

# Alaska Criminal Justice Data Analysis Commission

**Meeting Summary**  
**Wednesday, September 20, 2023**  
**10:00 a.m. – 1:00 p.m.**

**Via Zoom**

Commissioners Present: Lt. Jean Achee (Sitka Police Department); Renee McFarland (Public Defender Agency designee); Alex Cleghorn (Alaska Native Justice Center); James Cockrell (Comm. Dept. of Public Safety); David Mannheimer (Ret. Judge, Court of Appeals); William Montgomery (Bethel District Court Judge); Laura Russell and Tracy Dompeling (Department of Health); Brenda Stanfill (ANDVSA); Trevor Stephens (Ret. Judge, Ketchikan Superior Court); Sarah Vance (Alaska House of Representatives); April Wilkerson (Deputy Commissioner, Department of Corrections); Travis Welch (designee for Alaska Mental Health Trust Authority); Brian Wilson (Capt. Anchorage Police Department); John Yoakum (PDA/DOL designee).

Participants: Dr. Ingrid Johnson (AJiC); Dr. Brad Myrstol (AJiC); Lisa Purinton (DPS).

AJC Staff: Susanne DiPietro; Brian Brossmer; Teri Carns.

## **Approve Agenda and Prior Meeting Summary**

Vice Chair Cleghorn called the meeting to order at 10:04 a.m. He asked for a motion to approve the agenda. Ms. Stanfill moved to approve, and Ms. Russell seconded. There were no objections to adopting the agenda as amended.

## **Review of draft 2023 Annual Report (continued from previous meeting)**

**Section II(G) – Statewide Rates of Reported Crime.** Commissioners asked why some of the figures in this section excluded Anchorage, Fairbanks and Juneau from the rates of reported crime.

**Section III(A) – Case Filing & Disposition Trends.** Commissioners asked staff to solicit input from stakeholders regarding their perspectives on the causes of the increases in times to disposition, and to include that information in this section.

**Section III(B) – Competency & Evaluation.** Ms. Russell said that the data from 2019 study is stale at this point and should not be featured so prominently in the current report. Judge Stephens said that including the 2019 data provides context for readers. Mr. Welch said that the Trust will fund a position in the court system's FY 2024 budget to track competency data statewide.

Members discussed the gap between the number of evaluations completed and how many are needed. Ms. Stanfill asked how many evaluations were completed before the case was dismissed. Ms. Di Pietro said that there an increase across the United States in referrals for competency

evaluations. She noted that not everyone evaluated is found incompetent, and if they are found incompetent, not all are sent for restoration. She said that staff would work to clarify the charts on pages 43 and 45.

Mr. Welch asked how many individuals are coming in for a third or fourth evaluation. Ms. DiPietro said that because the API and the Court data don't match precisely, the DAC did not have a good source of information about that question.

Members discussed data about charges for people involved in referrals and evaluations, with 2022 data compared to 2018. Judge Mannheimer clarified that "charge" meant the most serious charge in a case. She said that she would amend the title for the table on page 47 to clarify the time periods.

Mr. Cleghorn asked for graphic to show information about the types of cases and differences in populations.

**Section III(C) – Victims.** This section contains information about victims' legal situations and other aspects of their experiences. Ms. Stanfill said that both DOC and the Dept. of Law operate VINE systems that are somewhat different. The report should include more information about the DOL VINE system. She added that it would be helpful to know how many victims use VINE, and how many exercise other legal rights that they have (e.g., talking with prosecutors about plea agreements before they are final). It would be useful to know how many requests for assistance the Office of Victims' Rights declines, and the reasons for not taking cases.

Ms. Di Pietro noted that the commission has relatively little data about any of these topics.

Ms. Wilkerson said that anyone can sign up for DOC VINE; a count of VINE users would include many people who were not victims. She said that DOC has a responsibility to separately notify each victim of an offender's status in addition to the VINE notices. They can't require a victim to sign up for VINE, so they use mail and other methods to notify victims of offender status.

