

# ALASKA CRIMINAL JUSTICE DATA ANALYSIS COMMISSION

-- November 1, 2025 --

2025 ANNUAL  
REPORT TO THE  
LEGISLATURE AND  
THE GOVERNOR

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# EXECUTIVE SUMMARY

## *About the Commission*

The Alaska Legislature created the Alaska Criminal Justice Data Analysis Commission (Commission) in 2022 to collect and analyze available data pertaining to the functions, operations, and outcomes of Alaska's criminal justice system. The main sources of the Commission's data are the Department of Corrections, the Department of Law, the Department of Public Safety, and the Alaska Court System. The Commission reports annually to the Legislature and the governor. This document is the Commission's third annual report.

As specified in Alaska Statute 44.19.642(a), the Commission's sixteen members comprise the heads of each executive-branch department and agency associated with criminal justice, one member from each house of the Legislature (these two members are non-voting), an appellate judge, a superior court judge, and a district court judge (either active or retired), two peace officers (one serving in an urban community and one serving in a rural community), a representative from the Alaska Native Justice Center, a representative from a victims' organization, a representative of the Alaska Mental Health Trust Authority, and a person jointly designated by the Public Defender Agency and Department of Law who has been convicted of a felony and been unconditionally discharged. Another provision of the statute directs the Alaska Judicial Council to provide staff and administrative support to the Commission.

## *Overview of this Report*

The Commission analyzed criminal justice statistics from 2024 and 2025 compared to past years to identify areas for improving the criminal justice system. It carried out special projects including a major report about domestic violence, a survey of data available about victims in Alaska, and compilation of data from case files about pretrial release and time to disposition. The report includes information required by statute from executive branch agencies and state-funded organizations about their treatment programs and crime prevention activities.

The following are highlights of this report.

## *Criminal Justice Statistics*

Outcomes and trends pertaining to prevention, reported crime, arrests and dispositions, processing time, sentencing, incarceration, reentry, and recidivism are discussed below.

**Crime Prevention:** Analysis of risk assessments from the Department of Corrections over the past ten years continues to show that for people convicted of felonies, association with other individuals involved in crime (80%), an alcohol or drug problem (75%), lack of engagement in community activities (60%), and issues with mental health (60%) are the most important factors related to their conviction. Because this research was only conducted for incarcerated, convicted felons, it cannot be used to design primary crime prevention programs, but may suggest directions for further research (p. 5).

**Reported Crime Rates:** Although Alaska's rate of violent crime (homicide, rape, robbery, and aggravated assault) reported to law enforcement continues to be significantly higher than the US

rate (728 per 100,000 residents in 2023 in Alaska compared to 364 per 100,000 residents in the United States, p. 15), Alaska's violent crime rate declined between 2022 and 2023 (Figure 3, p. 15). The violent crime rate in the United States also declined since 2022. Reported property crime dropped in both Alaska and the United States over the last five years (Figure 4, p. 16).

**Arrest Rates:** Statewide, the number of arrests declined between 2023 and 2024, continuing a trend that began in 2019 (arrests decreased by more than 30% between 2024 and 2019). This decrease was larger in the Second and Fourth Judicial Districts and smaller in the Third Judicial District (Table 1, p. 18).

**Bookings:** The number of people booked into incarceration facilities in connection with an alleged felony crime has declined overall since 2019, for both violent and nonviolent offense (Figure 12, p. 28). There were relatively sharp increases and decreases during 2020 and 2021, most likely related to the pandemic.

**Criminal Court Cases Filed:** Fewer criminal cases were filed in 2024 compared to 2023 (a drop of 9%), continuing a downward trend that began during the 2019 to 2020 time period. Between 2024 and 2019, total case filings decreased by 38%, the number of felony case filings decreased by 20%, and the number of misdemeanor filings decreased by 43% (Table 2, p. 32).

**Court Dispositions:** The total number of cases disposed of in 2024 increased slightly compared to 2023 (22,356 compared to 21,713); however, the total number of cases disposed of in 2024 was still lower than the number disposed of in 2019 (26,705 compared to 22,356 – a drop of 16%) (Table 4, p. 47). The fact that case filings declined by 38% while case dispositions dropped by 16% reflects a backlog of cases, probably associated with staffing shortages and trial delays experienced during the COVID restrictions (2020 - 2023).

Between 2019 and 2024, convictions have become a smaller percentage of case dispositions, while dismissals have increased (Table 4, p. 47). Cases ending in a conviction declined by 31% over that period, while dismissals increased by 9%.

**Percentage of Cases with Reduced Charges:** Between 2017 and 2024, among criminal cases that resulted in at least one conviction, severity declined in 18% of the cases (p. 52). A significant portion of felony cases are resolved with reduced charges; very few misdemeanor cases resolve with reduced charges.

**Time to Disposition:** The mean and median times to disposition increased for both felonies and misdemeanors between 2017 and 2021. Starting in 2023, however, times to disposition have been decreasing (Table 11, p. 69). The improvement since 2023 is likely a result of fewer filings combined with system-wide efforts to monitor the age of pending cases and eliminate unnecessary case delay. Despite recent progress, times to disposition remain longer than in 2019 and prior years.

**Sentencing:** Convicted individuals can be sentenced to probation only, some incarcerated time (often with a period of probation following), fines, and restitution. Between 2019 and 2025, the mean active sentence length increased both for people convicted of felonies and those convicted of misdemeanors (Figure 30, Figure 31, and Figure 32, pp. 59 to 60). Data suggests that an increasing number of incarcerated people are serving time for conviction on a violent felony crime since 2019 (Figure 34, p. 63).

**Recidivism:** The most recent recidivism analysis shows that recidivism is slightly less in 2022 (the most recent year for which data is available) than it was in 2019 for both the statutory definition of recidivism and alternate ways of viewing recidivism (Figure 48 and Figure 51, pp. 81 and 84).

### *Special Projects*

In addition to compiling and analyzing the data required by statute, the Commission started or completed several special projects during 2025.

**Domestic Violence Report:** The Commission published a report on the incidence and nature of domestic violence cases and processing between 2017 and 2024. Among the findings described in the report's executive summary:

- One-quarter (26%) of all court cases filed involved domestic violence, as defined in Alaska statutes. At conviction, about 20% of cases still included at least one count of domestic violence.
- The percentage of domestic violence cases (one or more charges) that were resolved by dismissal increased from 40% in 2017 to 51% in 2024.
- The number of cases involving domestic violence varied significantly by geographical region, with more rural communities having a much higher rate of arrests and convictions involving domestic violence than communities on the road system (Southeast Alaska was generally an exception to this finding).

**Survey of Organizations with Victim Information:** The Commission surveyed 46 organizations that worked with victims throughout the state about their data collection practices and their ability to compile and share data about victims' needs and interests. Based on the groups that responded, representing most of those surveyed, two primary sources of information appear to be available: the FBI National Incident-Based Reporting System (NIBRS) database and Vela, a database used by the members of the Alaska Network on Domestic Violence and Sexual Assault. Most law enforcement agencies will be using NIBRS by early 2026. Victims' organizations in the state were willing to discuss sharing their data with appropriate safeguards for victim confidentiality. Commission members concurred that further work on victim information should wait until NIBRS data becomes available. The agencies involved will report on their progress next year.

**Guide to Common Criminal Justice Terms:** Definitions for Pre-indictment Hearings, Bail Schedule, Parole, and Probation were added or updated in 2025 ([Appendix E](#)).

**Pretrial Practices Study** (ongoing): This study documents various aspects of the pre-disposition phase of criminal cases. Research topics include the conditions of release set by judges (e.g., bail, pretrial monitoring, third party custodian, and electronic monitoring), defendants' risk levels as determined by Alaska's pretrial risk assessment instrument, which defendants are released pre-disposition, and the length of the pre-disposition phase of the case. Analyses expected to be performed include: any evidence of disparities that may be associated with characteristics such as sex, race/ethnicity, and urban/rural location; the effects of pre-disposition incarceration on the manner of disposition and the length of sentence; and any differences among defendants who are monitored by Pretrial Services and those who are not.

**Probation and Parole Study** (ongoing): This study reviews data about probation and parole, including legislative changes since 2015, and other materials (including stakeholder interviews, DOC interviews, attorney interviews, and probationers/parolees) to assess questions about the efficacy of probation and parole supervision.

**Sex Offenses Study** (ongoing): This is a study to better understand sexual assault, sexual abuse, and other sex offenses; to update data originally published by the Alaska Criminal Justice Commission in 2019; and to create a baseline of data about sexual assault cases before implementation of recent legislative changes to the definition of “consent.”



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# INTRODUCTION

The Alaska Criminal Justice Data Analysis Commission (Commission) was created by the Alaska Legislature in 2022 to collect and analyze criminal justice data for the Legislature, executive branch, courts, and public. To conduct these analyses, the Commission receives data from the Alaska Department of Corrections, the Alaska Department of Public Safety, the Alaska Department of Law, and the Alaska Court System, among other sources.<sup>1</sup> The Commission analyzes these data to understand how the criminal justice system works in Alaska, and is required to track outcomes, trends, efficiencies, and the effectiveness of the criminal justice system,<sup>2</sup> including:

- **Risk factors** related to criminal activity.<sup>3</sup>
- The needs and views of **victims**.<sup>4</sup>
- **Crime** and **incarceration rates**, including the rate of violent crime and the abuse of controlled substances.<sup>5</sup>
- The efficacy of **parole** and **probation** in ensuring public safety, achieving rehabilitation, and reducing recidivism.<sup>6</sup>
- The means of promoting uniformity, proportionality, and accountability in **sentencing**;<sup>7</sup> and alternatives to traditional forms of incarceration.<sup>8</sup>
- The adequacy, availability, and effectiveness of **treatment** and **rehabilitation programs**;<sup>9</sup> and descriptions of state-funded treatment programs designed to promote rehabilitation, such as substance use/misuse, mental health, and violence prevention programs.<sup>10</sup>
- **Recidivism** rates measured as the percentage of convicted defendants who are booked into, or who return to, a correctional facility within three years after release or the date of conviction.<sup>11</sup>

During 2024, the Commission met six times. At these meetings and at the meetings held in 2025, the Commission developed its annual research agendas, reviewed information and data compiled by staff and by other researchers, refined analyses and oversaw the development of written reports, and took public comment. The results of these activities and other analyses and research conducted during the preceding year are compiled into the Commission's annual reports, which must be submitted to the Legislature and Governor each November.<sup>12</sup> This is the Commission's third annual report. Prior reports are posted on the Alaska Judicial Council website at: <https://www.ajc.state.ak.us/publications/index.html>.

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<sup>1</sup> AS 44.19.645(e)-(g).

<sup>2</sup> AS 44.19.645(c)(2) and AS 44.19.645(a)(2).

<sup>3</sup> AS 44.19.645(i).

<sup>4</sup> AS 44.19.645(a)(1)(B).

<sup>5</sup> AS 44.19.645(a)(1)(G).

<sup>6</sup> AS 44.19.645(a)(1)(E).

<sup>7</sup> AS 44.19.645(a)(1)(C).

<sup>8</sup> AS 44.19.645(a)(1)(D).

<sup>9</sup> AS 44.19.645(a)(1)(F).

<sup>10</sup> AS 44.19.647(a)(5).

<sup>11</sup> AS 44.19.647(a)(2) and AS 44.19.649(2).

<sup>12</sup> AS 44.19.647(b).

The Commission's sixteen members are designated by agencies and branches of government, as specified in the statute.<sup>13</sup> They include the heads of each executive branch department and agency associated with criminal justice (or their designees), three judges (retired or active), two peace officers (one urban, one rural), a representative from the Alaska Native Justice Center, a representative from a victims' organization, two legislators (non-voting positions), a representative of the Alaska Mental Health Trust Authority, and a person jointly designated by the Public Defender Agency and Department of Law who has been convicted of a felony and unconditionally discharged. Consult [Appendix B](#) for biographies of the Commission members. The Alaska Judicial Council provides staff and assistance to the Commission.<sup>14</sup>

## Members of the Alaska Criminal Justice Data Analysis Commission

Matt Claman, Ex Officio, Chair  
*Alaska State Senate*

Jean Achee  
*Lieutenant, Sitka Police Department*

Alex Cleghorn  
*Chief Operating Officer, Alaska Native Justice Center*

James Cockrell  
*Commissioner, Alaska Department of Public Safety (designee Lisa Purinton)*

Andrew Gray, Ex Officio  
*Alaska State House of Representatives*

Terrence Haas  
*Alaska Public Defender*

David Mannheimer  
*Court of Appeals Judge (ret.), Alaska Court System*

Kari McCrea  
*District Court Judge, Alaska Court System*

John Skidmore  
*Deputy Attorney General, Alaska Department of Law*

Brenda Stanfill  
*Director, Alaska Network on Domestic Violence and Sexual Assault*

Trevor Stephens  
*Superior Court Judge (ret.), Alaska Court System*

Heidi Hedberg  
*Commissioner, Division of Behavioral Health in the Department of Health (designees Tracey Dompeling, Deputy Commissioner of Department of Family and Community Services (9/20/2023 - 8/06/2025) and Autumn Vea, Acting Division Operations Manager, Division of Behavioral Health (8/07/2025 - current))*

Jen Winkelman  
*Commissioner, Alaska Department of Corrections (designee April Wilkerson)*

Brian Wilson  
*Captain, Anchorage Police Department*

Mary Wilson  
*Chief Executive Officer, Alaska Mental Health Trust Authority (designee Heather Phelps)*

Vacant  
*Joint Designee of PDA & DOL*

<sup>13</sup> AS 44.19.642(a).

<sup>14</sup> AS 44.19.642(d).

## *Organization & Methodology of this Report*

This report is organized chronologically according to the flow of events in Alaska's criminal justice system, from the time that a crime is reported to the person's dismissal or release from state supervision.<sup>15</sup> For each stage of the process, the report describes the results of the Commission's data analysis, studies, and research relevant to understanding the efficiency and effectiveness of that part of the criminal justice system.

The descriptions of criminal justice events contained in the body of this report are not intended to be an exhaustive explanation of the relevant laws and procedures.<sup>16</sup> A more detailed explanation of laws and procedures can be found in the Commission's 2024 Annual Report, and in [Appendix G](#) of this report. A glossary of criminal justice terms is included in [Appendix E](#).

The information in this report is based on data from a variety of sources that the Commission receives in different formats. Much of the information came from individual case records submitted by state agencies, including criminal case processing data from the Alaska Court System, admissions and population data from the Alaska Department of Corrections' offender management system (ACOMS), and law enforcement data from the Alaska Department of Public Safety's computerized record system (APSIN).<sup>17</sup> These data were provided to the Commission quarterly for analysis by Commission staff. Other information in this report was taken from reports published by or provided to the Commission by representatives of the Alaska Court System, the Department of Corrections, the Department of Public Safety, the Council on Domestic Violence and Sexual Assault, the Department of Law, the Department of Health/Division of Behavioral Health, the Mental Health Trust Authority, the UAA Justice Center, the US Census, and others.

The report attempts to weave together data from these and other sources to create a picture of the criminal justice system as a whole. Drawing on data and information from disparate sources in different formats poses challenges in terms of comparability; wherever possible, the report attempts to harmonize these differences (for example, case counts in this report are grouped by calendar year, even though some of the information may have been provided in a fiscal year format). For clarity, each section of the report and all figures and tables identify the sources of data relied upon. Further, figures and tables adopt the terminology used in the source data, and where that terminology may differ from other data sources, the differences are noted.

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<sup>15</sup> The report does not cover juvenile delinquency cases, since those are classified as civil matters.

<sup>16</sup> For ease of reading, the report does not provide citations to the supporting legal authority for every statement made. Citations are provided generally to alert readers about where to find relevant legal authority. When citations are provided, they are not necessarily intended to be exhaustive.

<sup>17</sup> See AS 44.19.645(c) for a description of the case-level data required to be provided by DPS, DOC, and the Alaska Court System.

# 1 SOURCES OF CRIMINAL JUSTICE LAW

Criminal procedure refers to the rules that police, attorneys, parties, and courts must follow when initiating, responding to, processing, and resolving criminal charges against a person. Criminal procedure is derived from the federal and state constitutions, the Alaska state statutes, court rules, federal and state court decisions, and administrative regulations. These laws cover victims' rights, defendant's rights, the permissible length of time until a defendant's trial, the evidence that may properly be used at trial and sentencing, and much more.

Laws passed by legislative bodies define what acts are crimes. These laws also categorize each crime by severity, and by type of offense. The legislative body authorizes sentences for crimes.

See [Appendix G](#) for a more detailed description of the criminal justice process.

## 2 CRIME PREVENTION

Although the criminal justice system is primarily structured to respond to criminal offenses after they occur, prevention of criminal behavior is important to understand. Criminal justice researchers have defined three levels of crime prevention: primary, secondary, and tertiary.

*Primary crime prevention* works to reduce the likelihood of criminal behavior among the general population.<sup>18</sup> Primary prevention programs may focus on reducing risk factors (such as substance use/misuse) or promoting protective factors (such as employment or job training). Research suggests programs that address risk factors and promote protective factors can be effective at reducing justice involvement.

In Alaska, the Department of Health, Division of Behavioral Health (DBH) supports a number of primary prevention programs. DBH-supported primary prevention programs for youth employ strategies to reduce risk factors and strengthen protective factors. They include school-based social-emotional learning programs, statewide suicide prevention campaigns, and culturally centered initiatives that connect youth to Alaska Native traditions, language, and community strengths. Programs such as Sources of Strength and Second Step are implemented in schools to build coping skills, encourage help-seeking behaviors, and strengthen peer and adult connections. In addition, family-focused efforts like the Strengthening Families program support protective factors such as resiliency, connection, and parenting knowledge to buffer youth against adverse experiences.

The Alaska Council on Domestic Violence and Sexual Assault (CDVSA) supports primary prevention programs in Alaska. Examples of CDVSA-supported community programs designed to prevent power-based or dating violence include Girls on the Run, Let Me Run, bystander intervention, and programs to engage men and boys. The Commission heard evidence about primary prevention programs for domestic violence that can be effective. In 2024, Dr. Ingrid Johnson from the UAA Alaska Justice Information Center presented an overview of research findings from studies of the effectiveness of domestic violence prevention programs. She reported that programs to prevent dating violence among young people often accomplished their goals. Community-based domestic violence prevention programs and economic empowerment programs<sup>19</sup> prevented many adult women from becoming victims of domestic violence.<sup>20</sup>

*Secondary crime prevention* focuses on interventions for specific individuals or groups who are at higher risk of becoming involved in crimes. DBH also supports secondary prevention efforts that intervene early when risk factors are present. Examples include the Alcohol & Drug Information School, which provides education for first-time offenders of underage drinking or drug-related offenses, and Alcohol Safety Action Programs offered in communities across the state. Additional examples of secondary and primary prevention activities sponsored by DBH are detailed in [Appendix F](#).

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<sup>18</sup> AS 44.19.645(i): “Primary crime prevention’ means intervention programs and strategies designed to reduce crime risk factors among the general population and prevent crime from happening.”

<sup>19</sup> “Economic empowerment programs included group microloan and microsavings models, microcredits, conditional and unconditional cash transfers, promoting women participating in the workforce, agricultural interventions, entrepreneurship programs, and financial inclusion interventions.” Ingrid Johnson, *Domestic Violence Primary Prevention: Evidence from the Past Decade* (April 2024), p. 2. Information available from the Alaska Judicial Council.

<sup>20</sup> *Id.*

*Tertiary prevention* is the effort to prevent further criminal activity among those already convicted of offenses. Examples of tertiary prevention activities include many programs sponsored by the Department of Corrections (see [Appendix F](#)), and therapeutic courts (see subsection 6.9, p. 53).

*Risk Factors Related to Criminal Activity.* As noted above, risk factors are related to crime prevention because understanding and addressing an individual's risk factors can decrease the risk of future criminal offending. The Department of Corrections (DOC) assesses sentenced individuals who come into a DOC facility for their risk of future criminal activity.<sup>21</sup> For these assessments, DOC uses the *Level of Service Inventory - Revised* (LSI-R) as a screening tool.<sup>22</sup> DOC transmits risk assessment information about offenders sentenced to incarceration of 90 days or more to the Commission for analysis.

Comparing assessments performed by DOC in 2016 and 2024 shows that most respondents assessed by DOC reported the same major set of issues in both years: association with other individuals involved in crime, an alcohol or drug problem, and to a lesser extent, lack of engagement in community activities, and issues with mental health. The most prevalent factor for all groups was the presence of criminal acquaintances and friends. More than three-quarters of the respondents reported having criminal acquaintances and friends. The other pervasive issue was substance use/misuse, with nearly two-thirds or more reporting they had drug or alcohol problems. The degrees to which individuals reported these problems varied depending on several factors, but the pattern of their responses was consistent throughout.

Figure 1 shows the percentage of sentenced, incarcerated people who said “yes” to any of the following questions for assessments administered in 2016 and 2024.<sup>25</sup>

- Whether they had any friends involved in crime;
- Whether they had any acquaintances involved in crime;
- Whether they had ever had an alcohol problem;
- Whether they had ever had a drug problem;
- Whether they did not have any recent participation in an organized activity;
- Whether they had ever had a mental health issue that caused moderate interference to their everyday life;

<sup>21</sup> These assessments are statutorily required. See AS 33.30.011.

<sup>22</sup> The LSI-R includes static and dynamic risk factors of respondents' situations and attributes, designed to assess the appropriate level of supervision and treatment in a criminal justice context. Static risk factors refer to the history or age of an individual and, as such, cannot be modified by intervention, whereas dynamic risk factors refer to characteristics, like substance dependence, which currently exist and are subject to intervention. Questions on the LSI-R are designed to be answered through a structured interview, making most information self-reported. However, interviewers are encouraged to corroborate responses using other information at their disposal, to the extent possible. Finally, per the assessment's publisher, the LSI-R “helps predict parole outcome, success in correctional halfway houses, institutional misconducts, and recidivism” among individuals 16 years and older. See D.A. Andrews and James Bonta, *LSI-R: Level of Service Inventory-Revised*, MHS, <https://storefront.mhs.com/collections/lsi-r> (last visited October 23, 2024).

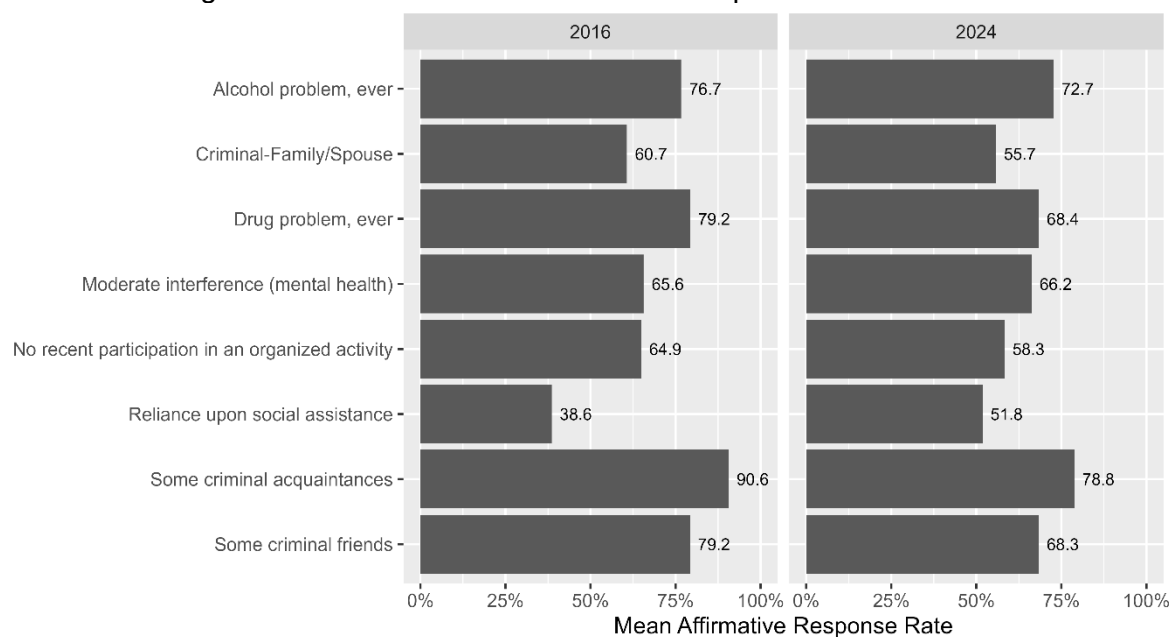
<sup>23</sup> The LSI-R is distinct from the pretrial risk assessment tool used to assess the risk that an individual who has been charged with a crime will either fail to appear for a court hearing or commit a new crime prior to the resolution of the current case (see pretrial discussion in the Release Before Case Resolution section of this report). Rather, the LSI-R is intended to assess the needs and risks of individuals sentenced to a term of incarceration. AS 33.30.011(a)(7).

<sup>24</sup> Several studies have assessed the predictive ability of the LSI-R assessment and found a positive correlation between total score and future criminal activity. See, e.g., Christopher Lowenkamp and Kristin Bechtel, *The Predictive Validity of the LSI-R on a Sample of Offenders Drawn From the Records of the Iowa Department of Corrections Data Management System*, FEDERAL PROBATION 71, 25-29 (2007), [https://www.uscourts.gov/sites/default/files/71\\_3\\_4\\_0.pdf](https://www.uscourts.gov/sites/default/files/71_3_4_0.pdf).

<sup>25</sup> While only results from 2016 and 2024 are presented in Figure 1, data from other years is available upon request.

- Whether they relied upon social assistance;<sup>26</sup> and
- Whether they felt they could make better use of their time.

Figure 1 - LSI-R Risk Assessment Results per Calendar Year



Data Source: Alaska Department of Corrections

Data Analysis: Alaska Criminal Justice Data Analysis Commission

Only incarcerated people had these risk assessments. Results do not necessarily apply to individuals who have not experienced incarceration. To find ways to prevent crime among Alaska's general population, studies must focus on characteristics of the general population rather than the incarcerated population.

<sup>26</sup> For example, workers' compensation, disability income, or unemployment.



### 3 BRIEF CHRONOLOGY OF THE CRIMINAL JUSTICE PROCESS

After a crime is reported to law enforcement, officers investigate and may gather evidence to determine whether a crime was committed and, if so, who committed it. If law enforcement finds probable cause that a crime was committed and decides to charge a person(s) for it, an officer can file the charging document with the court. Alternatively, law enforcement can forward the case to the prosecutor's office for review and screening. When a case is referred from law enforcement, the prosecutor reviews the case to decide whether to file a charging document in court.

Whether an arrest is made or the police officer files a charging document directly with the court, it is the prosecutor who ultimately decides what criminal charge(s), if any, will be pursued, as only the government (prosecutors) can prosecute a crime or dismiss a case. If the government decides to prosecute a person for a crime, the person is entitled to be represented by a defense attorney. During a prosecution and afterwards, state laws and the constitution impose on the government specific responsibilities to victims of crimes.

If a person was arrested in connection with the charges, the court decides the conditions under which a person will be released to the community to await resolution of their case. Arrestees charged with certain misdemeanors may be released without a hearing, pursuant to the terms of a judicial administrative order called a "bail schedule." In Alaska, arrestees who are unable to meet the judge's conditions for their release are held in correctional facilities managed by the Department of Corrections.

Other types of court hearings that may occur include the arraignment (notifying the person alleged to have committed the crime in court of the charges, their rights, and setting release conditions that may include bail), bail review hearings, scheduling hearings, trial setting hearings, change of plea hearings, and trials. Felony cases may include preindictment hearings, grand jury proceedings, or preliminary examination hearings.

Ultimately, the court case will come to a resolution in which the defendant is either convicted or not convicted. Defendants are convicted if they admit to the charge(s), do not contest the charges, or if they are found guilty at trial. Case resolutions that do not result in a conviction include when the case is dismissed and when the defendant is acquitted (found innocent) at trial. Most case resolutions occur without a trial.

If the defendant is convicted, there is a hearing at which they are sentenced. Criminal sentences may include probation and/or a term of incarceration, restitution, fines, and surcharges. Many times, the prosecution and the defense have agreed on some or all aspects of the sentence, and the sentencing agreement is submitted to the judge for approval at this hearing.

People who are sentenced to a term of incarceration are remanded to the custody of the Department of Corrections. Almost all people sentenced to a term of incarceration eventually return to the community.

Figure 2 is a flowchart showing the stages of a typical criminal case in Alaska. Although most cases move through the criminal justice system in a predictable manner as illustrated by Figure 2, each one is unique, and differences in processing can occur depending on many factors.



## 4 VICTIMS OF CRIME

Within the criminal justice system, many offenses have a specific, identifiable victim. However, public order, and certain alcohol, drug, or driving offenses have no specific victim and the offense is against the community or the state.

A “victim” is “a person against whom an offense has been perpetrated.”<sup>27,28</sup> Such a person is considered a “victim” from the outset of the police investigation and during a criminal case, even though the defendant has not been convicted and is presumed innocent. A victim is not a party to the criminal case and does not file or pursue the criminal charge(s) against the defendant.<sup>29</sup>

### 4.1 VICTIMS’ LEGAL RIGHTS

Crime victims’ rights are set out in the Alaska Constitution, and in various statutes and court rules. For a more comprehensive explanation of victims’ rights and experiences, refer to the Alaska Criminal Justice Data Analysis Commission’s 2024 Annual Report, posted at [http://ajc.alaska.gov/datacommission/docs/reports/DAC\\_2024\\_Annual\\_Report.pdf](http://ajc.alaska.gov/datacommission/docs/reports/DAC_2024_Annual_Report.pdf).

### 4.2 VICTIMS’ PERCEPTIONS AND EXPERIENCES

Information about victim experiences and perspectives is not routinely collected by criminal justice agencies in Alaska. The main source of information about Alaska crime victims’ experiences comes from victim surveys. Victim surveys are expensive and are not performed every year in Alaska. However, the next Alaska Victimization Survey (AVS) will be conducted later in 2025 by researchers at the UAA Justice Center and the Alaska Justice Information Center, with funding by the Council on Domestic Violence and Sexual Assault. New for 2025, the AVS will use an online survey methodology (rather than phone calls).

Since 2010, three AVS surveys have provided estimates of the number of women in Alaska who experience intimate partner violence, sexual violence, and stalking, as well as information about these victims’ experiences and perceptions.<sup>30</sup> Those surveys have consistently found significant rates of lifetime and past year intimate partner violence (including threats of intimate partner violence) and sexual violence. For example, six out of ten respondents (over 10,000 survey participants) reported experiencing one or more forms of intimate partner violence in their lifetimes. The surveys also asked about needed services, finding that relatively few respondents reported needing services, but of those who did majorities said they received assistance.

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<sup>27</sup> AS 12.55.185(19)(A).

<sup>28</sup> AS 12.55.185(19)(B): If the person against whom an offense has been committed is a minor, incompetent, or incapacitated, “victim” also includes a person living in a spousal relationship with that person, or, a parent, adult child, guardian, or custodian of the person. AS 12.55.185(19)(C): If the person is deceased, “victim” includes a person who had been living a spousal relationship with the person, and the person’s adult child, parent, sibling, grandparent, or grandchild, or any other “interested person, as may be designated by a person having authority in law to do so.”

<sup>29</sup> A victim may bring a separate civil action – a lawsuit for damages – against a criminal defendant. A victim of crime involving domestic violence may also pursue a civil domestic violence protective order, and a victim of stalking or sexual assault may also pursue a stalking or sexual assault protective order.

<sup>30</sup> Survey results can be accessed here: [https://www.uaa.alaska.edu/academics/college-of-health/departments/justice-center/avs/index.cshhtml?i=1698170&sfmc\\_sub=1110963503&l=14243\\_HTML&u=34978828&mid=534007067&jb=0](https://www.uaa.alaska.edu/academics/college-of-health/departments/justice-center/avs/index.cshhtml?i=1698170&sfmc_sub=1110963503&l=14243_HTML&u=34978828&mid=534007067&jb=0) (last visited September 11, 2025).

Of interest to the criminal justice system is the question of how often victims report crimes to law enforcement. National victimization surveys consistently show that around half of victims choose not to report crimes.<sup>31</sup> Reporting rates for intimate partner violence and sexual assault may be lower. For example, an analysis of data from a survey of victims in Alaska who reported experiencing intimate partner violence, sexual assault, or stalking found that fewer than one-third (29.4%) talked to police about their victimization experiences.<sup>32</sup>

## 4.3 DATA ABOUT VICTIMS

Demographic information about victims is not widely available in Alaska. Although law enforcement agencies and prosecutors collect certain information about victims, that information historically has not been made public, with the exception of some summary information published annually by the Alaska Department of Public Safety.<sup>33</sup> Police reports and prosecution files, which do contain information about victims, are not available to the Commission.<sup>34</sup> However, recently most law enforcement agencies in Alaska transitioned to a new data reporting system that includes more information about victims, including information about the relationship between a victim and an offender.<sup>35</sup> This transition is expected to result in more victim information becoming available in the future.

During 2024 and 2025, in an effort to learn more about victims in Alaska, the Commission investigated sources of victim information other than law enforcement reports. Staff surveyed 46 organizations in the state who compile information about victims that they serve. This survey identified two major databases containing information about victims: Vela (used by Council on Domestic Violence and Sexual Assault to collect information about victims from domestic violence shelters and related groups), and NIBRS (National Incident-Based Reporting System) used by most law enforcement agencies in Alaska to store information about reported crime. The Commission learned what type of victim information is stored in these databases, and also that confidentiality requirements around these databases are strict. The Commission may be limited in its data collection and analysis because of these confidentiality requirements.

The Commission's survey also identified several other organizations that compile information about victims, including the Office of Victims' Rights (within the Legislative branch), the Violent Crimes Compensation Board (within the Department of Public Safety), Victims for Justice (a non-profit), and the Alaska Native Justice Center (a non-profit). Their annual reports, taken together, suggest that as a group, they serve and would have information about between 1,000 and 2,000 people. Because all these organizations act in response to victims' requests for help, they do not have information about people who did not seek out (or did not qualify for) their services. Most of them said, in response to the Commission letter seeking information about their data and its

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<sup>31</sup> Bureau of Justice Assistance, *NCVS Dashboard*, <https://ncvs.bjs.ojp.gov/quick-graphics#quickgraphicstop> (last visited August 17, 2023). Victims of property crimes were less likely to report than victims of violent crimes.

<sup>32</sup> Ingrid Johnson, *Service Receipt among Alaskan Women Who Experienced Intimate Partner Violence, Sexual Assault, or Stalking*, ALASKA JUSTICE INFORMATION CENTER (September 2024), <https://scholarworks.alaska.edu/handle/11122/15292>. The survey used data obtained from the 2020 Alaska Victimization Survey (described below).

<sup>33</sup> For example, Alaska Department of Public Safety, *Crime in Alaska Supplemental Report: Felony Level Sex Offenses*, reports from 2015 - 2023 at <https://dps.alaska.gov/Statewide/R-I/UCR> (last visited August 19, 2025).

<sup>34</sup> The data provided each quarter to the Commission is enumerated in AS 44.19.645(e)-(g).

<sup>35</sup> FBI, *National Incident-Based Reporting System (NIBRS)*, <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs> (last visited September 26, 2024); and Alaska Department of Public Safety, *Crime in Alaska 2023* (2024), <https://dps.alaska.gov/getmedia/e172226d-cf30-45c7-a8d3-63560d635b8f/Crime-in-Alaska-2023>.

accessibility, that they were willing to share information in some format. However, most had limited resources for sharing it, and would be limited by confidentiality issues.

## 5 REPORTED CRIME AND LAW ENFORCEMENT RESPONSE

Crime reported to law enforcement is the starting point for data about the criminal justice system. In Alaska, law enforcement agencies include the Department of Public Safety (DPS), municipal and borough police departments, and federal and tribal agencies. The DPS has several components, including the Alaska State Troopers, Alaska Wildlife Troopers, Judicial Services, State Fire Marshal, and the Village Public Safety Operations Division. The Village Public Safety Operations Division administers grants for regional Village Public Safety Officer (VPSO) programs that provide rural Alaskan communities with public safety support services. Other law enforcement agencies include city and borough police, federal agencies, airport and university police, and tribal and village police.

A state law<sup>36</sup> requires law enforcement agencies to submit uniform crime data to DPS. DPS collects this data through management of the state's Uniform Crime Reporting (UCR) Program and in accordance with the guidelines and requirements of the national UCR program administered by the FBI. The FBI's UCR program is a nationwide cooperative effort by law enforcement agencies to collect and report data on crimes reported in their jurisdiction.<sup>37</sup>

Starting in the 1930s, the FBI developed the Summary Reporting System (SRS) that provided an aggregate count of crimes reported to law enforcement. In 1989, the FBI UCR program developed the National Incident Based Reporting System (NIBRS) to collect more detailed and comprehensive crime data. Both formats were collected until 2020. To ensure crime trend analysis could continue nationwide with two disparate formats, the FBI developed methodology to convert the more robust NIBRS format to the aggregate SRS format.

In 2021, the FBI UCR program phased out the SRS data collection methodology, but not all law enforcement agencies in Alaska have converted from SRS to NIBRS. As such, DPS continues to collect both NIBRS and SRS from law enforcement agencies to ensure continuity in statewide crime trend analysis. DPS follows the FBI methodology to convert the NIBRS crime data to the SRS format when compiling annual crime data reports.<sup>38</sup>

About thirty-two state and local law enforcement agencies report their data to DPS each year. This data includes reports from VPSOs but typically does not include reports from tribal or village police.

Under the SRS format, offenses are divided into two groups: Part I and Part II crimes.<sup>39</sup> Part I offenses are serious, occur with a degree of regularity, and are likely to be reported to law enforcement. Part I offenses include: murder, rape, robbery, aggravated assault, burglary, larceny theft, motor vehicle theft, and arson.<sup>40</sup> Law enforcement agencies report all Part I offenses

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<sup>36</sup> AS 12.62.130

<sup>37</sup> More information can be found on the FBI's website at: <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr#All-Publications>.

<sup>38</sup> The DPS yearly reports are available at: <https://dps.alaska.gov/Statewide/R-I/UCR>.

