:30 pm
"	"	2-28-85	1:30 pm
"	"	3-1-85	1:30 pm
House Judiciary		4-25-85	1:30 pm

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST:**

Bill/Resolution No.: HB 188  
 Title: "An Act relating to correctional facilities for prisoners participating in community services or employment programs."  
 Sponsor: Representative M. M. Miller  
 Requestor: House HESS  
 Date of Request: January 18, 1985

**FISCAL DETAIL:**

Agency Affected: DEPARTMENT OF CORRECTIONS  
 Program Category Affected: \_\_\_\_\_  
 Administration of Justice \_\_\_\_\_  
 BRU, Program or Subprogram(s) Affected: Statewide Programs

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	-0-	*3,358.0	3,525.9	3,702.2	3,887.3	4,081.7
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	*3,358.0	3,525.9	3,702.2	3,887.3	4,081.7

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	234.0	245.7	258.0	270.9	284.4
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-0-	*3,358.0	3,525.9	3,702.2	3,887.3	4,081.7
FEDERAL FUNDS						
OTHER	-0-	*3,358.0	3,525.9	3,702.2	3,887.3	4,081.7
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

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

**ANALYSIS:** Attach a separate page if necessary.

See attached.

Prepared By: Cynthia Nelson  
 Division: Special Assistant

Phone: 465-3376  
 Date: February 27, 1985

Approved by Commissioner: Roger V. Endell  
 Agency: DEPARTMENT OF CORRECTIONS

Date: February 27, 1985

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency (ies)

ANALYSIS

I. Assumptions:

The Department of Corrections will contract with the private sector for the housing and operation of Correctional Restitution Centers.

The security level of a Correctional Restitution Center will be similar to that of a Community Residential Center (Halfway House).

The concept of a Correctional Restitution Center will have primary emphasis on community work programs and job development/work search skills and assistance obtaining employment.

Approximately 200 prisoners would be eligible to serve their time in a Correctional Restitution Center. (See Attachment.)

It is assumed that approximately 50% of the 200 inmates will be employed immediately while the remaining inmates are performing community work service and are developing resume's and other work search skills. The Department would retain 25% of a prisoners income to off-set the cost-of-care. Most of those employed will earn close to the minimum wage, although some may be expected to earn slightly more.

Therefore, we calculate 100 inmates working full-time (40 hours per week) at \$4.50 per hour (the minimum wage of \$4.35 per hour plus a \$ .15 adjustment for the few that could earn more) would mean a total cost-of-care reimbursement to the state of \$234,000.

100 inmates X 40 hours X 52 weeks = 208,000 hours  
208,000 hours X \$4.50 per hour = \$936,000  
\$936,000 X .25 = \$234,000

A cost of living increase of 5% per year was assumed to increase revenues in subsequent years.

II. Program Summary:

The Department of Corrections estimates that contracts to operate Correctional Restitution Centers will be similar to costs for Community Residential Center beds (\$46 per day). Therefore, to place 200 Correctional Restitution Center beds throughout the Southcentral, Southeast and Northern Regions would cost \$3,358,000.

Institution	\$85.00 X 365 X 200 =	\$6,205,000
CRC	\$46.00 X 365 X 200 =	<u>- 3,358,000</u>
Cost Savings for Housing		\$2,847,000
Revenues		<u>+ 234,000</u>
Total Cost Savings		\$3,081,000

February 20, 1985

Prisoner Profile Summary

Prisoners Eligible to Serve Time at Correctional Reformation Centers

<u>Eligible for Centers</u>	<u>Northern Region</u>	<u>Southcentral Region</u>	<u>Southeast Region</u>	<u>Total</u>
DWI & Other Alcohol	15	124	13	152
Traffic Offenses	4	23	2	29
All Other Non-Violent	<u>41</u>	<u>168</u>	<u>20</u>	<u>229</u>
Total	60	315	35	410

Employment Skills of those Eligible

General Labor	20	59	6	85 ( 21%)
Mechanics	4	18	4	26 ( 6%)
Fisherman	1	20	4	25 ( 6%)
Construction	10	60	6	76 ( 18%)
Truckers/Other Skilled Laborers	12	48	6	66 ( 16%)
Office & Sales Services	4	64	5	74 ( 18%)
Professional Workers	1	10	-0-	11 ( 3%)
Other - Miscellaneous	4	17	2	23 ( 6%)
No Job Skills	<u>4</u>	<u>19</u>	<u>2</u>	<u>25 ( 6%)</u>
Total	60	315	35	410 (100%)

Assuming that the population of sentenced offenders who meet this criteria remain constant at 22%, the following projections can be made for eligibility in future years.

