

HB

419

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: January 30, 1996

FURTHER REFERRALS:

Date of Committee Action: 2/5/96

The JUDICIARY Committee considered:

HB 419

HOUSE BILL NO. 419

DISPOSAL OF FIREARMS BY PUBLIC AGENCIES

"An Act relating to the disposal of firearms and ammunition by the state or a municipality."

recommends it be replaced with the following committee substitute CS HB 419 (STA) [] the same title [] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date) [] fiscal note(s) [] fiscal note(s)

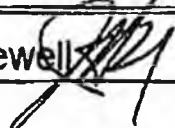
[] zero fiscal note(s) [] zero fiscal note(s)

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows contain signatures of Brian Porter, [unclear], [unclear], [unclear], [unclear], Betty [unclear].

CHAIR'S SIGNATURE Brian Porter

FAX COMMUNICATION

JOHN NEWELL, Chief of Police PHONE: 907-747-3349
SITKA POLICE DEPARTMENT FAX: 907-747-1075
SITKA, AK 99835

To: Representative Brian Porter	From: John Newell 

<p>Rep Porter: Thanks for supporting changes to the vehicle theft statutes. We really believe that a class C felon is more appropriate. I would like to ask for your support in keeping juveniles in the juvenile system, at least for now. If the bill passes to make auto theft a felony, that will be a significant change. We need to let that change settle in before we decide to automatically waive juveniles into the adult system that is already having trouble keeping up with prosecution and incarceration. Thanks for your ear and support for law enforcement.</p>
<p>Attached is a letter I sent to Representative Sanders in support of HB 75.</p>

Alaska Association Chiefs of Police



February 2, 1996

**Representative Sanders
House of Representatives
State Capital, Juneau AK 99801-1182**

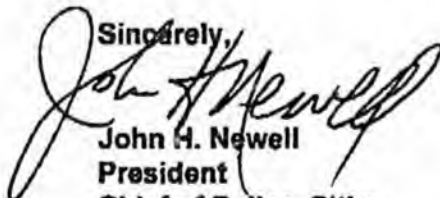
Honorable Representative Sanders,

I am writing on behalf of Alaska law enforcement in support of HB 75. We believe making vehicle theft in Alaska a class C felony is long overdue.

We have heard of some discussion about an automatic waiver of juveniles into adult court for felony vehicle theft. While law enforcement would agree there are times when that would be appropriate, we ask that you not make it automatic by legislation.

The current system will allow us to move those specific cases into adult court when it is appropriate. In a majority of instances, it will still be appropriate to deal with juvenile offenders within the juvenile system.

Thank you for being concerned and providing the laws necessary to deal with those who choose to violate the rights and property of another.

Sincerely,

**John H. Newell
President
Chief of Police, Sitka**

Alaska State Legislature House of Representatives

COMMITTEE ASSIGNMENTS:

LABOR & COMMERCE, CHAIRMAN
MILITARY & VETERANS AFFAIRS, CHAIRMAN
COMMUNITY & REGIONAL AFFAIRS
RESOURCES
INTERNATIONAL TRADE / TOURISM
LEGISLATIVE COUNCIL



INTERIM
10928 EAGLE RIVER ROAD, SUITE 141
EAGLE RIVER, AK 99577
PHONE (907) 694-8944
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SESSION
STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE (907) 465-3777
FAX (907) 465-2819

SPONSOR STATEMENT HB 419

It has long been the practice of the Department of Administration's State and Federal Property Management program to sell excess service revolvers, confiscated firearms, and ammunition. This activity has been a source of revenue for the program in the past, and has also been a means by which gun collectors could obtain collectible items.

In a 1995 change in Administration policy, only hunting rifles and shotguns should be sold at public auction, but handguns would be destroyed. Therefore, on October 25, 1995, the state destroyed some 50 weapons, with an estimated market value of \$13,925. There is concern that collectible guns were included in this destruction. In less than a year's time, from August of 1994 to June of 1995, it appears that the State's Property Management section had accumulated some 600 firearms. If these remaining guns were sold at the same level as the 50 that were destroyed, the estimated revenue loss to the state in less than a year's time would be a considerable \$153,175.

