

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672


8580 HOUSE JUDICIARY



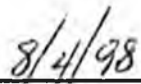
RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original documents after microfilm reproductions have been made.



Signature of Camera Operator



Date

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HOUSE JUDICIARY COMMITTEE
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CCNFIRMATION: ALISON LAUBER - VCCB

CONFIRMATION: MIKLOS/OTTE

CONFIRMATION: NAHORNEY - JUDICIAL CONDUCT

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1995-1996
HOUSE JUDICIARY COMMITTEE
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Confirm.

Alison

Laubert

VCCB



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

Official Business

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

M E M O R A N D U M

Date: February 16, 1995

TO: Judiciary Committee

FROM: Suzi Lowell, Chief Clerk *sl*

SUBJECT: Governor's appointment

Speaker Phillips referred the following Governor's appointment to the Judiciary Committee:

Violent Crimes Compensation Board

Alison A. Lauber, M.D., Bethel
Appointed: 02/07/95 Expires: 12/15/97

Attached is her resume and a committee report for your use.



Alaska State Legislature

House of Representatives

Official Business

DATE: _____

COMMITTEE REPORT

Speaker Gail Phillips
House of Representatives
Capitol Building

MADAM SPEAKER:

In Accordance with AS 39.05.080, the House Judiciary Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

VIOLENT CRIMES COMPENSATION BOARD

Alison A. Lauber

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Porter
Chair

Representative Green
Vice-Chair

Representative Bunde

Representative Toohey

Representative Vezey

Representative B.Davis

Representative Finkelstein

TONY KNOWLES
GOVERNOR



P.O. Box 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 9, 1995

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Phillips:

In accordance with AS 39.05.080 and Article III, Sections 25 and 26, of the Alaska Constitution, I submit the following name for legislative confirmation of appointment to the position noted:

Violent Crimes Compensation Board

Alison A. Lauber, M.D., Bethel

Appointed: 02/07/95 Expires: 12/15/97

The resume for this appointment has been submitted to the offices of the Senate Secretary and the House Clerk.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tony Knowles".

Tony Knowles
Governor

Enclosures

CURRICULUM VITAE

ALISON LAUBER SHRUM d/b/a
ALISON ANN LAUBER, M.D.
PO BOX 200
BETHEL, ALASKA 99559
(907) 543-3030 FAX 543-2255

DOB: JANUARY 16, 1954
MARRIED
2 CHILDREN

UNDERGRADUATE EDUCATION, HONORS, EXTRACURRICULAR ACTIVITIES

B.A., Chemistry, 1975, Keuka College, Keuka Park, New York 14478
Sigma Lambda Sigma (senior honor society equivalent to Phi Beta Kappa), 1974
Chi Beta Phi (scientific fraternity associated with American Association for Advancement of Science), 1974
Sprague Prize in History; "Henry Adams: His Education Led Him to Suspect the Sensation of the Century-Darwinism", 1974
KWES (Keuka World Emphasis Service), Stockholm, Sweden, Summer 1974
Pi Delta Epsilon (national honorary fraternity in journalism), 1974
Alpha Psi Omega (national honorary fraternity in dramatics), 1973
Theatre and Dance Activities, Keuka College, 1971-1975
Outstanding Player Awards, 1973 and 1974

MEDICAL EDUCATION, CERTIFICATIONS, LICENSES

Fellow American Academy of Family Physicians,
August 9, 1984
Family Practice Residency, Baptist Memorial Hospital, Gadsden, Alabama, completed June, 1982; AAFP Board Diplomate, July, 1982, recertified July, 1989
Medical College of Georgia, Augusta, Georgia, 30902, M.D.
granted 02/05/79
Original License granted August, 1980 by the State of Alabama (No. 4539)
Georgia License (No. 022812) by reciprocity
South Carolina License (No. 15310) by reciprocity
Alaska License (No. AA 2858) by reciprocity

EMPLOYMENT EXPERIENCE

Medical Director, Bethel Family Clinic, March 1, 1994 to present
Appointed Adjunct Assistant Professor of Community and Family Medicine, Dartmouth Medical School, September 1, 1993 to present
Family Practitioner, OB Medical Director, YKHC/YKDRH, Bethel, Alaska, June 1992 to February 28, 1994
Family Medicine, Belair Family Medicine, Martinez, Georgia, February 1991 to May 1992
Locum Tenens, Waycross, Georgia, June 1990 to February 1991
Solo Private Practice, Gadsden, Alabama, 1983 to June 1990

CURRICULUM VITAE
ALISON ANN LAUBER, M.D.

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EMPLOYMENT EXPERIENCE (CONT)

Family Practitioner, Cleveland, Alabama, (Rural Health Incentive Program), 1982 to 1983
Family Practice Residency, Baptist Memorial Hospital, Gadsden, Alabama, 1980 to 1982, Chief Resident 1982
Flexible Internship, The Medical Center, Columbus, Georgia, July 1979 to June 1980
Anesthesiology PGY1, Medical College of Georgia, February to June 1979
Georgia Diabetes Camp, Clinician, July, 1978
ASA Preceptorship, St. Joseph's Hospital, Baltimore, Maryland, June/July 1977
MECO Preceptorship, Horace K. Sawyer, M.D., Atlanta, Georgia, June/August 1976
Stora Skondal Hospital, Stockholm, Sweden, Recreation and Physical Therapy Assistant, June/July, 1974
Georgia Retardation Center, Cottage Worker, June/August, 1972/1973
Miscellaneous work not associated with medicine, as well as hospital-based ancillary support services.

ASSOCIATIONS AND CERTIFICATES

American Medical Women's Association
State of Alaska Medical Association
American Academy of Family Physicians
ACLS, ATLS and APLS Provider
Certified ACLS Instructor
Bethel Chamber of Commerce

RECENT PROJECTS

Lower Kuskokwim School District, 1994, Elected to Advisory School Board
YKHC/YKDRH, Bethel, Alaska; Ambulatory Task Force, Delta Team Project, OB Transport Outcome Analysis, Medical Student Preceptor, PA Preceptor, 1992/1993
KYUK. AM Radio, Bethel, Alaska; call in spot sponsored by YKDRH, "Holiday Hazards", December, 1992
"Women's Health", October, 1993
Tundra Women's Center, Bethel, Alaska; Rape/Sexual Assault Workshop, April, 1993
Alaska State Troopers, Bethel Post, Bethel, Alaska; "Sexual Assault and Incest Evaluation", May, 1993
Lectures to numerous civic and support groups as well as nursing in-service classes. Subjects including: osteoporosis, diabetic neuropathy, elder health concerns, generic drugs, Type II diabetes, PMS, self care for arthritis, breast feeding.

CURRICULUM VITAE
ALISON ANN LAUBER, M.D.

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RECENT PROJECTS (CONT)

Experience as preceptor for P.A.'s, pre-med and medical students as well as Family Practice Residents and various CME lectures to physicians including osteoporosis, rape/sexual assault evaluation, geriatric assessment.

PAST PROJECTS

KYUK, Public Radio and TV, 60 Sec. FYI spots, 1994
WRDW, TV, CBS Affiliate, Augusta, Georgia; "Humana Spot", 2 minute FYI spot, "The Norplant System"
WGAD, AM Radio, Gadsden, Alabama; "House Calls", 60 second health spot daily, Monday thru Friday, 1988 thru 1990
WGAD, AM Radio, Gadsden, Alabama; "Contact Program", call-in medical education, 1984 thru 1990
Teaching video, "Junk Food Blues"; through a grant at The Shelter for use at the Etowah County Health Center prenatal clinics, 1990
Lectures on Osteoporosis and PMS, Northeast Alabama Tri-County Women's Show, Gadsden Convention Center, August, 1988
"House Calls"; newspaper articles published by The Gadsden Times and in The Senior Times, (a newsletter for senior citizens) monthly, 1988 thru 1990 as well as a medical advice column with same byline in local county weekly newspaper, 1986 thru 1987
Board Member: CP Center, Gadsden, Alabama, 1989; Child Advocacy Center of Gadsden/Etowah, 1989; Love Center, Gadsden, Alabama, 1988; Etowah County Board of Dixie Chapter March of Dimes, 1984
Director, PMS Seminar at Gadsden YMCA, Gadsden, AL, March 6, 1984
Chairman, Dept. OB/GYN, Blount Memorial Hospital, Oneonta, AL, 1983
Board of Directors, ANCHOR (a network for community help organizations and referral), 1981 and 1982
Baptist Memorial Hospital rape exam coordinator, 1980, 1981, and 1982
First Prize Resident's Research Day, The Medical Center, Columbus, GA, 1980
"The Use of Toluidine Blue for Documentation of Traumatic Intercourse", (Obstetrics and Gynecology, Vol. 60, No. 5, November, 1982) (Lauber - Souma)
"Emergency Medicine", Vol. 15, No. 5, March, 1983, interview on above article, written by EM staff writer
"Sweat Electrolytes in Juvenile Diabetics", (assisted only), 1978
"Cupric Aspirinate - Synthesis, Analysis and Therapeutic Implications", (1974/1975) (presented Student NERM, American Chemical Society, May 1975)

Confirm.

Miklos

Otte



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

Date: 2/6/96

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Judiciary Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Alaska Judicial Council
Vicki A. Otte - Palmer

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Porter, Chair

Car Bunde

Representative Bunde

Representative Vezey

[Signature]

Representative Finkelstein

[Signature]

Representative Green

[Signature]

Representative Toohey

Bettye Davis

Representative B.Davis



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

Date: 2/6/96

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Judiciary Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Board of Governors of the Alaska Bar
Barbara Miklos - Anchorage

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Porter, Chair

Tom Bunde

Representative Bunde

Representative Vezey

[Signature]

Representative Finkelstein

[Signature]

Representative Green

[Signature]

Representative Toohy

Betty Davis

Representative B.Davis



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

Official Business

January 30, 1996

M E M O R A N D U M

TO: Representative Porter, Chairman
Judiciary Committee

FROM: Suzi Lowell *SL*
Chief Clerk

SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointments to the Judiciary Committee:

Board of Governors of the Alaska Bar
Barbara Miklos - Anchorage
Appointed: 06/30/95 Expires: 06/30/98

Alaska Judicial Council
Vicki A. Otte - Palmer
Appointed: 05/31/95 Expires: 05/18/01

Attached are their resumes and committee reports for your use.

Attachments as noted.

BARBARA MIKLOS
3208 Greenland Drive
Anchorage, Alaska 99517
Hm. (907) 272-4812 Wk. (907) 269-7301

Administrator with a broad spectrum of experience encompassing budget preparation and oversight, program planning and development, grant writing and management, community organization, employee supervision, program evaluation, policy and procedures formation, legislation development and advocacy, research, public speaking and public relations.

EDUCATION

M.S. Health Administration, University of Colorado, May, 1982.

B.S. in Education, Northeast Missouri State University, May, 1966.

PROFESSIONAL EXPERIENCE

6/93 - Present
HEALTH CARE ADMINISTRATOR Alaska Department of Corrections
4500 Diplomacy Drive
Anchorage, Alaska 99508

Supervise mental health, medical and dental services provided to inmates in the custody of the Alaska Department of Corrections. Develop and manage the Inmate Health Care budget. Implement systems for cost control and cost savings. Supervise and direct personnel functions for more than ninety staff. Develop and revise policies and procedures, including policies and procedures to assure that quality services are provided. Negotiate and manage contracts for physicians, nurses, dentists, mental health providers and other health practitioners. Direct planning for health services to be provided to inmates. Coordinate services with superintendents and other correctional personnel and representatives of the Department of Law and other state agencies, federal agencies and the health care industry.

9/91 - 6/93
DIRECTOR, COMMUNITY HEALTH SERVICES Chugachmiut
4201 Tudor Centre Drive
Anchorage, Alaska 99508

Managed the Community Health Services Division for Chugachmiut, a Native corporation serving the Chugach region. Coordinated, developed and evaluated services provided by the Community Health Services Division: Injury/Prevention/Disaster Planning; Prevention Services - alcohol/drug prevention/education; Environmental Health; Youth/Children services and the WIC program. Worked with Tribal Councils and community members to assure that services are consistent with community needs. Provided oversight of grants and contracts, supervised staff, and coordinated with Indian Health Services and other agencies.

10/74 - 3/75
ASSOCIATE COORDINATOR

Alaska State Office of Alcoholism
Department of Health and Social Services
Juneau, Alaska 99811

Functioned as the Coordinator. Established goals and objectives for state alcoholism programming. Prepared and monitored the budget. Supervised and hired staff. Coordinated and monitored alcoholism grant programs. Supervised the development of the state plan for alcoholism prevention and treatment. Wrote grants for funding alcohol services.

9/73 - 9/74
RESEARCH ANALYST

Alaska Division of Public Health
Department of Health and Social Services
Juneau, Alaska 99811

Managed and negotiated state and federal grants and contracts for various health services. Coordinated program planning for maternal and child health programs and prepared the budget. Analyzed data and prepared statistical reports. Implemented a data base reporting system.

RELATED ACTIVITIES AND EXPERIENCE

Board of Directors, Standing Together Against Rape, STAR. (1993-1994)

Board of Directors, Bartlett Memorial Hospital, Juneau. (1991)

Social Services Advisory Board, City and Borough of Juneau. (1988 to 1991)
Chair of the Mental Health Committee. (1988)

Chair of the Prevention of Intentional Injuries Committee and a member of the Injury Prevention Coalition sponsored by the Alaska Division of Public Health. (1990 - 1991)

Member of the Governor's Task Force on Youth and Governor's Interim Commission on Children and Youth. (1987-1990)

Chair of the Committee on Transitional Housing which was a committee of the Housing Policy Development Council for the State of Alaska. (1988-1989)

Chair of the Governor's Child Sexual Abuse Working Group, established in January 1988 to make recommendations on how to improve systems that serve victims of child sexual abuse.