<sup>39</sup> Part II offenses include drug offenses, non-penetrative sex offenses, driving under the influence, simple assault, trespass, and so forth. Part II offenses are reported by law enforcement only if an arrest is made.

<sup>40</sup> Human trafficking/commercial sex acts and human trafficking/involuntary servitude were added as Part I offenses in 2013, but these offenses are not generally included in state and national crime trend analysis.

whether or not an arrest is made or the case is prosecuted. In this section of the report (crime reported to law enforcement), discusses only the eight Part I crime offenses.<sup>41</sup>

Part I crimes distinguish between violent crimes and property crimes. The Part I violent crimes are homicide, rape, robbery, and aggravated assault; simple assault is not included in violent crime trend analysis.<sup>42</sup> The Part I property crimes are burglary, larceny-theft, motor vehicle theft, and arson.

It is important to note that law enforcement agencies report the Part I offenses based on the FBI UCR program's definition of the offense, which may not align with definitions in Alaska's statutes. Similarly, severity of the offense (infraction, misdemeanor, or felony) has no impact on UCR offense classification. These rules enable nationwide crime trend analysis and avoid statutory differences among the states.

Another important aspect of the UCR data is that it reflects the number of crimes reported to a given law enforcement agency, not necessarily the location of those crimes. Although the location of the crime and the reporting agency generally align, in Alaska, very serious crimes may be handled not by the local agency but by the state or federal agency. As a result, very serious crimes may not be reflected in that local law enforcement agency's statistics. Thus, some caution is warranted when comparing reported crime by location.

As noted, the Part 1 crime index distinguishes between violent crimes and property crimes. This distinction is useful for understanding the functioning of the legal system, because violent crimes tend to result in more significant charges and penalties than property crimes. Also, property crimes and violent crimes tend to have different impacts on victims.

In Figure 3 and Figure 4, the crime rate is expressed as the number of Part 1 crimes reported to law enforcement per 100,000 population. Standardizing crime as a function of population size enhances the ability to compare across and between communities and states, although the FBI cautions against using the data to rank the effectiveness of law enforcement agencies because many factors cause crime to vary from place to place.<sup>43</sup>

Comparing historical crime rates in Alaska to other jurisdictions and to national trends shows that Alaska's violent crime rates have been among the highest in the country for many years, driven primarily by aggravated assaults. On the other hand, Alaska's property crime rates have more closely mirrored national rates.

Recent Part I data from 2023, shows that the total number violent crimes reported in Alaska and Alaska's crime rate, decreased from 2022 (as did the national violent crime rate).<sup>44</sup> The number

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<sup>41</sup> Other criminal justice data in this report includes all offenses in Alaska state law and municipal ordinances that are arrested, charged, and resolved, without making the distinctions that the FBI Uniform Crime Reporting system makes.

<sup>42</sup> Simple assault is technically classified as a Part II UCR offense; however, simple assaults are reported by law enforcement agencies in the same way they would report a Part I offense, as a quality control measure and for the purpose of gauging total assault violence.

<sup>43</sup> *UCR Crime Reporting Statistics: Their Proper Use*, at p. 1, available at <https://ucr.fbi.gov/ucr-statistics-their-proper-use>.

<sup>44</sup> Alaska Department of Public Safety, *2023 Crime in Alaska*, at pp. 9-10, available at <https://dps.alaska.gov/getmedia/e172226d-cf30-45c7-a8d3-63560d635b8f/Crime-in-Alaska-2023>; FBI Releases 2023 Crime in the Nation Statistics, available at <https://www.fbi.gov/news/press-releases/fbi-releases-2023-crime-in-the-nation-statistics>.

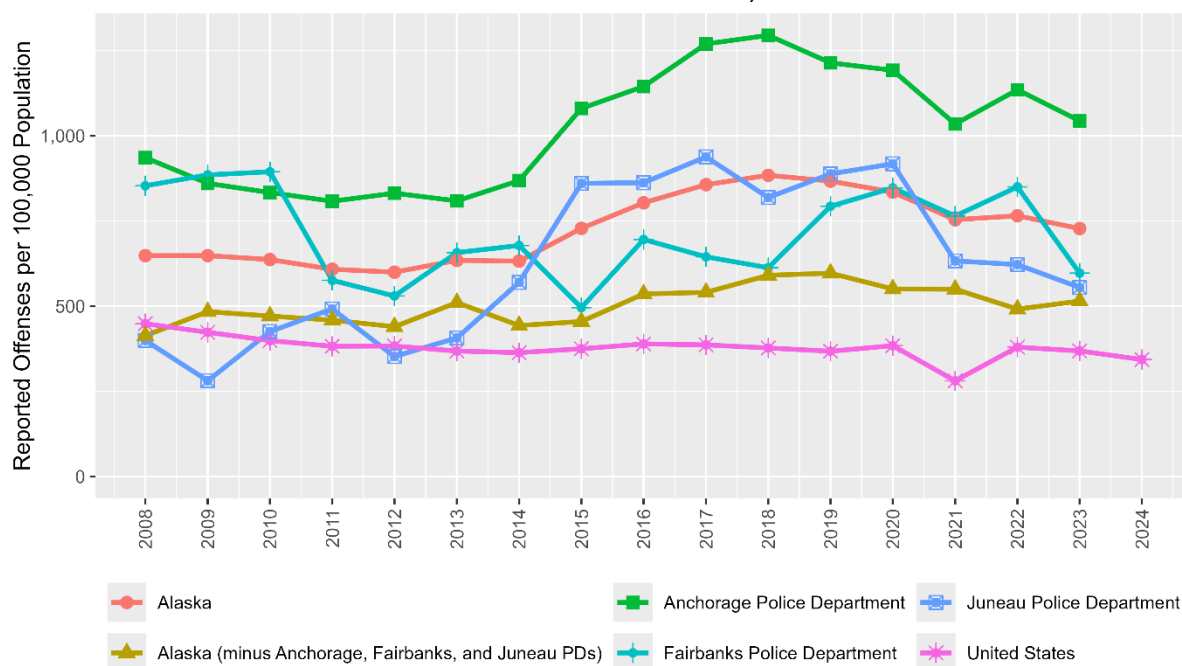
of property crimes increased during that same period.<sup>45</sup> Part I violent and property crime trends in Alaska and nationwide are depicted in more detail below.

## Reports of Violent Crime

Figure 3 shows the rate of reported UCR Part 1 violent crime in Alaska (homicide, rape, robbery, and aggravated assault); the rate for areas outside the three major population centers (specifically, the rate of reported crime in Alaska except for the crime reported to the Anchorage Police Department, Fairbanks Police Department, and Juneau Police Department); the rates for Anchorage Police Department, Fairbanks Police Department, and Juneau Police Department; and the national rate.

Figure 3 shows that the rate of reported UCR Part 1 violent crime in Alaska during these years was significantly higher than the national rate. For example, in 2023, Alaska's violent crime rate was 728 per 100,000 compared to 364 per 100,000 in the United States. In 2023, Alaska had the sixth-highest rate of violent crime in the country.<sup>46</sup>

Figure 3 - Reports of Violent Crime to Law Enforcement per Calendar Year (UCR Part I Violent Crime Offenses)



Data Sources: Alaska Department of Public Safety and FBI

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>45</sup> Alaska Department of Public Safety, *2023 Crime in Alaska*, at pp. 9-10, available at <https://dps.alaska.gov/getmedia/e172226d-cf30-45c7-a8d3-63560d635b8f/Crime-in-Alaska-2023>.

<sup>46</sup> FBI, *Crime in the United States Annual Reports: Offenses Known to Law Enforcement* (2023), <https://cde.ucr.cjis.gov/LATEST/webapp/#>.

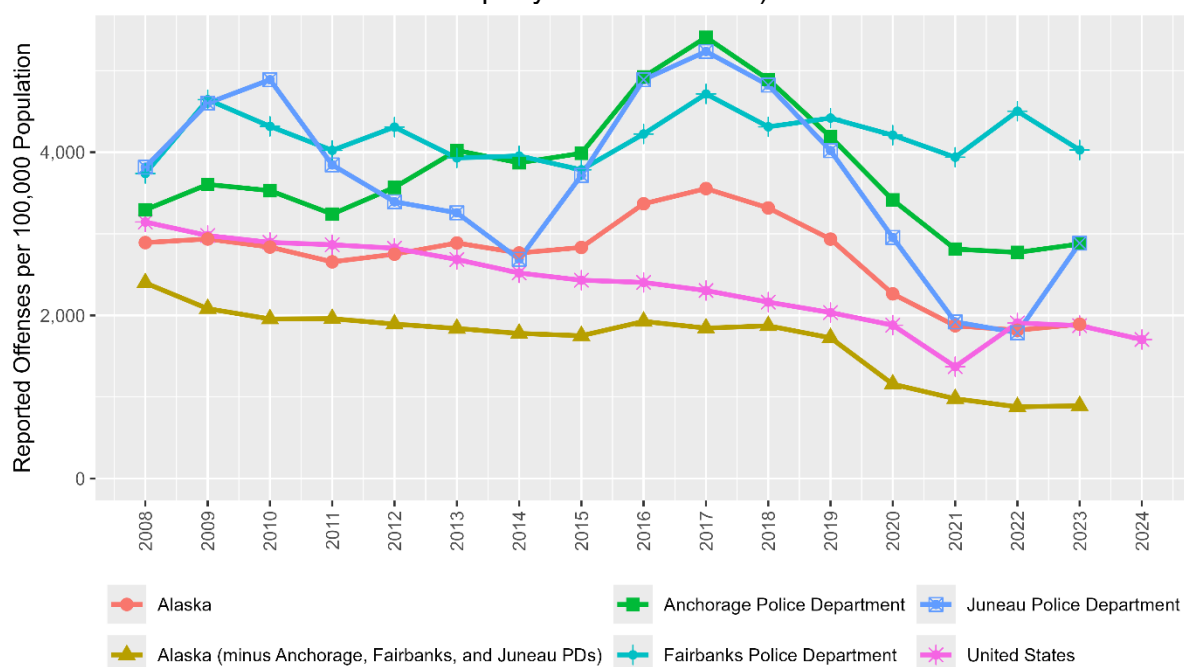


## Reports of Property Crime

Although national victim surveys have found that approximately 60% of people who are victims of property crime do not make a report to the police,<sup>47</sup> when victims do report property crimes, that information is recorded. The UCR Part 1 property crimes reported in Figure 4 include burglary, larceny-theft, motor-vehicle theft, and arson. Figure 4 shows the rate of these property crimes reported in Alaska; the rate for areas outside the three major population centers (specifically, the rate of reported crime in Alaska except for the crime reported to the Anchorage Police Department, Fairbanks Police Department, and Juneau Police Department); the rates for Anchorage Police Department, Fairbanks Police Department, and Juneau Police Department; and the national rate.

Comparing Figure 4 to Figure 3, above, shows that more property crimes were reported than violent crimes.

Figure 4 - Reports of Property Crime to Law Enforcement per Calendar Year (UCR Part I Property Crime Offenses)



Data Sources: Alaska Department of Public Safety and FBI  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>47</sup> Bureau of Justice Assistance, *NCVS Dashboard*, <https://ncvs.bjs.ojp.gov/quick-graphics#quickgraphicstop> (last visited August 17, 2023).

## 5.1 ARRESTS/CITATIONS AND ARRESTEES

After a crime is reported to law enforcement, an officer may be dispatched to respond. The responding officer determines whether a crime has been committed and if a suspect can be identified. The responding officer has discretion in many cases about whether to arrest or to take other action. The law enforcement officer cannot arrest<sup>48</sup> the suspect unless they can state a probable cause to believe the person has committed a crime. Instead of arresting a person, an officer may issue a citation (if the alleged crime is a class C felony, a non-domestic violence misdemeanor offense, or a violation<sup>49</sup>). Alternatively, an officer may file a charging document with the court asking the court to issue a summons to the defendant.<sup>50</sup> Finally, an officer may, when allowed by law, elect not to charge the suspect and, instead, refer the matter to the prosecutor for review.

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<sup>48</sup> Arrest is the taking of a person into custody in order that the person may be held to answer for the commission of a crime. AS 12.25.160.

<sup>49</sup> AS 12.25.180(a)-(b).

<sup>50</sup> Alaska Court System, Alaska Rules of Court: Rules of Criminal Procedure, *Criminal Rule 9*, <https://courts.alaska.gov/rules/docs/crpro.pdf>.

Table 1 shows the number of arrests (or citations) by court location and year.<sup>51,52</sup> The data show more arrests in larger communities than in smaller communities. Table 1 also shows that the number of arrests and citations in most court locations decreased between 2023 and 2024. This decrease continues a recent trend of fewer arrests and citations each year. Statewide, the number of arrests during 2024 decreased by more than 30% compared to 2019. This decrease was larger in the Second and Fourth Judicial Districts and smaller in the Third Judicial District.

Table 1 - Number of Arrests/Citations by Court Location and Calendar Year

| Judicial District | Court Location  | Calendar Year |        |        |        |        |        |        |        |        |        |
|-------------------|-----------------|---------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|                   |                 | 2015          | 2016   | 2017   | 2018   | 2019   | 2020   | 2021   | 2022   | 2023   | 2024   |
| First             | Juneau          | 1,409         | 1,419  | 1,461  | 1,541  | 1,526  | 1,475  | 1,278  | 1,151  | 1,247  | 996    |
|                   | Ketchikan       | 754           | 665    | 554    | 738    | 1,022  | 860    | 748    | 674    | 716    | 539    |
|                   | Petersburg      | 90            | 92     | 68     | 97     | 129    | 134    | 95     | 49     | 49     | 42     |
|                   | Prince of Wales | 283           | 209    | 190    | 293    | 276    | 236    | 240    | 202    | 176    | 118    |
|                   | Sitka           | 370           | 292    | 320    | 528    | 336    | 303    | 178    | 169    | 154    | 126    |
|                   | Wrangell        | 52            | 53     | 71     | 87     | 84     | 55     | 38     | 34     | 41     | 36     |
| Second            | Kotzebue        | 741           | 865    | 869    | 811    | 536    | 439    | 383    | 300    | 375    | 336    |
|                   | Nome            | 974           | 851    | 961    | 1,020  | 832    | 1,034  | 631    | 589    | 561    | 596    |
|                   | Utqiagvik       | 414           | 421    | 388    | 566    | 500    | 360    | 352    | 304    | 249    | 229    |
| Third             | Anchorage       | 12,948        | 11,181 | 11,354 | 12,588 | 12,400 | 9,809  | 9,288  | 9,211  | 9,242  | 8,739  |
|                   | Cordova         | 62            | 59     | 30     | 66     | 62     | 42     | 41     | 35     | 54     | 40     |
|                   | Dillingham      | 426           | 351    | 300    | 352    | 452    | 397    | 229    | 139    | 129    | 137    |
|                   | Glennallen      | 124           | 104    | 99     | 96     | 107    | 95     | 84     | 75     | 64     | 45     |
|                   | Homer           | 480           | 426    | 436    | 395    | 439    | 443    | 489    | 522    | 458    | 391    |
|                   | Kenai           | 1,909         | 1,627  | 1,608  | 1,632  | 2,030  | 1,654  | 1,630  | 1,334  | 1,257  | 1,117  |
|                   | Kodiak          | 719           | 546    | 428    | 392    | 539    | 372    | 265    | 309    | 336    | 335    |
|                   | Naknek          | 131           | 208    | 144    | 209    | 182    | 143    | 166    | 112    | 142    | 87     |
|                   | Palmer          | 3,183         | 2,631  | 2,079  | 2,287  | 2,880  | 2,581  | 2,532  | 2,181  | 2,345  | 2,182  |
|                   | Seward          | 291           | 310    | 248    | 247    | 199    | 258    | 265    | 262    | 256    | 256    |
|                   | Unalaska        | 254           | 169    | 160    | 137    | 152    | 58     | 83     | 46     | 59     | 66     |
|                   | Valdez          | 141           | 130    | 95     | 166    | 136    | 119    | 91     | 63     | 112    | 114    |
| Fourth            | Bethel          | 1,739         | 1,556  | 1,491  | 1,950  | 2,206  | 1,840  | 1,509  | 1,117  | 1,184  | 1,529  |
|                   | Delta Junction  | 40            | 53     | 43     | 37     | 30     | 42     | 35     | 14     | 36     | 28     |
|                   | Fairbanks       | 2,991         | 2,702  | 2,845  | 3,367  | 3,589  | 3,599  | 2,788  | 2,286  | 2,258  | 2,249  |
|                   | Nenana          | 214           | 201    | 161    | 145    | 201    | 148    | 112    | 96     | 72     | 117    |
|                   | Tok             | 71            | 91     | 111    | 118    | 73     | 124    | 107    | 63     | 72     | 76     |
| All               | All             | 30,810        | 27,212 | 26,514 | 29,865 | 30,918 | 26,620 | 23,657 | 21,337 | 21,644 | 20,526 |

Data Source: Alaska Department of Public Safety

Data Analyses: Alaska Criminal Justice Data Analysis Commission

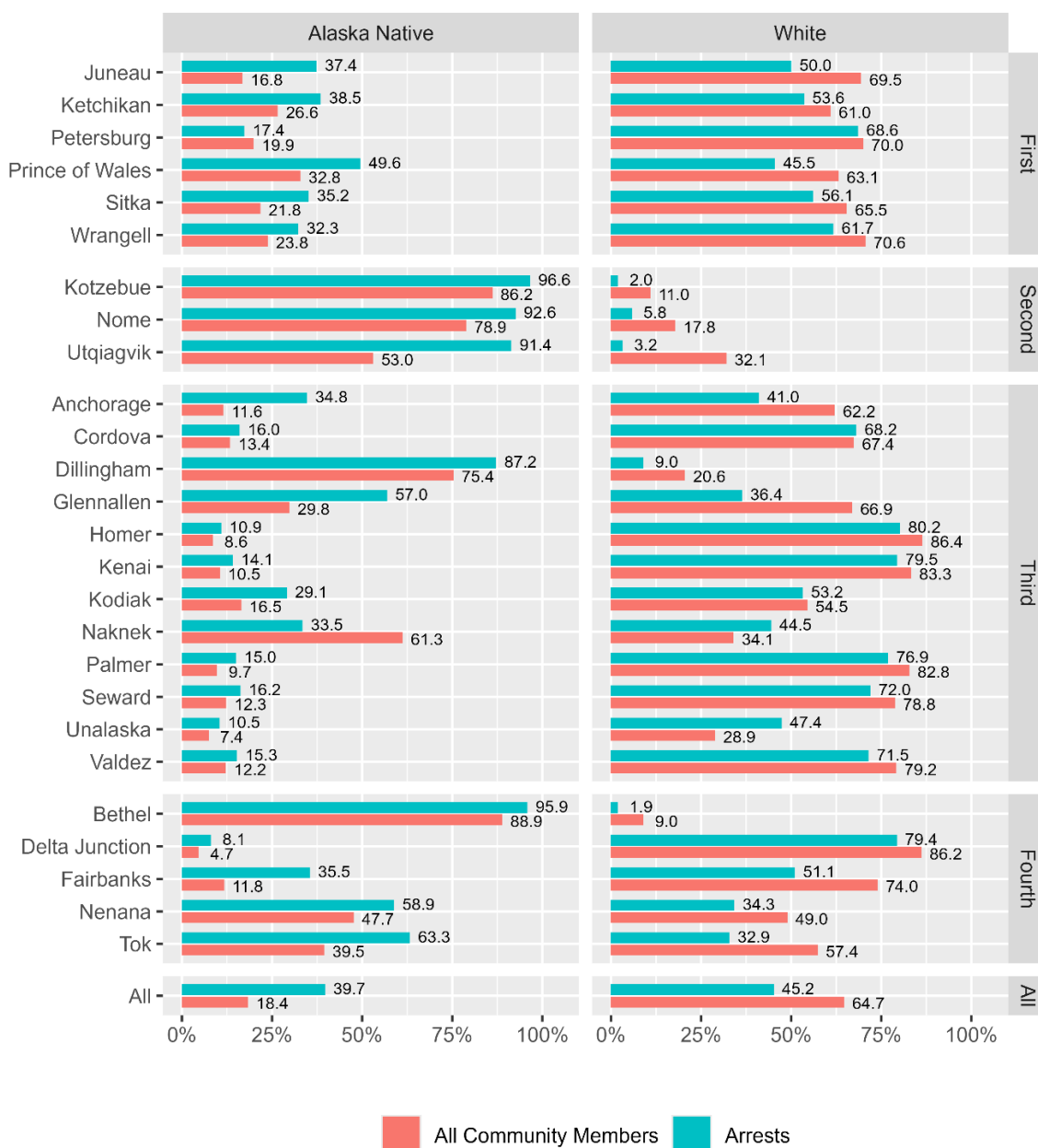
Race of arrestees varied by court location, and the underlying community populations also varied significantly: in some communities, most of the residents are Alaska Native, while in others most

<sup>51</sup> Arrests are organized by judicial district and court location. Court locations refer to the presumptive superior court trial site. According to *Criminal Rule 18*, a criminal case is assigned to a presumptive trial location based on where the crime is alleged to have occurred. For example, an offense alleged to have occurred in Soldotna is assigned to Kenai; see Alaska Court System, *Alaska Rules of Court: Rules of Criminal Procedure, Criminal Rule 18*, <https://courts.alaska.gov/rules/docs/crpro.pdf>. For a list of communities and presumptive trial locations, see Alaska Court System, *SCO 1933 Community Chart effective October 15, 2018 (2018)*, <https://courts.alaska.gov/sco/docs/sco1933a.pdf>.

<sup>52</sup> Unless noted otherwise, “arrest” in this report refers to both arrests, that is, a police officer taking a person into custody on suspicion of a crime, and citations.

of the residents are White.<sup>53</sup> While the composition of those arrested tends to mirror the communities in which they were arrested, individuals who are Alaska Native are nevertheless overrepresented among arrestees in the state, as shown in Figure 5. Between 2015 and 2024, 40% of all arrests involved an Alaska Native defendant (compared to 18% of the population) and 45% of all arrests involved a White defendant (compared to 65% of the population).

Figure 5 - Arrests and Community Population by Court Location and Race (Calendar Years 2015 - 2024)



Data Sources: Alaska Department of Public Safety and US Census  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>53</sup> *Race* is used to refer to the classification of individuals as “Alaska Native” or “White.” This mirrors the usage of the Alaska Department of Public Safety, which is the data source for this analysis.

A group is “overrepresented” when its members appear more frequently than expected based on the population composition; “underrepresented” is the reverse. In the context of this report, over- and underrepresented refers only to criminal justice data. Reported crime depends on many factors, including how laws define criminal offenses, how victims and others notify law enforcement of a crime (or possible crime), how law enforcement responds, and what prosecutors decide to charge. Without more data, observed differences in criminal justice data cannot be used to draw direct conclusions about individual behavior or crime prevalence in communities.

Most individuals who are arrested are male, although communities vary slightly. Statewide, more than two men are arrested for each woman arrested.

## 5.2 CRISIS STABILIZATION AS AN ALTERNATIVE TO ARREST

Historically in Alaska and elsewhere, the criminal justice system has responded to people experiencing a behavioral health crisis. Due to an unavailability of appropriate behavioral health services, law enforcement response often results in placing individuals in crisis into less-than-ideal settings, such as hospital emergency rooms or correctional facilities. Relying solely on the criminal justice system to respond to behavioral health crises may divert public safety resources away from law enforcement activities and also may increase symptoms of the individuals experiencing the crisis.

In recent years, the Alaska Legislature, the Alaska Department of Health, and the Alaska Mental Health Trust Authority have worked to create new resources and systems for responding to individuals experiencing a behavioral health crisis outside of the criminal justice system. These include additions and modifications to laws and regulations, financial and logistical support for community organizations offering services, and coordination of efforts across public and nonprofit sectors.

The Alaska Legislature acted to clarify and expand options for responding to a person experiencing a behavioral health crisis in 2020 and 2022. The 2020 bill added a new section to the arrest laws entitled “alternatives to arrest,” and the 2022 bill expanded that section.<sup>54</sup> As a result, a responding officer who believes an individual is suffering from an acute behavioral health crisis, is gravely disabled or is suffering from a mental illness and is a danger to themselves or others, may now deliver that person to a crisis stabilization center, crisis residential center, or an evaluation facility, as an alternative to arrest.<sup>55</sup> The Department of Health is in the process of issuing regulations for sub-acute mental health facilities, including crisis stabilization centers and crisis residential centers.<sup>56</sup>

According to the Department of Health’s Division of Behavioral Health (DBH), Alaska’s crisis system was strengthened through Senate Bill 120, House Bill 172, and the Section 1115 Waiver (in the Medicaid program), and expanding services such as Crisis Stabilization Centers, Crisis Residential Centers, and Psychiatric Emergency Services. In 2024, DBH advanced this work by

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<sup>54</sup> SB120, *Alt to Arrest/Crisis Center/Medication*, passed by the 31<sup>st</sup> Legislature, and HB172, *Mental Health Facilities; Meds; Patients*, passed by the 32<sup>nd</sup> Legislature.

<sup>55</sup> AS 12.25.031; see also AS 47.30.705.

<sup>56</sup> To implement the licensing changes, the Department of Health and Community Services has proposed a package of subacute mental health licensing regulations. At the time of this writing, the Department reported that it continues to review public comment for possible clarifications and revisions to the draft proposed regulations. Once the public comment review step is completed, the Department will either 1) recommend the same or a non-substantively amended draft for adoption and filing or, 2) publish the revised draft for another public comment period, if substantive changes are made.

engaging a consulting firm (Milliman) to provide actionable recommendations to broaden crisis response availability and effectiveness, with solutions tailored to Alaska's unique communities and service needs.<sup>57</sup>

The Alaska Mental Health Trust Authority (Trust) has promoted system change using the Crisis Now model, also known as the no-wrong-door approach, to improve Alaska's behavioral health crisis care system. The Trust's Crisis Now work is collaborative and involves other state agencies, including the Department of Health, the Department of Public Safety, and the Department of Family and Community Services. The Trust also funds several crisis-related programs within state agencies through the annual state budget and grants to behavioral health providers. Since 2019, the Trust has funded Crisis Now services in communities throughout Alaska, including the crisis call center, operational costs for the startup and support of crisis residential centers, and mobile crisis response teams.

Details about these and other crisis-related programs are included in [Appendix I](#).

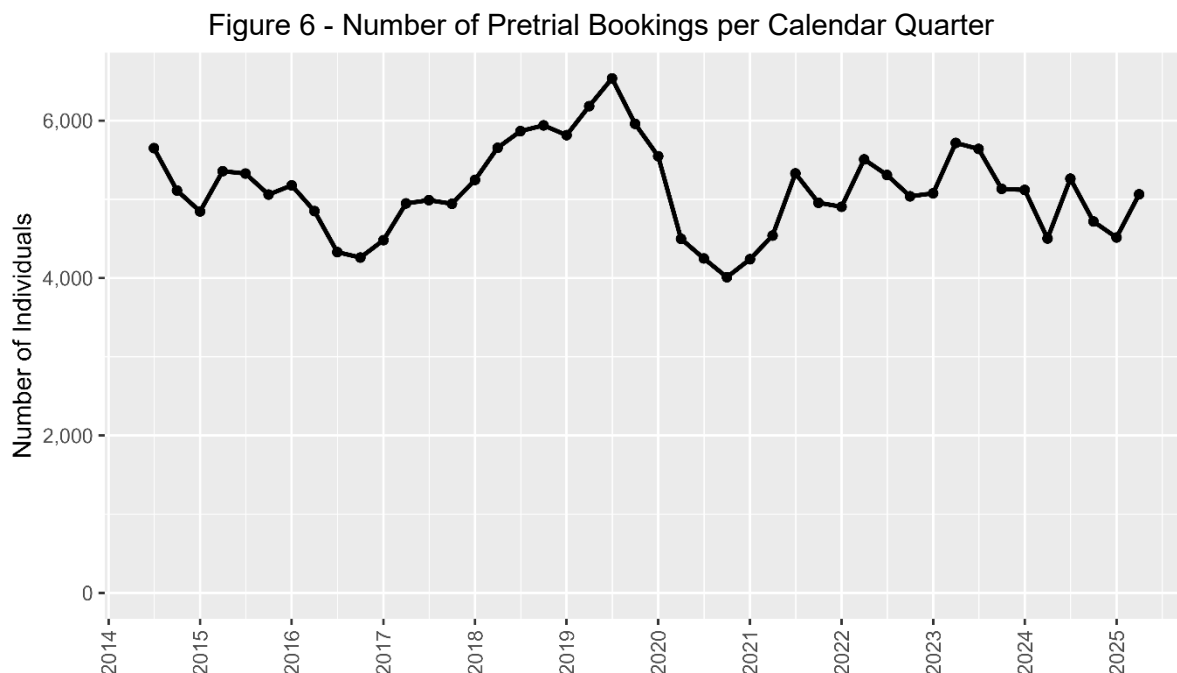
### 5.3 BOOKING AND INCARCERATION AFTER ARREST

When a person is arrested, the law enforcement officer can take the person to a police station or a correctional facility for booking. Law enforcement officers' decisions to arrest and book a person affect the number of individuals housed in Alaska's correctional facilities.

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<sup>57</sup> Cunningham, J., Applegate, D., Bertolo, J., Ferguson-Mahan Latet, K., Schulze, T., & Hybels, M., *Assessment of Alaska's behavioral health crisis services continuum of care* (June 2024), Alaska Department of Health, Division of Behavioral Health / Milliman, available at: <https://www.milliman.com/en/insight/assessment-alaska-behavioral-health-crisis-services>.

Figure 6 shows the number of pretrial individuals booked into correctional facilities per calendar quarter.<sup>58</sup>



*Data Source: Alaska Department of Corrections*

*Data Analyses: Alaska Criminal Justice Data Analysis Commission*

The number of people booked each quarter is higher than the number of people housed in correctional facilities. Some who are booked for misdemeanor crimes are able to obtain release right away pursuant to the Alaska Court System's bail schedule.<sup>59</sup> Others can be released by a judge at their first court hearing, or at a subsequent hearing. Defendants who are released by a judge or on the bail schedule await resolution of their case in the community rather than in a correctional facility.<sup>60</sup>

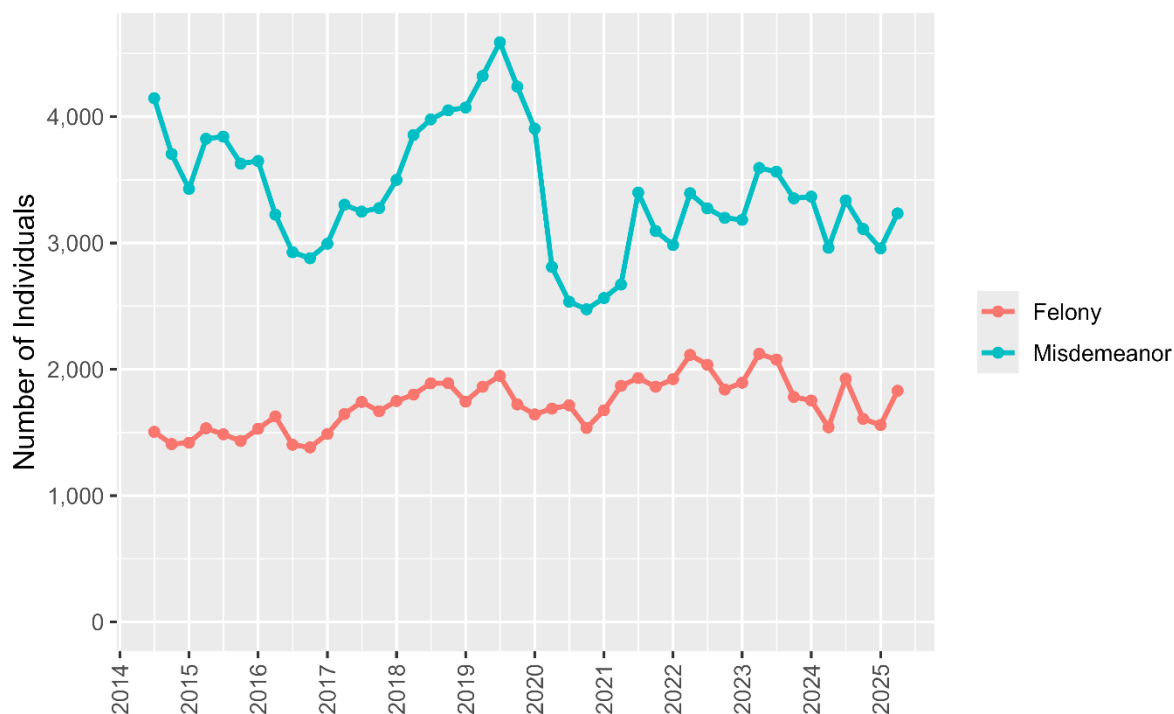
<sup>58</sup> A small number of convicted but unsentenced individuals may be included when describing individuals admitted to or held in a correctional facility pretrial. This is true of all information presented in this section.

<sup>59</sup> Available at <https://courts.alaska.gov/jord/docs/2023/statewide-misd-bail-schedule.pdf>.

<sup>60</sup> People are also booked into correctional facilities at other times in the process: if they return to incarceration because of a bail violation; at sentencing, if they were not incarcerated during the pretrial period and now must spend time incarcerated; and if they violate probation or parole and are returned to incarceration.

Figure 7 shows the number of people booked into correctional facilities per quarter by the severity of the crime they were alleged to have committed. Many more people are booked into correctional facilities in connection with a misdemeanor offense than a felony offense.

Figure 7 - Number of Pretrial Bookings by Severity of Alleged Crime per Calendar Quarter



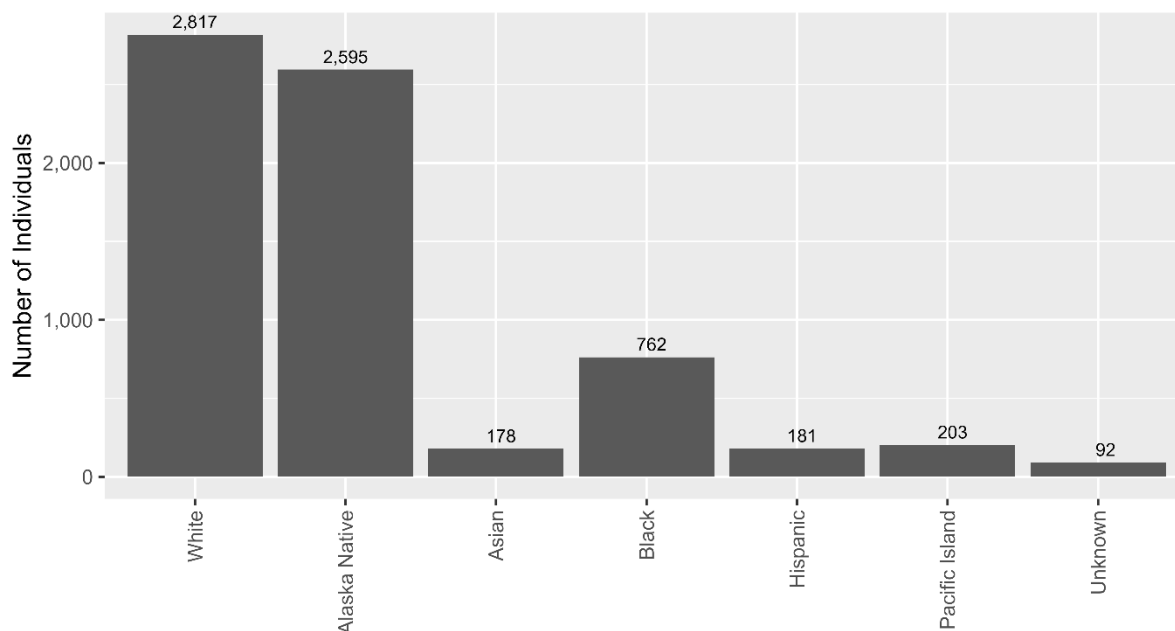
Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission



Figure 8 and Figure 9 show the number of people booked into correctional facilities in 2024 by the severity of the crime they were alleged to have committed (felony and misdemeanor, respectively) and their race/ethnicity.<sup>61,62</sup>

Figure 8 - Number of Felony Pretrial Bookings by Race/Ethnicity (Calendar Year 2024)



Data Source: Alaska Department of Corrections

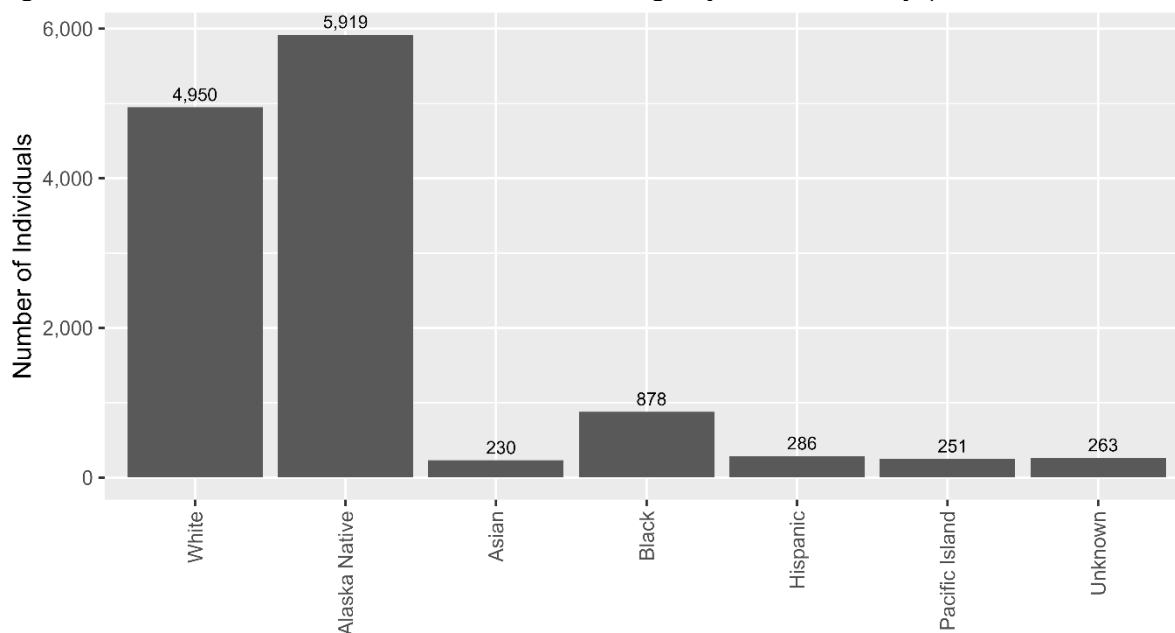
Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>61</sup> *Race/Ethnicity* is used to refer to the classification of individuals as “White,” “Alaska Native,” “Asian,” “Black,” “Hispanic,” “Pacific Island,” and “Unknown.” This mirrors the usage of the Alaska Department of Corrections, which is the data source for this analysis.