Aside from revenue loss and loss to the public of collectible items, both the Administration and the Bill Sponsor are concerned with the issue of public safety. This bill would deal with this concern in two ways. First, the Department could only dispose of firearms and ammunition it deemed to be serviceable and safe. Second, the Department could only dispose of them to a federally licensed firearms dealer, rather than revert to selling them at auction. By doing a background check on any purchaser before sale, the licensed dealer would ensure that these items would not be sold to someone with a felony record. Thus, public safety is protected, a state revenue source can continue to be maintained, and collectibles can still be obtained by the public.



Representative Pete Kott



Statement of probable supporters and possible opponents to HB 419 (information requested by House Judiciary Committee):

Supporters:

- 1) National Rifle Association
- 2) Friends Of The NRA
- 3) 8 sponsors/cosponsors in house
- 4) 10 sponsors/cosponsors with Senate Companion bill

Opponents:

- 1) Governor Knowles & the Administration, including testimony taken from Gretchen Pense of DPS and Dugan Petty of DOA, both of whom indicated in House State Affairs that the Governor as a matter of policy opposes the sale of handguns to the public, because of their potential use in crimes or family violence. They did present a long list of alternative steps they would take; including giving collectible items to museums, not distributing guns that were mechanically unsafe, distributing lists of weapons to be sold to all law enforcement agencies, including state/municipal/local.
- 2) Possibly the ACLU
- 3) Possibly other pro-handgun control groups, but there was no testimony against the bill from the public (it was teleconferenced), and only the two administration officials above against it.

January 4, 1996

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destroyed".

Fifty surplus firearms were destroyed by a cutting torch on 14 September 1995. Most of these firearms were not "Saturday Night Specials, sawed-off shotguns, and assault weapons". Many of these firearms were, in fact, collectors items. By the State's own estimate, the fifty firearms that were destroyed had a market value of \$13,925.00.

On or about the 26th of September 1995, the AGCA filed an amended complaint again seeking an injunction and seeking, among other things, damages against the Governor, his COS (Mr. Ayers), the Commissioner of Administration (Mr. Boyer), and the Commissioner of Public Safety (Mr. Otte), "personally, in favor of... the State of Alaska, for the total value of each and every firearm they have destroyed or will destroy in the future...".

The defendants filed an answer, on or about 25 October 1995, admitting that "before September of 1995 surplus firearms were disposed of by sale" but stating that "the policy of the defendant State of Alaska is to refrain from selling surplus and forfeited handguns directly to the public". Defendants admitted "that on September 14, 1995 approximately 50 deadly weapons were destroyed" but denied any conspiracy, denied that public notice was required before destruction, and denied that the "weapons belonged to anyone other than the defendant Department of Administration". For affirmative defenses, the defendants claimed, among other things, that the plaintiffs lack standing to bring the suit, that the defendants are immune from suit, and that the defendants "were authorized by law to destroy deadly weapons transferred to the Department of Administration as surplus state property".

Plaintiff has been furnished with a list of the firearms that were destroyed, as well as a list of firearms that are proposed for future destruction.

Defendants have recently filed a Motion to Dismiss plaintiff's Complaint, alleging, among other things, immunity and that plaintiff lacks standing to bring the suit in question. The plaintiff has not yet responded to that Motion.

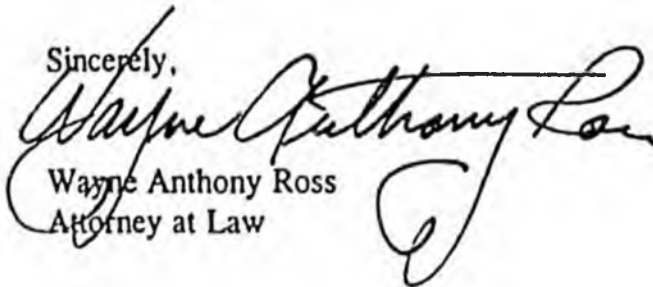
While the AGCA, and its more than 300 members, believes it has standing to bring such a suit, the Legislature is really the body who has the responsibility to protect the property of the State, and thus the people of Alaska, against an Administration bent on destroying valuable, revenue producing, state assets to further its own political agenda. This is particularly true in view of the current revenue shortfall that the State is experiencing.

It is respectfully requested that the Legislature intervene in this suit, against the Administration, on behalf of the people of the State. It is also requested that the Legislature adopt legislation this session that will prevent such destruction of State assets in the future.

Should you have any questions, please feel free to contact me.

