

Alaska Criminal Justice Commission

Rehabilitation, Reentry, and Recidivism Reduction Workgroup

Meeting Summary

Thursday, May 21, 2020, 10:00am

Via Zoom

Commissioners Present: Greg Razo, Brenda Stanfill, Stephanie Rhoades

Participants: Jon Woodard, Josh Wilson, Alex Cleghorn, Ray Michaelson, Karl Clark, Linda Setterberg, Don Habeger, Teresa Capo, Janice Weiss, Trina Bailey, Linda Landvik, Talia Eames

Staff: Susanne DiPietro, Staci Corey, Barbara Dunham

Introductions

Workgroup chair Greg Razo explained that he has been the Alaska Native Justice Center's (ANJC) appointee to the Commission, but he was ready to turn the reins over to Alex Cleghorn, lead attorney at ANJC. He would be turning things over to him at the next plenary meeting of the Commission.

The meeting agenda and prior meeting minutes were approved without opposition.

Legislative, Commission, and DOC Updates

Barbara Dunham, project attorney for the Commission, explained that in the recent legislative session, the House had considered HB 307, a bill that would give people who are incarcerated in DOC facilities access to the computers and the internet. This access could be used for programming as well as things like renewing Medicaid enrollment. HB 307 seemed to be fairly well received and had just passed into the House Rules committee when most legislators left Juneau. The governor had also introduced bills to amend procedures related to competency and forensic psychology, which did not see a lot of movement.

Ms. Dunham also explained that since the group had last met, the Commission had sent a recommendation to the legislature that the legislature pass a resolution urging CMS to allow Medicaid coverage for behavioral health for people who are incarcerated and nearing release.

Don Habeger of the Juneau Reentry Coalition noted that there had been discussions about funding reentry units within DOC and wondered whether those funds had been appropriated. Janice Weiss, reentry coordinator for DOC said that they had, and that the ~\$750,000 appropriated was meant to expand DOC's reentry units and would mostly go to fund PCNs.

Janice explained that she works on reentry and education efforts within DOC. She was disappointed that HB 307 did not move forward, as DOC had been planning to incorporate computer and internet use into its reentry programming. It was really a vital need to help inmates complete programming and applying for jobs, etc. After the virus hit, DOC closed down its institutions to outside contractors and volunteers, so now contact with inmates is more difficult, and having contact via tablet would have been really beneficial. She hoped the bill will get taken up again. Right now DOC is working on a procedure that will allow programming and reentry services via phone conversations, similar to scheduling attorney phone calls. It should be ready very soon.

Janice noted that without inreach, there was also need to get word out to community providers about people who are incarcerated and want programming. DOC has an education coordinator in each

institution who could be used as a liaison to keep track of what programming is available, and who needs programming. DOC will keep working to improve community ties.

For the new reentry unit, Janice explained that DOC planned to expand on personnel by adding three reentry coordinators and one criminal justice coordinator, who will expand on DOC's ability to get grants, work with task forces, and have a more unified effort on reentry.

Janice said she was also compiling list of all Second Chance grants and what they are intended to do and what role DOC is playing. All such grants are required to have a DOC letter of intent, and she wanted to make sure DOC is doing what it said it would do to continue those grants. The virus has also extended DOC's own Second Chance grant for another year through September 2021. BJA has lowered funding for the next round of grants so DOC will be trying to keep programming at the same level for less money.

The reentry program is still going well, and DOC is working with the reentry coalitions in Fairbanks, the Mat-Su, with Partners in Anchorage, and is trying to reach out to others. DOC is applying for a BJA grant for career programming, beginning with a small engine repair program for the Nome facility, which will also make connections to companies in the northwest to hire people who complete the program. If it goes well DOC hopes to expand it.

Brenda Stanfill, Commissioner and Executive Director of the Interior Alaska Center for Nonviolent Living, said she had been hearing different versions of what's available within DOC facilities. Some people are saying they are Skyping with people inside, and wondered if that was available at some locations or if her sources were confused. Janice said she had been hearing stories to that effect as well. She spoke with DOC's Director of Institutions, who confirmed that no one should have any kind of computer or ability to Skype. That rule applies for state institutions across board. For now, DOC is focusing on trying to enable communication by phone. If a facility has somehow developed a workaround that had not been communicated to the central office.

