

1025

HJ

INTERIM FILES,

CORRECTIONS

1035

IF YOU ARE INCAPACITATED (DRUNK, SICK, ETC.,) WHEN YOU ARE ADMITTED THE INVENTORY WILL BE MADE LATER WHEN YOU CAN BE THERE. YOUR PROPERTY WILL BE LEFT WITH YOU UNTIL THE INVENTORY IS MADE. WHEN YOU ARE RELEASED OR TRANSFERRED TO ANOTHER INSTITUTION, BE SURE ALL OF YOUR PROPERTY NOT CONSIDERED CONTRABAND, IS RETURNED TO YOU OR TRANSFERRED WITH YOU.

PUBLIC DEFENDER

IF YOU WISH AN ATTORNEY BUT ARE NOT ABLE TO GET ONE, YOU MAY SPEAK TO AN ATTORNEY FROM THE PUBLIC DEFENDERS OFFICE BY FILLING OUT A "REQUEST FOR INTERVIEW" FORM, THE SHIFT SUPERVISOR WILL CONTACT THE PUBLIC DEFENDER AND ASK THEM TO SEND A REPRESENTATIVE TO SEE YOU.

IF YOU ARE TAKEN TO THE PUBLIC DEFENDER'S OFFICE YOU WILL BE DRESSED IN INSTITUTIONAL CLOTHING.

CONTRABAND

CONTRABAND IS CONSIDERED TO BE:

1. ANYTHING THAT IS A WEAPON, CAN BE USED AS A WEAPON OR FROM WHICH A WEAPON CAN BE MADE.
2. ALL DRUGS AND NARCOTICS EXCEPT THOSE PRESCRIBED BY A DOCTOR AND GIVEN BY A DOCTOR OR INSTITUTIONAL STAFF.
3. ALL ALCOHOL OR ALCOHOLIC SUBSTANCES EXCEPT WHERE PRESCRIBED BY A DOCTOR AND OR CONTROLLED BY INSTITUTIONAL STAFF.
4. COIN OR CURRENCY OR ANY OTHER THINGS THAT ARE BROUGHT INTO THE INSTITUTION BY AVOIDING DETECTION (SMUGGLED IN).

INTRODUCTION

THIS IS YOUR HANDBOOK TO USE WHILE YOU ARE HERE. IT TELLS YOU ALL THE RULES YOU MUST FOLLOW, THE DIFFERENT EXPECTATIONS, PRIVILEGES, AND DAILY ACTIVITIES. READ THIS BOOKLET AND IT WILL HELP YOU GET ALONG HERE. IF YOU HAVE ANY TROUBLE READING ASK THAT SOMEONE HELP YOU.

ADMISSION PROCEDURE

SEARCH: WHEN YOU WERE BROUGHT INTO JAIL YOU WERE SEARCHED. THE SEARCH WAS TO MAKE SURE YOU HAD NO WEAPONS OR OTHER CONTRABAND AND TO INVENTORY ALL OF YOUR PERSONAL THINGS

PERSONAL PROPERTY: IF YOU ARE TO BE BAILED OUT RIGHT AWAY, YOUR PROPERTY WILL NOT BE TAKEN FROM YOU EXCEPT FOR WEAPONS AND CONTRABAND. YOU ARE RESPONSIBLE FOR THE PROPERTY YOU KEEP WITH YOU.

IF YOU ARE NOT GOING TO BE BAILED OUT RIGHT AWAY, ALL OF YOUR PROPERTY WILL BE TAKEN AND INVENTORIED WHILE YOU ARE BEING BOOKED. YOU WILL SIGN A RECEIPT FOR ALL THE ITEMS ON THE INVENTORY. YOUR PROPERTY WILL THEN BE STORED IN A SECURE AREA UNTIL YOUR RELEASE OR TRANSFER TO ANOTHER INSTITUTION.

IF YOU HAVE MORE PROPERTY WITH YOU THAN THE JAIL CAN SAFELY STORE, YOU MUST MAKE ARRANGEMENTS TO HAVE IT STORED ELSEWHERE.

YOU WILL BE FURNISHED WITH INSTITUTIONAL CLOTHING. IF A LAW ENFORCEMENT AGENCY MAKES A REASONABLE REQUEST TO INSPECT YOUR PERSONAL PROPERTY STORED AT THE JAIL, THEY WILL BE ALLOWED TO INSPECT IT, BUT, THEY MUST HAVE A COURT ORDER TO REMOVE ANYTHING FROM YOUR PERSONALS.

INMATE CONDUCT

YOU ARE EXPECTED TO OBEY THE LAWS OF THE STATE WHETHER YOU ARE IN OR OUT OF JAIL. IF YOU BREAK THE LAWS WHILE HERE YOU WILL BE SUBJECT TO THE PUNISHMENT PROVIDED BY THE LAW OR BY THE INSTITUTION. YOU MUST OBEY THE RULES AND REGULATIONS AT ALL TIMES.

EXAMPLES OF CONDUCT ARE AS FOLLOWS:

1. YOU MAY NOT HAVE OR HAVE UNDER YOUR CONTROL ANY CONTRABAND.
2. THERE IS TO BE NO GAMBLING, TRADING, BUYING, SELLING, DONATING OR EXCHANGING ANY ARTICLES BETWEEN INMATES.
3. THERE WILL BE NO FIGHTING, WRESTLING, ROUGH PLAY, DISORDERLY CONDUCT, INITIATING OF NEW INMATES, ETC.,
4. ESCAPE ATTEMPTED ESCAPES OR PLANNING TO ESCAPE IS NOT ALLOWED.
5. THE HANGING OR FASTENING OF PICTURES, ARTICLES, CALANDER, ETC., ON WALLS, BUNKS, ETC., IS NOT ALLOWED.
6. RIOTING, TRYING TO MAKE OTHERS RIOT, DEFACING PERSONAL OR PUBLIC PROPERTY IS PROHIBITED.
7. THERE IS TO BE NO SPITTING OR LITTERING IN THE DORMITORY OR CELLS.
8. DRINKING, SNIFFING, INJECTING, SMOKING OF OTHERWISE TAKING INTO THE SYSTEM ANY SUBSTANCE FOR THE PURPOSE OF CAUSING INTOXICATION, STIMULATION, OR DIZZINESS IS PROHIBITED.

5. CAMERAS AND ANY ELECTRONIC SOUND OR VIDEO RECORDERS OR ANY ELECTRONIC SENDING OR RECEIVING DEVICE.
6. ALL ITEMS NOT ISSUED TO YOU BY THE INSTITUTION OR THAT MAY NOT BE BOUGHT AT THE COMMISSARY OR ARE MORE THAN THE INSTITUTION ALLOWED.

IF YOU ARE COUGHT WITH ANY CONTRABAND IN YOUR POSSESSION, YOU WILL BE SUBJECT TO DISCIPLINARY ACTION. CONTRABAND WILL BE TAKEN FROM YOU AND TURNED OVER TO THE SUPERINTENDENT FOR HIS DISPOSAL.

RULES AND REGULATIONS

IF YOU BREAK ANY OF THE RULES AND REGULATIONS LISTED BELOW YOU MAY RECEIVE ONE OF THESE PENALTIES:

1. REPRIMAND: THE OFFICER OR COUNSELOR MAY TALK TO YOU ABOUT WHAT HAPPENED OR WRITE IT UP AND PUT IT IN YOUR FILE.
2. SUSPENSION OF PRIVILEGES: FOR UP TO 30 DAYS FOR BREAKING A MINOR RULE AND UP TO 90 DAYS FOR BREAKING A MAJOR RULE.
3. CONFINEMENT IN DISCIPLINARY SEGREGATION (SINGLE CELL) CONFINEMENT TO QUARTERS OR WEEKEND OR HOLIDAY LOCKUPS: FOR UP TO 30 DAYS FOR MINOR OFFENSES AND UP TO 90 DAYS FOR MAJOR OFFENSES.
4. RESTITUTION: (PAYING BACK) FOR MINOR PROPERTY DAMAGES OR HOLDING YOUR GRATUITY PAYMENT.

YOU DO NOT EARN GOODTIME DURING THE MONTH IN WHICH YOU WERE FOUND GUILTY OF BREAKING ANY RULES OR REGULATIONS.

6. ESCAPE OR EVASION OF CUSTODY.
7. WEARING A DISGUISE OR MASK.
8. SETTING A FIRE.
9. STEALING, DESTROYING, ALTERING, OR DAMAGING GOVERNMENT PROPERTY, OR THE PROPERTY OF ANOTHER PERSON.
10. TAMPERING WITH OR BLOCKING ANY LOCKING DEVICE.
11. POSSESSION, USE OR INTRODUCTION OF ANY CONTRABAND
12. MISUSE OF PRESCRIBED MEDICATION.
13. ADULTERATION OF ANY FOOD OR DRINK (ADDING ANYTHING HARMFUL OR DISTASTFUL).
14. RIOTING OR CAUSING OR ENCOURAGING OTHERS TO RIOT.
15. REFUSING TO WORK OR PARTICIPATING IN A WORK STOPPAGE.
16. POSSESSION OF ANY STAFF OR UNAUTHORIZED CIVILIAN CLOTHING.
17. COUNTERFEITING, FORGING OR UNAUTHORIZED REPRODUCTION OF ANY DOCUMENT, ARTICLE OR IDENTIFICATION, MONEY, SECURITY, OR OFFICIAL PAPER, OR THE POSSESSION OR USE OF SUCH A DOCUMENT.
18. UNAUTHORIZED USE OF MAIL OR TELEPHONE.
19. GIVING OR OFFERING ANY OFFICIAL OR STAFF MEMBER A BRIBE.

9. YOU ARE NOT TO USE PROFANE OR OBSCENE LANGUAGES, BOOING, WHISTLING, SHOUTING OR OTHER LOUD DISTURBING NOISES. THERE ARE TO BE NO SARCASTIC OR INSULTING REMARKS TO OR ABOUT OTHER PERSONS EITHER INSIDE OR OUTSIDE THE INSTITUTION.
10. STAFF AND PERSONNEL ARE TO BE ADDRESSED IN A RESPECTABLE WAY, I.E., MR. _____ OR OFFICER _____ OR BY HIS RANK (SARGENT, LT., ETC.). NO FIRST NAMES OR NICKNAMES WILL BE ALLOWED.

PROHIBITED CONDUCT FOR PRISONERS

7 AAC 60.400 - PROHIBITED CONDUCT FOR PRISONERS:
A) PROHIBITED CONDUCT FOR PRISONERS IN STATE INSTITUTIONS IS GOVERNED BY B) AND C) OF THIS SECTION. VIOLATIONS SHALL BE PUNISHED AS EITHER A MINOR OR A MAJOR INFRACTION.

B) MAJOR INFRACTIONS INCLUDE THE FOLLOWING:

1. HOMICIDE
2. ASSAULT UPON OR FIGHTING WITH ANY PERSON.
3. THREATS TO ANOTHER OF BODILY HARM OR OF ANY OFFENSE AGAINST HIS PERSONAL PROPERTY.
4. EXTORTION, BLACKMAIL, PROTECTION: THE DEMANDING OR RECEIVING OF FAVORS OR ANYTHING OF VALUE IN RETURN FOR PROTECTION AGAINST BODILY HARM, PROPERTY LOSS, OR UNDER THREAT OF INFORMING.
5. ENGAGING IN SEXUAL ACTS WITH OTHERS, MAKING SEXUAL PROPOSALS OR THREATS OR INDECENT EXPOSURE.

C) MINOR INFRACTIONS INCLUDE THE FOLLOWING:

1. GIVING OR LOANING PROPERTY OR ANYTHING OF VALUE FOR PROFIT OR FAVORS.
2. POSSESSION OF ANYTHING NOT AUTHORIZED FOR RETENTION OR RECEIPT BY THE PRISONER, AND NOT ISSUED TO HIM THROUGH REGULAR INSTITUTIONAL CHANNELS.
3. POSSESSION OF UNAUTHORIZED PRISONER CLOTHING.
4. UNEXCUSED ABSENCE OR TARDINESS FROM WORK OR ANY ASSIGNMENT.
5. MALINGERING OR FEIGNING AN ILLNESS, INJURY, OR SUICIDE.
6. FAILING TO PERFORM WORK AS INSTRUCTED BY ANY STAFF MEMBER.
7. LYING OR PROVIDING A FALSE STATEMENT TO ANY STAFF MEMBER.
8. BEING IN AN UNAUTHORIZED AREA.
9. FAILURE TO FOLLOW POSTED SAFETY OR SANITATION RULES.
10. USING ANY EQUIPMENT OR MACHINERY CONTRARY TO INSTRUCTIONS, POSTED SAFETY STANDARDS, OR THAT WHICH IS NOT SPECIFICALLY AUTHORIZED.
11. SMOKING WHERE PROHIBITED.
12. USING ABUSIVE OR OBSCENE LANGUAGE DIRECTED TOWARDS ANY PERSON WHICH IS LIKELY TO UNDERMINE INSTITUTIONAL AUTHORITY OR SECURITY.

20. A SERIES OF THREE MINOR INFRACTIONS FOUND TO HAVE BEEN COMMITTED BY THE PRISONER WITHIN A 60 DAY PERIOD.
21. ENGAGING IN A GROUP OR INDIVIDUAL DEMONSTRATION OR ACTIVITY, EXCLUDING ABUSIVE OR OBSCENE LANGUAGE INVOLVING CONDUCT WHICH WOULD POTENTIALLY DISRUPT OR INTERFERE WITH THE SECURITY OR ORDERLY ADMINISTRATION OF THE INSTITUTION, OR UNDERMINE AUTHORITY INCLUDING, BUT NOT LIMITED TO, REFUSING TO OBEY A LAWFUL AND PROPER ORDER OF ANY STAFF MEMBER.
22. POSSESSION OF OR USE OF ANY EXPLOSIVE OR WEAPON OR ANYTHING THAT COULD BE USED AS AN EXPLOSIVE OR WEAPON OR ANYTHING FROM WHICH AN EXPLOSIVE OR A WEAPON COULD BE MADE.
23. POSSESSION OF OR USE OF ANY DRUGS OR NARCOTIC OR THE PARAPHERNALIA OR MEANS TO USE THEM EXCEPT THOSE PRESCRIBED BY MEDICAL STAFF AND UNDER CONTROL OF MEDICAL OR JAIL STAFF.
24. POSSESSION OR MAKING OF INTOXICANTS.
25. BEING INTOXICATED.
26. POSSESSION OF ANY PROPERTY BELONGING TO ANOTHER PERSON.
27. INTERFERING WITH THE TAKING OF THE COUNT.
28. SMUGGLING OR BRINGING INTO THE INSTITUTION ANYTHING THAT IS NOT SPECIFICALLY AUTHORIZED.

13. GAMBLING OR POSSESSION OF UNAUTHORIZED GAMBLING PARAPHERNALIA.
14. FAILURE TO KEEP ONE'S PERSON AND QUARTERS IN ACCORDANCE WITH POSTED RULES.
15. TATOOING OR SELF-MUTILATION.
16. UNAUTHORIZED COMMUNICATION OR CONTACT WITH THE PUBLIC OR VISITORS.
17. GIVING OR OFFERING MONEY OR ANYTHING OF VALUE TO, OR REQUESTING OR ACCEPTING MONEY OR ANYTHING OF VALUE FROM ANY PERSON WITHOUT PRIOR APPROVAL OF THE SUPERINTENDENT.

D) PLANNING OR ATTEMPTING TO COMMIT, AND AIDING OR ENCOURAGING ANY PRISONER TO PLAN OR ATTEMPT TO COMMIT ANY INFRACTION IN (B) OR (C) OF THIS SECTION IS CONSIDERED THE SAME AS A COMMISSION OF THE INFRACTION ITSELF.

E) A LIST OF PROHIBITED CONDUCT SET OUT IN (B) AND (C) OF THIS SECTION MUST BE PROVIDED IN WRITING TO EACH PRISONER UPON HIS ADMISSION TO THE INSTITUTION. IF A PRISONER IS ILLITERATE, THE LIST OF PROHIBITED CONDUCT MUST BE READ AND EXPLAINED. ANY AMENDMENT OR ADDITION TO ANY INSTITUTIONAL RULES MUST BE APPROVED BY THE DIRECTOR AND MAY BE PUT INTO EFFECT ONLY AFTER PROPER AND REASONABLE NOTICE IS GIVEN THE POPULATION OF THAT INSTITUTION.

18. POSSESSION OF MONEY OR CURRENCY UNLESS AUTHORIZED.
19. TEARING, DESTROYING, OR ALTERING CLOTHING ISSUED BY THE INSTITUTION.
20. DEMONSTRATING OR ENCOURAGING OTHERS TO DEMONSTRATE.
21. REFUSING TO WORK AN ASSIGNED DUTY.

22. PARTICIPATING IN AN UNAUTHORIZED MEETING OR GATHERING.
23. MAKING EXCESS NOISE.
24. FAILURE TO HAVE BED MADE AND AREA CLEANED BY TIME INDICATED.
25. FAILURE TO RETURN ALL EATING UTENSILS AT THE COMPLETION OF MEALS OR SNACKS.
26. FOOD WILL NOT BE STORED OR SAVED EXCEPT FOR FRESH FRUITS, VEGETABLE AND COMMISSARY ITEMS.
27. PASSING OF MESSAGES OR CONVERSING WITH INMATES IN OTHER AREAS OR ANY UNAUTHORIZED COMMUNICATIONS.
28. PUTTING UP PICTURES, ARTICLES, CALENDARS, ETC., ON UNAUTHORIZED AREAS.
29. SPITTING ON FLOOR OR LITTERING YOUR DORMITORY OR CELL.
30. POSSESSION OF ANY LEWL OR OBSCENE MATERIAL.
31. YOU WILL BE AWAKE AND FULLY DRESSED WHILE MEALS ARE BING SERVED.
32. YOU ARE TO TAKE ONE TRAY ONLY AT MEAL TIMES.
33. WHEN THE MEAL IS OVER YOU ARE TO NEATLY PLACE YOUR TRAY AND UTENSILS IN THE AREA INDICATED.
34. YOU ARE TO REMAIN IN BED AFTER THE T.V. IS TURNED OFF UNLESS IT IS NECESSARY USE THE LAVATORY.

DISCIPLINARY COMMITTEE

THE DISCIPLINARY COMMITTEE WILL CONSIST OF THREE (3) CORRECTIONAL OFFICERS APPOINTED BY THE SUPERINTENDENT OR HIS DESIGNEE.

THIS COMMITTEE WILL MEET WHEN NEEDED AND WILL REVIEW AND EVALUATE ALL MISCONDUCT REPORTS. THEY WILL ATTEMPT TO VIEW BOTH SIDES BEFORE MAKING A DECISION. DISCIPLINARY ACTION WILL BE TREATMENT ORIENTED WITH A FOLLOW UP PROGRAM.