January 4, 1996
Page - 3 -

Sincerely,

A handwritten signature in cursive script that reads "Wayne Anthony Ross". The signature is written in dark ink and is positioned above the typed name and title.

Wayne Anthony Ross
Attorney at Law

cc
AGCA

Wayne
Anthony
Ross

Law Offices of
ROSS & MINER

A Professional Corporation
327 East Fireweed Lane, Suite 201
Anchorage, Alaska 99503

Wayne Anthony Ross
Edward L. Miner

(907) 276-5307
(907) 276-6672 - FAX

January 4, 1996
QUICK SUMMARY

To the members of the Alaska Legislature:

Re: Wilful destruction of valuable State property by State officials;
Lawsuit filed by AK Gun Collectors Association to attempt to end
such practice

June 20, 1995 - Boyer writes memo to Ayers regarding the disposal of the State's "surplus firearms" proposing destruction of handguns. Excerpts: "Receipts received from the disposal of these firearms contribute to the funding of the Property Management Program". The "Property Management section has sold excess service revolvers and confiscated firearms for the past decade". "There is no evidence that firearms disposed of by the Surplus Property Program have ever been involved in a crime". Proposes that "only hunting rifles and shotguns (should) be sold at public auction" and that "(h)andguns would be destroyed".

Ayers approves saying "This is clearly in the public interest and better government".

The Administration sets about implementing the destruction of these firearms.

September 13, 1995 - Alaska Gun Collectors Association (AGCA) files complain in Superior Court seeking an injunction. Baldwin tells court that the State was only going to destroy "Saturday Night Specials, sawed-off shotguns, and assault weapons". TRO denied.

September 14, 1995 - Fifty surplus firearms, including desirable collectors items, destroyed by cutting torch. State estimates the firearms destroyed had a market value of \$13,925.00.

September 26, 1995 - AGCA files amended complaint again seeking an injunction and personal damages against the Governor, his COS, the Commissioner of Administration, and the Commissioner of Public Safety.

October 25, 1995 - Defendants file answer admitting destruction and stating new State policy of destruction. transferred to the Department of Administration as surplus state property".

December, 1995 - Defendants file Motion to Dismiss plaintiff's Complaint, alleging, among other things, immunity and plaintiff lack of standing to bring the suit.

The Legislature has responsibility to protect the property of the State against an Administration bent on destroying valuable, revenue producing, state assets to further its own political agenda especially in view of the current revenue shortfall.

State's guns spared

Buyers limited
to peace officers

By SHEILA TOOMEY
Daily News reporter

The Knowles administration has backed off its decision to destroy state surplus guns rather than sell them at auction, as has been the practice.

Citing "lots of input from the public," Public Safety Commissioner Ron Otte said legal guns the state can't use will now be sold to a licensed dealer who promises to resell them only to police officers and law enforcement agencies.

The retrenchment is "a good first step" toward settling a lawsuit filed in September by the Alaska Gun Collectors Association, said attorney Wayne Anthony Ross.

But it's not enough, said Ross, who represents the gun collectors.

"To restrict sales to police officers doesn't make sense," Ross said. "The idea of banning citizens from purchasing them is philosophically repugnant."

Reflecting a position he first adopted when he was mayor of Anchorage, Knowles decreed in September that the 300 or so seized, found and surplus handguns in the state's possession should not be returned to the street by auctioning them to the general public, as had been done for at least 10 years.

In a test run, 50 guns were cut up by welders on Sept. 14, after a Superior Court judge refused to issue an injunction to stop their destruction. Ross argued that inadequate efforts had been made to find the owners of the lost and unclaimed weapons, that many of the guns were collector's items or other-

GUNS: State scraps plan to destroy surplus stock

Continued from Page B-1

wise valuable, and that it was illegal to destroy state property that could be profitably sold.

The subtext of the dispute is the old good guns vs. bad guns debate. The administration and a local victims' group think reducing the number of handguns in circulation will reduce the number used in crimes. Ross and his colleagues say guns aren't bad, but that people who misuse them are.

Knowles still does not want to sell handguns to the public, Otte said. "He simply does not think that is good policy."

But the reaction to destroying the guns — described by Otte as "fairly mixed" — was apparently critical enough to convince the administration to abandon the new policy.