Brenda noted that some states have third party providers that facilitate things like email access, and wondered if there was any way to do that that would not violate guidelines but still allow some kind of access. Right now COVID restrictions are a real hindrance for programs trying to access reentrants.

Janice said that DOC was really bound by the "no frills bill" from the 1980s, and that legislation really needed to be updated. DOC right now is trying to at least ensure that people who are incarcerated are not paying phone fees to access services. She noted that sometimes third party providers also bundle their services with phone service, for which they charge a fee. The federal government does allow tablets and email and limited internet in federal facilities, so that might be where the rumors are coming from. Given the resources DOC has to work with right now, a phone system with appointments seemed a better way of doing things, and she encouraged group members to call her if they have any other questions.

Greg said it was troubling that BJA grants were decreasing, and wondered if something can be done with an inquiry to Alaska's congressional delegation, to let them know how important these grants are. Janice thought that was a great idea. Trina Bailey, staff to Sen. Murkowski, said she was on the line and would take these concerns back to the Senator. Janice appreciated that and noted that the decrease in funds was announced prior to the COVID crisis.

Buddy Whitt, staff to Sen. Hughes, said that the pilot project for reentry that Sen. Hughes had been interested was partially funded with the new budget. He was not sure how the modified pilot project would work but he would get an update. He said the legislature was waiting to see what further costs will be incurred with the emergency, and he encouraged people to come forward with needs.

Ray Michaelson of the Mat-Su Health Foundation said that legislation had been passed during the recent legislative session that allowed the formation of crisis stabilization centers. There is a crisis

intervention team in the Mat-Su working with a coalition to establish those services. He wanted to highlight this important piece of legislation.

Greg wondered what the intended population was for the centers. Ray said that the expectation is that the centers would serve all comers, using a “no wrong door” approach, as long as they don’t have a life threatening health condition or pose a safety threat. People could come in to address physical health or mental health crises. There will also be a crisis line associated with the centers. Greg thought that might be a good topic for an update at a future meeting.

Education and Incentivizing Participation in Programming

Barbara explained that at the last meeting, one of the topics the group had discussed was how to incentivize participation in programming. Group members had observed that there were many rehabilitative programs offered in DOC facilities but getting people to participate in those programs was a challenge in itself. Group members had mentioned the incentive of getting fried chicken for getting a GED.

Janice said there were several examples of those kinds of tangible incentives available in DOC facilities. Food is always a good incentive; there is a running group at Hiland that gets running shoes. There had been a rumor that those incentives were taken away, which was not true, but DOC did need to bring them into compliance with regulations, so the food can’t be privately cooked food, for example. There are many tangible things that can be provided, to an extent, with DOC’s budget. The broader question is how to get people to the point of understanding what participation in a program can do for them.

Judge Rhoades said that another role she plays in addition to being a Commissioner is organizing a mentorship group called One To One, which matches women who are in reentry with women in community who can coach and encourage them. Women who are reentrants often have more complex needs, including caring for children. Through this program Judge Rhoades has noticed that an effective incentive is that women respond favorably to prosocial relationships and people who are interested in their growth and development. It helps promote self-confidence. She thought the most important incentives are based on relationships. Even in these times, individual relationships can be made while people are inside, to help them understand what programming can do for them once out.

Jon Woodard of the Ironworkers Union said that the Union has done mobile outreach, taking its trailer out to DOC facilities to provide training. They provide a range of incentives. The pizza graduation party was very popular. But more than that, by completing training to get a welding certification, they can use that to apply for jobs once they are out, including with the Ironworkers. They can’t take everyone but they have taken in some from this program. Having a link to a job is a strong incentive, as well as guidance to other apprenticeships; participants are able to use the program to network. Their incentive is the hope that they can make something for themselves. It helps to have programming that is meaningful.

Jon also noted that it is really hard to get a college degree while in prison. He was able to amass the resources to go to college and get dual degrees while incarcerated, which helped him to become the training coordinator for the Ironworkers now. A step by step program would help people stay on track. He observed that the more programming there is, the more peaceful the facility will be, for both inmates and staff.

Greg said that reminded him of meeting with formerly incarcerated folks at Partners for Progress, who said that they did programming while in custody but found that they didn’t get any credit once they were released in terms of complying with conditions of their probation/parole. He observed they had some bitterness about finding out they had to repeat programs. He wondered if anyone else had heard of this issue.

