

Alaska Criminal Justice Commission Public Comment at Plenary Meetings

December 2017-October 2018

December 7, 2017

Tara Rich from the ACLU expressed reservations about the proposed Class A felony-level offense of Misconduct Involving a Controlled Substance. She was concerned that once this recommendation reached the legislature, a relatively confined recommendation was at risk of expanding.

Chris McLain of the Fairbanks Reentry Coalition wanted to let the Commission know about the positive developments in reentry, as there is a lot of negative news about criminal justice. They had a symposium on housing yesterday, and are making strides in communication and problem solving among stakeholders. They are communicating with other coalitions. They just completed their readiness assessment, and are looking to engage the public. The Fairbanks reentry case manager has full caseload, and is now known among prisoners as the person to contact for reentry. They have had successes getting housing, clothing, household goods, and counseling for reentrants.

Jeremy Palmer, and inmate in a DOC facility, had written to the Commission asking to start a program talking to at-risk youth.

January 12, 2018

Regarding the proposed Class A felony-level offense of Misconduct Involving a Controlled Substance, Cindy Strout, a criminal defense attorney, said she understood the dangers of drug use; her nephew died of a drug overdose. But she seconded Commissioner Steiner's view that this approach is something that has been tried, and it just doesn't work. If one dealer is prosecuted, it just creates a vacuum. She viewed this proposal as a step back from the Commission's previous research on lack of deterrence and lack of rehabilitative effect for longer prison terms. She thought resources should instead be directed towards expanding drug courts, and treatment, as that will have more impact.

Capt. Duxbury said that each case matters to each victim. He noted that in Sitka, dealers from lower 48 came up just to take advantage of dealer-users. They had to use federal law enforcement to prosecute them, and making them unavailable to prey on Sitka. They are not the kind of people who are candidates for treatment; they came up because they could take advantage of people in Alaska, making money off of misery. Also in a recent case in Juneau, the threat of federal prosecution convinced a suspect to flip and cooperate with law enforcement.

Phil Shanahan, also a criminal defense attorney, agreed that the proposal amounted to the same thing Alaska did for many years. It didn't make the community safer, Alaska just spent more on locking people up. Using aggravators and maybe updating them for the current scheme might be better. The evidence from the Commission was that the old ways weren't working, and he saw this as step back to the old ways. He thought that state resources were better spent on treatment.

Feb 6, 2018

Butch Moore said he wanted to thank the Commission for hearing his proposal, and appreciated the Commission moving it forward in the process. Sherry Miller agreed and said she wanted to prevent other families from going through what her family went through. *[Mr. Moore and Ms. Miller, together with their spouses, had proposed two sentencing ideas for people convicted of DV crimes; the proposals were forwarded to the Sentencing Workgroup for further consideration.]*

April 23, 2018

Chanta Bullock asked the commission to look into the telephone system at DOC institutions. She said that the charges are too high and had recently increased. She also commented on the number of people on the sex offender registry.

Kara Nelson commented on redaction. She indicated that going through the process would not be easy and would involve a lot of work. She believes only those individuals who are serious about their rehabilitation would bother making the effort. *[At this meeting, the Commission adopted a recommendation to enact laws that would allow people to have their criminal records redacted in some circumstances.]*

Janet McCabe shared statistics from the Anchorage Re-Entry Center and reported she is looking into whether the Bear Tooth TheatrePub would host a viewing of the Norway prison movie.

Connie Beemer from the Alaska Hospital and Nursing Association reported on preventing violence in healthcare workplaces. She said that a planning effort is underway to reduce emergency mental health admissions.

July 20, 2018

Don Habeger from the Juneau Reentry Coalition spoke. He thanked the Commission for its discussion on reinvestment. He stressed the need for data so that organization can make informed decisions. He assured the Commission that departments are working on data collection but emphasized that it is a continuing need.

September 24, 2018

In a written comment, Nanette Greer said that she was outraged at the outcome of Justin Schneider's charges, plea deal and sentencing. She asked the Commission to review the current sexual assault laws that could allow this case not to be considered a sexual crime. She also believed the facts of the cases amounted to attempted murder and wondered why that was not charged. *[The Commission agreed to take up the classification of the conduct involved in the Schneider case at this meeting. The Commission also referred Ms. Greer to the Department of Law's statement on why the offense was not charged as attempted murder.]*

October 25, 2018

Janet McCabe with Partners for Progress offered the following written comments on the Commission's recommendations for justice reinvestment:

“We realize there will be opportunity for additional comment before the annual report is finalized. Thanks for sharing our thoughts with the Commission.

- We continue to urge the importance of immediacy in serving re-entrants, including, where possible, availability of a range of needed services in one location. Referrals are essential to fully implement evidence-based principles of a risk-need-responsivity program, but referrals must be carefully scheduled and arranged so individuals are not lost while on the waiting list, or because of difficulties of getting from one place to another.
- We strongly support the Commission's emphasis on striving to provide equal access to treatment services in rural communities. New technology allowing remote one-to-one communication should be explored.
- Use of new telecommunication technology reaching rural Alaska would also provide better statewide access to electronic monitoring, allowing offenders to remain in their communities with assurance of sobriety.
- We strongly support a more open approach to solving underlying problems of sex-offenders.

We strongly support recommendations in the draft portion under 5. Incarceration. Norway's experience should not be forgotten. Much can be done in prison to help offenders become responsible citizens when they are incarcerated. This is an evidence-based low-cost or no-cost approach. Have all members of the CJC had a chance to review the film?”