Now only illegal or mechanically unsafe weapons will be destroyed, Otte said. Long guns will be sold, as previously planned. Antiques, curios

and collectibles will be kept and perhaps given to museums. Some of the guns will be loaned to gun safety programs around the state for use in fire-arms education.

Additionally, a better inventory system will be designed and better efforts made to find owners before anything is sold. Inventories will be made available to police agencies around the state who might be able to use some of the weapons.

Sales of what's left will be restricted to police officers and law enforcement agencies.

"This meets all of the tests of all the people the governor has heard from," Otte said Wednesday.

It doesn't meet Ross's test. And he doubts the board of the Alaska Gun Collectors Association will agree to dismiss the lawsuit. "I'm pleased with this first step," Ross said. "Probably the next step is to work with the Legislature to fine tune how they will be required to dispose of them."

Please see Page B-3, GUNS

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Around Juneau

Administration denies gun policy change

JUNEAU – Contrary to media reports last week, the Knowles administration has not changed its policy on destroying seized and surplus guns. It has simply refined it, Gov. Tony Knowles' press secretary Bob King said Saturday.

Those refinements include allowing legal guns the state can't use to be sold to licensed gun dealers. But in keeping with the policy, those dealers can only sell them to law enforcement agencies, King said.

Previously, those guns would not be sold to gun dealers. He said state agencies still will have first pick at those guns, but if they are not needed by the state, dealers could then buy them and sell them to enforcement agencies, possibly in other states.

King said illegal and unsafe weapons will continue to be destroyed.

"We're not letting them bid on Uzis and Saturday night specials," he said.

The policy continues to allow legal long guns to be resold and not to destroy antique or collectible weapons, King said. The state also will make every effort to return stolen guns to their owners, if they're legal.

Another refinement of the policy is that seized and surplus guns will not go only to agencies strictly for law enforcement, but will also be available to organizations like the Alaska Department of Fish and Game and gun safety programs, the press secretary said.

The Alaska Gun Collectors Association wants sales open to the general public and filed a lawsuit in September. Anchorage attorney Wayne Anthony Ross, representing the association, was out of state Saturday and could not be reached for comment.

New satellite may improve forecasts

JUNEAU – The National Weather Service has a new eye in the sky for spying on storms in Alaska.

On Monday, the new GEOS-9 weather satellite will take its final position 22,300 miles above the Pacific Ocean. From there, it will give forecasters a better view of the state's emerging weather patterns, said Larry King, a meteorologist with the service. "It should be a bit better," said Larry King.

Notes on CS for HB 419 (STA) by Roger Poppe, aide to Rep. Kott:

Rep. Porter's requested deletion of municipalities from HB 419 in State Affairs Committee via a conceptual amendment. The request to do this was made jointly by phone by Daniella Loper and Walt Wilcox, and was directed to Jerry Luckhaupt, the bill drafter at Legislative Legal.

When Walt received a draft of the CS from Jerry, he showed me a copy of it to see if our office had any problems with it. Basically, Jerry had removed all language in the bill that had required anything of municipal law enforcement agencies.

However, in reading the draft, I noticed in Section #1 (b)(1), that under currently existing law, there are some procedures that municipal law enforcement agencies are required to follow for the disposal of some firearms and ammunition. I checked with Jerry Luckhaupt, and he confirmed that this is so.

As per Rep. Porter's request, we removed municipalities from HB 419; I call your attention to this additional matter in case Rep. Porter wants to consider in Judiciary Committee removing all requirements on municipalities relating to firearms and ammunition that are in existing statute.

You should receive the formal CS for HB 419(STA) from House State Affairs sometime today, January 30, 1996.

BILL: HB 419

SHORT TITLE: DISPOSAL OF FIREARMS BY PUBLIC AGENCIES

BILL VERSION:

SPONSOR(S): REPRESENTATIVE(S) KOTT, Ogan, Foster, Barnes, Sanders, Willis, Toohey
Vezey, Kelly, Phillips, James

CURRENT STATUS: (H) STA
THEN JUD

STATUS DATE: 01/12/96

TITLE: "An Act relating to the disposal of firearms and ammunition by the state
or a municipality."

