

HB

325

<TARGET><BILL>HB 325</BILL><SUBJECT>HB
325</SUBJECT><COMM>HSTA30</COMM></TARGET>

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Governor Bill Walker
STATE OF ALASKA

January 31, 2018

The Honorable Bryce Edgmon
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Edgmon,

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to rehabilitation and reentry services for prisoners.

This bill would further the State's goal of successful rehabilitation of prisoners by increasing access to reentry and rehabilitation services both online and in their home towns. First, the bill would allow incarcerated persons to use computers to access reentry services, allowing them to apply for medical assistance, search for housing, and other services they will need post-incarceration. Second, the bill would authorize the Commissioner of the Department of Corrections to authorize contracts for rehabilitation services without going through the procurement code.

In many instances, released prisoners wish to return to their home communities to be with family and friends, have a support system, and be in a familiar setting. If that home community lacks established rehabilitation services, the released prisoner must decide between receiving services and living in the community most likely to assist in the person's reentry to society. By exempting the Commissioner from the procurement code for reentry and rehabilitation services, a person would be able to receive needed services in the community most conducive to the person's recovery.

For a Safer Alaska, I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink that reads "Bill Walker".

Bill Walker
Governor

Enclosure



HB 325- Prisoner Computer Use
Legislation Sectional Analysis

Section 1: Amends AS 33.30.015 (l) to expand the prisoners allowable use of computers for reentry services such as housing, employment or alternative means of support, treatment options, counseling services, or other transitional services that support successful transition back into the community as well as legal purposes.

Section 2: Amends AS 33.30.026 by adding language that adds a new exemption to the Procurement Code described in Section 3 of this legislation.

Section 3: Amends AS 33.30.026(b) by adding a new subsection for the Commissioner to make a determination when providing payment for rehabilitation and reentry services that they will promote the use of community-based and culturally relevant rehabilitative and reentry most suited to each individual allowing the individuals to remain in their community.

Section 4: Amends AS 36.30.850(b) by adding a new paragraph to exempting the requirement to contract for rehabilitation and reentry services for prisoners in efforts to allow offenders to obtain reformatory or transitional services as needed and approved with local providers within their communities.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version:	HB 325
Fiscal Note Number:	1
(H) Publish Date:	2/2/2018

Identifier: DOC-COMM-1-23-18
 Title: PRISONER COMPUTER USE
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: GOVERNOR

Department: Department of Corrections
 Appropriation: Administration and Support
 Allocation: Office of the Commissioner
 OMB Component Number: 694

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates					
			FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **No**
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Prepared By:	April Wilkerson	Phone:	(907)465-3460
Division:	Administrative Services - Department of Corrections	Date:	01/23/2018 12:00 PM
Approved By:	Dean Williams, Commissioner	Date:	01/23/18
Agency:	Department of Corrections		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION**Analysis**

AS 33.30.015 (l) is amended to expand the prisoners allowable use of computers for reentry services such as housing, employment or alternative means of support, treatment options, counseling services, or other transitional services that support successful transition back into the community as well as legal purposes. This change will have no fiscal impact to the department as prisoners are already allowed the use of computers for education, vocational education or employment purposes.

AS 33.30.026 (b) adds a new subsection for the Commissioner to make a determination when providing payment for rehabilitation and reentry services that they will promote the use of community-based and culturally relevant rehabilitative and reentry most suited to each individual allowing the individuals to remain in their community. This change will have no fiscal impact to the department.

AS 36.30.850 (b)(49) adds a new paragraph exempting the requirement to contract for rehabilitation and reentry services for prisoners in efforts to allow offenders to obtain reformative or transitional services as needed and approved with local providers within their community. This change will have no fiscal impact to the department.

My name is Talia Eames and I am here as the coordinator for Tlingit & Haida's Second Chance Reentry Program. I am also a 10-year, decorated veteran of the United States Air Force. Gunalchéesh for allowing me the opportunity to testify in support of House Bill 325.