DISCIPLINARY ACTION MAY CONSIST OF REPRIMAND, SEGREGATION. LOSS OF PRIVILEGES, LOSS OF GOOD TIME AND OR PROSECUTION.

DISCIPLINARY PROCEDURES

IF YOU BREAK A MINOR RULE AND A REPORT IS MADE YOU WILL GO BEFORE THE DISCIPLINARY COMMITTEE. YOU MUST APPEAR. YOU WILL BE ABLE TO TELL YOUR SIDE OF THE STORY. IF YOU WISH TO YOU CAN HAVE AN ADVOCATE TO HELP YOU PREPARE YOUR CASE AND PRESENT IT TO THE COMMITTEE. WHEN THE COMMITTEE HAS MADE IT'S DECISION THEY WILL INFORM YOU AND GIVE YOU A COPY. YOU MAY APPEAL THE COMMITTEE'S DECISION TO THE SUPERINTENDENT.

IF YOU BREAK A MAJOR RULE AND IT IS ALSO AGAINST THE LAW OUTSIDE THE INSTITUTION, A COP" OF THE REPORT WILL BE SENT TO THE DISTRICT ATTORNEY TO SEE IF HE WANTS TO PROSECUTE. IF THE DISTRICT ATTORNEY DECIDES TO PROSECUTE AND YOU ARE BROUGHT TO TRIAL YOU WILL NOT GO BEFORE THE DISCIPLINARY COMMITTEE.

IF THE DISTRICT ATTORNEY DECIDES NOT TO PROSECUTE THE DISCIPLINARY COMMITTEE WILL HANDLE THE CASE. IN THIS CASE YOU MAY OR MAY NOT APPEAR BEFORE THE COMMITTEE. AN ADVOCATE MAY PRESENT EVIDENCE OR CALL WITNESSES FOR YOU. YOU WILL BE ADVISED OF THE COMMITTEE'S DECISION.

IF YOU ARE PLACED IN RESTRICTED HOUSING (SINGLE CELL) THE COMMITTEE WILL REVIEW YOUR CASE FREQUENTLY.

CLASSIFICATION

CLASSIFICATION IS USED TO FIND OUT WHERE YOU WILL BE HELD AND WHAT TYPE OF PROGRAM YOU WILL BE IN.

A CLASSIFICATION TEAM MEETS REGULARLY IN THE INSTITUTION TO REVIEW THE INDIVIDUAL CASES AND TO MAKE RECOMMENDATION TO THE SUPERINTENDENT ON INMATE CLASSIFICATION.

YOU WILL BE NOTIFIED IN ADVANCE OF THE DATE OF YOUR HEARING WITH THE COMMITTEE. THE INSTITUTIONAL COUNSELOR WILL BE ABLE TO HELP YOU PRESENT YOUR DESIRES TO THE COMMITTEE.

THE CLASSIFICATION COMMITTEE WILL ATTEMPT TO SEE YOU WITHIN 7 DAYS AFTER YOUR ARRAIGNMENT.

YOU WILL NOT BE ELIGIBLE FOR RE-CLASSIFICATION FOR 60 DAYS UNLESS THE CLASSIFICATION COMMITTEE INDICATES DIFFERENTLY AT YOUR FIRST HEARING.

SEGREGATION

YOU MAY BE PLACED TEMPORARILY IN ADMINISTRATIVE SEGREGATION (DOULBE OR SINGLE CELL) BEFORE CLASSIFICATION IF YOU:

1. HAVE NOT BEEN CLASSIFIED OR HAD A MEDICAL EXAMINATION SINCE YOU WERE ADMITTED.
2. ARE INCAPACITATED (DRUNK, SICK, ETC.,) OR ARE A THREAT TO YOURSELF OR OTHERS.
3. HAVE A DISEASE THAT IS CONTAGEOUS.

4. HAVE SEGREGATION PRESCRIBED BY A DOCTOR OR PSYCHIATRIST.
5. REQUEST SEGREGATION.
6. ARE DETAINED FOR MEDICAL REASONS OR ARE DRUNK.
7. ARE A MATERIAL WITNESS.
8. ARE A THREAT TO THE SECURITY OF THE INSTITUTION OR NEED PROTECTIVE CUSTODY.

IF YOU ARE PLACED IN ADMINISTRATIVE SEGREGATION YOU MUST BE TOLD WHY AND HAVE A HEARING WITHIN SEVEN (7) DAYS BEFORE A CLASSIFICATION COMMITTEE. THE COMMITTEE MUST REVIEW YOUR CASE AT LEAST ONCE EVERY 30 DAYS UNTIL YOU ARE TAKEN OUT OF SEGREGATION. THE CLASSIFICATION COMMITTEE MUST TELL YOU WHY YOU HAVE BEEN PLACED IN SEGREGATION AND HOW LONG YOU WILL STAY.

VISITING

VISITING WILL BE CONDUCTED IN THE REGULAR VISITING ROOM. YOU MUST REMAIN BEHIND THE GLASS AT ALL TIMES. YOU MAY HAVE NO MORE THAN THREE (3) VISITORS AT ONE TIME. VISITS WILL BE 15 MINUTES OR LONGER WITH THE APPROVAL OF THE SHIFT SUPERVISOR.

VISITORS UNDER THE INFLUENCE OF INTOXICANTS OR DRUGS WILL NOT BE ALLOWED TO VISIT.

PERSONS UNDER 18 YEARS OLD WILL NOT BE ALLOWED TO VISIT UNLESS THEY ARE MEMBERS OF THE IMMEDIATE FAMILY OF THE PRISONER AND ARE ACCOMPANIED BY AN ADULT FAMILY MEMBER OR LEGAL GUARDIAN.

IF ANY VISITOR CREATES A DISTURBANCE OR THE VISIT IS NOT IN THE BEST INTERESTS OF ALL CONCERNED, THE SHIFT SUPERVISOR WILL STOP THE VISIT.

REGULAR VISITING HOURS:

TUESDAY	1330	-	1630	=	(1:30 - 4:30p.m.)
WED. & SUN.	1800	-	2130	=	(6:00 - 9:30p.m.)
THU. & SAT.	1800	-	2000	=	(6:00 - 8:00p.m.)
HOLIDAYS	1800	-	2130	=	(6:00 - 9:30p.m.)

COMMUNICATION

THE NORMAL WAY TO CONTACT PEOPLE OUTSIDE THE JAIL IS BY MAIL. PAPER EVELOPES, AND POSTAGE IS PROVIDED BY THE INSTITUTION.

IF YOU WANT TO CONTACT AN ATTORNEY, SOMEONE ABOUT BAIL, OR TO NOTIFY A RELATIVE OF YOUR SITUATION FILL OUT A "REQUEST FOR INTERVIEW" FORM. THE SHIFT SUPERVISOR WILL THEN HANDLE THE CALL EITHER PLACING THE CALL FOR YOU OR CALLING THE NUMBFR AND LETTING YOU TALK.

IF YOU WANT AN INTERVIEW WITH A MEMBER OF THE STAFF YOU MUST FILL OUT THE "REQUEST FOR INTERVIEW" FORM.

MAIL REGULATIONS:

THERE IS ONE TYPE OF MAIL KNOWN AS PRIVELEDGED MAIL. THIS TYPE OF MAIL YOU MAY SEND OR RECEIVE IN SEALED, UNCENSORED ENVELOPES.

THIS LIST IS THE ONLY PRIVELEDGED MAIL ALLOWED:

1. GOVERNOR OF ALASKA.
2. ATTORNEY GENERAL OF ALASKA.
3. MEMBERS OF THE U.S. CONGRESS FOR ALASKA
4. ALASKA LEGISLATORS.

5. ANY COURT OF THE U.S. OR ALASKA.
6. COMMISSIONERS, ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES.
7. DIRECTOR, ALASKA DIVISION OF CORRECTIONS.
8. OMBUDSMAN FOR THE STATE OF ALASKA.
9. CHAIRMAN, ALASKA BOARD OF PAROLE.
10. ANY ATTORNEY LICENSED TO PRACTICE IN ALASKA.
11. PHYSICIAN OF RECORD FOR THE PRISONERS.
12. ALASKA HUMAN RIGHTS COMMISSION.
13. ANY CORRECTIONAL SUPERINTENDENT.

ALL OTHER MAIL WILL BE OPENED TO INSPECT FOR CONTRABAND.

YOU MAY CORRESPOND BY MAIL WITH ANYONE.

YOU WILL BE ALLOWED TO MAIL FIVE (5) LETTERS PER WEEK AT STATE EXPENSE. THOSE DO NOT INCLUDE ANY PRIVILEGED MAIL OR MAIL WRITTEN FOR PAROLE PLANNING.

COMMISSARY

COMMISSARY IS PURCHASED ONCE EACH WEEK. THERE IS A GOOD SELECTION OF THINGS TO BUY IF YOU HAVE ENOUGH MONEY IN YOUR ACCOUNT. COMMISSARY SLIPS ARE HANDED OUT SUNDAY EVENINGS. PUT YOUR NAME (PRINT) AT THE TOP AND YOUR DORM LOCATION IN THE UPPER RIGHT HAND CORNER. WRITE IN THE LIST OF THINGS YOU WANT TO BUY FROM THE LIST POSTED IN THE DORM. THE COMMISSARY SLIP MUST BE GIVEN TO THE FLOOR OFFICER BY 2200 HOURS (10:00 p.m.).

YOU WILL RECEIVE YOUR COMMISSARY ON THURSDAY. THERE IS A \$15.00 LIMIT ON YOUR PURCHASE.

SPECIAL COMMISSARY FOR CIGARETTES IS AVAILABLE ONLY TO THOSE WHO WERE RECEIVED INTO THE INSTITUTION AFTER THE COMMISSARY WAS ORDERED, OR FOR THOSE WHO HAD BEEN WITH OUT MONEY AND HAVE JUST RECEIVED THEIR FUNDS.

NO CREDIT WILL BE EXTENDED.

SICK CALL

WHILE YOU ARE BEING BOOKED, THE BOOKING OFFICER WILL VISUALLY CHECK YOU FOR ANY OBVIOUS MEDICAL PROBLEMS.

THE INSTITUTION HAS A COMPLETE MEDICAL STAFF ON DUTY OR ON CALL 24 HOURS A DAY. THEY WILL TAKE CARE OF YOUR MEDICAL NEEDS AND HOLD SICK CALL EACH DAY.

AS SOON AS POSSIBLE AFTER YOU HAVE BEEN BOOKED A STAFF NURSE WILL DO AN INTAKE HISTORY ON YOU TO COMPLETE YOUR MEDICAL EVALUATION. PHYSICAL EXAMINATIONS WILL BE COMPLETED WITHIN 14 DAYS OF YOUR ARRAIGNMENT.

IF YOU ARE TAKING ANY MEDICATION AT THE TIME OF YOUR BOOKING IT MUST BE GIVEN TO THE NURSING STAFF WHO WILL THEN DISPENSE IT TO YOU AS NECESSARY. MEDICATIONS WILL BE GIVEN FOUR TIMES A DAY TO THOSE PRISONERS ON MEDICATIONS. ITEMS SUCH AS FOOT POWDER, SKIN MOISTURIZER, ASPERIN OR TYLENOL, WILL ALSO BE GIVEN OUT AT THIS TIME.

SICK CALL WILL BE HELD AT 1800 HOURS (6:00pm) MONDAY THROUGH FRIDAY. TO GO ON SICK CALL YOU MUST CONTACT THE STAFF NURSE WHEN THEY ARE PASSING OUT MEDICATIONS. TELL THEM WHAT YOUR PROBLEM IS AND THAT YOU WANT TO GO ON SICK CALL.

FOR EMERGENCY MEDICAL CARE CONTACT THE FLOOR OFFICER OR THE STAFF NURSE AND THEY WILL SEE THAT YOU ARE CARED FOR.

THE ONLY DENTAL OR OPTICAL (GLASSES) WORK AUTHORIZED IN THIS INSTITUTION WILL BE IN CASE OF AN EMERGENCY.

IF YOU HAVE ANY QUESTIONS ABOUT YOUR HEALTH, ASK A MEMBER OF THE MEDICAL STAFF FOR HELP.

HYGIENE

YOU ARE REQUIRED TO KEEP YOURSELF CLEAN WHILE HERE. YOU WILL BE ISSUED SOAP, TOOTHPASTE, TOOTHBRUSH, COMB, ETC., OR YOU MAY PURCHASE THEM FROM THE COMMISSARY.

DRINKING WATER AND TOILET FACILITIES ARE AVAILABLE. SHOWERS ARE AVAILABLE THREE (3) TIMES A WEEK UNLESS REGULATED BY THE MEDICAL STAFF.

HAIRCUTS ARE PROVIDED AS NEEDED BY THE INMATE BARBER. OTHER ARRANGEMENTS FOR HAIR CUTS CAN BE MADE UPON AUTHORIZATION OF THE SUPERINTENDENT.

ALL CLOTHING WILL BE PROPERLY WORN WHEN OUTSIDE THE DORM. YOU MUST BE FULLY DRESSED.

IF YOU ARE ASSIGNED TO WORK IN THE KITCHEN YOU MUST HAVE A HAIR CUT THAT MEETS PUBLIC HEALTH REGULATIONS. LONG HAIR CUTS, BEARDS, ETC., ARE NOT PROHIBITED BUT YOU WILL HAVE TO WEAR A HAIR NET IN THE KITCHEN.

YOU MUST BATHE OFTEN ENOUGH TO HAVE GOOD BODY HYGIENE (NO BAD SMELL).

RAZORS WILL BE AVAILABLE DAILY.

LAUNDRY

YOU ARE ISSUED ALL THE CLOTHING YOU NEED BY THE INSTITUTION. AN OFFICER WILL PERSONALLY HAND YOU YOUR CLOTHING, YOU MUST EXCHANGE YOUR CLOTHING OR LINEN ON THE DAYS THEY ARE SCHEDULED. YOU ARE RESPONSIBLE FOR CLOTHING ISSUED TO YOU AND IT WILL BE EXCHANGED ON AN ITEM FOR ITEM BASIS. THAT IS YOU GET A CLEAN JUMPSUIT FOR A DIRTY JUMPSUIT, ETC., YOU ARE RESPONSIBLE FOR THE CLOTHING AND LINEN ISSUED TO YOU. YOU WILL BE CHARGED FOR DAMAGED OR DESTROYED CLOTHING AND LINEN.

LAUNDRY CHANGE SCHEDULE IS MONDAY, 1800 HOURS (6:00 p.m.) AND THURSDAY 0800 HOURS (8:00 a.m.).

REGULAR LAUNDRY SCHEDULE

MONDAY: JUMPSUITS, UNDERWEAR, SOCKS, SHEETS AND TOWELS.

TUESDAY: UNDERWEAR, SOCKS AND TOWELS.

ON THE ABOVE DAYS ALL INMATES WILL CHANGE AS INDICATED.

CLEAN UP

IT IS YOUR RESPONSIBILITY TO HAVE YOUR AREA CLEAN AND ORDERLY AT ALL TIMES. CLEAN UP OF THE DORMITORY, FLOORS, SHOWERS, TOILETS, SINKS, BOOK-CASES, TABLE, ETC., WILL BE ASSIGNED TO TWO MEN EACH DAY. THE 2200 (10:00pm) HOUR TO 0600 (6:00am) HOUR FLOOR OFFICERS WILL ASSIGN THE DETAIL EACH DAY FOR THE FOLLOWING DAYS CLEAN UP, THE TWO MEN RESPONSIBLE WILL BEGIN CLEAN UP AS SOON AS THE EQUIPMENT IS PLACED IN THE DORM.

CLEAN UP DUTIES WILL BE PERFORMED BY THE ASSIGNED PERSONS AND WILL NOT BE EXCHANGED OR TRADED WITH OTHERS.

RELIGIOUS ACTIVITY

CHAPLINS, PRIESTS, RABBI, ETC., ARE AVAILABLE ON REQUEST TO FILL YOUR RELIGIOUS NEEDS. THEY ARE ALSO AVAILABLE FOR INDIVIDUAL COUNSELING OR PERSONAL OR FAMILY PROBLEMS.

RELIGIOUS ACTIVITY IS GIVEN AT YOUR REQUEST ONLY (USE A "REQUEST FOR INTERVIEW" FORM).

ENTERTAINMENT

RADIO AND T.V. ARE AVAILABLE IN EACH DORM. RADIOS ARE TO BE TURNED OFF BETWEEN THE HOURS OF 2400 (12:00) and 0600 (6:00am). BOTH THE RADIO AND THE T.V. MAY BE ON AT THE SAME TIME AS LONG AS THEY DO NOT CONFLICT WITH EACH OTHER.

THE T.V. MAY BE LEFT ON UNTIL THE STATION LEAVES THE AIR.

ABUSE OF OR FAILURE TO COMPLY WITH THESE RULES
MAY RESULT IN REMOVAL OF BOTH THE RADIO AND T.V.

MOVIE:

THERE WILL BE A FULL LENGTH FEATURE MOVIE SHOWN
AT THE INSTITUTION EACH WEEK:

MONDAY	DORMS 1 & 2	1900 (7:00 p.m.)
TUESDAY	DORMS 3 & 5	1900 (7:00 p.m.)
WEDNESDAY	DORM 4	1900 (7:00 p.m.)

READING MATERIAL

YOU MAY HAVE IN YOUR POSSESSION AND READ ANY
BOOKS, PAMPHLETS, ETC., THAT CAN BE OBTAINED
FROM THE STATE LIBRARY SYSTEM. YOU HAVE THE
SAME RIGHT TO USE THE STATE LIBRARY AS ANY
OTHER PERSON. TO USE THE LIBRARY YOU HAVE TO
SEND A "REQUEST FOR INTERVIEW" FORM TO THE
ASSOCIATE SUPERINTENDENT WITH THE TITLE OF THE
BOOK LISTED ON IT.

ALL READING MATERIAL PURCHASED OR SENT TO YOU BY
SOME ONE OTHER THAN THE LIBRARY WILL BE INSPECTED
FOR CONTRABAND.

INMATES MAY PURCHASE, SUBSCRIBE TO AND OTHERWISE
RECEIVE AND READ ANY AND ALL BOOKS, NEWSPAPERS
AND PERIODICALS, SUBJECT TO INSPECTION FOR
CONTRABAND. THE SUPERINTENDENT MAY ONLY PROHIBIT
RECEIPT OF PUBLICATIONS WHICH COULD DIRECTLY
AID AN ESCAPE OR MAY INCITE ANY FORM OF VIOLENCE.

YOU MAY SUBSCRIBE TO APPROVED BOOKS, NEWSPAPERS
AND PERIODICALS ONLY IF YOU PAY FOR THEM IN
FULL IN ADVANCE.

COPIES OF THE TWO (2) MAJOR DAILY NEWSPAPERS ARE DISTRIBUTED AS ARE BOOKS, MAGAZINES, RELIGIOUS TRACTS, ETC., WHICH ARE DONATED.