<sup>62</sup> Information regarding each person’s race or ethnicity was taken either from the Alaska Public Safety Information Network (APSIN), which obtains its data from Department of Motor Vehicles records, or was obtained from individuals when they were booked into an Alaska Department of Corrections’ correctional facility.

Figure 8 and Figure 9 also illustrate that more people were admitted to correctional facilities in connection with a misdemeanor offense (12,777) than a felony offense (6,828) in 2024.

Figure 9 - Number of Misdemeanor Pretrial Bookings by Race/Ethnicity (Calendar Year 2024)



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

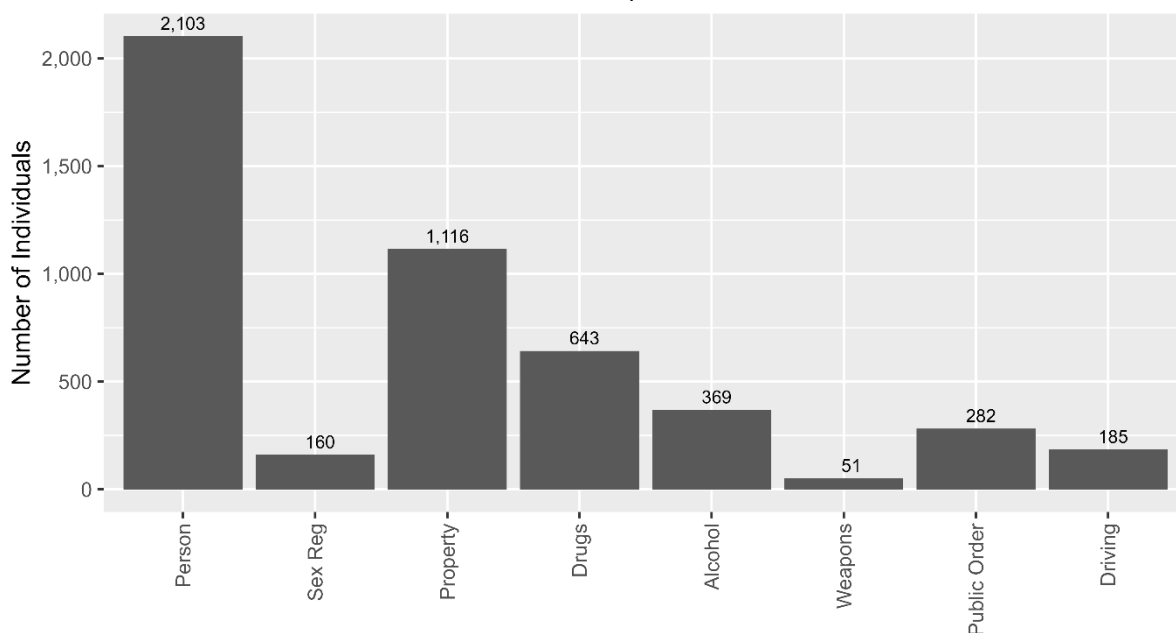
Figure 10 and Figure 11 show the number of people booked into correctional facilities in 2024 by the severity of the crime they were alleged to have committed (felony and misdemeanor, respectively) and offense type (property, drug, etc.).<sup>63</sup> Most admissions were related to person crimes irrespective of the severity of the alleged crime.

In this section, using the Department of Corrections' definitions:

- "Person" offenses include many – but not all – crimes enumerated at AS 11.41, and may can include crimes from other titles and chapters. See [Appendix J](#) for examples of "person" offenses in this section;
- "Sex Reg" offenses are those that would result in registering as a sex offender if convicted;
- "Sex Non-Reg" are sex offenses that would not result in a requirement to register as a sex offender if convicted;
- "Alcohol" offenses include drunk driving and other related offenses such as a refusal to take a breath test;
- "Drug" offenses include arrests for possession, distribution, and sales of drugs;
- "Public Order" offenses include disorderly conduct, protective order violations, and violations of conditions of release.

Figure 10 and Figure 11 illustrate that alcohol and public order offenses make up a large percentage of misdemeanor bookings, but a smaller percentage of felony bookings. Drug offenses are a small percentage of all bookings.

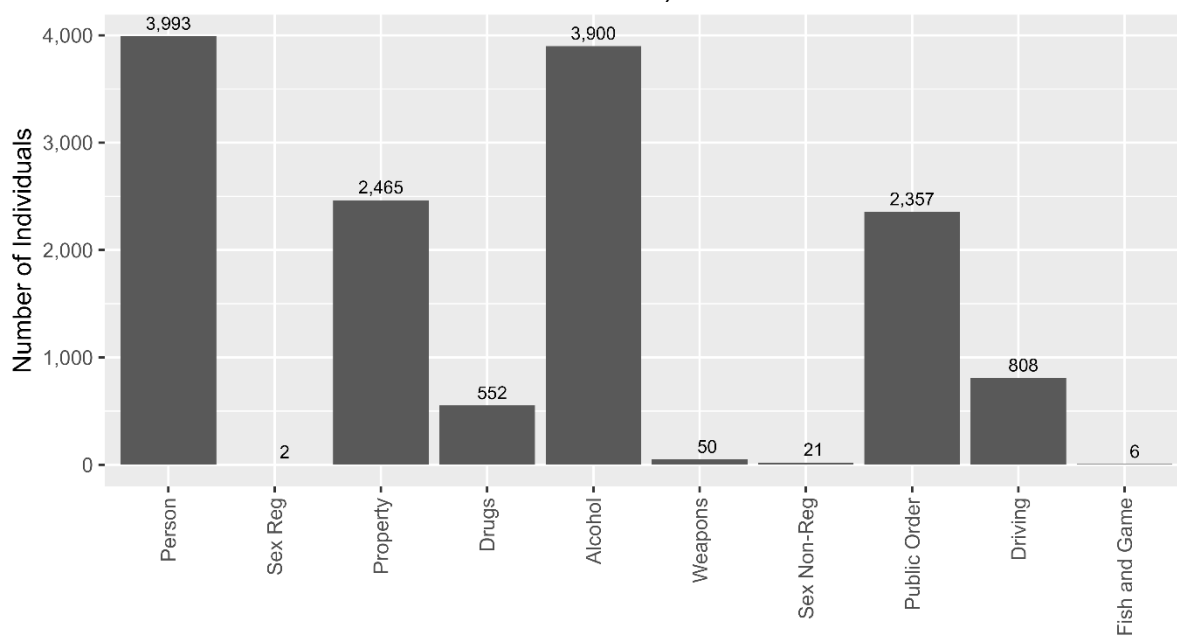
Figure 10 - Number of Felony Pretrial Bookings by Alleged Offense Type (Calendar Year 2024)



Data Source: Alaska Department of Corrections  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>63</sup> See Table 16 for more information regarding DOC offense classifications.

Figure 11 - Number of Misdemeanor Pretrial Bookings by Alleged Offense Type (Calendar Year 2024)



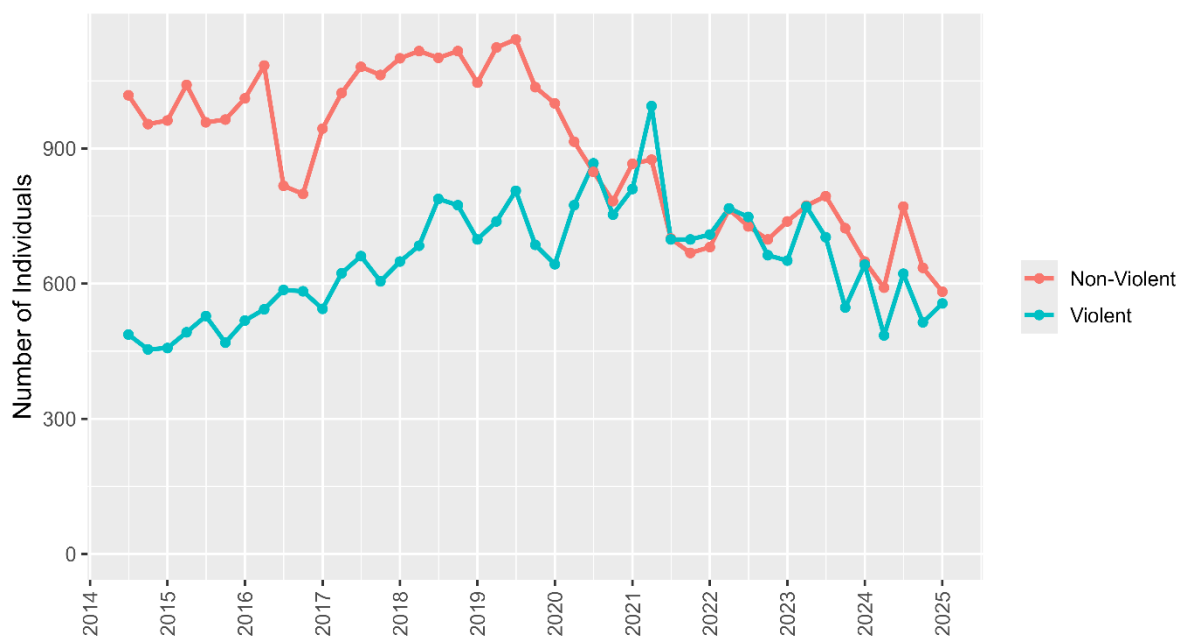
Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 12 and Figure 13 show the number of people booked into correctional facilities per calendar quarter by the severity of the crime they were alleged to have committed (felony and misdemeanor, respectively) and whether the alleged crime was “violent.”

These figures illustrate that individuals charged with non-violent misdemeanors are more frequently admitted to pretrial incarceration than people charged with any kind of felony. However, people charged with non-violent misdemeanors are more likely to be released on bail than those charged with felonies. Thus, people charged with felonies make up a greater share of the pretrial population on a given day (see Figure 15).

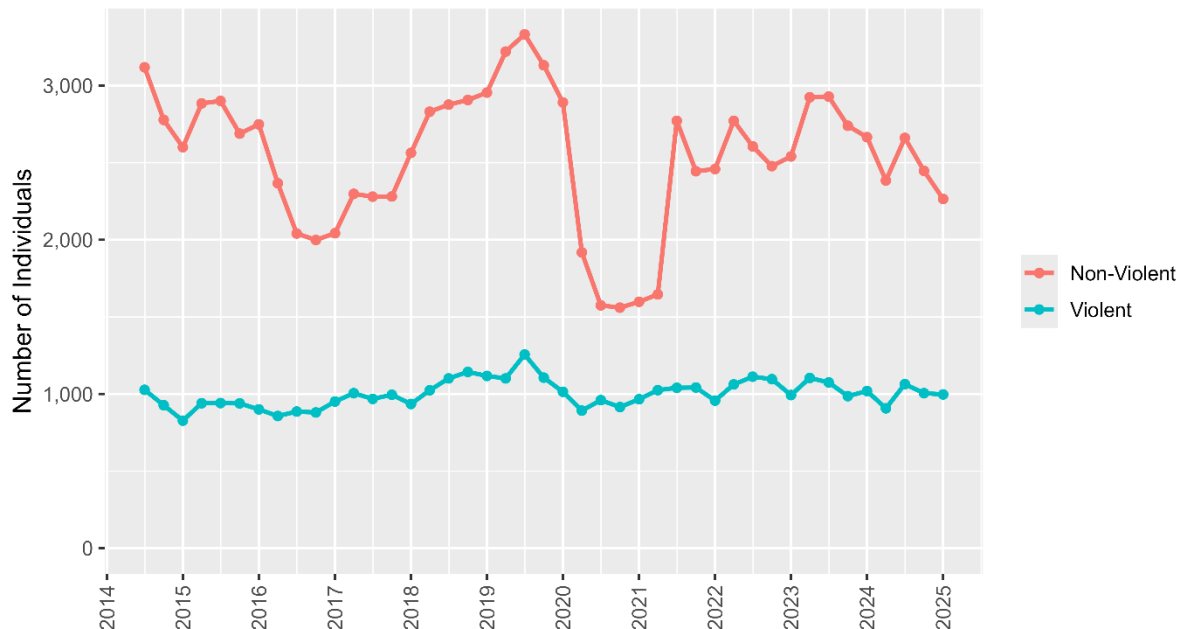
Figure 12 - Number of Felony Pretrial Bookings by Alleged Violent/Non-Violent Crime per Calendar Quarter



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 13 - Number of Misdemeanor Pretrial Bookings by Alleged Violent/Non-Violent Crime per Calendar Quarter



Data Source: Alaska Department of Corrections

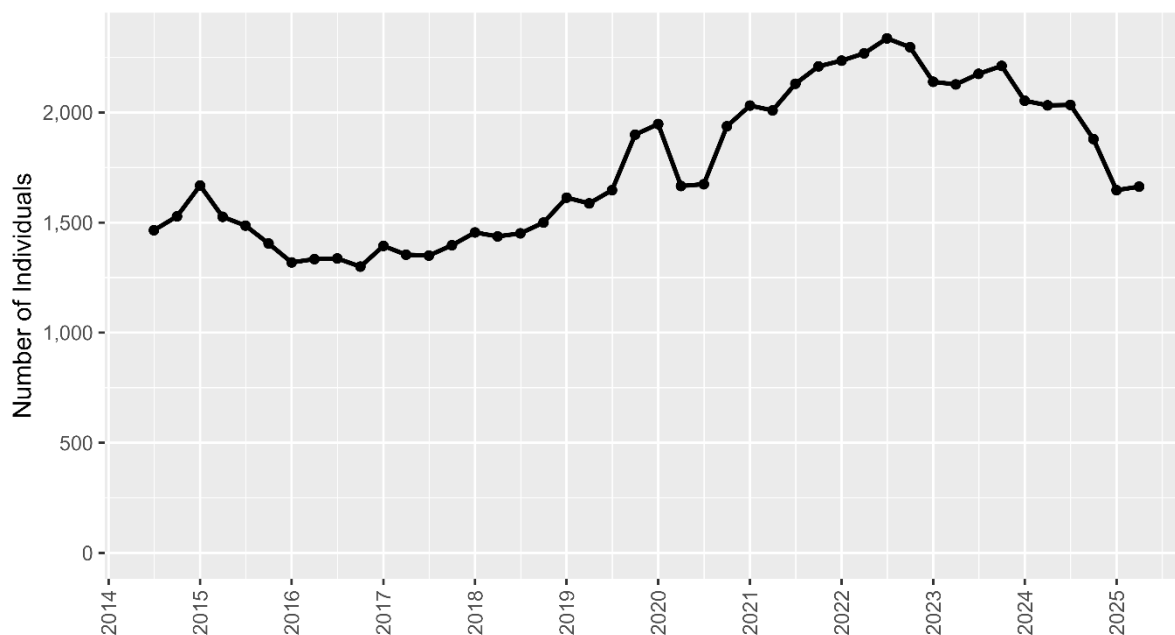
Data Analyses: Alaska Criminal Justice Data Analysis Commission

## 5.4 INCARCERATION AFTER ARREST

After a person is booked, they have the right to have conditions of release set by a judge while they await resolution of their charges. Whether the person is released or not released during this time before case resolution has an impact on the size and management of the correctional population. Housing significant numbers of individuals who have not yet been sentenced creates stress in the system, since it increases the total incarcerated population, and unsentenced individuals must be transported to court hearings.

Starting during the pandemic, the number of individuals in correctional facilities who had not yet been sentenced grew, as shown in Figure 14. The number of pretrial and unsentenced exceeded the number of sentenced beginning in 2020 and continued for about four years. The information displayed in Figure 14 represents the count on the first day of each quarter, sometimes referred to as “moment-in-time” measure, rather than the number booked over a period of time.<sup>64</sup>

Figure 14 - Number of Pretrial and Unsented Individuals Incarcerated on the First Day of the Calendar Quarter



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

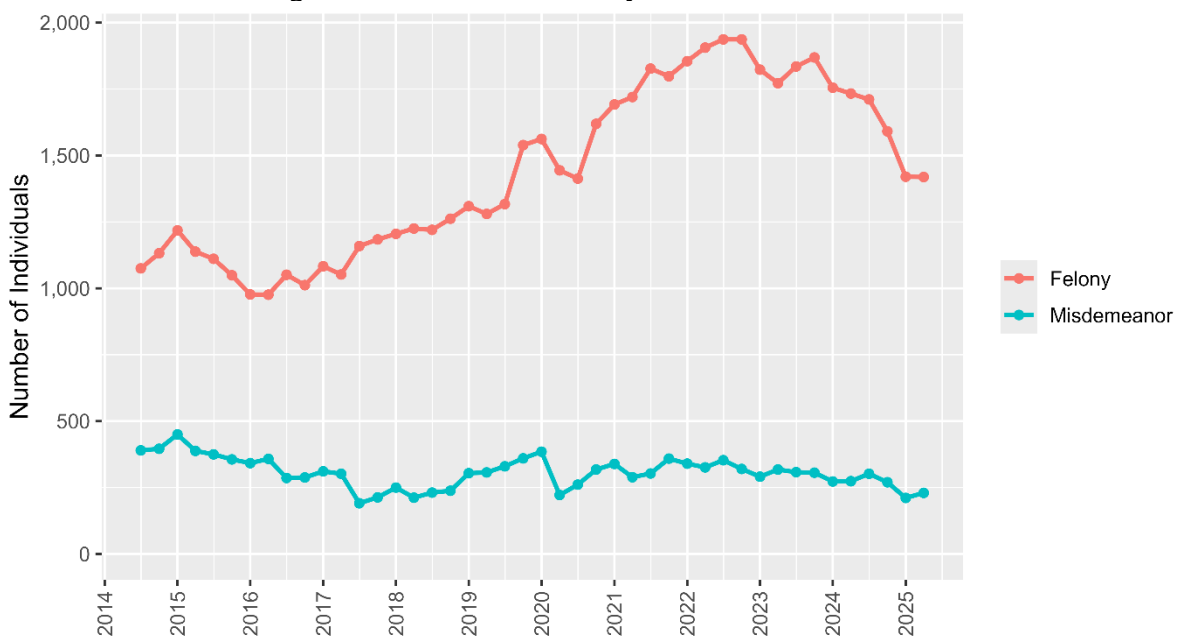
The Department of Corrections does not differentiate between defendants whose cases have not yet been resolved (“pretrial”) versus people who have been convicted but are awaiting sentencing. Thus, the data in this figure and the discussion in this section combines those who are “pretrial” with those who have been convicted but not yet sentenced.

<sup>64</sup> Individuals incarcerated as a result of a post-conviction supervision violation are not included.

Figure 15 shows the number of pretrial and unsentenced people in correctional facilities on a given day, grouped by the severity of the crime they were alleged to have committed. Those held in correctional facilities during their court case tend to be those accused of more serious crimes. While individuals who are charged with misdemeanors are admitted in higher numbers than people charged with felonies, the majority of incarcerated people awaiting trial on any given day are charged with a felony. Excluded from Figure 15 are those individuals who were held as a result of a technical violation, for example, violating a condition of release.

The composition of correctional-facility populations is affected by admissions but also by the speed with which cases are being resolved. If cases are resolved more slowly, and individuals are awaiting case resolution while incarcerated, the unsentenced population may remain in correctional facilities longer than if their cases were resolved sooner.

Figure 15 - Number of Pretrial and Unsented Individuals Incarcerated by the Severity of Alleged Crime on the First Day of the Calendar Quarter



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission



## 6 FILING OF CHARGES AND COURT CASE

The court process begins with the filing of charges by the prosecutor or the police. Criminal charges are filed in the district and superior courts of the Alaska Court System.

### 6.1 FILING OF CHARGES AND CHARGING DOCUMENTS

Table 2 shows the number of criminal cases filed each calendar year by the severity of the single most serious charge. The number of charges has dropped substantially in the past ten years, mostly because fewer misdemeanor charges were filed (12,703 in 2024 compared to 22,635 in 2015 – a decrease of about 44%). The number of felony filings has varied somewhat but there were slightly less in 2024 than in 2015 (5,075 versus 5,738 – a decrease of about 12%).

Table 2 - Number of Criminal Case Filings per Calendar Year

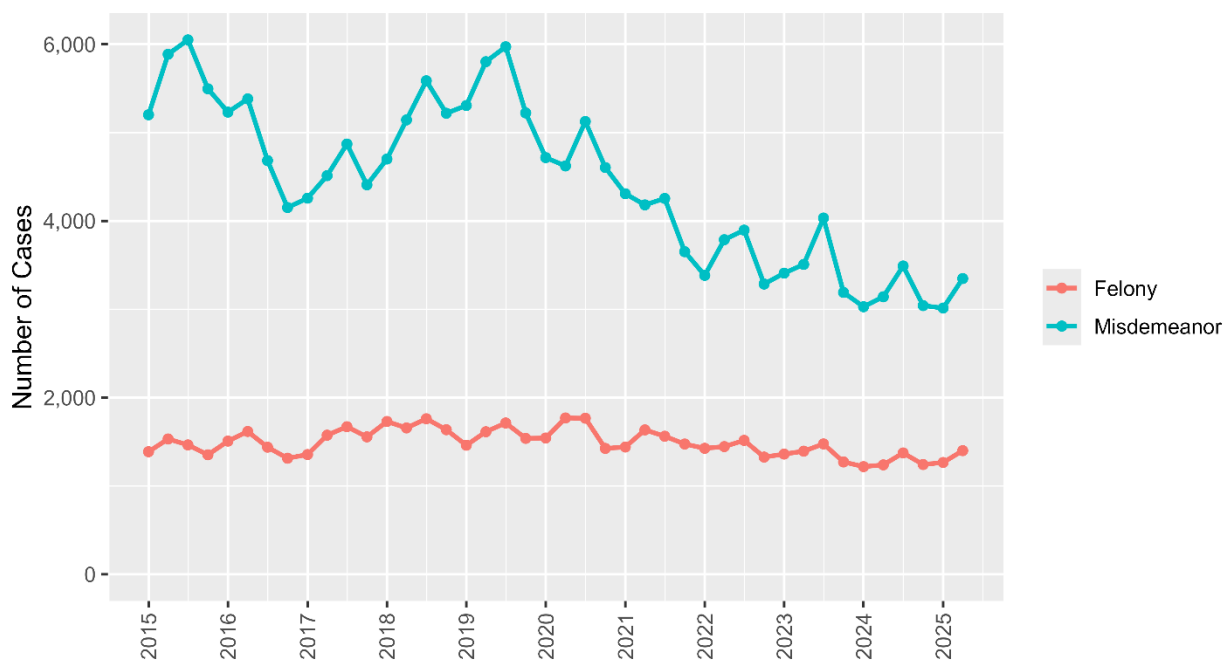
| Calendar Year | Felony | Misdemeanor | Total  |
|---------------|--------|-------------|--------|
| 2015          | 5,738  | 22,635      | 28,373 |
| 2016          | 5,878  | 19,450      | 25,328 |
| 2017          | 6,158  | 18,051      | 24,209 |
| 2018          | 6,785  | 20,651      | 27,436 |
| 2019          | 6,327  | 22,305      | 28,632 |
| 2020          | 6,505  | 19,071      | 25,576 |
| 2021          | 6,114  | 16,397      | 22,511 |
| 2022          | 5,715  | 14,354      | 20,069 |
| 2023          | 5,503  | 14,141      | 19,644 |
| 2024          | 5,075  | 12,703      | 17,778 |

*Data Source: Alaska Court System*

*Data Analyses: Alaska Criminal Justice Data Analysis Commission*

Similar to Table 2, Figure 16 shows the number criminal case filings over time, but in this figure cases are grouped by the severity of the alleged crime per calendar quarter, rather than calendar year.

Figure 16 - Number of Criminal Case Filings by Severity of Alleged Crime per Calendar Quarter



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

## 6.2 SCREENING BY PROSECUTORS

Prosecutors review all criminal cases to determine if the state or local jurisdiction will continue to press charges. Because people accused of a crime are presumed innocent, prosecutors are required to prove every element of the crime beyond a reasonable doubt.

Prosecutors may dismiss (screen out) cases if the evidence is not strong enough, if important evidence is missing, or for other reasons. The prosecutor can reduce charges to less serious levels, for example from a felony to a misdemeanor, or may add or delete charges. Throughout the court proceedings, the prosecutor may dismiss, amend, reduce, and/or add to the charge(s) filed, and may dismiss the case completely. Prosecutors' offices generally do not publish information about how many cases they accept or decline for prosecution.

### 6.2.1 SEX CRIMES AND THE DEPARTMENT OF LAW SCREENING PROCESS

Although prosecutor's offices generally do not publish information about their screening process, the Department of Law annually collects and summarizes data on the processing of felony sex crimes and provides that information to the Alaska Judicial Council.<sup>65</sup> [Appendix D, Sex Crimes](#)

<sup>65</sup> AS 44.23.040(b) requires the Department of Law to report to the Alaska Judicial Council data on felony sex offenses referred to the Department, and the outcomes of those referrals.

*Processing*, contains the most recent information submitted by the Department of Law about prosecutorial decision making in sex offense cases.

### 6.3 ARRAIGNMENT/FIRST APPEARANCE

The first hearing after charges are filed, called the arraignment or first appearance, is when judges consider conditions of release and go over important rights with the defendant. The timing of the hearing depends on whether or not the defendant is incarcerated. Defendants who are arrested and not immediately released appear within 24 hours, absent compelling circumstances requiring a later court appearance.<sup>66</sup> Defendants who were not arrested or who were arrested and released, who were issued a citation, or who were served with a summons, appear before the court within a few days or weeks.

### 6.4 RELEASE BEFORE CASE RESOLUTION

If a person has not been released pursuant to a bail schedule before the first court hearing, the judge must consider conditions under which a defendant may be released from incarceration to await resolution of their case (this decision is sometimes referred to as bail). The Alaska Constitution gives defendants the right to be released on bail, except in capital offenses.<sup>67</sup> The Alaska Legislature has enacted bail statutes which define how this constitutional right applies to individuals. The Alaska Supreme Court also sets rules and policies related to granting of release, and bail. In 2020, the presiding judges issued an administrative order establishing a statewide bail schedule which allows for the release of some misdemeanor defendants before a hearing.<sup>68</sup>

When making a decision about a defendant's conditions of release, the judge must consider the likelihood that the defendant will appear in court, the safety of the victim, and the safety of the community. (The laws about bail are explained in detail in the Commission's 2024 annual report.) Sources of information for this decision include the defendant's criminal history, arguments from the attorneys, and the Department of Corrections' pretrial risk assessment.

#### 6.4.1 PRETRIAL RISK ASSESSMENT

At the first hearing, the Department of Corrections provides the judge with a risk assessment that the judge is required to consider when making a decision about pretrial release.<sup>69</sup> The risk assessment is calculated for each individual who is arrested and booked into a correctional institution.

The pretrial risk assessment instrument, developed specifically for Alaska's population, assesses a defendant's level of risk on two measures of pretrial failure: likelihood of failure to appear in court (FTA) and likelihood of new criminal arrest (NCA).

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<sup>66</sup> Alaska Rule of Criminal Procedure 5(a), available at <https://courts.alaska.gov/rules/docs/crpro.pdf>.

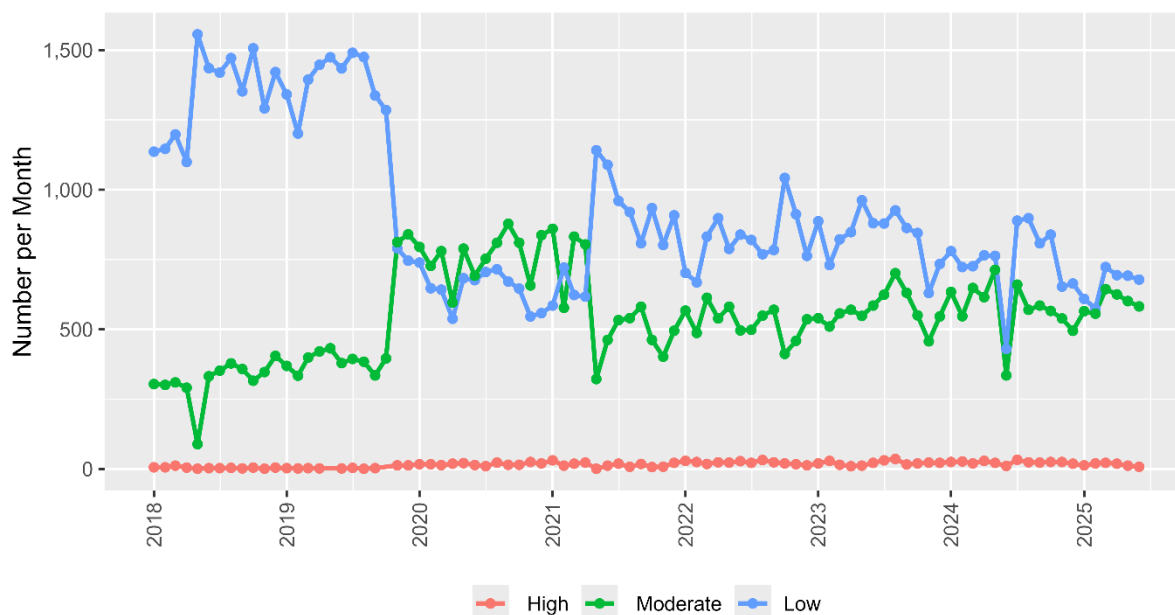
<sup>67</sup> ALASKA CONST., art. I, § 11. There are no capital offenses in Alaska.

<sup>68</sup> The bail schedule is posted at <https://courts.alaska.gov/jord/docs/2020/bail-schedule02-20.pdf>.

<sup>69</sup> The risk assessment is required to be considered by judges when deciding whether defendants should remain incarcerated while awaiting disposition of their cases; AS 12.30.011(c)(12).

Figure 17 shows the results of assessments evaluating defendants' risk of failure to appear per month. The abrupt shift of the low risk and moderate risk lines on the FTA assessment between 2020 and 2021 may be due to changes to the criminal code and re-validation of the assessment tool.<sup>70</sup>

Figure 17 - Number and Outcome of Pretrial Risk Assessments Evaluating Failure to Appear per Calendar Month



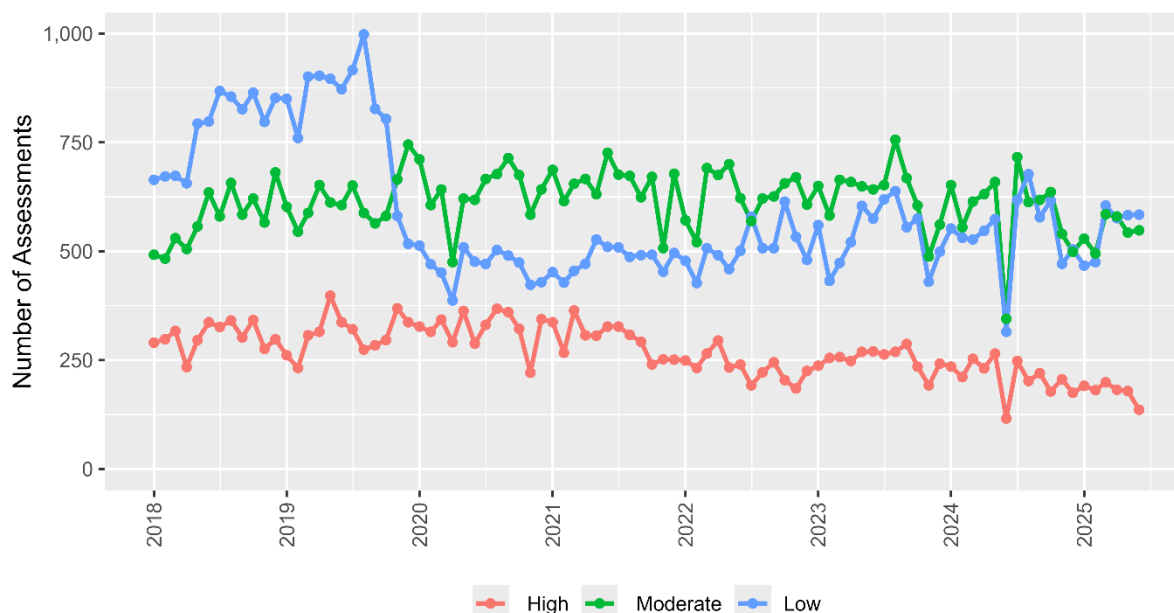
Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>70</sup> Email from the Department of Corrections to the Alaska Judicial Council (August 15, 2023).

Figure 18 shows the results of assessments evaluating defendants' risk of new criminal activity per month. In the first two years pretrial risk assessments were provided to judges, most defendants were assessed as having low new-criminal-activity risk; since then, most defendants have been assessed as having moderate risk.

Figure 18 - Number and Outcome of Pretrial Risk Assessments Evaluating New Criminal Activity per Calendar Month



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

When the Department of Corrections first began providing risk assessments to judges, judges assigned many low-risk offenders to supervision (about half of all defendants in 2019).<sup>71</sup> After that first year, however, judges began assigning more moderate-risk offenders to supervision, as shown in Table 3.

Table 3 - Risk Levels of Defendants Assigned to DOC Pretrial Services per Calendar Year

| Calendar Year | Low Risk | Moderate Risk | High Risk | Not Assessed/Unclassified <sup>72</sup> |
|---------------|----------|---------------|-----------|-----------------------------------------|
| 2019          | 51%      | 32%           | 10%       | 8%                                      |
| 2020          | 37%      | 46%           | 13%       | 4%                                      |
| 2021          | 36%      | 46%           | 13%       | 5%                                      |
| 2022          | 38%      | 46%           | 13%       | 3%                                      |
| 2023          | 42%      | 47%           | 11%       | -                                       |
| 2024          | 42%      | 48%           | 10%       | -                                       |
| 2025          | 45%      | 45%           | 9%        | 1%                                      |

Source: Alaska Department of Corrections

<sup>71</sup> For this discussion, risk levels are a composite of two separate scores – risk of failure to appear (FTA) and risk of new criminal activity (NCA). When summarizing the risk of an individual, the higher of the two scores is used.

<sup>72</sup> Sometimes people are assigned to supervision even though they were not assessed; often these individuals were already released before arraignment because they were charged with a misdemeanor and released according to the bail schedule.

## 6.4.2 OUTCOMES OF JUDGES' DECISIONS ABOUT PRETRIAL RELEASE

When setting conditions of release, the judge has a variety of options. The judge can release the person on their own recognizance,<sup>73</sup> require the defendant to post a money bond (which can be forfeited if the defendant fails to appear in court or fails to follow the rules of pretrial release), impose a third-party custodian, order the Department of Corrections' pretrial enforcement unit to supervise the defendant, set restrictions on the defendant's ability to travel, and impose drug and alcohol testing, among other things. The judge's decision is recorded on an order form that is placed in the court file and provided to the parties and the Department of Corrections. However, the information is not aggregated electronically in any database.

Because judges' release decisions for individual defendants are not aggregated into a database, it is difficult to study the operation of the pretrial release system. Information about how often defendants are released before their case is resolved, and what conditions of release are imposed, must be compiled by examining each case individually (in some instances, the case documents can be accessed online; in other instances, the documents are in paper form in paper files). Because these types of individual file reviews are time consuming, only three studies of pretrial release outcomes exist in Alaska.<sup>74</sup>

The first pretrial release outcome study was published in 2014 by the Alaska Judicial Council. The study reviewed several hundred case files from five court locations in Alaska involving offenders who had been released from Alaska's correctional institutions in July and December of 2014. Of those defendants, only about half (48%) had been released before their cases were disposed of.

About 12% of these defendants who were released were released on their own recognizance, and an additional 10% were released on an unsecured bond.<sup>75</sup> About 67% of defendants were required to post a money bond. About a quarter (23%) of those who had a money bond requirement also had a third-party custodian requirement.

The judges' decisions to require posting of money bond with or without a third-party-custodian requirement meant that about 50% of those with a money bond and/or a third-party custodian requirement stayed incarcerated before trial or other disposition. Further, 75% of those with a third-party custodian condition stayed incarcerated while their case was resolved.

The second study, in 2017, was conducted in part to understand the effects of a new bail schedule recently adopted by the Alaska Court System. That study of 358 cases from Anchorage, Nome, Bethel, Fairbanks, and Juneau examined individuals considered for pretrial release over a three-month period in 2018. The study showed that about 79% of defendants were released before case disposition and 31% of defendants were released pursuant to the bail schedule, a change from the earlier study.

The third study, ongoing in 2024 and 2025, is being conducted by the Alaska Criminal Justice Data Analysis Commission. Similar to those that preceded it, this study examines cases from

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<sup>73</sup> Defendants released on their own recognizance promise to appear at future court hearings and to comply with any conditions set by the judge.

<sup>74</sup> Access to paper court case files in a state as large as Alaska has been one of the key issues preventing analyses in the past. Since 2019, the Alaska Court System has rolled out electronic filing to courts. As of 2025, all court locations have mandatory electronic filing for criminal cases. Remote access via *TrueFiling*, a web-based eFiling program, is a step towards improved access to judges' pretrial decisions.

