

Alaska Criminal Justice Commission
Staff Notes and Meeting Summary June 18th, 2015, 10:00 AM to 2:00 PM
 At the Snowden Training Center, 820W 4th Ave, Anchorage

Commissioners attending: Alexander Bryner (Chair), Brenda Stanfill, Greg Razo, Jeff Jessee, John Coghill, Wes Keller, Trevor Stephens, Ron Taylor, Terry Vrabec, Craig Richards, Quinlan Steiner, Stephanie Rhoades

Absent: Kris Sell

PEW Charitable Trusts: Terry Schuster, Abbey Walsh, Rachel Brushett, Melissa Threadgill, Emily Levett

Staff Present: Susanne DiPietro, Mary Geddes, Susie Dosik, Giulia Kaufman (note-taker)

Identified Participants: Billy Houser (DOC), Bob Linton (DOL), Carmen Gutierrez (Trust), Janet McCabe (Partners for Progress), Doreen Schenkenberger (ditto), Barbara Armstrong (UAA Justice Ctr.), Phil Cole (DOC), Amory LeLake (Sen. Ellis), Jordan Shilling (Sen. Coghill), Erin Shine (Sen. MacKinnon), Genevieve Wojtusik (Sen. McGuire), Alysa Wooden (ASAP), Natasha Pineda (The Trust), Rick Allen (OPA), Dunnington Babb, Jocilyn Gilleland (PD), Nancy Meade (Courts), John Skidmore (DOL), Joel Bolger, John Lohff, Greg Miller, Kalyssa Maile (Sen. Wielechowski), Leslie Hiebert, Nora Morse (transition team for Mayor Berkowitz), Albert Wall (DBH), Ken Truitt (Rep. Keller), Leslie Dixon, Diane Casto (DOC).

Future Meetings: **Wednesday, July 8, TBD, Atwood Conference Center**
Monday, August 3, TBD, Atwood Conference Center

Materials Provided:

- [PEW PPT Presentation](#)
- Nome Trip Notes (attached)
- See Geddes's emails sent out 4/22/15 and 4/27/15

The meeting opened at 10:10 A.M., Alexander Bryner chaired the meeting.

Welcome and Introductions:

Chair Bryner welcomed everybody and thanked PEW for providing free technical assistance to Alaska.

Presentation (PEW Charitable Trust):

For more detailed information on the PEW presentation please click [here](#). PEW analyzed data from the Alaska DOC and national data and determined the factors that are driving Alaska's prison population.

Alaska's prison population has grown 27% in the last decade and cannot solely be attributed to population growth. The pretrial inmate population has increased 81% during that time frame; half of those defendants are detained on nonviolent charges. Interestingly, fewer defendants are admitted but they are staying longer. The sentenced inmate population has increased 14%; the number of violent as well as nonviolent felony offenders has increased. Overall, felony offenders are staying for longer periods of time. The supervision violator population has grown 15%. More defendants are admitted for

supervision violations but they are staying for shorter periods of time. On average, supervision violators are incarcerated 33 days unsentenced and 106 after sentencing.

Break from 11:30 A.M. to 11:45 A.M.

Sentencing Alternatives Workgroup Proposal on Pretrial Diversion and Deferred Disposition ([link here](#))

Public Testimony on the current SIS statute (witness wishes to remain anonymous):

The witness said that she was born and raised in Fairbanks. She stated that at the age of 18, in 1994 she was identified in a property crime and after legal advice entered a plea and received an SIS which she successfully completed. She was advised that an SIS would mean the conviction “would go away.” After she finished college and began looking for employment and housing, she found out that she had, in fact, a criminal record. Since then her SIS conviction has made it difficult for her to find work. She stated that there are a lot of people like her who are trying to get their lives back together but are hindered by the SIS conviction, even if they received a set-aside. She thanked the Commission for their time. Commissioners thanked her for her courage to share her story.

Rhoades pointed out that the witness’s story is a great illustration of the type of problems an SIS creates for the individual. Its not what the SIS was intended to do. She said that the witness’s story is the perfect example why the SIS statute needs revision.

Commissioners Richards’s response to the Workgroup proposal

Richards said that he had now reviewed the Workgroup proposals.