RECREATION

RECREATION PERIODS WILL BE PROVIDED IN AN ENCLOSED COURTYARD WHEN WEATHER PERMITS. JACKETS AND BOOTS WILL BE PROVIDED IN COLD WEATHER.

GRATUITY

EACH ADULT STATE OPERATED INSTITUTION THAT HAS A WORK, MAINTENANCE, EDUCATIONAL, VOCATIONAL OR OTHER PROGRAMS INTO WHICH AN INMATE VOLUNTARILY ENTERS FOR HIS SELF BETTERMENT, OR THAT IS BENEFICIAL TO THE STATE, SHALL HAVE DEPOSITED TO HIS ACCOUNT EACH MONTH, ONE DOLLAR PER DAY FOR EACH ACTUAL DAY OF PARTICIPATION IN THE PROGRAM.

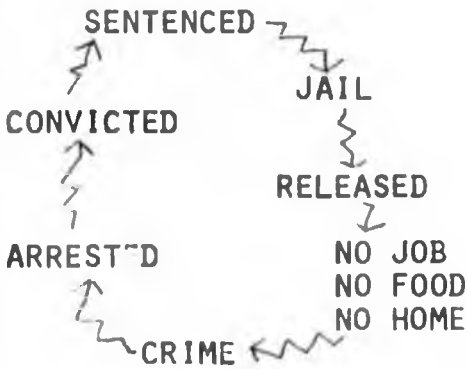
AT BEST A CORRECTIONAL INSTITUTION IS NOT THE MOST PLEASANT PLACE TO STAY, BUT IF YOU FOLLOW THE RULES AND GUIDELINES IN THIS BOOKLET, YOUR STAY HERE WILL BE EASIER AND PASS MORE QUICKLY.

THANK YOU,

VERNON D. CAULKINS
SUPERINTENDENT
S.C.C. - ANNEX

NEW START CENTER

HELPS BREAK THIS CIRCLE



A
SERVICE FOR
THE
EX-OFFENDER
327 BARRON
207 E. 4TH. AVE. DW

ANCHORAGE

274-5525

TO EMPLOYERS

1. NEW START CENTER HAS A POOL OF PEOPLE WHO ARE ANXIOUS TO WORK
2. IF YOU HAVE FULL-TIME, PART-TIME, PERMANENT, OR TEMPORARY OPENINGS, CALL US AT 274-5525
3. NEW START IS ALSO WILLING TO ASSIST IN ANY ON-THE-JOB PROBLEMS RELATING TO PLACEMENT

HELP US TO MAKE
A TAX "BURDEN"
A TAX "PAYER"

WHOM DOES NEW START HELP?

1. THE PERSON WHO IS ON STATE PROBATION OR PAROLE
2. A PERSON IN JAIL BUT APPROVED FOR WORK RELEASE
3. THE EX-OFFENDER WHO IS "OUT" AND IS IN NEED
4. THE FAMILY OF AN EX-OFFENDER
5. PEOPLE CONFINED TO CORRECTIONAL FACILITIES WHO NEED OUTSIDE ASSISTANCE

HOW TO GET

NEW START TO HELP YOU

1. COME TO NEW START CENTER
207 E. 4TH AVE., ANCHORAGE
MONDAY - FRIDAY 8-4:30
2. SEE A STAFF MEMBER AND EXPLAIN YOUR NEED
3. IF YOU NEED A JOB THEN FILL OUT BRIEF "INTAKE" FORM AT NEW START CENTER
4. THE STAFF WILL ATTEMPT TO PUT YOU IN TOUCH WITH A JOB
5. NEW START STAFF WILL HELP YOU IN JOB DEVELOPMENT IF IT IS NEEDED

HOW DOES NEW START HELP?

1. FREE AND CONFIDENTIAL SERVICES
2. JOB PREPARATION TRAINING
3. JOB PLACEMENTS
4. PUBLIC ASSISTANCE (THROUGH WELFARE, AS ELIGIBLE)
 - A. EMERGENCY FOOD
 - B. FOOD STAMPS
 - C. AID TO CHILDREN
 - D. RENT ASSISTANCE
 - E. HEALTH EMERGENCIES
5. COUNSELING
6. ATTAIN MORE FORMAL EDUCATION AND SKILL TRAINING
7. PUTS YOU IN TOUCH WITH THOSE PERSONS OR AGENCIES WHO CAN HELP YOU

WHAT YOU CAN DO AFTER YOU GET A JOB

1. CONTINUE TO GET TO WORK AHEAD OF TIME
 2. SHOW YOUR EMPLOYER YOU ARE HONEST AND A HARD WORKER
 3. IMPROVE YOUR SKILLS THROUGH AVAILABLE RESOURCES
 4. USE NEW START STAFF AS YOUR "PRESSURE VALVE RELEASE"
- COME IN TO TALK ANYTIME



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

MEMORANDUM

TO: Charles Moses, Superintendent
Anchorage - 3rd Avenue

FROM: *Rochelle Plotnick* Rochelle Plotnick, Staff
House Judiciary Committee

DATE: September 20, 1979

RE: Classification

The House Judiciary Committee is interested in the classification system within the Division of Corrections. As a representative of the Committee, I would like to request permission to attend a classification meeting. I acknowledge the fact that some individuals may request me to leave and I will do so without hesitation. Thank-you for your cooperation.

Alaska Justice Forum

IN THIS ISSUE:

- Police Education
- Anchorage Jail Suit
- Court of Appeals
- Public Safety Commissioner
- Director of Corrections
- Legislative Activities

Vol. 3, No. 3

March 1979

Police Education Debate

A National Symposium on Higher Education for Police Officers was held February 4-7 in Washington, D.C. discussing the recently completed and controversial report, *The Quality of Police Education*. The report was the result of a two-year study authorized by the Police Foundation and was authored by Lawrence W. Sherman and The National Advisory Commission on Higher Education for Police Officers.

The report and the symposium are viewed by educational and police officials across the country as being of historic significance, and a major watershed in the development of police education in this country.

Copies of the report can be obtained from Jossey-Bass Publishers, 433 California Street, San Francisco, California 94104 (\$12.95).

Among those taking part in the national symposium was Roger Endell who attended on behalf of the Criminal Justice Center, University of Alaska, Anchorage, and the Alaska Police Standards Council. The following is his report of the symposium, the first in a two-part series.

By Roger Endell

Criminal Justice Center

A National Symposium on Higher Education for Police Officers was recently concluded in Washington, D.C., amid much controversy sparked by the release of the report *The Quality of Police Education*. The report, authored by Lawrence W. Sherman and The National Advisory Commission on Higher Education for Police Officers, is available from Jossey-Bass Publishers, 433 California Street, San Francisco, California 94104 (\$12.95). The report and the symposium

are viewed by educational and police officials across the country as being of historic significance.

"Amid growing concern over the quality, purpose, and future of police education, the Police Foundation created the National Advisory Commission on Higher Education for Police Officers. After two years of holding hearings and gathering information from around the country, the Commission recently released its report, *The Quality of Police Education*. The Commission's study states that millions of federal tax dollars supporting police education may have been wasted

Not a Force for Change

"Rather than a force for change and improvement in policing, college programs for police officers often have become an impediment to change," according to the Commission. "Instead of drawing on the rich intellectual resources of the liberal arts and sciences programs to enhance police education, many college programs have simply imported the intuitive opinions and views of senior police practitioners," the Commission concludes.

"The Commission has offered more than 40 recommendations for action by colleges, police departments, and educational policy makers. Among them are:

- Vocational training courses on police tasks should be replaced by conceptual courses on the broader issues related to those tasks.
- Colleges should grant no academic credit for attendance at police agency training programs.
- Classroom instruction should take place on college campuses.

- Community colleges should phase out their terminal two year degree programs in police education.

- Police education programs should actively seek faculty members who have advanced degrees in arts and sciences, and previous criminal justice employment should be neither a requirement nor a handicap in faculty selection.

- Congress should amend the statutory authorization of the Law Enforcement Education Program (LEEP) to allow enough support for students to cover all costs of a full time residential education.

- LEEP should not require that college courses be "directly related" to law enforcement and criminal justice.

- LEEP should provide equal funding levels for in-service and pre-service students.

- All police departments should require new recruits to hold a baccalaureate degree.

"The Commission's recommendations affect a variety of interest groups, and are already provoking a wide variety of responses."

The foregoing quotes comments published by the Police Foundation in announcing the national symposium set the framework for a lively and controversial meeting. Three major groups were represented within the 400 to 500 participants. Police practitioners, community college representatives and four-year and graduate university faculty members and Deans were in attendance from virtually all regions of the nation. They had assembled to express opinions on the Commission's report and respond to a series of questions.

(Continued on page 14)

To: Rocky

From: Peaggy Re: Corrections Report

Page 2 Alaska Justice Forum March 1979

Judge Singleton Enters Final

On February 11, Anchorage Superior Court Judge James K. Singleton entered his final order and judgment in *Moseley v. Beirne*, No. 76-1899, a class action suit attacking the conditions, program and overcrowding of the Southcentral Correctional Center Annex in Anchorage (Sixth Avenue Jail).

In the final order the judge spelled out what remains to be done to make the jail constitutionally acceptable, and hopefully bringing an end to nearly three years of litigation concerning the jail.

It follows a tentative decision entered on October 30, 1978 in which Judge Singleton said, "I am convinced that it is neither lack of money nor community security that explains SCCA. It is a lack of imagination. The lack of willingness in the courts, the legal profession and the correctional community to abandon the familiar and adopt innovative programs that would reserve the jails for the truly dangerous and supervise the remainder of those accused of crimes in the community at substantially less cost to the taxpayer and with equal assurance the court dates will be kept and the public protected while criminal cases are pending. Hopefully the process leading to this decision will be a catalyst that begins the process of developing those programs."

In fact the suit has been a "catalyst," if not a Sword of Damocles, that has moved governmental action on several fronts to resolve some of the problems in the Sixth Avenue Jail.

Some Steps Already Taken

In response to this and a separate suit (*Thomas v. Williamson*, 77-8670), the Division of Corrections opened the Ridgeview Center for women, improving jail conditions for women and relieving some of the overcrowding in the Annex.

The Division of Corrections also transferred some of the sentenced inmates to other institutions providing further relief.

The Alaska Court System established night magistrates and other procedures intended to assure early bail hearings and release on bail for many who formerly would not have obtained an early release on bail.

The state has proposed and the voters have approved a \$30.5 million bond issue

which includes provisions for remodeling and other work to correct the physical deficiencies of the facility.

Background

The Annex was originally built in the early 1960's as a city lockup with a capacity of 100 persons. Later an additional 32 beds were installed and administrative facilities were added within the Annex, but without any additional floor space.

In 1973 the Division of Corrections began leasing the facility from the Municipality of Anchorage on a year-to-year basis at \$96,000 a year to provide housing for pretrial detainees.

In practice, however, both pretrial detainees and convicted felons and misdemeanants were housed in the facility. Drunks were also housed within the facility when other more adequate resources were not available.

As a consequence the population in the facility, originally designed to house 100, frequently rose to 160 and 170, with a peak of 179 reported.

Ventilation was inadequate in the summer and heating was equally inadequate in the winter. There was a lack of privacy with toilet areas in open view of the living and dining areas.

Facilities for visitation and attorney's conferences were inadequate and attorneys were often forced to schedule their consultations in the evenings. They often had to wait for a considerable time and some conferences were conducted in the institution's hallways.

There were reported lengthy delays in obtaining bail setting and even delays in making initial telephone calls outside the institution.

These conditions were attributed to a lack of space, a lack of adequate number of staff personnel to manage the institution and physical deterioration of the facility.

These and other matters were addressed in the suit which was originally filed in March 1976. Two separate trials were held resulting in a tentative order entered last October and the final order was entered in February of this year.

This final order included what the court said remained to be done to make the Annex constitutionally acceptable.

It included the following:

- Renovations bringing the institution into conformance with the court's order will be completed by Jan. 1, 1980.
- The state shall comply with its own regulations as written in the Alaska Administrative Code, except where inconsistent with the court's decision, and then the court's order shall govern.

Physical Plant

- Total population shall be limited to 83 persons.
- Pretrial detainees will be housed separately from convicted persons and 80 square feet of floor space per prisoner shall be provided. Single cells will house only one prisoner.
- If a dorm must be closed during renovation, then 60 square feet of floor space per prisoner will be provided.
- In an emergency 12 additional prisoners may be permitted. This emergency capacity may be continued longer than 24 hours, or the emergency capacity may be increased upon application to the District or Superior Court and a showing of probable cause.
- All broken sinks and toilets shall be repaired or replaced, and plumbing shall be maintained in operational order. Drinking water, toilet and bathing facilities shall be provided in compliance with the Alaska Administrative Code.
- The temperature in all areas inside the building where prisoners are held shall be maintained between 68 and 75 degrees summer and winter.
- The glass brick walls shall be replaced with safety glass by May 1, 1979, to permit a view outside the facility, and the interior of the jail shall be painted with brighter colors.
- A modern, functioning kitchen shall be provided, and a food storage area shall be provided which allows food to be maintained and served at a proper temperature.
- Modesty screens consistent with security and safety shall be installed in the toilet area within 30 days.
- Storage areas shall be provided for each prisoner to which he has access for authorized personal possessions.

Order for Anchorage Jail Annex

Prison Operations

- Staffing level of the facility is to be increased by nine correctional officers to bring the total staff to 40.
- A risk profile or similar scheme is to be developed so that unsentenced prisoners may be classified within the institution within one week of admission.
- Nothing in the order is to be deemed to prevent segregation of individuals believed to be a danger to other inmates.
- An orientation program will be developed, including written materials, to familiarize new prisoners with institutional life, and all regulations will be reduced to writing and furnished each inmate.

Prisoners' Well Being

- Winter clothing will be provided upon request to prisoners exercising outdoors.
- Prisoners who are not identified as security or escape risks will be allowed to wear their own clothing if it is clean and suitable.
- Each prisoner will have a clean and intact mattress.
- Laundry facilities will be maintained, or contracted for, to meet the institution's needs.
- A sanitary cooking facility will be provided and each meal shall be nutritionally well balanced. All food served shall be fresh, in reasonable variety, and at proper temperature. Vegetarians and those whose religious faith requires special diets shall be accommodated.
- All inmates, except maximum security inmates, shall have access to GED programs, alcohol and drug counseling, psychological counseling, and a literacy program.
- Inmates in the dormitories shall have the opportunity to exercise outdoors one hour a day. Weights and other exercise devices also shall be available. An indoor exercise area sufficient to allow basketball and volleyball games shall be provided.
- A reasonable supply of current books and magazines shall be made available to inmates upon request for reasonable time periods.
- Radio shall be provided to all prisoners confined to single cells.

• Compliance shall be made with the requirements of AS 33.30.050 and prompt transportation shall be provided to scheduled and emergency medical, dental and psychiatric appointments outside the institution.

Communication

- There shall be no censorship of outgoing mail, nor limitation to whom the mail is sent.
- Writing materials and postage shall be provided sufficient for up to five letters a week.
- Outgoing mail shall be mailed within 24 hours of submission.
- Incoming mail may be inspected for contraband.
- Written material addressed to a prisoner may not be read unless the prisoner was previously identified as an escape risk or smuggler. In this case mail may be opened and read in the addresser's presence.
- Any prisoner may be presumed to be a smuggler who has been convicted of a drug offense, or for whom probable cause has been found by a judge or grand jury that he has sold or possessed for sale prohibited drugs.
- All prisoners shall be provided reasonable opportunity to make local telephone calls. No telephone calls will be monitored, except those of maximum security prisoners who have been warned in writing by the supervisor. No attorney calls will be monitored.
- Two more telephones and dividers will be provided in the secure visitation area and each prisoner shall be allowed 150¢ of local five days a week. Visiting hours shall be from 9 a.m. to 9 p.m.
- Contact visitation shall be allowed all prisoners except those previously identified as security, escape or smuggling risks.
- Adequate facilities for private attorney conferences must be provided immediately. An attorney may visit a client at any time, day or night, within 24 hours of admission. After that, attorneys may be permitted to visit clients from 9 a.m. to 11 p.m.
- A law library shall be provided with reading space and including the Alaska Digest, the Alaska Administrative Code

the Anchorage Municipal Code, Alaska Shepard's Citations, Federal Statutes and Rules relating to Criminal Law and Habeas Corpus, the materials required by 7 AAC 60.549. Each volume is to be updated in its customary manner.

- Prisoners shall have daily access to the library upon request, or the requested books may be brought to their cells, or they may be transported to the Eagle River facility on a daily basis.
- Writing materials shall also be provided sufficient to record, research and prepare documents.

The court viewed the conditions at the Sixth Avenue Jail as being of constitutional dimensions, explaining the significance of this in the October 30 Tentative Decision:

"Defendant's lack of resources cannot excuse their violation of plaintiffs' constitutional and statutory rights. The Federal courts have considered and rejected the claims of the State that inadequate resources, whether they be staff, physical facilities or money, excuse unconstitutional practices or procedures. In operating existing facilities and in constructing new ones, the State must recognize that any restrictions on the liberties of pretrial detainees, beyond those arising from their confinement itself, cannot be justified simply because the State chooses not to allocate the funds to relieve them. *Brennan v. Madigan*, 343 F. Supp. 1128, 128-40 (N.D. Cal. 1972), as the court said in *Holt v. Sarver*, 309 F. Supp. 362, 285 (E.D. Ark. 1970).

Let there be no mistake in the matter. The obligation of the respondents to eliminate existing unconstitutional practices does not depend upon what the Legislature may do, or upon what the Governor may do, or indeed upon what respondents may actually be able to accomplish. If Arkansas is going to operate a penitentiary system, it is going to have to be a system that is countermanded by the Constitution of the United States."

Public Safety Commissioner

Bill Nix, who has been responsible for the development of a wide variety of successful Bush Justice programs throughout the state in recent years, was appointed Commissioner of Public Safety by Gov. Jay S. Hammond this month to succeed Commissioner Richard Burton who resigned earlier this year.

Nix had been serving as acting commissioner at the time of his appointment.

During nearly 24 years Nix has served as a city police officer, Alaska State Trooper, magistrate supervisor for the Alaska Court System, and general manager of Nana security operations during construction of the Alaska pipeline.

He came to Alaska in 1954, working in the fishing and lumber industries in Southeastern Alaska and joined the Ketchikan Police Department in 1956.

Nix joined the Alaska State Troopers in 1960, rising to the rank of captain during the next 12 years, and he was deputy regional commander for the Southcentral Region when he left the State Troopers in 1972.

During those 12 years, he served in Anchorage, Fairbanks, Kotzebue, Juneau, Ketchikan and Sitka, and traveled widely throughout the rest of the state. He was responsible for supervising rural police functions throughout Alaska and helped develop the village police training program.

Nix became magistrate supervisor for the Alaska Court System in 1972. He assisted superior court judges in the selection and training of village magistrates and providing on site assistance to the magistrates.

He was responsible for the development of the magistrate training program and creation of the Magistrate Handbook which is still in use.

