

Alaska Criminal Justice Data Analysis Commission

Meeting Summary

Thursday, October 6, 2022

3:00 p.m.

Via Zoom

Commissioners Present: Jean Achee (Lt., Sitka Police Department), Samantha Cherot (Public Defender), Matt Claman (Alaska House of Representatives), Alex Cleghorn (Alaska Native Justice Center), James Cockrell (Comm. Dept. of Public Safety), David Mannheimer (Ret. Judge, Court of Appeals), Mike Matthews (Research Analyst, DOC), William Montgomery (Bethel District Court Judge), Tony Piper (DBH), John Skidmore (Depty Atty Gen, Criminal Div. Dept of Law), Brenda Stanfill (representing victims, interim), Trevor Stephens (Ret. Judge, Ketchikan Superior Court), Steve Williams (CEO, Alaska Mental Health Trust; Katie Baldwin Proxy), Brian Wilson (Capt. Anchorage Police Department), Jen Winkleman (Comm, Dept. of Corrections), John Yoakum

Commissioners Absent: Alaska State Senator Roger Holland

Participants: Andrew Gonzalez, Brad Myrstol, Troy Payne, Nathan Weber (all UAA Justice Center and AJiC); Diane Casto and Catherine Mohn (CDVSA), Lizzie Kubitz (Rep. Matt Claman's office), Melan Paquette (public), Chanelle Luna (?), DPS

Staff: Susanne DiPietro, Brian Brossmer, Teri Carns

Welcome to First Meeting, Agenda

Judicial Council Executive Director Susanne DiPietro welcomed the members of the Alaska Criminal Justice Data Commission to the initial meeting. She asked Representative Matt Claman, as sponsor of HB 291 that created the commission, to describe its origins and purpose. Rep. Claman welcomed commission members and noted that the main differences between the Alaska Commission on Criminal Justice and this group were:

- The membership was modified in the new legislation, so that this group has the Deputy Attorney General for Criminal Affairs as the designated member; it has two peace officers, one rural and one urban; it gives voting status to the Dept. of Health; and it includes a person convicted of a felony offense who has been unconditionally discharged.
- The ACJ Data Analysis Commission responsibilities include research and analysis, an annual report, and recommendations only when requested by the legislature, executive branch, or court.

Ms. DiPietro thanked Rep. Claman, and asked if any member had changes to the agenda. Members approved the agenda without objections.

Introductions

Ms. DiPietro asked members to introduce themselves, in the order in which they were listed in the legislation. Ms. DiPietro introduced the Judicial Council staff who were present, and University of Alaska Justice Center and Alaska Justice Information Center staff who were present.

Election of Chair

Ms. DiPietro asked for nominations for Chair of the commission. Ms. Baldwin nominated Matt Claman, and Ms. Cherot seconded the motion. Judge Stephens said he thought that Rep. Claman was a good choice, but noted that he was running for the State Senate, and wondered how that would affect his service on the ACJ Data Analysis Commission. Rep. Claman said that the new Senate President would decide who would be the representative to the commission after the legislature organized; he would like to continue, but it would not be his decision. Ms. DiPietro called the vote on the motion; Rep. Claman was elected as Chair with no opposition.

As his first order of business, Rep. Claman asked others on the Zoom call to introduce themselves.

Statutory Provisions for the ACJDAC

At Rep. Claman's request, Ms. DiPietro reviewed the statute creating the commission and setting out its duties and responsibilities, using the materials provided to members before the meeting.

She said that members must comply with state Ethics requirements, and that staff could provide training for that using Dept. of Law materials. Members are not required to submit financial disclosures; they are not compensated (other than per diem and travel expenses); and must comply with the Open Meetings Act (e.g., any gathering of three or more members at which commission business is discussed requires public notice and must meet other requirements of the Open Meetings Act). Members said that they would appreciate having the ethics training provided at a future meeting.

Election of Vice-Chair

Ms. Cherot said that she believed that it was important to have a Vice-Chair, and nominated Mr. Cleghorn for that position. Mr. Piper seconded the motion. Rep. Claman asked if there were other nominations. Hearing none, he asked if there was opposition to approving Mr. Cleghorn as Vice-Chair. There was no opposition.

Public Comment (3:45 p.m.)

Rep. Claman said that 3:45 p.m. had been set aside as a time for public comment. Ms. Melan Paquette commented that the state's Sex Offender Registry was incomplete, that some information was incorrect or out-of-date, and that the profiles shown were often incorrect. She asked that her emails also be considered as public comment (email attached). The comment period remained open until 4:01 p.m., and no other members of the public commented.

Annual Report

Ms. DiPietro said that the legislation requires an annual report on November 1 of each year. The language could be interpreted to require the first report after the commission's first year of work, which would be November 1, 2023, or that a report is due on November 1, 2022. She noted that staff is prepared to do a report by November 1, 2022, and provided members with a partial structure for that (missing the data required to be provided by other agencies). An in-person meeting before November 1 likely would be required for approval of any report that the commission decided to send by that date, because the commission is not able to take action such as approving a report without convening in a meeting.