With regards to PTD: Since 1994 it has been the Departments policy to not offer PTD unless specifically authorized by the Deputy AG or the Director of the Criminal Division. He said that after internal discussions, the Department has reached a conclusion that it should use PTD as a too. DOL will authorize local DA’s to offer PTD beginning as early as this summer. With respect to statewide programming, however, funding would be essential, so DOL is exploring the means by which to fund such a program. He said he will update the group about the Department’s policy changes during the next meeting.

With regards to the proposal to replace the SIS statute with a Deferred Disposition statute: While there has been no policy against deferred dispositions, DOL has not previously embraced it. DOL now recognizes it should be used. DOL intends to develop a statewide policy, and so DOL is currently considering what crimes are appropriate for Deferred Disposition. Its planning may be informed by the data developed through JRI. With respect to the specific workgroup proposal to substitute the DIS for the SIS, DOL has some concerns with the proposed language.

The Commission decided that the Workgroup proposals will go back to the Sentencing Alternatives Workgroup for input by DOL. DOL will send someone with decision-making authority to the workgroup. Following that workgroup meeting or meetings(s), the proposal will be taken up again by the full Commission.

Lunch from 12:10 P.M. to 12:30 P.M.

November ACJC Outreach Trip to Nome/Bering Strait Region and Kotzebue:

After a brief discussion, Razo filed a motion for the Commission as a whole to travel to the Nome/Bering Strait region and to Kotzebue for the first week of November; the motion was seconded by Vrabec. The motion passed unanimously. The Commission is very grateful to the Mental Health Trust for offering to underwrite the costs of this trip as the Commission has no budget for this important – and mandated- process of outreach.

Nome and Kawerak Listening Sessions (Bryner, Razo, Geddes)

Kawerak invited Razo and Bryner, both members of the Rural Justice workgroup, to give a presentation at the annual Rural Providers conference in Nome. The Commissioners also held a public informational session at the Nome Courthouse to reach out to and educate the public about the Commission's work. For more detailed information about the trip, please refer to Geddes's Nome Trip notes.

Razo reported that it was a very helpful trip and that they had the chance to talk to a lot of people. He reported that the local community is very interested in making Nome a better place. He believes, it is very important for the Commission to do outreach work and talk to community members across the state. He was most struck with the testimony of one elder who said she was spending her senior years caring for grandchildren because their parent was incarcerated.

Geddes thanked Kawerak and Tracey Buie Area Court Administrator for their help. She said that while the larger public hearings were very helpful, one-on-one conversations provided lots more specifics and should also be scheduled for future trips.

Statewide Reentry Council Formation (Razo, Jessee, Taylor) & Other DOC Developments (Taylor)

Razo reported that the Governor and the Lt. Governor chair the recently formed Steering Council. The goal of the Council is to combat recidivism and establish resources for re-enterers. Jesse reported that the Trust is funding the Council with \$500,000 and that the Trustees have made it a priority to secure funding for the Council in the future. One of the priorities of the Council is to identify and address barriers that are hindering a successful re-entry process.

Taylor thanked Carmen Gutierrez on her work of recidivism during her time as Deputy Commissioner and said that he is continuing the work she began. The current struggle the DOC faces is how to operationalize the new programs within the department. He pointed out that there is some disconnect between some of the community based programs and DOC programs which they are trying to overcome. Taylor informed the group that they are currently trying to reinforce their policy procedures and ensure that everybody is following them. He also informed the group that the probation/parole success has increased from 45% to 66%. In addition, he pointed out that the Department has recently hired some correction and probation officers. However, the Department is about 40% short staffed with regards to their administrative staff. He pointed out that the Department is doing an amazing job considering. He said that the Department currently has tremendous momentum and it is important to keep it going.

Overview of Reentry Reform Groups (DiPietro)

DiPietro distributed a draft for comment of an overview of all of the criminal justice groups in Alaska. Thus far, the groups included are: Alaska Criminal Justice Commission, Criminal Justice Working Group, Recidivism Reduction Implementation Group, and the Alaska Criminal Justice Information Center. Other groups which will be added include the Controlled Substance Advisory Committee, the Disability Justice Group, and the Multi-Agency Justice Integration Consortium. Senator Coghill added that it would be very helpful if action items were included in the chart.

Legislator's Report (Keller, Coghill)

Keller encouraged the Commission to submit a legislative package and offered his help to the Commission with regards on how to pass it through the Legislature. Coghill agreed with Keller and pointed out that one concern regarding criminal justice reform is public safety: "How can we do this without compromising public safety?" He also said that barriers to reentry are a big concern for him as well as are tribal courts and their impact on recidivism. He also encouraged the Commission to get ready for December.