Don said that the Juneau Reentry Coalition hadn’t heard that exactly but wanted to add that, regarding Jon’s comment about the role of hope in incentivization, that hope was also what motivated

himself. They are struggling with scarcity in Juneau, and finding housing has been a real challenge, even more so now. The good news is that the Reentry Coalition and Tlingit-Haida were working hard on trying to overcome that. But meeting that scarcity in exchange for completing programming can be an incentive. If it's something that's needed it will incentivize people.

Judge Rhoades said she thought what Don said was really important. There is a faith-based substance use disorder treatment program in Hiland that helps women get into housing, and also provides continuity of care. Substance use treatment is very important, but there is a lack of assurance that treatment will be recognized by other agencies once a person is released. The Commission has talked about implementing a statewide standard release of information form to improve communication between programs. She thought that was a big area to improve incentivization—if inmates felt that a program was going to count for probation/parole once they are released they will be more motivated.

Alex noted there had been some talk at the prior meeting of college behind bars. He wondered if there was any more interest in that. When people who are incarcerated are involved in education classes, incidents of violence go down.

Jon said that when he had been incarcerated at Spring Creek, they had special programming mods, one of which was a mod specifically for young people in high school, and he was placed there as a mentor. The idea was that the mod would create an environment conducive to learning. People housed in the mod had access to computers in a secure area. Jon said he personally made the most progress toward college while he lived there, and later they began also housing people who were working on college in the mod. Having a living environment geared toward learning was a big help. He knew the model was used widely. Even people that complete a few years can take those credits and transfer them once out. A number of colleges are now completely online. He was able to use that to get an additional degree. Jon explained that he paid for his education and made it happen on own, but it was something that could be provided.

Alex asked if that was an option available in DOC facilities now? He also wondered if there were mods for family violence, such as the ManAlive program.

Janice explained that another part of no frills bill prohibited funding for college behind bars, so any college education must be entirely paid by the people taking the course. Occasionally a provider will offer courses for free. Many years ago Pell grants were available but that was discontinued by the federal crime bill in the 90s. If someone does want to take college courses and has financing, DOC will support them. DOC will also support getting people college credits based on life experience. DOC does not have education mods right now. Jon's program was the Youthful Offender Program operated by the school district in Seward, and has been discontinued. Special mods require a number of people with the right classification, room to move; facilities have been very full in recent years. Also having reentry mods is a good idea, but again it was hard to manage with the state's population and geography.

Janice said that there are also family violence programs in some facilities and they have tried to tie those programs to programs offered in the local community.

Brenda said there were 21 community DV programs around the state but only 3 DV programs in DOC facilities. People convicted of DV crimes also have the highest rates of recidivism. Providers have also identified the need for an evidence-based program to offer in prisons and in the community. She agreed that it should be looked at. But in any event those programs are provided by contractors who can't go in to the facilities right now.

Next Steps

Greg said it sounded like there are some recommendations that could be made based on this discussion, and thought maybe staff could commit those ideas to paper to come up with a recommendation.

From here on out there should be a new workgroup chair since he was stepping down. Judge Rhoades volunteered to take his spot.

Greg wondered if there were any other ideas for the workgroup going forward. Judge Rhoades said she just thought that this was a topic that was hugely important. Being incarcerated can be debilitating, enriching or both. She thought the workgroup needed to be cohesive. She will use staff to reach out to those present. If the workgroup is going to make recommendations, they should be strong, feasible recommendations. She didn't want a recommendation to fall on deaf ears. She appreciated all the work Janice does but working with DOC can be very challenging, having to navigate various statutory requirements and varying missions. She encourage the workgroup to get in touch with her or staff about ideas.

Janice said that DOC was making a ton of changes in how things are done in education and reentry, and would be happy to fill Judge Rhoades in. DOC has created a bunch of workgroups that are putting together recommendations, changing the way education is done inside the institutions.

Talia Eames added that Tlingit-Haida was about to do some really big and exciting things; she was not quite ready to share them yet but would love to connect with Greg and Judge Rhoades about what is on the horizon.

Teresa Capo from the Bristol Bay Reentry Task Force said she would also like to connect with Judge Rhoades and staff.

Public Comment

There was an opportunity for public comment but none was offered.

Future Meetings and Tasks

Barbara said she would compile a list of the workgroup participants and noted the next meeting was set for June 25.