<sup>75</sup> An unsecured bond does not require the defendant to deposit any funds.

various locations in Alaska. While data collection is not complete, among cases that have been examined, preliminary analyses show that approximately 70% of defendants were released before case disposition (this excludes defendants who were never arrested but responded to summons). Of those defendants who were released, approximately 32% were released on their own recognizance (many own recognizance releases, 13% in this study, were obtained pursuant to the Alaska Court System's misdemeanor bail schedule).<sup>76</sup>

Among all defendants, judges often imposed requirements to post money bonds, and when they did the bonds were most often secured. Approximately 69% of defendants were ordered by a judge to post a money bond of some type, and in only 17% of cases with money bond was the bond unsecured.<sup>77</sup>

About a third of all defendants (34%) were ordered by the judge to be supervised by the Department of Corrections' (DOC) Pretrial Enforcement Division (PED). Some of these defendants also had other conditions of release in addition to PED monitoring. A quarter of defendants (25%) were ordered to be monitored electronically, if released (most of these individuals were ordered to be monitored electronically by PED).

#### *Department of Corrections' Pretrial Enforcement Division*

Judges who order defendants to be supervised by PED also may impose additional conditions of release. Defendants in this situation who cannot meet their other conditions of release are not released to DOC supervision. DOC's pretrial enforcement unit keeps track of the number of pretrial individuals ordered to DOC supervision, and how many of these individuals were actually released to DOC supervision. Figure 19 shows the number of individuals who were ordered to DOC pretrial enforcement and how many did and did not meet all their other conditions of release.

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<sup>76</sup> See [Appendix E](#) for definitions of own recognizance, secured and unsecured bond, bail schedule, and bail.

<sup>77</sup> This percentage does not include misdemeanor defendants who may have posted a money bond pursuant to the bail schedule.

Figure 19 - Number of Defendants Ordered to and Supervised by PED per Calendar Year



Data Source: Alaska Department of Corrections; DOC 2020 - 2024 Offender Profile  
 Data Analyses: Alaska Criminal Justice Data Analysis Commission

The data in Figure 19 show that additional conditions imposed by judges prevented the release of a fair number of people who would otherwise have been supervised in the community by PED.

DOC's pretrial supervision office offers electronic monitoring (handheld breath test, GPS ankle bracelet, GPS wristwatch, or ankle transdermal alcohol monitor). Based on counts from September of 2024, 1,146 of 1,587 defendants (about 72%) being supervised in the community by PED were on some form of electronic monitoring.

## 6.5 VIOLATING CONDITIONS OF RELEASE AND FAILURE TO APPEAR

Individuals who are not in a correctional facility while awaiting the resolutions of their cases must abide by the conditions of release set by the judge or the bail schedule, and they must appear at subsequent court hearings. If a defendant fails to comply with the conditions of release, fails to appear at a hearing, or is charged with a new offense, they can be arrested and brought back before the court for reconsideration of conditions of release.

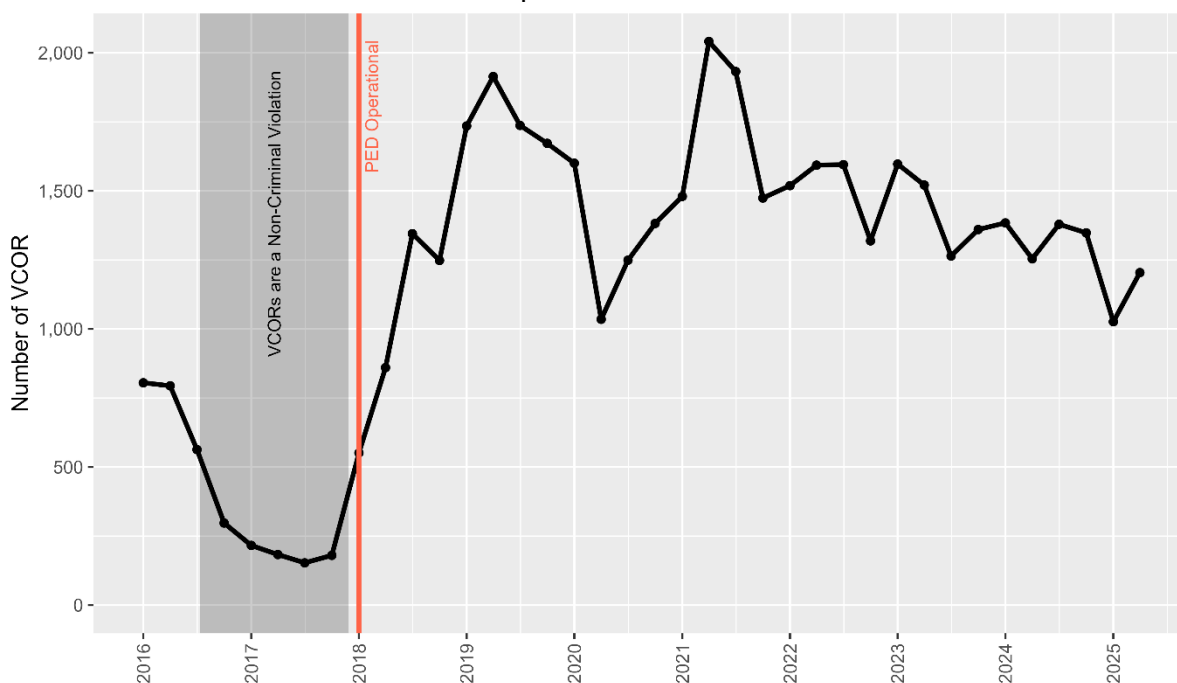
One important measure of how the pretrial release system operates is the frequency with which defendants who are not incarcerated are charged with crimes related to their failure to comply with conditions of release. The two main charges brought when a defendant is suspected of violating release conditions are "violating conditions of release" and "failure to appear." A third way to track pretrial failure is to measure how often other criminal charges are brought against defendants who are not incarcerated, although generally speaking, a charge of violating conditions of release can be brought in addition to other criminal charges.



### 6.5.1 VIOLATING CONDITIONS OF RELEASE

Violating conditions of release (VCOR) is currently a misdemeanor.<sup>78</sup> Figure 20 illustrates the number of court case dispositions that contained at least one VCOR charge per calendar quarter. This is not the number of criminal convictions involving a VCOR charge, rather it is the number of cases in which one or more VCOR charges were filed. For context, in the first three months of 2025, roughly 1,200 disposed of cases contained at least one VCOR charge, compared to a total of roughly 5,750 disposed of cases.

Figure 20 - Number of Case Dispositions Containing a Charge of Violation of Conditions of Release per Calendar Quarter



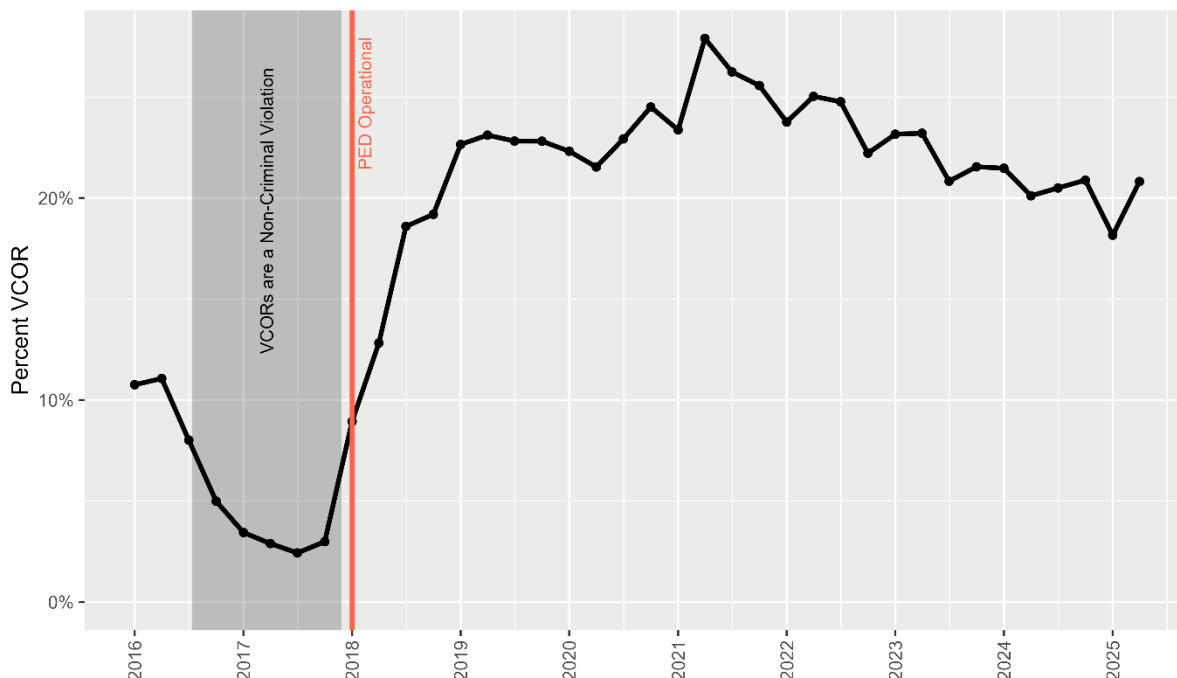
Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>78</sup> AS 11.56.757, AMC 8.30.110, and CBJ 42.05.110.

Figure 21 illustrates the percentage of court case dispositions that contained at least one VCOR charge per calendar quarter.

Figure 21 - Percentage of Case Dispositions Containing a Charge of Violation of Conditions of Release per Calendar Quarter



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

The data in Figure 20 and Figure 21 can be interpreted in light of several significant legislative and procedural changes. In 2016, the Legislature reduced VCORs to a non-criminal violation (similar to a traffic violation); then, in 2017, this was reversed. The period during which VCORs were a non-criminal violation is apparent in Figure 20 and Figure 21. Then, in 2018, the Department of Corrections' Pretrial Enforcement Division (PED) became fully operational, with pretrial enforcement officers available to monitor and supervise many defendants who were not incarcerated. While the data do not identify who filed the VCOR, these new supervision efforts may have contributed to additional VCOR filings shown in the figures. Additionally, in 2021 and 2022, the presiding judges in the Third and Fourth Judicial Districts, respectively, changed the manner in which VCORs were filed. Rather than filing VCORs as a new case, prosecutors and PED officers were directed to file them in the case in which the conditions of release were allegedly violated. If the violation of the conditions was the commission of a new crime, the VCOR could be appended to the new case.<sup>79</sup> Finally, it should be noted that not all the defendants in the cases represented in Figure 20 and Figure 21 were in the community during their court case. The court system data includes cases in which the defendant remained incarcerated after the court set conditions of release, but the court system data does not identify in which cases the defendant remained incarcerated and those in which they did not. Because incarcerated defendants cannot violate their conditions of release, these cases should not be counted when calculating the

<sup>79</sup> Administrative standing orders for the Alaska Court System may be found at <https://courts.alaska.gov/jord/>; see also the presiding judges' orders regarding VCORs for the Third and Fourth Judicial Districts at <https://courts.alaska.gov/jord/docs/3rd-pjo-824a.pdf> and <https://courts.alaska.gov/jord/docs/2022/4th-pj-22-05.pdf>.

percentage of cases that lead to a VCOR charge – and the inclusion of those cases skews the analysis in Figure 21 and its related text.

## 6.5.2 FAILURE TO APPEAR

Individuals who are awaiting resolution of their case while living in the community must appear at their scheduled court hearings. If they do not, they can be charged with failure to appear.<sup>80</sup> An affirmative defense for failing to appear is that unforeseeable circumstances outside the person's control prevented the person from appearing and the person subsequently contacted the court as soon as possible afterwards.<sup>81</sup> While previous research has found that an individual's failing to appear at a hearing is not uncommon, it is rare for the individual to be charged with the crime of failure to appear. The Commission continues to collect data related to this issue. For example, among a small random sample of court cases disposed of during 2023, 24% of cases contained at least one recorded failure to appear.<sup>82</sup> In most cases, a warrant was issued but, in a subset of cases, the hearing was merely reset. Furthermore, this excludes instances where defense counsel requests a continuance, arguing, for example, that they had been in contact with their client and ask that they be provided with an opportunity to talk with the defendant rather than the court issue a warrant. The majority of cases with a recorded failure to appear involve misdemeanors (59%).

## 6.6 PRE-TRIAL DIVERSION PROGRAMS

Prosecutors have discretion to handle cases in ways that do not involve prosecution, including using pre-trial diversion. For example, the Municipality of Anchorage prosecutor's office provides the opportunity to have certain driving, property, and public order crimes dismissed if the defendant meets program criteria, pays a fine and/or completes community service.<sup>83</sup> In 2017, the Alaska Department of Law announced a program to work with Alaska tribes to provide civil remedies for some low-level criminal offenses. About a dozen of these agreements have been signed.<sup>84</sup> In 2025, the Department of Law said that they are considering revising the way in which cases are referred for agreements, and that several tribes are indicating interest in participating in the program.

## 6.7 COMPETENCY

The Commission's 2022 Annual Report included a significant section on the issues of competency and restoration, including data about how the system was working at that time. This report provides a limited update for 2024 in the following pages.

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<sup>80</sup> AS 11.56.730.

<sup>81</sup> AS 11.56.730(b).

<sup>82</sup> Alaska Criminal Justice Data Analysis Commission, *Examination of Pretrial Release Practices and Outcomes, and Factors Associated with Pretrial Delay* (publication expected in 2026).

<sup>83</sup> AMC 08.05.060.

<sup>84</sup> Alaska Department of Law, *Alaska Receives \$900,000 Grant for Diversion Agreements with Tribal Courts*, (October 10, 2018), <https://law.alaska.gov/press/releases/2018/101018-DiversionAgreements.html>.

## Legal Background

A person charged with a crime has a right to understand the proceedings and assist in their own defense.<sup>85</sup> “Criminal defendants who are unable to understand the proceedings against them or unable to assist in their own defense are deemed incompetent and cannot be tried, convicted, or sentenced while the incompetency remains.”<sup>86</sup>

The process the state uses to determine a defendant’s competency is governed by AS 12.47.100. Upon a motion for a determination of the defendant’s competency, and if the court finds that the situation justifies an evaluation, the court orders the defendant to be evaluated by a qualified psychiatrist or psychologist who reports back to the court about whether they believe the person is competent. Following the return of the evaluator’s report, the court holds a hearing and determines competency based on the preponderance of the evidence.

If the court finds that the defendant is incompetent, the court stays the criminal case proceedings and, if the case is a felony, the Alaska Department of Family and Community Services evaluates and treats the defendant for a set period of time. (Evaluation and treatment is available but not required for misdemeanor cases.) In most instances, if the defendant continues to be incompetent, the court must dismiss the charges.

Effective January 1, 2025, laws went into effect significantly changing the competency process.<sup>87</sup> A court now may order a defendant to be evaluated and treated for competency as a condition of release on an outpatient basis, as determined by the forensic evaluation team at the Alaska Psychiatric Institute (API). Another section provides that if a defendant is charged with a felony offense against a person under AS 11.41 or felony arson and has been found incompetent to proceed in a criminal trial, the prosecutor must petition a court to have the defendant evaluated for involuntary civil commitment under AS 47.30.710. The provision also provides procedures to carry out the evaluation and detention of the individual and extends the duration of possible civil commitment by two years. The legislation includes provisions for victims to attend confidential civil commitment proceedings and for the sharing of confidential records with the Department of Law.

## Competency Evaluations

API monitors the number of competency evaluations ordered by the courts, and how long defendants wait before they can be evaluated. API’s most recent data shows that defendants in 161 cases were ordered to undergo a competency evaluation between July 1, 2025 and October 2, 2025, and that defendants in 485 cases were ordered to undergo a competency evaluation between July 1, 2024 and June 30, 2025.<sup>88</sup> A majority of defendants who receive an evaluation are found by the court to be incompetent.

Average wait time for a competency evaluation. API reported that since early 2023 (post COVID) to the present, the average wait time for an inpatient competency evaluation has consistently been about 2 - 3 weeks for incarcerated defendants and 4 - 6 weeks for un-incarcerated defendants. API reports there is typically little to no backlog for a competency evaluation.

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<sup>85</sup> *J.K. v. State*, 469 P.3d 434 (Alaska App. 2020) (citing *Dusky v. United States*, 362 U.S. 402, 402, 80 S.Ct. 788, 4 L.Ed.2d 824 (1960)(per curiam)).

<sup>86</sup> *R.B. v. State of Alaska*, 533 P.3d 542, 544, n. 1 (Alaska Ct. App. (citing AS 12.47.100(a))).

<sup>87</sup> 2024 CHSB 66.

<sup>88</sup> Email from API to Alaska Judicial Council (October 2, 2025).

## Restoration Treatment

Restoration capacity. The Department of Family and Community Services has historically operated one facility in the state, API, to house and treat defendants who have been committed for restoration of competency to stand trial. There are only ten inpatient beds available at API for competency restoration for the entire state, and as a result there is a significant wait list for competency restoration. API reports that the average overall wait time for an inpatient bed is currently about 160 days.

Recently, API expanded its capacity for competency restoration by providing services to individuals incarcerated as well as outpatient services to defendants who have been released pending trial. The goal is to provide services to defendants sooner when there are no inpatient beds available, and to shorten the wait list for defendants who need the higher level of supervision and the more intensive psychiatric services offered at API.

### Jail-Based Restoration

API has a memorandum of agreement with the Department of Corrections that allows API staff to offer jail-based restoration at two Department of Corrections locations, one for men and one for women.

### Outpatient restoration

The outpatient restoration program takes place at API's satellite office in Anchorage. There is no wait list for this program, but the defendant must have the ability to independently transport themselves to the group sessions and keep the twice weekly appointments. API is able to provide free bus passes to assist with transportation, but it reports that the lack of funding for housing and other more personalized transportation presents a barrier for many otherwise eligible defendants.

Number of Restoration Cases. API reports that in fiscal year 2025, the defendants in 160 cases were ordered to receive competency restoration treatment. In fact, most of those cases were disposed of before the defendants received competency restoration services. About 95 cases were dismissed while the defendants were waiting for a competency-restoration bed, and about 30 defendants were ruled competent after a second competency evaluation even though they had yet to receive competency-restoration services. Of the defendants who received restoration services, 21 had their cases dismissed after a restoration attempt, 15 were ruled competent after restoration treatment, and 9 still have their cases pending and are still receiving services. From July 1 to date, the defendants in an additional 35 cases have been ordered to receive competency-restoration treatment. Most of these defendants remain on the waitlist, but 8 of these defendants have had their cases dismissed while they were awaiting restoration services.

## Civil Commitment Petitions for Defendants Found Incompetent

As mentioned above, the Department of Law is now required by law to petition a court to order certain criminal defendants to be evaluated for involuntary civil commitment when they have been found incompetent to proceed in a criminal trial (the statute applies only to defendants charged with a felony offense against a person under AS 11.41 or felony arson).<sup>89</sup> The Criminal Division Central Office (CDCO) of the Department of Law is monitoring implementation of this new law.<sup>90</sup> The CDCO reports that between January 1, 2025 and September 26, 2025 it filed 60 petitions for

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<sup>89</sup> AS 47.30.706.

<sup>90</sup> Email from Alaska Department of Law to the Alaska Judicial Council (September 26, 2025).

detention for evaluation after a finding of incompetence: 50 under the AS 47.30.706, and 10 under AS 47.30.700.<sup>91</sup>

Once a petition has been filed under AS 47.30.706, the law provides a presumption that a criminal defendant charged with a felony as defined and who has been found incompetent is mentally ill and presents a likelihood of serious harm to self or others.<sup>92</sup> Unless this presumption is rebutted, the court is required to issue an *ex parte* order for the defendant to be evaluated for involuntary civil commitment.<sup>93</sup>

CDCO reports that of the 60 petitions it filed, most were granted.<sup>94</sup> Of the 51 petitions granted, 26 respondents were transferred to API, and 25 respondents were either released by the Department of Corrections before transfer to API, or the petition expired before transfer to API. Only 8 petitions were denied. Of the petitions that were denied, six were denials of a petition filed under AS 47.30.706, and two were denials of a petition filed under AS 47.30.700.

The CDCO also monitors timeframes associated with the new process. CDCO reports that the average length of time a respondent spent at API following a CDCO petition being granted and the respondent being transferred was 33.96 days. The shortest length of time the respondent stayed at API was 2 days. The longest length of time was 147 days and counting, as of September 26, 2025. The median time spent at API was 18 days.

The statewide average length of time between the filing of a petition by CDCO and judicial action on the petition was 1.11 days. Average time between filing and judicial action by judicial district was:

- First Judicial District: no data;
- Second Judicial District: 3.0 days;
- Third Judicial District: 0.79 days;
- Fourth Judicial District: 3.5 days.

## 6.8 CASE DISPOSITIONS: CONVICTIONS, DISMISSALS, AND ACQUITTALS

Although criminal jury trials may get the largest media coverage, most criminal cases in Alaska never go to trial. Instead, most criminal cases are resolved (1) when the government dismisses all charges against the defendant, or (2) when the government and the defendant enter into a “plea agreement” – a negotiated resolution of the charges.<sup>95</sup>

In some plea agreements, the government and the defendant agree that the defendant will accept a conviction on one or more specified charges, and that the other charges against the defendant will be dismissed. This is called a “charge bargain”. In other plea agreements, the government and the defendant agree that the defendant will receive a particular sentence, or will be sentenced

<sup>91</sup> The ten petitions filed under AS 47.30.700 dealt with defendants who had charges dismissed due to incompetence to stand trial, but the charges were not a felony covered by AS 47.30.706. Thus, the petitions were filed under existing law (AS 47.30.700).

<sup>92</sup> AS 47.30.706(d).

<sup>93</sup> See AS 47.30.706(b).

<sup>94</sup> One petition was pending at the time of this writing.

<sup>95</sup> Plea agreements are governed by Criminal Rule 11(e); Alaska Court System, *Alaska Rules of Court: Rules of Criminal Procedure, Criminal Rule 11*, <https://courts.alaska.gov/rules/docs/crpro.pdf>.

within a particular range, on one or more specified charges. This is called a “sentence bargain”. And some plea agreements contain both a charging and a sentencing component.

Under our law, government prosecutors control charging decisions, so a judge has no discretion to reject the “charge bargain” portion of a plea agreement. However, under Alaska Criminal Rule 11, a judge has the authority to reject the “sentence bargain” portion of a plea agreement if the judge concludes that the agreed-upon sentence is either manifestly too lenient or manifestly too severe. In such instances, the government or the defendant may decide to abandon the plea agreement and proceed to trial, or they may choose to modify the plea agreement in response to the judge’s concerns.

Many criminal cases are resolved by the government’s dismissal of all the charges in the case.<sup>96</sup> Sometimes this occurs when the government concludes that it would not be able to prove the charges at trial beyond a reasonable doubt. But more commonly this occurs when the defendant has more than one criminal case pending, and one or more of the defendant’s other cases are resolved at trial or through a plea agreement. In these situations, the government may dismiss the defendant’s remaining cases as part of the plea agreement, or the government may conclude that there is no point in pursuing the defendant’s other cases.

In addition, a judge has the power to dismiss a criminal charge, or an entire criminal case, because of legal flaws or deficiencies in the charge or in the case. And in very limited circumstances, a judge may dismiss a charge or a case if the interests of justice require dismissal.

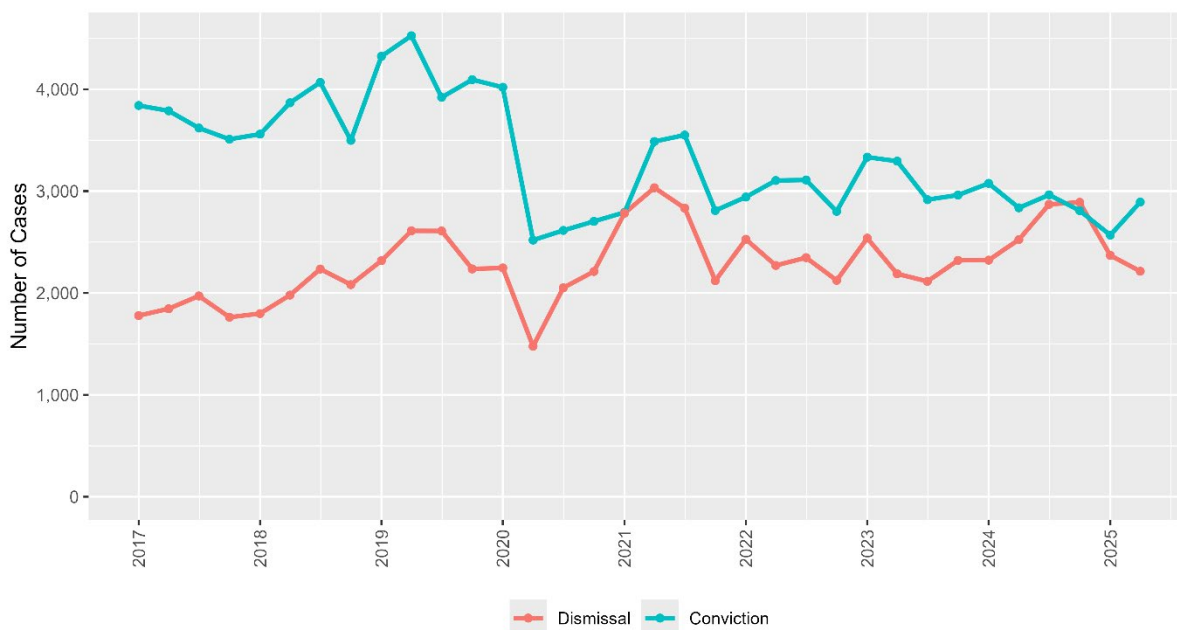
For all these reasons, relatively few criminal cases in Alaska proceed to trial. If a case does go to trial, the defendant has the right to demand trial by jury, and the government bears the burden of proving each charged offense beyond a reasonable doubt, and the jury’s decision must be unanimous with respect to each charge. A trial can result in the defendant’s conviction or acquittal on all charges, or it can result in the defendant’s conviction on some charges and the defendant’s acquittal on the others.

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<sup>96</sup> For specifics, see Table 4.

Figure 22 shows that between 2017 and 2025, a majority of cases were resolved with a conviction (a guilty or no contest plea, or a conviction after a trial).<sup>97</sup> However, the trend lines also show that about five years ago the number of dismissals began rising so that in recent years the quarterly dismissals have almost equaled the quarterly convictions.

Figure 22 - Number of Criminal Case Dispositions Resulting in a Conviction or Dismissal per Calendar Quarter



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Similar to Figure 22, Table 4 compares the number of cases resulting in a conviction to the number of cases dismissed (no conviction), and adds the number of acquittals after trial. These outcomes are shown per calendar year instead of per calendar quarter. Table 4 shows that cases resolved with an acquittal are a minority of all case resolutions. Table 4 also demonstrates the recent increase in the number of case dismissals compared to convictions.

Table 4 - Number of Criminal Case Dispositions by Outcome per Calendar Year

| Calendar Year | Dismissal | Acquittal | Conviction |
|---------------|-----------|-----------|------------|
| 2017          | 7,356     | 50        | 14,756     |
| 2018          | 8,094     | 47        | 14,991     |
| 2019          | 9,772     | 71        | 16,862     |
| 2020          | 7,985     | 14        | 11,855     |
| 2021          | 10,770    | 27        | 12,637     |
| 2022          | 9,268     | 70        | 11,956     |
| 2023          | 9,160     | 49        | 12,504     |
| 2024          | 10,606    | 67        | 11,683     |

Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>97</sup> Typically, more than 20,000 criminal case dispositions occur per year. The information presented in Figure 22 is by calendar quarter.

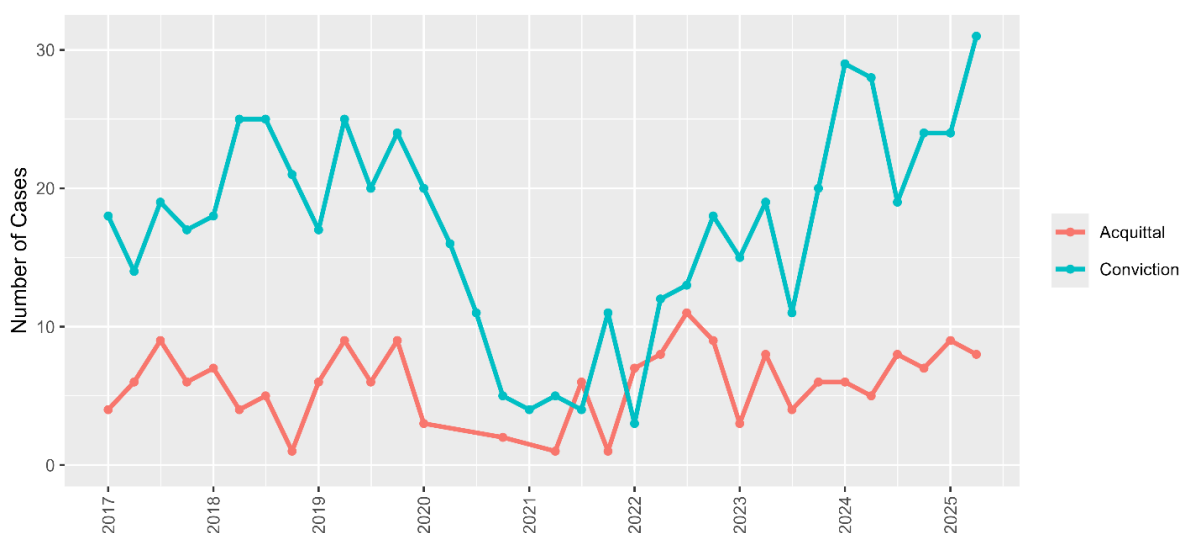


Among case dispositions between 2017 and 2025, about 60% of all misdemeanor cases and 50% of all felony cases were resolved with a guilty plea without a trial. Most of these cases involved plea agreements. Over this same period, approximately 40% of all misdemeanor cases and 47% of all felony cases were dismissed.

Very few criminal cases were resolved via trial.<sup>98</sup> Figure 23 and Figure 24 show that between 2017 and 2025, approximately 50 cases per calendar quarter were resolved via a trial. By contrast, more than 5,000 cases per calendar quarter were resolved by a plea or the dismissal of all charges during this same period, as shown in Figure 25 and Figure 26.

### *Criminal Cases Resolved via a Trial*

Figure 23 - Number of Felony Cases Resolved Via an Acquittal or Conviction at Trial per Calendar Quarter

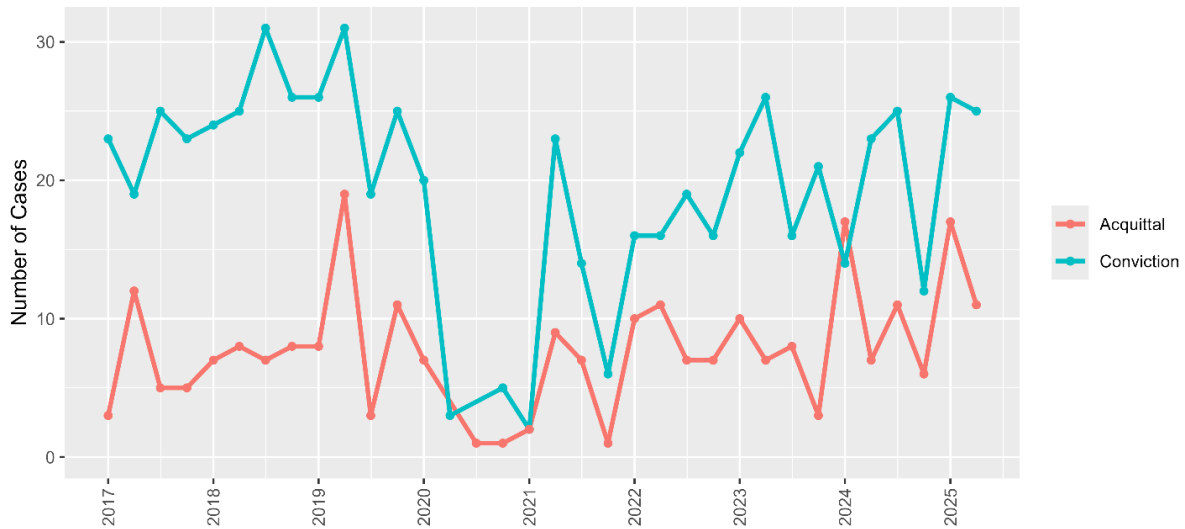


Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>98</sup> The defendant has a right to a jury trial if the conviction could result in a sentence of incarceration, loss of a valuable license, or a large fine that implies that the defendant is a criminal.

**Figure 24 - Number of Misdemeanor Cases Resolved Via an Acquittal or Conviction at Trial per Calendar Quarter**

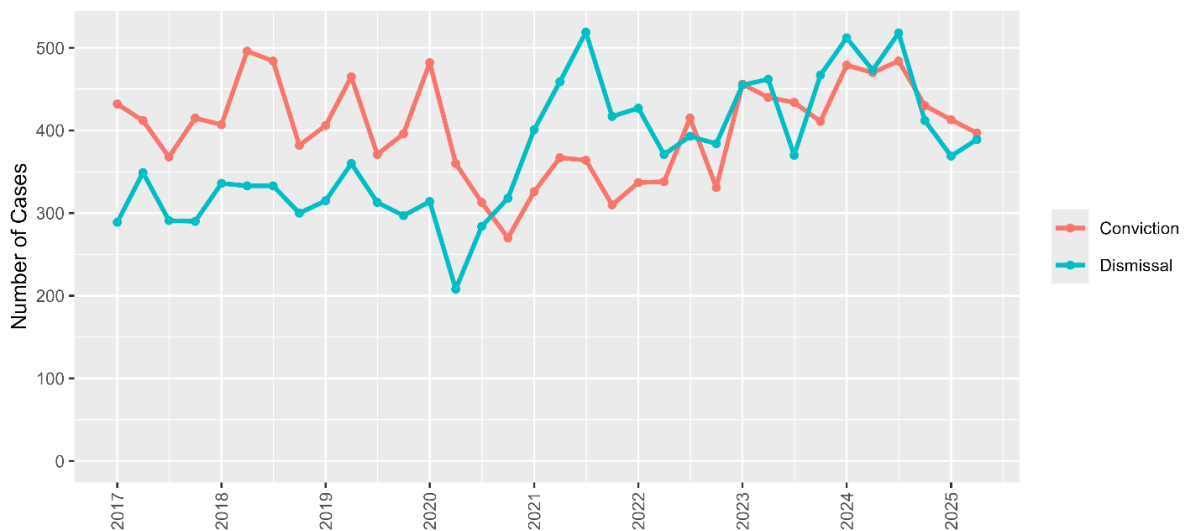


Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

***Criminal Cases Resolved via a Guilty Plea or the Dismissal of All Charges (Non-Trial)***

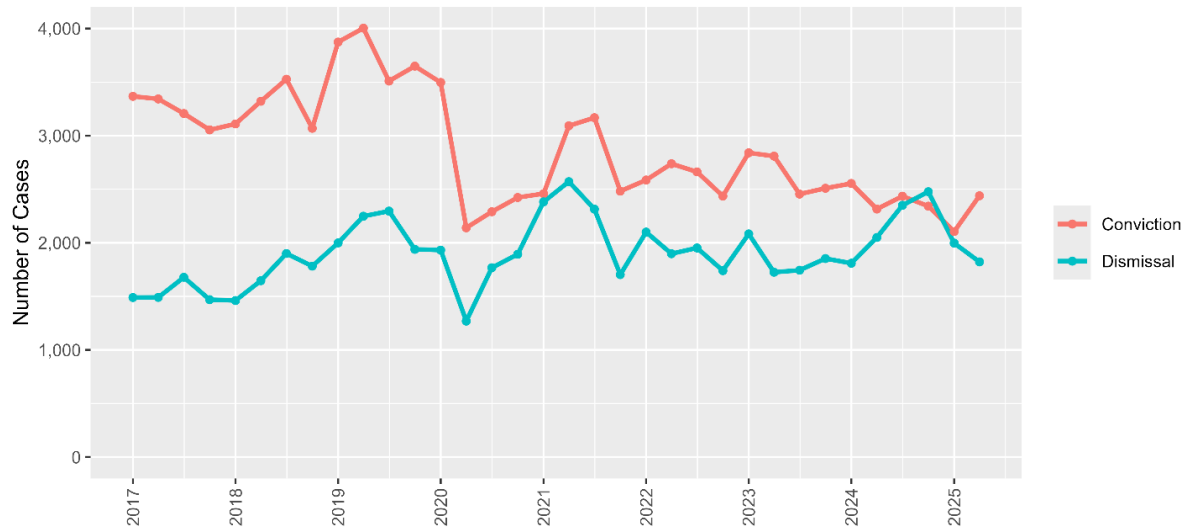
**Figure 25 - Number of Felony Cases Resolved Via a Guilty Plea or the Dismissal of All Charges per Calendar Quarter**



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 26 - Number of Misdemeanor Cases Resolved Via a Guilty Plea or the Dismissal of All Charges per Calendar Quarter



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

While a majority of cases resolved with a conviction, there were differences by race. Between 2017 and 2025, approximately 53% of cases involving Alaska Native defendants were resolved with a conviction, while 57% of cases involving White defendants were resolved with a conviction, as shown in Table 5.<sup>99</sup> Among both Alaska Native and White defendants, the conviction rate was highest in the Third Judicial District (54% and 58%, respectively) and lowest in the Second Judicial District (51% and 47%, respectively).