01/12/96	2438	(H)	READ THE FIRST TIME - REFERRAL(S)
01/12/96	2438	(H)	STATE AFFAIRS, JUDICIARY
01/16/96	2457	(H)	COSPONSOR(S): OGAN
01/19/96	2495	(H)	COSPONSOR(S): FOSTER, BARNES
01/22/96	2512	(H)	COSPONSOP(S): SANDERS, WILLIS, TOOHEY
01/24/96	2529	(H)	COSPONSOR(S): VEZEY, KELLY
01/26/96	2548	(H)	COSPONSOR(S): PHILLIPS, JAMES



ALASKA STATE LEGISLATURE

PLEASE ENTER INTO THE RECORD MY TESTIMONY TO THE HSTA
COMMITTEE ON House Bill #419 DATED January 25, 1996
BILL SUBJECT

Please consider two options for House Bill Number 419.

The first would be to allow the Alaska Department of Fish and Game the opportunity to select forfeited firearms that are suitable for the Hunter Education Section for training purposes. I believe that in the past firearms have been made available to Hunter Education and they have been made inoperable and have been worked over by a machinist to allow the students to see the inside operations of how a firearm works.

Second item would be to allow a person who has had their weapon forfeited for a Fish and Game offense the opportunity to purchase their weapon back from the court if they make a donation to the Alaska Fish and Wildlife Safeguard Program in an amount set the the judge/magistrate and within a set amount of time.

Thank You

SIGNED JAMES E. LOW
TESTIFIER
ALASKA VOLUNTEER HUNTER EDUCATION INSTRUCTORS ASSOCIATION
REPRESENTING (OPTIONAL)
142 Frog Pond Circle Fairbanks, AK. 99712 (457-2637)
ADDRESS/PHONE NUMBER



ALASKA STATE LEGISLATURE

PLEASE ENTER INTO THE RECORD MY TESTIMONY TO THE STATE AFFAIRS
 COMMITTEE ON HOUSE BILL 419 DATED JAN 25, 1996
 BILLSUBJECT

THE ALASKA OUTDOOR COUNCIL ADVOCATES AMENDMENTS
 TO HB 419 TO ACCOMPLISH THE FOLLOWING:

- ALLOW SELECTION BY, AND TRANSFER TO THE AK. DEPT. OF FISH & GAME, FOR USE IN HUNTER EDUCATION & HUNTER SERVICES PROGRAMS. THESE ARE VITALLY IMPORTANT PUBLIC EDUCATION SERVICES THAT WOULD BENEFIT FROM THE AVAILABILITY OF VALUABLE FIRE ARMS FOR EDUCATION & TRAINING.
- ALLOW A PERSON WHO'S WEAPON HAS BEEN FORFEITED FOR FISH & GAME OFFENSES TO BUY BACK THEIR WEAPON FROM THE STATE/COURT IF THEY MAKE A DONATION TO THE ALASKA FISH & WILDLIFE SAFEGUARD PROGRAM IN AN AMOUNT & TIME PERIOD SET BY THE COURT.
- THERE IS ALSO A NEED TO CHANGE STATE LAW TO ALLOW FINES FOR FISH & GAME VIOLATIONS TO BE PAID TO THE SAFEGUARD PROGRAM, PROBABLY NOT IN THIS BILL.

SIGNED

TESTIFIER

Richard H. Bishop RICHARD H. BISHOP
 EX-DIRECTOR

ALASKA OUTDOOR COUNCIL
 REPRESENTING (OPTIONAL)

PO BOX 73902 FAIRBANKS, AK 99707
 ADDRESS/PHONE NUMBER

**MEMORANDUM****TO:** Rep. Eldon Mulder
Dennis DeWitt**DATE:** February 1, 1996**FROM:** Jeff Spoon, VP-Development**DIV:** Business Development**SUBJECT:** WCC Responses To Organized Labor Testimonies During 1-31-96 HB-428
TeleConference

Thankyou for the opportunity to make a brief statement during your recent TeleConference. Regrettably, being first, and intentionally taking the "High Road," allowed the various organized labor representatives to record numerous inaccuracies and falsehoods. To not confuse the sponsorship of your Bill with additional controversial testimony, but to offer some information that may assist in its future defense, I am forwarding the following for your review.

1. Nationally, privately managed correctional facilities have significantly lower incidents of escapes and assaults than do their host agencies.
2. There are no privately managed correctional facilities under court supervision while most states, and large local jurisdictions, have serious consent decrees AND ongoing court monitoring.
3. There is a significantly higher percentage of privately managed correctional facilities that have been ACA and NCCHC accredited than in the public sector. Our insurance rates and legal fees reflect this perception of reduced exposure.
4. Numerous states have legislated and recorded 10-20% savings in annual operating costs when comparing privately managed to publicly operated similar facilities in each system. These results are documented in Texas, Louisiana, Florida and California.

