

Staff Summary of Plenary Meeting
ALASKA CRIMINAL JUSTICE COMMISSION
Thursday, June 23, 2016, 9:00 AM – 12:30 PM
East Conference Room, Denali Commission,
510 L St., 4th floor, Anchorage

Audio-teleconference : Dial 1-800-768-2983, then enter 5136755 (Access Code)

Commissioners attending: Greg Razo, Trevor Stephens, Quinlan Steiner, Brenda Stanfill, Alex Bryner, Stephanie Rhoades, Jeff Jessee, Kris Sell, Walt Monegan, John Coghill, Wes Keller.

Commissioners absent: Craig Richards, Dean Williams.

ACJC Staff: Mary Geddes, Susanne DiPietro, Susie Dosik, Brian Brossmer, Giulia Kaufman

BJA Funded TA Providers: Melissa Threadgill, Len Engel.

Participants: John Skidmore (Law), Claire Sullivan (DOC) Nancy Meade (ACS), Barbara Armstrong UAA), Alys Wooden (DHSS), Tracey Wollenberg (PDA), Rob Henderson (Law), Cathy Hansen and Taylor Winston (OVT) , Rebecca Brunger (DOC), Araceli Valle and Brad Myrstol (UAA- AJIC), Jordan Shilling, Tony Piper (DHSS), Carrie Belden (DOC), Nikki Haynes (Fairbanks Reentry Coalition), Donna Thomson and Stephanie Staveland (Priceless), Brad Gillespie and Donald Revels (Department of Labor), Ken Truitt (Rep. Keller’s office), Kara Nelson (Haven House, Juneau), Kaci Schroder (Law), Michael Baldwin (Trust).

Meeting Materials Distributed:

Results First Power Point

Intro to JRI Phase II Power Point

Pase Two Seed Funding FAQ

Executive Summary – Alaska Behavioral Health Systems Assessment

1. The meeting was called to order at 10:35. This meeting was audio conferenced. Commission Chair Gregory Razo welcomed the Commission and guests. An agenda finalized this morning was approved by unanimous vote.
2. During this meeting, Chair Razo’s selection as a White House Champion of Change and Comr. Sell’s receipt of the Juneau community-policing award in Juneau were applauded. Commission members acknowledged Senator Coghill ‘s exceptional leadership and perseverance and Jordan Shilling’s extraordinary efforts in advancing the Commission’s recommendations. Recognition was also given to those Commissioners and their staff who spent so very much time this legislative session explaining 2015 Commission process and recommendations. Commissioners Sell, Stanfill and Razo who took time away from work were especially appreciated.
3. Overview of Results First implementation, through the Alaska Justice Information Center (AJIC) Dr. Brad Myrstol, UAA). Dr. Myrstol provided a PowerPoint and overview of the implementation of the Results First model in Alaska. Dr. Araceli Valle is the key researcher/evaluator.

Step One began started with an inventory of 300 programs. 53 programs which receive state funding or are in state facilities were ultimately identified for evaluation by Results First measures. The purpose is to identify for state policy makers those programs that are effective in reducing recidivism. This model involves a computation of cost based on avoided criminal conduct.

Comr. Jessee noted that this appears to be a small pool of programs for evaluation. Comr. Rhoades expressed concern that the model might not work well in evaluating something like the therapeutic courts because the effectiveness of the program may actually be in the linkages the program provides to other services. Dr. Myrstol responded that AJIC had identified programs by a committee process, and that there was input from many agencies. Certainly, AJIC wants feedback as to whether if they have captured the universe of programs. If we don't produce analyses that people believe, not worthwhile. AJIC is trying to evaluate the state investment in the program not the total program cost. It is about evaluating the efficiency of state dollars. We are looking at state appropriations that are itemized by program services. Agencies told us their budget and program expenditures. The model shows a return on investment (ROI).

Step Two involves matching the Alaska programs to a national database of evidence based programs. AJIC has determined that 89.8% of funds allocated to criminal justice programs were matched in evidence base. 58.5% of Alaska programs matched to interventions that have been scientifically evaluated. Step Three of AJIC is to populate and run model (see slide 6 of the PowerPoint). This allows AJIC to estimate resource use and cost parameters. They use a 7 year recidivism window, look at effect size, compute avoided CJ costs and victims cost, essentially calculating the cost of avoided victimization. The benefits are avoided costs for every dollar, what is the return, = avoided cost-benefits. The different cohorts analyzed for recidivism are : the prison adult prison population which spent 20 days or more in jail;, the community supervision felony cohort; sex offenders; Domestic violence offenders; DUI offenders. Of these cohorts the 2007 – 2014 DV cohort has been the hardest to capture. Recidivism information should be available in October. AJIC will have other future applications outside of the criminal justice: Juvenile Justice; medical care; K – 12.

