

**Alaska Criminal Justice Commission
Meeting Summary**

**October 13, 2014, 10:00 am – 1:00 PM
Snowden Conference Center
Anchorage, Alaska**

Commissioners Present: Retired Supreme Court Justice Alex Bryner; Senator Fred Dyson; Attorney General Michael Geraghty; Jeff Jessee, CEO, Mental Health Trust; Representative Wes Keller; District Court Judge Stephanie Rhoades; DOC Commissioner Joe Schmidt; Lt. Kris Sell, Juneau Police Department; Brenda Stanfill, Interior Alaska Center for Non-Violent Living; Alaska Public Defender Quinlan Steiner, Superior Court Judge Trevor Stephens, Greg Razo, Board of Directors, Alaska Native Justice Center.

Commissioners Absent: DPS Deputy Commissioner Terry Vrabec.

Guests Present: Dunnington Babb, Deputy Public Defender; Nancy Meade, General Counsel, Alaska Court System; Janet McCabe, Board of Directors, Partners for Progress; Chuck Kopp, Alaska Legislature; Ernest Prax, Alaska Legislature (teleconference); Andre Rosay and Brad Myrstol, UAA Justice Center and Statistical Analysis Center; Chris Provost.

Staff Present: Alaska Judicial Council staff: ED Susanne DiPietro, Attorney Susie Dosik, Senior Analyst Teri Carns. ACJC staff: Mary Geddes, Project Attorney; Giulia Kauffman, Project Research Analyst.

Call to Order and Introductions. The meeting was called to order at 10:00 AM by the Chair, Justice Bryner. Bryner introduced Commissioner Razo, who had missed the first meeting, and invited him to share his background and affiliations with his fellow Commissioners.

Razo stated that he is Alaskan Yupik who grew up in Anchorage and went to Gonzaga and Willamette Law School. He then moved to Kodiak where he spent 22 years practicing criminal and civil law. He returned to Anchorage in 2005 and is now a Vice-President of CIRI, establishing its division of government contracting. He also serves as a Vice-Chair of the Native Justice Center, the President of the Board of the Alaska Legal Services Corporation, a Board member of the Alaska Federation of Natives, and a Lawyer Representative to the Ninth Circuit Judicial Conference. He believes that his AFN affiliation will be of greatest utility to the Commission as that organization allows him to connect with all aspects of the Alaska Native community.

Staff Reports:

Handouts. Mary Geddes stated that there were four additional handouts: Alex Bryner's summary of ACJC's statutory duties and responsibilities; a letter to the Commission from Chris Provost concerning his work on juvenile justice issues; a compilation of the written recommendations for an ACJC workplan received before October 13; and suggestions from Greg Razo.

JRI. At its first meeting, the ACJC had heard a presentation by Zoe Towns of the Pew Public Safety Performance Project on the free technical assistance available to Alaska through the Justice Reinvestment Initiative. JRI requires an invitation from the governor's office. At this juncture, there is

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no invitation; without a sign-off this week, JRI assistance may not be available during the term of the Commission.

Results First. Susan DiPietro reported that a different type of technical assistance is currently being explored by Alaska agencies. Results First provides a cost-analytic model to states, and customizes that model for the state's own use in evaluating the cost effectiveness of its programs. Washington State is where this model was first developed and its validity and utility has been tested elsewhere. It takes a year from start to finish to implement this model. Discussions about Alaska partnering with Results First are underway. Those discussions involve Dr. Rosay from the UA Justice Center, the Judicial Council and other state agencies.

The ACJC Webpage Resource List. Commission members have asked for easy access to existing data and relevant reports and program descriptions. Attached to the agenda is a PDF showing a newly created webpage on which we have made such information now accessible to you, without a password. Go to the Alaska Judicial Council website and click on "Resource List" below the heading "Criminal Justice Commission." Staff will add documents and topics.

Staff Outreach. Geddes reported on the recent contacts with individuals and groups involved in criminal justice issues. She has been invited to attend the mid-November Workshop on Prisoner Reentry planned by DOC in partnership with the Trust and Carmen Gutierrez.

Directory of Criminal Justice Groups. Staff intends to soon provide the Commission with a directory of groups and initiatives involved with criminal justice issues.

Access to Other ACJC Materials. The chair has wondered how Commission members might best organize, maintain and track documents provided to them by staff. He suggests perhaps all Commission agendas and items of correspondence be made available electronically in some sort of file system. Our office is exploring the use of Dropbox. Any other ideas?

Scheduling of ACJC Meetings for November-December-January. Staff used "Doodle" to poll Commission members; it was completed by 11 out of 13. Staff needed to count as a "yes" those responses which were "yes but I really don't want to."