5. If higher pay and more expensive benefit packages guaranteed better performance and more efficient operations then:

a. All Alaska Legislators would be competitively compensated with NFL Super Stars.

or

b. The Alaska Legislature would be under court supervision due to gross incompetence.

The ridiculousness of the forgoing supposition is that in order to win a contract, and earn a profit, the private vendor must offer a competitive wage and benefits package that guarantees a stable professional work force. The economic employment marketplace will tell us what that formula will be; not a labor contract that dictates post assignments and lifetime employment.

6. Public sector correctional staff vacancies typically are not the result of low pay, dangerous working environments and/or budgetary personnel shortfalls. Those vacancies are a result of civil service systems that reward longevity rather than performance, have bureaucratic recruitment and training divisions that are not responsive to the needs of the agency they are supposed to serve, have screening criteria and selection juggernauts that alienate and frustrate otherwise qualified and competent job applicants and that make job assignments and vacancy savings a budgetary issue rather than a professional needs assessment. Sixty percent of a public corrections facility's annual budget (Personnel) receives only ten percent of the staff's attention.

7. No private corrections company can afford to "fly employees from out-of-state" to work in Alaska. This labor testimonial does suggest recognition of the possibility that a for-profit company would find LARGE financial savings, and WILLING job applicants, if it went outside the existing correctional job market and its established wage scale. An interesting admission, but an implausible business strategy.

8. Wackenhut always receives 4 times, or more, the number of applicants than available jobs when opening new contract sites. Our wage and benefits packages have never prevented us from recruiting, training, fielding, retaining and promoting a professional work force. Our current operations are our best marketing tools. If we had high staff turnover or less-than-capable employees we would not be able to stay in business nor would we receive high recommendations from our clients or ACA / NCCHC accreditations.

9. If private enterprise somehow placed public safety in jeopardy then Wackenhut's contracts to provide security of the Alaskan Pipeline, Strategic Petroleum Reserves, Foreign US Embassies, Nuclear Power Plants, US Army Munitions Manufacturing and Storage Plants, numerous major US Airports and Mass Transit Systems would place millions of citizens in daily peril. Wackenhut is the largest provider of contract security to the US Government!

10. If Wackenhut's past contract performance was as poor as the labor spokesperson falsely reported then our corporate revenues, contracts retention and new contract signings would not be at the record pace reported quarterly to our stockholders and the SEC. Our business is one of the few things that is growing faster than the US's incarcerated population.

11. Contrary to the uninformed testimony of the ADOC's Sergeant, Wackenhut would be pleased to manage an intake (booking) facility, pre-trial detainees, maximum security inmates, female prisoners, youthful offenders, special needs populations, perform interstate and intrastate transportation, provide comprehensive medical care AND design, finance, construct and manage those facilities and inmate populations for significantly less than the State's average cost of \$105 per day. A quick review of our current corrections contracts will reveal that those services, the Sergeant stated we would be unwilling to perform, are exactly what we do provide elsewhere. What we refuse to provide are overcrowded, poorly managed, prisoner warehouses. We will not accept contractual terms that will predictably put us under court supervision or generate legitimate prisoner Civil Rights litigation.

12. Wackenhut, nor any of its reputable competitors, are self-insured nor is our insurance placed with small unknown carriers. Our property and liability insurance is through AIG (the largest and one of the oldest in the world). Most contracts require us to maintain between \$10 and \$20 million liability policies in effect for each contract site. Nevada just issued an RFP that requires \$50 million liability insurance for a 400-bed adult female maximum security facility to be located in Las Vegas. None of these contracts allow self-insurance nor less than A-rated insurers.

13. Labor consistently testified that Profit contradicts Quality of Service. Wackenhut finds that supposition incredibly ignorant of our nation's economic foundation. Our government clients, insurers, stockholders, corporate executives, contract monitors, employees and inmates believe that profitability (economic success) is directly proportional to quality of service. Our 40+ year corporate history, economic fortunes and reputation for quality security services have yielded a corporate motto "Professionalism with Integrity." Our ability to provide better public services to our government clients, for less cost than they have become accustomed, and realize corporate profits as a result of our performance, cannot possibly be viewed as a taxpayer disadvantage or unfair corporate advantage.