Nix was also responsible for the program which saw the design, development and final construction of a series of 13 modular criminal justice facilities which are located throughout the state.

These criminal justice facilities house within a single structure a small court room, offices for a magistrate and village police officer, and one or two detention cells.

These were designed to be transported by barge to the village locations where

they were erected by village residents. These provide facilities which were not previously available in the villages.

During his two years with the court system, Nix also helped in the creation of the Bethel Service Area which is providing improved criminal justice services in the Bethel area.

In 1974 Nix joined Nana Development Corporation as general manager of Nana Security in which he was responsible for securing a multimillion dollar contract to provide security services along the northern portion of the trans Alaska pipeline during the construction period.

New Director of Corrections

Charles F. Campbell was appointed by Commissioner Helen Berne last month as the new director of the Division of Corrections, succeeding William Huston who resigned late last year.

William G. Nagel, consultant to the state on the prison industries portion of the state's Correctional Master Plan, when he was here last month described Campbell as a good manager with experience in the free venture model of prison industries, co-correctional (co-educational) programs, and in drug and alcohol programs.

Campbell has 29 years' experience in corrections, working in both state and federal correctional systems. He comes to Alaska from Fort Worth, Texas, where he has been an instructor in corrections at Texas Christian University.

His career began in Virginia in 1950 as a state probation and parole officer. He later worked for several years as a case worker in several federal correctional institutions.

From 1961 to 1965 he was the Chief of Classification and Parole at the Federal Reformatory at Petersburg, Va., and was later promoted to Chief of Case Management of the Federal Bureau of Prisons.

In that capacity he was a co-designer of RAPS, which became RAPS II, the Bureau of Prison's inmate classification and information system.

He was later promoted to vice president for development and assisted in obtaining additional contracts and joint venture enterprises with national corporations.

Nix returned to the Department of Public Safety in 1977 as an inspector in the commissioner's office, serving as a special assistant to the commissioner external affairs.

In recent years Nix has also played a major part in the creation of the public safety officer concept which is now in operation in the North Slope Borough and is under consideration in other areas of the state.

Campbell later became executive associate director of the Medical Center for Federal Prisoners at Springfield, Mo., serving there from 1969 to 1971. He was responsible for all clinical services at that 1,000 bed facility, as well as custody and security, case management, education and programs.

During that time he also directed a major reorganization of the psychiatric services at the medical center.

From 1971 to 1975 Campbell served as warden of the Federal Correctional Institution at Fort Worth where he developed innovative, specialized programs for prisoners with drug abuse and alcohol abuse problems.

He also worked on new developments and advancements in community based corrections, prison industries, classification and staffing.

Campbell retired from the Federal Bureau of Prisons in 1975, and, in addition to teaching at Texas Christian University, he also served as a consultant to state prison systems in Wisconsin, Oklahoma, Colorado, Alabama and Nebraska.

In 1977 he was appointed as a special master in a Dallas County (Texas) court case involving the Dallas County Jail. He undertook a comprehensive study of the 2,000 bed jail and submitted 25 recommendations. These were approved by the court and were incorporated in the court's final order in that case.

Court of Appeals Proposed

A bill to establish an intermediate court of appeals along the lines proposed by the Alaska Court System was introduced into the state senate last month as Senate Bill 104.

Sponsors of the bill were State Senators Robert Ziegler, Ketchikan; H. D. Meland, Sitka; and W. E. Bradley, Pat Rodey, Terry Stimson and Arliss Sturgulewski, Anchorage.

The creation of such a court was requested by the Alaska Court System because of the increasing pressure on the Alaska Supreme Court by an increasing number of appeals, including a significant number of criminal appeals.

As proposed, the bill would create a three judge court of appeals with appellate jurisdiction over all actions and proceedings originating in the district courts, both civil and criminal, and over all criminal matters and other specific matters originating in the superior courts. The proposed court of appeals would, therefore, also relieve some of the case load of the superior courts, particularly review of district court actions.

Specifically, the court of appeals would have appellate jurisdiction over the following superior court matters: criminal prosecution, post conviction relief, extradition, habeas corpus, bail, revocation of probation or parole, waiver of children's court jurisdiction under AS 47.10, and appeals to the superior court from decisions of administrative agencies.

The bill provides that the supreme court, by rule, may provide for supreme court review of appeals to the superior court from administrative agencies.

The proposed court of appeals would have appellate jurisdiction over all criminal matters arising in the district courts, and all civil matters in which the amount in controversy is not less than \$50, or in which the recovery of personal property is not less than \$50.

The proposed court of appeals, in its own discretion may remand a district court matter to the superior court for a trial de novo in whole or in part.

The court of appeals would have the authority to issue injunctions, writs and all other process necessary for the complete exercise of its jurisdiction.

Appeal to the proposed court of appeals would be a matter of right in all matters over which the court has jurisdiction; and application may be made to the supreme court for review of final decisions of the court of appeals in accordance with AS 22.05.010 and rules adopted by the supreme court.

While the supreme court would have final appellate jurisdictions in all matters and proceedings, appeal to the supreme court would be a matter of right only in those matters in which there is no right of appeal to the proposed court of appeals.

The supreme court, in its own discretion, may review a final decision of the court of appeals on its own motion, or on application of a party under AS 22.07.030. The court may take jurisdiction of a case pending before the court of appeals if the supreme court determines that the case involves a significant question of law under the state or federal constitutions, or in issues of substantial public interest that should be determined by the supreme court, or, that the transfer of the matter to the supreme court would further the efficient administration of justice.

As proposed, the court of appeals would have jurisdiction to hear sentence appeals arising from both the district and superior courts on the grounds that the sentences are excessive or too lenient.

But, it is proposed that sentences of 45 days or more may be appealed as excessive either from the district court or from the superior court. Presently only superior court sentences of one year or more and district court sentences of 180 days or more may be appealed as excessive.

The state would have no right of appeal to the court of appeals in criminal matters except to test the sufficiency of an indictment or information, or to appeal a sentence on the grounds that it is too lenient.

In the latter case, the court of appeals could only express its approval or disapproval of the sentence. The court of appeals would not be authorized to increase the sentence if the defendant has not appealed the sentence.

Selection and appointment of the three judges of the court of appeals would be through judicial council recommendation and appointment by the governor as are all other district and superior court judges and supreme court justices.

The judges of the court of appeals would be subject to confirmation election at the first general election held more than three years after appointment, and they would then be subject to confirmation every eight years thereafter.

The bill provides that the salary of the judges of the court of appeals should be equal to 95 percent of that paid supreme court justices.

The qualifications of a judge of the court of appeals would be that he be a citizen of the United States and that he be a resident of Alaska for three years immediately preceding his appointment. He must also be engaged in the active practice of law for at least eight years prior to his appointment and that he be licensed to practice law in Alaska.

If adopted, the bill would take effect July 1, 1979.

Annual Judicial Conference

A program on cultural awareness will be included in the annual judicial conference of the Alaska Court System which will be held in Sitka June 11-13.

The decision of the Alaska Supreme Court to devote a significant portion of the annual conference to this subject followed the report of the Alaska Judicial Council last year indicating apparent discrimination in the sentencing practices of state judges.

This part of the program is still being developed, but the administrative staff and the presiding judges have held preliminary planning meetings with the State Human Rights Commission and the U.S. Department of Justice, Community Relations Service. The latter agencies have specific experience in race relations training.

Opinions of Note

SENTENCING AUTHORITY

William D. Boyne

v.

State of Alaska
Opinion No. 1766

Appeal from the Superior Court, Third Judicial District, Kenai, Judge James A. Hanson.

The supreme court said the trial court did not have the authority to impose a term of imprisonment as a condition of probation and the matter was remanded back to the trial court for resentencing.

The supreme court explained that according to AS 33.05.080(a), part of the Probation Administration Act, probation is defined as:

... a procedure under which a defendant, found guilty of a crime upon a verdict or plea, is released by the superior court subject to conditions imposed by the court and subject to the supervision of the probation services.

The court said nowhere does the act provide for incarceration of a probationer as a condition of probation. The court also explained that the Code of Criminal Procedure also does not specifically authorize confinement as a condition of probation.

Therefore, the supreme court concluded the superior court did not have the authority or power to impose such a condition in this case.

"While we recognize that such power may be most beneficial in certain cases," the supreme court said, "... we believe that this policy and the limits which should be placed upon it are matters properly for the legislature to consider and not for this court to attempt to read into the present statutes."

DESTRUCTION OF EVIDENCE

Michael Catlett

v.

State of Alaska
Opinion No. 1752

Appeal from the Superior Court, Third Judicial District, Anchorage, Judge Peter J. Kalamarides.

The supreme court found no violation of the defendant's right to confrontation

and due process in the destruction of photographs taken of the crime scene.

These were photographs of a ski Catlett allegedly removed from an aircraft at Lake Hood and showing footprints at the scene. They were destroyed by the investigating officer who said they were "blank."

The court said the defendant was not denied the right of confrontation in this case because the pictures were not introduced into evidence, they were not utilized at trial and the investigating officers did not prepare their testimony from these pictures.

The court also said the defendant was not denied due process because the photographs would not have led the jury to entertain a reasonable doubt of the defendant's guilt. The uncontradicted testimony regarding the footprints in the snow and other evidence found on the defendant was sufficient for conviction.

But, in a footnote, the supreme court said the destruction of the photographs in this case did not amount to a due process infringement. "The preservation of photographs and other real evidence is of special importance to defense preparation. Evidence in question should not be destroyed based on an investigating officer's evaluation of its usefulness. We believe that this due process right is so important that airport security police and other state investigative agencies should have standard procedures for the preservation of evidence obtained in the course of an investigation."

Double Jeopardy

The supreme court found no double jeopardy in the indictment and conviction of the defendant for grand larceny and removal of aircraft parts in the theft of an aircraft ski.

The court said the two crimes involved here are sufficiently separate to support two sentences as both the conduct punished and the societal interests protected by the two statutes are different.

The statute prohibiting grand larceny is primarily aimed at the protection of property rights and the statute prohibiting removal of aircraft parts is primarily aimed at protecting individuals from bodily injury or death.

Severance and Election

The supreme court found that the trial court did not abuse its discretion in denying the defendant's request to sever the charges or to order the state to elect which charge under which it would proceed.

The court said the case involved two criminal charges arising out of the same incident and it was obvious that much of the evidence adduced in one would be relevant to the other. The court said the public interest of avoiding duplicative trials can reasonably have been thought to outweigh the possible prejudice which might inhere in a combined trial.

SPECIFIC INTENT

Robert DeWain Mill

v.

State of Alaska
Opinion No. 1751

Appeal from the Superior Court, Third Judicial District, Anchorage, Judge C. J. Occhipinti.

The supreme court refused to reverse its previous holding in *Thompson v. State*, 444 P.2d 171 (Alaska 1968) that the crime of assault with a dangerous weapon does not require a specific intent to do bodily injury to the victim.

Appellant had argued that the supreme court appeared to have relied upon an aggressor's specific intent when the court characterized otherwise innocuous objects such as boots and a telephone as dangerous weapons.

But the supreme court said the appellant had misconstrued the court's earlier opinions, that it was not the intent of the person wielding the objects, but the manner in which they were used which persuaded the court they were dangerous weapons.

The appellant also argued that *Thompson* should be overruled because the Model Penal Code and the trend in other states to classify aggravated assault as a specific intent crime.

The court said, however, that the requirement of an intent to do physical harm normally derives from a specific statutory provision rather than from judicial construction and no court has implied such a requirement from a statute as silent as Alaska's.

Brief digests of Alaska Supreme Court Opinions and the criminal justice issues involved

Diminished Capacity

The court also rejected appellant's arguments that a defense of diminished capacity should be applicable to crimes requiring only general criminal intent.

The court said that if the doctrine of diminished mental capacity were available to show the defendant's lack of ability to form a general intent to perform a prohibited act, it would be functionally indistinguishable from the defense of mental disease or defect and would serve only to lessen the degree of mental incapacity necessary to constitute a complete "insanity" defense. The defendant would no longer have to prove that he was substantially incapable of making choices or conforming his actions to law. He would need prove only that his mental capacity had been diminished in some lesser way.

Double Jeopardy

The supreme court said there was error on the trial court to allow the prosecution to argue that the defendant had committed three separate assaults with a dangerous weapon when he was indicted for shooting with intent to kill, wound or maim. The three alleged assaults being when he pointed the gun at the victim, when he shot the victim, and then when he stood over the victim with the gun until the victim wrote a check.

But, the court said the error was harmless in the context of this case as there was no dispute as to the actual facts and no conceivable way that the jury could have been confused.

SUFFICIENCY OF EVIDENCE

Carol Moreau,
Davis Stone

v.

State of Alaska
Opinion No. 1770

Appeal from the Superior Court, Third Judicial District, Anchorage, Judge C. J. Occhipinti.

The supreme court held that a napkin containing only a trace of heroin was sufficient to support the conviction of Davis Stone for possession of heroin in this case.

The napkin was found in Stone's mouth when police entered his home. He

spit it out and it was taken from Moreau when she appeared to be attempting to dispose of the napkin.

In *Judd v. State*, 489 P.2d 273 (Alaska 1971), the court said:

Where the facts of the case show knowing possession of illegal drugs, it is unnecessary that a usable quantity be found so long as a sufficient quantity of the drug is found to permit proper identification.

The court said in this case: "Possession of even a trace of a prohibited drug may be sufficient to sustain a conviction where other evidence supports the inference of knowledge. Where the prohibited substance is itself mixed with or contained within an innocuous substance or object, it is necessary that the state prove the defendant's knowledge of the narcotic character of the substance. A defendant's knowledge of the narcotic character of a substance can be shown by inferences that can be reasonably drawn from facts in evidence."

In this case the court found sufficient evidence to support the conviction.

But, the court said, the momentary possession of a trace of heroin by Moreau and a possible movement towards the bathroom is not sufficient evidence to support the conviction of Moreau. Her conviction for the possession of heroin was reversed.

The court said that under the circumstances, such momentary possession is insufficient, as a matter of law, to sustain a conviction for possession.

The court went on to say: "Our hearing does not insulate from prosecution those who seek to dispose of contraband upon deciding that the police are approaching. In such cases, it may be inferred that the defendant previously had more than momentary possession. No such inference is permissible here since the evidence reveals that Stone had the prior possession."

Failure to Poll Jury

The court said there was no reversible error in the failure to poll the jury as to each defendant, when such a poll was not requested and no jury confusion or failure to consider each defendant was suggested in the record.

But, the court said: "We do, however,

believe that the better practice for the trial judge is to poll the jury as to their verdict about each defendant."

Conflict between Defendants

The court found that the examination conducted by the trial court was sufficient to constitute a voluntary waiver of the right to individual counsel in this case.

But the court adopted a standard established by the Minnesota Supreme Court in *State v. Olsen*, 258 N.W. 2d 898, 903 08 (Minn. 1977) which will be applied to future Alaska cases.

That standard requires the court to: address each defendant personally and forthrightly advise him of the potential dangers of representation by counsel with a conflict of interest. The defendant must be at liberty to question the court as to the nature and consequences of his legal representation. Most significantly, the court should seek to elicit a narrative response from each defendant that he has been advised of his right to effective representation, that he understands the details of his attorney's possible conflict of interest and that he has discussed the matter with his attorney or if he wishes with outside counsel, and that he voluntarily waives his Sixth Amendment protections. It is, of course, vital that the waiver be established by "clear, unequivocal, and unambiguous language." Mere assent in response to a series of questions from the bench may in some circumstances constitute an adequate waiver, but the court should nonetheless endeavor to have each defendant personally articulate in detail his intent to forego this significant constitutional protection. Recordation of the waiver colloquy will also serve the government's interest by assisting in shielding any potential conviction from collateral attack, either on Sixth Amendment grounds or on a Fifth or Fourteenth Amendment "fundamental fairness" basis.

(Continued on next page)

Opinions of Note

(Continued from page 7)

Excessive Sentence

The court found that Stone's six-year sentence was excessive for the possession of a trace of heroin, and that the term on resentencing should not exceed five years.

It was remanded back to the trial court for resentencing.

SEARCH AND SEIZURE

Timothy Gieffels

v.

State of Alaska

Opinion No. 1787

Appeal from the Superior Court, Third Judicial District, Anchorage, Judge James A. Hanson.

The supreme court affirmed the warrantless seizure of a suitcase which Gieffels had sent to his brother in California for safekeeping following the fatal shooting of an Anchorage bartender.

The brother, aware that Gieffels was involved in a shooting, had called police and advised them where they could find the suitcase. It was then seized, and subsequently searched.

It was argued on appeal that the brother was a mere bailee and was authorized only to hold the suitcase for the appellant, and he did not have the authority to consent to its seizure. It was argued, therefore, that the seizure did not fall within a recognized exception to the warrant requirement.

The supreme court cited an analogous case, *United States v. Diggs*, 544 F.2d 116 (Third Cir. 1976), in which the Circuit court said,

... The right of the custodian of the defendant's property who has been unwittingly involved by the defendant in his crime to exculpate himself by disclosing the property and explaining his connection with it to government agents, must prevail over any claim of the defendant to have the privacy of his property maintained against a warrantless search by such agents.

Probable Cause for Search

The supreme court also concluded that the brother's consent to the police seizure

of the suitcase was voluntary as it was he who called the police and expressed his desire to disassociate himself from the matter. The court said it did not believe that the failure of the police to advise the brother that he could refuse consent made his consent less voluntary.

But, this did not give the brother the authority to authorize a search of the suitcase. This was done, however, with a search warrant California authorities had obtained on the basis of information given them by Anchorage police.

The supreme court said that the affidavit used to obtain the search warrant failed to establish the reliability or credibility of the citizen informants and that the magistrate issuing the warrant was not entitled to rely on such information.

But, the supreme court found there was sufficient other information linking Gieffels to the crime to establish probable cause to search the suitcase without these statements.

This included the fact that a warrant had been issued for his arrest, that he had fled Anchorage by plane shortly after the killing.

Jury Instructions and Special Findings

The supreme court found no error in the manslaughter instruction as a lesser included offense of felony murder which was given by the trial court, nor was error found in the failure to submit special findings to the jury.

In *Gray v. State*, 463 P.2d 897 (Alaska 1970), the supreme court had said a killing, "if done in the perpetration of a felony but not with the intent to kill, may be manslaughter." In this case, the court said, there was ample evidence from which it could have been inferred that the bartender had been shot during the commission of a robbery, there was still room for a reasonable doubt whether Gieffels acted with the requisite intent to kill. Thus, the court said, it was satisfied that a manslaughter instruction was fully warranted.

The court also found no error in the instruction which was given.

The court said there was nothing in *Gray*, a case relied on by the appellant, and the Rules of Criminal Procedure requiring special findings in a case like this.

The court said that while such findings might be useful in ascertaining the reasoning behind the jury's verdict, the decision is a matter for the discretion of the trial court. No abuse of discretion was found.

