

**STATE OF ALASKA
THE LEGISLATURE**

2002

Source
CSHCR 26(STA)

**Legislative
Resolve No.**

55



Supporting increased use of the house arrest program/electronic monitoring with sobriety monitoring as a means of preventing crime and reducing the high costs of imprisonment in Alaska.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS a recent study shows that 42 percent of arrests and 44 percent of incarcerations in Alaska are attributed to alcohol and other drug abuse; and

WHEREAS, among this population, treating alcoholism and other drug addiction also prevents future criminal offenses; and

WHEREAS, in 1998, the legislature established the house arrest program/electronic monitoring (HAP/EM) and authorized the commissioner of corrections to designate prisoners to serve their terms of imprisonment or temporary commitment by 24 hour electronic monitoring and supervision at their residences or other places selected by the commissioner under AS 33.30.065; and

WHEREAS HAP/EM protects the public by restricting offenders' freedom and movement through 24 hour electronic monitoring and supervision, yet improves the

likelihood that the offender can function productively in society through employment, care of family, and education; and

WHEREAS offenders on HAP/EM are required to pay all or some of the costs of the program, thus saving the state from paying the costs of imprisonment; and

WHEREAS HAP/EM now uses a new technology for sobriety monitoring of alcohol abusing offenders, a computerized device that tests offenders for sobriety and transmits the blood-alcohol reading by telephone; and

WHEREAS offenders on the HAP/EM program who are also in the Anchorage district court's wellness court are required to take the prescription medicine Naltrexone to quell the craving for alcohol and are required to participate in a state-approved alcoholism treatment program; and

WHEREAS the experience of the Anchorage district court wellness court shows that, with a combination of intensive monitoring, treatment, and anti-craving medication, alcohol and other drug abusing defendants can attain and maintain total abstinence from alcohol and other drugs and avoid further criminal violations; and

WHEREAS the Department of Corrections could create a program for alcohol and other drug abusing offenders incorporating the primary elements of the Anchorage wellness court program--monitoring, treatment, and medication--regardless of whether the offenders were enrolled in a therapeutic court; and

WHEREAS HAP/EM is available in Anchorage, Palmer, Wasilla, Juneau, and Ketchikan, but is not used to capacity;

BE IT RESOLVED that the Alaska State Legislature respectfully requests the Governor to direct the Department of Corrections, the Department of Law, and the Alaska Court System, and urges attorneys who prosecute and defend alcohol and other drug abusing offenders and Alaska judges, to work together to

(1) expand the use of the house arrest program/electronic monitoring (HAP/EM) as a condition of bail, in the manner pioneered by the Department of Corrections and the Anchorage district court wellness court program;

(2) expand the use of HAP/EM as a means of serving terms of imprisonment or temporary commitment for offenders who are in or have completed a therapeutic court program;

(3) develop programs specifically for alcohol and other drug abusing offenders, modeled on the combination of sobriety monitoring, treatment, and anti-craving medication that is employed in the Anchorage district court's wellness court program;

(4) publicize the availability of these programs through seminars and educational outreach.

COPIES of this resolution shall be sent to the Honorable Jim Duncan, Commissioner, Department of Administration; the Honorable Jay Livey, Commissioner, Department of Health and Social Services; the Honorable Margaret Pugh, Commissioner, Department of Corrections; the Honorable Bruce M. Botelho, Alaska Attorney General; Stephanie J. Cole, Administrative Director, Alaska Court System; and to Mauri Long, President of the Alaska Bar Association.