14. Every example of contractual malfeasance by private corrections companies that was offered by labor representatives during their testimonies grossly misrepresented the case-by-case facts and inaccurately reported existing data. Wackenhut has letters of recommendation and support from each of our past and present clients. We certainly have suffered our employee errors and embarrassing incidents. None of those have resulted in contractual sanctions, penalties or cancellations.

15. In every jurisdiction, where our services have been engaged, the public sector's performance has improved, as a natural result of friendly professional competition. We have typically become a training component for government client personnel who are unfamiliar with modern program provision. We take on the challenge of special needs inmate populations who have historically been under served due to limited public sector resources. Our clients' Contract Monitors become our greatest advocates because they observe daily the advantage we offer in the resolution of correctional challenges, operational difficulties and fiscal responsibility.

ALASKA JOB CORPS CENTER

MEMORANDUM

DATE: February 1, 1996

TO: Mike Williams
Business Advisor, Chugach Alaska Corporation

FROM: Roger Lydell, Manager, Educational Services
Alaska Job Corps Center, Phone: 746-8881

SUBJECT: Legislative Hearings, CS for HB 428 and 429

1. On January 31, several individuals testified during Judiciary Committee hearings on the above bill, that they believed it would be wise to expand existing state correctional centers rather than build a major new facility. Unfortunately perhaps, the expansion of existing state correctional centers would be a very expensive proposition. In fact, most of the infrastructures of existing facilities will not support expansion.

Simply adding on to existing correctional centers by adding a wing here or there is neither wise from a correctional management perspective, nor from an infrastructural perspective. Sewer, heating, ventilation, food service, library, classroom, shop and all other spaces have to be sized to handle expansion. For example, the sewer treatment plant at the Hiland Mountain/Meadow Creek complex near Eagle River is at maximum capacity; the Juneau, Cook Inlet Pretrial (Anchorage), Hiland Mountain, Palmer and Fairbanks correctional centers have already been previously expanded, Juneau and Fairbanks a couple different times. Further expansions at these sites will likely require totally new "stand alone" facilities in order to function safely.

Only the Spring Creek facility at Seward and the Palmer Pre-trial facility were designed for relatively easy expansion with utilities and layouts anticipating the doubling of population space.

2. Secondly, several individuals testified that they had strong doubts or concerns about whether the state correctional system should contract with the private sector for the provision of space and supervision for Alaska's criminal offender population. In fact, the state has a long history of such contracts.

The Alaska Department of Corrections currently has 455 prisoners held in-state under private sector contracts and 205 held out-of-state under private management services contracts.

Mike Williams
February 1, 1996
Page 2

The total of 660 Alaska prisoners now in privately operated space is not a new concept in Alaska, or elsewhere. The proposed legislation merely clarifies that larger facilities can also be utilized under contracts with private sector service providers.

3. A third and final point should be addressed. The largest single category of prisoners that continue to clog the Alaska correctional systems' chain of small local and regional jails is the male sentenced felony population. This is the group which must be targeted in order to unclog the entire system.

There are currently 1,501 sentenced male felons held in-state and 247 out-of-state for a total of 1,748 sentenced male felons. If even half of these prisoners were removed from the existing facilities where they now reside, the state correctional system would be uncrowded overnight! The local and regional jail facilities would then be able to manage unsentenced local misdemeanants and felons awaiting trial and local sentenced misdemeanants serving short sentences. Until the long-term sentenced male felon population is properly housed, there cannot be any viable solution to uncrowding the states' correctional system. The C.S. for HB 148 and 149 could provide a substantial step toward the correct solution.

428 429

February 2, 1996

Representative Brian Porter
Chairman
House Judiciary Committee
Alaska State Legislature
FAX: (907) 465-3834

Marc Antrim
Shop Steward, ASEA/AFSCME Local 52
P.O. Box 240243
Douglas, AK 99824

Dear Representative Porter,

I want to again thank you and the committee for the opportunity to speak to you on Wednesday, January 31, 1996, on House Bills 428 and 429. I was asked to provide two pieces of information, and I want to correct a cost figure that I gave the committee.

1) Representative Toohey asked what the starting salary of a new correctional officer is. A new correctional officer starts out as a Range 11 under the correctional officer schedule (attached.) This range pays \$1,209.50, semi-monthly. This is a total of \$29,028.00 annually.