Comr. Bryner asked how broad or specific are your definitions of “programs”? For example, can you evaluate the effectiveness of housing programs which service released prisoners. Myrstol said that the model could evaluate but program components would have to be first identified. Bryner noted that the Commission had heard a lot previously about the costs of transportation of rural defendants to and from court and DOC facilities. Is that the kind of thing that could be evaluated? Myrstol said it is possible.

Comr. Keller asked if the only factor of evaluation is the recidivism rate. Myrstol said AJIC evaluates for avoided victimization rate and real costs of putting someone through the system. There are 5 parameters but recidivism rate is crucial. Comr. Rhoades asked about the match of Alaska programs to programs in the database. Myrstol said that AJIC asks the program to give it the operational details. It's the operational details that are matched. This is not an audit, or program evaluation as such, and of course there always is some slippage in terms of what's reported and what's not. It's never a perfect match between the programs in the national database and local programs but we have confidence matches.

Comr. Stanfill said she was concerned that the true value of a state-funded program for victim advocacy might not be reflected purely in recidivism statistics. Stories are sometimes a measure for us, may not be reflected in the numbers. Susanne DiPietro noted that the AJIC steering committee is providing guidance and ensuring that results aren't misunderstood or used for snap decision-making. AJIC “is a tool, not a rule” for making funding decisions.

4. Senator Coghill, ACJC Commissioner, next reported on SB91. He noted that he had spoken with the Governor and that he believes the Governor will sign it. He reported that the governor is planning to introduce an item in the special session to delete some very limited but confusing language. This item does not concern the JRI and Commission recommendations. He noted that the Legislature wasn't ready

for some discussions, such as those on citations. There were some incongruent sections of the bill that had to do with how late in the session he got a decent draft. Certainly the work of the Commission and the workgroup will need to provide oversight. There are issues we may have to revisit down the road after implementation.

Comr. Sell noted that there were common misunderstandings about SB 91. Coghill noted that staff had prepared some cheat sheets which could help explain away some of the misconceptions about this bill. Nancy Mead is doing informational presentations for various groups including “Coffee for a Cop” at Kaladi’s and will be in Juneau on Friday doing a 90-minute presentation.

5. Overview of proposed Phase II of the Justice Reinvestment Process: Implementation. Melissa Threadgill, Senior Associate at Crime and Justice Institute at Community Resources For Justice and Len Engel, reintroduced themselves as the expected technical assistance providers for “Phase Two Implementation” of JRI reforms, assuming the Governor signs SB91 and the State then invites the TA. Stanfill had a PowerPoint which has been provided to the Commission for an overview.

In addition to funding for technical assistance providers, the Bureau of Justice Assistance provides seed funding to states to cover implementation costs, but not the cost of services; costs like training / travel, upgrades to data/computers. Some states use extra funding for a program coordinator. She noted that in addition to a letter inviting the TA, there also needs to be application submitted for the seed grant money. The total available is up to \$400,000, and the money can be applied up in increments. As TA provider, Stanfill can prepare the grant applications. With respect to that money, she would recommend that approximately \$75,000 of seed money be expended to assist DOC with transportation costs for training related to the implementation of graduated sanctions.

The first order of business with implementation is to identify the workgroup – typically agency heads or deputy commissioners who are operationally oriented – which will collect and coordinate data – and report to the Commission. The TA providers will work directly with the entity that will oversee the reforms. In Utah, there was a task force set up which became very good with problem-solving; it met monthly.

6. Overview of new, SB91 directives to Alaska Criminal Justice Commission was provided by Susanne DiPietro, Executive Director, Alaska Judicial Council. She noted the change in the ACJC sunset to 6/30/2021, and an increase in staffing. The staff attorney’s position will change from a part-time to a full-time position, the research analyst’s hours will be increased from 20-29 hours per week, and there will now be some administrative support (one day a week). [Mary Geddes and Giulia Kaufman will leave their positions in July, and hiring is underway for their replacements.]

DiPietro reviewed the directives in SB91 to the Commission. It’s to form a working group to review and analyze implementation of JRI and ACJC recommendation, to collect data, and to track and assess outcomes of reforms. It’s to coordinate with DHSS in providing for programs that have rehabilitation and reduction of recidivism for probationers, parolees and recent DOC releasees. It’s to report annually by Nov 1 with any recommendations. Also special reports are required: Offenses of DUI, Refusal, DVOL by December 1; Implementation of financial recovery and victim’s restitution program by December 1; and the potential of social impact bonds by December 15. It’s also to recommend how savings should be spent to reduce recidivism, and explore possible agreements between state and regional nonprofits to provide pretrial, probation and parole services needed in underserved areas.