Ms. Stanfill said that rural victims are now receiving more services from tribes and related organizations. She said that she would provide information for the report about services she is aware of. Ms. Russell said that the report could include more detail about the specific problems faced by rural victims, and about child advocacy centers. She suggested contacting Mara at Alaska Children's Alliance.

Mr. Cleghorn said that he had significant edits for this section, including references to the federal act and congressional funding. He said that he would help with the section, which should also include mention of new tribal jurisdiction over non-tribal people.

Ms. DiPietro said that she would reach out to Katie Tepas at DPS for more information about the DPS Victim Advocates. Comm. Cockrell said that they are finding it a successful approach; they are using the term "navigators" rather than advocates. Ms. Stanfill asked if DPS had data about

the demographics of the people who they are serving. Comm. Cockrell said that there was some data.

Ms. Stanfill said that she would edit the page with references to ANDVSA.

**Section III(D) – Restitution.** The data show that a sizable percentage of restitution goes to the State of Alaska, and another large percentage goes to businesses that have suffered losses. The number of restitution orders has dropped since the beginning of the pandemic. Ms. DiPietro said she would attempt to clarify some of the numbers in the report about who received restitution payments.

**Section III(E) – Diversion.** Ms. Russell asked whether the Crisis Now programs should be discussed as diversion programs. Other members believed that it should be mentioned in this section because it gives officers an alternate to booking a person into a jail. Ms. Stanfill said that she would ask about diversion programs related to DV cases. Mr. Cleghorn said that Tanana Chiefs Conference may have some active cases with the DOL diversion program.

Members discussed the declining use of SIS (suspended imposition of judgment) and SEJ (suspended entry of judgment) outcomes. Ms. Stanfill said that when the rules regarding SIS changed in 2019, many people lost interest because the conviction does not disappear. Judge Stephens said that some SEJs were used in drug cases, and that the prosecutors in SE lost interest in them. He noted that all parties must agree to an SEJ, but a judge can use an SIS unilaterally. He added that the City of Juneau uses SEJ for people charged with first-time DUI.

Judge Mannheimer asked if it would be possible to know the number of people eligible for SIS or SEJ, to provide context for how often it is actually used.

**Section IV: State-funded Rehabilitation and Violence Prevention Programs.** This section is required by statute and the information in it comes from several agencies. DAC staff did not edit any of the information provided. Mr. Welch said that the mental health Trust partners with the federal government on many programs; the Trust can provide information about those. He suggested that the phrase, “The Trust works with the Dept. of Corrections and the Dept. of Health to fund programs.” He offered to draft language for the report.

**Appendices.** Ms. DiPietro invited members to review and complete their biographical statements.

## **Public Comment**

Vice-Chair Cleghorn opened the floor to public comment at 12:35 p.m., and closed it at 1:00 p.m. No members of the public appeared for the purpose of making comments. Vice-Chair Cleghorn noted that the Commission will receive written public comments at any time, by mail or through the Commission’s website.

## **Request for Letter of Support for Victim Research**

Dr. Brad Myrstol of the UAA AJiC asked DAC members for a letter of support to Alaska's Congressional delegation for an application that AJiC is making for federal funding. The project would use federal funding to expand Alaska's understanding of Alaska victimization and victim's preferences for community and agency responses to victimization. The funding request must go through the university's Federal Relations committee, which needs letters of support from appropriate organizations. Dr. Ingrid Johnson said that their existing data from the Alaska Victimization Study shows that at least half of victimizations are not reported to police; the proposed study would ask for information from a full range of crime victims.

Judge Mannheimer asked if the DAC authorizing statute gave any guidance on the DAC ability to support research like this. Judge Stephens mentioned AS 44.10.645(a)(1)(b), and members agreed that this request seemed to fit well within the DAC's statutory responsibilities. Judge Stephens moved and Ms. Stanfill seconded a motion for the Commission to send a letter supporting the proposed project. There were no objections.

## **Next Meeting and Adjourn**

Ms. DiPietro said that the next meeting is set for October 12. Vice-Chair Cleghorn excused members at 12:45 p.m.; Ms. DiPietro kept the telephone line open until 1:00 p.m. for public comment.