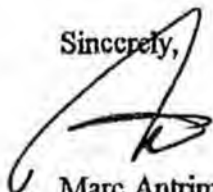
2) Representative Bunde asked for a figure representative of the cost difference between the \$59/per day per prisoner we are paying CCA to house prisoners at their facility in Arizona and what it actually costs. I can't get an exact figure using the resources available to me. That figure would include the \$59/per day per prisoner plus medical, transportation, and programming costs.

3) At the closing of my testimony during questioning I mentioned that it cost \$77/per day per prisoner to house a prisoner at Lemon Creek Correctional Center. I attributed this figure to a recent study conducted in support of a new program we had started. I was incorrect.

The study was a comparison between the per day cost at Lemon Creek and the per day at the local halfway house and was used to support the development of a work crew program as an even cheaper alternative to housing a prisoner at the halfway house. The figure to house someone at Lemon Creek is actually \$86.08/per day per prisoner compared to \$77/per day per prisoner at the halfway house. In addition, that \$86.08 figure didn't include medical, program, or administrative support costs. The total figure to house someone at Lemon Creek is \$104.92. I've attached a DOC-generated document that outlines the costs for each facility. I'm also keeping a copy for myself.

I apologize for providing the committee with this incorrect information and in future testimony I will stick with what I know.

Sincerely,



Marc Antrim

Attachments

Correctional Officer Wage Schedule

Section 1 - Wage Schedule

From July 1, 1990, through June 30, 1992, the following shall be the wage schedule for bargaining unit members who are subject to AS 23.40.200(a)(1) (Class One) occupying positions in the Correctional Officer classifications and who are regularly assigned to an eighty-four (84) hour work period.

(Semimonthly--at each step pay rate has been adjusted to include additional step established pursuant to Appendix B, Section A3)

Range	WAGE SCHEDULE						LONGEVITY INCREMENTS			
	Step A	Step B	Step C	Step D	Step E	Step F	Step J	Step K	Step L	Step M
07	854.50	881.50	1,010.50	1,042.50	1,075.00	1,106.00	1,139.50	1,176.50	1,208.50	1,247.50
08	1,010.50	1,042.50	1,075.00	1,106.00	1,139.50	1,174.50	1,209.50	1,247.50	1,285.00	1,321.00
09	1,075.00	1,106.00	1,139.50	1,170.50	1,209.50	1,247.50	1,285.00	1,322.00	1,369.50	1,418.50
10	1,139.50	1,174.50	1,209.50	1,247.50	1,285.00	1,322.00	1,369.50	1,418.50	1,464.50	1,510.00
11	1,209.50	1,247.50	1,285.00	1,322.00	1,369.50	1,418.50	1,464.50	1,518.00	1,571.50	1,628.50
12	1,285.00	1,322.00	1,369.50	1,418.50	1,464.50	1,518.00	1,571.50	1,626.50	1,680.00	1,743.00
13	1,369.50	1,418.50	1,464.50	1,518.00	1,571.50	1,626.50	1,680.00	1,743.00	1,808.50	1,874.50
14	1,464.50	1,518.00	1,571.50	1,626.50	1,680.00	1,743.00	1,803.50	1,874.50	1,942.00	2,004.50
15	1,571.50	1,626.50	1,680.00	1,743.00	1,808.50	1,874.50	1,942.00	2,008.50	2,078.00	2,145.50
16	1,680.00	1,743.00	1,808.50	1,874.50	1,942.00	2,008.50	2,078.00	2,145.50	2,226.50	2,295.00
17	1,808.50	1,874.50	1,942.00	2,008.50	2,078.00	2,145.50	2,226.50	2,295.00	2,381.00	2,452.50
18	1,942.00	2,008.50	2,078.00	2,145.50	2,226.50	2,295.00	2,381.00	2,452.50	2,543.00	2,622.50

Section 2 - Compensatory Payment

Those members of the bargaining unit on May 12, 1990, subject to AS 23.40.200(a)(1) (Class One) not in layoff status shall receive a one (1) time compensatory payment of four hundred dollars (\$400.00).

Section 3 - Longevity Increments

Employees shall continue to receive longevity increments (Steps J, K, L and M) in accordance with the criteria of AS 39.27.022. The increments shall be those set out in this Agreement.

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