DiPietro said that the first question is whether the Criminal Justice Working Group be the implementation workgroup. SB91 says that the workgroup is to review and analyze the implementation of the recommendations made in the Justice Reinvestment Report in December 2015, and other recommendations issued by the commission, and regularly report to the commission on the status of the implementation.” She proposes the CJWG because by statute Judicial Council provides staffing for both groups, plus the CJWG has historically been that operationally oriented group. It’s been inactive over the legislative session but this mission is right up its alley. It was noted that the ACJC membership has overlap with the CJWG participants (Trust, DOC, DPS, Law, PD) Comr. Monegan liked the overlap between the groups, John Skidmore said that the workgroup has been informal but focused, Steiner suggested that the oversight function might subsume other interests of the CJWG but he agree it makes sense. Bryner agreed it was a good idea and better to use an existing organization than create a new one. Comr. Rhoades expressed concern that the CJWG might not be the right group and might not have enough staffing. DiPietro noted that the Legislature funds the AJC to provide support and the BJA TA providers will also be assisting. Bryner and Chair Razo recommended that Comr. Rhoades be designated as the liaison between the two organizations.

DiPietro also suggested that three ACJC members review all future requests for expenditure of the BJA seed money, given that there will be a maximum of \$400,000 over the next 2 years. Threadgill clarified that it is up to the Commission to make these decisions although the money will not ‘flow’ through the Commission itself.

IT WAS MOVED by Jessee with a second by Rhoades that the ACJC invite Phase II Implementation technical assistance is and when SB91 is enacted. The motion passed unanimously.

IT WAS MOVED by Jessee with a second by Sell the Criminal Justice Working Group be designated as the implementation “working group” which reports to the ACJC and which is required by SB91. The motion passed unanimously.

IT WAS MOVED by Monegan and seconded by Sell that Comr. Rhoades de designated as ACJC representative to the Criminal Justice Working Group relating to its function as the implementation workgroup. The motion passed unanimously.

IT WAS MOVED by Jessee and seconded by Stanfill that the ACJC apply for \$75,000 of seed money from the BJA to cover DOC’s transportation costs associated with regarding the implementation of the graduated sanctions program. The motion passed unanimously.

[It is noted for that the DOC Commission was not present and did not vote.]

IT WAS MOVED by Rhoades and seconded by Sell that the ACJC designate Commissioners Greg Razo, Jeff Jessee and Brenda Stanfill to review and recommend to ACJC future expenditures of the BJA seed money. The motion passed unanimously.

7. Future plenary Commission meeting dates were then approved in light of the deadlines in SB91.

Thursday, August 25, 1-4 PM: (Elect chair as term expires 10-15)

Thursday, October 13, 9-2 PM: (Approve annual, restitution and DUI reports, report on implementation of reforms and forward any additional recommendations to legislature for reforms)

Wednesday, Dec. 14, 1-4 PM (Approve social bonds report)

8. Workgroups: Staff Mary Geddes reported briefly that proposals could be expected from all four current workgroups¹ by the August meeting, as the Workgroups are attempted to wrap up their business. [Chair Razo would like to encourage the workgroups to forward any recommendations by the beginning of August, in order to be considered at the August 265 meeting.

She also reported that the restitution group would be soon convened and staff research had gotten underway.

Geddes wondered if the sex offenses group should be convened after the restitution group because many of the same individuals are likely to be involved and the sex offenses workgroup does not have a deadline. Comr. Stanfill urged Commission staff to convene a group soon because there is so much interest. She had heard that Rep. Kreiss-Tompkins may have already convened a group.

Geddes asked Commissioners to identify themselves if interested in joining a workgroup on restitution or a workgroup sex offenses. The same four individuals raised their hands for both groups: Steiner, Stanfill, Bryner and Skidmore.

Finally, Geddes noted that Brian Brossmer is working on a report on the potential of social impact bonding, as it was directed by SB91. Comr. Jessee is interested in the topic and will consult with Brian on a report. Melissa Threadgill also indicated she has information about other states' experiences.

9. Rob Henderson, head of the Special Prosecutions Unit, chairs the Controlled Substances Committee (CSAC). Rob noted that the CSAC will meet again in late summer or fall and that he expects the ACJC staff to continue attending the meetings. The organizations have overlapping directives concerning the scheduling of controlled substances, and that the Committee been provided with some information about model drug schedules. One question is whether schedules should be the subject of statutes or regulations. The statutory framework is less flexible and lacks the ability to respond when new drugs are created. The question will be re-visited in the fall.

10. Alyssa Wooden reported. Under SB64, DOC and DHSS were given authority to fund programs. These contracts have been finalized for FY2017. Under SB91, however, there is a shift. The DHSS Commissioner, in cooperation with the Criminal Justice Commission may provide for programs by contract that have, as a primary focus, rehabilitation and reduction of recidivism for persons on probation or parole or incarcerated for offenses and recently released from correctional facilities. If SB91 passes, this language will be the subject of a future meeting.

11. Public comment was solicited at the close of the meeting but no additional comments were offered.²

The meeting ended at 12:35 PM.

¹ Behavioral Health; Presumptive Sentencing; Barriers to Reentry; and Title 28.

² Public comment may also submitted in writing either at the time of or in advance of the meeting. Please send to mgeddes@ajc.state.ak.us.