

Alaska Criminal Justice Commission
Domestic Violence Workgroup

Meeting Summary

Monday, March 22, 2021, 10:00 a.m

Via Zoom

Commissioners Present: Sean Case

Participants: Katie TePas, Victoria Shanklin, Malan Paquette, Colleen Ouzts, Rachel Gernat, Carmen Lowry, Marlene Mack ANJC, Laura Brooks, Troy Payne, Diane Casto, Stephanie Claiborne

Staff: Staci Corey, Teri Carns, Barbara Dunham

Introductions

Commissioner Sean Case, workgroup chair, explained that the Commission was set to start winding down, and today's meeting would be about how this workgroup would wrap up its work. He asked if there were any comments on the summary of the previous meeting. There were none.

Report Outline

Commission project attorney Barbara Dunham explained that she had drafted an outline for a report that would summarize what the workgroup has learned since it began meeting. She encouraged group members to provide feedback and identify any gaps in the proposed outline.

The report would begin with available data on the prevalence of domestic violence, beginning with what we know about victimization through the Alaska Victimization Survey. Katie TePas with the Department of Law noted that the 2020 survey was concluded and that the analysis was expected to be published later this year. Ms. Dunham said the data section would continue with information on crime reports and cases filed, and also make note of several studies conducted by researchers at UAA.

Ms. Dunham said that the report would continue with studies on pilot projects that have been conducted in Alaska, many of which had been discussed in the workgroup. The report would go on to note several national best practices which have been discussed in the workgroup. This section would include a discussion on risk assessments, which staff researcher Staci Corey had already written based on her research. The report would then walk the reader through Alaska's current DV response based on what the workgroup had discussed over the last year and a half. The report could potentially conclude with recommendations.

Carmen Lowry, executive director of ANDVSA, noted that CDVSA had data on the usage rate for their services, and wondered if that might be included.

Susanne DiPietro, executive director of the Alaska Judicial Council, suggested talking about the project to put bail conditions in Fairbanks on a central server—even though it applies to all offenses, it was

developed mainly for DV VCORs. She suggested also including a mention of why it would be hard to implement statewide and wondered if the Commission's recommendation mentioned those difficulties. Ms. Dunham said that it did.

Commissioner Case asked if anyone objected to the idea of a report. There was no objection. Commissioner Case suggested that it might be better to first put together the report, then work on recommendations.

Diane Casto, executive director of the CDVSA, asked about the timing of the report. Ms. Dunham said that it would be ideal to finish this summer. Ms. Casto confirmed Ms. Lowry's comment that CDVSA has data from all of its grantees, and said it will have data for FY 21 by this summer.

Regarding interventions, Ms. Casto said that the CDVSA was in the process of forming a workgroup, and she anticipated the workgroup would look at changing intervention programming in Alaska. The goal would be to implement data-informed DV perpetrator rehabilitation. That group will begin to meet next month.

Commissioner Case said that his understanding was that intervention programming was based solely on one model that was modified by individual programs. He suggested including in the report a discussion of how intervention programs are approved for court ordered programming, and why judges assign the programs they assign. Ms. Casto said that was one of the things this new group would look at.

Ms. DiPietro asked whether the programming requirements were in DOC regulations. Ms. Casto said they were, but DOC also had an MOU with CDVSA that CDVSA would approve programming. Laura Brooks, director of Health and Rehabilitative Services at DOC agreed, and appreciated Commissioner Case bringing up the issue of how programs are approved. Programs can be very disparate, even if they are all based on the same model. Ms. Casto agreed. CDVSA has an MSW student working on the survey of current programs. No one in Alaska is doing a pure Duluth model program.

Regarding recommendations, Ms. Brooks said it was her hope to offer DV intervention programming in all DOC facilities; currently it was only offered in three facilities. They have been very reluctant to expand because they wanted to ensure they had effective programming to offer. That could be the basis of a recommendation, that whatever programming is eventually endorsed by the CDVSA group be offered in all facilities. It would need to be funded.

Rachel Gernat, representative of ANDVSA, said she was on the Council when revising the regulations was being discussed; it took a long time to revise the regulations, with a whole subgroup working on it. It seemed appropriate to include in this new report that this is an important component. The number of programs was definitely an issue as was how those programs "get on the list" of court-approved programs.

Ms. Dunham wondered about the timing of CDVSA's new workgroup. Ms. Casto said they were in the process of hiring a facilitator, whose contract will be for 12 to 18 months. They are giving themselves time to be thorough, and to look at every aspect of intervention programming and what it should look like. This process will also include looking at the regulations; the work that had previously been done regarding regulations, which Ms. Gernat was referring to, never got finalized.

Collen Ouzts from the Alaska Native Justice Center (ANJC) said that ANJC just completed an impact report for 2020 noting that it has served several hundred victims in the past year; it will be finalized soon, and she offered to share it if it would be helpful for this group's report.

Ms. TePas wondered how far back Ms. Dunham had wanted to look for Alaska-based DV studies, noting that there were more studies than what was listed. Ms. Dunham said she had included studies from the last 20 years.

Ms. DiPietro asked when the Victim Protection Act was passed. Ms. TePas said it was passed in 1996, and was a broad bill that implemented mandatory arrest among other things. Ms. DiPietro thought that would be worth mentioning. It was a huge change, and also implemented protective orders; before victims just had to get a civil order from a judge using a lawyer. It would be helpful background for people who are just coming into this.

Ms. DiPietro wondered whether there were any studies on mandatory arrest in Alaska. Ms. TePas and Commissioner Case said they were not aware of any. Ms. Dunham noted that AJiC had conducted a lit review of mandatory arrest studies around the country which it had presented to the group last year.

Ms. DiPietro also suggested including some of the perspectives in the Commission's Victims' Survey.

Public Comment

Malan Paquette said she was an advocate, "locally grown" in Alaska, and had interacted with the court system in these matters. This included an event involving a sibling in the 90s. That person continues to reoffend, and the original victims are not notified. She wondered about the duty to notify. She thought victims should be notified. She understood that things have changed substantially since the 90s. It was difficult for victims who don't know how to approach the justice system. She wondered if any of the pilot programs have included a victim's voice. She noted that once a case is closed, and the defendant reoffends with a new victim, that the court doesn't hear from the original victim, so the court doesn't understand the defendant's pattern of offending over time. Some of this is administrative—people have aliases, and that information needs to be included. Different databases should be linked up. She appreciated the efforts of this workgroup, and wanted to continue to participate. On the Alaska public notice page, not all events come up using the search function.

Future Meetings and Tasks

Ms. Dunham said staff would complete a draft report in a month and a half, to two months. Commissioner Case said that the workgroup would then meet about two weeks later, to give members time to read the draft. Group members can also think about recommendations at that time.