Table 5 - Case Resolution by Race and Court Location (Calendar Years 2017 - 2025)

| Judicial District | Court Location  | Alaska Native           |            | White                   |            |
|-------------------|-----------------|-------------------------|------------|-------------------------|------------|
|                   |                 | Dismissal/<br>Acquittal | Conviction | Dismissal/<br>Acquittal | Conviction |
| First             | Juneau          | 42.3%                   | 57.7%      | 46.1%                   | 53.9%      |
|                   | Ketchikan       | 53.8%                   | 46.2%      | 50.0%                   | 50.0%      |
|                   | Petersburg      | 34.1%                   | 65.9%      | 43.4%                   | 56.6%      |
|                   | Prince of Wales | 57.0%                   | 43.0%      | 56.5%                   | 43.5%      |
|                   | Sitka           | 46.9%                   | 53.1%      | 47.9%                   | 52.1%      |
|                   | Wrangell        | 47.9%                   | 52.1%      | 37.8%                   | 62.2%      |
| Second            | Kotzebue        | 40.1%                   | 59.9%      | 47.5%                   | 52.5%      |
|                   | Nome            | 56.5%                   | 43.5%      | 55.5%                   | 44.5%      |
|                   | Utqiagvik       | 45.5%                   | 54.5%      | 48.1%                   | 51.9%      |
| Third             | Anchorage       | 49.7%                   | 50.3%      | 48.7%                   | 51.3%      |
|                   | Cordova         | 40.0%                   | 60.0%      | 42.1%                   | 57.9%      |
|                   | Dillingham      | 42.5%                   | 57.5%      | 44.1%                   | 55.9%      |
|                   | Glennallen      | 33.9%                   | 66.1%      | 36.8%                   | 63.2%      |
|                   | Homer           | 22.7%                   | 77.3%      | 33.5%                   | 66.5%      |
|                   | Kenai           | 25.7%                   | 74.3%      | 28.2%                   | 71.8%      |
|                   | Kodiak          | 30.4%                   | 69.6%      | 34.0%                   | 66.0%      |
|                   | Naknek          | 33.9%                   | 66.1%      | 21.5%                   | 78.5%      |
|                   | Palmer          | 33.6%                   | 66.4%      | 37.6%                   | 62.4%      |
|                   | Seward          | 24.4%                   | 75.6%      | 29.3%                   | 70.7%      |
|                   | Unalaska        | 48.1%                   | 51.9%      | 57.6%                   | 42.4%      |
|                   | Valdez          | 48.3%                   | 51.7%      | 54.0%                   | 46.0%      |
| Fourth            | Bethel          | 47.8%                   | 52.2%      | 51.9%                   | 48.1%      |
|                   | Delta Junction  | 47.4%                   | 52.6%      | 35.4%                   | 64.6%      |
|                   | Fairbanks       | 48.2%                   | 51.8%      | 46.1%                   | 53.9%      |
|                   | Nenana          | 44.2%                   | 55.8%      | 37.6%                   | 62.4%      |
|                   | Tok             | 49.3%                   | 50.7%      | 45.9%                   | 54.1%      |
| All               | All             | 46.9%                   | 53.1%      | 42.9%                   | 57.1%      |

Data Source: Alaska Department of Public Safety

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>99</sup> Statewide, the conviction rate between White and Alaska Native defendants is statistically significant ( $p < 0.001$ ). The odds of being convicted during this period were 10.7% lower for Alaska Native defendants than for White defendants. Additional analyses would be required to determine if this were an unjustified disparity or whether it could be explained by offense type, severity, criminal histories, etc.

Prior to case disposition, the original charges against a defendant may be reduced. Reduced charges may be the result of prosecution decisions, plea agreements, consolidation of charges, or other factors. Between 2017 and 2024, among criminal cases that resulted in at least one conviction, severity of that conviction declined in 18% of cases. However, decreases were more common in cases involving Alaska Native defendants than in cases involving White defendants: among the former, severity declined in 20% of cases, while among the latter, severity declined in 16% of cases. For example, as shown in Table 6, among cases where the single most serious charge at arrest was a C felony, the single most serious conviction was an A misdemeanor in 50% of cases involving Alaska Native defendants and 35% of cases involving White defendants.

Table 6 - Single Most Serious Charge at Arrest Among Convictions by Race (Calendar Years 2017 - 2024)

|               |                                      | Single Most Serious Conviction |          |          |          |               |               |
|---------------|--------------------------------------|--------------------------------|----------|----------|----------|---------------|---------------|
|               | Single Most Serious Charge at Arrest | Unclassified Felony            | Felony A | Felony B | Felony C | Misdemeanor A | Misdemeanor B |
| Alaska Native | Unclassified Felony                  | 41.1%                          | 9.1%     | 34.2%    | 11.0%    | 4.6%          | 0%            |
|               | Felony A                             | 0%                             | 30.4%    | 33.1%    | 17.1%    | 18.9%         | 0.5%          |
|               | Felony B                             | 0.2%                           | 0.4%     | 41.1%    | 22.4%    | 34.8%         | 1.1%          |
|               | Felony C                             | 0%                             | 0%       | 0.5%     | 47.6%    | 49.9%         | 2.0%          |
|               | Misdemeanor A                        | 0%                             | 0%       | 0.1%     | 0.8%     | 87.5%         | 11.6%         |
|               | Misdemeanor B                        | 0%                             | 0%       | 0%       | 0.2%     | 3.2%          | 96.7%         |
| White         | Unclassified Felony                  | 59.4%                          | 5.9%     | 25.8%    | 7.0%     | 1.5%          | 0.4%          |
|               | Felony A                             | 0.3%                           | 41.8%    | 28.8%    | 13.8%    | 14.8%         | 0.3%          |
|               | Felony B                             | 0.1%                           | 0.2%     | 49.3%    | 20.0%    | 28.8%         | 1.6%          |
|               | Felony C                             | 0%                             | 0%       | 0.5%     | 62.3%    | 35.2%         | 2.1%          |
|               | Misdemeanor A                        | 0%                             | 0%       | 0%       | 0.7%     | 88.5%         | 10.8%         |
|               | Misdemeanor B                        | 0%                             | 0%       | 0%       | 0.2%     | 2.3%          | 97.4%         |

Data Source: Alaska Department of Public Safety

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Between 2017 and 2025, the percentage of cases resolved via the dismissal of all charges or an acquittal increased, as shown in Table 7. Among cases that involved Alaska Native defendants, the percentage of cases in which all charges were dismissed or resulted in an acquittal increased, beginning at approximately 41% and ending at approximately 54%. Among cases that involved White defendants, the percentage of cases in which all charges were dismissed or resulted in an acquittal also increased, beginning at approximately 37% and ending at approximately 50%. The conviction rate was higher at each point among White defendants than among Alaska Native defendants.

Table 7 - Case Resolution Over Time by Race per First Quarter per Calendar Year

|               |                  | All Charges Dismissed/Acquitted | Conviction |
|---------------|------------------|---------------------------------|------------|
| Alaska Native | Calendar Quarter | 2017                            | 40.6%      |
|               |                  | 2019                            | 45.8%      |
|               |                  | 2021                            | 50.6%      |
|               |                  | 2023                            | 49.4%      |
|               |                  | 2025                            | 54.3%      |
| White         | Calendar Quarter | 2017                            | 37.3%      |
|               |                  | 2019                            | 39.7%      |
|               |                  | 2021                            | 45.9%      |
|               |                  | 2023                            | 46.0%      |
|               |                  | 2025                            | 50.4%      |

Data Source: Alaska Department of Public Safety

Data Analyses: Alaska Criminal Justice Data Analysis Commission

\*Percentages represent case dispositions over a three-month period in each year.

## 6.9 POST-CONVICTION DIVERSION PROGRAMS

As noted above, most cases are resolved with a conviction when the defendant admits to the charges (pleads guilty). Some defendants who plead guilty may participate in post-conviction diversion programs. These programs typically require the defendant to enter a guilty plea and agree to all the terms of the program.

If a defendant completes the program, the charges and conviction may be dismissed in some cases. In others, the conviction stands, but the person avoids a sentence of incarceration that would otherwise have been imposed, and they have received substantial services for rehabilitation.

Post-conviction diversion programs include “therapeutic courts” or “wellness courts” (some of them are described as “DUI” or “drug courts”)<sup>100</sup> in Anchorage, Fairbanks, Juneau, and Palmer.<sup>101</sup> Each of these courts has specific legal and clinical eligibility criteria that impact program usage.

<sup>100</sup> All the Anchorage Wellness Courts require entry of a plea of guilty or no-contest, and judge approval of a negotiated sentence agreement. See generally Alaska Court System website at <https://courts.alaska.gov/therapeutic/index.htm#drug-dui>. The Fairbanks Wellness Court offers the possibility of dismissal of some charges and characterizes itself as a voluntary “jail diversion” program. The Juneau Therapeutic Court also characterizes itself as a “jail diversion” program and offers “possible dismissal of the case” as a benefit. Similarly, the Palmer Wellness Court offers reduced incarceration and fines, and possible dismissal of the case as benefits. Some of the differences are related to funding sources.

<sup>101</sup> Bethel also had a Wellness Court for many years that closed because of lack of treatment programs and staffing.

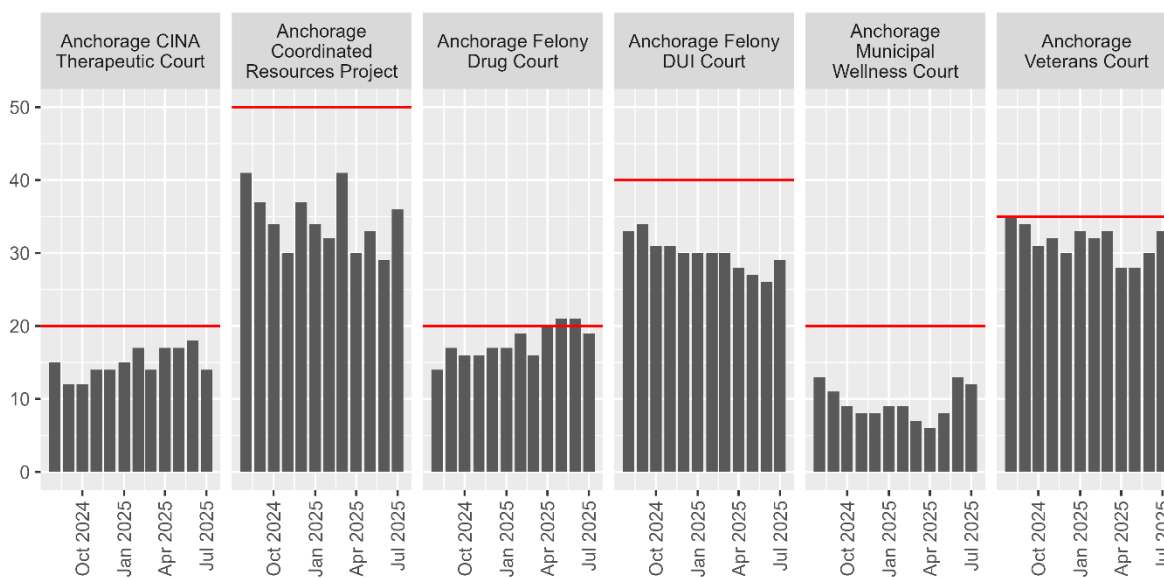
Therapeutic courts serve people charged with crimes who may have mental health concerns and/or substance use or misuse problems. Completion of a therapeutic court program may include reduction or dismissal of charges, and most participants will have avoided incarceration.

The data in this section provided by the court system notes each therapeutic court's theoretical capacity, but actual utilization rates are affected by many factors. According to the court system, many defendants referred to a therapeutic court are never admitted because they do not meet legal or clinical eligibility criteria. Other limiting factors may be related to staffing vacancies, particularly among the probation officers who are responsible for providing supervision for the program participants. Still other limiting factors are related to case-processing issues. For example, the prosecutor and the defense attorney may not agree that the defendant is an appropriate candidate for a therapeutic court. Or, therapeutic court plea negotiations may take so long that defendants return to traditional court to resolve their case more expeditiously. Or, a defendant may decide that an alternative traditional plea offer is more attractive and chooses that over therapeutic court participation.

In July 2025, the programs in Anchorage, Fairbanks, Juneau, and Palmer had 125 participants, with utilization rates ranging from 47% (Anchorage Municipal Wellness Court) to 87% (Palmer Wellness Court).<sup>102, 103</sup>

Figure 27 shows the number of participants in Anchorage therapeutic courts between August 2024 and July 2025. In a few instances, courts were at capacity (represented by the red lines).

Figure 27 - Anchorage Therapeutic Court Utilization per Calendar Month



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

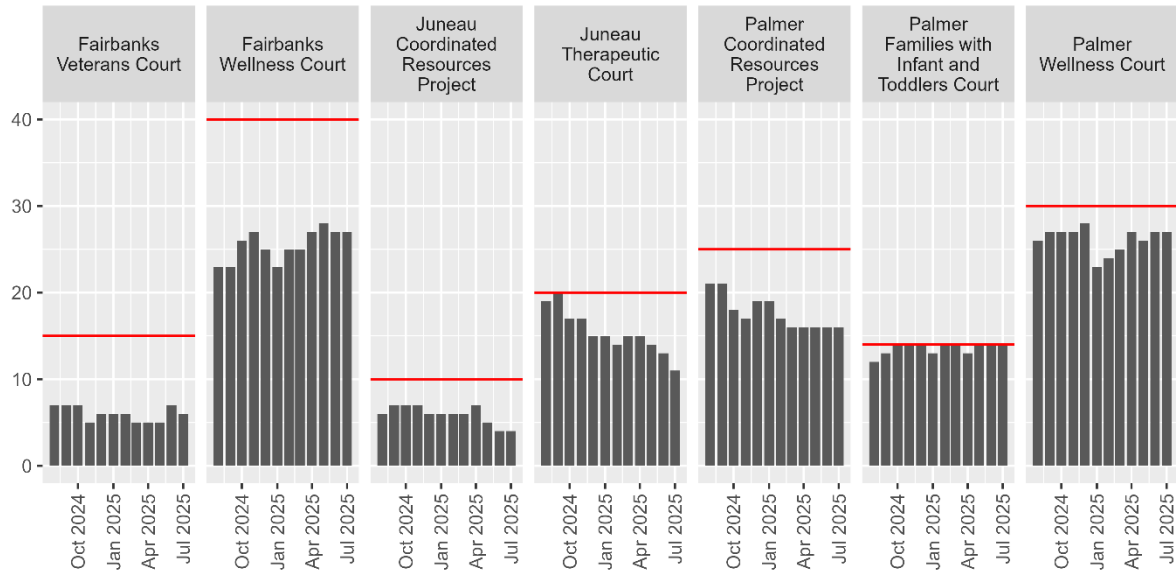
\*The red lines represent the courts' capacities.

<sup>102</sup> Alaska Court System, *July 2025 Monthly Therapeutic Court Report*.

<sup>103</sup> See [Appendix H](#) for more information.

Figure 28 shows the number of participants in Fairbanks, Juneau, and Palmer therapeutic courts between August 2024 and July 2025.

Figure 28 - Fairbanks, Juneau, and Palmer Therapeutic Court Utilization per Calendar Month



Data Source: Alaska Court System

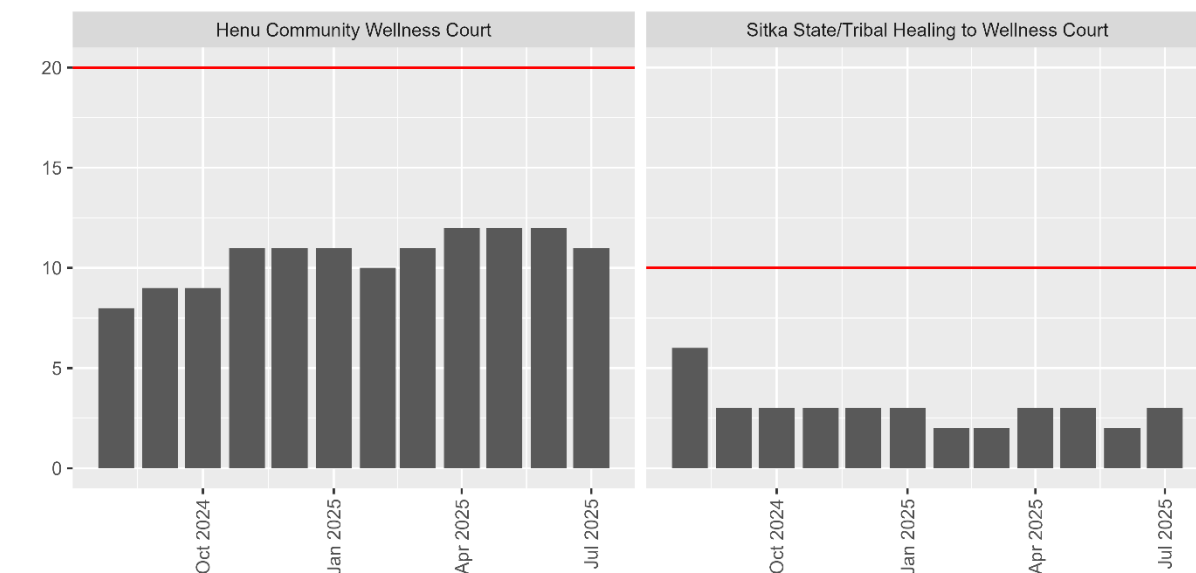
Data Analyses: Alaska Criminal Justice Data Analysis Commission

\*The red lines represent the courts' capacities.



In addition to state therapeutic courts, there are tribal-state collaborative courts in Kenai (Henu)<sup>104</sup> and Sitka.<sup>105</sup> These collaborations follow the wellness court models to serve people with substance use/misuse problems using culturally appropriate programs. Figure 29 shows the number of participants between August 2024 and July 2025.

Figure 29 - Tribal-State Collaborative Therapeutic Court Utilization per Calendar Month



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

\*The red lines represent the courts' capacities.

Some of these courts have been evaluated in the past.<sup>106</sup> The court system advises that a current external evaluation of DUI/Drug courts is ongoing.

## 6.10 STATUTORY DIVERSION PROCESSES

Alaska has two statutory provisions that allow people either to “set aside” a conviction (Suspended Imposition of Sentence) or suspend the entry of judgment for a certain period after which the conviction is dismissed if the person successfully completes the conditions of the sentence.<sup>107</sup>

<sup>104</sup> See the Alaska Court System website for details about the Henu' Community Wellness Court at: <https://public.courts.alaska.gov/web/forms/docs/pub-117.pdf>.

<sup>105</sup> See the Alaska Court System website for details about the Sitka Healing to Wellness Court at: <https://public.courts.alaska.gov/web/forms/docs/pub-119.pdf>.

<sup>106</sup> See Alaska Judicial Council, Evaluation of the Outcomes in Three Therapeutic Courts (2005), <http://www.ajc.state.ak.us/publications/docs/research/EvalOfTheOutcomesOf3TherapeuticCts04-05.pdf>; Alaska Judicial Council, Recidivism in Alaska's Felony Therapeutic Courts (2007), <http://www.ajc.state.ak.us/publications/docs/research/RecidAKTherapeuticCts02-07.pdf>; Susie Mason Dosik, *Transferability of the Anchorage Wellness Court Model* (2008), <http://www.ajc.state.ak.us/publications/docs/research/TransAnchWellnessCtModel09-2008.pdf>; and Alaska Judicial Council, *Recidivism in Alaska's Therapeutic Courts for Addiction and Department of Corrections Institutional Substance Abuse Programs* (2012), <http://www.ajc.state.ak.us/publications/docs/research/RecidAKTherapeuticCtsAddictions03-12.pdf>.

<sup>107</sup> As noted below, the SIS allows the conviction to not be counted as part of the person's prior criminal history, but the conviction still stands. The SEJ provisions call for entry of a guilty or nolo plea, but with successful completion of the conditions, the charges are dismissed and the person does not have a conviction.

Suspended Imposition of Sentence (SIS) is “primarily meant to be a one-time opportunity for a particularly deserving first offenders.”<sup>108</sup> A judge has discretion whether to grant a SIS, is not limited to Rule 11, and may do so without the prosecutor’s agreement. However, a SIS cannot be granted for DUI, most physical and sexual assaults, and if a firearm was used while committing the offense.<sup>109</sup> A defendant receiving a SIS may be required to serve jail time as a condition of the SIS and is placed on probation. If the defendant complies with their probation conditions, including the payment of restitution if ordered, the judge at the conclusion of the probationary period sets aside the conviction, which means that it will not count as a prior conviction in situations in which a sentence is increased or crime is defined by a prior conviction.<sup>110</sup> If the defendant does not comply, a new sentencing is held. SIS has been available since at least 1965. Between 2016 and 2024, approximately half of the cases with a SIS involved theft, alcohol, or a minor assault charge.<sup>111</sup>

Suspended Entry of Judgment (SEJ), established by law in 2016,<sup>112</sup> allows the parties and the court to agree to “impose conditions of probation without imposing or entering a judgment of guilt.”<sup>113</sup> Upon successful completion of probation, the court discharges the person and dismisses the case. The SEJ applies when a person pleads or is found guilty of a crime but the court has not entered a judgment of guilt, placing this type of diversion between pre-conviction and post-conviction diversion. SEJ is not permitted for a variety of violent and serious offenses or under certain other circumstances. The sentence cannot include any incarceration, and if the person successfully completes the conditions, there is no conviction of record (unlike the SIS). Similar to SIS, between 2016 and 2024, approximately half of the cases with a SEJ involved theft, alcohol, or a minor assault charge.

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<sup>108</sup> *State v. Huletz*, 838 P.2d 1257, 1259 (Alaska App. 1992).

<sup>109</sup> See AS 12.55.085.

<sup>110</sup> Alaska Court System website, *Suspended Imposition of Sentence: Frequently Asked Questions*, <https://courts.alaska.gov/media/docs/bp-sis-faq.pdf>.

<sup>111</sup> Example offenses include AS11.46.150(a): *Theft 4-Less than \$250*, CBJ72.10.010(a)(2): *DUI- BAC .08+ Percent*, and AS11.41.230(a)(3): *Assault 4-Cause Fear Of Injury*.

<sup>112</sup> SLA 2016, ch.36, § 77, codified at AS 12.55.078.

<sup>113</sup> Alaska Criminal Justice Commission, *A Practitioner’s Guide to Criminal Justice Reform* at 15-16 (2018), [https://alaskamentalhealthtrust.org/wp-content/uploads/2018/07/CJ-Reform-AK\\_Practitioner-Guide-06-21-18.pdf](https://alaskamentalhealthtrust.org/wp-content/uploads/2018/07/CJ-Reform-AK_Practitioner-Guide-06-21-18.pdf).

Table 8 shows the numbers of SEJ and SIS dispositions entered from 2016 through 2024, relative to the total number of cases handled by the courts.<sup>114</sup> Seven hundred and eighty (3% of all cases) of these judgments were entered in 2016; since that time, the combined numbers have dropped to approximately 1% of all cases. Several factors affect the extent to which these may be used, for example, SEJs cannot be used unless all parties agree; additionally, the cases eligible to receive an SEJ have been restricted by the Alaska Legislature.

Table 8 - Number of SEJ and SIS Dispositions and Their Share of All Cases per Calendar Year

| Calendar Year | SEJ   |         | SIS   |         | Both SEJ and SIS |         |
|---------------|-------|---------|-------|---------|------------------|---------|
|               | Count | Percent | Count | Percent | Count            | Percent |
| 2016          | 4     | <0.1%   | 776   | 2.8%    | 0                | 0%      |
| 2017          | 95    | 0.4%    | 338   | 1.4%    | 0                | 0%      |
| 2018          | 149   | 0.6%    | 293   | 1.1%    | 2                | <0.1%   |
| 2019          | 176   | 0.6%    | 319   | 1.0%    | 0                | 0%      |
| 2020          | 92    | 0.4%    | 176   | 0.8%    | 0                | 0%      |
| 2021          | 84    | 0.3%    | 177   | 0.7%    | 0                | 0%      |
| 2022          | 93    | 0.4%    | 152   | 0.6%    | 0                | 0%      |
| 2023          | 142   | 0.6%    | 173   | 0.7%    | 1                | <0.1%   |
| 2024          | 163   | 0.6%    | 203   | 0.8%    | 2                | <0.1%   |

Data Source: Alaska Court System

Data Analysis: Alaska Criminal Justice Data Analysis Commission

## 6.11 SENTENCING

Article I, Section 12 of the Alaska Constitution provides: “Criminal administration shall be based upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of crimes, restitution from the offender, and the principle of reformation.” Title 12, the sentencing statute for most offenses specifies the factors that must be considered at sentencing.<sup>115</sup> The sentencing hearing in a felony case usually occurs several months after conviction. Sentencing in misdemeanor cases usually occurs immediately after the conviction.

Judges must impose sentences within the ranges set by the Alaska Legislature. The criminal laws set the boundaries for all aspects of a criminal sentence, including incarceration, victim restitution, fines, and probation supervision.

<sup>114</sup> Comparison to only those cases that were SEJ/SIS eligible is not possible because eligibility is contingent on other factors, for example, prior convictions (AS 12.55.085(f)(3)) or having never been previously granted a suspended entry of judgment (AS 12.55.078(f)(3)), which are data that are not available to the Commission.

<sup>115</sup> AS 12.55.005: “The purpose of this chapter is to provide the means for determining the appropriate sentence to be imposed upon conviction of an offense. The legislature finds that the elimination of unjustified disparity in sentences and the attainment of reasonable uniformity in sentences can best be achieved through a sentencing framework fixed by statute as provided in this chapter. In imposing sentence, the court shall consider

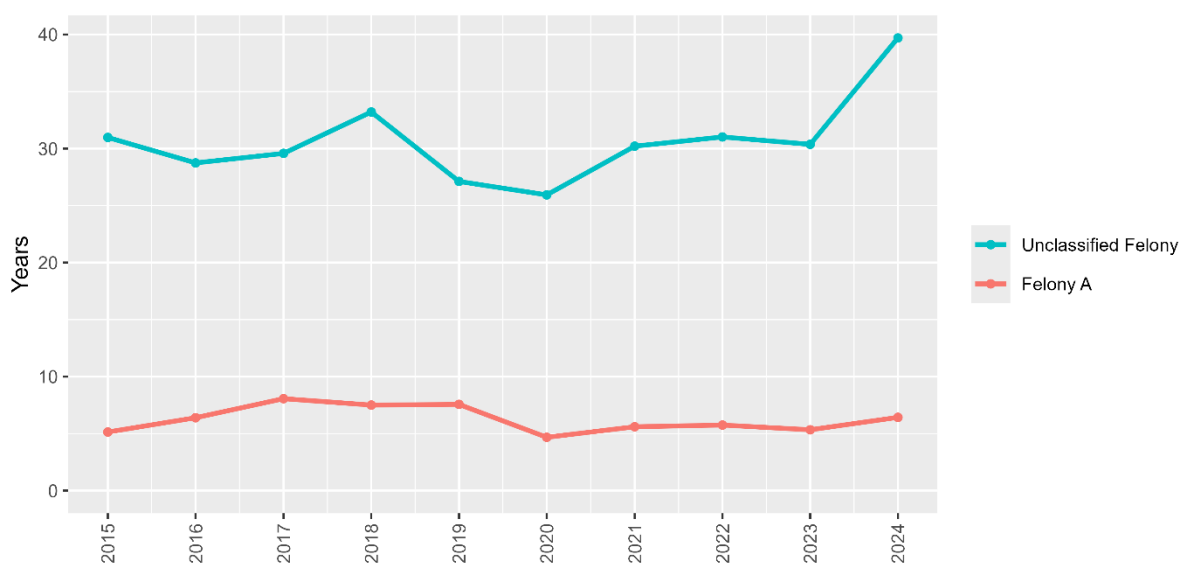
- (1) the seriousness of the defendant's present offense in relation to other offenses;
- (2) the prior criminal history of the defendant and the likelihood of rehabilitation;
- (3) the need to confine the defendant to prevent further harm to the public;
- (4) the circumstances of the offense and the extent to which the offense harmed the victim or endangered the public safety or order;
- (5) the effect of the sentence to be imposed in deterring the defendant or other members of society from future criminal conduct;
- (6) the effect of the sentence to be imposed as a community condemnation of the criminal act and as a reaffirmation of societal norms; and
- (7) the restoration of the victim and the community.”

### 6.11.1 SENTENCES OF INCARCERATION

The judge can sentence a person to incarceration and may suspend some or all of that time.<sup>116</sup> The amount of incarceration a judge can impose is regulated by statute and by caselaw. Generally speaking, the amount of incarceration depends on the severity and number of the charges of conviction, and the defendant's criminal history.

Figure 30 shows the average years of incarceration for people convicted of unclassified and felony A crimes over time. The "active" sentence length is calculated as the number of days imposed minus the number of days suspended. As shown in Figure 30, Figure 31, and Figure 32, mean active sentence length is much longer for felonies than for misdemeanors.

Figure 30 - Mean Active Sentence Length Among Unclassified and Felony A Crimes per Calendar Year

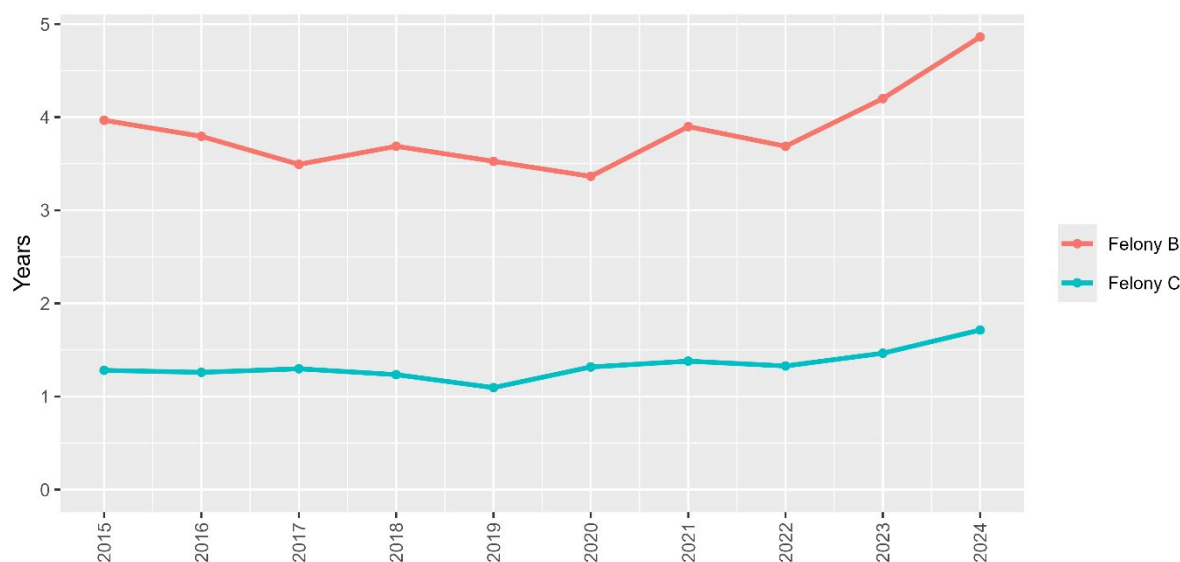


Data Source: Alaska Department of Public Safety  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>116</sup> When a judge suspends or partially suspends a sentence of incarceration, the idea is that the suspended term of incarceration can be imposed after the defendant is released, if the defendant violates the conditions of probation. Probation is discussed below.

Figure 31 shows the average years of incarceration for people convicted of felony B and C crimes over time.

Figure 31 - Mean Active Sentence Length Among Felony B and C Crimes per Calendar Year

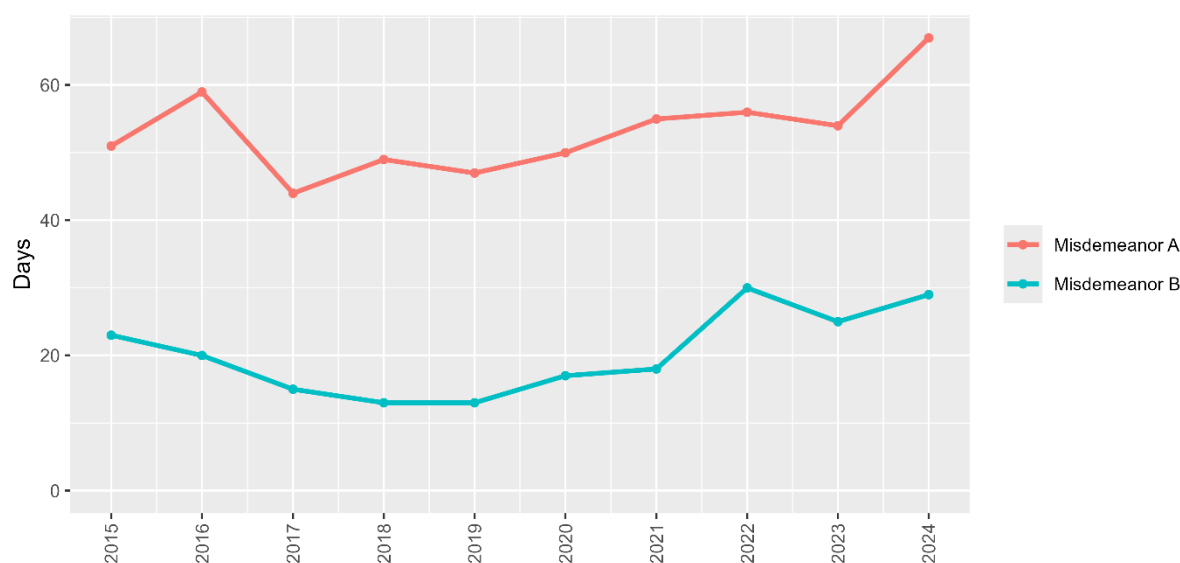


Data Source: Alaska Department of Public Safety

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 32 shows the average years of incarceration for people convicted of misdemeanor A and B crimes over time. Note the y-axis represents the number of days, rather than the number of years, as in Figure 30 and Figure 31.

Figure 32 - Mean Active Sentence Length Among Misdemeanor A and B Crimes per Calendar Year



Data Source: Alaska Department of Public Safety

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Another way to understand sentence length, rather than by an average, is to look at intervals. As shown in Table 9, unclassified felonies and class A felonies disposed of between 2015 and 2024 mostly had active sentences greater than five years (66%). It should be noted, mandatory minimums mean unclassified felonies always have active sentences greater than five years. Most class B and C felonies had active sentences of two years or less (76%), while most misdemeanors had active sentences of twenty or fewer days (63%).

Table 9 - Active Sentence Length by Severity of Crime of Conviction (Calendar Years 2015 - 2024)

| Unclassified Felony and Felony A |              |              |               |                |
|----------------------------------|--------------|--------------|---------------|----------------|
| 0-5 Years                        | 6-10 Years   | 11-25 Years  | 26-50 Years   | Over 50 Years  |
| 33.3%                            | 21.4%        | 17.1%        | 14.1%         | 14.0%          |
| Felony B and C                   |              |              |               |                |
| 0-182 Days                       | 183-365 Days | 366-730 Days | 731-1095 Days | Over 1095 Days |
| 33.1%                            | 22.5%        | 20.1%        | 12.8%         | 11.4%          |
| Misdemeanor A and B              |              |              |               |                |
| 0-5 Days                         | 6-10 Days    | 11-20 Days   | 21-30 Days    | Over 30 Days   |
| 35.3%                            | 15.1%        | 12.2%        | 16.6%         | 20.8%          |

*Data Source: Alaska Department of Public Safety*

*Data Analysis: Alaska Criminal Justice Data Analysis Commission*

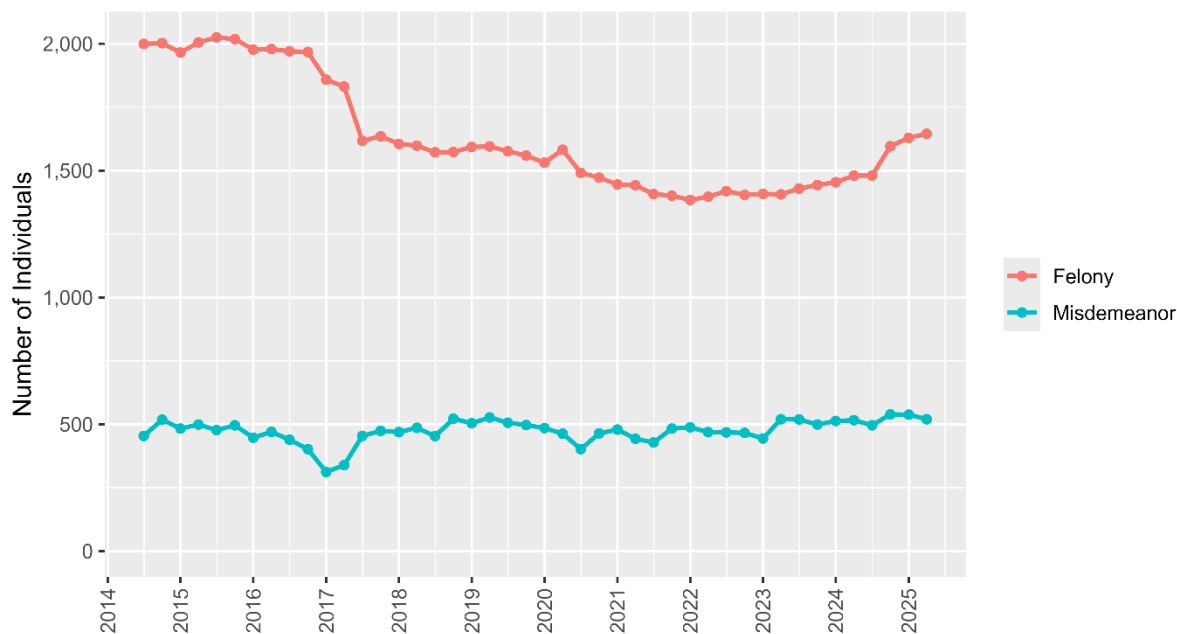
The sentence lengths documented in Figure 30, Figure 31, Figure 32, and Table 9 cannot be understood to represent the exact amount of time that the convicted offenders spent or will spend in a correctional facility. That is because most individuals sentenced to incarceration are eligible to earn “good time” credit and be released before they have served their entire sentence. Good time is calculated as a deduction of one-third of the term of incarceration rounded off to the nearest day if the term of incarceration is at least three days.<sup>117</sup> Some serious felonies convictions are not eligible for good time credit, as specified by statute. Earning good time is not guaranteed, as it can be denied if the individual does not follow the rules of the correctional facility;<sup>118</sup> however, in most instances some good time is earned.

<sup>117</sup> AS 33.20.010(a).

<sup>118</sup> *Id.*

After a judge sentences a person to a term of incarceration, they are remanded to the Department of Corrections to serve their sentence, if they are not already incarcerated.<sup>119</sup> Figure 33 shows the number of individuals who are serving a sentence of incarceration over time. These individuals have been convicted and sentenced by a judge, and represent the count on a given day, sometimes referred to as “moment-in-time” measure, differentiated by the single most serious offense for which they were convicted. The data show that most individuals in a correctional facility who have been sentenced are there in connection with a felony offense.

