

ALASKA CRIMINAL JUSTICE COMMISSION
Meeting Notes from Thursday, November 19, 2015, 1:00– 4:00 PM
Atwood Conference Center, Room 102, 550 Seventh Avenue, Anchorage

Commissioners present:

Greg Razo, Stephanie Rhoades, Walt Monegan, Jeff Jessee, Trevor Stephens, Gary Folger, Alex Bryner, Brenda Stanfill, John Coghill, Quinlan Steiner, Craig Richards, Kris Sell (part of meeting)

Commissioners absent:

Wes Keller

Staff:

Susanne DiPietro (AJC), Mary Geddes (AJC), Giulia Kaufman (AJC), Susie Dosik (AJC), Teri Carns (AJC), Brian Brossmer, Terry Schuster (PEW), Emily Levett (PEW), Len Engel (PEW), Melissa Threadgill (PEW), Sam Packard (PEW), Abby Walsh (PEW), Zoe Towns (PEW)

Public:

Nancy Meade, Carmen Gutierrez, Taylor Winston, Seneca Theno, Karin Thomas, Araceli Valle, Jordan Schilling, John Skidmore, Doreen Schenkenberger, Janet McCabe, Remond Henderson, Chris Provost, Laci Wilcox, Denali Daniels, Jordan Shilling, Remond Henderson.

1. Welcome and Introductions (Razo)

Commission Chair Greg Razo opened the meeting at 1:00 p.m. and welcomed everybody. He welcomed DOC Acting Commissioner Walt Monegan and reviewed the agenda for the meeting.

Razo said this was his first meeting as chair and that he wanted to begin by making some observations. He values the diversity of perspectives and expertise on the Commission, and the great benefits can accrue from the group (Commission) process. So far, the group had examined data, reviewed the research to improve outcomes, and spent many hours together and in subgroups developing priorities and policy ideas, learning what other states have done, and about those efforts that are already underway and working well here. The Commission has also benefitted from its outreach, holding public hearings around the state and talking with citizens, judges, attorneys, law enforcement, crime victims, treatment providers, prisoners across the state.

Razo noted that state leaders have reached out to the Commission, that the Commission has been asked for options that are good for public safety, make offenders accountable but that also cuts the prison population, on the order of 15% and 25% reductions. He thanked the Commissioners for their hard work and but noted that there will have to be an extra effort over the next two weeks because the Commission should achieve general consensus on the entire package of reforms in order to have its recommendations timely submitted to the Legislature.

2. Pretrial Subgroup Policies (Schuster)¹

Schuster pointed out the drivers of the pretrial population in Alaska's prison system (i.e., non-violent misdemeanor admissions, inability to meet pretrial release conditions), reviewed the evidence based policy options the pretrial subgroup had identified, and identified any remaining areas of non-consensus.

Coghill voiced concerns about securing funding for the establishment of a new agency or division. Richards agreed and stated that it might be a more cost effective option to provide different services within different divisions (e.g., pretrial risk assessment within DOL, pretrial supervision within DOC). The question that remained was if judges would release defendants without monetary bail without the

¹ For more detailed information on the proposed policies please refer to the meeting agenda, the subgroup meeting notes, and the subgroup meeting materials

availability of monitoring services. Commissioners pointed out that most of the policies out of the pretrial subgroup are dependent on the creation of a pretrial services office.

Jessee and Rhoades pointed out the importance of reinvestment with regards to mental health and recidivism.

3. Sentencing Subgroup Policies (Levett)²

Levett pointed out the drivers of the sentenced population in Alaska's prison system (i.e., high number of non-violent misdemeanants, significant increase in felony offender length of stay), reviewed the evidence based policy options the sentencing subgroup had identified. She pointed out that the group had set an additional meeting to discuss any remaining discrepancies.

Rhoades inquired about differences between state and municipal law; Levett informed the group that the thought is that these policies would also apply to misdemeanor A and B offenses in municipal code. Rhoades also inquired about DWLS offenses and mentioned that she had concern about not addressing the underlying issues. Levett stated that the policies proposed by the sentencing subgroup are focused on post-plea/verdict policies rather than on preventative policies.

Another topic that was discussed was the felony level theft threshold. Razo pointed out that in rural Alaska, offenders more often face felony theft charges because the goods in rural Alaska are so much more expensive than in urban areas. Stephens and Steiner also expressed concern about other property crimes, such as criminal mischief. Steiner stated that he had been under the impression that the policy would extend to all low-level property crimes, not just Theft 2 offenses. Coghill pointed out that raising the felony level theft threshold might be difficult to get through the Legislature.