Made numerous speeches and training presentations, including presentations at the National Association of Social Workers Conference and the Conference of the Northern Justice Society in Canada. (1974 to present)

Member of a team evaluating the efficacy and costs of a pilot project that funds home health care through Medicaid in Colorado. (1981-1982)

RESUME
Vicki A. Otte
P.O. Box 2731
Palmer, AK 99645
745-4068 (Hm)

Professional Experience

- 8/94 Present** **Executive Director, Alaska Native Justice Center, Anchorage, AK.**
 Provides executive direction for the operation of newly formed non-profit 501(C)(3) corporation whose mission is to advocate for Alaska Natives' civil rights and fair and equitable treatment in the civil and criminal justice system. Responsible for all management issues; development and implementation of policies and procedures; annual fund raising and budget development; hiring, training and supervising of all employees and volunteers and carrying out direction of diverse, 24 member board of directors.
- 10/93 8/94** **Office Supervisor, ENSTAR Natural Gas Company, Wasilla, AK.**
 Supervised the operation of the Mat-Su and Eagle River Customer Service Offices and staff for company supplying natural gas to approximately 18,000 customers in Valley and Eagle River areas. *(short term as was pursued for above position.)*
- 4/91 8/83** **Chief Executive Officer, MTNT, Limited, McGrath, AK.**
 Provided executive direction for Native Corporation and subsidiaries - McGrath Light & Power Company, Utility Services Inc. and Vinasale Enterprise. Provided principal leadership in developing and implementing corporate policies and procedures to include personnel policies, by-law and articles of incorporation revisions; developed long-range corporate strategies; prepared and monitored annual budget, operating & profit plans; established and monitored the investment fund to include a Shareholder Permanent Fund; researched and implemented a new utility billing program; monitored the scholarship and land distribution program; edited and produced the quarterly newsletter. Represented the Corporation to 345 Shareholders, the public and government entities. Provided leadership and maintained continuity with a large and diverse Board of Directors. Reported to the Board on a regular basis informing of results, trends and plans affecting the Corporation. *(moved back to Palmer to live with husband after recent marriage.)*
- 7/84 3/91** **Dispatch Supervisor, Palmer Police Department, Palmer, AK.**
 Responsible for operation of the Emergency Dispatch Center dispatching the Mat-Su Borough Fire and Ambulance Services and the Palmer Police Department to emergency and non-emergency calls for assistance in an area covering 25,000 square miles. Hired, trained and supervised 9 employees and maintained the center on a 24-hour/day, 7-day/week operation. Responsible for development of policies and procedures, proposed and maintained budget constraints, prepared and analyzed paperwork and ensured that all phases of the Center were performed accurately and efficiently.
- 1/84 5/84** **Coordinator, Rural Alaska Community Action Program, Anchorage, AK.**
 Short-term contract to plan, coordinate and organize the annual Statewide Village Conference held in Juneau.
- 9/81 10/83** **Office Manager, Settlers Bay Properties (Calista Corporation), Wasilla, AK**
 Managed the day-to-day operations of the office and served as secretary/assistant to the vice-president of operations.

Vicki A. Ote
Page -2-

Professional Experience Continued

9/77 Office of the Governor
6/81 Juneau, AK

(11/79-6/81) Special Assistant - Boards and Commissions: Administered approximately 120 State Boards and Commissions. Recruited and submitted names of qualified Alaska residents to the Governor for appointment.

(4/79-11/79) Secretary to the Governor.

(5/73-4/79) Administrative Assistant.

(9/77-5/78) Governor's Receptionist.

9/72 Dispatcher, Alaska State Troopers, Fairbanks, AK.
4/74

Education

1984-1990 University of Alaska & Oregon, Business/Accounting Courses
1983 Graduate, Alaska Native Leadership Program
1990 Graduate, Executive Development Course, Emergency Management Institute, Federal Emergency Management Agency, Emmitsburg, Maryland
1985-1990 Emergency Management Courses - National Emergency Training Center, Maryland

Professional Involvement

83-Present MTNT, Limited - (An ANSCA Village Corporation), Board Chairman
91-93 McGrath Native Village Council, Secretary/Treasurer
90-93 McGrath Light and Power Company - Board, President
90-Present Utility Services, Inc., Board member, served as President
89-90 Alaska Federation of Natives, Board of Directors, Doyon Villages Rep
84-86 Palmer Police Department Volunteer Reserve Police Officer

Community Involvement

94-95 Mat-Su Resource Conservation & Development Council
94 Wasilla Chamber of Commerce, Iditarod Committee
1994 Volunteer, Fundraiser, Knowles for Governor Campaign
1993 Junior Achievement of Alaska, Instructor - Wasilla Middle School
1993 KSKO Public Radio Station, McGrath, AK, Chairman Fund Raising Event.
92 - Present KSKO Public Radio Station, Volunteer DJ.
1991 Junior Achievement of Alaska, Instructor - McGrath High School
1990 Co-Chair in Mat-Su Valley, Knowles for Governor Campaign
88-Present CPR Instructor.

Personal

Born: January 11, 1954 in Fairbanks, AK
Married: Husband, Ronald - children grown
Health: Good
Hobbies: Downhill skiing, fishing, music, crafts

Confirm.

Nahorney

Judicial

Conduct



Alaska State Legislature

House of Representatives

Official Business

Date: 3-18-96

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

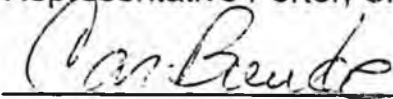
In accordance with AS 39.05.080, the Judiciary Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Commission on Judicial Conduct
Sharon Nahorney

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.



Representative Porter, Chair



Representative Bunde

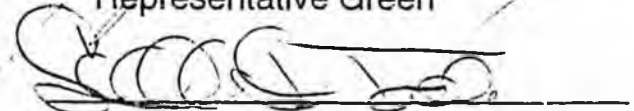
Representative Vezey



Representative Finkelstein



Representative Green



Representative Toohey



Representative B. Davis



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

Official Business

March 11, 1996

M E M O R A N D U M

TO: Representative Porter, Chair
Judiciary Committee

FROM: Suzi Lowell *SL*
Chief Clerk

SUBJECT: Governor's Appointment

Speaker Phillips referred the following Governor's appointment to the Judiciary Committee:

Commission on Judicial Conduct

Sharon Nahorney - Anchorage

Appointed: 07/16/91; Reappointed: 01/01/92, 03/06/96;

Expires: 12/31/99

Attached is her resume and a committee report for your use.

Attachments as noted.

CURRICULUM VITAE

SHARON NAHORNEY

Education and Continuing Education:

East Anchorage High School, Graduated 1962
Alaska Methodist University, 1963
North American Conference on Victim Assistance, 1987-90

Work Experience:

Victims for Justice
619 E. Fifth Avenue
Anchorage, AK 99501

1985 - Present

CourtWatch Director

Member, Board of Directors, September 1989 - June, 1990; Vice President, January 1990 - June 1990
Works with administrators at McLaughlin Youth Center to explore development of a victim-offender reconciliation program
Assisted in organizing a seminar entitled, "Victims' Rights: A New Frontier," June 1989, open to individuals and agencies providing services to victims of crime
Obtained donations of equipment and supplies required for establishment of office space
Remains active in fundraising and solicitation of in-kind contributions for operational expenses of organization
Recruits, screens and trains volunteers for CourtWatch program
Assists in preparation of brochures and other materials used in public education and for emotional support of victims of crime
Provided information to Representative Dave Donley which supported his authorship of legislation recently passed, which addresses the rights of victims of crime
Provided written testimony to Alaska House Health, Education and Social Services Committee on needs of crime victims
Effectuated inclusion of victim input into Judicial Conference, 1989
Assists in maintaining current caseload of clients, including victims of crime and friends/families of homicide victims
Co-facilitates monthly peer support meeting for families of homicide victims
Coordinated development of Memorial Plaque, remembering those who have lost their lives through violent crime
Arranges and decorates Victims Tree (9th and G Street) in honor of those who have lost their lives through violent crime.
Member, Speakers' Bureau, giving presentations to community organizations, such as Lions Club and Rotary Club, for the purposes of raising public awareness of needs of crime victims and fundraising
Organizes public information events/services in connection with national and local observance of Victims' Rights Week, held annually during the month of April

Work Experience (Continued):

Provides education to juvenile offenders at the McLaughlin Youth Center concerning the impact of crime on offenders and their families/significant others
Coordinated Information Booth, Alaska State Fair, 1985
Coordinates development of public service announcements for radio and television for Victims for Justice and CourtWatch program
Chairman, "Celebrity Dunk" Committee, October 1989
Participated in numerous television and radio programs, discussing the impact of crime on the individual and the community
Coordinated and assisted in catering Volunteer Appreciation Luncheon, 1988-90

Office Manager/Dental Assistant, Tongue Thrust Therapist, 1964 - 1984

Tomann Investments, Property Management, 1986 - Present

Interior Design Company/Sharon's Conceptual Designs, 1980 - Present

Managing Partner, F and K Enterprises, 1986 - Present

President, Tom's Heating and Plumbing, 1985-86

Co-Managing Partner, Cohoe Ventures, 1986-present

Executrix, Faccio Estate, Managing Real Estate and Personal Properties, 1985 - Present

Anchorage Women's Commission, 1990; Second Vice President, 1991-Present

Committees/Professional Organizations:

Member, National Organization for Victim Assistance

Member, National Victim Center

Member, Anchorage Sexual Assault Task Force, 1988 - Present

Member, Planning Committee, Memorial Service, North American Conference on Victim Assistance, 1988-89

Member, Safeguard Our Schools for Kids, 1989 - Present

Participated in establishing and building a church in Burkina Faso, West Africa, 1987

Chairperson, Puppet Show ("Wally Walrus Dreams a Lesson"), Alaska Dental Wives Auxiliary, Dental Health Week, 1977 - 1978

Member, Dental Wives Auxiliary, 1969 - 1984

Designs and coordinates specialty church decorations

Private Pilot's License, 1976; Sea Plane Rating, 1976

Runner-Up, Miss Fur Rendezvous, 1964

Alaska Resident, 1949 - Present

Anchorage Woman's Commission, 1990-Present

Anchorage Crime Commission, Courts Committee, 1988-Present



Alaska State Legislature

House of Representatives

Official Business

Date: _____

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Judiciary Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Commission on Judicial Conduct
Sharon Nahorney

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Porter, Chair

Representative Green

Representative Bunde

Representative Toohy

Representative Vezey

Representative B.Davis

Representative Finkelstein

Reappoint.

to Leg.

Ethics

Committee

House Judiciary Committee

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~~Davis~~

~~Harvey~~

~~Green~~

~~Fooney~~

~~Intelstein~~

Joe Donahue

283-8051 -

Edith Vorderstrasse

852-2010 Home

852-5311 Work

Alaska State Legislature



House of Representatives House Judiciary Committee

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

Date: 1/9/96

To: Ms. Suzie Barnett, Dir. of Legislative Ethics Committee

From: Tom Meyer, Counsel to House Judiciary Committee

Re: Hearing for confirmation of Edith Vorderstrasse/Joseph Donahue

This is confirmation of this morning's discussion. I apologize for any earlier inconvenience.

We anticipate a hearing for the House Judiciary Committee for consideration of reappointment of the above individuals will occur this Friday, January 12, 1996, at 1:00 p.m..

To aid the committee, I would appreciate copies of any available resumes for Ms. Vorderstrasse and Mr. Donahue and any other pertinent materials. A fax would be sufficient and our number is 465-3834.

With respect to your concern about setting up teleconferencing for the hearing, I will get in touch with Ms. Vorderstrasse and Mr. Donahue on Thursday or earlier on Friday should their testimony be required.

Alaska State Legislature



House of Representatives House Judiciary Committee

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

Jan. 9, 1996

TO: Members of the House Judiciary Committee

FROM: Representative Brian Porter, Chairman *Brian S. Porter*

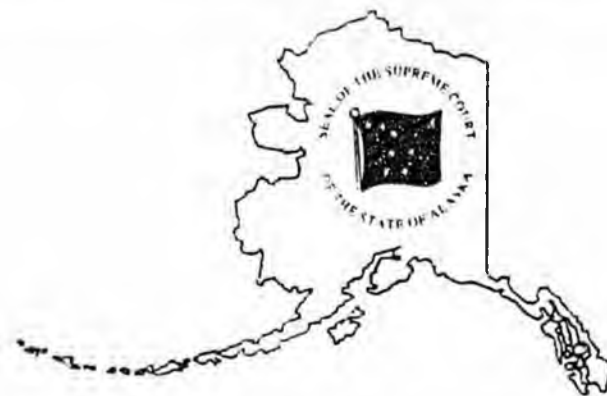
RE: Reappointment of two members to Legislative Ethics Committee

I was recently referred a request for reappointment of Mr. Joseph Donahue and Ms. Edith Vorderstrasse to the Legislative Ethics Committee. The House Judiciary Committee must consider their reappointment.

I am noticing a hearing for this matter for this coming Friday, January 12, 1996.

Should any committee member have any concerns about the individuals above, please have your office notify Tom Meyer, counsel for the Judiciary Committee, at 465-4990.

Attachment, Letter from C.J. Compton



Chambers of:
Allen T. Compton
Chief Justice

Alaska Supreme Court

303 K Street
Anchorage, Alaska
99501-2083

(907) 264-0601
FAX (907) 276-5808

December 18, 1995

Gail Phillips
Speaker of the House
716 W. Fourth Avenue, Suite 620
Anchorage, Alaska 99501-2133

Drue Pearce
President of the Senate
716 W. Fourth Avenue, Suite 500
Anchorage, Alaska 99501-2133

Re: Reappointment of Joseph Donahue and Edith Vorderstrasse
to serve on the Select Committee on Legislative Ethics

Dear Madam Speaker Phillips and President Pearce:

Pursuant to AS 24.60.130, I select Joseph Donahue and Edith Vorderstrasse each to serve another term as public members of the Select Committee on Legislative Ethics commencing January 1, 1996.

