

Alaska Criminal Justice Commission  
WORKGROUP ON BARRIERS TO REENTRY

**Meeting Summary**  
**March 20, 2017, 1:30-3:30 PM**

Attorney General's Office  
Brady Building, 5th Floor Conference Room  
1031 W. 4th Avenue, Anchorage

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

Commissioners: Brenda Stanfill, Dean Williams

Attendees: Rob Henderson (DOL), Doug Wooliver (ACS), Cathleen McLaughlin (Partners for Progress), Rachel Kosakowski (DOC), Alysa Wooden (DBH), John Woodward (public), Donald Revels (Dept. of Labor), Yulonda Candelario (U.S. Attorney re-entry coordinator), Janice Weiss (Mat Su re-entry), Steve Williams (Mental Health Trust Authority), Stacie Kraly (DOL), Shea Siegert (Rep. D. Johnson), Barbara Armstrong (AJC-ret.).

AJC Staff: Susanne DiPietro, Barbara Dunham, Brian Brossmer.

### **1. Reentry Coalitions**

- Alysa Wooden
  - o First technical assistance training occurred on March 9 and 10, 2017; working with case managers to ensure that they have the training they need.
  - o What's next:
    - Kenai hired reentry coordinator
    - Kenai and Nome in their assessment phases
  - o Asked whether there is any assistance that they need or that the Commission can provide
    - Be sure to loop in as appropriate
    - State will operate tracking mechanism via AKAIMS, which will provide data.
- Yulonda Candelario
  - o Yulonda Candelario recently brought on; new re-entry position in US attorney's office.
  - o Working to build statewide resources for reentry
- Brenda Stanfill
  - o Specific things that are being measured in coalitions?
- Dean Williams
  - o Are there targeted goals of the coalitions?
- Steve Williams
  - o Two funding streams FY17 (Trust – Anchorage, Fairbanks, Juneau and Matsu @ 100k/each; Recidivism reduction funding (State) – Kenai @ 50k, Nome @ 25k); also, an RFP is outstanding so total could increase by 75k (25k each for Bethel, Dillingham and Ketchikan)
    - Coalitions were already in existence in communities; developed at grassroots

level. As a result, each coalition is different but all have the common goal of reentry.

- The goals of the coalitions include the following: provide reentry services in the communities, interface with community (build support), and liaise with DOC re. barriers they are seeing on the ground.
- Recidivism reduction is overall goal.

## 2. Barrier Crimes regulations

- Stacie Kraly
  - Advised Dept. of Law agency review has been completed. Next step is a technical edit performed by DOL legislative attorney.
  - Will send a copy of the regulations to the committee.

## 3. Removal of SNAP ban for certain felony offenders – implementation issues

- Question: for individuals who are no longer overseen by DOC, are there issues getting access to SNAP benefits, are there issues getting someone to ‘sign off’ on eligibility.
- Cathleen McLaughlin
  - No recent issues. Partners regularly signs individuals up for Medicaid and SNAP. Janice Weiss will email the other re-entry coalitions to see if their SNAP-eligible clients are having problems receiving the benefit.

## 4. Ban the Box

Staff have circulated additional information on ban the box.

- Brenda Stanfill
- the question is whether or not to support ‘ban the box’ based on the research – memo from Barbara.
  - To whom would it apply (State/private)
  - Governor indicated last summer he would implement it via executive order, but has not done so to date.
  - Some research seems to indicate that by removing that question, employers are using other means by which to screen individuals – e.g., apparent ethnicity of a name.
- Rob Henderson
  - If ban the box is limited to State employment, the Governor only needs to sign an executive order; to extend to all employers the Commission would need to recommend and the legislature pass a statute.
  - How good are the studies – methodologies? **Brian will check on methodologies, strength of findings, and report back to the group.**
- Cathleen McLaughlin
  - Target (a private employer) has banned the box; as a result, they seem to be hiring more people who have accessed services at the reentry center – getting to the interview prior to

- disclosure appears to help.
- Donald Revels
    - o Much of Dept. of Labor supports ban the box as a concept but often there are hard barriers that come up via background checks, which ban the box alone would not remove.
  - John Woodward (Public)
    - o Background checks and internal company/agency policies have been barriers, not just banning the box
  - Barbara Dunham – is it possible to change employer thinking, for example, incentives?
    - o Donald Revels - Fidelity bonding; work opportunity tax credit
  - ***Make a decision by May meeting on whether to pursue.***

## 5. Expungement, Clemency, Sealing Records

Staff have circulated information on the various clemency options:

- Certificates of Relief—see Susie Dosik’s Employment Barriers Option Memorandum
  - Record sealing—See Memo re: record sealing
  - Expungement and Limiting access to criminal case records—See Alaska Justice Forum Article
  - Pardon and Commutation—See CCRC Guide to Pardon, Expungement & Sealing
- Brenda Stanfill
    - o Pursue all options or focus on the best one?
  - Dean Williams
    - o Support developing an expungement proposal. Particularly around youthful offenders, criminal history is a major hurdle; a conservative, small approach as a proof of concept, which could be built upon in 5 years, should be considered. Distinct from pardons or any case-by-case system, the policy ought to be automatic and apply to all qualifying offenders.
  - Susanne DiPietro
    - o ***By March 31, workgroup members submit thoughts about how to draft a proposal:***
      - Things to consider: What do we mean by “expungement” – remove case from public Courtview, make court case file (paper record) confidential; make notation on APSIN; allow person to claim that he or she was not convicted, etc.; to what offenses should it apply (e.g., felony or misdemeanor; property versus person crimes); how much time should elapse before expungement available.
  - Yulonda Candelario
    - o Experience from Texas, expungement goes through the court, must show genuine reentry into society, reason why record should be changed (barrier to job, etc.); judge decides
  - Barbara Armstrong
    - o Will send link to updated list (50 state comparison).

## 6. Employment- Comments for the Alaska Workforce Investment Board

AWIB is interested in reaching out to employers and HR groups on hiring returning citizens.

- Fidelity bonding, and work opportunity tax credit – ***are these in use, are there problems with their use?***
  - o ***Invite to next meeting***

## **7. Public comment**

- John Woodward
  - o Re. Ban the box: legislation should move forward on this notwithstanding unintended consequences. It should apply as broadly as possible.
  - o Re. expungement, ought to work in a way similar to restoration of rights (that is, in the same way that an individual can regain voting rights, serve on a jury, etc.); for certain crimes, let an amount of time pass beyond probation, after which expungement is triggered.
    - Even if records exist on third-party sites, this would provide individuals with far better legal footing.

## **8. Next meeting – May**

- Barbara will send an email to set.

## **To do**

1. Brian Brossmer will review studies of the effects of “ban the box” and report back before the May meeting on methodologies and strength of findings.
2. At our May meeting, this group will make a decision whether to pursue a recommendation for banning the box in Alaska.
3. By March 31, workgroup members agreed to submit thoughts about how to draft a proposal on expungement. Susanne will send a separate email reminder about this.
4. Invite Ak Workforce Investment Board to make a presentation at May meeting about who they are, what they do. Talk to them about fidelity bonding, work opportunity tax credit.
5. Barbara send email to set May meeting; participants will respond timely.