Grand Jury Proceedings

While hearsay evidence has been submitted to the grand jury in this case, the supreme court said a review of the transcript revealed there was adequate evidence to support the indictment apart from any hearsay.

The supreme court also concluded that there was no failure on the part of the prosecution to present exculpatory evidence to the grand jury.

The court found without merit the assertion that the prosecutor had failed to inform the grand jury of the type of bullet that had killed the bartender, as the evidence clearly showed that he was killed by a .44 caliber revolver.

The court also found without merit the argument that the prosecutor failed to explicitly inform the grand jury that a swab test had not been taken of the victim's hands which might indicate that he had shot himself.

The court said that while it agrees that a prosecutor is obligated to reveal any exculpatory evidence, this did not require him to report investigatory steps or procedures not taken.

BURDEN OF PROOF: INSANITY

State of Alaska

v.

Frank Augie Alto

Opinion No. 1777

Petition for Review from the Superior Court, Third Judicial District, Anchorage, Judge James K. Singleton.

With state statutes silent on the subject, the Alaska Supreme Court established that when a defendant has been committed to an institution following a judgment of not guilty by reason of insanity, pursuant to AS 12.45.090, it is the defendant, to gain release who has the burden of proving by a preponderance of evidence that he no longer suffers the mental illness which caused him to be a danger to society.

Opinions of Note

This reversed the order of the lower court that the state had the burden of proving by clear and convincing evidence that the defendant still suffered the illness.

The supreme court explained that under Alaska law, AS 12.45.083(b)(c), a plea of insanity is an affirmative defense in a criminal case requiring the prosecution to prove beyond a reasonable doubt that the defendant was not insane when he committed the offense; and a verdict of not guilty by reason of insanity contains within it the finding, beyond a reasonable doubt, that the defendant committed the offense.

These provisions were adopted by the state legislature from Art. IV of the Model Penal Code of the American Law Institute, but the code's provisions concerning post acquittal procedures was not adopted and AS 12.45.090 does not state who has the burden of proof or what the standard of proof should be in post acquittal proceedings.

But, the supreme court explained that since the hearing is held while the defendant is in custody, he is attempting to bring about a change in his existing status, and thus the statute appears to contemplate that the burden of proof should be placed on the defendant.

This, the court said, is the way the Oregon Supreme Court construed the statute from which the Alaska statute was taken, *Newton v. Brooks*, 426 P.2d 446, 450 (Oregon 1967).

But the Alaska Supreme Court explained further:

"The fact that the burden of proving sanity is now placed on the state beyond a reasonable doubt makes it important to require that one who is acquitted by reason of insanity prove that he is not a danger to the public peace and safety because of his mental condition. To require the state . . . to prove present insanity and dangerousness by clear and convincing evidence would create a broad band of offenders beyond the reach of the law. They are those who are neither sane beyond a reasonable doubt, and who therefore cannot be convicted, nor clearly insane, and therefore cannot be committed."

The court agreed with the reasoning of a committee report of the U.S. House of Representatives in a congressional action overturning a federal case which had placed the burden of proof on the government, *Bolton v. Harris*, 395 F.2d (D.C. Cir. 1968). The report, HR. Rep. No. 907, 91st Cong., 2nd. Seas. 73-5 (1970) said in part:

"This particular ruling permits dangerous criminals, particularly psychopaths, to win acquittals of serious criminal charges on grounds of insanity by raising a mere reasonable doubt as to their sanity and then to escape hospital commitment because the government is unable to prove their insanity . . . The Committee considers this result intolerable. It neither protects the public safety nor provides treatment of a defendant acquitted of a crime on grounds of insanity."

The court concluded, "... based on the foregoing . . . the burden of proof should be on the defendant at a post acquittal hearing. The state does not urge that a defendant must carry this burden by a standard of proof more strict than by a preponderance of evidence, and we agree that is the appropriate standard."

CIVIL COMPROMISE

Thomas P. Hensel
v.

State of Alaska
Opinion No. 1755

Appeal from the Superior Court, Third Judicial District, Anchorage, Judge J. Justin Ripley.

In a matter of first impression, the supreme court said the crime of leaving the scene of an accident is not amenable to civil compromise.

The court explained that the act constituting the crime of leaving the scene of an accident is the failure to stop and make the necessary exchanges of information or assistance after the accident has occurred. This omission is not one which causes injury to the private citizen within the meaning of the civil compromise statutes.

Settlement of the claim for injuries resulting from the accident cannot settle the state's claim for a violation of its laws.

PRESERVATION OF EVIDENCE

James D. Wyrick
v.

State of Alaska
Opinion No. 1790

Appeal from the Superior Court, Third Judicial District, Anchorage, Judge C. J. Occhipinti.

The supreme court found no error in the state's failure to provide the defendant with the items from which fingerprints were taken following a burglary.

Four fingerprints identified as the defendant's were found among 22 prints obtained by police at the scene of the burglary.

All were preserved and were made available to the defendant. But the defendant made a pre-trial motion for the production of the items from which the fingerprints were taken. But these could not be produced as they had either been destroyed or returned to their owners.

The fingerprints were the crucial evidence linking the defendant to the scene of the burglary. Following conviction he appealed arguing that the state had the affirmative duty to disclose evidence favorable to the defense, and that preservation of the items would have allowed him to test whether the prints were accurately lifted and perhaps discover prints of other possible suspects.

The supreme court said its previous holding in a similar case was dispositive of the claim made in this case, *White v. State*, 577, P.2d 1056, (Alaska 1978) (See Alaska Justice Forum, June 1978).

While the items were requested before trial in this case, the court said the claim was even weaker than in *White* with the defendant arguing that he might have found other prints. The testimony at trial was that all the prints were lifted that could be lifted.

The court noted that the government would have been motivated to get all possible prints from the items and that at that point there were no suspicions of any particular person. The court said it would be a different case if there were any reason to believe that not all the prints were lifted either intentionally or through improper techniques.

Points on Appeal

Mark J. Mello

v.

Charles Moses, et al.

File No. 4404

Filed Dec. 4, 1978 by Elaine M. Andrews, assistant public defender.

Appellant raises the following questions on appeal:

- Whether the superior court judge erroneously ruled that an allegation that the state failed to identify the petitioner as the person wanted in the State of North Carolina, as opposed to an allegation that the petitioner is not the person wanted by the North Carolina authorities, failed to inject or properly raise the issue whether the state has failed to meet its requirement, under *Kostic v. Smedley*, 522 P.2d 535, 538 (Alaska 1974), to prove, in habeas corpus—extradition proceedings, "that the person in custody and seeking habeas corpus is the one charged with such crime." *Accord, Montague v. Smedley*, 557 P.2d 774, 777 (Alaska 1976).

- Whether the superior court erred by not ruling that the state's failure to present any evidence that petitioner was the person wanted by the State of North Carolina, is insufficient to meet its burden of proving that petitioner is the person wanted by the demanding state.

Herschel E. Crutchfield

v.

State of Alaska

File No. 4474

Filed Jan. 18, 1979 by Dick L. Madson, attorney.

The appellant raises the following points on appeal:

- The regulation prohibiting the drug in question was void as overbroad and beyond the authority granted by the legislature.

- Appellant was denied his constitutional right to a jury trial composed of 12 persons.

- The admission into evidence over the videotape and related testimony was plain error.

- The verdict is inconsistent with the instructions given by the court.

Fred Larson

v.

State of Alaska

File No. 4473

Filed Jan. 11, 1979 by David C. Backstrom, deputy public defender.

The appellant raises the following points on appeal:

- The verdict was contrary to the evidence.

- The court erred in failing to grant defendant's motion for judgment of acquittal on both counts: Burglary not in a dwelling, and attempted petty larceny.

- The court erred in giving a jury instruction on aiding and abetting without limiting that instruction to Count II, attempted petty larceny.

- The court erred in permitting Trooper Schrank to testify in rebuttal as to certain statements made by the defendant when he was inadequately advised of his Miranda rights.

- The sentence imposed is excessive.

Ida Marie Hinkle

v.

Municipality of Anchorage

File No. 4508

Filed Dec. 22, 1978 by Joseph A. Kalamardes, attorney, Anchorage.

The appellant raises the following point on appeal:

- That the superior court judge erred in his memorandum decision on petition for review, dated July 20, 1978, that the search of the cloth purse was a lawful search and did not violate the defendant's Fourth Amendment rights to the Constitution of the United States and also the Alaska Constitution. That the memorandum decision on petition for review overturned the court's May 11 order suppression of the evidence of the search.

Janice Lythgoe

File No. 4497

Filed Jan. 22, 1979 by David C. Stewart, assistant public defender, Fairbanks.

Appellant raises the following points on appeal:

- The trial court erred in failing to dismiss the indictment.

- The sentence imposed was excessive.

Harvey D. Lee

v.

State of Alaska

File No. 4430

Filed December 14, 1978 by Albert C. Simmons, attorney, Anchorage.

The appellant raises the following points on appeal:

- The district court erred in allowing witnesses to testify in the state's case in chief who had not been made known to defendant by discovery.

- The district court erred in allowing into evidence in the state's case in chief documentary evidence which had not been made known to defendant by discovery.

- The district court erred in allowing into evidence the results of a breathalyzer test without a proper foundation having been laid for its introduction into evidence.

Donald Eugene Loesche

v.

State of Alaska

File No. 4443

Filed December 20, 1978 by Dennis Kelso, attorney, Fairbanks.

The appellant raises the following points on appeal:

- The court erred in permitting the defendant's wife to testify in the state's rebuttal.

- Composition of the jury panel was improper because residents of the Clear Anderson area were represented disproportionately.

- Composition of the jury was improper because prospective jurors were excused for insufficient reasons.

- The court erred in permitting the defendant's wife to testify after the exclusionary rule had been invoked and violated.

- The court erred in limiting defendant's cross-examination of the alleged victim.

- The court erred in excluding certain testimony and limiting other testimony of the defendant's witnesses regarding the alleged victim's reputation and propensity for violence.

**Brief descriptions of points being raised
in criminal appeals filed with the Alaska
Supreme Court.**

Terry Newell

v.

State of Alaska

File No. 3353

Filed Jan. 29 by Richard Yospin, assistant public defender, Ketchikan.

Appellant raises the following points on appeal:

- The superior court erred in failing to find that the warrant for the appellant's arrest was invalid and that the proceedings before the parole board should have been dismissed for that reason.

- The superior court erred in failing to overturn the decision of the parole board for unnecessarily delaying the preliminary parole revocation hearing.

- The superior court erred in failing to overturn the decision of the parole board revoking appellant's parole because the parole board did not adequately notify appellant of charges nor did the parole board adequately disclose evidence to the appellant prior to the final parole revocation hearing.

- The superior court erred in failing to overturn the action of the parole board, since the parole board was not a "neutral, detached" hearing body, and since the appellant's parole officer was present as an advocate during the deliberations of the parole board.

- The superior court erred in failing to overturn the action of the parole board revoking appellant's parole, since the statement of reasons supplied by the parole board in revoking appellant's parole was inadequate, and did not sufficiently apprise appellant of the evidence relied on in the decision to revoke his parole.

- The superior court erred in failing to find that appellant's parole officer had waived some of the alleged violations which were heard by the parole board during the final parole revocation hearing.

- The superior court erred in failing to find that the parole board had improperly denied appellant all possibility of parole.

- The superior court erred in failing to give appellant credit for time spent on parole.

- The superior court erred in failing to order either a new hearing before the parole board, or reinstate appellant on parole.

Robert F. Cochrane

v.

State of Alaska

File No. 4531

Filed February 26, 1979 by John R. Vacek, Alaska Legal Services, Kodiak.

The appellant raises the following points on appeal:

- The superior court erred in denying the defendant's motion to dismiss the indictment.

- The superior court erred in denying defendant's motion to dismiss two counts of the indictment.

- The superior court erred in denying defendant's motion for psychiatric evaluation of the complaining witnesses.

- The superior court erred in refusing to allow a witness to testify to her conversations with and observations of the defendant at the Kodiak jail shortly after his arrest.

- The superior court erred in refusing to allow the witness to testify as the nature of her relationship with and her contacts with the defendant.

- The superior court erred in refusing to allow the defendant to enter into evidence the complete statement of a witness.

- The superior court used improper criteria in imposing sentence.

- The superior court erred in imposing multiple sentences.

- The sentence is excessive.

Benjamin Layob

v.

State of Alaska

File No. 4519

Filed February 5, 1979 by John R. Vacek, Alaska Legal Services, Kodiak.

The appellant raises the following points on appeal:

- The superior court erred in denying defendant's motion for judgment of acquittal.

- The superior court used improper criteria in imposing sentence.

- The sentence imposed was excessive.

David Avery

v.

State of Alaska

File No. 4440

Filed December 18, 1978 by Steven G. Marks, assistant public defender, Juneau.

The appellant raises the following points on appeal:

- The superior court erred in denying post-conviction relief since the double jeopardy and due process clauses of the Alaska and United States Constitution preclude an independent factual finding by the Parole Board on charges which have already been tried to a jury of twelve persons, which has resulted in a final judgment of acquittal.

- The superior court erred in denying post-conviction relief based upon the Parole Board's failure to apply the proper standard of proof in revoking parole.

- The superior court erred in denying post-conviction relief by finding that the Parole Board was indeed an impartial fact finding body.

- The superior court erred in denying post-conviction relief by finding that the parole board had given adequate notice of the charges.

Shirley La Londe

v.

State of Alaska

File No. 4543

Filed January 29, 1979 by David C. Stewart, assistant public defender, Fairbanks.

The appellant raises the following points on appeal:

- The trial court erred in failing to grant a motion for a new trial.

- The sentence was excessive.

Paul Hubert

v.

State of Alaska

File No. 4541

Filed January 2, 1979 by Phillip P. Wordner, attorney, Anchorage.

The appellant raises the following point on appeal:

- The trial court erred in failing to grant the defendant's motion to suppress the fruits of illegal stops, illegal arrest, illegal seizures, illegal searches, illegal entries and illegal interrogations.

Points on Appeal

David M. Vessel
v.
State of Alaska
File No. 4488

Filed January 29, 1979 by Walter Share,
assistant public defender.

Appellant raises the following points on appeal:

- The identification of the appellant and his clothing following the alleged robbery violated due process of law in that it was a suggestive line-up procedure, without adequate procedural safeguards.

- The failure of the state to inform the defendant of his right to have an attorney at the identification procedures, as well as the failure of the state to provide an attorney, violated defendant's right to counsel as well as due process of law.

- The failure of the state and the court to effectuate a later line up procedure caused the loss of exculpatory evidence, in violation of due process of law, the right to subpoena witnesses and compulsory process as well as to permit cross examination of witnesses.

- The state's violation of a protective order, concerning in-court identification of defendant mandates that a new trial be ordered.

- The trial court improperly limited defendant's cross examination of witnesses concerning their inability to identify defendant in later line ups, had the superior court effectuated those line ups as requested.

- The search of a car violated Fourth Amendment rights since there was no probable cause to connect the car with any crime, and search or seize the car, and furthermore since the search warrant was supported by an inadequate affidavit.

- There was no probable cause to arrest the defendant, or seize the defendant and hold him to be shown to victims for identification.

- The trial court's denial of defendant's request that the jury be permitted to walk the scene violated due process of law and defendant's right to put on a defense guaranteed by due process of law.

- The trial court erred in not dismissing the case due to the failure of the state to bring the defendant to trial as provided by Criminal Rule 45.

- That the state's use of other "bad acts" at trial was error and denied defendant his right to a fair trial.

- The state's use of surprise witnesses in its case in chief who were not listed on witness lists or brought to the attention of the defendant prior to trial violated Criminal Rule 16, as well as pretrial orders by the court, including a rule which prohibited witnesses to be in the courtroom during trial.

- The grand jury indictment should have been dismissed based on the grounds that: 1) the state introduced an impermissible identification of defendant and his clothes; 2) the state introduced the fruits of an impermissible search and seizure of a car; 3) the repeated use of hearsay which was not cumulative, and crucial to the state's case, impermissibly tainted the grand jury; and 4) without the impermissible identification searches, and hearsay, there was insufficient evidence before the grand jury to permit indictment.

- The court erred by permitting the illegal use of a witness's hearsay at trial regarding defendant's possession of a gun in the store.

- The state excluded all Blacks from the petit jury, thus denying defendant a fair and impartial jury of his peers.

- The trial court committed reversible error by instructing the jury that they should give credence to the testimony most worthy of belief (Jury Instruction No. 14), which dilutes the standard of proof beyond a reasonable doubt, and shifts the burden of proof, in violation of due process.

- The violation by the Department of Corrections, of defendant's right to use the law library for purposes of trial preparation, and the subsequent denial of adequate continuance to remedy the situation, denied defendant his rights to properly prepare for trial.

Charles A. Johnson
v.
State of Alaska
File No. 4462

Filed January 10, 1979 by Thomas W. Findley, attorney, Juneau.

The appellant raises the following points on appeal:

- The superior court illegally denied defendant's motion to suppress the evidence of an illegal search.

- The superior court illegally denied defendant's motion to suppress evidence of an involuntary confession.

- The superior court permitted irrelevant and prejudicial evidence of prior bad acts of the defendant to be argued before the jury.

- The superior court allowed into evidence prejudicial and irrelevant testimony by two state judicial service officers concerning an alleged threat made to a witness during trial.

- The superior court failed to grant the motion for a mistrial for failure of discovery by the Anchorage Police and State District Attorneys regarding a photo identification.

- The superior court erred in denying appellant's motion to suppress evidence seized during a search of his room and evidence seized incident to appellant's arrest when both the search and arrest were unsupported by probable cause.

- The superior court erred in denying appellant's motion to suppress evidence obtained during a search of his motel room inasmuch as it was the fruit of an illegal pursuant to Criminal Rule 26(g).

Hamura Rivora
v.
State of Alaska
File No. 4517

Filed February 2, 1979 by John R. Vacek, Alaska Legal Services, Kodiak.

The appellant raises the following points on appeal:

- The superior court erred in denying defendant's motion for judgment of acquittal.

- The superior court used improper criteria in imposing sentence.

- The sentence imposed was excessive.

Proposed Legislation

PEACE OFFICERS

SB 162—To define probation officers supervising adults, parole officers and correctional officers as peace officers.

PEACE OFFICER AND FIREMEN RETIREMENT

HB 156—To permit state retirement credit for peace officers and firemen who have served in a full time capacity in another state, including municipal or federal service.

POLICE STANDARDS

HB 213—To amend AS 18.65 relating to the Alaska Police Standards Council.

IMMUNITY

SB 78—To add a new section to AS 12.50 to provide witness immunity and protection.

NARCOTICS

SB 65, HB 101—To consolidate and strengthen drug laws of the state.

MARIJUANA

HB 10—To amend AS 17.12.110(d) adding a prohibition against possession of marijuana in public places or conveyances.

DRUG LAWS

HB 101—To consolidate and strengthen the drug laws of the state.