Sincerely,

Allen T. Compton
Chief Justice

ATC:dka

cc: Ms. Margie Mac Neille, Chair
Mr. Joseph Donahue
Ms. Edith Vorderstrasse



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

Official Business

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

MEMORANDUM

Date: January 8, 1996
To: Judiciary Committee
From: Suzi Lowell, Chief Clerk *SL*
Subject: Select Committee on Legislative Ethics

Speaker Phillips referred the following appointments to the Judiciary Committee:

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Reappointment of Joseph Donahue

Reappointment of Edith Vorderstrasse

Attached is the letter from Chief Justice Compton appointing the members above.

Attachment as noted.

RESUME SUMMARY

Joseph P. Donahue
P. O. Box 1736
Kenai, Alaska 99611

Telephones: (Home) 907-283-8051 (Business/fax) 907-283-7750

Experience:

Private consulting business for four years, specializing in training on Board management, contracts, grants, business planning and development. Twenty five years progressively responsible experience in supervisory, management, and policy levels within Department of Interior, Bureau of Indian Affairs. Technical experience in Agricultural Engineering, Real Estate & Natural Resources Management, Executive Direction, Policy Development and Liaison functions.

Expertise:

General expertise on federal government policy, budget, and systems, with special knowledge of Department of Interior and Bureau of Indian Affairs. Special knowledge of Alaska natural resources issues, legislation and policy. Expertise on Alaska Native issues, legislation and policy from over 20 years working on Alaska issues.

Education:

Bachelor of Science - Agricultural Engineering, Montana State University, Bozeman, Montana - 1966

Training:

Extensive training in supervision & management; real estate, natural resources and environmental management; contract and grant management, communications, executive development, business planning and grant writing.

-Comprehensive listing available upon request-

Awards:

High School Valedictorian, Certificate of Special Achievement (1974), Letters of Commendation (1974, 1977, 1980, 1982), Who's Who in the West (1975-1977), Federal Employee of the Year Award (Juneau 1979), Superior & Outstanding Performance Merit Awards (1984-1988, 1990)

Miscellaneous:

Married, 2 grown children, no military, excellent health, Born: 12/14/43. Previous youth leader, School Board member; State Real Estate Appraisal Board, Kenai Lions Club & Chamber of Commerce, Chair-State Legislative Ethics Committee, Assoc. Member Commonwealth North.

References:

(Available upon request-See Client Lists)

Edith Anne Vordørstrasse
home
1667 OKPIK STREET
BOX 214
BARROW, ALASKA 99723
BARROW, AK 99723
HOME 907-852-2010

CAREER OBJECTIVE

CONTINUE TO EMPLOY LOCAL RESIDENTS IN MEANINGFUL JOBS IN THE FIELD OF CONSTRUCTION AND TOURISM. ENJOYING AND RAISING OUR FAMILY.

WORK HISTORY

OWNER

BORDER VENTURES(Feb 1978 - Present)

BOX 214

BARROW, AK 99723

BARROW, AK 99723

SUPERVISOR: SELF-EMPLOYED

PHONE #: 907-852-2010

PAYRATE: N/A

ADMINISTRATOR

PAYROLL, BUDGET, INSURANCE COMPLIANCE, SUPERVISION OF JOB SUPERINTENDENT, BIDDING, BILLING, HIRING.

Special Asst. to Supt.

North Slope Borough School District(Oct 1994 - Present)

Box 169

Barrow, AK 99723

SUPERVISOR: Supt. Leland Dishman

PHONE #: 907-852-5311

PAYRATE: 5400.00 per month

liason for 10 school advisory councils, public information officer, special projects, budget committee member for NSBSD at NSB,

Customer Service Agent

Alaska Airlines(Feb 1993 - Sept 1994)

Box 930

Barrow, AK 99723

SUPERVISOR: Jeanette Cook

PHONE #: 907-852-8821

PAYRATE: 11.42

ticketing, making reservation, weight & balance of flights,

COMMITTEE SECRETARY

STATE OF ALASKA(Jan 1988 - May 1988)

ALASKA STATE CAPITOL BLDG

JUNEAU, AK 99802

SUPERVISOR: HONORABLE REPRESENTATIVE EILEEN MACLEAN

PHONE #: 907-465-4525

PAYRATE: 12.00 AN HOUR

SCHEDULING DAILY ACTIVITIES OF REP. MACLEAN

RESPONSIBLE FOR MINUTES OF COMMUNITY AND REGIONAL

AFFAIRS COMMITTEE MEETINGS.

OFFICE MANAGER
BARROW UTILITIES(Mar 1974 - Sept 1982)
POUCH 4449
BARROW, AK 99723
SUPERVISOR: SHELDON TEIGLAND
PHONE #: 907-852-6166
PAYRATE: 22.00
SUPERVISION OF OFFICE PERSONNEL

SECRETARY
PACIFIC ARCHITECTS AND ENGINEERS(Oct 1973 - Mar 1974)
NARL
BARROW, AK 99723
SUPERVISOR: JIM DALTON
PAYRATE: 3.75 AN HOUR
OFFICE TYPING AND FILING

EDUCATION

UNIVERSITY OF ALASKA FAIRBANKS(Jan 1973 - May 1974)
FAIRBANKS, AK 99701
GPA: 2.50 - SCALE: 4.00
VARSITY BASKETBALL

WEST ANCHORAGE HIGH(Sept 1972 - Jan 1973)
ANCHORAGE, AK 99503
HIGH SCHOOL DIPLOMA
GPA: 3.00 - SCALE: 4.00
INVOLVED IN NATIVE YOUTH GROUP

MT. EDGE CUMBE HIGH SCHOOL(Sept 1970 - May 1972)
SITKA, AK
GPA: 3.50 - SCALE: 4.00
HONOR DORM
CHEERLEADER
VARSITY BASKETBALL
CENTRAL COUNCIL DORM
SOPHMORE HOMECOMING PRINCESS

BARROW DAY SCHOOL(ES Jan Feb Mar Apr
BARROW, AK 99723
MADE HONOR ROLL

SKILLS & INTERESTS

Member of Select Committee on Legislative Ethics,
President of BUECI, Chairperson of NSB Personnel
Board, NSB Budget Committee, NSB Investment Commit-
tee, Enjoy sports, skiing, basket, volley & soft-
ball, improving education, community involvement.

REFERENCES

DORCUS THOMPSON
Box 549
BARROW, AK 99723
907-852-6231

Wayne Parkin

General Manager, BUECI
Box 449
BARROW, AK 99723
907-852-6616

Alaska State Legislature



House of Representatives House Judiciary Committee

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

January 17, 1996

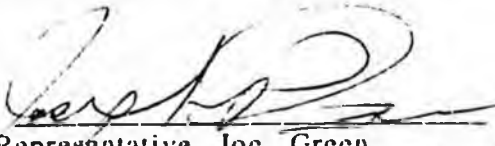
The House Judiciary Committee hereby recommends ratification of the reappointment of Edith Vorderstrasse as a public member to the Select Committee on Legislative Ethics commencing January 1, 1996.

Representative Toohy

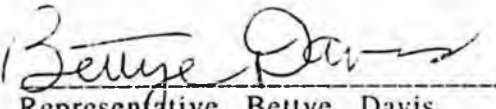


Representative Con Bunde

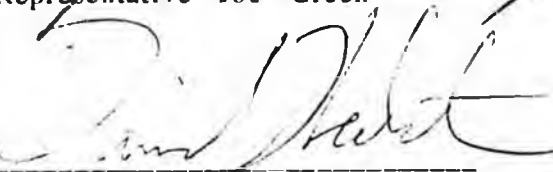
Representative Al Vezey



Representative Joe Green



Representative Bettye Davis



Representative David Finkelstein



Chairman Representative Brian Porter

Alaska State Legislature



House of Representatives House Judiciary Committee

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

January 17, 1996

The House Judiciary Committee hereby recommends ratification of the reappointment of Joseph Donohue as a public member to the Select Committee on Legislative Ethics commencing January 1, 1996.

Representative Toohy

Con Bunde

Representative Con Bunde

Representative Al Vezey

Joe Green

Representative Joe Green

Bettye Davis

Representative Bettye Davis

David Finkelstein

Representative David Finkelstein

Brian J. Porter

Chairman Representative Brian Porter

Alaska State Legislature



House of Representatives House Judiciary Committee

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

January 17, 1996

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Representative Gail Toohey

Representative Con Bunde

Representative Al Vezey

Representative Joe Green

Representative Bettye Davis

Representative David Finkelstein

Chairman Representative Brian Porter

Alaska State Legislature



House of Representatives

House Judiciary Committee

January 17, 1996

State Capitol, Room 120
Juneau, Alaska 99801-1182
(907) 465-4990

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Representative Gail Toohey

Representative Con Bunde

Representative Al Vezey

Representative Joe Green

Representative Bettye Davis

Representative David Finkelstein

Chairman Representative Brian Porter

ETHICS: Panel may urge changes

Continued from Page B-1

"not guilty" of ethics violations. The newsletter said last March that two ethics complaints against him had been dropped while a third "was investigated without finding wrongdoing."

Margie Mac Neille, committee chairwoman, said the panel had closed Sanders' case and could not bring it up again.

"We're not in a position to reopen it or initiate a new complaint."

Sanders said he would not comment Tuesday. Mulder said he considered the matter over.

"They accepted the corrective action, that chapter's closed," Mulder said. "They found probable cause that my wife used the telephone."

Mulder said he considered the ethics finding a vindication. In his news release last September, Mulder said there were no meaningful violations and that the committee had found "no basis for the personal allegations."

On Tuesday, the ethics committee agreed to propose several amendments to the ethics law, including getting tougher on lawmakers and staff who do not comply with commission opinions.



ANNE RAUP / Anchorage Daily News

Rep. Cynthia Toohey makes a point during a meeting Tuesday of the Select Committee on Legislative Ethics as Sen. Jim Duncan listens.

TOOHEY: Suggestion proves unpopular

Continued from Page B-1

Now the citizen majority is 7-to-2.

"We are literally unbalancing the very careful balance that was put in originally," Toohey told the committee.

But she wouldn't give any examples of the ethics subcommittees running into the problem.

Skeptics on the committee pointed out that a major goal of a new ethics law passed four years ago was

to put citizens in charge of the process. Also, they noted, the law already requires political balance among the five citizen members, providing that no more than two can be from the same party.

"It might be more fair, 3-to-2. I don't know," said Senate President Drue Pearce, R-Anchorage, another legislator on the Select Committee. "But I think what we have now is working fine."

Toohey raised the pro-

posal to see if the Select Committee would recommend that the Legislature change the ethics law. When there was no sign of support from the rest of the committee, she dropped the idea without even making a motion.

"This is just something I brought up to see if anybody agreed with me," Toohey said in an interview after the meeting. "Obviously, nobody did and that's fine."

Computers top \$90-million bond

By PETER S. GOODMAN
Daily News reporter

The Anchorage Assembly on Tuesday got its first look at a list of projects the school district hopes to pay for with \$90 million in bond issues.

The projects include two new school buildings and the purchase of more than 6,000 computers.

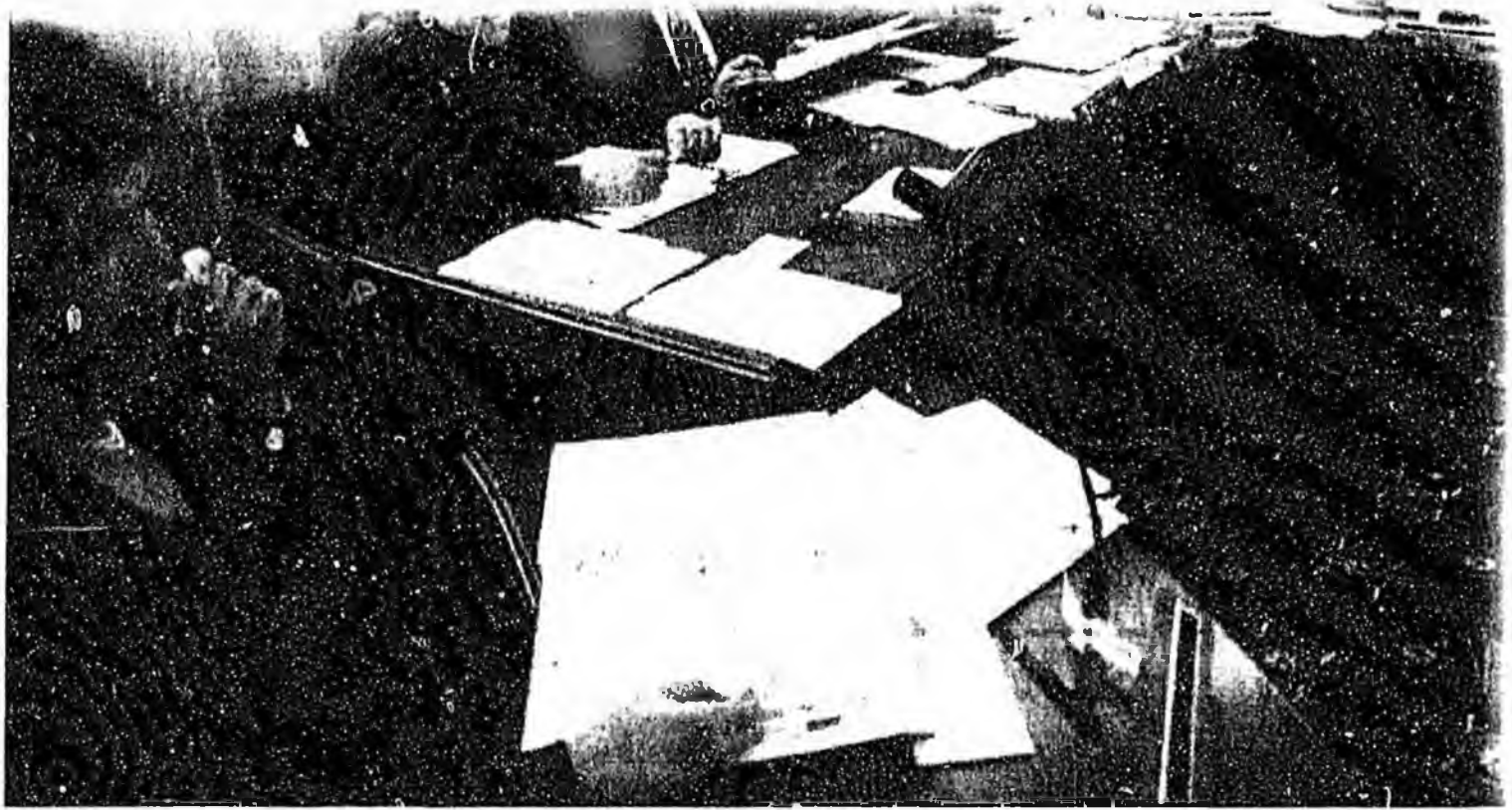
The Assembly must approve the Anchorage School District's list before the bond issues go on the ballot. If the Assembly goes along, voters will be asked to approve six different bond issues when they go to the polls on April 16.