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Meetings Planned. After some discussion, Anchorage meetings were planned for November and December and a Juneau meeting in January during the first week of the legislative session as follows

Tuesday, November 18, 10:00 AM to 1:00 PM	Anchorage, Snowden Conference Center
Thursday, December 18, 10:00 AM to 1:00 PM	Anchorage, Snowden Conference Center
Friday, January 23 ¹ , 9:00 to 12:00 PM. Please note that an additional afternoon session with Judiciary Committee(s) is also planned.	Juneau, Jury Assembly Room, 3rd floor of Dimond Courthouse, for morning meeting.

Bryner stated that a monthly schedule would not likely be maintained after Commission subgroups got underway with their work. Stephens asked if the ACJC could set a schedule for the next several months - or at least for February, March and April - because trial calendars were otherwise extremely hard to manage. It was agreed that the Commission would do so at its next meeting. Steiner and Stanfill also asked for future consideration of meeting locations outside of Anchorage and Juneau.

Representative Keller suggested that the ACJC could meet with the Judiciary Committee. [NB: Rep. Keller is Chair of the House Judiciary Committee] Commissioners indicated that they would want to meet together to plan immediately prior to any session with legislators.

Election of Vice-Chair. Bryner indicated that a Vice-Chair is needed for the purpose of conducting any meetings when Bryner is physically absent from the state. Senator Dyson nominated Judge Stephens but Stephens said he anticipated there would be times when he could not be available in person. Bryner recommended AG Geraghty, who accepted and will serve as Vice-Chair.

Time Frames for Workplan. Bryner noted that the Commission will need to consider the timing of its reports/recommendations to the Legislature with respect to the three available time frames if it is going to have any statutory changes enacted before its sunset on July 1, 2017.

- **before 2/15/15 if the Commission seeks action during this first session of the Legislature,**
- **ideally before 9/1/2015 if legislation is to be passed within the second and last session of the 29th Legislature, and**
- **before 12/1/2016 for any action during the first session of the 30th Legislature.**

DOC Presentation to the Commission. Bryner introduced DOC Commissioner Schmidt and Deputy Commissioner Taylor, stating that Schmidt had asked for an opportunity to talk to the Commission about the direction in which DOC was already headed.

Schmidt noted that in 2003, all institutional programs for inmates were eliminated except for federally funded RSAT (residential substance abuse treatment). Since that time, DOC has been rebuilding its

¹ The January date was later changed, by staff, by a day, in order to accommodate the proposed joint meeting with the House and/or Senate Judiciary Committees during the first week of the session.

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programs, to include evidence-based programs, based on goals of recidivism reduction and a positive cost-benefit ratio. (The sexual offender program did not show a positive cost benefit ratio, but was kept as a matter of policy. In 2010, DOC got a new data department so it could track offenders. Schmidt noted that DOC philosophy has got to be balanced because there are such different groups of offenders. Goose Creek Correctional embodies that in the institutional context. There is a 10% population that needs to be confined and secure, but the other 90 % is in more open settings; those inmates behave and can do things on their own, like get their own meals, which also saves money. We should limit secure confinement to those who need it. Developing reformatory programs is crucial but we need to match offenders to programs using -careful risk-needs assessments. The transition back to the communities is where the solution lies for most offenders.

Deputy Director Ron Taylor presented statistics on bookings and releases. Last year (?) 22,000 Alaskans entered DOC with 40,000 bookings. Last year DOC changed offender management plans so as to encompass planning for three phases: institution time/transition time/community time. Less than 25% of releasees are on parole or supervised probation. DOC is going to meet soon to review the whole re-entry process with 25-30 stakeholders. Even 3-4 years ago, DOC was shifting focus in Probation/Parole from law enforcement to successful reentry. But DOC does need to develop a violation matrix for dealing with people who violate so that people who don't need jail aren't in there. Bryner noted that there was no time remaining for follow-up questions. Schmidt and Taylor were thanked for their work. [The handout DOC provided is **Attachment A.**]

Substantive Discussion on Commission Priorities. A number of Commissioners had previously provided written suggestions: Stephens, Rhoades, Dyson, Steiner and Sell. Razo brought a list of ideas to the meeting. Bryner asked for any additional ideas. Ideas were generated in the meeting, and Mary Geddes wrote them down in short form. [All of the submissions, both written and oral, are in **Attachment B.**]

Following a break, members were asked to identify the broad category of issues they were willing to work on, so that workgroups and memberships could be identified. [That list of groups and members was generated after the meeting. It is **Attachment C**] It was agreed that workgroups should meet before the next meeting on November 18, and that staff would arrange the meetings as soon as possible.

The meeting adjourned at 1:05 p.m.

Notes taken by Teri Carns, compiled by Mary Geddes