Rep. Claman said that three weeks was probably not enough time for members to review and approve a report; the schedule used in prior years by ACJC allowed two full months for the process. Ms. Cherot said that the ACJDAC would have much more meaningful data in a year, although she was not opposed to doing a report by November 1 of this year. Mr. Skidmore agreed with Ms. Cherot, noting that the members will need to have substantial discussions about the types of data to be collected and analyzed.

Mr. Cleghorn concurred that three weeks was not enough time for a report. He added that he was looking forward to seeing data sooner than next fall, especially for sex offenses. Mr. Skidmore said he hoped to have a report from the DOL in the next few weeks.

Mr. Skidmore moved that the ACJDAC submit its first annual report on November 1, 2023. Ms. Cherot seconded the motion, and members approved it without opposition.

Research Agenda

Rep. Claman said that the statute requires certain types of research. Mr. Skidmore said that required work included analyses of recidivism, efficiencies, and effectiveness and funding of programs that promote rehabilitation. In addition, Department of Law is required to produce the report on sex offenses. He added that the commission might be interested in other topics as well.

Rep. Claman said that a subcommittee might be helpful to review what the previous commission found. Judge Mannheimer asked if the commission had the authority to require agencies to provide certain data. Ms. DiPietro said that the statutes set out data that the court system, DPS and DOC must provide to the commission. The Council has a Memorandum of Agreement with DOC to implement the statutory provisions for what is to be provided, and is working on a similar MOA with DPS. Judge Mannheimer asked if the commission could require agencies to send additional data not specified in the statute. Ms. DiPietro said that the commission could ask for but not require other data. Some types of criminal justice information are governed by federal laws that restrict its use. Mr. Skidmore said that the Dept. of Law already collects some types of data, and the commission could ask for access to that. Rep. Claman said that both the Council and AJiC are familiar with national trends and can provide data to the commission about those.

Dr. Myrstol said that he had observed that the ACJC did work in five general areas, and listed those as background for discussion of the new commission's work. They were:

- Recidivism: Knowing the drivers of recidivism would help develop effective programs;
- Return on Investment: The costs of crime and justice;
- Assessment of particular programs and policies to see if they were meeting their objectives;
- Focus on Intimate Partner Violence and sex offenses – the ACJC had separate subcommittees for studying these topics; and
- Behavioral health, victimization, and crime prevention.

Rep. Claman said that the statute also required that the ACJDAC look at ways to eliminate unjustified disparity, reduce recidivism, and look for ways to help meet the needs of victims. He said that the subcommittees aided the work of the commission.

Rep. Claman proposed that the commission should create subcommittees at the next meeting, as well as discussing the statutory definition of recidivism and other aspects of the question. Ms. DiPietro said that ACJDAC members could review the archived materials from the Alaska Criminal Justice Commission at <http://www.ajc.state.ak.us/acjc/index.html>. Rep. Claman suggested that the ACJDAC could create a subcommittee to work on a research agenda.

Mr. Matthews said that the DOC has data from all phases of incarceration including pretrial. The department produces a series of reports that he can share with the commission.

Ms. Stanfill said that trial delays, restorative justice and work with tribes, and further review of victims' rights were needed. She hoped that the subcommittees, with their representation from other groups and communities would be a part of the ACJDAC's approach.

Next meetings

Rep. Claman said that the ACJDAC could meet in early November and again in early December, if possible, and have a research agenda by the end of 2022. Members considered possible dates, and agreed to work with Ms. DiPietro to find dates that allowed most members to attend. They agreed that meetings could be hybrid to allow all members to participate, with some in person. Ms. DiPietro said that staff would work with members to set dates for an all-day meeting, and possibly a shorter followup meeting.

Adjournment

Mr. Skidmore moved to adjourn, and Ms. Cherot seconded the motion. There were no objections. The meeting adjourned at 4:45 p.m.

Email from Ms. Malan Paquette

From: Yahoo Mail <malanpaquette@yahoo.com>

Sent: Thursday, October 6, 2022 9:45 AM

To: Susanne DiPietro <SDiPietro@ajc.state.ak.us>

Subject: [EXTERNAL]:Re: [EXTERNAL]:Ak Criminal Justice Data Analysis Commission 10/06 meeting

Thank you. I plan to provide public comment on what I believe to be loopholes in which offenders required to register are released without public profiles. Among other SOR public presentation anomalies that, in my opinion, do not meet statutory obligations of this public database. And encourage state office focused resolve needed on the retention of address information while offenders are incarcerated. And observable disparity among incarcerated profiles where some have details on employment while sentence is several years and offender couldn't possibly be employed in all actuality, in which many incarcerated are reportedly in a different city of incarceration than what SOR is presenting.

Sincerely,

Ms. Malan N. Paquette, MA