Of the \$90 million total, about \$66 million to \$69 million would come from new bond issues. Voters would be asked to allocate the balance from money left over from previous bond sales.

The Assembly introduced the list of projects with little discussion. It set Feb. 6 as the date for a public hearing on whether to put the issues on the ballot.

According to the city's budget office, property taxes on a \$100,000 home would increase by \$87.40 if the bond issues are approved.

The biggest item on the school district's list is \$35 million to purchase new computers, upgrade the district's 3,450 computers and link the machines to the Internet. The district would then have one com-



ANNE RA

Members of the Select Committee on Legislative Ethics meet Tuesday morning in the Alaska State Capitol in

Ethics panel may ask for changes in

By **DIRK MILLER**
The Associated Press

JUNEAU — The state Legislature's ethics panel says it does not have the power to punish lawmakers who do not comply or tell the whole story on sanctions levied by the panel.

"We have no authority to continue a media war with a legislator," said Joe Donahue, a member of the Select Committee on Legislative Ethics.

As a remedy, the ethics committee may propose a change in state law that would give the House or Senate a chance to further review any cases.

The changes were prompted in part by two cases, one involving Rep. Jerry Sanders and the other involving Rep. Eldon Mulder. The ethics panel



agreed Tuesday that the Anchorage Republicans had completed corrective actions, but members say the two later misrepresented the panel's findings in a newsletter and a

press release.

The ethics panel last year found probable cause that Mulder allowed his wife, a lobbyist, to use his office phone for a private purpose. Wendy Mulder also worked as a volunteer in the office, the panel said.

The committee asked Mulder to arrange for ethics training for any volunteer who served more than four hours

annually in his office a policy restricting non-leg state telephones and fax. In Sanders' case, the panel determined there was probable cause that the lawmaker had allowed a lobbyist to use a state employee to seek business in a print shop.

Last February the panel asked Sanders to write a letter of apology and stop the practice. The panel also asked that Sanders keep his print shop items for his private legislative offices.

But Sanders announced a new newsletter that he had

Please see P

Committee cool to idea of reducing citizen oversight

By **STAN JONES**
Daily News reporter

Rep. Cynthia Toohey's plan to water down citizen oversight of ethics complaints against legislators got no respect on Tuesday when she ran it by the committee in charge of the process.

Toohey's fellow committee members didn't agree with her claim that there are too many citizens, unfairly tipping the process against legislators and creating a risk that

party politics could contaminate ethics rulings when a legislator is accused of unscrupulous behavior.

"I kind of resent that comment," said Edith Vorderstrasse of Barrow, a citizen member of the Select Committee on Legislative Ethics. "I base my decision on what I have heard. . . . It's not based on what affiliation you are."

"I take exception," said Shirley McCoy of Juneau, another citizen member. "I

don't think it's been a problem in the three years I've been on the committee."

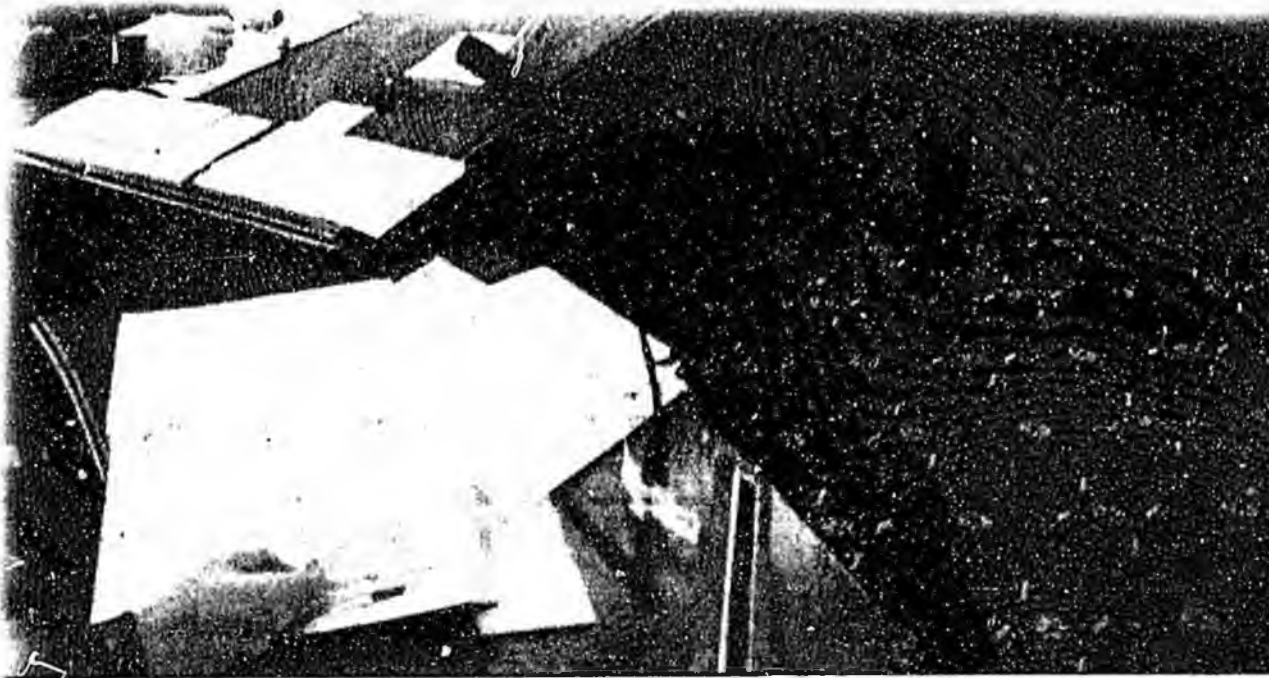
Toohey's argument has to do with the fact that the nine-member Select Committee breaks into two seven-member subcommittees to deal with complaints against legislators, one subcommittee for the state Senate and one for the House.

The Select Committee has five citizen members and four legislators, one of whom is

Toohey. The senators and each have the same number of citizen members as the House.

Toohey, an Alaska Republican, thinks citizens should be removed from the subcommittees if two legislators are on the subcommittees. That would strengthen the majority in the majority subcommittees, and a majority would be

Please see P



ANNE RAUP / Anchorage Daily News

ee on Legislative Ethics meet Tuesday morning in the Alaska State Capitol in Juneau.

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Last February the panel asked Sanders to write a letter of apology acknowledging the violation and to promise to stop the practice. The committee also asked that Sanders keep advertising items for his print shop out of his legislative offices.

But Sanders announced in his constituent newsletter that he had been found

Please see Page B-2, ETHICS

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party politics could contaminate ethics rulings when a legislator is accused of unscrupulous behavior.

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The Select Committee has five citizen members and four legislators, one of whom is

Toohey. The subcommittees each have the same five citizen members and two legislators.

Toohey, an Anchorage Republican, thinks two of the citizens should have to be removed from the subcommittees if two legislators are. That would still leave citizens in the majority on the subcommittees, but the majority would be only 3-to-2.

Please see Page B-2, TOOHEY

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Mike Birch, i
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HB

2

ALASKA STATE LEGISLATURE

COMMITTEES:

- State Affairs
- Military and Veterans Affairs
- Economic Development

BUDGET SUBCOMMITTEES:

- Department of Administration
- Department of Military and Veterans Affairs



DURING SESSION:
STATE CAPITOL BUILDING
JUNEAU, ALASKA 99801-1182
(907) 465-2199
Fax (907) 465-4587

EAGLE RIVER:
11940 BUSINESS BLVD.
EAGLE RIVER, ALASKA 99577
(907) 694-6683
Fax (907) 694-1015

REPRESENTATIVE ED WILLIS DISTRICT 25

Birchwood • Chugiak • Eagle River • Fire Lake • Lower Peters Creek

Memorandum

To: Rep. Brian Porter, Chair
House Judiciary Committee

From: Rep. Ed Willis *Ed Willis*

Date: April 10, 1995

RE: CSHB 2 (STA) - An Act providing for incarceration of certain nonviolent offenders in boot camps operated by the Department of Corrections; making prisoners who complete the boot camp program eligible for discretionary parole; allowing the Department of Corrections to contract with a person for a boot camp program; creating the Boot Camp Advisory Board in the Department of Corrections; and providing for an effective date.

As I indicated in my earlier memo, a new fiscal note from the Department of Corrections was anticipated concerning the captioned bill.

Attached is the new revised fiscal note for CSHB 2 (STA). The explanation in the "analysis" section of the revised fiscal note explains the differences between this fiscal note and the one dated 1/23/95.

Thank you for your assistance.



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A M E N D M E N T

OFFERED IN THE HOUSE
TO: CSHB 2(STA)

BY REPRESENTATIVE WILLIS

1 Page 1, line 3, following "eligible for":

2 Insert "furloughs and"

3 Page 2, following line 2:

4 Insert a new bill section to read:

5 "** Sec. 3. AS 33.30.111 is amended by adding a new subsection to read:

6 (g) A prisoner who has successfully completed the boot camp program under
7 AS 33.30.182 is eligible for a prerelease furlough under this section under regulations
8 adopted by the commissioner under AS 33.30.101 regardless of whether the prisoner
9 has served the portion of the term required under (d) of this section."

10 Renumber the following bill sections accordingly.

ALASKA STATE LEGISLATURE

COMMITTEES:

- State Affairs
- Military and Veterans Affairs
- Economic Development

BUDGET SUBCOMMITTEES:

- Department of Administration
- Department of Military and Veterans Affairs



DURING SESSION:
STATE CAPITOL BUILDING
JUNEAU, ALASKA 99801-1182
907-465-2199
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11940 BUSINESS BLVD.
EAGLE RIVER, ALASKA 99577
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FAX (907) 694-1015

REPRESENTATIVE ED WILLIS

DISTRICT 25

Birchwood • Chugiak • Eagle River • Fire Lake • Lower Peters Creek

Memorandum

To: Rep. Brian Porter, Chair
House Judiciary Committee

From: Rep. Ed Willis *Ed Willis*

Date: April 10, 1995

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Thank you for scheduling the captioned matter for a hearing before the House Judiciary Committee.

Attached are the following:

- a. Sponsor Statement
- b. Sectional Analysis for CSHB 2 (STA), prepared by the Division of Legal Services.
- c. Current fiscal notes on CSHB 2 (STA). The Department of Corrections has advised me that it is working on an updated fiscal note and I will provide the committee a copy of that as soon as it is available.
- d. Draft amendment to CSHB 2 (STA), which has been requested by the Department of Corrections. The amendment would give the Department another tool it needs to make the program successful. Under the current



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Rep. Brian Porter, Chair
House Judiciary Committee
April 10, 1995
Page Two

version of the bill, a person who successfully completes the boot camp program might have to wait three or four months for the next Parole Board hearing. Without this amendment, which permits a prerelease furlough for individuals who successfully complete the boot camp program, this person might have to be placed back into the general prison population to await a hearing. In my opinion, this would not be beneficial to the person involved or the program. Jerry Shriner from the Department of Corrections will be at the committee meeting to answer any questions on this amendment as well as other items that may concern the committee.

- e. Legislative Research Report entitled "Boot Camps for Young Offenders"
- f. "Boot Camp Prisons Thrive" from Corrections Compendium, January 1991.
- g. 1991 Shock Incarceration Survey with article
- h. "Boot Camp Survey: Rehabilitation, Recidivism Reduction Outrank Punishment as Main Goals" from Corrections Today.
- i. "Boot Camp Prisons in 1993" from National Institute of Justice Journal, November 1993.
- j. "Report to Joint Commission on Finance" (Wisconsin), pages 3 and 4, August 31, 1994.

If you have any questions, please do not hesitate to contact me.

ALASKA STATE LEGISLATURE

COMMITTEES:

- State Affairs
- Military and Veterans Affairs
- Economic Development

BUDGET SUBCOMMITTEES:

- Department of Administration
- Department of Military and Veterans Affairs



DURING SESSION:
STATE CAPITOL BUILDING
JUNEAU, ALASKA 99801-1102
(907) 465-2199
Fax (907) 465-4587

EAGLE RIVER:
11940 BUSINESS BLVD.
EAGLE RIVER, ALASKA 99577
(907) 694-6683
Fax (907) 694-1015

REPRESENTATIVE ED WILLIS

DISTRICT 25

Birchwood • Chugiak • Eagle River • Fire Lake • Lower Peters Creek

SPONSOR STATEMENT CSHB 2 (STA) - BOOT CAMPS

April 10, 1995

In 1993, I introduced legislation relating to boot camps for nonviolent, first-time adult offenders. The bill before you is an updated and refined version of that bill. It includes the ideas of those interested in the boot camp concept and addresses the needs of the Department of Corrections with regard to this proposed program.

I feel that placing nonviolent, first-time felony or misdemeanor offenders in a prison setting is not the best way to accomplish rehabilitation of the offender. Providing an alternative to prison time and an opportunity to learn discipline and acceptable behavior will offer these offenders a chance to avoid further encounters with the law.

The bill before you would offer the boot camp as an alternative program for first-time convicted felons or misdemeanants under the age of 26. Individuals convicted of crimes such as homicide, assault, kidnapping, sexual offenses, and offenses involving the use of a deadly weapon would not be eligible for this option. The emphasis here is on nonviolent first-time offenders.

