

ACJC Workgroup on Pre- and Post- Trial Laws and Processes
Staff Notes and Member Assignments
January 27, 2015 meeting, 2- – 4:00 PM,
Denali Commission, 510 L Street, 4th Floor

Commissioners Present: Alex Bryner, Quinlan Steiner, Stephanie Rhoades, Trevor Stephens (tel.)
Commissioners Not Present: Jeff Jessee, Ron Taylor
Staff: Susanne DiPietro (Notetaker), Mary Geddes, Teri Carns
Participating: Bob Linton, Nancy Meade,

Next Meeting: Friday, February 20, 3:00- 4:30 PM AG's Offices (Anch and Jun) and Ketchikan Court

The next workgroup meetings (all in Anchorage) will be rescheduled so as not to conflict with the judiciary committee meetings.

Bail Survey. Workgroup members discussed the bail survey methodology and the questions. It was agreed that AJC staff will rework the questions and load them into Survey Monkey for electronic distribution. Steiner, Linton, Stephens, and Rhoades will distribute the survey via email to a number of “key informants” within their organizations chosen to give the most informative views of bail problems and practices from a variety of geographical areas within the state.

Linton indicated that he was tentatively planning to send them to all DA's and Anchorage staff. Stephens said that he was going to be meeting with other judges on February 7 and would discuss survey with them.

Unsentenced Inmates. The group agreed it needs more information about the 40% of DOC inmates who are unsentenced, i.e. that the percentage alone did not identify or analyze the problem. Comparisons to other jurisdiction is not always helpful but some statistics do not necessarily show there is a particular problem in AK in the percentage of unsentenced prisoners. Rhoades agreed that we need more data. Are they mostly violent or nonviolent? Do they have FTAs? What is the impediment to pretrial release for them? Are they being sentenced to time served or less? Are some of them Title 12 restoration people? Susanne noted that if inmates are serving most/all of their sentence prior to sentencing, they won't get needs assessments done and they won't get referred to or participate in programs. She also noted that the high success rate of 24/7 (low number of dirty test and few remands) indicates that we are overincarcerating on a pretrial basis.

Rhoades indicated that one focus has to be on the misdemeanants population. There is no opportunity for programming, they don't get probation, highest rate of recidivism.

Workplan development. See next page. Please review for errors and assignments.

**PRE- AND POST- TRIAL LAWS AND PROCESSES
WORKPLAN & PRIORITIES--DRAFT FOR REVIEW (2-9-15)**

1. Bail

Bail survey	Finalize and deploy before next mtg (should take a month)
Pretrial Risk Assessment Tools	Discuss at next meeting
Review/Survey of possible reforms	End of Feb.
Technical barriers to release (review statues and presumptions)	During month of March, complete by March 31 (Steiner and Rhoades)

Discussion: Ultimately we will need to synthesize information. Questions to be addressed: can our pretrial population safely be reduced and how; does pretrial detention disproportionately impact certain groups (i.e., mentally ill); are pretrial detention practices fair; any information about the rate of offending on pretrial release (sources: FTA's, bail forfeiture, VCR); what is the average length of stay pretrial (time-to-disposition). NB: Hornby Zeller has length of stay information. NB: Both MOA and Southeast DAs file VCR. Perhaps we need a small study of those to gauge rate of re-offense. Nancy Meade can obtain # of VCR charges.

2. Title 12

Obtain report commissioned by MHTA	mid-March due date
Review and develop recommendations	March – April (DOL, Rhoades, Steiner)

3. Probation & Parole

Eligibility for discretionary release/ Delay in discretionary parole	Next meeting
Use of PACE for parole violations (invite Parole Board member)	?
Steiner proposal to restructure parole	March – April
Medical parole and elderly inmates	April

Discussion: There have been reports of delays in the processing/release of eligible persons on discretionary parole. Linton indicated he would like to find out more about parole and if cases are not getting processed, why not. There was also interest expressed in learning more about medical parole and handling of aged inmates. Steiner reiterated his interest in changing the manner by which revocations of mandatory parole (good time release) are handled. Mary will contact Ron Taylor and Parole Board staff for more information.

4. Other Pretrial Release Topics

Identify additional topics	End of Feb.
Electronic Monitoring- invite Billy Houser What are barriers to its use for pretrial?	March meeting
What other programs could enable pretrial release? Intensive pretrial release monitoring?	February (Stephens will discuss/distribute info from KY)