

RECOMMENDATION TO THE LEGISLATURE OF ALASKA FROM THE ALASKA  
CRIMINAL JUSTICE COMMISSION

**Recommendation 2-2020, adopted August 27, 2020:**

**Recommendation Regarding Civil Detention of People with Mental Disorders**

The Commission recommends that the legislature pass legislation that assures that persons subject to an emergency evaluation order issued by the court under AS 47.30.700, or who have been taken into custody under AS 47.30.705, due to their grave disability or mental illness, are not placed in a jail or other correctional facility except for protective custody purposes and only while awaiting immediate transportation to a treatment facility. These persons should be transported to the nearest evaluation facility, as soon as is practicable to arrange the most immediate transportation, given the physical location of the person within the state of Alaska.

Holding civil detainees in jail or correctional facilities who are disabled by and suffering from a mental disorder can cause them irreparable harm, because correctional facilities are designed to be punitive. Correctional facility beds should be used solely for detention, correctional, rehabilitative and educational purposes of persons charged or convicted of criminal offenses.