At least 24 states operate boot camp programs. As can be expected, each state offers the program to different groups. For example, in 1993 Virginia's program was limited to nonviolent male felony offenders 24 years of age or under and did not allow felons convicted of murder, manslaughter, kidnapping, sexual assault, etc., to participate in the program. Massachusetts' program, in 1993, was for male offenders under the age of 40.

I have submitted to the committee various articles and studies concerning boot camp programs. I believe that a boot camp program could help us address many problems from prison overcrowding to recidivism rates. A boot camp program has the potential of providing us with many long-term benefits. I would urge positive consideration of this bill.



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Juneau, Alaska 99801-2105

MEMORANDUM

April 6, 1995

SUBJECT: Sectional Summary of CSHB 2 (STA)
(Work Order No. 9-LS0016\G)

TO: Representative Ed Willis
Attn: Janet Seitz

FROM: Jerry Luckhaupt *JEL*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill provides that a prisoner who successfully completes the boot camp is eligible for discretionary parole notwithstanding any other statute that might restrict the prisoner's eligibility.

Section 2 of the bill amends AS 33.16.100 by adding a new subsection (e) that provides that a prisoner who is eligible for discretionary parole under sec. 1 of the bill may be released on parole when the prisoner successfully completes the boot camp program.

Section 3 of the bill is the statutory "meat" of the bill. It creates:

AS 33.30.182 which establishes a boot camp program as a correctional facility of the state; describes what the boot camp program involves (militarily styled discipline and physical training, counseling, training); requires the boot camp program to be designed so as to be completed within 150 days; requires prisoners who fail the program to be reassigned to other correctional institutions; requires the commissioner to adopt regulations; allows the commissioner to contract for an alternative boot camp program; and requires the commissioner to report to the legislature.

AS 33.30.183 limits the prisoners eligible for assignment to the boot camp program to those prisoners who are under 26 years of age, are selected by the commissioner, who are sentenced to a term of imprisonment of at least 150 days, have not previously participated in a boot camp program, and who did not violate AS 11.41,¹ AS 11.46.300,² AS 11.46.400,³

¹ Crimes against persons, including, e.g. murder, manslaughter, assault, sexual assault, and sexual abuse.

Representative Irl Willis
April 6, 1995
Page 2

AS 11.55.300,^a AS 11.56.810,^b AS 11.61.100,^c AS 11.61.190,^d AS 11.61.195,^e or
AS 11.61.240.^f

AS 33.30.184 creates a boot camp advisory board.

Section 5 of the bill provides an effective date.

GPL:klb
95-241.klb

(...continued)

^a Burglary in the first degree.

^b Arson in the first degree.

^c Escape in the first degree.

^d Terroristic threatening.

^e Riot.

^f Misconduct involving weapons in the first degree.

^g Misconduct involving weapons in the second degree.

^h Criminal possession of explosives.

FISCAL NOTE

Bill Version: CSHB 2 (STA)

(H) Publish Date: 3/24/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

| | |
|--|------------------------------------|
| Revision Date: _____ | Dept. Affected: <u>Corrections</u> |
| Title: <u>An Act relating to the creation of a boot camp</u> | BRU: <u>all</u> |
| with in the DOC _____ | Component: <u>all</u> |
| Sponsor: _____ | Rep. Willis |
| Requester: _____ | Rep. Willis |
| COMPONENT SERIAL NO. _____ | |

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|---------|---------|---------|---------|---------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |
| TOTAL OPERATING | 0.0 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |

| | | | | | |
|----------------------|---------|--|--|--|--|
| CAPITAL EXPENDITURES | 5,000.0 | | | | |
|----------------------|---------|--|--|--|--|

| | | | | | |
|------------------------|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | |
|------------------------|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| FUND SOURCE | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|--------------------------|---------|---------|---------|---------|---------|---------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 5,000.0 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 5,000.0 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill would add a section (2) to AS 12.55.086 allowing the court to make successful completion of a boot program a condition of probation and would require DOC to provide such a program. The court could require the defendant to reimburse a portion of the cost of the program. The bill also provides for the commissioner to select participants in a boot camp program and provides a selection criteria.

Section 3 of the bill provides for eligibility for discretionary parole eligibility for those who successfully complete the boot camp program.

Section 4 provides for certain conditions and standards for the operation of the boot camp and directs the commissioner to adopt regulations to implement and administer the program. This section further provides for the establishment of an advisory board to review and advise the commissioner. **CONTINUED ON ATTACHED PAGES:**

Prepared by: Jerry Shriner
 Division: Comm. Office
 Approved by Commissioner: Margaret M. King
 Agency: Department of Corrections

Phone: 465-5582
 Date: 1/20/95
 Date: 1-23-95

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FISCAL NOTE

Bill Version: CSHB 2 (STA)

(H) Publish Date: 3/24/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Department of Law
 Title: ...allowing certain offenders...to complete a BRU: Prosecution
boot camp program... Component: All
 Sponsor: Representative Willis
 Requester: Representative Willis COMPONENT SERIAL NO. 0085-0090

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

| | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|
| FULL-TIME | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 12.86 and AS 33.30 to provide for incarceration of a nonviolent offender in boot camps operated by the Department of Corrections, if the offender is otherwise eligible for a suspended imposition of sentence. This is a sentencing alternative that would be available to courts after the conviction of a defendant. Consequently, the bill will not have a fiscal impact on the Department of Law.

Prepared by: Richard I. Peques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/24/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 1/24/95
 Agency: Department of Law


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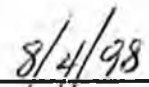
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Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

FISCAL NOTE

Bill Version: CSHB 2 (STA)

(H) Publish Date: 3/24/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act relating to the creation of a boot camp BRU: all
 with in the DOC _____ Component: all
 Sponsor: Rep. Willis
 Requester: Rep. Willis COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|---------|---------|---------|---------|---------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |
| TOTAL OPERATING | 0.0 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |

| | | | | | | |
|----------------------|---------|--|--|--|--|--|
| CAPITAL EXPENDITURES | 5,000.0 | | | | | |
|----------------------|---------|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|---------|---------|---------|---------|---------|---------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 5,000.0 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 5,000.0 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 | 2,062.3 |

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill would add a section (2) to AS 12.55.086 allowing the court to make successful completion of a boot program a condition of probation and would require DOC to provide such a program. The court could require the defendant to reimburse a portion of the cost of the program. The bill also provides for the commissioner to select participants in a boot camp program and provides a selection criteria.

Section 3 of the bill provides for eligibility for discretionary parole eligibility for those who successfully complete the boot camp program.

Section 4 provides for certain conditions and standards for the operation of the boot camp and directs the commissioner to adopt regulations to implement and administer the program. This section further provides for the establishment of an advisory board to review and advise the commissioner. CONTINUED ON ATTACHED PAGES:

Prepared by: Jerry Shriner
 Division: Comm. Office
 Approved by Commissioner: Margaret M. Pugh
 Agency: Department of Corrections

Phone: 465-5582
 Date: 1/20/95
 Date: 1-23-95

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FISCAL NOTE

HB2

January 21, 1995

The number of defendants who would be sentenced to complete a Boot Camp program under AS 12.55.085 is as impossible to predict as the persuasive abilities of both prosecutors and defense attorneys and to the sentencing philosophy of individual judges in individual cases. The effect of any new sentencing option is unpredictable. Some who, with out the provisions of this bill, would have been sentenced to probation alone or to a short jail term might now serve more jail time. It seems less likely that sentences imposed under the proposed provisions would be any shorter than under the existing language. Discretionary parole eligibility would not affect this group and thus longer sentences would not be mitigated.

Further, perception of the program by the defendant may effect the action of both prosecutors and defense attorneys in ways unpredictable to the Department of Corrections.

Further analysis of the anticipated number of defendants to be impacted will be necessary from the Department of Law, the Public Defender Agency and the Court System in order to gage the resources the Department of Corrections would need to develop in order to meet its obligations. It should be noted that under this provision the Department would be required to construct, staff and operate a boot camp immediately and operate it regardless of the number of prisoners available to the program.

Prisoners could also be selected and assigned to the boot camp program from that portion of the prison population described in AS 33.30.183 (2). Analysis of the prison population reveals that 245 inmates meet the criteria under the provisions of this bill. Without the design of the facility from which a boot camp program would be operated, construction cost, much less staffing patterns and operation costs cannot be calculated.

Recent estimates of the cost of construction of a prison facility in Alaska range from \$100,000 to \$160,000 per prison bed capacity. Assuming that a fifty bed facility was deemed suitable and assuming the facility was built to house medium to minimum custody prisoners with highly structured activities and for relatively short sentences the lower cost figure is used. Because all prison facilities are at or over capacity and will continue to be even with the transfer of prisoners out of state, there is no possibility of reducing costs by restructuring the current functioning of an existing institution.

Capital cost are calculated to be $\$100,000 \times 50 = \$5,000,000$ based on the above assumptions.

The best estimate for operating costs is the average operating cost based on FY 94 operation of the current prison system which is calculated to be \$113 per day per prison bed. The Department is analyzing the cost data of a boot camp recently operated for juveniles. Preliminary reports indicate that operating cost will exceed the average cost.

For current purposes the average per bed cost is used to calculate annual program cost as follows:

$$\$113.00(\text{per day cost}) \times 365 (\text{days per year}) \times 50 (\text{program capacity}) = \$2,062,250$$

These operating costs would not become effective until the facility was built and operational. Likewise staffing of such a program cannot be stated with precision until a final design of both the facility and the program functions are set. It is likely that such a program would require ten to twelve new correctional officers, two to three program staff, a probation officer, an administrative officer, one medical staff and a facility superintendent, for a total of sixteen to nineteen new positions.

FISCAL NOTE

Bill Version: CS#B 2 (STA)

(H) Publish Date: 3/24/95

**STATE OF ALASKA
1995 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Department of Law
 Title: ...allowing certain offenders...to complete a BRU: Prosecution
boot camp program... Component: All
 Sponsor: Representative Willis
 Requester: Representative Willis COMPONENT SERIAL NO. 0085-0090

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| FUND SOURCE | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

| POSITIONS | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL-TIME | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 12.86 and AS 33.30 to provide for incarceration of a nonviolent offender in boot camps operated by the Department of Corrections, if the offender is otherwise eligible for a suspended imposition of sentence. This is a sentencing alternative that would be available to courts after the conviction of a defendant. Consequently, the bill will not have a fiscal impact on the Department of Law.

Prepared by: Richard I. Peques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/24/95
 Approved by Commissioner: Bruce M. Bortelho, Attorney General Date: 1/24/95
 Agency: Department of Law

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FISCAL NOTE

NO. 3
 Bill Version: CS#3 2 (STA)
 (H) Publish Date: 3/24/95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

Revision Date: _____
 Title: "An Act allowing courts to require certain offenders as a special condition of probation to complete a boot camp..."
 Sponsor: Rep Willis
 Requestor: Rep Willis

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE: (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| OTHER | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 95) cost: \$ none

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill has no fiscal impact to the Public Defender Agency.

Prepared by: John Salemi, Director *John Petty for*
 Division: Public Defender Agency

Phone: 264-4400
 Date: _____

Approved by Commissioner: Mark Boyer *M. Boyer*
 Agency: Department of Administration

Date: 1/15/95

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No. 4

FISCAL NOTE

Bill Version: CSHB 2 (STA)

(H) Publish Date: 3/24/95

STATE OF ALASKA 1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: An Act relating to boot camps for BRU: Trial Courts
nonviolent offenders Components: _____
 Sponsor: Rep. Willis
 Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS & CLAIMS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-3228
 Agency: Alaska Court System Date: 02/01/95

Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CSC*
 Agency: Alaska Court System Date: 02/01/95

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FISCAL NOTE

STATE OF ALASKA

1995 LEGISLATIVE SESSION

NO. 2

Bill Version: CSHB 2 (STA)

(H) Publish Date: 3/24/95

Revision Date: _____ Dept. Affected: Public Safety
 Title: An act allowing courts to require certain Alaska State Troopers
offenders to complete a boot camp program. Component: Detachments
 Sponsor: Representative Willis
 Requestor: Representative Willis COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

| OPERATING | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|-------------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | -0- | -0- | -0- | -0- | -0- | -0- |
| CAPITAL EXPENDITURES | -0- | -0- | -0- | -0- | -0- | -0- |
| CHANGE IN REVENUES () | -0- | -0- | -0- | -0- | -0- | -0- |
| <small>Revenue Code</small> | | | | | | |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

Estimate of current year (FY 95) impact: \$ -0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)
 No significant impact on the Alaska State Troopers.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 01/24/95
 Approved by Commissioner: Ronald L. Orr Date: 2-2-95
 Agency: Ronald L. Orr, Dept. of Public Safety

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February 11, 1993

MEMORANDUM

TO: Representative Ed Willis

FROM: Patricia Young *P. Young*
Legislative Analyst

RE: Boot Camps for Young Offenders
Research Request 93.100

You asked for information about boot camps for young offenders. Specifically, you wished to know the age of participants, the type of crimes represented, the length of sentence, and the number of offenders typically in the programs. You were particularly interested in boot camp programs running in Virginia, Massachusetts, and Cuyahoga County, Ohio.

According to a *State Legislative Report*, "Prison Boot Camps: Policy Considerations and Options," (Denver: National Conference of State Legislatures, March 1991; attached) boot camps are generally military-style programs requiring team cooperation for highly disciplined drills, marching, and labor. Most such programs are designed for non-violent first-time felony offenders with relatively short sentences. Typically they are designed for young adults between the ages of 17 and 25, require a certain degree of physical and mental fitness, last from 60 to 180 days, and represent an alternative to incarceration. Although few data exist to evaluate the effectiveness of boot camp programs, particularly their long-term effectiveness, they are popular: at least 24 states currently operate such programs.

Despite their similarities, boot camp programs vary in structure and focus. A brief comparison of the programs in Virginia, Massachusetts, and Cuyahoga County, Ohio, illustrate some of the differences.