Figure 33 - Number of Convicted Individuals in a Correctional Facility by Severity of Crime of Conviction on the First Day of the Calendar Quarter



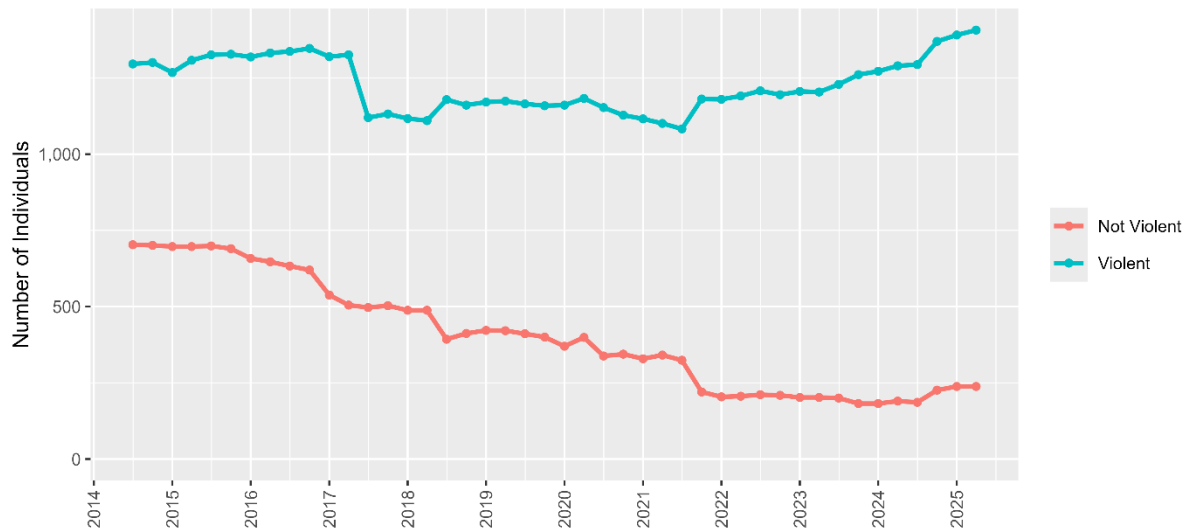
Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>119</sup> In a minority of cases, a person may begin their sentence at a later date.

Figure 34 and Figure 35 show the number of individuals in correctional facilities on a given day by the single most serious offense for which they were convicted and if that offense was violent. “Violent offenses” include most offenses enumerated in AS 11.41, such as Assault (AS 11.41.200), Robbery (AS 11.41.500), Sex Assault (AS 11.41.410), and Sex Abuse of a Minor (AS 11.41.434). In addition, the “violent” offenses include offenses against a person enumerated in other titles and chapters as well as comparable offenses at the local level.

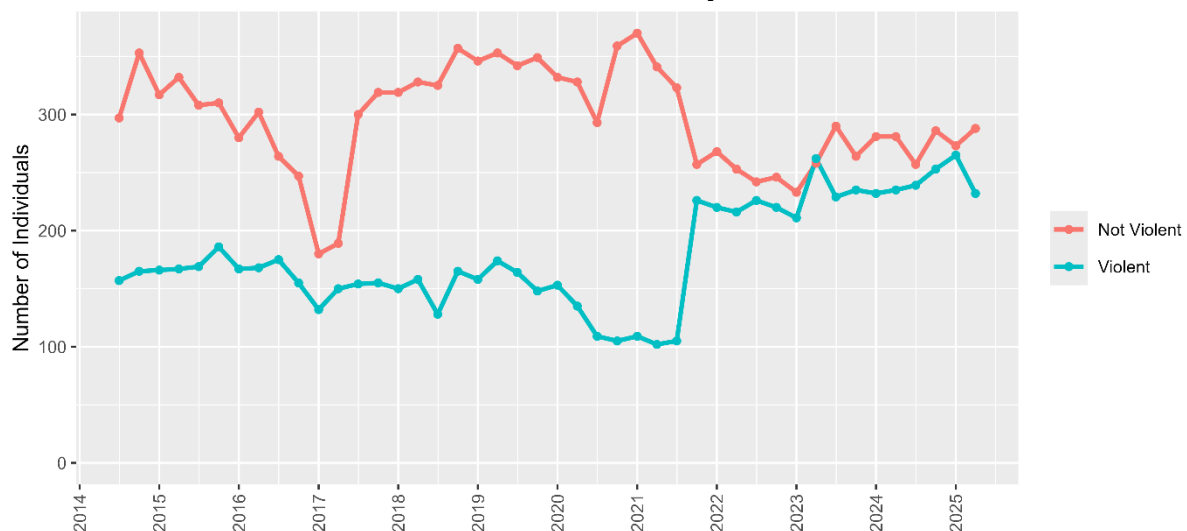
Figure 34 - Number of Individuals Convicted of a Felony in a Correctional Facility by Violent/Non-Violent Crime on the First Day of the Calendar Quarter



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 35 - Number of Individuals Convicted of a Misdemeanor in a Correctional Facility by Violent/Non-Violent Crime on the First Day of the Calendar Quarter



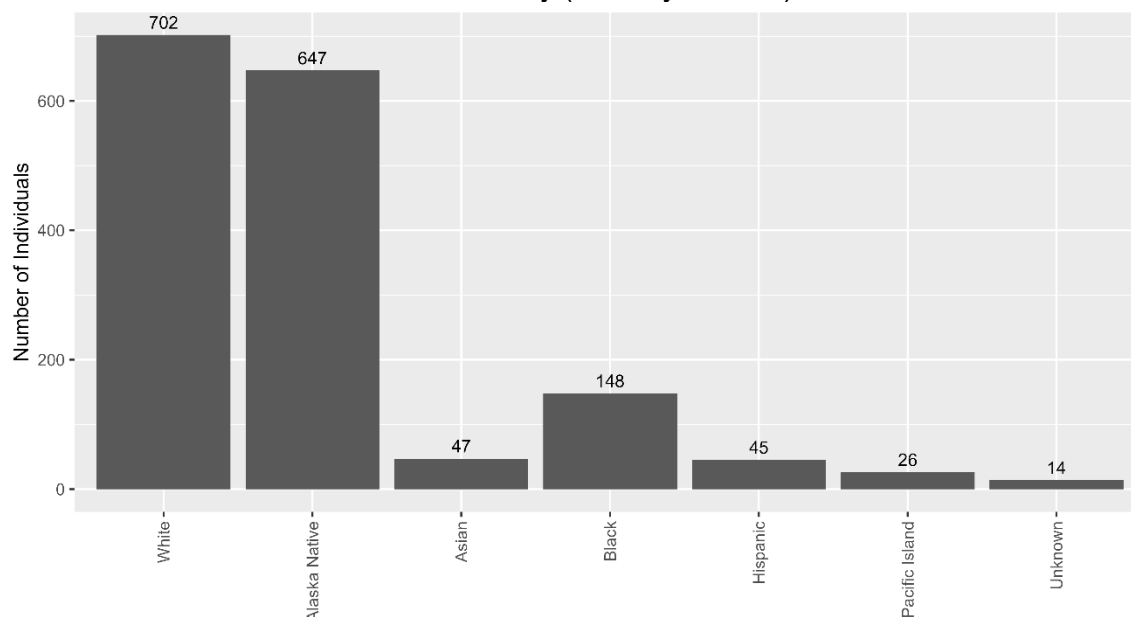
Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission



Figure 36 and Figure 37 show the number of convicted individuals in correctional facilities on a particular day by the severity of the offense for which they were convicted and their race/ethnicity. Among felony offenses, slightly more individuals are White; among misdemeanor offenses, more are Alaska Native.

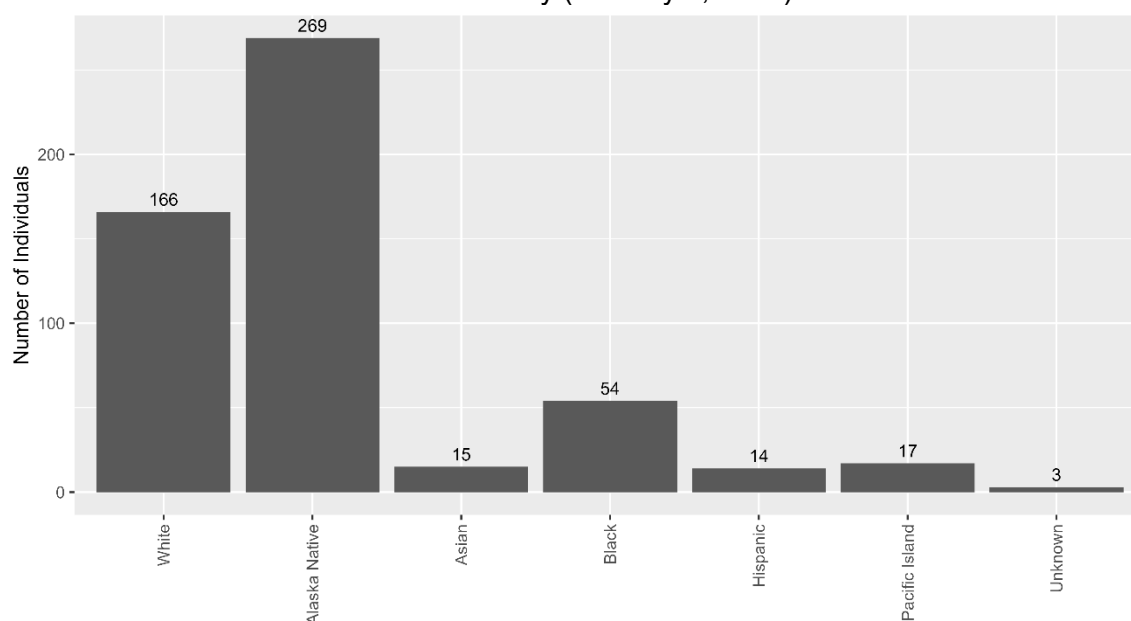
Figure 36 - Number of Individuals Convicted of a Felony in a Correctional Facility by Race/Ethnicity (January 1, 2025)



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 37 - Number of Individuals Convicted of a Misdemeanor in a Correctional Facility by Race/Ethnicity (January 1, 2025)



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

While incarcerated, convicted people may be eligible to participate in programs for their rehabilitation. Some of the rehabilitative programs offered in correctional facilities include alcohol and drug treatment, education, anger management, vocational classes, and sex offender treatment. More information about the Department of Corrections' rehabilitative programs is included in the Commission's 2024 Annual Report, and in [Appendix F](#) of this report.

### 6.11.2 SENTENCES OF PROBATION

If it serves the best interests of the public and the offender, a judge may include in the sentence a period of supervised probation for a definite length of time up to 10 years for a felony offense (up to 25 years for a felony sex offense).<sup>120</sup> The judge can sentence to probation instead of incarceration or after incarceration.

When the sentence includes probation, the judge can impose conditions of probation related to the offense or to the person's rehabilitation, that do not unnecessarily restrict the person. If the defendant violates the conditions of probation, a judge can impose some or all of the suspended term of incarceration.

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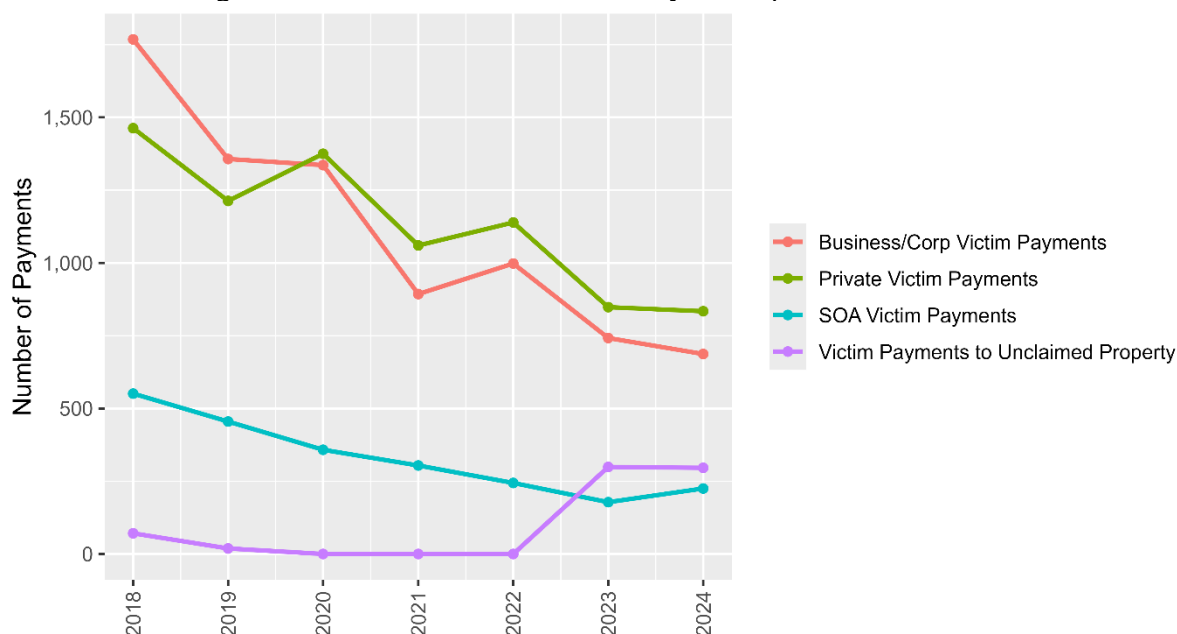
<sup>120</sup> AS 12.55.090(c).

### 6.11.3 VICTIM RESTITUTION

Restitution is compensation ordered by a judge to be paid to the victim(s) of a crime by the person who committed the crime. Article I, Section 24 of the Alaska Constitution and Alaska's restitution statute require judges to order a defendant who has been convicted of a crime to pay restitution as part of the defendant's sentence when presented with evidence of the victims' losses.<sup>121</sup>

Information about the number of criminal judgments entered each year that contain a restitution order is not readily available. However, the court system does keep track of how many restitution payments are made, and how much restitution money is collected each year.<sup>122</sup> Between 2017 and 2021, about 40% of restitution judgments ordered were fully paid, and another 14% received some payment; between 2020 and 2024, about 30% of restitution judgments ordered were fully paid, and another 69% received some payment.<sup>123</sup> Figure 38 shows the number of restitution payments made between 2018 and 2024.<sup>124</sup>

Figure 38 - Number of Restitution Payments per Calendar Year



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>121</sup> See AS 12.55.045.

<sup>122</sup> The Alaska Court System has been handling restitution collection and payments since 2017; prior to that year, this function was handled by the Department of Law.

<sup>123</sup> Information on file with the Alaska Judicial Council.

<sup>124</sup> If two payments were made to fully satisfy a restitution order, that would count as two payments in Figure 38.

Figure 39 shows the amounts of the restitution payments made to victims. Victims are categorized as business or corporate victims, private persons, and the State of Alaska.<sup>125</sup>

Figure 39 - Amount of Restitution Paid per Calendar Year



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

The number and amounts of restitution payments to victims should not be used to draw conclusions about how many times courts order restitution. The number of restitution orders is dependent on many variables, including the number of cases filed and the number and types of cases that are disposed of in a given year.

## 6.12 TIME TO CASE DISPOSITION

The defendant has a constitutional right to a speedy trial, which, per *Criminal Rule 45*, means a trial date within 120 days of arrest or arraignment on the charges.<sup>126, 127</sup> The defense and prosecution can agree to waive (skip) certain steps to speed up the proceedings. Or, defendants can agree to waive the speedy trial rule, to allow more time for writing motions, developing evidence, or negotiating a plea. The speedy trial clock may also be paused if the defendant fails to appear for a court hearing or, for a period of time, by filing a motion. Generally, there will be a number of delays and continuances in criminal cases. During this period, there may be regular hearings in which the judge, prosecutor, and defense counsel discuss whether the case is ready to proceed to trial or other case resolution.

<sup>125</sup> In some cases, a defendant paid restitution, but the Court System could not locate the victim. In those cases, the payments are transferred to a reserve account and held until the victim can be located. Those payments are not reflected in Figure 38 and Figure 39.

<sup>126</sup> ALASKA CONST., art. I, § 11.

<sup>127</sup> Alaska Court System, *Alaska Rules of Court: Rules of Criminal Procedure, Criminal Rule 45*, <https://courts.alaska.gov/rules/docs/crpro.pdf>.

Thus, the time that it takes to resolve a case is an important metric for the criminal justice system. This metric, referred to as “time to disposition,” is measured as the time between the filing of a court case and the closing of the case (the date of the judgment). A criminal case is disposed of when it is dismissed, or when judgment is entered based on a conviction after a plea or a verdict.<sup>128</sup>

Time to disposition may be affected by several factors, but the number of continuances in a case is a major one. Continuances can happen for many reasons, including when a new attorney is assigned to the case, discovery is delayed, or parties want additional time to prepare the case or negotiate a plea.

Among a small random sample of court cases disposed of during 2023, approximately 81% of cases contained at least one recorded continuance – 88% of cases where the single most serious offense at filing was a felony, and 71% of cases where the single most serious offense at filing was a misdemeanor.<sup>129</sup> In Table 10, cases from the sample of cases disposed of in 2023 are grouped by the single most serious offense at filing and the number of continuances per case tallied.<sup>130</sup>

Table 10 - Number of Continuances per Court Case (Sample of 450 Cases)

| Single Most Serious<br>Offense at Case Filing | Number of Continuances per Court Case |       |       |       |         |
|-----------------------------------------------|---------------------------------------|-------|-------|-------|---------|
|                                               | 0                                     | 1-10  | 11-20 | 21-30 | Over 30 |
| Felony                                        | 11.8%                                 | 46.3% | 28.2% | 8.5%  | 5.2%    |
| Misdemeanor                                   | 28.9%                                 | 56.1% | 10.6% | 3.9%  | 0.6%    |

*Data Source: Alaska Court System*

*Data Analysis: Alaska Criminal Justice Data Analysis Commission*

<sup>128</sup> A small number of cases are resolved via other means and, as such, are not a focus of this analysis.

<sup>129</sup> Alaska Criminal Justice Data Analysis Commission, *Examination of Pretrial Release Practices and Outcomes, and Factors Associated with Pretrial Delay* (publication expected in 2026).

<sup>130</sup> *Id.*

The following provides a general descriptive analysis of time to disposition. Periods during which a case could not move forward, for example, the period between a bench warrant being issued and executed, may be included.

Time to disposition is measured in days. Felonies usually take longer to be resolved than misdemeanors. In Table 11, Figure 40, and Figure 41, severity refers to the single most serious charge at case filing. Mean and median results differ significantly. This is typically a result of a small number of cases that take a long time to be resolved, which pulls the mean up while leaving median results largely unaffected. By both measures, however, average times to disposition generally increased between 2017 and 2021; since then, results have leveled off or decreased slightly, as shown in Table 11.<sup>131</sup>

Table 11 - Mean and Median Time to Disposition by the Single Most Serious Charge at Case Filing per Calendar Year (in Days)

| Calendar Year | Felony |        | Misdemeanor |        |
|---------------|--------|--------|-------------|--------|
|               | Mean   | Median | Mean        | Median |
| 2017          | 221    | 129    | 170         | 75     |
| 2018          | 236    | 153    | 150         | 83     |
| 2019          | 268    | 173    | 177         | 100    |
| 2020          | 300    | 192    | 213         | 127    |
| 2021          | 424    | 273    | 323         | 195    |
| 2022          | 428    | 294    | 339         | 214    |
| 2023          | 498    | 323    | 361         | 204    |
| 2024          | 495    | 309    | 332         | 197    |
| 2025*         | 475    | 260    | 331         | 161    |

*Data Source: Alaska Court System*

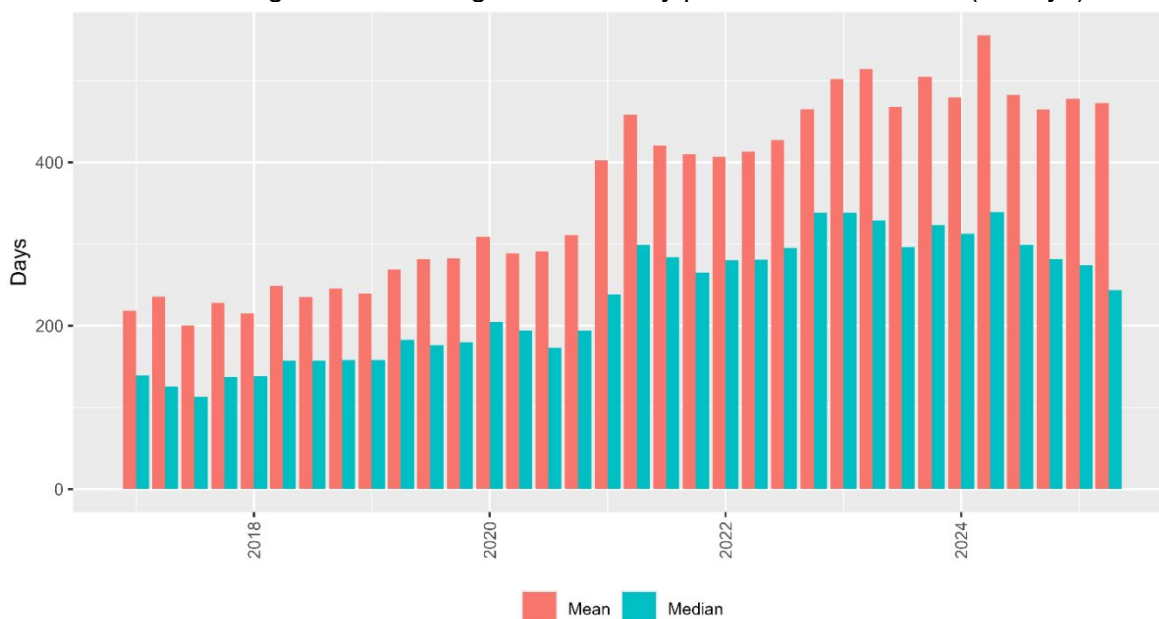
*Data Analysis: Alaska Criminal Justice Data Analysis Commission*

*\*2025 uses only six months of data (January 1 to June 30).*

<sup>131</sup> In this section, including Table 11, cases are organized by the calendar year in which the disposition occurred. Severity reflects the single most serious offense at case filing. Times to disposition greater than 10 years are excluded: in 2020 and 2021, there were instances of cases twenty or more years old being dismissed. Instances such as these are either data entry errors or distinct events and separate from the goal of the analyses in the section.

Like Table 11, Figure 40 and Figure 41 show time to disposition in days for felony and misdemeanor cases, with the results organized by calendar quarter. As noted above, severity refers to the single most serious charge at case filing.

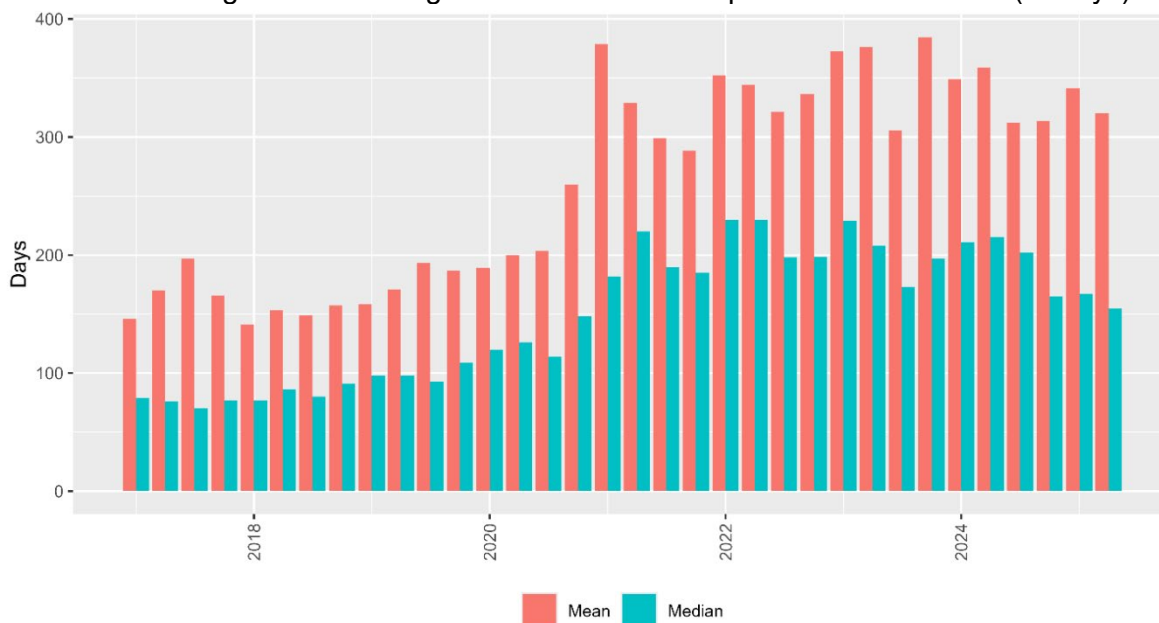
Figure 40 - Mean and Median Time to Disposition Among Cases Where the Single Most Serious Charge at Case Filing Was a Felony per Calendar Quarter (in Days)



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 41 - Mean and Median Time to Disposition Among Cases Where the Single Most Serious Charge at Case Filing Was a Misdemeanor per Calendar Quarter (in Days)



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Between 2017 and 2025, there were differences between judicial districts. Among cases involving a felony, median time to disposition was longest in the First Judicial District, followed by the Third, Second, and Fourth (237, 220, 210, and 210 days, respectively). Whether a presentence report is ordered may affect the time to disposition in felony cases.

Among cases involving a misdemeanor, median time to disposition was longest in the Third Judicial District, followed by the Second, Fourth, and First (151, 144, 130, and 95 days, respectively).

Table 12 shows median time to disposition by judicial district and severity between 2017 and 2025.

Table 12 - Median Time to Disposition by Severity and Judicial District per Calendar Year (in Days)

| Calendar Year | Felony |        |       |        | Misdemeanor |        |       |        |
|---------------|--------|--------|-------|--------|-------------|--------|-------|--------|
|               | First  | Second | Third | Fourth | First       | Second | Third | Fourth |
| 2017          | 184    | 83     | 122   | 154    | 56          | 42     | 79    | 96     |
| 2018          | 166    | 146    | 143   | 180    | 52          | 85     | 93    | 83     |
| 2019          | 200    | 202    | 153   | 208    | 83          | 120    | 101   | 105    |
| 2020          | 206    | 215    | 190   | 170    | 94          | 135    | 144   | 119    |
| 2021          | 290    | 279    | 273   | 269    | 142         | 246    | 213   | 179    |
| 2022          | 296    | 328    | 298   | 271    | 137         | 271    | 250   | 180    |
| 2023          | 310    | 317    | 343   | 257    | 118         | 220    | 239   | 178    |
| 2024          | 305    | 291    | 335   | 208    | 128         | 203    | 227   | 152    |
| 2025*         | 342    | 269    | 263   | 222    | 136         | 212    | 152   | 180    |

*Data Source: Alaska Court System*

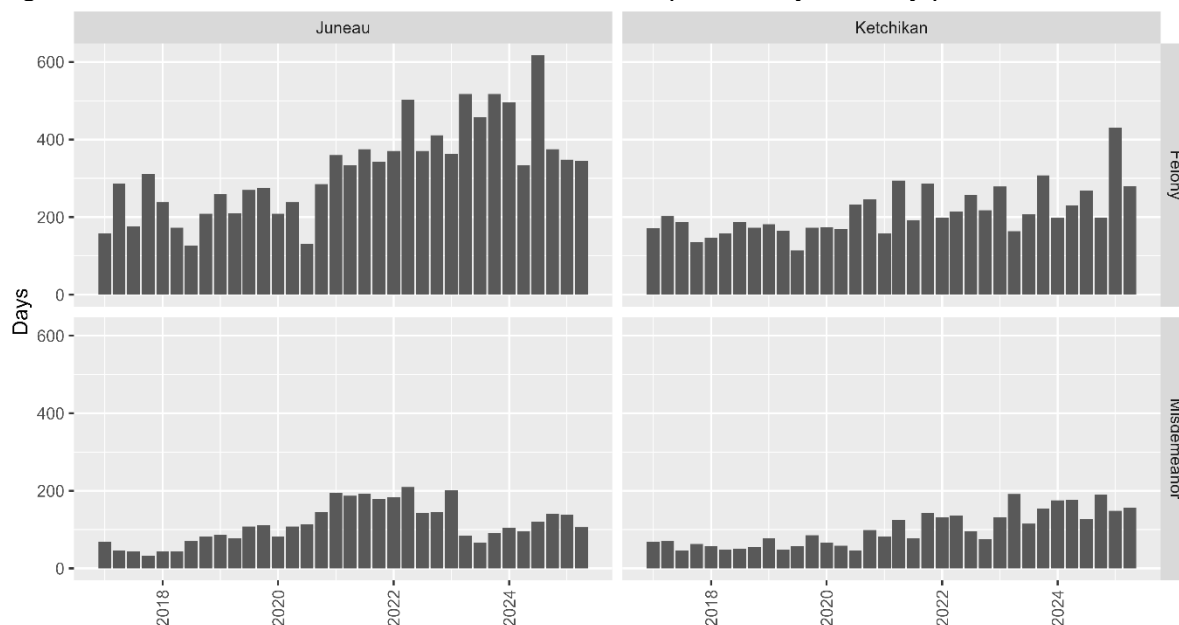
*Data Analysis: Alaska Criminal Justice Data Analysis Commission*

*\*2025 uses only six months of data (January 1 to June 30).*



In Figure 42 through Figure 45, select court locations from each judicial district are shown.

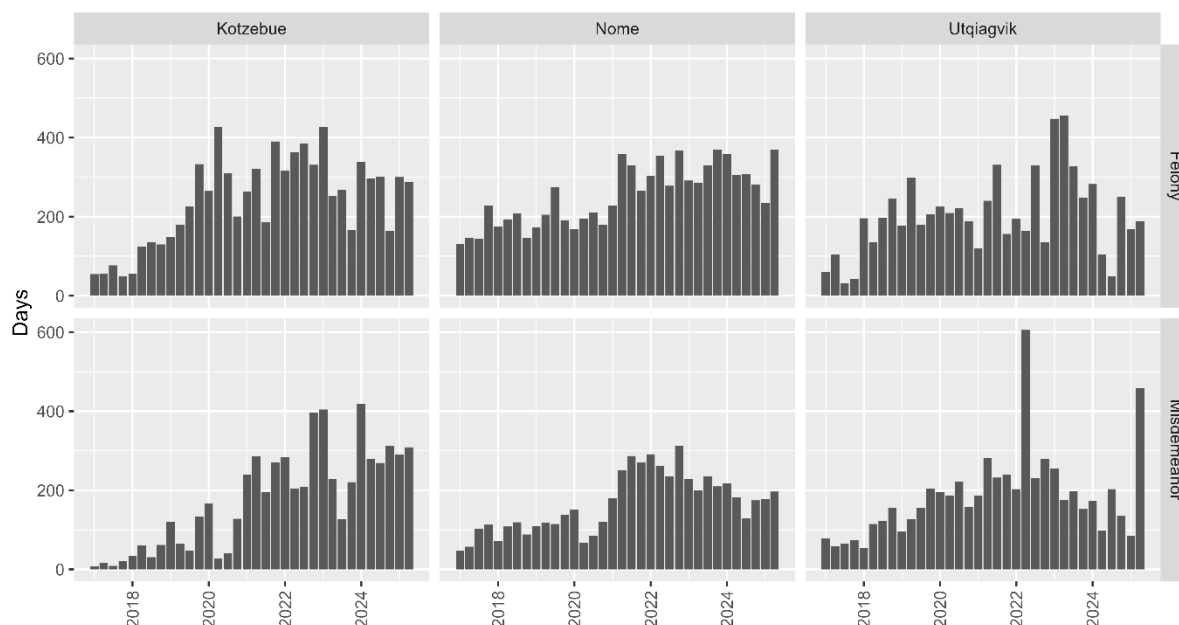
Figure 42 - First Judicial District Median Time to Disposition by Severity per Calendar Quarter



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

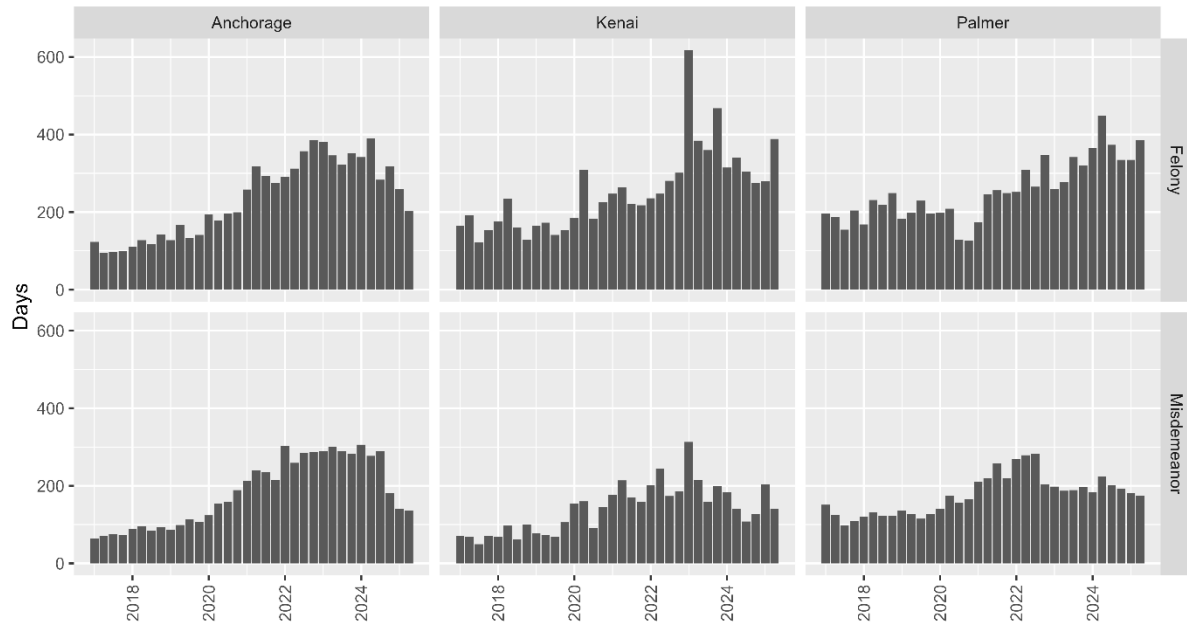
Figure 43 - Second Judicial District Median Time to Disposition by Severity per Calendar Quarter



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

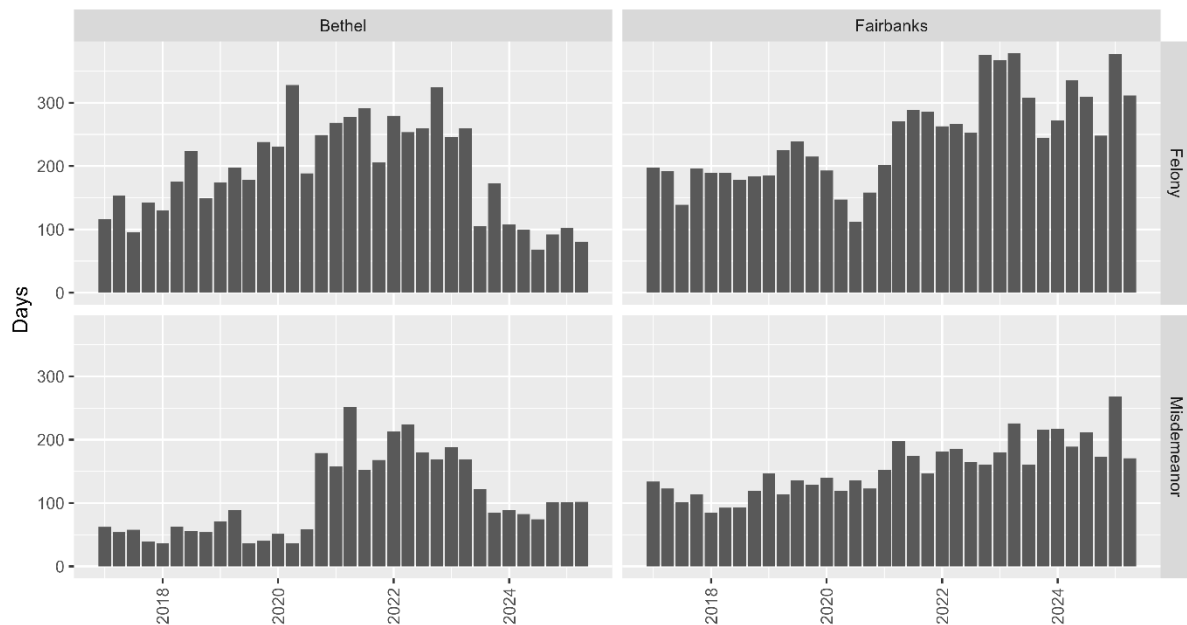
**Figure 44 - Third Judicial District Median Time to Disposition by Severity per Calendar Quarter**



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

**Figure 45 - Fourth Judicial District Median Time to Disposition by Severity per Calendar Quarter**



Data Source: Alaska Court System

Data Analyses: Alaska Criminal Justice Data Analysis Commission

## 6.13 APPEALS

After a case is disposed of, a defendant who has been sentenced generally has the right to appeal their conviction, their sentence, or both. Alaska Court System statistics show 48 sentence appeals and 341 merit appeals were pending before the Alaska Court of Appeals at the end of fiscal year 2024.<sup>132</sup>

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<sup>132</sup> Alaska Court System, *Alaska Court System Statistical Report, Fiscal Year 2024*, <https://courts.alaska.gov/admin/docs/fy24-statistics.pdf>.

## 7 PROBATION, PAROLE, AND REENTRY

### 7.1 PROBATION

After serving any period of incarceration that the judge ordered, the convicted person is released from incarceration. Upon release, the person will be on probation if the person's sentence included that requirement. Those who were convicted of a felony are released to supervised probation, in which they are monitored by officers in the Department of Corrections' Division of Pretrial, Probation, and Parole. According to the Department of Corrections, about 30% of those convicted of felonies will be released on supervised probation/parole. Nearly all people convicted of misdemeanors are on unsupervised probation to the court for a short period (one year or less).