APPROPRIATION FOR ALCOHOLISM TREATMENT

HB 188—To make a supplemental appropriation of \$350,759 to the Office of Alcoholism and Drug Abuse for the purpose of awarding grants for alcohol treatment programs.

ALCOHOLIC BEVERAGES

HB 219—To extensively amend statutes relating to the alcoholic beverages.

INSURANCE FOR ALCOHOL AND DRUG DEPENDENCE

SB 227—To require group health insurance coverage for treatment of alcohol and drug dependence.

COURT OF APPEALS

SB 104—To establish a court of appeals with appellate jurisdiction in superior court proceedings involving: criminal prosecution, post conviction relief, waiver of children's court jurisdiction over a minor, extradition, habeas corpus, revocation of probation or parole, bail, and appeal to the superior court from an administrative agency. Also in all actions and proceedings commenced in the district court.

SUPERIOR COURT JUDGES

SB 169, HB 266—To increase the number of superior court judges from 20 to 22; two in the Second Judicial District, 11 in the Third Judicial District, and five in the Fourth Judicial District.

SENTENCING

SB 141—To amend AS 12.55 by adding a new section permitting imprisonment as a condition of a suspended imposition of sentence. (See *Boyne v. State*, Opinion No. 1766, this issue of Alaska Justice Forum.)

ADVISORY COMMITTEE ON JUDICIAL SENTENCING

SB 217, HB 195—To establish an advisory committee on judicial sentencing practices to assist the Judicial Council in study of apparent discrimination in the sentencing of minority persons.

SB 218, HB 196—To make a special appropriation of \$85,000 for transportation expenses of advisory committee members.

JUDICIAL RETIREMENT

HB 215—To place administration of the judicial retirement system with the commissioner of administration.

JUDICIAL DISQUALIFICATION

SB 172—To amend Rule 42 of the Rules of Civil Procedure relating to the preemptory disqualification of judges to give the presiding judge the responsibility for assigning a new judge residing in the location where the action is pending.

REPRESENTATION IN COURT

HB 181—To permit a corporation to be represented in court by an officer or director upon a showing that the corporation cannot afford an attorney.

LAW CLERKS

SB 99—To amend AS 08.08.207(a) relating to law clerks who have not graduated from an approved law school.

VICTIM COMPENSATION

SB 77—To amend AS 18.67.100 broadening the coverage of payment to victims of criminal activities.

VOTING RIGHTS

HB 3—To amend AS 15.05 by adding a new section restoring the right to vote to persons following their discharge from imprisonment.

DRIVER'S RECORD

SB 110—To amend AS 28.15.151(c) and (d); repealing subsections (e) and (f); relating to the availability of an abstract of a driver's record.

FISH AND GAME

HB 148—To amend AS 16.05.190 relating to the seizure and confiscation by the court of items used or in aid of fish and game violations.

LICENSED GUIDES

SB 101—To repeal AS 08.54.200(c)(3) relating to disciplining of licensed guides.

SB 102—To amend AS 08.54.200(a)(1) relating to the disciplining of licensed guides.

MENTAL HEALTH

HB 2—To amend AS 47.30 by adding a new section relating to the civil commitment of mentally ill persons.

YOUTH CENTERS

HB 125—To establish multipurpose youth centers in each election district of the state and to establish youth advisory committees to aid in the operation of these centers.

The Future of Police Education:

(Continued from page 1)

What Is the Purpose of Higher Education for Police?

Glen King, Executive Director of the International Association of Chiefs of Police, early in the symposium expressed concern about what higher education can be expected to do for police. He warned that advanced education cannot be expected to solve all police problems but that education should have change as its objective and that individuals with a sound educational preparation should be expected to become change-agents. The traditionalists in policing may feel that advanced education implies that anti-establishment revolutionaries will be threatening the status quo. King felt that in the interest of consumerism police should be able to influence the direction of police education.

Dialogue Should Be Established

Later speakers argued that dialogue should be established between police practitioner and higher education justice program administrators but, just as the business of policing would have to be left to the police, the academicians should have full control, authority and responsibility for academic programs.

King stated that the current efforts in police education are in the "adolescent period," that great differences in resources nationwide may necessitate continuing certificate and degree programs but with an improved curriculum, and that ideally there should be full articulation between two and four year educational institutions.

Support Needed

The President of the International Union of Police Associations, Mr. Edward Kiernan, who called himself the symposium's "token labor representative" stated in strongly worded terms that "higher education for police officers will play a big part in labor negotiations from now on." He said that police officials will need support for career path education and education for change, and in order to bring this about, the public and elected officials will need to be convinced that continuing education will improve police services.

Kiernan took a different approach than most of the higher education representatives present when he argued that the problem in police education was due to the "... serious lack of experienced police officers who continue their education to advanced degree levels and teach in higher educational institutions."

Police Responsibility

He felt that this problem was not the fault of educational institutions but that it was clearly a problem for which the police themselves must be held responsible. He warned about job, standards, and benefits improvements which would be subjected to outside political pressures at all levels. "Right now police are dependent upon others from outside the profession to determine the educational structure, police will continue to be 'used' by outside educators until police produce their own educators."

Alienation Feared

Johannes Spreen, President of the American Academy for Professional Law Enforcement agreed with most of the Commission's recommendations. Spreen expressed no doubt that good quality education is essential to police professionalism but went on to accuse the Commission members of "academic cloning" attempting to make police into the image of academicians. He felt that the report would not unify but would rather "rip apart" the police and academic worlds and result in further alienation.

Spreen asked whether there need be only one model for police education and answered his own question in the negative but continued that police do need a broad education rooted in communication skills and knowledge, and an awareness of social problems and techniques in how to deal with them. He called for educational programs broadly based in the behavioral sciences and "research in reality," saying further that "... police employees who possess generally esoteric theoretical backgrounds are not terribly useful to police departments."

Spreen was nearly alone in reminding the representative audience that police professionalism and innovation must start

at the top of the organization, not at the bottom, as the Commission report may imply. He argued that police officials must:

- 1) identify in-service talent and prepare them for teaching;
- 2) support and encourage interested high school students to pursue justice education;
- 3) insist on cooperation between two and four year higher education schools; and
- 4) seek articulation between the large research universities and teaching universities.

Finally, Spreen argued that those police officers would be best equipped who possess the combination of education and experience; that college should be an eclectic experience which would result in a generally well prepared student and that teamwork between police and academic programs would result in a better product which he defined as better service to the citizenry.

What Is the Purpose?

Yet another panelist, Frank Carrington, Director of Americans for Effective Law Enforcement, called the Commission's work "a plain speaking report." Carrington questioned whether the report should stress as an end of police education the creation of more liberal police officers. His objective was "to merely pose the question, should or can police education programs liberalize the police, the one social servant organization whose clients shoot and hit back?"

Change From Outside the System

Professor G. Lamar Howard of the National Association of Blacks in Criminal Justice reminded symposium participants that the many changes having taken place in policing and in the criminal justice system have not been the result of planned change. He argued that all should recognize that the public with its sense of fairness and equity has brought about many of these changes and that even prisoners have brought about positive change in the system.

Howard stated that there could be no doubt that improved skills, education and services are essential, and called for broad

A National Debate

liberal education based on behavioral and social sciences for police and other justice personnel. It was his impression that "... students go to school for very personal reasons..." and that curriculum objectives should therefore be based on student needs, institutional goals and police involvement in the process. Professor Howard concluded that the report was lacking in addressing the needs of black people and other minorities and that those needs must be clearly addressed.

Liberty and Order

The final panelist to address the question of the purpose of higher education for police was Mr. Ralph Temple of the Legal Division of the American Civil Liberties Union. Temple stated emphatically that the purpose of police education must be discovered in the examination of two essential concepts in our system of justice—liberty and order. He argued that the police mission is not, and need not be, in competition with the American concept of justice. Liberty and order must co-exist in principle as well as in practice according to Temple. He felt that the controversial report must be seen in the present context of American society, its problems and its deficiencies.

Not the Final Answer

Commission member and Mayor of Los Angeles, Tom Bradley responded to the panelists' viewpoints. Mayor Bradley replied to the accusation that the Commission was narrow in its composition and scope by stating that the membership was diverse in its views and opinions and that the body had sought widespread opinion and testimony. He stated that the report is not the final answer but a point of departure for improving the quality of education for police officers.

To Foster Change

He expressed hope that those in attendance and others not present would not be defensive and that academicians and police personnel would read the report with an open mind. Bradley stated that the purpose of the report was to foster basic change within the policing institution and not to foster maintenance of the status quo.

Report Is Essential

In reminding the audience that no institution can survive by maintaining, decade after decade and century after century of tradition, Bradley argued that rapport between police and society is essential, that means and ways of achieving goals can and must be found.

Bradley said that the Commission's report "... was not talking about vocational training for police officers... We're talking about proper design of higher education for police officers... Vocational training should be developed and paid for by the police agencies... a broad liberal arts approach is necessary..." and finally "The report does not state that police educational programs have been worthless."

Education Has Brought Changes

The Mayor and former member and president of the Los Angeles City Council shared some of his personal views with the participants based on his own police experience. Bradley retired in 1961 from the Los Angeles Police Department. He told the audience that in his 26 years of police work on the LAPD he had not once found it necessary to use his gun, and that he was in general opposed to the use of deadly force. Bradley stated that changes in policing are taking place now because of the influence of education, "... by virtue of the quality of education for people who are or will become police officers."

What Curriculum Should the Police Study?

Among those participants who were present from the academic community no debate seemed to be larger than that between the presidents of the largest two professional academic societies most closely attuned to criminology and criminal justice. Dr. Ronald Akers, President of the American Society of Criminology and Dr. Richter Moore, President of the Academy of Criminal Justice Sciences debated the curriculum issues strenuously.

Others on the panel included Dr. Thomas Roppetto, Past National Chairman, Section on Criminal Justice of the

American Society of Public Administration and Dr. James Stinchcomb, Chairman, Department of Justice and Public Safety, Virginia Commonwealth University.

What Are Benefits of Standards?

Dr. Akers opened the session by agreeing with the Commission report's conclusions that there is little difference in liberal arts and professional education preparation.

At issue throughout this panel's discussion was whether or not benefits would be derived from attempting to set standards for the accreditation of schools and centers with criminal justice curricula. Dr. Akers was skeptical of specialized accreditation, arguing that it would reject the liberal arts education model. He defined the issue as criminology vs. criminal justice but conceded that specialized accreditation vs. liberal arts arguments are closer together than vocational vs. educational preparation.

Who Should Teach the Police?

The Chairman of the Criminal Justice Accreditation Council, Dr. George Felkenes, attacked the Commission by stating that even that body's name smacked of liberal arts elitism. He went on to defend the Academy of Criminal Justice Sciences' stance that the idea of curriculum standardization is not acceptable to the ACJS. He accused the Police Foundation of not responding to offers of collaboration or assistance. Felkenes argued that a standardized curriculum is not feasible but that the Foundation apparently seeks just such standardization. ACJS recognizes the value of experimentation, he said, while the Foundation will force issues which the Academy rejects. He concluded with the statement that "... no one knows what a properly educated police officer is."

Tenfold Increase in Police Education

Dr. Peter Lejns, President of the American Association of Doctoral Programs in Criminology and Criminal Justice called the Commissions' report very

(Continued on next page)

Police Education Debate

(Continued from page 15)

critical of police education in the United States over the last ten years. In those ten short years, Lejins said, police education programs have increased their number at least tenfold while police officers in the last 15 years have increased their involvement in higher education by 46%. He called this the golden age of police education.

According to Professor Lejins there is an absence of qualified personnel available to teach in criminal justice curricula the same as there would be in the field of physics if like demands were placed on those faculties. He stressed that a broad general education with some specific education is necessary for policing because every police officer is an applied social scientist.

The final panelist to address the topic jolted the participants with the remark that "... national meetings full of consensus are boring - what is needed is controversy." Dr. Donald J. Newman, Dean of the School of Criminal Justice of

the State University of New York at Albany, then proceeded to provide the controversial material.

Who Should be the Faculty?

According to Newman the Commission has not gone far enough in driving the wedge between two- and four-year institutions. He felt that the real question should be "... who should be a faculty member in higher education?" "Criminal Justice is not a single discipline, it is a unique entity, a structure built around a problem... We are professors... the major allegiance of a professor is to the university (which he defined as a collection of scholars) and dedicated to furthering knowledge through teaching and research... universities are elitist," he said.

Dr. Newman argued that faculties should be a collection of the best and brightest, that they must continually pass the age-old test of scholarship in order to remain a faculty member, and that the Ph.D. is the entry requirement. Newman stated forcefully that "... Universities

are not places to retire for practitioners... In general I believe that second career faculty members tend to be second class." In driving the wedge still deeper he stated that he believed in general that "... community colleges are not universities, they are postsecondary institutions..." which he favored but recognized as different from the universities.

Newman agreed with most of the recommendations in the report saying that faculty should be full time, education should take place on campus, and that field (practical) experience was unnecessary for faculty. "Faculty should do research, publish or perish, and we must hold these standards," he concluded. Newman was later labeled as the symposium's resident elitist. When asked whether the acceptance of LEAA money was the ultimate in corrupt elitism, Newman responded that the function of a university is to accumulate knowledge and that therefore he could accept research money "without a qualm."

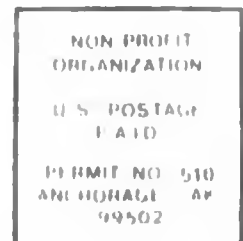
Continued next month.

Alaska Justice Forum
Criminal Justice Center
University of Alaska, Anchorage
3211 Providence Avenue
Anchorage, Alaska 99504

Editors: Roger Endell
Peter S. Ring

Managing Editor: Paul L. Edcorn

The Alaska Justice Forum is financed under Grant 77 A 032 of the Governor's Commission on the Administration of Justice.



CLERK OF THE HOUSE
POCKET V
JUNEAU, ALASKA 99811



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

400

Page Number

1 of 5

Subject:

CLASSIFICATION COMMITTEE
(Revised 2/1/74)

PURPOSE

To establish policy and procedure for classification committees of adult correctional institutions.

POLICY

It is the policy of the Division of Corrections, Department of Health and Social Services, that each adult offender will be classified within 30 days following his commitment to the Commissioner of the department. The purpose of the classification is to make the necessary arrangements for the offender in regards to his living situation, work assignment, education and his involvement in other programs. The offender is to be present at the classification meeting and will participate in his classification. He is to receive written notice of his impending classification and written notice of the action taken by the committee. The classification committee shall be composed of at least three members and the Assistant Superintendent or a senior Correctional Officer II will serve as chairman of the committee.

PROCEDURE

The institutional classification committee will meet on a regular basis, normally, once each week. The committee may meet less often with permission of the Superintendent. Each committee will be composed of at least three individuals. The Assistant Superintendent or senior Correctional Officer II



State of Alaska
Dept. of Health & Social Services
Division of Corrections

400

2 of 5

Subject:

CLASSIFICATION COMMITTEE

will serve as chairman of the committee. Two other individuals will be appointed by the chairman of the committee. Probation and parole personnel who are familiar with the offender and his case being classified, will be encouraged to serve on the classification committee.

Any person having information regarding the offender being classified may be requested to attend the meeting and to present such information to the committee. Institutional counselors are to prepare the file and to make recommendations to the classification committee, but are not to sit as voting members of the committee.

The classification committee will have access to all reports, diagnostic evaluations, staff evaluations, pre-sentence investigations, or any other pertinent information concerning the offender.

The classification committee will be responsible for assigning the offender to a living situation consistent with the security situation of the institution. The classification committee will be responsible for appropriate assignment of the offender to a work program, treatment program, educational program or any other program conducted for the rehabilitation of the offender. In making such assignments, the committee must keep in mind the individual needs of the offender and the needs of the institution.

The institutional classification committee will be responsible for recommending transfers to other state institutions or to outside facilities. All reports



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

400

Page Number

3 of 5

Subject:

CLASSIFICATION COMMITTEE

prepared as a result of the classification meeting are to be placed in the offender's record at the institution and be forwarded to the institution or facility where the offender is assigned.

The offender is to be present at the classification meeting and shall participate in the classification discussion.

The Superintendent or his designee may make a temporary assignment for any offender prior to his appearance before the classification committee. Such temporary assignment must be reviewed and made permanent at the next meeting of the classification committee. The Superintendent is to approve all actions of the classification committee.

The offender has the right to appeal any classification matter to a higher level. In cases where classification decisions pertain to institution internal matters, such as program assignment, residential designations, etc., the offender may appeal in writing to the Superintendent within 72 hours after notification of the committee's decision. The Superintendent shall notify the offender in writing of the action taken within 72 hours after receipt of the written appeal. The Superintendent may take the following action:

1. Confirm the decision of the classification committee.
2. Refer the case back to the classification committee for re-classification.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

400

Page Number

4 of 5

Subject:.

CLASSIFICATION COMMITTEE

The Superintendent is the final appeal on classification decisions on internal matters.

In cases where classification decisions pertain to transfers between institutions, the Superintendent is the first level of appeal. An appeal to the Superintendent must be submitted in writing within 72 hours after notification of the classification committee decision. The Superintendent has 72 hours after receipt of the written appeal to notify the offender in writing of the action taken.

The Superintendent may take the following action:

1. Confirm the decision of the classification committee.
2. Refer the case back to the classification committee for re-classification of the offender.

The final appeal of transfers between institutions rests with the Director. Appeal to the Director must be submitted in writing within 72 hours after receipt of the written notification of the Superintendent's action. The Director has 72 hours after receipt of the written appeal to notify the offender in writing of the action taken. The Director may take the following action.

1. Confirm the decision of the Superintendent.
2. Refer the case back to the Superintendent for re-classification



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

400

Page Number


5 of 5

Subject:.

CLASSIFICATION COMMITTEE

of the offender.

Approved:


Director, Division of Corrections

Date

2/21/74


Commissioner, Dept. of Health &
Social Services

Date

2/21/74



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

401

Page Number

1 of 4

Subject: REHABILITATION FURLOUGH
(Revised 06/15/75)

PURPOSE

To establish the policy and procedure for the granting of rehabilitation furloughs within adult correctional institutions in accordance with Title 33.30.260.

POLICY

The Director of the Division of Corrections hereby delegates authority to the Superintendents of adult correctional institutions to grant any sentenced offender a furlough to participate in educational, training, medical, psychiatric programs or other rehabilitation programs within the community which are not available within the institutions.

Care will be exercised to eliminate from consideration anyone who poses a clear and present danger to the community, anyone who is classified as an escape risk or anyone who is likely not to return promptly from his furlough.

A person who has been convicted of a felony that was a crime of violence, sex offense, or an offense which was subject of considerable adverse notoriety in the community, may be recommended for furlough by the Superintendent. The Director of the Division reserves actual approval and authority in such cases.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

401

2 of 4

Subject: REHABILITATION FURLOUGH

PROCEDURE

Offenders being released for educational or training programs may be furloughed at any time during their sentence.