The Virginia Program

The Virginia program appears to be the most standard among the three. At its inception—mid-April of 1991—eligibility was limited to nonviolent, male felony offenders between the ages of 18 and 24 years at the time of sentencing. (Last year the age restriction was changed

Representative Willis

February 11, 1993

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to 24 years or under at the time of conviction, with no minimum age limit.) Misdemeanants are ineligible, as are felons convicted of murder, manslaughter, kidnapping, sexual assault, malicious wounding, robbery, or any attempt to commit any of these crimes. Camp capacity is 100 participants, and platoons of 30 to 45 individuals enter each month. To date, 522 participants have gone through the Virginia program.

The program is voluntary, lasts 90 days, and represents a condition of supervised probation in lieu of a penitentiary sentence. The primary emphasis is on discipline. Corrections officers involved in the boot camp program receive U.S. Marine Corps training as drill officers, and an offender's sole contact for the first two weeks of the program is with the drill officer.

Following the two-week orientation come program components involving labor, general education, substance abuse education, life skills development, vocational assessment, and some social education. Although participants are not taught vocation skills as such, manual labor is believed to help them develop a work ethic. The camp is located on a 2,600-acre farm, so offenders are employed as farm laborers. Labor for community projects, such as painting schools and cleaning state parks, is also required. All participants are evaluated as to their level of education: those who test at below grade 12.9 are enrolled in the Adult Basic Education (ABE) or General Education Development (GED) program, regardless of whether they have high school diplomas; those who test at or above grade 12.9 are used as tutors. Upon completion of the entire boot camp program, participants may invite family and friends to a full graduation ceremony. Participants are on probation following graduation for at least one year, the first 90 days of which are intensive supervision.

According to Drew Malloy, program director, Virginia's boot camp program is a five-year pilot program funded by the state legislature. Results have so far been positive, with a recidivism rate of 15 percent for the first 18 months. Admittedly, however, this is a very short time to accurately gauge the effectiveness of a program, and the recidivism rate is expected to increase over time. Nevertheless, Mr. Malloy anticipates funding for the program beyond the demonstration period.

The Massachusetts Program

The Massachusetts boot camp program, which began operation in August of 1992, is for male offenders under the age of 40. Ted O'Donnell, Department of Corrections project analyst with the program, describes it as originally designed for individuals convicted of misdemeanors and less serious felonies as a short, intense alternative to jail or probation, requiring a high level of offender involvement. It is a four-month program with a capacity of 256 participants. Approximately 50 offenders have graduated from the program to date.

Eligibility criteria for the Massachusetts boot camp program include that a participant 1) must be under 40 years of age; 2) may have prior convictions if his history is non-violent; 3) must have a sentence that is for no more than 18 months; 4) must not have received a mandatory sentence for violation of a drug law; 5) must not have been convicted of a crime against a person (with the exception of assault and battery); 6) must be medically and psychologically fit to participate; 7) must have no history of escape from a secure parameter nor any escapes within the past three years; and 8) must volunteer for the program.

According to Mr. O'Donnell, because the program capacity has yet to be filled, the original criterion of "no history of escape" was relaxed to its current form. Another proposed amendment would eliminate the criterion concerning prior convictions and shift the focus more to the present conviction.

The program, described by Mr. O'Donnell as having a "marine drill camp atmosphere," includes education, work, counseling, life skills, and team building components. Following graduation, participants are in parole status for an amount of time based on the duration of the original sentence. Aftercare parole requirements may include components such as contacting parole officers, maintaining jobs, and attending counseling sessions.

The Ohio Program—Cuyahoga County

Unlike the boot camp programs in Virginia and Massachusetts, Cuyahoga County's program is for juveniles between the ages of 14 and 17 who have been convicted of felonies and sentenced to state institutions for approximately 6 to 12 months. Participants must be mentally and physically capable and have not been convicted of aggravated murder, murder, rape, manslaughter, kidnapping, sexual assault, aggravated arson, criminal enticement, or corruption of a minor.

This is a nonvoluntary, 90-day residential program followed by six to nine months of highly structured aftercare. Participants are randomly selected but generally willing to participate. Ten are admitted at the beginning of each month, and ten are released at the end of each month. The maximum capacity is 30 participants at any given time. To date, 111 youth have entered the program. Although discipline is a part of the program's structure, it is based more on the Outward Bound, challenge education model than a military one. Furthermore, the program's substance is primarily treatment for the juvenile and reunification with the family and community. Other components include substance abuse education, general education, life skills development, and basic job acquisition and retention skills.

Representative Willis

February 11, 1993

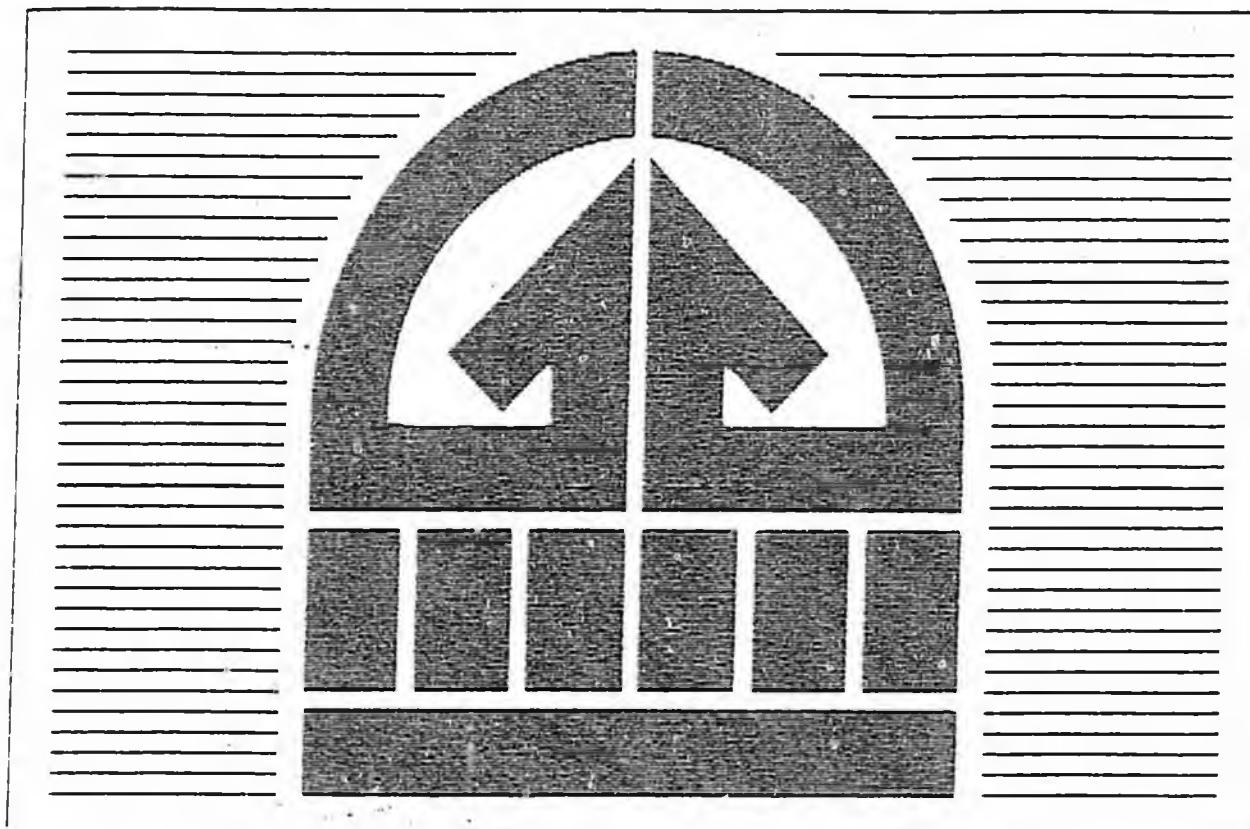
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The Ohio program began in April of 1992 with a federal grant from the U.S. Justice Department for an 18-month project to be evaluated by the National Institute of Justice. Recidivism data will not be available until 1994. According to Tim Howard, project director, the unusually strong emphasis on the aftercare component should result in low recidivism rates.

More detailed information on each of these programs is being sent and will be forwarded to you upon arrival. I hope this information is useful. If you have questions, please let me know.

Attachment

STATE LEGISLATIVE REPORT



PRISON BOOT CAMPS:
POLICY CONSIDERATIONS AND OPTIONS

by

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Staff Assistant
and
Donna Hinzeker
Senior Policy Specialist

Vol. 16, No. 1 March 1991

GOVERNMENT
5731

An Information Service of the National Conference of State Legislatures
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INTRODUCTION

A new breed of correctional facility has evolved out of concerns over increased drug crime and prison overcrowding, and the belief that traditional prisons often fail to rehabilitate offenders. In addition, there has been growing public sentiment that offenders be held accountable for their crimes and that serious offenders serve longer sentences. This has added to prison crowding and motivated state policymakers to search for intermediate sanctions for less-serious offenders.

Boot camps—also known as shock incarceration, special alternative incarceration or regimented inmate discipline—are military-style facilities distinguished by reveille, close-order drills, marching and demanding physical requirements. Participants are usually young adult offenders with no prior incarceration who are serving time for their first non-violent felony conviction. Offenders attend a boot camp program for a shorter duration than a standard prison sentence, 60 to 180 days depending on the state program, and then ordinarily are released on parole for an additional year or more. Boot camps are politically popular because the public sees the programs as "tough on crime." Corrections officials often like the programs because the stringent rules and schedules provide a more controlled environment for offenders than standard incarceration.

LEGISLATIVE ACTIVITY

Boot camps for young adult offenders now operate in at least 23 states, and another seven states are in the process of setting up boot camp programs.

Oklahoma and Georgia opened the first boot camp programs in 1983. Most states with programs have added them just since 1987, and considerable legislative activity has occurred since 1989. Sixteen states enacted enabling legislation in the 1989 or 1990 sessions: Arkansas, Colorado, Connecticut, Illinois, Indiana, Kansas, Missouri, Nevada, New Hampshire, New Mexico, Ohio, Tennessee, Texas, Virginia, Wisconsin and Wyoming. Eight states—Alabama, Arizona, Florida, Georgia, Louisiana, Michigan, New York and South Carolina—enacted enabling legislation between 1983 and 1989. At least five states—Idaho, Maryland, Mississippi, North Carolina and Oklahoma—operate boot camps under department of corrections regulatory authority. At least one county, Los Angeles, is operating a one-year pilot project. (Figure 1)

POLICY CONSIDERATIONS

Prison-bound or probation-bound offenders.

Perhaps the central policy issue to be addressed in considering or expanding boot camp programs is whether the program will be used to divert prison-bound offenders or as a more intensive, punitive form of probation.

In at least 19 states, statutes specify boot camps as an alternative for prison-bound offenders, with the intent of providing shorter more intensive terms in a boot camp for some offenders who would have served a longer prison term. In most states that statutorily divert prison-bound offenders to boot camp, the length of the original sentence is not specified by statute. In states that do designate original sentence length for program eligibility, the offender may be trading a sentence as short as three years for six months in a boot camp (New York) or a sentence as long as 15 years for 120 days in a boot camp (Alabama). (Appendix A)

In at least five states, probation-bound offenders are targeted by statute in order to provide boot camps as a sentencing option for offenders for whom straight probation was considered too lenient. Probation-bound offenders are diverted into the boot camp program by the sentencing judge. Both Connecticut and Georgia statutes allow the court to use boot camp as a condition of probation, and Arizona uses it as a condition of intensive probation. (Appendix A)

Tennessee is the only state found to have two separate statutes: one targets prison-bound offenders and the other targets probation-bound offenders. Theoretically, prison-bound and probation-bound offenders could serve side-by-side in the same boot camps. As yet, however, no probation-bound offenders have been sent to Tennessee's boot camp, according to the department of corrections.

Ten states give the court primary discretion to determine whether otherwise prison-bound or probation-bound offenders are sentenced to boot camps. Often, offenders sentenced to boot camps by a judge must also then be screened and accepted by the Department of Corrections (DOC). (Appendix A)

In about 12 states, the department of corrections has considerable discretion for diverting prison-sentenced inmates into boot camps. In six of these states, the DOC's discretion is somewhat diluted because the court maintains jurisdiction and continues to oversee and review the offender's case throughout the program. (Appendix A)

Target offenders

Most states specify that participants in boot camps be non-violent felony offenders who have never served time in a prison. A majority of the states target a specific age group either by statute or by DOC policy, the most common range being from 17 to 25 years of age. New Mexico and Wisconsin target certain drug offenders for the program. Several states statutorily exclude certain crimes such as murder, first degree rape, first degree kidnapping, first degree robbery, capital or life felonies, sex offenses, child abuse or child sexual abuse. Many state laws require that offenders be physically and mentally fit. At least five states have boot camps for women.

PROGRAM OBJECTIVES

The most frequently stated goals of boot camps are to reduce prison overcrowding, deter offenders from crime, rehabilitate young adult offenders and reduce corrections costs.

