

ACJC Rural Justice Work Group
ACJC Data Work Group
Staff Meeting Notes February 9, 2015
@Attorney General's Office, 1031 4th Avenue, Room 502, Anchorage

Commissioners present in Anchorage: Greg Razo and Quinlan Steiner.

Commissioners absent: Terry Vrabec, Alex Bryner

Staff: Susanne DiPietro, Mary Geddes. Teri Carns (notetaker)

Present on phone: Nicholas Gasca

Participants: Greg Olson (DA's office), Andre Rosay (Director, UAA Justice Center), Helen Sharratt, Chair of MAJIC, Jackie Schaeffer

Next Meeting: **Tuesday, March 3, 9-11 at the Atwood Conference Center**

The first hour of the meeting was a joint meeting with the Data Work Group, to hear from Helen Sharratt, Chair of MAJIC, about data issues of interest to both work groups.

Ms. Geddes noted that this was a public meeting, and members of the public would be welcome to comment or ask questions at appropriate times.

Presentation of MAJIC work

Ms. Sharratt said that MAJIC (Multi-Agency Justice Integration Consortium) was formed about ten years ago so that people involved in creating and managing databases in criminal justice agencies could improve their ability to share and analyze data about the system. Her position as an employee of the court system, designated to manage MAJIC's work, involved writing grants, handling projects, coordinating meetings, and researching best practices for sharing data in other jurisdictions. Members of the group include IT people in state and local agencies, research analysts, and representatives from UAA. Each member agency has signed a memorandum of agreement about the purposes of the group, and the roles of members.

The group meets bimonthly to share information about changes to information systems, learn about national standards for systems, and plan projects. Among the projects have been a demonstration project for GRA standards (Anchorage Municipality exchange of citation information with the court system), electronic bail conditions system in Fairbanks, and support for the use of the APSIN ID number as the identifier used to share data across agencies.

Committee members briefly discussed a MAJIC-sponsored pilot program for electronic exchange of discovery in Juneau. Mr. Olson said that the pilot project will eventually be replaced by the Department of Law's new management system for criminal cases, which is known as PBK (Prosecutor by Karpel). That project appears to be on schedule, and should be fully in place within the next year or so.

Ms. Sharratt said that one MAJIC issue was how to make its recommendations more effective. At one point, the Department of Law was looking into the possible relationship between the Criminal Justice Information Advisory Board that is established by AS 12.62.100 as a result of recommendations made by the Alaska Sentencing Commission in 1992. The CJIAB met for a couple of years in the mid-1990s, and then again for about 18 months in 2012 and 2013. Ms. Sharratt noted that from her perspective, the CJIAB has all of the major stakeholders who should be involved in the governance of MAJIC, but is missing representatives of local law enforcement and other groups who have an interest in the sharing of criminal justice data.

Mr. Razo suggested that the Rural Justice Work Group recommend to the full commission that the CJIAB consider the means of governing the use and sharing of criminal justice data. Ms. Geddes noted that a similar recommendation was made by Governor Walker's transition teams. Ms. Di Pietro proposed wording for the recommendation: "The governor should direct the DPS Commissioner and statutory members of the CJIAB to reactivate the group, and direct it to consider how best to govern criminal justice data exchanges and sharing." Members present agreed to forward the recommendation to the Criminal Justice Commission.

Results First, Pew Trust

Ms. Di Pietro said that the Pew representatives for this program will be coming to Alaska to meet with state officials. She has been working with the Governor's office and key legislators, as well as testifying before the Senate Judiciary Committee about what Pew offers for both the Results First and the Justice Reinvestment programs. Mr. Razo said that he would appreciate having talking points about Results first that he could share with AFN board members. Ms. Di Pietro and Andre Rosay, director of the UAA Justice Center said that they would provide those, along with a PowerPoint presentation and a short video.

Ms. Di Pietro said that some issues will need to be worked out with the current Results First proposal, including who decides about the use of data and the priorities for analysis. She said that agencies would provide their data to the proposed Statistical Center, and would need assurances about its uses and their opportunities for receiving analyses back. Ms. Carns noted that there were two separate issues – sharing and integrating data in real time, and statistical analyses of data for evaluations, cost-benefit analyses, and other research.

Rural Justice Committee topics

Tribal court activities Nicholas Gasca of Tanana Chiefs Conference (TCC), and Jackie Schaeffer from the Department of Law discussed the civil diversion agreement that the Department of Law and the tribes are considering. Mr. Gasca said that it is a civil diversion agreement for some misdemeanor offenses to be diverted to tribes for resolution. The offenses would include Assault 4, domestic violence-related offenses, and others. The tribe or tribal court could order restitution, conduct circle sentencing-style interactions with the defendant, or take other restorative justice actions. Between ten and twenty tribes who are members of TCC are looking at the agreement, and TCC staff are working with them to encourage its adoption. Mr. Razo

said that different tribes will want to include different offenses and remedies, and that diversity is an expected part of the process.

Ms. Schaeffer said that the time frame is uncertain because the current clauses related to tribal sovereignty and limited immunity are issues for the tribes. Mr. Gasca said that TCC hopes for a draft by March. Mr. Razo said that AFN has set development of tribal courts as a priority, and will help in any way possible with the agreement.

Recommendations about rural justice from the governor's transition teams

Ms. Geddes listed rural justice recommendations made by the governor's transition teams, including public safety and corrections. They included:

- More restorative justice;
- Reconvene the Rural Justice and Law Enforcement Commission;
- Pretrial diversion programs;
- Review sentencing provisions to assure that they do not systemically disadvantage minorities or rural residents;
- Provide more data about rural areas;
- Provide more support and training for VPSOS, and improve the VPSO program;
- Improve services in the rural areas, including increasing availability of treatment, jail beds, and other services;
- Increase the number of tribal courts; and
- Try new approaches to resolving rural issues.

Recidivism reduction plan recommendations

Ms. Geddes said that the statutory group that was working on a plan to reduce recidivism also made recommendations related to rural areas:

- Partner with Native organizations to reduce recidivism in rural areas; and
- Create an Alaska Justice Information Center.

She said that other CJC committees are working on bail issues and pretrial diversion. Mr. Razo said that the governor has taken an interest in rural matters, and the attorney general is familiar with the tribal issues.

Ms. Geddes said that a plan to close community jails in rural areas was announced recently. Mr. Olson said that doing so will drive up transportation costs for incarcerated people. Ms. Geddes said that some Kodiak offenders were being put on electronic monitoring. Mr. Steiner said that too many people are held in custody before trial. He added that the percentage of defendants who are found qualified for a public attorney has risen from about 70% to about 85%.

Work Plan

Members agreed that several topics needed to be addressed. These included

- The special problems of Natives detained pretrial in rural areas;
- The need to improve chances for rehabilitation, thus reducing recidivism, by increasing use of the existing Native health care structures already in place in rural areas.
- Consider changing standards for imposing bail in rural areas to assure relevance of conditions imposed. Consult with rural magistrate judges to call on their experiences.
- Review proposals for pre-trial diversion programs.

Members discussed outreach to rural groups to gain perspective on their needs and proposed solutions. Ms. Sharratt offered to provide names of local government specialists with whom she is working to redraft ordinances. Ms. Geddes said that she and Mr. Razo would draft a plan for notifying the public of meetings, and for sharing information about the Commission's activities.

Next meetings

Members agreed to meet again on Tuesday, March 3, and Tuesday, April 7, from 9:00 a.m. to 11:00 a.m.