Offenders being released for medical, psychiatric, alcohol or drug residential programs may be furloughed at any time during their sentence, but will return to the institution at the completion of their program to serve the remainder of their sentence or until paroled.

An offender serving a sentence of one year or less may be furloughed in order to visit with his family. Family, in this case, means father, mother, sister, brother, wife, husband, son or daughter. The offender must have served one-third of his sentence and have been classified as minimum custody.

The institutional classification committee will review all requests for furloughs and make recommendations to the Superintendent.

Any offender failing to return on time from a furlough shall be considered to have escaped from his confinement and is punishable under the law relating to escape.

A report will be due in the Director's office by the close of business on the 7th of each month containing a summary of furloughs granted and a narrative dealing with any serious problems encountered.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

401

Page Number

3 of 4

Subject: REHABILITATION FURLOUGH

Prior to an offender being released for a furlough of less than 30 days, the regional probation office, where the offender will be going, shall be notified, for what purpose and for how long. The offender will be notified that field probation officers are available for assistance. Active supervision will not be transferred to the field probation office. The institution releasing the offender will retain the file and jurisdiction.

Offenders who are released from an institution for a period of more than 30 days whose furlough conditions require them to remain in close proximity to the institution will be supervised by the institution. Prior to the release of an offender from an institution for a period of more than 30 days, the institution will:

1. Notify the regional office that the offender is being released and to what program, where the offender will reside and all other pertinent information.
2. Request that the regional office assign responsibility for supervision of the offender to the field office nearest the place where the offender will reside. When the offender is released, he is to be instructed to report to that field office and active supervision will be provided by the probation staff.

Periodic progress reports will be furnished by the probation staff to the



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

401

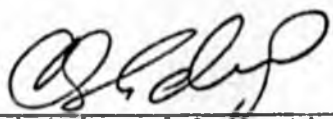
Page Number

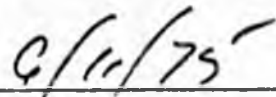
4 of 4

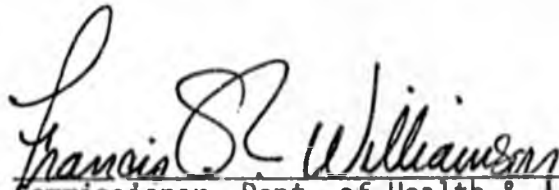
Subject: REHABILITATION FURLOUGH

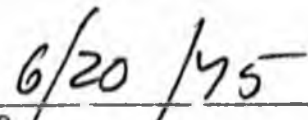
responsible institution. The official file will be retained by the institution in order that computation of good time may be continued. A "dump file" will be utilized by the field office. The releasing institution, in all cases, retains jurisdiction of the offender and has the authority and responsibility to return the offender at any time.

Approved:


Director, Division of Corrections


Date


Commissioner, Dept. of Health &
Social Services


Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

402

1 of 3

Subject: TRANSFERS BETWEEN STATE
INSTITUTIONS
(Revised 10/1/74)

PURPOSE

To establish policy and procedure for the transfer of adult offenders between state institutions and/or contract facilities within the State of Alaska.

POLICY

Adult offenders may be transferred from one institution to another institution within the state when it is in the best interests of the offender or the needs of the institution dictate a transfer is necessary.

The needs of the offender will be interpreted as enabling him to participate in rehabilitative programs that are available at another institution or that will make it possible for him to develop a pre-release program, or to participate in other community programs. The needs of the institution will be interpreted as lack of housing, lack of adequate programs or the lack of security to meet the needs of the individual.

PROCEDURE

All transfers from one state institution to another state institution or to a local contract facility must be made upon the recommendation of the classification committee. Recommendations will be approved by the Superintendent of the institution. Once the recommendation has been made and approved by the Superintendent, a packet containing all information, plus the classification



State of Alaska
Dept. of Health & Social Services
Division of Corrections

402

2 of 3

Subject: TRANSFERS BETWEEN STATE
INSTITUTIONS

committee's report will be forwarded to the institution recommended for placement.

Within seven working days, the recommendation and request must be reviewed by the receiving institution's Superintendent. If the Superintendent agrees to accept the offender, a designation will be cut and forwarded to the Director's office for his signature.

If the receiving institution does not agree to accept the offender, a report indicating why the offender is not acceptable will be forwarded to the sending institution for its reconsideration. Upon reconsideration, if the decision of the classification committee and Superintendent remains the same, it will be forwarded to the Director's office for his review and decision.

For those institutions equipped with an AJIS terminal, a request for transfer may be sent to the Director's office via AJIS requesting that a designation or transfer be initiated.

In all cases where a felon is being recommended for acceptance at the Palmer Correctional Center and he has two or more years remaining to serve on his sentence, the designation forwarded to the Director's office will include a summary of the offense and an evaluation of the individual for the Director's information prior to the signing of the designation.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

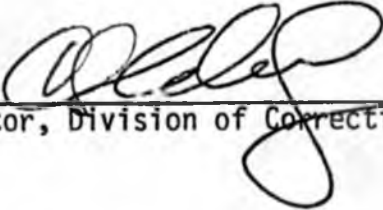
402

Page Number

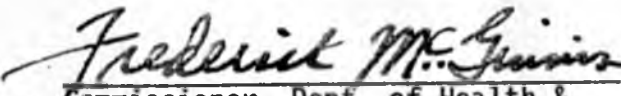
3 of 3

Subject: TRANSFERS BETWEEN STATE INSTITUTIONS

Approved:


Director, Division of Corrections

Date 9/13/74


Commissioner, Dept. of Health &
Social Services

Date 10-16-74



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

403

Page Number

1 of 2

Subject:

OFFENDER TRANSFERS OUT OF STATE

PURPOSE

To establish policy and procedures for transferring offenders to institutions outside the State of Alaska.

POLICY

Offenders committed to the Department of Health and Social Services may be transferred to institutions outside the State of Alaska for one or more of the following reasons:

1. The offender has proven himself to be dangerous or a management problem within the institution recommending his transfer outside.
2. The offender has an extremely long sentence which would preclude his placement in one of the Alaskan institutions.
3. The offender has special needs that cannot be met by programs presently available within Alaskan institutions.
4. The offender will be in a better position to maintain his family ties and to establish a parole plan for his re-entry into the community.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

403

Page Number

2 of 2

Subject:

OFFENDER TRANSFERS OUT OF STATE

Transfers to institutions outside of the State of Alaska will be upon recommendation of the institution's Classification Committee and approved by the Superintendent.

PROCEDURES

When it has been determined that an offender meets the criteria established above by the institutional Classification Committee, a recommendation will be made to the Superintendent. If the Superintendent agrees with the Classification Committee action, he will forward a request to the Director of the Division of Corrections. If, upon review by the Director, the action of the Classification Committee and the Superintendent is confirmed, a request will be forwarded by the Interstate Unit to the receiving institution or authority. The institution making the request for outside placement will submit three copies of the offender's placement packet. It will include the Classification Summary, time accounting for the sentenced offender, projected release date, copy of the institutional progress report, copy of the judgment and commitment order, copy of the pre-sentence report or any social history and copies of all available psychiatric and psychological reports and also a copy of all incident and disciplinary reports, and any other information deemed to be necessary or helpful in terms of providing a treatment program for the offender in another institution. If the receiving institution does not accept the offender, packets will be referred to the institution for re-consideration by the Classification Committee. If the Director does not approve of the outside placement, packets will be returned with a recommendation that other resources be explored.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
404

Page Number
1 of 2

Subject: CLASSIFICATION AND RETURN
OF OFFENDERS IN CONTRACT
INSTITUTIONS
(Revised 01/01/75)

PURPOSE

To develop uniform policy and procedures for the classification and return of offenders incarcerated in institutions outside the State of Alaska.

POLICY

Each offender incarcerated in an institution outside the State of Alaska shall have his case reviewed every six months by a Classification Committee established by the Director of the Division of Corrections. The Classification Committee will be made up of three members and will follow the procedures set forth in Policy no. 400. The Classification Committee will be chaired by a Superintendent or an Assistant Superintendent appointed by the Director.

PROCEDURE

The Chairman of each Classification Committee will notify those offenders in outside institutions under their jurisdiction that his case will be reviewed. The offender is to be given at least 30 days in which to submit any information regarding his re-classification. Each offender will be notified in writing of the action taken by the Classification Committee. The report of the Classification Committee will be submitted to the Deputy Director of Corrections for his approval.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

404

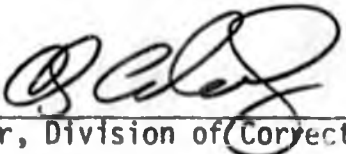
Page Number

2 of 2

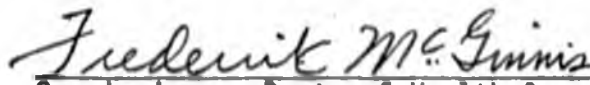
Subject: . CLASSIFICATION & RETURN OF
OFFENDERS IN CONTRACT
INSTITUTIONS
(Revised 01/01/75)

An offender may appeal the decision of the Classification Committee to the
Deputy Director and then to the Director.

Approved:


Director, Division of Corrections

12/20/74
Date


Commissioner, Dept. of Health &
Social Services

12/23/74
Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

405

Page Number

1 of 2

Subject: REHABILITATION FURLOUGH FOR
OFFENDERS IN CONTRACT FACILITIES
(Revised 01/01/75)

PURPOSE

To establish the policy and procedure for offenders in contract facilities outside the State of Alaska for rehabilitation furlough.

POLICY

It is the policy of the Division of Corrections that Alaska State offenders incarcerated in contract facilities outside of the State of Alaska may be permitted to participate in rehabilitation furlough programs provided that they meet the eligibility requirements and criteria for such furloughs as established by the contract institution and the Alaska Division of Corrections, as stated in policy numbers, 401, 406, 407 and 408.

PROCEDURE

Offenders incarcerated in the Federal Bureau of Prisons or other contract facilities outside the State of Alaska who are requesting furlough programs such as work release, medical or psychiatric treatment, family visits or other rehabilitation furlough programs must be recommended for the furlough by the institutional officials of the institution where the offender is incarcerated.

This recommendation, along with the detailed report describing the proposed furlough, a recent progress report, and any other pertinent information shall be sent to the Interstate Supervisor, Pouch H03, Juneau, Alaska 99811. This



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
405

Page Number
2 of 2

Subject: REHABILITATION FURLOUGH FOR
OFFENDERS IN CONTRACT FACILITIES
(Revised 01/01/75)


information will then be sent, along with the offender's institutional file, to the Alaska Classification Committee that last conducted a review of the offender.

The Classification Committee will then consider the request and submit the recommendation to the Director of Corrections who will make the final decision.

Approved:


Director, Division of Corrections

12/20/74
Date


Commissioner, Dept. of Health &
Social Services

12/23/74
Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

406

Page Number

1 of 4

Subject:.

WORK RELEASE
(Revised 02/27/75)

PURPOSE

To establish policy and procedure for the granting of work release within adult correctional institutions, in accordance with Title 33.30.250 of the Alaska Statutes.

POLICY

The Commissioner of the Department of Health and Social Services hereby delegates to the Director of the Division of Corrections the authority to carry out the work furlough program under Title 33.30.250 of the Alaska Statutes. The Director of the Division of Corrections delegates the authority to the Superintendent of correctional institutions to grant sentenced offenders work furloughs in accordance with the Alaska Statutes.

The purpose of the work furlough is to provide the offender with the opportunity for reintegration into the community and to provide a job opportunity that may continue following his release from custody. It is to provide an opportunity for the Division of Corrections and the Parole Board to evaluate his progress during the final period of his sentence. A person who has been convicted of a felony that was a crime of violence or sex offense must be recommended for furlough by the Superintendent and must be approved by the Director.

PROCEDURE

The institutional classification committee will review all requests for work



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

406

Page Number

2 of 4

Subject:.

WORK RELEASE

furloughs and make recommendation to the Superintendent. The following persons are not eligible for work furloughs.

1. A person who the court, at the time of sentencing, has ordered not be granted work furloughs.
2. A person identified with the large scale organized criminal activity.
3. A person with serious emotional or personality problems.
4. A person whose presence in the community is likely to evoke adverse public reaction toward the inmate, the institution or the state.
5. A person with more than six months to serve prior to his anticipated release date.
6. A person who has a pending detainer charge or a detainer from another jurisdiction filed against him.
7. The United States Marshall in Alaska shall be notified if the offender is a federal prisoner.
8. The offender must have served one-third of his sentence or be eligible for parole release.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

406

Page Number

3 of 4

Subject:.

WORK RELEASE

Any offender failing to return on time from a furlough shall be considered to have escaped from his confinement and is punishable under the laws relating to escape. It is the responsibility of the Superintendent or officer in charge of the institution to immediately notify the proper authorities in accordance with Division policy.

A report will be due in the Director's office by the close of business on the 7th of each month containing a summary of furloughs granted and a narrative dealing with any serious problems encountered.

Whenever an offender is not employed, and between the hours and periods of employment, he shall be confined in the institution unless the court directs otherwise.

An offender who participates in the work furlough program will have a portion of his earnings deducted as payment for the cost of his care by the Division of Corrections. Offenders are required to pay one-third of their net earnings not to exceed the average full cost of care per inmate per day as determined by the Division of Corrections. The Superintendent may, in his discretion, adjust on a monthly basis the offender's payment based upon the needs of the individual. Adjustments may be made in relation to the offender's income level, family situation, outstanding debts, restitution, etc. A list of offenders who are not paying the one-third of their net income to the institution shall be included in the summary of work furloughs submitted to the Director by the 7th of each month, along with the reason why such adjustments have been made.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

406

Page Number

4 of 4

Subject: WORK RELEASE

The offender's employer shall deliver the offender's paycheck, in its entirety, to the institution.

Approved:

Thomas R. Brunton
Deputy Director, Division of Corrections

2-26-1975

Date

Francis G. Williamson
Commissioner, Dept. of Health &
Social Services

2-27-1975

Date

TO: All Superintendents
DIVISION OF CORRECTIONS

DATE : May 26, 1976

FROM: William H. Huston
Director
Division of Corrections

SUBJECT: Anticipating Offender Release
Re: Work Furlough Program

I have just reviewed the parole board's action and specific recommendations regarding offenders in the Sixth Avenue Annex and the Correctional Center-Juneau. This memorandum will further affirm policy of the Division of Corrections which requires an offender to be within six months of his mandatory release date plus other stated criteria as outlined in the divisional manual before he is eligible for work release consideration.

During the Task Force Hearings on Corrections, when the committee met with members of the Division in Juneau, the question of anticipating release dates came under close scrutiny and was criticized by members of the Task Force. At that time we talked about an alternative that might improve the system in the area of parole. We discussed the establishment of a parole date that would allow the Division to program an offender in the community when he was within six months of his parole release date. This procedure would also eliminate anticipation of release for programming purposes which the Division has practiced in the past and which has proven detrimental to the system as well as some offenders.

Therefore, in order to realistically carry out our responsibilities in terms of making recommendations and determinations on offender eligibility for work furlough programs that will be of benefit to the system, the public, and the offender, the major criteria that offenders be within six months of their mandatory release date prior to work release consideration shall be in effect. In the interim, I will ask the Executive Director and Chairman of the Parole Board if I might meet with the board at a time convenient to them to better discuss the establishment of parole dates and how they might benefit everyone concerned.

If you should have any questions concerning this matter, please do not hesitate to contact me.

Will:cc

cc: Sam Trivette
Executive Director-Board of Parole
Fred Hough
Chairman-Board of Parole



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number
407

Page Number
1 of 3

Subject: VISITATION PRIVILEGES
(Effective 01/01/75)

PURPOSE

To establish rules and regulations for visitation privileges in accordance with Section 33.30.150 of the Alaska Statutes.

POLICY

It is the policy of the Department of Health and Social Services, Division of Corrections, that visitation privileges may be granted to offenders to visit with members of his immediate family, in accordance with the Alaska Statutes.

PROCEDURE

The following are the rules and regulations for carrying out visitation privileges, as authorized.

1. The offender must have a sentence of one year or more before being eligible for visitation privileges.
2. He may have no more than one such visitation each six months and no more than a total of seven days in one year.
3. He must be recommended for visitation furlough by the institutional classification committee.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

407

Page Number

2 of 3

Subject: VISITATION PRIVILEGES
(Effective 01/01/75)

4. The Superintendent of the institution must approve his visitation furlough.
5. He must have approval of the Director of the Division.
6. The Commissioner of the Department of Health and Social Services is the final approving authority in each case.
7. Each furlough must be approved separately by the approving authorities.
8. Local authorities are to be notified of the offender's visit; local authorities are to include police, court and district attorney.
9. The offender must not have any charges pending or detainers filed against him.
10. For purpose of visitation privileges, the immediate family will include father, mother, sister, brother, husband, wife, son, or daughter.
11. The person must have been classified as minimum custody in the institution for a period of six months prior to his first visit.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

407

Page Number

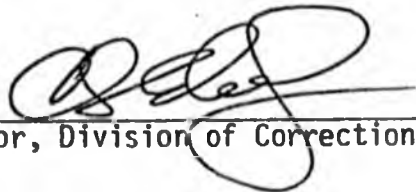
3 of 3

Subject: VISITATION PRIVILEGES
(Effective 01/01/75)

12. Each Superintendent will file with the Director of the Division of Corrections before the 7th of each month, a complete report on visitation privileges, grants, and the results of such visits.

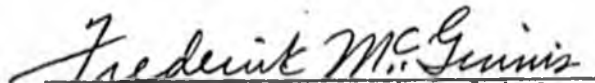
13. The willful failure of an offender to return to the place of confinement at the completion of his visitation privilege shall be punished according to the laws relating to escape.

Approved:



Director, Division of Corrections

12/20/74
Date



Commissioner, Dept. of Health &
Social Services

12/23/74
Date



PURPOSE

To establish the policy and procedures for the granting of emergency furloughs to offenders within the adult correctional institutions.

POLICY

It is the policy of the Division of Corrections, Department of Health and Social Services, to grant emergency furloughs to offenders whose family member is terminally ill, or to attend the funeral of family members. Family, in this policy, will mean father, mother, sister, brother, husband, wife, son or daughter. Emergency furloughs are for family members residing in the State of Alaska only.

PROCEDURE

Emergency furloughs due to the death or terminal illness within the offender's immediate family, if in the State of Alaska, may be approved by the Superintendent. The Superintendent shall make all necessary arrangements for supervision. Expenses for such visits shall be at the expense of the individual offender unless prior approval is obtained from the Director of the Division of Corrections. All offenders will be escorted unless classified at minimum custody.

All offenders who have pending charges or detainers filed against them will



State of Alaska
Dept. of Health & Social Services
Division of Corrections

408

2 of 2

Subject: EMERGENCY FURLOUGH
(Revised 01/01/75)

require supervision. The escorting officer shall be instructed by the Superintendent as to the necessary security procedures and precautions to be taken. The escorting officer should, whenever possible, be dressed in civilian clothes in order to attract as little attention to the offender's visit as possible. A report by the 7th of each month is due in the Director's office regarding the granting of such emergency furloughs.