Reducing Prison Overcrowding

Several states have authorized boot camps, with reduction of prison overcrowding as a goal of the program. In Arkansas, offenders are evaluated according to a set of guidelines adopted by the Board of Correction, under statutory language which says the program is "designed to reduce inmate population by diverting eligible offenders from long-term incarceration." (Ark. Stat. Ann. 12-28-701 to 12-28-705 (1989)) The Florida law indicates that "Due to severe prison overcrowding, the Legislature declares the construction of a basic training program facility is necessary to aid in alleviating an emergency situation." (Fla. Stat. Ann. 958.04 (West-1990))

However, an analysis done by Abt Associates, Inc. for the National Institute of Justice (NIJ), of the U.S. Department of Justice in 1989 said that in comparing maximum annual capacity in boot camps in a number of states to total prison population, the potential effect of boot camps on prison overcrowding is small. Boot camp capacity as a percent of prison population ranged from 1.1 percent in Florida to 11.6 percent in Mississippi according to the NIJ analysis. Boot camps averaged about 4.7 percent of total prison populations in the states examined. Current selection criteria for participants would, therefore, limit the number of facilities needed to a relatively small number. (1,p.12)

Deterrence and Rehabilitation

Another commonly stated purpose of boot camp is to deter offenders from committing additional crimes by giving them a "taste" of prison. This may be particularly true where boot camps are used as a more punitive form of probation. Many boot camps operate within a conventional state prison, but participants are separated from the general population. This gives offenders a "close, sobering exposure to the realities of prison life, but without subjecting them to abuse, exploitation or corruption by hardened criminals," according to the NIJ study. (1,p.xi)

Physical exercise combined with drills and discipline is seen as having rehabilitative value by some policymakers and program managers. Shock incarceration, according to Donald I. Hengesh, director of Special Alternatives Incarceration in Michigan, teaches inmates 'self-esteem, self-discipline, self-responsibility and how to work...more importantly [the program] push[es] these individuals to achieve at levels that they never knew they could achieve at before.'(2,p.3)

Some programs have added confidence-building exercises, and several require participants to quit smoking. North Carolina includes a Ropes Challenge program, which works first on building group skills such as getting a team over a 12 foot wall, then on individual confidence building such as walking a balance beam suspended 30 feet in the air. In Louisiana, program participants in the Orleans Parish are able to run 12 miles upon completion of the program.(1,p.23)

Most programs do not rely solely on military drills for their rehabilitation, many also include drug and alcohol counseling, reality therapy, individual counseling, literacy training and other pre-release programs. In New York, offenders are placed in a therapeutic community emphasizing community living and socialization skills.(1,p.5) Education also is emphasized in the New York program, with offenders required to spend 12 hours per week in classes. A 1990 report of the New York State Department of Correctional Services, Division of Program Planning, Research and Evaluation, said the academic achievement of boot camp participants is somewhat less than inmates in comparison New York facilities, but boot camp inmates both start with more skill deficiencies and spend less time in the program.(4,pp.35-36) Although many states' boot camp programs offer education, at least two states offer no adult basic education because of the difficulty in doing so in any meaningful way in the short period of time offenders are in the boot camp program.(1,p.27)

At least 10 state statutes specify that offenders receive drug and alcohol education or treatment in boot camps. As mentioned earlier, in New Mexico and Wisconsin certain drug offenders are targeted for the program. In Tennessee, however, some drug offenders are statutorily excluded.

Some states provide considerable pre-release assistance and direction. For example, in Maryland, parole agents visit the offenders before they are released, examine their home environments and make arrangements for offenders to meet with job placement assistance counselors. In at least one state, DOC officials recommend to the sentencing judge that drug offenders be required to attend out-patient drug counseling upon release, and in a few other states the statute specifies that drug offenders be sent to drug treatment or educational programs upon release. Two states--Indiana and Wisconsin--statutorily require drug treatment upon release from boot camp.

Cost Issues

Many boot camps are set up on the grounds of existing correctional facilities and share kitchen, medical and administrative services, contributing to cost-efficient start-up. However, per diem costs may be as much or more than standard prison because of higher staff to inmate ratios.(1,p.16)

The 1989 NL study indicated that cost savings come primarily from the shorter terms participants serve. For states to save money, the researchers conclude, they must admit inmates who otherwise would have served longer prison terms. Florida data show that time served in boot camps is about 215 days shorter than what participants would have spent in prison, suggesting savings to the state.(3,p.22) In New York, a 1990 report by the Department of Correctional Services research division estimated that despite higher per diem costs than other prison facilities, a total savings of \$55.5 million was realized for 1,158 boot camp participants. This includes an

estimated \$36.5 million saved in capital construction and \$19.0 million saved in care and custody costs, mostly because inmates were housed for a shorter time.(4,pp.33-34)

A 1990 report by the South Carolina State Reorganization Commission for the state legislature examined the criminal histories of the offenders in the boot camp program to determine how many offenders were actually being diverted from prison and whether any offenders were being diverted from probation. Of the 664 offenders who were placed in the boot camp program between July 1987 and January 1989, 244 were diverted from prison and 420 were diverted from probation. Still, the net cost savings of diverting 244 offenders from prison after taking into account the costs added by placing 420 probation-bound offenders into boot camps, was determined to be \$1.4 million.

None of the cost analyses known have attempted to compute the return-to-crime factor into costs. Perhaps eventually, fiscal studies will combine recidivism data with cost data and analysis of who is being diverted into boot camp programs.

EVALUATIONS AND OUTCOMES

Whether or not boot camps meet the intended objective of rehabilitation of the offender is also an important policy consideration. To date, however, most outcome analyses are either anecdotal, short-term or inconclusive.

Studies by the National Institute of Justice (NIJ) of the U.S. Department of Justice in 1989 and the U.S. Government Accounting Office (GAO) in 1988 concluded that available data are not sufficient to support the theory that boot camps reduce recidivism, overcrowding or prison costs.(1,p.35)(5,p.1)

The NIJ study looked at recidivism rates for graduates of boot camps in Georgia and Oklahoma and found them to be about the same as those of offenders released from prison. In fact, the Georgia DOC found that after a three year follow-up, 38.5 percent of the offenders who participated in boot camp returned to prison, compared to 38 percent recidivism of released prison inmates. Oklahoma found that almost half the boot camp graduates had returned to prison compared to 28 percent in a comparison group of prison inmates over a 29-month period.(1,p.4)

A few states also have tracked the return to crime or subsequent incarceration of boot camp participants. The Florida Department of Corrections released a study in 1989 of their program showing that boot camp graduates had a re-incarceration rate of 5.59 percent versus 7.75 percent for a comparison group; however, the study only contained data for a 15-month period.(3,p.ii)

A 1990 report of the South Carolina State Reorganization Commission showed that among 437 boot camp participants, 16 percent have had a subsequent conviction or had their probation revoked for a technical violation. Of these convictions and violations, 97 percent occurred during the first 12 months after completing boot camp. The most recent study, based on 1984 data, of recidivism for all people released (including all crimes and criminal histories) in that state showed a 16 percent recidivism rate for one year.(6,p.24)

The New York Department of Correctional Services research division report of 1990 on the state's Shock program said, "Despite being incarcerated for shorter periods of time, the Shock graduates appear to be returning at a rate similar to a selected comparable group of inmates..." But the report also notes that Shock graduates come back for offenses less serious than the comparison group, and more often for rule violations rather than for convictions on new crimes.(4,p.51-52) Georgia, Louisiana and New York are currently conducting studies and several other states have indicated they will be tracking recidivism rates as well.

Several states require the department of corrections (DOC) to report to the legislature on the progress of the boot camp programs. In Colorado, for example, the DOC is to provide a report that includes such information as: whether offenders are being diverted from probation or prison, whether bed space is being saved, and whether the recidivism rate for graduates of the program are equal to or lower than that of similar offenders committed to the DOC.

The National Institute of Justice currently is working on a multi-site survey to evaluate seven boot camp programs. The evaluation will address selection decisions, community supervision upon release, program characteristics and program location; however, the outcome of the study is not expected to be decisive. The study should be released by early next year.

The Bureau of Justice Assistance has offered funds to states for boot camp start-up and demonstration. New York and Texas have grants to implement and evaluate effectiveness of boot camps targeted for drug offenders.(7,p.47)

FEDERAL INTEREST AND INCENTIVES

Title XVIII of the federal Crime Control Act of 1990 authorizes \$220 million for "correctional options," including, "four grants in each fiscal year, in various geographical areas throughout the United States, to public agencies for correctional options (including the cost of construction) that provide alternatives to traditional modes of incarceration and offenders release programs." Programs must provide appropriate intervention for young offenders; security and discipline; services such as counseling, drug treatment, education and job training; reduction in criminal recidivism; reduction in correctional costs; and development of industrial and service skills. Also available are grants to public agencies to "establish, operate, and support boot camp prisons."

Priority is given to applicants who show potential for developing or testing innovation alternatives, as well as those that demonstrate overall quality and programming in a boot camp program. States operating over capacity in correctional facilities are also given priority. The law also identifies military facilities that may be used as sites for correctional programs funded under this chapter.

As of January 1991, funds for these grants were not yet appropriated. The Federal Crime Control Act of 1990 also authorizes the Federal Bureau of Prisons to use shock incarceration (boot camp) programs. Title XXX specifies military-style regimented training, discipline and labor, and also requires that appropriate job training, education and drug and alcohol counseling be in place. As yet there are no boot camp facilities operating for federal offenders.(8)

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), in conjunction with the Bureau of Justice Assistance, will develop and test up to three boot camps for juvenile offenders, with awards to be made in April 1991 for 18-month test sites. In addition, the National Institute of Justice will fund an independent evaluation of the OJJDP programs, also to begin in 1991.

CONCLUSION

The lofty goals of reducing prison overcrowding, controlling corrections costs and providing for criminal deterrence and rehabilitation are only marginally achievable through boot camp prison programs.

By shortening the period of incarceration for prison-bound offenders, boot camps can have a minimal effect on prison overcrowding and costs. However, cost savings tend to be elusive in programs requiring special start-up and operational costs, yet which target less than 5 percent of the prison population. It is important to note that programs which target only probation-bound offenders are not likely to realize cost savings nor do they have any effect on prison populations.

Increased justice-system costs may in fact result from sending probation-bound offenders to boot camps.

Real savings, of course, can be realized if boot camp programs are successful in reducing subsequent criminal behavior in participants. As yet, however, long-term, comprehensive recidivism evaluations are absent from an evaluation of whether boot camps are good policy. Ultimately, an objective analysis of programs' rehabilitative value compared to or in combination with drug treatment, work and education programs, likely will be key to determining success or failure.

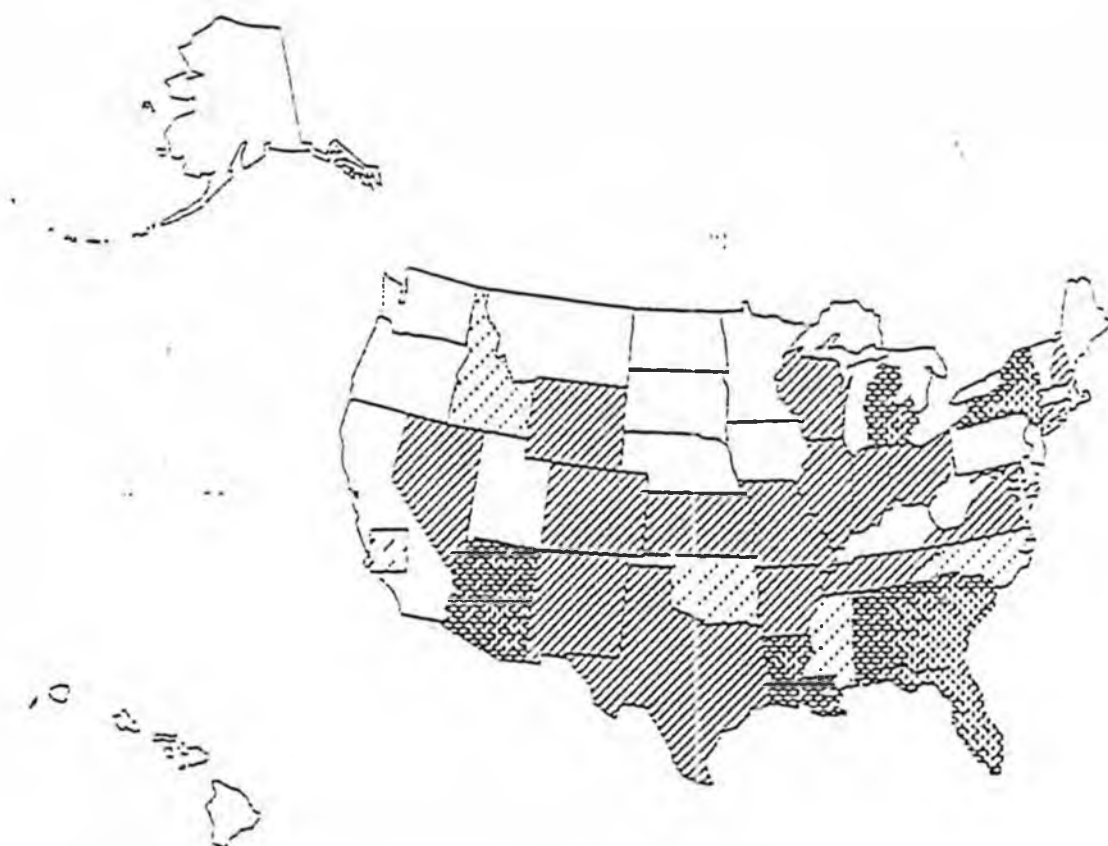
In current practice, boot camps do respond to the need for intermediate sanctions tougher than probation and which depart significantly from traditional prison by stressing offender accountability and change. A corrections leader has said boot camps are the "first sexy idea" corrections has had in almost two decades, and therefore should be given time to develop and be refined. Others have warned that military drills without attention to the social ills of illiteracy, unemployment and drug abuse are a wasted effort.






As with most state initiatives, considerable variation is seen in how states have designed and operated boot camp programs. Their experiences, as highlighted in this document, can begin to guide policymakers' decisions on future use of boot camps as a sentencing option.

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- 1.) *Shock Incarceration: An Overview of Existing Programs*. Washington, D.C.: National Institute of Justice, U.S. Department of Justice, June 1989.
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- 3.) *Boot Camp Evaluation*. Florida: Department of Corrections. March 1989.
- 4.) *The Second Annual Report to the Legislature: Shock Incarceration in New York State: The Corrections Experience*. Albany, N.Y.: Department of Corrections. January 1990.
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- 6.) *An Evaluation of the Omnibus Criminal Justice Improvements Act of 1986*. Columbia, SC: State Reorganization Commission. March 1990.
- 7.) Doris Layton Mackenzie. "Boot Camp Prisons: Components, Evaluations and Empirical Issues." *Federal Probation*, September 1990.
- 8.) U.S. Congress, *Crime Control Act of 1990*, Chapter B, Section 515 (a) (1-3), 101st Cong. 2d sess., 1990.