Probation officers carry out the orders of the judge, and monitor their supervisees' conduct to make sure they are complying with all the conditions of supervision. They may try to help the person find work, obtain drug and alcohol treatment, and find other services.

Probation officers may arrest people under their supervision for violating the conditions of supervision, with or without a warrant. The probation officer can file a petition to revoke probation to bring the person back to court. At that hearing, the judge can continue probation, put more restrictions on the person, or revoke probation and send the person to a correctional facility (provided the person still has suspended time remaining on their sentence).

Alaska has about 3,200 people on supervised probation and parole,<sup>133</sup> almost all of them after release from serving time incarcerated. Eighteen percent of the people on supervision are female, compared to 10% of the incarcerated population.<sup>134</sup>

### 7.2 PAROLE

Parole is the release of an individual from incarceration prior to the completion of their sentence. There are different types of parole, including geriatric, special medical, discretionary, and mandatory. Geriatric and special medical parole are uncommon in Alaska: on December 31, 2024, there were no individuals being actively supervised in Alaska as the result of geriatric or special medical parole.<sup>135</sup>

As for discretionary and mandatory parole, the majority are released on mandatory parole and relatively few people are released on discretionary parole. For example, of the 714 people released to parole in 2024, 655 were released on mandatory parole and 59 were released on discretionary parole.<sup>136</sup> Discretionary and mandatory parole are discussed further below.

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<sup>133</sup> Alaska Department of Corrections, *2024 Offender Profile*, page 24, <https://doc.alaska.gov/admin/docs/1CurrentProfile.pdf>. The same officers supervise both probationers and parolees. Some of the supervision is for people who are on parole; those people may or may not also be on probation.

<sup>134</sup> *Id.*

<sup>135</sup> State of Alaska Board of Parole, *Quick Facts, December 31, 2023*, <https://doc.alaska.gov/Parole/documents/Quick%20Facts%202023.pdf>.

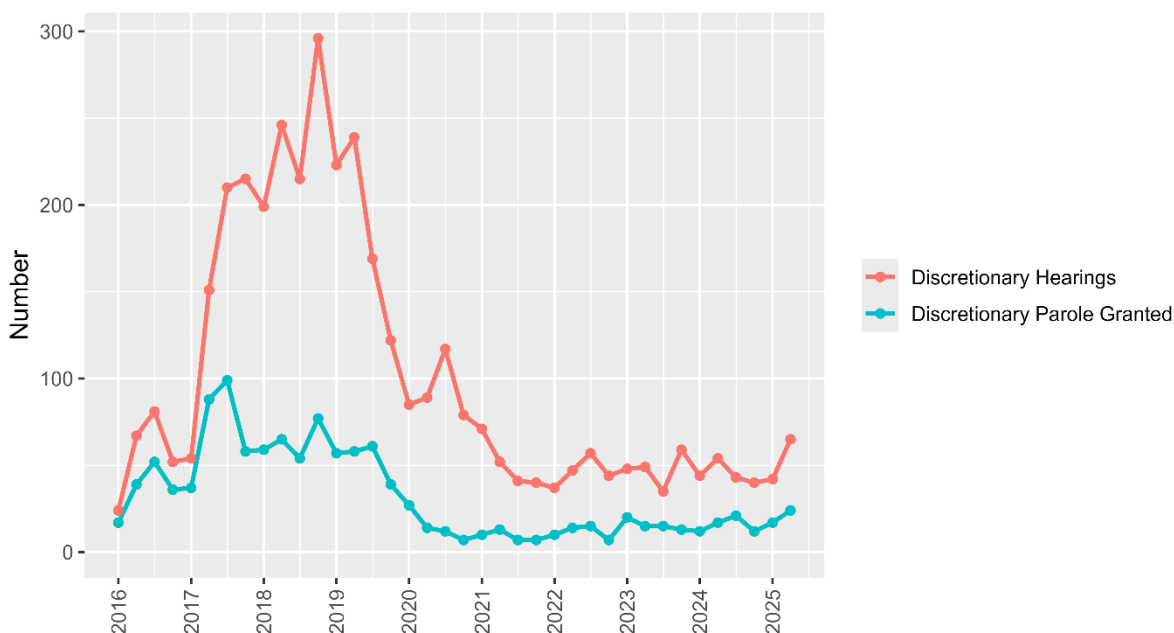
<sup>136</sup> Email from the Alaska Department of Corrections to the Alaska Judicial Council (April 16, 2025).

## 7.2.1 DISCRETIONARY PAROLE

After a person who is incarcerated has served a certain portion of their sentence, they may be eligible to apply for discretionary parole. When someone applies for discretionary parole, the parole board holds a hearing to determine whether to grant the request.<sup>137</sup>

Figure 46 shows the number of discretionary parole hearings and the number of people who were granted discretionary parole per quarter. Both were affected by changes to the law in 2017 and 2019. Before 2017, a person wishing to be considered for discretionary parole was required to file an application with the parole board. Starting in 2017, the law was changed to require hearings for all those eligible, whether or not they requested it, and to expand the number of people eligible. Figure 46 shows a large increase in hearings and a small increase in the number of cases granted parole after 2017. Then in 2019, the law reverted to requiring an application in order to be considered for discretionary parole, and it also limited eligibility for some crimes; as a result, the number of discretionary parole hearings and releases decreased.<sup>138</sup>

Figure 46 - Number of Discretionary Parole Hearings and Discretionary Parole Granted per Calendar Quarter



Data Source: Alaska Parole Board

Data Analyses: Alaska Criminal Justice Data Analysis Commission

## 7.2.2 MANDATORY PAROLE

Mandatory parole is the release of an individual from incarceration after serving at least a two-year term of incarceration minus good time.<sup>139, 140</sup> Individuals convicted of certain serious felonies are not eligible for mandatory parole.

<sup>137</sup> AS 33.16.130.

<sup>138</sup> Email from the Department of Corrections to the Alaska Judicial Council (September 25, 2023).

<sup>139</sup> AS 33.16.010(a) and (c).

<sup>140</sup> The calculation of good time is found in AS 33.20.010(a), "Notwithstanding AS 12.55.125(f)(3) and 12.55.125(g)(3), a prisoner convicted of an offense against the state or a political subdivision of the state and

Most supervised parolees were released as a result of mandatory parole: on December 31, 2022, 2023, and 2024, 79%, 79%, and 80% of supervised parolees, respectively, were released as a result of mandatory parole.<sup>141</sup> This is in contrast to discretionary parole, which made up approximately 17% or 18% of supervised parolees at these points in time.

### 7.3 REENTRY TO THE COMMUNITY

After release from incarceration, an individual reenters the community. Individuals may need to obtain housing, find employment, obtain identification and other documents, and reintegrate with friends and family. Lack of success in reentering the community increases the risk of recidivism (failure of probation or parole or committing new criminal offenses). To reduce the risk of recidivism, the State of Alaska has developed a coordinated reentry plan.<sup>142</sup>

The Department of Corrections, Department of Health Division of Behavioral Health, and the Alaska Mental Health Trust Authority have coordinated to provide community-based case management and social services for reentering individuals. Community reentry case management is entirely voluntary, and individuals can terminate their participation at any time. Case management and services are available only to those who have been sentenced to a felony and have a high-to-medium LSI-R score.<sup>143</sup> The community reentry coordinated response has three main aspects:

**Department of Corrections.** In addition to providing its own rehabilitation and reentry programming, the department provides opportunities for community service providers to connect with individuals who will be releasing and who indicate they are interested in receiving community services.

**Division of Behavioral Health.** This division within the Department of Health administers grants and contracts to community partners in eight Alaska communities who provide case management to reentrants.<sup>144</sup> Case managers help interested individuals develop a reentry plan, including housing, transportation, food, clothing and hygiene items, identification documents if needed, treatment and other health-related referrals, employment assistance referrals, and education or job skills referrals.

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sentenced to a term of incarceration that exceeds three days is entitled to a deduction of one-third of the term of incarceration rounded off to the nearest day if the prisoner follows the rules of the correctional facility in which the prisoner is confined.”

<sup>141</sup> State of Alaska Board of Parole, *Quick Facts, December 31, 2024*, <https://doc.alaska.gov/Parole/documents/Quick%20Facts%202024.pdf>; State of Alaska Board of Parole, *Quick Facts, December 31, 2023*, <https://doc.alaska.gov/Parole/documents/Quick%20Facts%202023.pdf>; and, State of Alaska Board of Parole, *Quick Facts, December 31, 2022*, <https://doc.alaska.gov/Parole/documents/Quick%20Facts%202022.pdf>.

<sup>142</sup> See generally, Department of Health and the Alaska Department of Corrections, *Recidivism Reduction Joint Annual Report Fiscal Year 2023*, [https://health.alaska.gov/dbh/Documents/Resources/FY2023\\_DOH-DOC-RRAP.pdf](https://health.alaska.gov/dbh/Documents/Resources/FY2023_DOH-DOC-RRAP.pdf); Alaska Mental Health Trust Authority, *Alaska Community Reentry Program Guide* (2018), <https://juneautoreentry.org/wp-content/uploads/2018/12/Alaska-Community-Reentry-Program-Guide-Version-4-FINAL.pdf>.

<sup>143</sup> See discussion of the LSI-R beginning on p. 5.

<sup>144</sup> Case managers are located in Anchorage, Kenai Peninsula, Juneau, Fairbanks, Ketchikan, Nome, the Mat-Su Borough, and the Bristol Bay region.

In 2024 the division revised the community reentry grants to require stronger and more consistent reporting requirements. The division reported in 2025 that it is now receiving more consistent and robust data on participants and the delivery of services.

**Community Reentry Coalitions.** The Alaska Mental Health Trust Authority funds four Reentry Coalition Coordinators to assist community service providers and others who help individuals reenter the community.<sup>145</sup> The Alaska Mental Health Trust Authority also provides funds for reentry transition supports, primarily for transitional housing.

### 7.3.1 REENTRY RESEARCH PROJECTS

The Commission expressed a desire in 2024 to learn more about what data is available to study the effects of participation in the reentry program. To date, the necessary data about participants in Alaska and a possible comparison group is not available due to the complexity of gathering sufficient data across corrections, health, mental health, and public safety datasets.

The Commission staff also conducted a review of available academic research on reentry. Staff reported on recent reentry research at the Commission's May 2025 meeting, and a written research summary is in [Appendix H](#). Reentry research continues to result in mixed findings on the effectiveness of reentry programs, with many studies finding positive trends but no statistically significant effects on recidivism. These findings are likely due, among other reasons, to the complexity of the problems faced by reentrants, poor program design, the variability of the types of services reentrants receive, problems with program implementation, and lack of quality evaluations. Research continues to show, however, that programs can be effective if designed using evidence-based practices and implemented well. One major component of such evidence-based practices is adherence to a Risk, Needs, and Responsivity framework. Programs are also more effective in reducing recidivism when they address criminal thinking and other internal factors such as problem-solving, education, and increasing job skills. Most encouragingly, there is evidence that even with variable findings, many reentry programs result in benefits that exceed their costs, and that the public consistently exhibits support for rehabilitation and reentry efforts. Reentry programs supported and implemented by the Alaska Department of Corrections and the Division of Behavioral Health were designed using the evidence-based Risk, Needs, and Responsivity framework.

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<sup>145</sup> The Alaska Mental Health Trust Authority funded coalition coordinators in Anchorage, Mat-Su, Juneau, and Fairbanks since the inception of the program. The grants are fully funded for fiscal year 2026, funded at 50% for fiscal year 2027, and will not be funded by the Trust as of fiscal year 2028.

## 8 RECIDIVISM

The Commission is required to provide a description of recidivism rates in its annual reports. Recidivism is often understood as the rate at which individuals who have previously been convicted of a crime commit new criminal acts; however, there is no direct way to know whether a previous offender has committed a new crime because the authorities may never learn of the new crime. Instead, the definition for purposes of this report is “the percentage of convicted defendants who are booked into, or who return to, a correctional facility within three years after release or the date of conviction, whichever is later.”<sup>146,147</sup>

Defining recidivism in this way allows the observed rate of recidivism to be affected by factors other than the later criminal behavior of previously convicted offenders. For example, assuming a consistent level of crime in a community, if law enforcement agencies were to adopt new techniques or policies that increased the number of arrests made by their officers, the reported rate of recidivism would increase not because the rate of crime had increased, but because the rate of arrest had increased. Conversely, if fewer law enforcement officers were deployed due to budget cuts, the number of arrests would decline and the reported rate of recidivism would likewise decline, even though the rate of crime might remain constant.

The same logic that applies to law enforcement agencies applies to other agencies in the criminal justice system, all of whom must balance the competing demands for their services against their finite resources. As a result, any significant changes in agency strategy or resources may cause changes in the reported rate of recidivism, even though the actual rate at which previous offenders are committing new crimes might be unchanged.

### 8.1 STATUTORY MEASURE OF RECIDIVISM

The data on recidivism presented in this section is based on the measure of recidivism adopted by the Legislature in AS 44.19.649(2): the percentage of previously convicted defendants who, within the three years following their date of conviction or their release from incarceration (whichever is later), are booked into, or are otherwise returned to, a correctional facility. In the following analysis, these individuals are grouped into three-month cohorts based on their at-risk date, that is, the date of their conviction or the date of their release from incarceration, whichever was later.<sup>148,149,150</sup>

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<sup>146</sup> AS 44.19.649(2).

<sup>147</sup> “Convicted defendants” includes both misdemeanants and felons.

<sup>148</sup> Where two or more cases for the same individual are disposed of within the same three-month period, the first by disposition date is used; if two or more are disposed of on the same day, the case containing the single most serious charge is used.

<sup>149</sup> Another way to understand “at risk” is by comparison: those who have not been convicted and are therefore under no obligation to rehabilitate are not at risk of re-offending; also, those who have been convicted but who are still incarcerated are not at risk of re-offending.

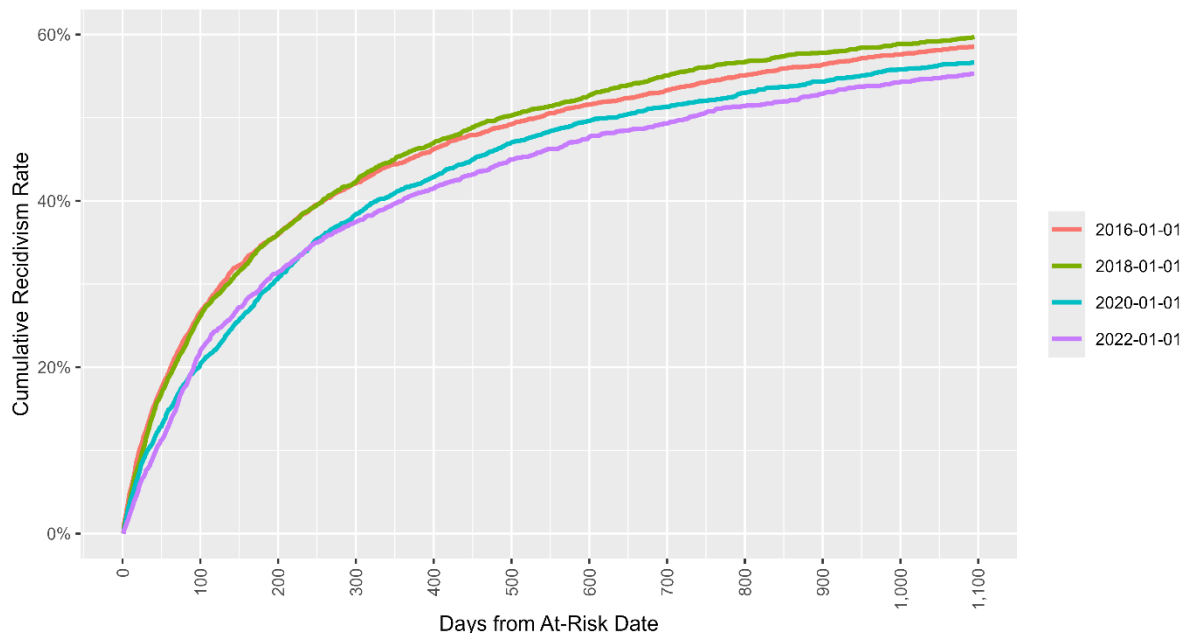
<sup>150</sup> Generally, individuals may receive no sentence following conviction or, if incarcerated pretrial, time served, or a sentence post-conviction. While in many cases, an individual’s location (incarcerated versus not incarcerated) on the date of disposition will align with these facts, the actual reason an individual is incarcerated is complicated by other factors, chief among them, multiple cases or probation/parole violations. The data do not currently allow causes of incarceration to be precisely identified or multiple causes disentangled, which necessitates defining at-risk statuses with location information alone. Instances where an individual is convicted but allowed to begin their sentence at a later date will be falsely marked as a recidivism event. These or similar cases are infrequent and unlikely among serious or violent offenses.



This statutory measure is an imprecise measure of whether a previously convicted offender has, in fact, engaged in new criminal behavior. For example, a previously convicted offender might commit a new crime while incarcerated (*i.e.*, before being released from their sentence), but this new crime would not count as recidivism under the Legislature’s statutory definition. Conversely, a previously convicted offender might reach their at-risk date and then be returned to incarceration for a crime that they committed *before* they committed the offense that was the basis for their previous conviction. Under the Legislature’s statutory measure, this would count as recidivism even though the offender had not committed any new crime. For this reason, the next section discusses additional ways to measure or track a previously convicted offender’s new criminal behavior.

In Figure 47, the cumulative recidivism rate based on the statutory definition is shown for four cohorts.<sup>151</sup> Within the first year, most (approximately 75%) of those who would ultimately recidivate by year three had done so. In the subsequent two years, the rate at which the remaining individuals recidivated moderated significantly. While the risk of re-offending may lessen over time as individuals successfully re-establish themselves in the community, the high recidivism rate within the first year reflects, in part, the portion of the population that cycles through the criminal justice system, that is, those individuals who are chronic re-offenders. At year three, slightly more than half of the individuals within the cohorts had been incarcerated at least once on or after their at-risk date. While four cohorts are represented here, these results are typical for this period both in terms of the cumulative recidivism rate and the three-year incarceration rate (see Figure 48).

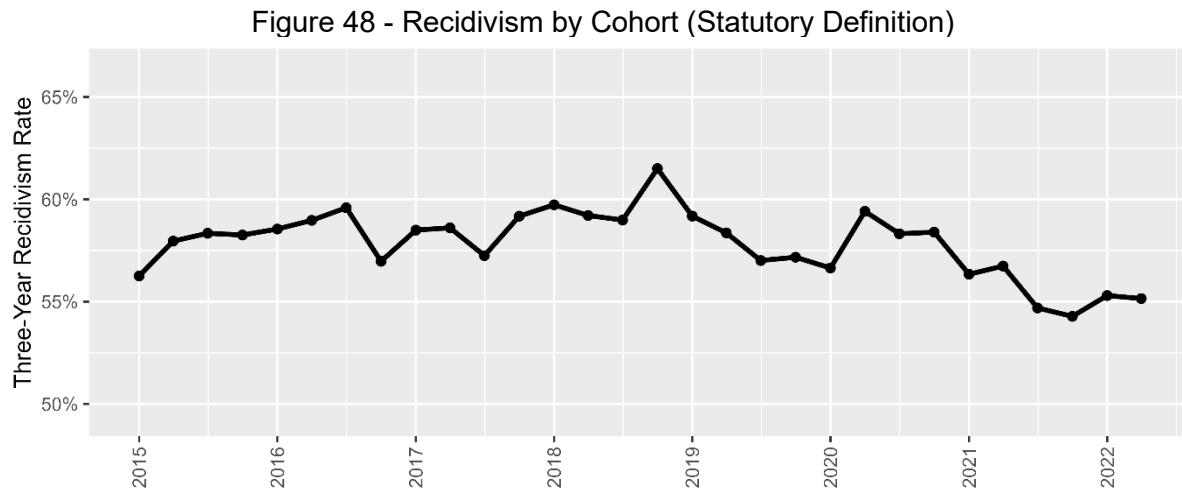
Figure 47 - Recidivism of the January 1, 2016, 2018, 2020, and 2022 Cohorts (Statutory Definition)



Data Sources: Alaska Department of Public Safety and Alaska Department of Corrections  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

<sup>151</sup> Cohorts are referred to by the at-risk start date, e.g., those beginning the at-risk period between January 1, 2020 to March 31, 2020, are labeled “January 1, 2020.”

In Figure 48, the three-year recidivism rate based on the statutory definition is shown for the 30 cohorts between 2015 and 2022.<sup>152</sup> Among these cohorts, the minimum recidivism rate was 54% and the maximum recidivism rate was 61%. Beginning with cohorts in 2019, the three-year follow-up period would have overlapped with pandemic-era restrictions.<sup>153</sup> Both Figure 47 and Figure 48 show a slight decline in recidivism as measured by the statutory definition over the period assessed.



*Data Sources: Alaska Department of Public Safety and Alaska Department of Corrections  
Data Analyses: Alaska Criminal Justice Data Analysis Commission*

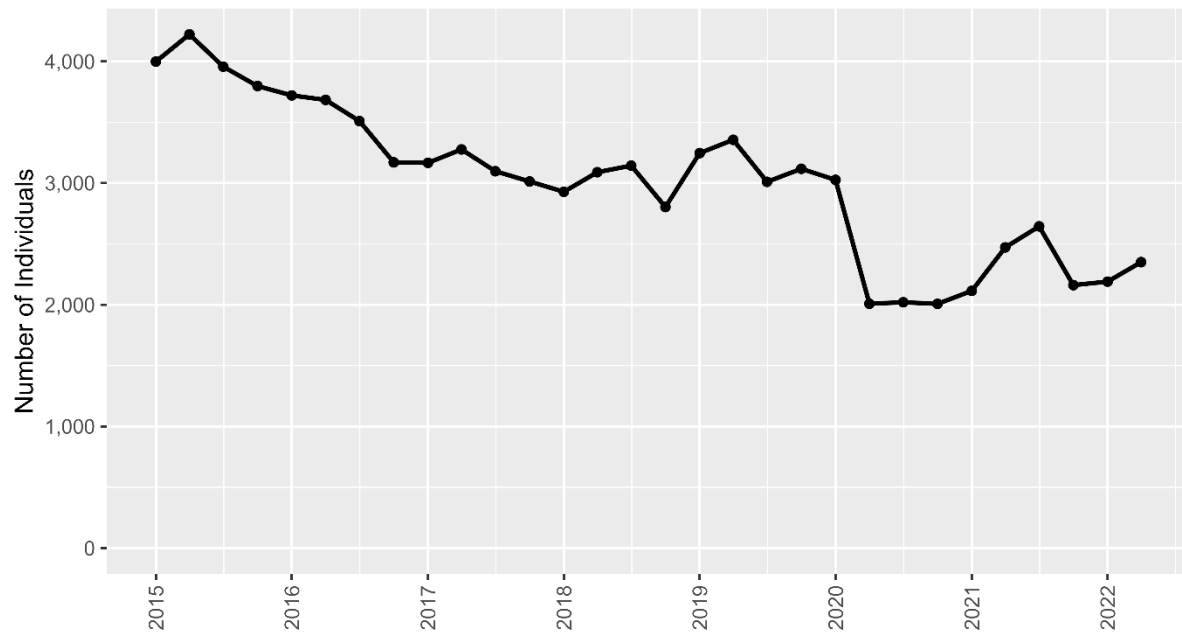
Beginning in April 2020, cohorts became much smaller. Using the statutory definition of recidivism, cohorts consist of individuals convicted of a crime, and, as shown elsewhere in this report, case dispositions decreased significantly following the implementation of pandemic restrictions (see Figure 22). While prior to April 2020, cohorts consisted of approximately 3,000 individuals, beginning in April 2020, they consisted of only approximately 2,000 individuals, as shown in Figure 49.<sup>154</sup>

<sup>152</sup> AS 44.19.649(2).

<sup>153</sup> On March 11, 2020, Governor Dunleavy issued a Public Health Disaster Emergency due to COVID-19. On March 15, 2020, the Chief Justice issued the first special order (Order No. 8130) in response to COVID-19; see <https://courts.alaska.gov/covid19/docs/socj-2020-8130.pdf>.

<sup>154</sup> Cohort size began to increase in 2021, as shown in Figure 49.

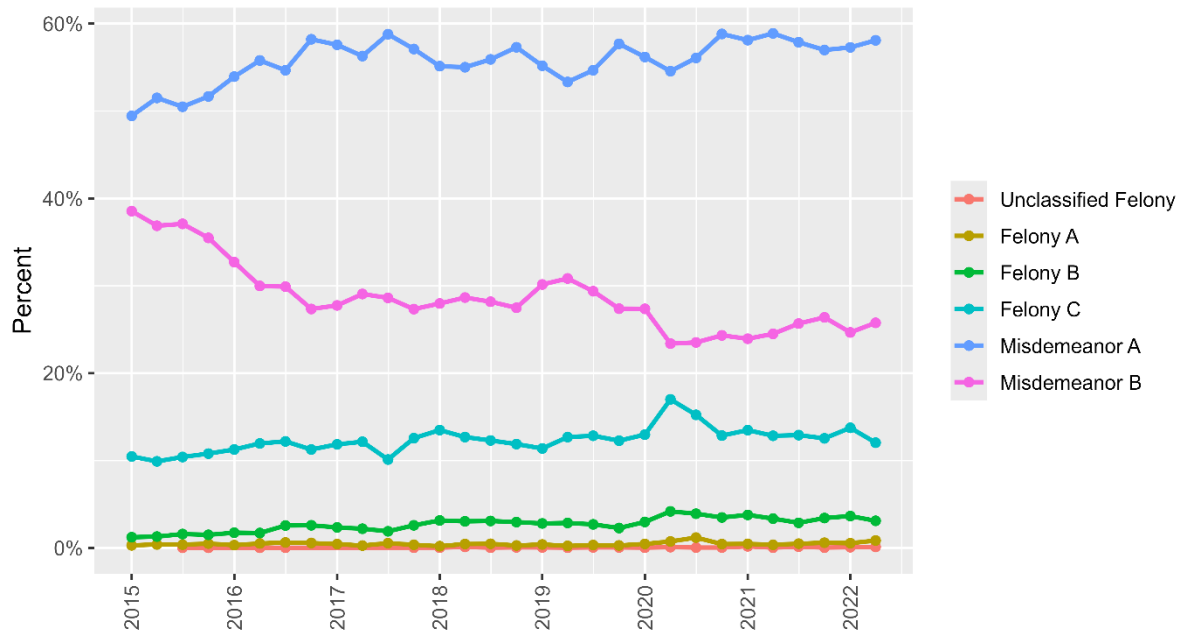
Figure 49 - Size of Cohorts



Data Source: Alaska Department of Public Safety  
 Data Analyses: Alaska Criminal Justice Data Analysis Commission

In addition to being smaller, cohorts became relatively more serious: beginning in April 2020, a larger proportion of the initial convictions were C felonies and a smaller proportion were B misdemeanors, as shown in Figure 50. Felony convictions tend to be accompanied by supervision upon release, and, as a result, the probability of returning to a correctional facility is likely higher. Despite this, as shown in Figure 48, recidivism as measured using the statutory definition declined slightly over this period.

Figure 50 - Severity of Initial Conviction of Cohorts



Data Source: Alaska Department of Public Safety  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

## 8.2 ADDITIONAL MEASURES OF RECIDIVISM

### *Recidivism Events*

While incarceration is commonly used to signal recidivism, new criminal activity can be measured using other indicators as well, for example, an arrest or conviction following a new criminal offense. If recidivism is defined broadly, different levels of re-offending may be captured, as well as different demands on the criminal justice system. For example, incarceration can be caused by a technical violation of probation conditions or a new criminal offense. Although both denote a response to an individual's behavior by the criminal justice system, they may differ in their impact on public safety and the resources they require to adjudicate. In the following, the groups being assessed are the same, namely, individuals who were convicted of one or more misdemeanor or felony charges, whether or not time was spent incarcerated after conviction. The statutory measure of recidivism is included for comparison.<sup>155</sup>

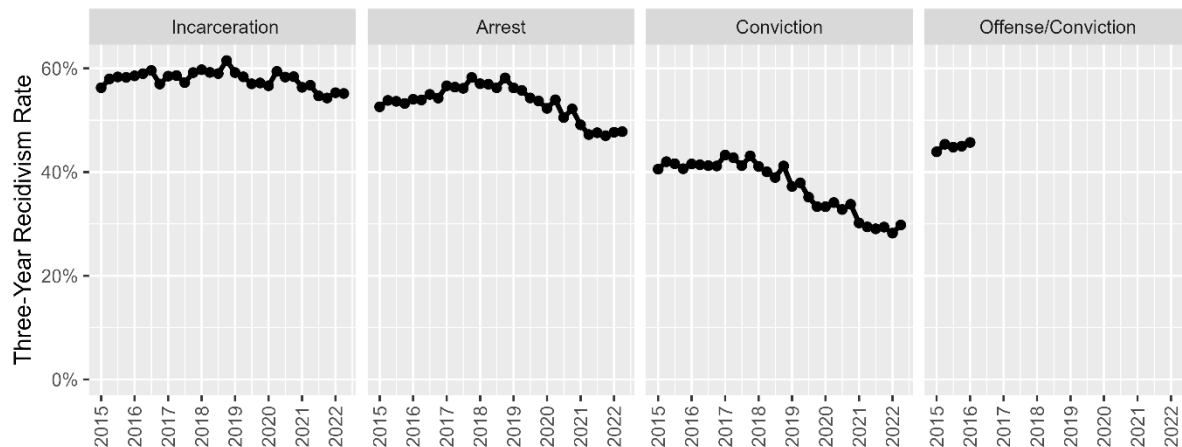
Between 2015 and 2022, the three-year recidivism rate tended to be highest when measured using incarceration (58%) (the statutory definition), followed by arrest (53%), and finally conviction

<sup>155</sup> AS 44.19.649(2).

(37%), as shown in Figure 51.<sup>156, 157, 158</sup> As discussed elsewhere in this report, a large percentage of criminal cases are entirely dismissed. This dismissal rate likely explains much of the difference between the three-year recidivism rate in terms of incarceration or arrest and the three-year recidivism rate in terms of conviction. The difference between those arrested and incarcerated is due to people who were remanded to incarceration for violations of probation or parole conditions and not arrested for a different crime.

Furthermore, if recidivism is ultimately about measuring new criminal behavior, the date of the new criminal behavior, rather than the criminal justice system's response, may be a better way to understand the timing of criminal events. Defined this way, recidivism is the commission of a new crime within three years for which there is legal proof, in this case, a subsequent conviction. However, sufficient data must exist to bridge the period between the new criminal offense and the eventual arrest and conviction (see the Time to Case Disposition section for more information). Based on existing data, for serious offenses as well as instances in which the defendant absconds pre-trial or there are other significant delays, the Commission only has enough data to capture expected events among the earliest cohorts, as shown in Figure 51 (*Offense/Conviction*).

Figure 51 - Recidivism by Cohort and Event Type



Data Sources: Alaska Department of Public Safety and Alaska Department of Corrections  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

### Measuring Time to Recidivism

Although recidivism tends to be highest in the first year following the at-risk date, as noted when discussing Figure 47 above, the speed with which recidivism events occur varies by recidivism type, with incarceration occurring more quickly than arrests, and arrests occurring more quickly than convictions. Between 2015 and 2022, the average number of days for half of those who would ultimately recidivate by year three to do so was 140 for incarceration (the statutory definition), 220 for arrests, 409 for convictions, and 225 for offense/conviction.

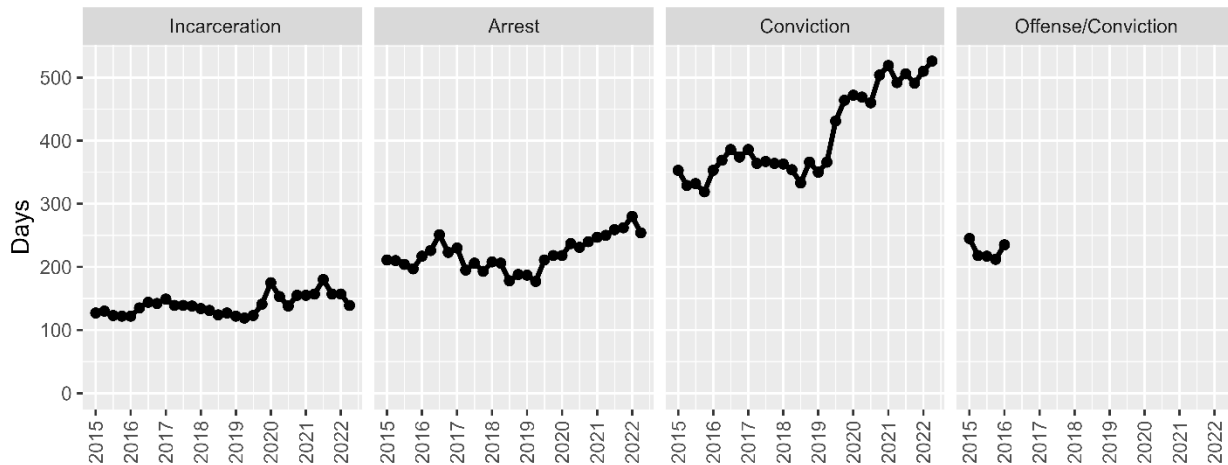
<sup>156</sup> These values represent the mean rate among cohorts between 2015 and 2022.

<sup>157</sup> When discussing these events, the same criminal activity could be represented in each: a crime is committed, the person is *arrested*, *remanded* to the Department of Corrections, and *convicted*. But each measure derives from a separate data set and one measure does not necessarily follow from the existence of another.

<sup>158</sup> Recidivism in terms of incarceration (statutory definition) is identical in Figure 48 and Figure 51; it is reproduced in Figure 51 to enable comparison.

Over time, the speed with which a cohort reaches 50% varies, as shown in Figure 52. Particularly among convictions, there is an upward trend among cohorts in the latter half of 2019, groups which would have been most impacted by pandemic-era restrictions.

Figure 52 - Number of Days to 50% of the Three-Year Recidivism by Cohort and Event Type



Data Sources: Alaska Department of Public Safety and Alaska Department of Corrections  
Data Analyses: Alaska Criminal Justice Data Analysis Commission

### Relative Severity of the Recidivism Event

While recidivism tends to be measured as a binary event, that is, new criminal activity occurred or did not during the follow-up period, that may mask incremental improvement. For example, in terms of calculating a three-year recidivism rate, an arrest at one month is treated the same as an arrest at two years; similarly, incarceration due to a more-serious offense is identical to one for a less-serious offense. However, in each of these examples, the latter may indicate improvement or a process of criminal desistance. Comparing the single most serious offense of the original conviction to the single most serious offense of the recidivism conviction, the latter tends to be less serious by a small margin.<sup>159</sup>

<sup>159</sup> In making this comparison, unclassified felonies and B misdemeanors were excluded because it is not possible to recidivate at a more severe level than an unclassified felony, nor at a less severe level than a B misdemeanor. Conviction-to-conviction comparisons are used because they are most likely to be equivalent given the effects of plea bargaining and charge reduction.

Table 13 displays the relative frequency of the original and recidivism-conviction severity for cohorts between 2015 and 2022. For example, the table shows that 54% of those originally convicted of a B felony and who ultimately recidivated during the follow-up period were subsequently convicted of only an A misdemeanor.

Table 13 - Relative Severity of Recidivism Conviction by Original Conviction Severity

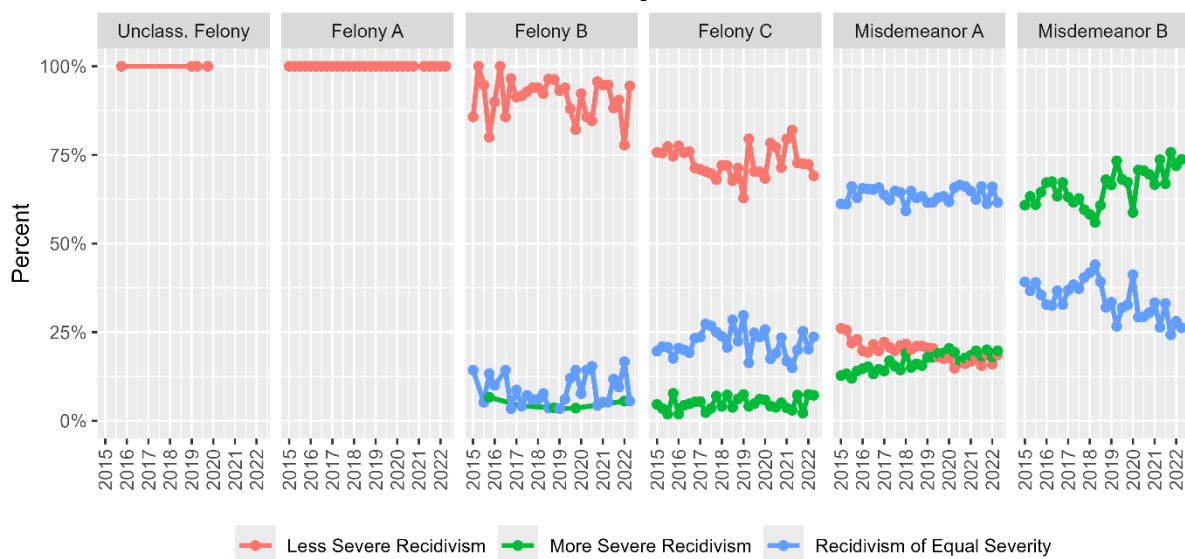
| Original Conviction | Recidivism Conviction |          |          |          |               |               |
|---------------------|-----------------------|----------|----------|----------|---------------|---------------|
|                     | Unclassified Felony   | Felony A | Felony B | Felony C | Misdemeanor A | Misdemeanor B |
| Unclassified Felony | 0%                    | 0%       | 0%       | 75.0%    | 0%            | 25.0%         |
| Felony A            | 0%                    | 0%       | 9.9%     | 22.5%    | 46.5%         | 21.1%         |
| Felony B            | 0%                    | 0.9%     | 7.6%     | 21.0%    | 54.3%         | 16.2%         |
| Felony C            | 0.2%                  | 0.5%     | 4.2%     | 22.2%    | 56.0%         | 16.9%         |
| Misdemeanor A       | <0.1%                 | 0.3%     | 2.4%     | 13.4%    | 63.6%         | 20.3%         |
| Misdemeanor B       | <0.1%                 | 0.3%     | 1.7%     | 10.3%    | 52.3%         | 35.3%         |

Data Sources: Alaska Department of Public Safety and Alaska Department of Corrections

Data Analysis: Alaska Criminal Justice Data Analysis Commission

Figure 53 compares the relative severity of the recidivism conviction to the severity of the original conviction over time. The figure headers denote the severity of the original conviction. While B misdemeanors are displayed, there is no possibility of a less-severe recidivism conviction; similarly, while unclassified felonies are displayed, there is no possibility of a more-severe recidivism conviction. In these data, while no factor limits it, there are no instances where a more-severe conviction followed an A felony. What is displayed, however, is an apparent reversion to the mean, that is, as most criminal convictions are A misdemeanors, all else being equal, an A misdemeanor will tend to follow any other conviction. Furthermore, while over time both the original conviction and recidivism conviction have become marginally more serious on average, this may be a reflection, in part, on the types of offenses that criminal justice entities have pursued.