Agenda for NASC Conference (DiPietro)

DiPietro distributed a draft of the NASC agenda and encouraged people to attend as this conference will bring together the country's leaders in criminal justice policy, sentencing, and reform.

Public Comment or Questions:

Gutierrez commented that in terms of identifying barriers to reentry, the SMEs of the different regulations and statutes within the different departments could review and identify them. She pointed out that that would require executive branch leadership to do this review. She stated that Jeb Bush did this when he was the governor of Florida.

Moving Forward:

The next Commission meeting is scheduled for Wednesday, July 8. PEW will present release cohort data during this meeting. In the meantime, the Sentencing Alternatives and the Barrier to Reentry Workgroups will reconvene.

**STAFF NOTES FROM ACJC
'LISTENING SESSIONS'
AT KAWERAK CONFERENCE
AND COURTHOUSE
NOME, JUNE 3, 2015**

**'LISTENING SESSION' HELD BY COMMISSIONERS ALEX BRYNER AND GREG RAZO
OF THE ALASKA CRIMINAL JUSTICE COMMISSION,
ON JUNE 3, 2015, IN NOME,
AT ANNUAL RURAL PROVIDERS CONFERENCE SPONSORED BY KAWERAK**

Background: Razo and Bryner, both members of the ACJC Rural Workgroup, had been invited to Nome by Kawerak for the purpose of presenting information on the ACJC to the annual Rural Providers conference. The ACJC presentation was one of five workshops on the Criminal Justice 'Track.' There were 27 attendees.¹

Meeting content: Following a PP presentation by staff attorney Mary Geddes, and remarks from Commissioners Bryner and Razo, the attendees asked questions and made comments.

- Irene, speaker #1: I like the discussion about reentry, bringing people back in the village. We should deal with this on a tribal level. Lets have a judge in town. People who come out of jail need to get well in the head again, they need direction from elders. We can't afford to be with our loved ones at court. They get arrested, get released in the city. They can be homeless.
- Speaker #2: I hope your group is looking at state barrier crimes. People can't get jobs.
- Speaker #3: There should be an evaluation of for-profit services used in criminal justice and behavioral health.
- Rene, ANJC, speaker #4: Alaska Native underage females who are consuming alcohol, and getting MCAs, are being victimized by people trying to take advantage of them. The young lady gets charged for MCA and assault, the real perpetrator gets away with it. We need law enforcement and prosecutors and judges understanding this. These girls are the victims. Its wrong that Courtview shows Minor Consuming when the kids were under age 18. They should fix this retroactively.
- Marie, speaker #5: I thought my future would be a good one. Now I see my future is feeding my grandkids because their daddies are in jail. The whole world is changed for me. They [the daddies] should be out hunting and fishing. But it takes a while, 40 years for a man to be successful at that. If you separate them from their communities and incarcerate them, they can't learn, they can't succeed. It is falling on the families the impact of incarceration. I want to give you an experience of the helplessness we feel. There is no water hauled, no wood, no fresh meat. What are we supposed to eat? Not a loaf of bread at \$7a loaf, not a little thing of eggs at \$8.95. Now you want us to do the bail for a "probation violation." A little thing and they go back [to jail]. But the bail is too high. I am trying to feed us when water is \$140 a month, electricity is \$112 a month, and I have \$200 worth of food stamps. I have nothing for traps, gas and nothing for retirement. You have imprisoned ME has a human being. Now I have grandchildren taken away, at Northstar. They have mischief in them. When they come back they are welcomed, not shunned, but now they got that record. I am not sure what is going to happen to them.
- Keith Morrison, speaker #6: I don't agree with looking at "codes, cops and courts." These are models from colonization. They are part of the problem. The old ways are now lost. I have worked for 6 years in this region in youth and adult services. The problem for reentry is that the model in use is not indigenous, structured for employment not subsistence lifestyles. Our approach has to allow for

¹ "Tribal Courts" and "Tribal Jurisdiction," two other Criminal Justice Track programs, had the same number; "Family Law and ICWA" and "OVC and FBI" each had 39 attendees.

people to heal at a foundational level. You can invest at the front end [of people's lives] or pay on the back end, in incarceration. There has to be a reallocation of money used for prison for treatment.