Coghill also stated that proposals suggesting any leniency for sex offenders would be difficult to pass in the Legislature. Richards asked Coghill on his opinion about the possibility for sex offenders to earn good time if completing treatment while incarcerated. Coghill responded that he personally believes that people should have the opportunity to change, especially if it is based on evidence based treatment, but that that just reflects his personal opinion. He would not know if that would make a difference to the Legislature and that it could likely be a tough sell.

Stephens voiced concerns about statewide treatment availabilities.

4. Community Supervision Subgroup Policies (Threadgill)³

Threadgill pointed out the drivers of the supervision violator population in Alaska's prison system (i.e., a high number of probation/parole violators), reviewed the evidence based policy options the community supervision subgroup had identified, and identified any remaining areas of non-consensus.

Jessee pointed out that the resources for treatment should be expanded. One way of doing that would be to enroll everybody who is eligible for treatment in Medicaid and ensure that private providers can provide Medicaid services without grant funding as currently specified in statute.

Another topic concerned expanding discretionary parole. Any change to this policy would have to allow for a review hearing first if the victim requested it.

5. Full Commission Policies⁴

Schuster reviewed the policies for the full Commission to consider. There are three priorities the Commission needs to keep in mind: reinvestment priorities, victim priorities, and oversight and sustainability options.

² Ibid.

³ Ibid.

⁴ For more detailed information on the proposed policies please refer to the meeting agenda.

Jessee stated that reinvestment is an iterative process and that data will need to be collected right away, so that policy makers can make adjustments based on programs evaluations; Steiner agreed. Schuster posed the question what sustainable reinvestment could look like.

DiPietro distributed and discussed a draft document, which proposed different oversight/monitoring concepts for the implementation of the proposed policies and for future justice reinvestment. Razo asked how this has played out in other jurisdictions. Engel responded that some jurisdictions have extended the life of a body like the ACJC or have implemented another body; he stressed the fact that ultimately the implementation has to be overseen by an entity which involves the current level of leadership.

6. Public Comment

Janet McCabe from Partner for Progress distributed the organizations latest data and reminded Commissioners that in order for people to successfully reenter society, they need resources, such as stable housing and employment.

Taylor Winston, from the Office of Victims' Rights, expressed concerns about the effects of the reforms on victims and urged Commissioners keep victims' rights and public safety concerns in mind.

7. Next Steps

Schuster informed the group that the goal is to have a report ready for distribution by December 4, 2015; that report should have all the bed impacts. That will give the Commissioners only a few days to review the package. This is because, on December 10th at the next Commission meeting, there is going to be very little discussion, only a final vote, a formal hand-off of the report to the Governor and Legislative leaders, and a press conference to announce the recommendations and the projected impact.

Jessee voiced concern about the quickly- approaching deadline; other Commissioners said they shared the concern. It was therefore agreed that all three subgroup materials and the final policy options would be circulated to Commissioners as quickly as possible, so that all had a chance to review them. Commissioners should immediately review any materials sent to them, and call with their questions to either Pew or ACJC staff. This is because on December 10th, there is going to be very little discussion, only a final vote, a formal hand-off of our report to the Governor and Legislative leaders, and a press conference to announce the recommendations and the projected impact.

Richards pointed out that there will always be differences and that individual stakeholders should identify the policies that they could not support under any circumstances.

Razo encouraged Commissioners and said that although the timeline is tight, he believed that there was plenty of talent and ambition in the room to meet the deadline.

Geddes thanked Jessee and the Board of Trustees for the fantastic opportunity to go to Nome and Kotzebue which provided Commissioners with a better understanding of rural criminal justice issues. The Trust hosted: Commissioners Razo, Bryner, Folger, Taylor, Sell, AJC staffers Geddes and Dosik, and Pew staffers Levett and Threadgill.

The next Commission meetings are:

JRI/Commission meeting	Thursday, December 10, 10:00-1:30 PM	Anchorage
Commission meeting	Thursday, January 7, 10:00 AM - 12:00 PM	Anchorage
Commission meeting	Thursday, February 18, 10:30 AM - 12:30 PM	Juneau
Commission meeting	Thursday, March 3, 10:30 AM - 12:30 PM	Juneau
Commission meeting	Thursday, April 7, 10:30 AM - 12:30 PM	Juneau

The meeting adjourned at 4:05 p.m.