December	'84 = 385
December	'85 = 445
December	'86 = 505
December	'87 = 565
December	'88 = 625
December	'89 = 685



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

MEMORANDUM

TO: REPRESENTATIVE MIKE MILLER, CHAIR  
HOUSE JUDICIARY COMMITTEE

FROM: NANCY BENNETT, HESS COMMITTEE STAFF

DATE: MARCH 1, 1985

RE: TODAY'S MEETING

WE HAVE TWO "EXPERTS" ON RESTITUTION CENTERS WHO WILL BE TESTIFYING TODAY ON THE BILLS BEFORE THE JOINT MEETINGS. THEY ARE:

LYNDA FREEMAN WHO WORKS FOR THE MUNICIPALITY OF ANCHORAGE AS A MANAGER FOR THEIR ALTERNATIVE CORRECTIONS PROGRAMS. SHE HAS YEARS OF EXPERIENCE IN STATE AND OUT OF STATE IN THE FIELD AND HAS WRITTEN A LETTER, WHICH IS IN THE COMMITTEE MEMBERS' FILES, CONCERNING

RESTITUTION CENTERS AND OTHER TYPES OF ALTERNATIVES. LYNDA BELIEVES RESTITUTION CENTERS ARE A READILY ACCEPTABLE STANDARD IN THE COUNTRY, AND CERTAINLY TIMELY FOR ALASKA.

LARRY BOWLER, FROM SACRAMENTO, CALIFORNIA, IS ON CONTRACT WITH THE NATIONAL INSTITUTE FOR CORRECTIONS TO MAKE RECOMMENDATIONS IN THE AREA OF DESIGNING AND OPERATING RESTITUTION CENTERS.

NOTE: YOU MAY WANT TO APPRAISE THESE PEOPLE PRIOR TO THEIR TESTIMONY HOW MUCH TIME YOU WILL ALLOW FOR THEM SINCE YOU PLAN ON TAKING UP REPRESENTATIVE CLOCKSIN'S BILL TODAY.

364-4057

(916) 361-032

## SECTIONAL ANALYSIS

HB 188, "An Act relating to alternative correctional facilities for prisoners participating in community service or employment programs."

\* Sections 1 and 2. Amends the criminal law sections relating to first and second degree unlawful evasion to include failure to return to official detention while on leave from a restitution center under AS 33.30.288 (new section on p. 9 of this bill).

\* Sec. 3. Adds a new subsection to the provision of the Code of Criminal Procedure which deals with the types of sentences a court is authorized to impose. Provides that the court may recommend service of sentence in correctional restitution center.

\* Sec. 4. Amends the "community work" provisions which are now law to make it clear that the court may not offer substitution of community work for a mandatory or presumptive term of imprisonment only under the provisions of the community work section of the statutes. The court may, however, recommend service of certain types of presumptive and mandatory sentences in correctional restitution centers (D.W.I. and driving while license suspended, revoked, etc.) Persons sentenced under those provisions who serve in a restitution center must perform community service. See sec. 263 (b)(1), p. 7, and sec. 268 (b), p. 8.

\* Sec. 5. Amends a provision of existing law to provide that a court may recommend that a person serve time in a restitution center when it imposes a term of imprisonment as a condition of the suspended imposition of sentence.

\* Secs. 6, 7 and 8. Amends the existing statutes relating to driving while license cancelled, suspended, revoked or in violation of limitation (AS28.15.291), operating a vehicle, aircraft or watercraft while intoxicated (AS 28.35.030), and refusal to submit to chemical test (AS 28.35.032) to provide for a sentence under one of those sections to be served in a correctional restitution center.

\* Sec. 9. Establishes correctional restitution centers.

Sec. 261. Requires the commissioner to establish and sets out the purpose. Provides for the adoption of regulations setting standards for the operation of the centers.

Sec. 262. Provides for contracting with public or private agencies for provision of facilities.

Sec. 263. Eligibility requirements for prisoner: (1) employable, obedient; persons sentenced to five days or less must perform community work service; (2) non-violent

offenders only; and (3) no sex offenders (this requirement may be overbroad because it includes class A and B misdemeanants).

Sec. 264. Provides for community advisory committees to act as community - center liaison.

Sec. 266. Provides for an administrator in each correctional restitution center and sets out duties.

Sec. 268. Sets out certain conditions which must be met by prisoner to maintain residence in a center.

\* Sec. 10. Makes clear that a prisoner in a restitution center program is not an employee or agent of the state or correctional institution; and provides that a prisoner who is participating in a community service project is subject to the unlawful evasion provisions of AS 11.56. (This latter provision appears unnecessary in light of secs. 1 and 2 of the bill)

Sec. 284. Provides for state payment of medical expenses for person injured while performing community service.

Sec. 286. Distribution of prisoner's earnings by commissioner.

Sec. 288. Requires confinement in center at all times with enumerated exceptions, i.e., while working, involved in approved rehab or medical program, or emergency absence.

\* Sec. 11. Definitions added to general definition section of Chapter 30 of Title 33.

#### SUGGESTED CHANGES:

In sec. 5 -- in the new underlined material, delete: "and may recommend" and insert: "including"

In secs. 6 and 7 -- in the new underlined material delete: "if recommended by the court under AS 12.55.015".