- Woman in orange, speaker #7: The problem with changing priorities is that it will be expensive for a while- you pay at both ends during a transition, i.e. prison and behavioral treatment.
- Woman in blue, speaker #8: Men don't have places to go to when there is a problem. Women have women's shelters. Women sometimes lie and the men get put in jail. Then men are labelled and can't get jobs.
- Tribal leader from Koyuk, speaker #9: I invite the Commission to come to villages to learn more about our life.
- Keith Morrison, Speaker #6: I recommend you go to a village with a high rate of incarceration or recidivism.
- Speaker #10: the state is having a hard time balancing the budget. Only Alaska-born residents should get the PFD. Only Alaska-born residents should be in the legislature. In Juneau they don't talk to us. There is too much distance between tribes and the state of Alaska.

**'LISTENING SESSION' HELD BY COMMISSIONERS ALEX BRYNER AND GREG RAZO
OF THE ALASKA CRIMINAL JUSTICE COMMISSION,
ON JUNE 3, 2015, AT NOME COURTHOUSE.**

Staff Notes

Background: Razo and Bryner, both members of the ACJC Rural Workgroup, had been invited to Nome by Kawerak for the purpose of presenting information on the ACJC to the annual Rural Providers conference. They seized the opportunity to broaden the scope of the visit by holding a public informational session. The session was publicized by email invitations to local CJ 'stakeholders,'¹ by flyers posted around town, by staff's appearance on KNOM radio program, and by phone calls by staff on the day of the session. It was also publicized on the State's online notice site.

Attendees at the Courthouse: There were approximately 30-40 in the audience, and some attendees on the phone. The following participants either identified themselves or were known to staff.

ADA Tom Jamgochian;
APD James Ferguson;
APD Nicole Frank;
Anvil Mountain Correctional Center Superintendent Sandra Martinson
DOC Correctional Officer Sgt. Devin Bodine;
DOC PO Michael Dunham;
AST Sgt. Charles Cross;
Gina Appolloni , Supervisor of VPSO Program, Kawerak;
John Bioff, General Counsel, Kawerak;
Rob Wood, Deputy Director of Juvenile Justice, DHSS;
2nd Judicial District Presiding Judge, Superior Court Judge Paul Roetman;
Nome Superior Court Judge Timothy Dooley;
Nome Magistrate Judge Robert Lewis;
Unalakleet Magistrate Judge Heidi Erickson;
Judge Pro Tem Ben Esch;
Area Court Administrator Tracey Buie;
Sherry Trigg, Rural Court Training Assistant;
Fawn White, PO, Division of Juvenile Justice;
Matthew Smith, KNOM News Director;
Kirsten Bey; and
Keith Morrison.

Meeting content: Following a PP presentation by staff attorney Mary Geddes, Commissioners Bryner and Razo invited comment and questions. *AST Sgt. Cross* asked what kinds of issues and ideas had the Commission thus far considered. Commissioners and staff attorney gave examples of issues under consideration.

¹ Invited was Denise Barenge, ED, Nome Eskimo Community; Lance Johnson, Norton Sound Health Corporation Behavioral Health; John Earthman and Tom Jamgoochian of the DA's, Margaret Thomas, AAG, Nicole Frank and James Ferguson of the PD's; Melanie Bahnke and John Bioff of Kawerak; Charles Cross of the Troopers; Chief Papasodora of the Nome Police Department; Mike Dunham of the Nome Police Department ; Anvil Mtn Superintendent; Theron Powell, Nome Youth Facility; Bob Weston, CRC, Seaside Center; Christine Agloinga (formerly with DJJ, now with Kawerak.

Assistant Public Defender Nicole Frank:

- From jail, clients can't call families in remote villages to arrange bail or make other arrangements. The [jail] policy is that you can't make a long distance call.
- It is hard to get assessments of clients done while they are at the jail. Clients need assessments in order to get into programs. Therapeutic courts in Anchorage can't take TBI issues [?] .

Judge Ben Esch: several concerns.