Figure 1.
 Boot Camp/Shock Incarceration Facility Use in the States



-  Enacted enabling legislation in 1989 or 1990 session (6)
-  Enabling legislation prior to 1989 (3)
-  States operating facilities under executive branch authority (5)
-  County-level program
-  Not known to have boot camp programs

Source: *Shock Incarceration: An Overview of Existing Programs* (Washington, D.C.: National Institute of Justice, U.S. Department of Justice, June 1991)
 NCSL Original Authors

Appendix A
State Statute Specifications for Boot Camps

| State | Amount of Legislative Direction | Offender Eligibility Requirements | Prison Alternative/Enhanced Probation | Distinctive Program Features | Who Has Discretion to Select Candidates? |
|---|---------------------------------|--|---------------------------------------|--|--|
| Alabama Ala. Code §15-18-4 (1989) | Moderate | List crimes not eligible, sentence of 15 years or less | PA | Unspecified | Court upon consultation with DOC retained jurisdiction |
| Arizona Ann. Rev. Stat. Ann. §13-915 West 1989 | Moderate | Age, never been incarcerated as adult, no physical limitations, no contagious disease | EP | Academic resources | Court - creation of intensive probation |
| Arkansas Ark. Stat. Ann. §12-28-701 to 705 (1989) | Minimal | Unspecified | PA | Unspecified | DOC |
| Colorado Colo. Rev. Stat. Ann. §17-27.7 (1990) | Moderate | Age, convicted, no previous sentence in a correctional facility, free of physical & mental defects | PA | Educational & vocational assessment & training, job seeking skills, health education, drug/alcohol education & treatment. | Executive director referred to sentencing court upon completion for sentence reduction |
| Connecticut Conn. Gen. Stat. §15-101c (1989) | Moderate | Age, convicted of order (has a class A felony, no physical or mental limitations) | EP | Community work, job skills application & communication, separate from general inmate population, judge may require education, employment, restitution, approved residence upon release. | Court |
| Florida Fla. Stat. Ann. §855.04 West 1990 | Moderate to Considerable | Age, crime is a felony if committed before 11/1 birthday, not previously classified under this statute, list ineligible crimes, no physical limitations, not previously incarcerated. | PA | Training in decisionmaking, personal development, drug counseling, rehabilitation programs | Court commits to custody of DOC, DOC requests sentencing court approval. |
| Georgia Ga. Code Ann. §42-4-35.1 (1989) | Minimal | Age, no contagious disease, not physically or mentally handicapped | EP | Unspecified | Court - with DOC approval |
| Illinois Ill. Ann. Stat. ch. 28, §1003A-1-1 to §1003A-1-6 §1003-2-1 to 3.4 (1990) | Moderate | Age, never imprisoned as adult for felony, list crimes not eligible, sentenced to imprisonment of 5 years or less, no mental disorder or disability, written consent | PA | Drug counseling, mandatory supervised release | Court - upon an independent assessment |
| Louisiana La. Code Ann. §11-14 (1990) | Considerable | Age, max. committed to DOC to serve max sentence of not more than eight years, suspended sentence, no previous conviction or incarceration, not previously in a military or correctional boot camp, not mentally impaired. | PA | Separate from general inmate population, skills for living and rehabilitation, job skills, treatment for drug/alcohol abuse & emotional or mental problems, education - remedial & GED, vocational assessment, transition program includes education, counseling, community service, drug/alcohol treatment, assisted reintegration. | Committed to DOC, DOC reports to court, court may recommend offender but still must be approved by DOC, voluntary withdrawal |
| Maine Ann. Stat. Ann. §15, §15.07 (1989) | Minimal | Unspecified | Unspecified | Unspecified | Court |
| Louisiana La. Rev. Stat. Ann. C.C.P. Art. 901.1 West 1990 | Considerable | First offender, suspended sentence of seven years or less at hard labor, has probation revoked on technical violation, otherwise eligible for parole, 1st or 2nd felony, never served time in a state prison, voluntary. | PA | Intensive parole supervision upon release | Sentenced to Dept. of Public Safety & Corrections, court recommends or Div. of Probation & Parole refers to court. |

| State | Amount of Legislative Direction | Offender Eligibility Requirements | Prison Alternative/ Enhanced Probation | Distinct Program Features | Who Has Discretion to Select Candidates? |
|---|---------------------------------|--|--|--|--|
| Michigan Mich. Stat. Ann. §24-235(1-3) & §24-233(2) (Callahan 1990) | Minimal to Moderate | Age, never served sentence of imprisonment, likely to be sentenced to imprisonment, not physically or mentally handicapped. | PA | Unspecified | Court with input of offender. |
| Missouri Mo. Ann. Stat. §227.078 (Verbon 1991) | Minimal to Moderate | Age, on felony probation, violated probation, no prior felony conviction. | PA | Unspecified | Court |
| Nevada Nev. Rev. Stat. §209.256 (1989) | Moderate | Age, male, convicted of nonviolent felony, never incarcerated for more than 6 months, otherwise eligible for probation. | EP | Training in recognition & prevention of drug/alcohol abuse, stress management, prepare for & obtain job. | Court referred to court treatment center. |
| New Hampshire N.H. Rev. Stat. Ann. §651 (1989) | Minimal | Unspecified | PA | Intensive community supervision | Court uses recommendation of DOC |
| New Mexico N.M. Stat. Ann. §31-18-12 §33-1-17 (1990) | Moderate to Considerable | Adult male & female offenders, lists ineligible crimes, DOC to adopt regulations for screening, voluntary. | PA | Substance abuse counseling & treatment, GED prep, training in orienting & personal development & pre-release skills. | Court upon recommendation of correctional department. |
| New York N.Y. Corr. Law §665-667 (McKinney 1990) | Minimal to Moderate | Age, within 3 years of parole, lists ineligible crimes, must volunteer. | PA | 6 month, rehabilitation therapy | Screening committee requests answer from court approving or disapproving, court must respond within 25 days or automatically approved. |
| Ohio 118th Gen'l Assembly §5100.031 (1990) | Considerable | Age, convicted of or pleaded guilty to 3rd or 4th degree felony, lists ineligible crimes, never sentenced to 30 days or more in reform or penal institution, nonviolent. | PA | Substance abuse education, employment & social skills, psychological treatment, GED prep, 30-60 days in halfway house with self help & GED prep, intensive supervision parole for remainder of sentence. | Judge sentenced to Dept. of Rehabilitation & Correction, progress reports to sentencing court. |
| South Carolina S.C. Code Ann. §24-21-475 (Law. Co-op 1986) | Minimal | Age, convicted of nonviolent offense for which a five years or more sentence can be imposed, not physically or mentally handicapped, no contagious diseases. | PA | Unspecified | Judge - as condition of probation |
| Tennessee Tenn. Code Ann. §40-20-201 to 207 §40-28-130 (1989) | Minimal | Age, not physically or mentally handicapped, prison or previous of 4 years or less, no contagious diseases, lists ineligible crimes. | PA & EP | Treatment programs | Judge - as condition of probation |
| Texas Tex. Code of Crim. Proc. Ann. Art. 42.12 (Verbon 1990) | Minimal | Otherwise eligible for probation, age, not physically or mentally handicapped, never been incarcerated for felony. | PA | Unspecified | Court |
| Virginia Va. Code §19.2-316.1 & §53.1-67.1 (1990) | Considerable | Age, nonviolent felony, never been sentenced to incarceration as adult, voluntary. | PA | Counseling, remedial education, drug education, vocational assessment, upon release employment, vocational or other educational programs may be required, voluntary withdrawal. | Court orders commitment to DOC for evaluation, DOC recommends |
| Wisconsin Wis. Stat. Ann. §302.045 (West 1990) | Moderate | Must volunteer, age, already incarcerated, has substance abuse problem, no psychological, physical or mental limitations, lists ineligible crimes. | PA | Personal development counseling, substance abuse treatment & education, intensive supervision parole program for drug abusers. | DOC |
| Wyoming Wyo. Stat. §7-3-1003 (1989) | Minimal | Is serving sentence at state penitentiary, age, no previous incarceration, lists ineligible crimes. | PA | Separation from general inmate population | Board of Charities & Reform |

NCSL Issues In Brief

Boot camp prisons are military-style facilities requiring drills, marching, and labor

Boot camps may offer education, drug/alcohol counseling, and therapy

Boot camps are usually for young adults with convictions for non-violent crimes

Boot camp prisons, also known as "shock incarceration" and "special alternative incarceration" programs, are military-style correctional facilities which provide shorter terms in a highly regimented, disciplinary setting likely to include reveille, drill and marching, physical exercise, and labor. Demanding physical drills and exercises are the most prominent and unique features of these programs. Community service labor also is required in most cases.

Boot camp correctional facilities often include drug/alcohol counseling, reality therapy, individual counseling, education, and pre-release programs. New York includes a therapeutic community that emphasizes community living and socialization skills. While some states claim success with education programs, at least two offer no adult basic education because of the difficulty in doing so during the short period of time offenders are in the program.

Most Boot camp/shock incarceration programs are designed for young, adult offenders (usually 17-25 years, although some states have an age limit) convicted of non-violent crimes.

Participants are usually first or second-time felony offenders with no prior adult incarcerations, whose current offense carries a relatively short sentence. Offenders with mental or physical impairments are excluded. At least five states have boot camp programs for women. Some states such as Louisiana, New York, and Virginia use boot camps mainly as an alternative sentence for offenders otherwise bound for prison. Other states such as Arizona, Connecticut, and Georgia structure boot camps as intensive probation programs.

Pros

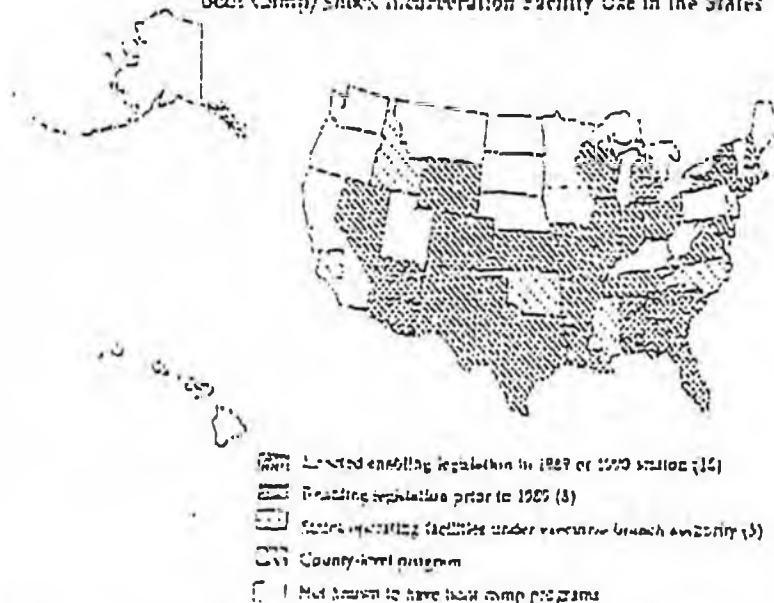
Proponents hail the programs as a tough intermediate sanction that provides incapacitation and offender accountability. They say the short "shock" program aimed at young adult offenders can deter future criminal activity by instilling discipline and self control.

Cons

Detractors express concern that the boot camp programs foster physical prowess and aggression in the name of discipline and at the expense of problem solving and skill development.

Few data exist to support or disprove either of the opposing views on boot camp/shock incarceration programs. However, preliminary evaluations have been done, noted below, in Florida, Georgia, and Oklahoma.

Boot Camp/Shock Incarceration Facility Use in the States



Source: *Shock Incarceration: An Overview of Military-Style Correctional Programs*, D.C. Research Institute of Justice, U.S. Department of Justice, June 1991, 164 NCSL Quarterly Newsbrief

STATE AND FEDERAL ACTIONS

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| <i>27 states operate some type of boot camp</i> | At least 23 states currently operate some type of boot camp facility. Oklahoma and Georgia opened the first boot camp programs in 1983. Most states with programs added them since 1987. Sixteen states enacted enabling legislation in the 1989 or 1990 sessions: Arkansas, Colorado, Connecticut, Illinois, Indiana, Kansas, Missouri, Nevada, New Hampshire, New Mexico, Ohio, Tennessee, Texas, Virginia, Wisconsin, and Wyoming. Eight states--Alabama, Arizona, Florida, Georgia, Louisiana, Michigan, New York, and South Carolina--enacted enabling legislation between 1983 and 1989. At least five states--Idaho, Maryland, Mississippi, North Carolina, and Oklahoma--operate boot camps under department of corrections regulatory authority. At least one county, Los Angeles, is operating a one-year pilot project. |
| <i>Federal assistance</i> | <p>The Bureau of Justice Assistance 1990 program plan offered funds to state departments of corrections for boot camp demonstration, training and technical assistance, as well as development and demonstration for juvenile offenders. Title XVIII of the federal Crime Control Act of 1990 authorizes grants to state and local governments to develop prison alternatives, including boot camp programs, although federal funds have not yet been appropriated.</p> <p>The Federal Crime Control Act of 1990 also authorizes the Federal Bureau of Prisons to use shock incarceration programs. As yet there are no boot camp facilities operating for federal offenders.</p> |
| <i>Recidivism rate higher for boot camp graduates than released prison inmates in two states</i> | A three-year follow-up study by the Georgia Department of Corrections found 38.5 percent of offenders who participated in the boot camp program returned to prison, compared to 33 percent of released prison inmates. Oklahoma found that over a 29-month period, almost half of the boot camp graduates had returned to prison compared to 28 percent in a comparison group of prison inmates. |
| <i>Florida study shows boot camp graduates outperform released inmates during community supervision</i> | A Florida evaluation of post-release outcomes showed the boot camp program graduates performed, overall, more successfully than a matched group of released prison inmates during a subsequent community supervising period. The same report showed almost 40 percent of participants entering the program did not finish it. |
| <i>GAO and NIJ recommend more evaluation</i> | <p>A National Institute of Justice (NIJ) report issued in 1989 agreed with an earlier United States Government Accounting Office report that said more evaluation is needed to judge whether programs are operationally cost-effective and programmaticaly successful.</p> <p>The NIJ study also indicated that cost savings result primarily from the shorter terms participants serve. For states to save money requires admitting inmates who otherwise would have served longer prison terms.</p> |

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