When I worked as a caseworker for the reentry program, I met with over 300 men and women returning from incarceration. Although the program was open to tribal and non-tribal members, Alaska Natives were overwhelmingly represented in my office. One of the most significant hurdles for individuals released from incarceration is access to services. The services they can access may not be culturally appropriate or broad enough to give them the tools they need to lower their risks of recidivating. From lack of transportation the moment they are released, to finding housing, medical care, employment, identification cards, or substance use treatment, returning citizens face huge hurdles to their own well-being. There are no comprehensive reentry services in Southeast Alaska and of the services that do exist, cultural components incorporated into these approaches are either non-existent or underdeveloped.

In addition to the need for strong sober support and guidance to services, many tribal members have lost touch with their tribal identity while incarcerated and experience broken ties with their Native families due to addictions and violations in trust. Participants in the Second Chance Program regularly cited the need for cultural identity but had to be self-taught due to these circumstances, limited resources, and being paroled away from their home communities where the knowledge lives. The healing associated with practicing cultural traditions, learning clan identity and having pride in where you come from is something long respected by Native American people and can assist in reducing recidivism.

Due to the uniqueness of Alaska tribes having only one reservation and no criminal jurisdiction in the state, our tribes have limited established infrastructure when it comes to creating reentry and rehabilitative programs. This often results in tribal entities that are unable to compete under current procurement codes. This also means that many programs are being established without the invaluable resources that our tribes hold. Allowing the State of Alaska an exemption in current procurement rules would open up many possibilities in empowering tribes to care for our own in the reentry process. A cheaper bid is just that when it cannot reduce recidivism and keeps open the proverbial "revolving door." The future of public safety and healthy communities relies in promoting programs that truly help the formerly incarcerated to keep them from returning to prison; in my work I recognize these programs to be where we strengthen our broken tribal members by incorporating traditional sources of healing and knowledge in the reentry and rehabilitative support systems. This is why I support House Bill 325 and ask that you consider the same.

Thank you,



Talia Eames

Second Chance Reentry Program Coordinator
Central Council Tlingit & Haida Indian Tribes of Alaska

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THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

OFFICE OF THE COMMISSIONER

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February 12, 2018

Dean Williams, Commissioner
Alaska Department of Corrections
550 W. 7th Ave. Suite 1800
Anchorage, AK 99501

Dear Commissioner Williams,

The Department of Health and Social Services (DHSS) is pleased to provide this letter of support for House Bill 325, relating to computer use by prisoners and providing an exemption from the state procurement code for rehabilitation and reentry services.

Like the Department of Corrections, DHSS is committed to criminal justice reforms that lead to better outcomes and more adequately protect our communities. Our continued collaboration is vital in assuring that our efforts succeed, including efforts focused on offender reentry.

HB 325 would establish prisoner use of computers for reentry services. Computer access for prisoners would improve efficiencies in benefit enrollment and eligibility determinations that will help offenders receive these benefits more quickly. For example, the current use of paper applications for individuals leaving correctional facilities adds to the backlog of paper applications for Medicaid at the Division of Public Assistance. Applying for Medicaid online through the Federally Facilitated Marketplace (Healthcare.gov) is a much more efficient process, enabling the Marketplace to make an immediate determination of eligibility and notify the Division of Public Assistance to issue the benefit. This process will increase the likelihood that inmates will be ready to receive their benefits as they leave custody instead of having their application added to the backlog.

DHSS supports House Bill 325 as part of the Department's ongoing collaborations and systems improvements.

Quyan,

A handwritten signature in black ink, appearing to read "Valerie".

Valerie Nurr'araaluk Davidson



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3/12/2018

Re: Letter of Support for HB 325

Dear House State Affairs Committee,

My House is in support of HB 325, as we testified last month. Corrections needs the procurement rules changed to allow for smaller programs in rural areas to be able to access funding that is currently being completely monopolized by GeoCorp, owned by a company outside Alaska, with less than ideal outcomes.


We would like:

- corrections to be able to reimburse programs like MY House and Haven House that serve re-entrants in rural communities, with extremely high success rates.
- clients coming through reentry to be able to return to their home community, and re-engage in job training internships in a sober environment with peer support on-site.
- re-entrants from rural areas across Alaska to have choices for returning to smaller communities and connecting with peer support, AA Sponsors and family support systems that can be permanent.