- In each village, there should be a TV/VCR, so that they can show the advisement tape. They can do this on the North Slope; why not here. After showing the tape, then judges could release them OR, thus avoiding the need to transport.
- Rural defendants sometimes experience disparate treatment. There was a defendant who was convicted of a theft in Nome, and received 90 days to serve. He arranged to travel to Anchorage in order to serve his sentence on electronic monitoring. EM is not available in Nome. Why can't EM work in all of the villages? If they had it and SCRAM we could dramatically reduce the numbers of people in jail. That would make a difference in terms of how sentences are served.
- Persons convicted of misdemeanor offenses are released on [informal 'court'] probation but with no real supervision or all. Some have a need for supervision. There should be a way to watch misdemeanor probationers. This points to the possibility of working with village councils and courts. When defendants come back to their communities and they start acting up, village [entities] could warn them so they don't go back into custody for new conduct.

Assistant Public Defender James Ferguson: several concerns.

- There are no options for rehabilitation in rural villages. There are no programs available. We could make the greatest [impact] is [by providing] rehabilitation at every phase of the process. Those people sitting on ice in jail awaiting sentencing get no programming.
- There is a statutory sentencing mitigator for rehabilitation, e.g. if a defendant completes a wellness court program. But I have never seen anyone get a mitigator because our communities don't have that program.
- I agree with Judge Esch about electronic monitoring. It should not be the privilege of urban dwellers.
- I also agree there is a need for some form of intermediate supervision. If there were village supervision, [defendants might get] needed intervention before a new charge.
- We could use a mental health court. We have several [special needs] populations – e.g., FASD, TBI. Is there a possibility for a statewide mental health court? Like telephonic? Can we have that possibility, i.e. specialty courts?
- There is a mitigator for TBI, for FASD, but even the statutory mitigators carve out exceptions. There are exclusions for 11.41 offenses, and that is exactly the type of conduct where these disabilities come into play. Courts should have the ability to consider those disabilities.

Fawn White, Juvenile Probation Officer, asked if there is connection between the work of the ACJC and juvenile justice. *Commissioner Bryner* mentioned automatic waiver might be such a topic.

Tom Jamgochian, Assistant District Attorney: Noted that he had been in Nome 4 years, but had practiced elsewhere in AK.

- One local practice that doesn't seem fair. Can't pay bail with credit card. Can pay in Fairbanks.
- I practiced in Bethel previously, and participated in one 'Circle Sentencing.' I would note that it was an expensive process, but totally productive and successful.
- I observe lots of people do plead guilty while in the village, having never seen their attorneys. Pretrial diversion could be an option. Villages should have input into its availability, and villages could waive in.
- Electronic Monitoring. It can be done in Anchorage, and should be available here.

Bryner: EM might be available but we need to figure out how village communities would respond to someone who violates EM. We should partner on this; the challenges are not insurmountable.

Razo: The idea of Justice Reinvestment is a good one; it means that we target our limited resources in a more productive way.

Sgt. Bodine, at Anvil Mountain Center: Responding to others' statements.

- Re EM. Our PO is working hard to get EM available for this area.
- Re defendants not getting phone calls. They do get one phone call at booking. But they sometimes do have problems getting in contact with people.
- We do have classes for pretrial inmates. However, it often happens that not enough people sign up for a class to run. Some classes are structured for 20 but only 3-4 people sign up.
- Re bail, there is an issue there. Inmates do fly in with money, post the bail that is set, then they fly back. Villages [VPSOs?] need ability to [accept] bail in villages rather than having the State pick up the costs of hotels and the trip back.
- RE substance abuse counseling at Anvil Mountain, there is only one counselor and she does her best.

Sandy Martinson: Anvil Mtn. Superintendent

- We do have a four-week substance abuse treatment program that is culturally appropriate, called ANSAT.
- The state DOC is going to go to a new substance abuse treatment curriculum that will be available in all institutions, for unsentenced and sentenced and serve larger numbers of people.
- DOC does offers early release programs, like furlough.
- In setting bail, the courts should consider that a lot of folks can only be seasonably employed. A lot of inmates do not have jobs, nor opportunities because of felony records.
- DOC has started an EM pilot program in Nome.

