

Alaska Criminal Justice Commission

Meeting Summary

April 23, 2018

9:30 AM

CIRI Office Building, Anchorage Alaska

And Audio-teleconference

Commissioners Present: Greg Razo, Joel Bolger, Matt Claman (telephone), Jahna Lindemuth, Walt Monegan, Brenda Stanfill, Quinlan Steiner, Trevor Stephens, Steve Williams, Dean Williams (arrived 11:30 am)

Commissioners Absent: John Coghill, Sean Case, Val Davidson, Stephanie Rhoades

Participants: Randall Burns, Carrie Belden, Chanta Bullock, Karen Cann (for Dean Williams), Amanda Daily (for Sean Case), Karen Forrest, Mary Geddes, Rob Henderson, Janet McCabe, Suki Miller, Nancy Meade, Kara Nelson, Tony Piper, Gennifer Moreau-Johnson, Adam Rutherford

Staff: Susanne DiPietro, Brian Brossmer, Susie Dosik, Staci Corey, Teri Carns

Agenda & Summary of the last meeting

Chair Razo called the meeting to order at 9:37. The meeting agenda and the summary of last month's meeting were approved.

New Business

Terminology: Commissioner Steiner proposed that the Commission stop using the word "offender" because the term is offensive and degrading, and that the Commission use alternative terminology. It was decided after discussion to use as much as possible "people first" language instead of words such as offender, defendant, or prisoner.

Decision making: Commissioners discussed whether decisions should be made on consensus or by majority vote. Commissioner Claman urged the Commission to strive for more unanimity, even at the cost of advancing fewer recommendations. He argued that unanimous recommendations have more legitimacy with third parties, and non-unanimous recommendations seem like the result of just another political process.

After discussion, a majority, but not all, commissioners said they preferred consensus, or "consensus but for 1." Chair Razo indicated that he therefore will try to achieve consensus, and he will ask the group for help with that. If there is disagreement, it will be noted.

Old Business

Redaction Proposal: Ms. Dosik presented the proposal from the Barriers to Reentry workgroup to enact redaction statutes for some offenses, including automatic redaction of private possession of marijuana and minor consuming alcohol (because these offenses are no longer criminal); automatic redaction of successful SIS sentences after a waiting period; discretionary redaction upon petition to a judge for most misdemeanor convictions after waiting periods; and discretionary redaction upon petition to a judge for some felonies after a waiting period.

Ms. Meade said that the proposal as written would involve millions of cases and would be very expensive for the Alaska Court System to implement.

Commissioner Lindemuth said that Department of Law supported the proposal except it objected to the inclusion of standards that judges would use to decide whether to allow redaction in a particular case. Commissioner Lindemuth moved and Commissioner Steiner seconded a motion to delete the standards. The motion passed unanimously.

Ms. Forrest expressed concern from DHHS that any restrictions on criminal history information provided to DHHS in its capacity as an employer might run afoul of federal regulations. The commissioners therefore unanimously agreed to amend the relevant paragraph as follows:

“Some employers, ~~including~~ AND certain state agencies, are required by law to enquire about certain convictions. The legislature may wish to make an exception so that those employers AND AGENCIES may fulfil their legal obligation.”

The redaction proposal was adopted unanimously (with Justice Bolger and Judge Stevens abstaining) with those two changes.

Public Comment

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.

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.

Restitution update: Mr. Wooliver reported that the court system has been collecting restitution for about one year. 4,000 checks were distributed and \$2 million was collected. He said that most of the recipients of restitution are business, not individuals.

Guilty but Mentally Ill proposal: Josie Garton explained the proposal from the presumptive sentencing work group to allow a GBMI individual the opportunity to be eligible for release on parole after a hearing at which his or her mental state is examined for dangerousness to the public peace or safety.

Commissioners and participants discussed the effect of the GBMI and the Not Guilty by reason of Insanity statutes, and the need for further reform. Commissioners and participants expressed that the proposal did not go far enough to address the problems with the two statutes.

Commissioner Steiner moved to adopt the recommendation. Commissioner Stanfill seconded. The recommendation was adopted unanimously.

Reinvestment Recommendations: The commission discussed its responsibility to make recommendations to the legislature for reinvestment in recidivism reduction services. It was agreed that this year the commission will build on its previous work in which it outlined general principles for reinvestment. The goal this year will be to incorporate those principles into a framework for reinvestment that lays out broad areas of spending, including discussion of where spending is currently directed, and identifying any other areas where spending would be useful for reducing recidivism.

Future meeting: The next meeting was set for July 20 at 9:30 am, and the bulk of that meeting will be spent working up the framework for reinvestment. Steve Williams, Quinlan Steiner, and Greg Razo will work with staff before the meeting to plan the agenda and gather the relevant information.

The meeting was adjourned at 2 p.m.