We have clients who come out of incarceration, go to the GEO Corp owned Cordova House, and relapse within 48 hours-in the housing. Reentry centers owned by "Outside" companies with no vested interest in Alaska may not have the same motivation, partnerships or support for reentrants to remain sober and prevent relapse and recidivation.

Our teams are trained and motivated to prevent relapse and recidivism, reentry "best practices" and offering peer support that has been shown to be very impactful. Our job training programs have a 98% success rate and our transitional housing has an 80% success rate three years post transition. We CAN save the State of Alaska money by helping clients to be successful, preventing relapse and keeping reentrants supported and working, but we need the funding to support our programs in order to do so, rather than having it all go to an outside corporation.

Sincerely,


Michelle Overstreet, Executive Director



Alaska Association of Chiefs of Police

March 29, 2018

Speaker of the House, Representative Bryce Edgmon
Chairman House Judiciary Committee, Representative Matt Claman

Honorable Representatives;

This letter is issued with the support and approval of the AACOP Board of Directors and in strong opposition to Senate Bill 172/House Bill 325

It is with great concern that the Alaska Association of Chiefs of Police monitors the actions taken in reference to Senate Bill 172 and the complimentary House Bill 325. These bills in summary, grant the Commissioner of the Department of Corrections the authority to bypass State Procurement Regulations for inmate re-entry and integration services.

Currently, the Department of Corrections contracts for the use of several residential centers located in communities throughout the State. The centers have sufficient beds to consolidate those inmates who qualify for re-entry and integration services in one location. These centers are generally located in commercial areas to comply with local ordinances and due to the location and corporate structures, the need for local law enforcement monitoring is minimized.

This is relevant. As these centers are contract facilities, they are not correctional institutions; and the Alaska Department of Public Safety has declined to respond to incidents occurring in contract facilities. As such, local law enforcement is encumbered to 'police' these facilities whenever an issue arises.

In the recent past, changes due to criminal reform have increased the workload of local law enforcement agencies through the changes to bail conditions, sentencing guidelines and relaxation of consequences of criminal behavior. Coupled with the Department of Corrections policy of declining to accept Title 47 protective holds, rates of arrest have increased as law enforcement has been stripped of the ability to intervene at the lowest possible level before behaviors escalate. Essentially, the response capacity of local law enforcement is stretched thin. The proposed legislation of SB172/HB325 further diminishes that capacity.

Relieving the Department of Corrections of adherence to State Procurement Regulations will result in the fragmentation of larger residential re-entry and integration centers into smaller units; quite possibly located in residential zones. This will not only increase the number of locations which local law enforcement must monitor and respond to; but also directly affect those persons living near these facilities. It is likely that public resistance to this process could be extreme.

The final issue involved is 'exceptions'. State Procurement Regulations were enacted to ensure that the State conducts business with integrity; using standard and universal rules to maintain effective delivery of services. The notion that any entity should be exempt from these requirements is contrary to any rational other than a special interest reducing costs by subverting regulation. To exempt one agency sets significant precedent for all State agencies to do the same.

For these reasons, we oppose this legislation.

We appreciate your service to the State of Alaska and concern for our citizens.

With Sincere Regards,



John J. Papasodora
Chief of Police, Nome Police Department
President
Alaska Association of Chiefs of Police



Jennifer Shockley
Acting Chief of Police, Unalaska Police Department
Vice President
Alaska Association of Chiefs of Police



Tim Putney
Lieutenant Kodiak Police Department
Treasurer
Alaska Association of Chiefs of Police



Peter Mlynarik
Chief of Police, Soldotna Police Department
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Deputy Chief, Fairbanks Police Department
Past President
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Thomas Clemons
Chief of Police, Seward Police Department
Vice-Chair
State Association of Chiefs of Police (SACOP)



Barry Wilson
Captain, C Detachment Commander
Alaska State Troopers
Board Member
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Ed Mercer
Chief of Police, Juneau Police Department
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Steve Dutra
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