Sgt. Cross, AST:

- I am comparing the [bail-setting] process here in Nome to Anchorage. Anchorage feels streamlined. Before we even bring an arrestee to the Anchorage Jail for processing, I can get on the phone with a committing magistrate who can pretty immediately set the bail. The magistrate then tells me to write her name on the bail-related documents. The court proceeding is all recorded. Then I bring the bail paperwork along with the arrestee to the Jail. Here, I just take them to jail and the bail is not set. If I bring them in before 11 AM and assuming they are sober, they will be arraigned and have bail set at 1:30 PM. Otherwise they will go to court the next morning, and have their bail set then. So it's a slower process in Nome. I recognize there is a big volume in Anchorage. I also recognize that we are talking about different judicial districts, but still it's a big contrast.
- We have spent close to \$1500 in transportation costs for the court appearance of a person who is then released on a \$200 bail.

Keith Morrison. I would like [to contest?] the idea that there are successful treatment programs. There are dismal success rates, like 30% are successful.

- It is my belief that the programs need to be more culturally appropriate in order to be effective.

Bryner and Razo – people and communities should participate with the ACJC , please note our website and attend meetings by telephone if not in person.

Heidi Erickson- I am the magistrate judge in Unalakleet.

- Our court system can be so impersonal because of the distances. We can have conversations over the phone, but never actually see the defendant or parties in court. Anyway, we can do better. Our schools are highly technically savvy, with videoconferencing facilities, so we know the infrastructure is out there. It makes a difference to be able to see each other.
- With respect to the question of who provides [OPA] conflict counsel for the Nome region, conflict counsel is a Fairbanks firm.

Nicole Frank: Responding to comment about distances and telephonic representation.

- [The PD in Nome] represents people in Unalakleet [among other places]. We are representing defendants sometimes only telephonically. Language is a barrier. Sometimes individuals have English as a second language, or have a low education level and lack literacy. It's a real concern that defendants might not understand advisements of rights, especially if there is TBI, or FASD.

Bryner: Informing group that the Criminal Justice Working Group is expecting to propose a new standard for mental competency. Razo: Informing group that there is a great deal of interest in developing tribal courts.

Young woman, unidentified: You [ACJC] should set up a Facebook page for people to contact you.

**Additional Comments Made to ACJC Staff
Following Listening Sessions in Nome, June 2-3**

Discussion with Gina Appoloinni, Kawerak Supervisor of VPSO at Kawerak Conference (6/3)

- Some laws that have distance (feet, yards) restrictions are really difficult to enforce in a village and maybe should be looked at.
- FAA is restricting VPSO ability to travel with tasers during prisoner transport, and are therefore limited to baton and OC spray. The VPSO program has asked FAA to remove restriction. (While VPSO's now may be authorized to carry firearms, only 2 in the state are certified at present.)

Discussion with Rob Wood, DHSS/DJJ at Kawerak Conference (6/3)

- Will the Commission look into automatic waiver of juveniles? I don't think [auto waiver] is workable. The adult (DOC) system doesn't want 16-17 year olds. DJJ would like an opportunity to assess them prior to any decision on waiver.

Discussion with Chris Agloinga, formerly of DHSS/DJJ, now with Kawerak, at Kawerak Conference (6/3)

- For JJ probation purposes, we have been exploring the use of EM. I put a unit on and wore it for a while. EM works in all of the villages! GCI is the carrier.

Discussion with Winfred Olanna, VPSO, Brevig Mission, at Kawerak Conference (6/3)

- VPSO's have no authority to release a person in the village even on a bail schedule because we can't take bail. So we must fly into Nome.
- I think sentences are too short.

**Additional Comment by AST Sgt. Cross and Superior Court Judge Roetman (6/3)
At the Nome Courthouse**

- There are only 12 beds in the city jail facility in Kotzebue.
- It costs \$2900 roundtrip to move someone back and forth between Kotzebue and Nome. There are a minimum of 2 trips a week. Yearly pretrial transport costs are about \$330,000 per year.
- The court is working getting videoconferencing capacity between Kotzebue and Anvil Mountain.

Additional Comment by Heidi Erickson: Unalakleet Magistrate-Judge (6/3)

- Its okay to order short-term bail conditions that allow for a 'cooling off period', e.g. you cannot make any contact with this person for two weeks. This often avoids problems in a small community.

**Additional Comments by AST Sgt. Cross (6/11) –
Telephone Follow up by MG on comments from public session**

- If they are in village, they might get telephonically arraigned or they might be brought in. Sometimes transport depends on whether the individual is intoxicated and therefore not competent to enter a plea.
- There is no way for bail to be paid from the village, not even in cash, because no one can or is willing to be responsible for transporting cash. We can't store cash in the village as we can't secure it.