Approved:

Director, Division of Corrections

Date

12/23/74

Commissioner, Dept. of Health and
Social Services

Date

12/23/74



State of Alaska
Dept. of Health & Social Services
Division of Corrections

409

Page Number
1 of 2

Subject: OFFENDER SUPERVISION IN
CONTRACT FACILITIES
(Effective 08/16/76)

PURPOSE

To develop policy regarding the authority, responsibility and accountability of institutional and probation staff who are assigned to investigate and supervise juvenile and adult offenders housed in facilities under contract with the Department of Health and Social Services, Division of Corrections.

POLICY

Any Division of Corrections' employee who has been assigned to investigate or supervise an offender in a contractual facility has the authority under AS 33.05.040 and AS 47.10.160 to enter the contractual facility premises and conduct division business. If possible, the employee should always conduct business during normal office hours and during the normal work week. However, if in the opinion of the assigned employee, it is necessary to conduct business during other than normal work days or hours, the employee has the authority to enter the contractual facility when it is necessary and timely. The odd hour and work day visit should be made with discretion and not without the employee's supervisor's knowledge and approval. During normal visitation, the staff member should attempt to contact the facility in advance to advise the contractual facility staff that a correctional employee will be visiting at an approximate time and on a certain day. It is not necessary to inform or notify the contractual facility if an unscheduled visit is deemed necessary for security reasons. However, if the contractual facility staff can be notified without breaching security,



Subject: OFFENDER SUPERVISION IN
CONTRACT FACILITIES

notification and the purpose of the visit should be made. The assigned correctional staff member has the responsibility to make on-site visits to contractual facilities when possible. It is realized that when offenders are housed in contractual facilities outside of the correctional officer's or probation officer's immediate travel jurisdiction, personal visitation may not be feasible. However, the assigned officer still has the responsibility and accountability to inquire and receive periodic reports from the contractual facility regarding facility program, program changes, conduct and progress of the offender. The contractual facility has the responsibility to furnish the reports upon request.

PROCEDURES

Each regional probation manager and superintendent shall develop local procedures to implement the policy. A copy of these procedures shall be sent to the appropriate central office manager.

Approved: [Signature]
Director, Division of Corrections

8/2/76
Date

Francis J. Williamson
Commissioner, Dept. of Health &
Social Services

8/6/76
Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

410

Page Number

1 of 5

Subject: CLASSIFICATION REQUIREMENTS
FOR SCC/PALMER POPULATION

AUTHORITY

AS 33.30.020 states "The commissioner shall establish prison facilities and classify the prisoners in prison facilities . . ."

PURPOSE

This statement of policy is to update and revise the current procedures pertaining to the classification of prisoners to the Palmer Correctional Center.

DIRECTIVES

This policy supersedes policy number 402, pages 1-3, revised 10/01/74, in relation to placements at the Palmer Correctional Center.

POLICY

It is the policy of the Division of Corrections to establish entrance criteria for placement of prisoners into the Palmer facility. The Division of Corrections has designated the Palmer Correctional Center as a unique prison facility designed to house minimum custody prisoners. Because of the designated purpose, design of the facility and assigned staff, prisoners will be carefully screened for admittance by established classification procedures.



Subject: CLASSIFICATION REQUIREMENTS
FOR SCC/PALMER POPULATION

SELECTION CRITERIA

(A) General Qualification:

- (1) Sex - Only male prisoners will be housed at Palmer.

- (2) Prior Crimes and Institutional History - Ordinarily, prisoners will not be considered for placement who have had a past history of:
 - (a) being identified with organized criminal activity;

 - (b) escapes, evasion from custody or absconding from probation or parole;

 - (c) illegal sexual conduct, especially, lewd and lascivious acts toward children, forcible rape, aggressive homosexual activity or tendencies, or sexual assaults; or having been the victim of a sexual assault(s);

 - (d) crimes of violence, especially, where death or serious physical injury is caused, except negligent homicide;

 - (e) assaultive institutional behavior or participation in institutional disturbances;



Subject: CLASSIFICATION REQUIREMENTS
FOR SCC/PALMER POPULATION

(f) being either a police or institutional informant.

In unusual circumstances where the institutional classification committee and the superintendent believe a prisoner falling into any of the above criteria should be given special consideration, a classification file will be prepared and transmitted to the Central Office with documented justification that may warrant special approval of the case.

(3) Length of Sentence - Due to the uniqueness of the facility, prisoners must be within three years of their mandatory release dates. These dates will be determined by projecting statutory good time on the prisoner. A prisoner can also be considered if he has received a firm parole release date from the Alaska Board of Parole, which falls within the appropriate time frame, and if he meets all other criteria.

(4) Detainers - Prisoners with outstanding detainers or warrants will not be eligible for placement.

(B) Special Requirements/Needs:

As a result of the impact on budgets, transportation, and other logistical factors associated with a semi-remote facility and the potential



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

410

Page Number

4 of 5

Subject:

CLASSIFICATION REQUIREMENTS
FOR SCC/PALMER POPULATION

risks of an open setting, specific cases must be reviewed in detail by the Director's office prior to formal classification action.

These are:

- (1) Prisoner cases involving significant, unresolved medical, dental, or psychiatric problems requiring intensive or constant professional care.
- (2) Prisoner cases involving significant unresolved marital, legal or economic problems that may be conducive to escape or may require frequent transportation for attorney consultation or court appearances.

PROCEDURE

1. Prisoner or institutional counselor will make a request to have the individual prisoner appear before the institutional classification committee for action.
2. The committee will classify the individual prisoner and submit its recommendation to the institutional superintendent for review and endorsement.
3. Upon review and endorsement of the classification committee's action by the superintendent, the appropriate classification documents



State of Alaska
Dept. of Health & Social Services
Division of Corrections

410

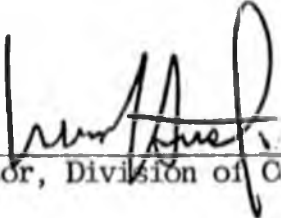
5 of 5

Subject: CLASSIFICATION REQUIREMENTS
FOR SCC/PALMER POPULATION

and case file summary is to be forwarded to the Director's office for review and approval. A copy of case material will be forwarded to the superintendent at Palmer.

4. Upon the approval of the Director or his designee, a designation order will be issued notifying both superintendents of approval and authority for placement.

Approved:



Director, Division of Corrections

5/1/78

Date



Commissioner, Department of Health
& Social Services

5/1/78

Date



State of Alaska
Dept. of Health & Social Services
Division of Corrections

411

1 of 11

Subject: WORK FURLOUGH

AUTHORITY

7 AAC 60.155 states that "the director shall adopt a divisional manual implementing the relevant sections of the Alaska Statutes, the Alaska Administrative Code, and the policies and procedures of the division of corrections and the Department of Health and Social Services."

The Commissioner of the Department of Health and Social Services delegates to the Director of the Division of Corrections the authority to carry out the work furlough program under Title 33.30.250 of the Alaska Statutes.

The Director of the Division of Corrections hereby delegates to adult correctional superintendents the authority to carry out the work furlough program under Title 33.30.250 of the Alaska Statutes and the provisions established within this divisional policy.

PURPOSE

To establish a uniform policy for the granting of work furloughs to prisoners serving sentences (7 AAC 60.320).

This policy establishes a method of handling some prisoners preparing for release or retaining community ties. In certain cases, a superintendent may direct, under the provisions of this policy, that a prisoner be permitted to continue in his regular employment, or may authorize him to



Subject:
WORK FURLOUGH

secure employment, unless the court at the time of sentencing has prohibited work furloughs for that prisoner.

The uniform provisions of this policy will make the division better able to fulfill the Alaska Constitution's requirement that 'Penal administration shall be based on the principle of reformation and upon the need for protecting the public.' Work furloughs serve as a transitional program which extends the limits of confinement for selected prisoners committed to the custody of the Commissioner. Through this program, the prisoner is granted the privilege of leaving the institutional setting to maintain gainful employment, re-establish community ties, and assume a responsible position with his family and society.

INITIAL ELIGIBILITY CRITERIA

To be eligible for consideration for a work furlough classification, the prisoner must, pursuant to AS 33.30.250 and 7 AAC 60.330, meet the following criteria:

- (1) Categories: The prisoner must not be a person who:
 - (a) the court, at the time of sentencing, has ordered not be granted a work furlough;



Subject:
WORK FURLOUGH

- (b) is identified with a large scale organized criminal activity;
 - (c) has serious emotional or personality problems; or
 - (d) is likely to evoke adverse public reaction toward the prisoner, the institution or the state because of his presence in the community;
 - (e) A prisoner who is not within six months of his mandatory release date or within six months of a firm parole release date established by the parole board (7 AAC 60.330 (3)).
 - (f) A prisoner who has a pending criminal detainer charge filed against him;
 - (g) A federal or municipal prisoner, without the written approval of the appropriate agency, i.e., U. S. Marshal, F.B.P. Community Programs Officer, etc.
- (2) Behavioral Factors: The prisoner must not have been found guilty of any major infraction for a continuous period of six months before the proposed furlough. Prisoners in exceptional circumstances will be considered on a case-by-case basis by the Assistant Director.



Subject:
WORK FURLOUGH

(3) Custody Level:

(a) Prisoners must be classified minimum custody for a continuous period of six months if they are serving over two years and are not considered an exceptional case under that regulations before the proposed work furlough, or for his entire period of incarceration, whichever is shorter. Prisoners in exceptional circumstances will be considered on a case-by-case basis by the Assistant Director.

(b) Since the Commissioner has the authority to determine what constitutes exceptional circumstances and since the Administrative Code does not adequately take into consideration prisoners with relatively short sentences, prisoners serving sentences of two years or less will be automatically considered an "exceptional" case. They must obtain minimum custody classification before the proposed furlough for the following continuous periods of time:

Length of Sentence Imposed

Time in Minimum Custody

6 months or less

The prisoner need only be minimum custody at the time of furlough.

6 months to 1 year

30 days

1 year to 1 1/2 years

60 days

1 1/2 years to 2 years

90 days



State of Alaska
Dept. of Health & Social Services
Division of Corrections

411

Page Number
5 of 11

Subject:
WORK FURLOUGH

- (4) Mandatory Release Date: The prisoner must be within six months of his mandatory release date or a firm parole release date established by the parole board, at the time of the furlough. Prisoners in exceptional circumstances will be considered on a case-by-case basis by the Assistant Director. Prisoners who are within six months of a firm release date set by the parole board will be treated as though they had received a sentence of six months or less for purposes of meeting the custody level criteria in paragraph (3)(b), immediately above.

CLASSIFICATION CRITERIA

A prisoner who meets the initial eligibility criteria may appear before a classification committee, which shall consider:

- (1) Need: The Assistant Superintendent shall determine the need to classify for programs on an individual basis. The committee's consideration for prisoner program participation will be based upon the individual applicant's need to be involved and is not intended for all prisoners who may be technically eligible according to the following criteria. The subject's "need," in the casework sense, for the opportunities, responsibilities, and benefits of this transitional release program should be identified by the institutional counselor and institutional classification committee in recommending applicants to the institutional superintendent.



Subject:
WORK FURLOUGH

- (2) Participation: Participation in the program is a privilege and the applicant must be willing to participate of his own accord.
- (3) Other Factors: Other than in unusual circumstances, prisoners in the following categories generally are not to be considered appropriate subjects for work furloughs:
- (a) a prisoner who has a pending criminal detainer charge filed against him; or
 - (b) a federal or municipal prisoner without the written approval of the appropriate agency, i.e., U. S. Marshal, F. B. P. Community Programs Officer, etc.

MECHANICS OF PROCESSING APPLICATIONS AND SELECTING CANDIDATES

- (1) Any prisoner interested in making application for the work furlough program must, of his own volition, request consideration by the institutional classification committee through the institutional counselor or chairman of the committee.
- (2) The institutional classification committee will use normal committee procedures in considering applicants for work furlough. If the committee finds the applicant qualified, an appropriate



State of Alaska
Dept. of Health & Social Services
Division of Corrections

411

7 of 11

Subject: WORK FURLOUGH

recommendation will be transmitted to the institutional superintendent. NOTE: Prisoners must be furloughed from the institution within the region nearest the proposed work furlough site. Any exception to this rule must be approved on a case-by-case basis by the Assistant Director.

- (3) The institutional superintendent is authorized to grant a prisoner a work furlough in accordance with this policy. The superintendent is responsible and will be held accountable to ensure that all appropriate procedures have been followed and the furlough papers are filled out and signed prior to the commencement of any work furlough under this policy, and that each applicant meets the approved time criteria.
- (4) After an institutional superintendent has approved a work furlough under this policy, notification is to be sent to the Division's Classification Officer, by use of the AJIS terminal, for his records. Furlough terminations will also be forwarded to the Classification Officer.
- (5) Each institution will maintain a complete record in its master file on each prisoner approved for furlough. The information shall include the classification action and basis for recommendation for furlough, and a complete set of furlough documents on each individual approved for this program.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

411

Page Number

8 of 11

Subject:
WORK FURLOUGH

ITEMS TO EXPLAIN TO EACH WORK FURLOUGH RECIPIENT

- (1) The furlough schedule must be such that the prisoner can be back in the institution by 8:00 p.m. each day.
- (2) Provisions shall be made for monitoring the whereabouts of the prisoner.
- (3) Whenever a prisoner is not employed, and between the hours and periods of employment, he shall be confined in the institution or an approved facility designated by the Director.
- (4) If a prisoner is to work upon any federal contract or other federal project covered by Executive Order Number 11755 of December 29, 1973, the institution shall ensure, before the work furlough is granted, that:
 - (a) representatives of local union central bodies or similar labor union organizations have been consulted; and
 - (b) such paid employment will not result in the displacement of employed workers, or be applied in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality, or impair existing contracts for services.



Subject:
WORK FURLOUGH

- (5) A prisoner who participates in a work furlough program will have his earnings collected by the superintendent for payment of support of the prisoner's dependents, if any, and for payment of the prisoner's board and personal expenses inside and outside the state correctional center. Prisoners are required to pay 1/3 of their net earnings, not to exceed the full cost of care per prisoner per day which has been established at \$50.59 per day, to the state for their board. The balance, after the above deductions, shall be paid to the prisoner at the time of his discharge.
- (6) The prisoner's employer shall deliver or mail the prisoner's paycheck, in its entirety, to the institution.
- (7) If a violation of the conditions of a work furlough is alleged, a report must be immediately sent to the Director. The superintendent or the supervising probation/parole officer shall arrange for the immediate return of the prisoner to an appropriate state correctional center. The prisoner shall appear before the classification committee within seven days for a hearing to determine whether the furlough be continued or terminated.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

411

Page Number

10 of 11

Subject:

WORK FURLOUGH

- (8) Any prisoner failing to return on time from a work furlough shall be considered to have committed an evasion from his confinement and is punishable under the law relating to escape and evasion.

ADMINISTRATIVE PROCEDURES REGARDING WORK FURLOUGHS

- (1) A report will be due in the Director's office by the close of business on the 10th of each month containing a summary of furloughs granted and a narrative dealing with any serious problems encountered.
- (2) Each institutional superintendent shall be responsible for the acceptance, safekeeping, accountability, and reporting of all monies received under the work furlough program from each participant.
- (3) All monies received for payment of board and room (1/3 of net) shall be deposited in a bank to be held for transmittal to Central Office, Juneau, with the monthly work furlough report. A bank check made payable to the State of Alaska in the amount of dollars received for board and room will be attached to the monthly report.



State of Alaska
Dept. of Health & Social Services
Division of Corrections

Section Number

411

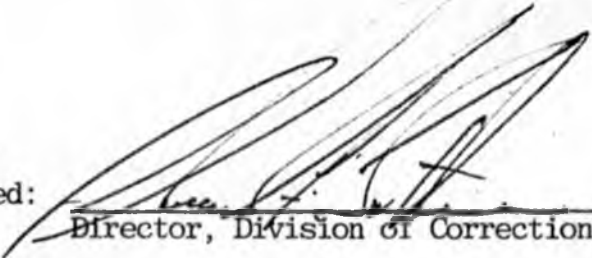
Page Number

11 of 11

Subject:

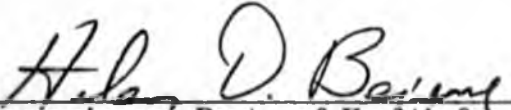
WORK FURLOUGH

Approved:


Director, Division of Corrections

Date

1/10/79


Commissioner, Dept. of Health &
Social Services

Date

1-9-79

ALASKA DIVISION OF CORRECTIONS

APPLICATION FOR WORK FURLOUGH

1. NAME OF PRISONER APPLICANT (Last, First, Middle)										
2. INSTITUTION	3. LOCATION OF INSTITUTION									
3. OFFENSE	5. SENTENCE									
6. EDUCATIONAL LEVEL (Circle One) <table style="display: inline-table; border: none;"> <tr> <td>9th</td> <td>10th</td> <td>11th</td> <td>12th</td> <td>GED</td> <td>13th</td> <td>14th</td> <td>15th</td> <td>16th</td> </tr> </table>	9th	10th	11th	12th	GED	13th	14th	15th	16th	7. MARITAL STATUS
9th	10th	11th	12th	GED	13th	14th	15th	16th		
8. RELEVANT WORK EXPERIENCE (Describe)	SINGLE <input type="checkbox"/>									
	MARRIED <input type="checkbox"/>									
	DIVORCED <input type="checkbox"/>									
9. POSITION APPLIED FOR										
10. REASON FOR REQUEST.										
11. NAME AND ADDRESS OF PROSPECTIVE EMPLOYER										
EMPLOYER'S TELEPHONE NO.										
12. HAVE YOU MADE CONTACT WITH THE PROSPECTIVE EMPLOYER CONCERNING THIS REQUEST? YES <input type="checkbox"/> NO <input type="checkbox"/>										
13. ARE ANY RELATIVES OR FRIENDS EMPLOYED BY THIS EMPLOYER? (If yes, identify by name and relationship) YES <input type="checkbox"/> NO <input type="checkbox"/>										
14. WILL YOU ACCEPT SIMILAR TYPE EMPLOYMENT FROM ANOTHER EMPLOYER? YES <input type="checkbox"/> NO <input type="checkbox"/> (Briefly state your reasons.)										
15. I am applying for work release under AS 33.30.250. I acknowledge that I must pay the State of Alaska for my room and board under AS 33.30.250. In addition I will pay the following amounts to the specified checked below:										
The Commissioner or designee may specify the amount contributed to Family Support.										
FAMILY SUPPORT \$	17. FINES \$									
18. RESTITUTION \$	19. OTHER \$									
20. SIGNATURE OF PRISONER APPLICANT	21. DATE SIGNED									