Figure 53 - Relative Severity of Recidivism Conviction by Cohort and Original Conviction Severity



Data Sources: Alaska Department of Public Safety and Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

## 8.3 RECIDIVISM REPORTED BY OTHER ENTITIES

In Alaska, other entities may calculate and report recidivism, for example, reentry organizations, groups affiliated with the university, and the Alaska Department of Corrections (DOC). Of these, DOC is the only entity that provides an annual update, similar to the work done by the Commission. However, DOC and the Commission calculate recidivism rates somewhat differently: while the Commission uses the definition set out in its statute, DOC uses a definition that helps it assess the effectiveness of its reentry programs and probation/parole supervision for people convicted of felonies. Below is an explanation of how DOC and the Commission calculate recidivism – the cohorts, recidivism events, and timeframe – and how these decisions impact the rates calculated.

### Cohorts

- DOC tracks only felons who serve time incarcerated and who are released.
- The Commission tracks all people convicted of any crime, whether or not they served any period of incarceration.

### Recidivism Event

- DOC defines a recidivism event as a return to incarceration after having been convicted and sentenced to a term of incarceration either for a new crime or after having been adjudicated on a petition to revoke probation.
- The Commission's primary definition of a recidivism event is a return to incarceration for any criminal reason (this could include remand on a petition to revoke probation, re-arrest by a law enforcement officer, or to serve a sentence after conviction of a crime, whichever occurs first). As noted above, the Commission also tracks other recidivism events, for example, re-arrest and re-conviction.

### Timeframe

- Both DOC and the Commission use a three-year period to assess whether a recidivism event occurred. For DOC, the at-risk period begins at the date of release from incarceration; while for the Commission, the at-risk period begins either on the date of release from incarceration, or on the date of conviction if no incarceration is imposed. The three-year timeframe was chosen because the probability of recidivism drops significantly after that period.

The individuals being assessed and the event used to signify “recidivism” can significantly impact the results. As noted, DOC's cohorts do not include people convicted of a misdemeanor, nor do they include those who re-offend but do not return to incarceration (e.g., alternative sanctions are used). Based on prior research, misdemeanants (particularly DV and property misdemeanants) recidivate more frequently than most felons. Thus, the inclusion of misdemeanants in the Commission's cohorts would be expected to increase the frequency of recidivism events for the Commission compared to DOC.

Furthermore, for DOC, the recidivism event only includes those instances in which a person returned to incarceration as the result of a (eventual) conviction. In other words, if an individual is remanded to incarceration on the suspicion of a new criminal offense but those charges are



subsequently dropped, that instance of incarceration would not constitute a recidivism event for DOC. For the Commission, the recidivism event occurs when the person is remanded to a DOC facility for any criminal reason, for example, an arrest or conviction following a new criminal offense or the probable cause of such an offense. As noted above, convictions occur less frequently than reincarcerations because a significant percentage of cases are dismissed before conviction or even before charging. Additionally, convictions have been occurring less frequently over the last few years (the decrease coincided with the COVID pandemic). Thus, DOC's inclusion of conviction as the recidivism event would be expected to decrease the frequency of recidivism events compared to the definition used by the Commission.

Despite these differences, the reported rates tend to be quite similar. This suggests that the factors most strongly affecting recidivism are not individual factors specific to a person, but rather systemic factors such as law enforcement and policies and priorities.

Recidivism is not a single measure calculated the same way for all parties, rather it is a tool used by researchers and practitioners to understand the criminal justice system, in part or in whole. As such, the method used to calculate recidivism will reflect the needs of the group measuring it. DOC's definition of recidivism was adopted over a decade ago with the goal of measuring the success (or failure) of DOC's efforts to redirect felony offenders towards productive lives. The focus is on the population DOC has the most opportunity to influence – those who were incarcerated for a significant time (felons), who were released from incarceration. Including probation/parole violations recognizes that even without a new conviction, a failure to adhere to supervision terms indicates a lack of successful reintegration. In contrast, the Commission's definition of recidivism is meant to assess the impact of criminal justice policy changes, and, as such, the Commission's data offers a wider scope to reflect broad changes in the functioning of the criminal justice system.

## 8.4 RECIDIVISM REDUCTION PROGRAM AND FUNDING

### *Recidivism Reduction Program*

In 2014, the Legislature established a program to promote the rehabilitation of persons on probation or parole, and persons who have recently completed their sentences.<sup>160</sup> Programs must accomplish one of the following objectives: increasing access to evidence-based rehabilitation programs or supporting offenders' transition and reentry from correctional facilities to the community.<sup>161</sup> The law requires the Department of Corrections and the Department of Health to publish a joint annual report on recidivism reduction services.

### *Division of Behavioral Health*

The Division of Behavioral Health (DBH) within the Department of Health is responsible for overseeing grants, contracts, and initiatives aimed at improving health and public safety outcomes. DBH collaborates with various stakeholders, including law enforcement, community providers, reentrants and their families, and other state entities such as the Alaska Court System, Department of Corrections, Alaska Mental Health Trust Authority, and Department of Labor and Workforce Development.

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<sup>160</sup> AS 47.38.100 (a); ch. 83, § 1, SLA 2014.

<sup>161</sup> AS 47.38.100(b).

DBH allocates recidivism reduction funding to support evidence-based treatment programs, including peer support programs, reentry case management services, and various housing programs. By providing secure housing, employment opportunities, and treatment options upon release, this funding aims to increase the number of community-based support services available to reentrants. These services significantly enhance the likelihood of a successful transition back into the community and reduce the risk of reoffending. In fiscal year 2024, DBH expended \$4,226,540 in recidivism reduction funds. This amount is in addition to support DBH provided for the Alcohol Safety Action Program and Reimbursable Service Agreements with other state agencies to enhance services for individuals in-custody and returning to the community. More detailed information is available in [Appendix F](#).

### *Funding for Recidivism Reduction*

In 2016, the Alaska Legislature created the Recidivism Reduction Fund (Fund) to support programming to reduce recidivism. Each year, the Fund receives half the revenue generated by marijuana taxes for legislative appropriation, and this money can be used to fund programs run by the Departments of Corrections, Public Safety, and Health.<sup>162</sup>

According to the Office of Management and Budget, the Recidivism Reduction Fund distributed a total of \$16,637,500 to these three departments in fiscal year 2025.<sup>163</sup> Of that total, the Department of Corrections was allocated \$8,624,000,<sup>164</sup> the Department of Public Safety was allocated \$2,004,600,<sup>165</sup> and the Department of Health was allocated \$6,008,900.<sup>166</sup> These departments used this money to support programming as detailed in [Appendix F](#).

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<sup>162</sup> AS 43.61.010(c) and (d).

<sup>163</sup> See [https://omb.alaska.gov/ombfiles/25\\_budget/FY25Enacted\\_statewide\\_totals\\_7-10-24.pdf](https://omb.alaska.gov/ombfiles/25_budget/FY25Enacted_statewide_totals_7-10-24.pdf).

<sup>164</sup> See [https://omb.alaska.gov/ombfiles/25\\_budget/DOC/Enacted/25depttotals\\_doc.pdf](https://omb.alaska.gov/ombfiles/25_budget/DOC/Enacted/25depttotals_doc.pdf).

<sup>165</sup> See [https://omb.alaska.gov/ombfiles/25\\_budget/PublicSafety/Enacted/25depttotals\\_publicsafety.pdf](https://omb.alaska.gov/ombfiles/25_budget/PublicSafety/Enacted/25depttotals_publicsafety.pdf). DPS allocates this money to the Council on Domestic Violence and Sexual Assault.

<sup>166</sup> See [https://omb.alaska.gov/ombfiles/25\\_budget/Health/Enacted/25depttotals\\_health.pdf](https://omb.alaska.gov/ombfiles/25_budget/Health/Enacted/25depttotals_health.pdf).

## 9 AREAS OF RESEARCH

Following publication of its 2024 annual report, the Commission identified additional research areas that members believed warranted further study. Those research projects and their statuses are explained below.

- Domestic Violence Study: This was a study of criminal justice records involving domestic violence and was published in 2025. This study used electronic records to describe the prevalence of arrests, charges, and case dispositions in the state with a focus on criminal offenses meeting the Alaska legal definition of crimes involving domestic violence. See page 91 for more information.
- Survey of Organizations with Victim Information: The Commission surveyed 46 organizations that worked with victims throughout the state about their data collection practices, and their ability to compile and share data about victims' needs and interests. Based on the groups that responded, representing most of those surveyed, two primary sources of information appear to be available: the FBI NIBRS database (National Incident-Based Reporting System) and Vela, a database used by the members of the Alaska Network on Domestic Violence and Sexual Assault. Most law enforcement agencies will be using NIBRS by early 2026. Other victims' organizations in the state were also willing to discuss sharing their data with appropriate safeguards for victim confidentiality. Members concurred that further work on victim information should wait until NIBRS data becomes available. The agencies involved will report on their progress next year.
- Guide to Common Criminal Justice Terms: Definitions for Pre-indictment Hearings, Bail Schedule, Parole, and Probation were added or updated in 2025 ([Appendix E](#)).
- Pretrial Practices Study (ongoing): This study documents various aspects of the pre-disposition phase of criminal cases. Research topics include the conditions of release set by judges (e.g., bail, pretrial monitoring, third-party custodian, and electronic monitoring), defendants' risk levels as determined by Alaska's pretrial risk assessment instrument, which defendants are released pre-disposition, and the length of the pre-disposition phase of the case. Analyses expected to be performed include: any evidence of disparities that may be associated with characteristics such as sex, race/ethnicity, and urban/rural location; the effects of pre-disposition incarceration on the manner of disposition and the length of sentence; and any differences among defendants who are monitored by Pretrial Services and those who are not.
- Probation and Parole Study (ongoing): This study reviews data about probation and parole, including legislative changes since 2015, and other materials (including stakeholder interviews, DOC interviews, attorney interviews, and probationers/parolees) to assess questions about the efficacy of probation and parole supervision.
- Sex Offenses Study (ongoing): This is a study to better understand sexual assault, sexual abuse, and other sex offenses; to update data originally published by the Alaska Criminal Justice Commission in 2019; and to create a baseline of data about sexual assault cases before implementation of recent legislative changes to the definition of "consent."

## 10 EXAMINATION OF CRIMINAL JUSTICE RECORDS INVOLVING DOMESTIC VIOLENCE

In establishing its research agenda, the Commission determined that the high prevalence and persistence of crimes involving domestic violence warranted study. The following is a summary of the report on crimes involving domestic violence between 2017 and 2024 published by the Commission in 2025.

### **Statutory Definition of Domestic Violence in Alaska**

In this report, “domestic violence” refers to criminal justice records that have met Alaska’s statutory definition of crimes involving domestic violence. To be defined as being a “crime involving domestic violence” requires two elements: an eligible criminal offense and a specific relationship among the parties. This definition is broader than that used to define intimate partner violence, that is, physical, sexual or psychological violence between current or former romantic partners, as it includes physical violence but also crimes such as violating a protection order among family members and roommates, as well as child and elder abuse if the parties are from the same household.

Alaska’s definition of crimes involving domestic violence may differ from those used by other states and the federal government, and from definitions used in other studies of domestic violence. For example, while other studies may employ additional data collection techniques, this study uses only criminal justice data, and, as such, it is limited to the definition chosen by the Alaska Legislature. Consequently, results from this report cannot be directly compared to other states, the federal government, tribes, or other domestic violence studies.

### **Study Methods**

This study uses electronic data from the Alaska Department of Public Safety and Alaska Court System describing criminal cases at arrest, charging, and case disposition. Procedural court rules in Alaska require law enforcement and prosecutors to indicate for all arrests and charges whether the incident involved an alleged crime of domestic violence. Records containing allegations of crimes involving domestic violence are flagged, and convictions are also flagged during court processing. These records form the basis of the analyses found in this report.

### **Prevalence of Domestic Violence Records**

Between 2017 and 2024, 26% of criminal cases at arrest and charging contained an alleged crime involving domestic violence. Among criminal cases that resulted in at least one conviction, 20% of those cases included a conviction for a crime involving domestic violence. Over time, these percentages have remained consistent even as the total number of cases per quarter changed.

### **Variation by Region**

The number of criminal justice records involving domestic violence varied significantly by geographical region in the state. On average, there were 1,125 arrests for alleged crimes involving domestic violence per 100,000 adults per year. Among case dispositions, there were on average

444 convictions for crimes involving domestic violence per 100,000 adults per year. Outside major population centers, the rates were significantly higher. The causal mechanisms behind these geographical differences are outside the scope of this analysis.

### **Resolution of Criminal Justice Records Involving Domestic Violence**

Among case dispositions, 25% contained an alleged crime involving domestic violence at arrest and 75% did not. Most cases resolve with a conviction or the dismissal of all charges, as acquittals are rare. Among cases that contained an alleged crime involving domestic violence at arrest, 52% were resolved via a conviction – 14% resulted in a non-domestic violence related conviction and 38% resulted in a domestic violence related conviction. In the remaining cases – 48% – all charges were dismissed or acquitted. Among cases that did not contain an alleged crime involving domestic violence at arrest, 55% were resolved via a conviction – 54% resulted in a non-domestic violence related conviction and 1% resulted in a domestic violence related conviction. In the remaining cases – 45% – all charges were dismissed or acquitted. Among both groups, those that contained an alleged crime involving domestic violence at arrest and those that did not, the percentage of cases in which all charges were dismissed or resulted in an acquittal increased between 2017 and 2024, from 40% to 51% among the former and from 40% to 47% among the latter.

### **Severity of Alleged Crimes and Convictions**

Among criminal cases that resulted in a conviction, the severity of the charges against a defendant frequently decreased between arrest and conviction. Additionally, the original charges against a defendant may be reduced in other ways, for example, by the elimination of a domestic violence indicator. Among criminal cases that contained at least one alleged crime involving domestic violence at arrest and resulted in at least one conviction, 75% retained a domestic violence indicator at disposition. Retention was greater among more serious alleged crimes.

Crimes involving domestic violence tend to be more serious than other types of crime. While not all crimes involving domestic violence entail physical violence, most crimes or alleged crimes with a domestic violence indicator are assaults or, more broadly, person offenses. Person offenses are those that involve a perpetrator and victim and generally some kind of physical violence or threat of physical violence, and are largely enumerated at AS 11.41.

Among arrests, 61% of alleged crimes involving domestic violence were person crimes; if only the single most serious charge per case is examined, 72% of alleged crimes involving domestic violence were person crimes. Alleged crimes not involving domestic violence consist of a larger percentage of property, driving, and public order offenses.

### **Prevalence of Criminal Justice Records Involving Domestic Violence by Defendant**

Among most defendants, arrests containing an alleged crime involving domestic violence constituted a minority of their encounters with law enforcement. On average among defendants with at least two arrests, approximately 31% of defendants' cases contained an alleged crime involving domestic violence.

## **Prevalence of Criminal Justice Records Involving Domestic Violence by Defendant Sex and Race**

While the adult population in Alaska is approximately 48% female and 52% male, most defendants in criminal cases are male, specifically, 71% of arrests and 70% of arrests in which an alleged crime involving domestic violence occurred. Additionally, while the population in Alaska is approximately 18% Alaska Native and 65% White, 41% of all arrests involved Alaska Native defendants and 44% involved White defendants; among arrests in which an alleged crime involving domestic violence occurred, 52% involved Alaska Native defendants and 34% involved White defendants. Given that most criminal cases originated with an arrest, the demographic characteristics of defendants at case disposition mirrored those at arrest. However, among cases containing an alleged crime involving domestic violence at arrest, the conviction rate differed by defendant sex: 57% of cases involving male defendants were resolved via a conviction, compared to 42% of cases involving female defendants.

### **Limitations of the Study**

This study used electronic records to describe the prevalence of criminal offenses meeting Alaska's legal definition of crime involving domestic violence. This data was not sufficient to answer more detailed questions, for example, questions about victims or the relationship between victims and offenders. Nor should this study be used to draw conclusions about the prevalence or geographical pattern of violence more broadly in Alaska, that is, outside alleged or proven incidents captured by the criminal justice system. Nor should the findings in this study be compared to findings from other jurisdictions, because Alaska's definition of domestic violence differs significantly from definitions used in other states and in the federal system. Generally speaking, Alaska's definition of domestic violence is broader than other jurisdictions' definitions. This study, however, may provide a basis for a more detailed examination of crimes involving domestic violence under Alaska law in which additional information about defendants, victims, and aspects of the case and its resolution are examined.

The full report is posted here:

[http://ajc.alaska.gov/datacommission/docs/reports/Examination of Criminal Justice Records DV study 2025-05-28.pdf](http://ajc.alaska.gov/datacommission/docs/reports/Examination_of_Criminal_Justice_Records_DV_study_2025-05-28.pdf)

## APPENDIX A: ABOUT THE COMMISSION

**Membership.** Membership of the Commission is determined by statute. The sixteen commissioners are:

- Three active or retired judges representing the district, superior, and appellate courts who are designated by the chief justice of the Alaska Supreme Court and serve three-year terms;
- A member of the Alaska Native community designated by the Alaska Native Justice Center serving a three-year term;
- The deputy attorney general in charge of the criminal division of the Department of Law or a designee;
- The public defender or a designee;
- The commissioners of the Departments of Corrections, Health, and Public Safety or their designees;
- The chief executive officer of the Alaska Mental Health Trust Authority or a designee for a three-year term;
- Two active-duty peace officers, one representing a rural community and one representing an urban community serving three-year terms;
- A victim's rights advocate designated by the Alaska Network on Domestic Violence and Sexual Assault serving a three-year term;
- A member of the Alaska Senate and a member of the Alaska House (each nonvoting); and
- A person who has previously been convicted of a felony offense and been unconditionally discharged (has served any incarceration imposed and completed all probation and/or parole requirements), designated jointly by the deputy attorney general in charge of the criminal division of the Department of Law and the public defender, serving a three-year term.

**Meetings.** The Commission meets at least quarterly, and typically meets by video conference, or in person in Anchorage or Juneau. Commission meetings are open to the public and offer video conference and telephonic options. All meetings are noticed on the State's online public notice website, as well as the Alaska Judicial Council website. Interested persons can also be placed on pertinent mailing lists notifying them of upcoming meetings. A meeting may proceed only if at least half of the members are present.

**Staffing.** Staffing and administrative support for the Commission is provided by the staff of the Alaska Judicial Council.

**Statutes.** The Commission was created by the Alaska State Legislature as part of HB 291 in 2022 (SLA 2022, ch.23, §5, eff. September 27, 2022). Its enabling statutes are found at Alaska Statutes 44.19.641-649. The text of the statutes can be found on the Alaska Judicial Council website.

**Website.** The Alaska Judicial Council maintains a Commission website with meeting times, agendas, and summaries for all plenary meetings. Research conducted by the Commission is posted on the website. The website address is <http://www.ajc.state.ak.us/datacommission/index.html>.

## APPENDIX B: COMMISSION MEMBERS/DESIGNEES

### **Jean Achee**

Jean Achee is a Lieutenant with the Sitka Police Department.

### **Matt Claman**

Matt Claman first came to Alaska in 1980 to work in a mining camp. After graduating from law school, Matt returned to Alaska to make his home, raise his family, and establish his career. Matt was elected to the Alaska State House in November 2014 and the Alaska State Senate in 2022, and now serves as the Chair of the Senate Judiciary Committee. Prior to service in the legislature, Matt served on the Anchorage Assembly beginning in 2007, was elected Chair of the Anchorage Assembly in 2008, and served as the Acting Mayor of Anchorage in 2009. An attorney for over 30 years, Matt managed his own small law business for over 11 years, taught law classes at the University of Alaska Anchorage, and was elected to the Board of Governors of the Alaska Bar Association in 2002, serving as its President in 2007-08.

### **Alex Cleghorn**

Alex Cleghorn is the Chief Operating Officer for the Alaska Native Justice Center. He directs ANJC's legal and policy agenda to further the mission of Justice for Alaska Native people and has led ANJC's growth in providing legal services and access to justice to Alaska Native people and Alaska Tribes. He provides training and technical assistance to support tribal justice initiatives.

A lawyer for nearly 20 years, he has primarily represented Tribes and Tribal Organizations. He also served as an Assistant Attorney General and a Special Assistant to the Alaska Attorney General, where he led and coordinated efforts to build collaborative relationships between the State and Alaska Tribes.

Alex was born in Anchorage and grew up in Fairbanks. He is of Sugpiaq descent and a tribal citizen of Tangirnaq Native Village, and a shareholder of Natives of Kodiak, Koniag Incorporated and Cook Inlet Region Inc. Alex is a husband and a father and lives in Anchorage with his family.

### **James Cockrell**

Commissioner James "Jim" Cockrell has had a storied 29-year career with the Alaska Department of Public Safety. He began his career as a Fish and Wildlife Protection Officer in 1983. After working his way through the ranks, he retired as a Major with the Alaska State Troopers in 2004. He returned to DPS soon after retirement to coordinate a Joint Enforcement Agreement with our federal law enforcement partners, before retiring a second time in 2007. During his six-year retirement, Commissioner Cockrell worked at a management level, providing critical infrastructure security services for Doyon Universal Services and Nana Management Services. Commissioner Cockrell returned to DPS in June of 2013 and served as the Director of the Alaska Wildlife Troopers before being appointed as the Director of the Alaska State Troopers in January 2014. Commissioner Cockrell again retired in 2017 and worked as the security supervisor for the Marathon refinery in Kenai after his retirement. Governor Dunleavy appointed Commissioner Cockrell on April 6, 2021.

### **Andrew Gray**

Andrew Gray has represented Anchorage's U-Med district (HD20) since 2023. He serves as chair of the House Judiciary Committee, co-chair of the Joint Armed Services Committee, and a member of the House Majority Coalition. Gray has sponsored legislation to mitigate Alaska's housing crisis, promote public health, and protect foster children and prevent inappropriate



admissions to psychiatric hospitals. Gray is a healthcare provider, working as a physician assistant and previously with the Alaska VA system. Gray is a veteran of the Alaska National Guard, including a prior overseas deployment. He hosts the East Anchorage Book Club podcast, featuring interviews with people of interest and importance to Alaskans. Andrew and his husband Jay have one son.

### **Terrence Haas**

Terrence Haas was appointed as the head public defender in 2023. Prior to his appointment, he was a Superior Court judge in Bethel, Alaska. He also served as the Presiding Judge for Alaska's Fourth Judicial District. He first came to Alaska in 2008 to live in Bethel and work as a line attorney for the Public Defender Agency. He has handled criminal and Child in Need of Aid cases at all levels and in courts across the state. He has served on the Child Justice Act Task Force, the Alaska Court Child in Need of Aid Rules Committee, the Court Improvement Project, and numerous other committees and working groups related to criminal justice and child welfare.

### **David Mannheimer**

Judge David Mannheimer came to Alaska and began his practice of law in 1974, working in Fairbanks first as an assistant district attorney and then as an assistant attorney general in the civil division. In 1978, Judge Mannheimer moved to Anchorage and began working as an appellate prosecutor in the Office of Criminal Appeals. Since then, Judge Mannheimer's career has been entirely devoted to the criminal law and the Alaska justice system. In late 1990, after twelve years in the Office of Criminal Appeals, Judge Mannheimer was appointed to the Alaska Court of Appeals. He retired from the Court in February 2019, but he continues to work part-time for the Court as a pro tem judge.

For over 35 years, Judge Mannheimer has been a member of the Alaska Bar Association's standing committee on the Rules of Professional Conduct. In the mid-1990s, Judge Mannheimer was a member of the Supreme Court committee that drafted Alaska's current Rules of Judicial Conduct. And at present, he is a member of the Supreme Court committee that is drafting a comprehensive revision of those Rules.

### **Kari McCrea**

Kari McCrea is a District Court Judge in Anchorage. Judge McCrea began her legal career in 2001 with the Minnesota State Board of Public Defense. In 2006, she moved to Bethel, AK, upon accepting a position with the Alaska Public Defender Agency. She lived in Bethel for nine years, working as a trial lawyer and supervising attorney for the agency. In 2017 Judge McCrea was appointed to the Anchorage District Court and has since served on several court committees, including the Judicial Conduct Code Committee, Fairness Diversity and Equality Committee, Statewide Magistrate Judge Evaluation Panel, New Judge Training Committee, Federal Magistrate Judge Selection Committee, and the Alaska Bar Association's Diversity Commission. Judge McCrea's judicial tenure includes *pro tempore* appointments to the Bethel Superior Court, Anchorage Superior Court, and the Alaska Court of Appeals.

### **John Skidmore**

John Skidmore is a 25+ year prosecutor who currently serves as the Alaska Deputy Attorney General for the Criminal Division of the Alaska Department of Law. He received a BA in Speech Communications from Bradley University in 1994, and his JD from the University of Oregon in 1997. John has conducted trials and court hearings across Alaska, including the urban communities of Anchorage, Kenai, Homer, Palmer, Juneau, and Fairbanks as well as the rural communities of Bethel, St. Mary's, Dillingham, Naknek, and Togiak. He served in the District

Attorney Offices in Kenai, Bethel, Dillingham, and Anchorage, as well as the head of the Office of Special Prosecutions, before being named the Deputy Attorney General.

**Brenda Stanfill**

Brenda Stanfill serves as the Executive Director of the Alaska Network on Domestic Violence. She has spent 27 years in the field of victim advocacy with 25 years working directly with survivors to ensure their rights were recognized and they could access services necessary to heal. Ms. Stanfill holds a Master's in Public Administration with an emphasis in restorative justice practices. In 2014 she was chosen by the Governor of Alaska to serve on the Alaska Criminal Justice Commission tasked with reducing Alaska prison population through bail and sentencing reforms. Ms. Stanfill spent 6 years on the Commission and currently serves on the newly created Alaska Criminal Justice Data Analysis Commission.

**Trevor Stephens**

Trevor Stephens was raised in Ketchikan. He was a Superior Court Judge in Ketchikan from September 2000 through May 2022, during which he served terms as the Presiding Judge of the First Judicial District, the Administrative Head of the Three-Judge Sentencing Panel, chair of the Family Rules Committee, co-chair of the Child in Need of Aid Court Improvement Committee, as a member of the Court System's Security Committee, the Judicial Education Committee, the Jury Improvement Committee, and the Judicial Wellness Committee. He also served as a member of the Alaska Criminal Justice Commission throughout its existence and is presently a member of the Alaska Court System's New Judge Training Committee.

**Autumn Vea**

Autumn Vea is the Acting Division Operations Manager for the State of Alaska's Division of Behavioral Health and a seasoned leader with nearly 20 years of experience in behavioral health and criminal justice systems. With a Master of Arts in Management from Wayland Baptist University and a Bachelor of Arts in Criminal Justice from the University of Alaska, Anchorage, she has advanced reform and innovation across corrections, community health & behavioral health systems, Medicaid, and child welfare. Autumn has held key roles with the Alaska Mental Health Trust Authority, the Department of Corrections, and the Department of Health, where she has led system-wide planning, policy development, and cross-sector collaboration. She also served as Director of Healthcare Consulting at Jefferson Consulting Group, where she led the [Federal Bureau of Prisons' national Healthcare Quality Assessment](#), one of the largest qualitative and quantitative evaluations of correctional health and wellbeing in the U.S., aimed at improving outcomes for both employees and adults in custody.

**April Wilkerson**

April Wilkerson moved to Alaska in 1992. She has worked for the State of Alaska since 1993 and has spent 22+ years with the Department of Corrections. April has worked on statewide policies focused on maintaining public safety and improving reentry of releasing offenders. Currently, she is the Deputy Commissioner for DOC overseeing the Divisions of Pretrial, Probation & Parole as well as Administrative Services. April is a dedicated public servant who is committed to ensuring the safety of Alaska's communities and reducing recidivism within Alaska.

**Brian Wilson**

Deputy Chief Brian Wilson has been a police officer with the Anchorage Police Department since 2007. During his time with APD Brian has held the responsibilities of Patrol Officer, Field Training Officer, Firearms Instructor, Patrol Sergeant, Inspections Sergeant, Patrol Lieutenant, Special Operations Lieutenant, Patrol Captain, and is currently the Deputy Chief of Operations. He holds

a Master's in Business Administration from the University of Alaska Anchorage and is a graduate of the 279<sup>th</sup> session of the FBI National Academy.

**Mary Wilson**

Mary Wilson, MD, is the Chief Executive Officer at the Alaska Mental Health Trust Authority. Dr. Wilson joined the Trust in early 2025, and in her role is responsible for the overall management of the Trust's programmatic, grantmaking, and policy functions focused on improving Alaska's system of care for Trust beneficiaries: individuals with mental illness, substance use disorders, developmental disabilities, traumatic brain injuries and Alzheimer's disease and related dementia. Dr. Wilson came to the Trust following her career in medicine and healthcare system management.

Growing up in Anchorage, she studied medicine at the Univ. of Washington through the WAMMI program and practiced for many years as a pediatrician. Later in her career, Dr. Wilson advanced into multiple senior leadership positions within Permanente Medical Group, including Executive Medical Director and President of The Southeast Permanente Medical Group in Atlanta. She brings to the Trust extensive executive experience coupled with a thorough understanding of the systems of care that serve and support Trust beneficiaries and their families.

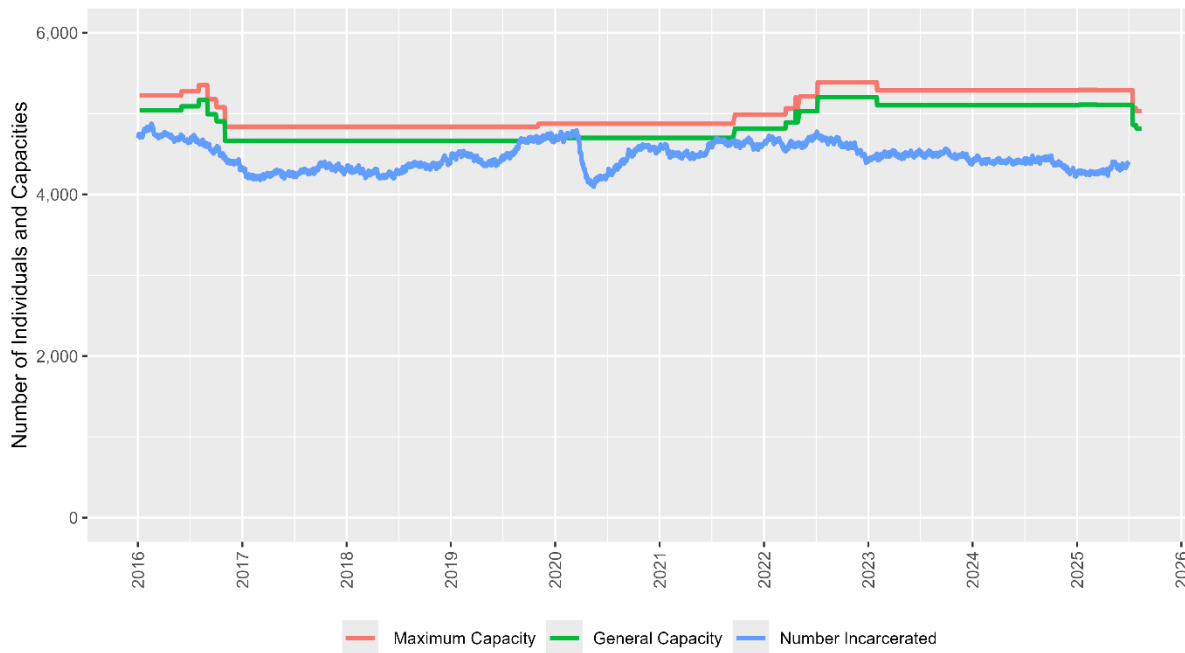
## APPENDIX C: CORRECTIONAL FACILITY USAGE AND CAPACITY

The body of this report contains information about the number of people incarcerated before being sentenced and the number of people incarcerated who are serving a sentence. This section combines the information about sentenced and unsentenced individuals to give a more global view of how many people are and have been housed in Department of Corrections facilities over time. For context, it also incorporates information about facility capacities.

Figure 54 shows the total number of people housed in correctional facilities between 2016 and 2025 (blue line). During the period shown, the total number of people has fluctuated, but during the last two years it has been trending somewhat downward.

Figure 54 also shows two indicators of correctional facility capacity: general (green line) and maximum (red line). The general capacity reflects the number of people who may be incarcerated in a traditional incarceration cell with a regular bed. The maximum capacity reflects the maximum allowable number of people who may be incarcerated using cots or other makeshift beds in addition to traditional beds while still maintaining safety standards.

Figure 54 - Number Incarcerated and Capacity of All Alaska Correctional Facilities per Calendar Day

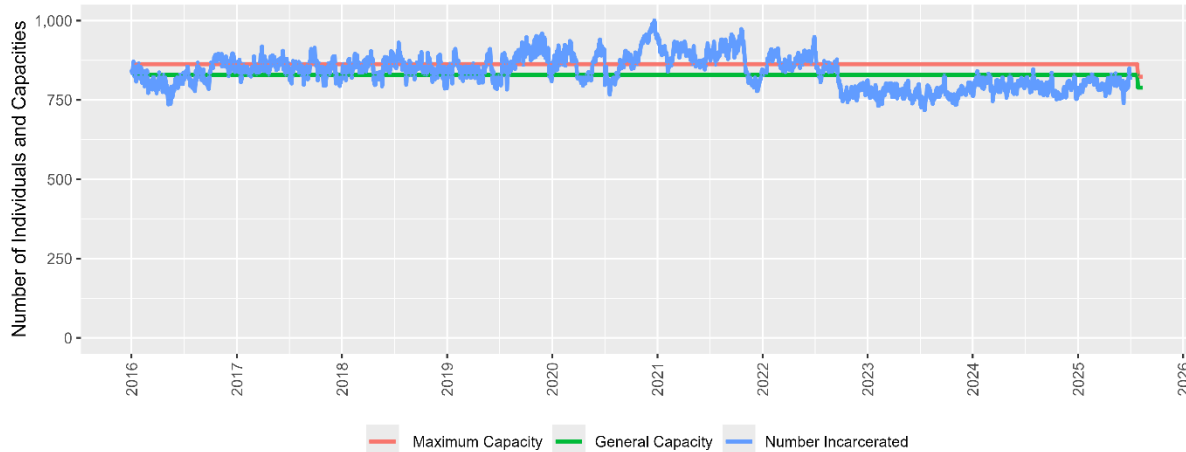


Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 55 through Figure 70 show the same information as above but data are broken out for each correctional facility in Alaska. During the period shown, many correctional facilities were over maximum capacity at points, but this has moderated in the last two years. This may be due in part to the increased capacity of the correctional system as a whole as a result of the reopening of the Palmer Correctional Center, which was closed in 2016. The Palmer Correctional Center, comprised of a medium-security facility and a minimum-security facility, was reopened in stages between September 2021 and July 2022.

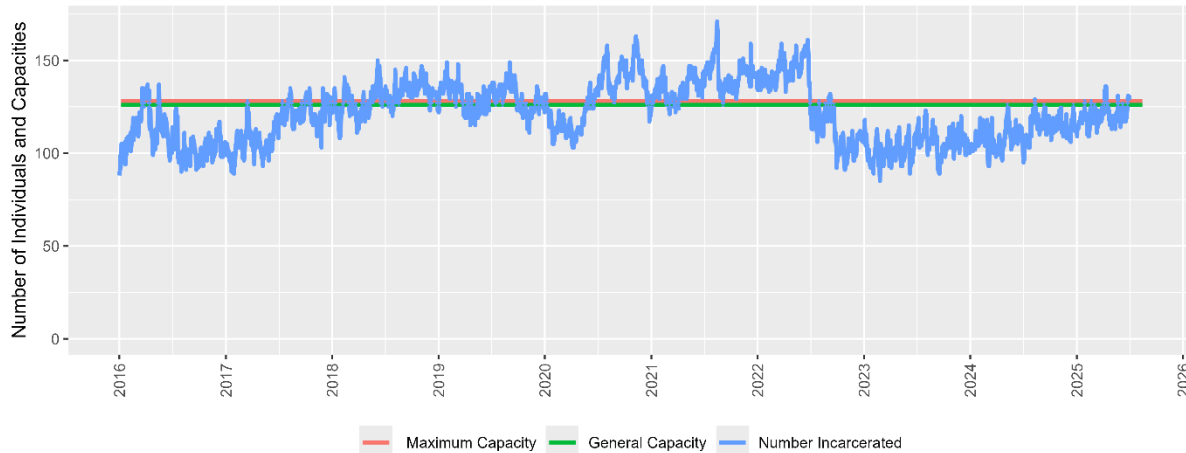
Figure 55 - Number Incarcerated and Capacity of Anchorage Correctional Complex per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

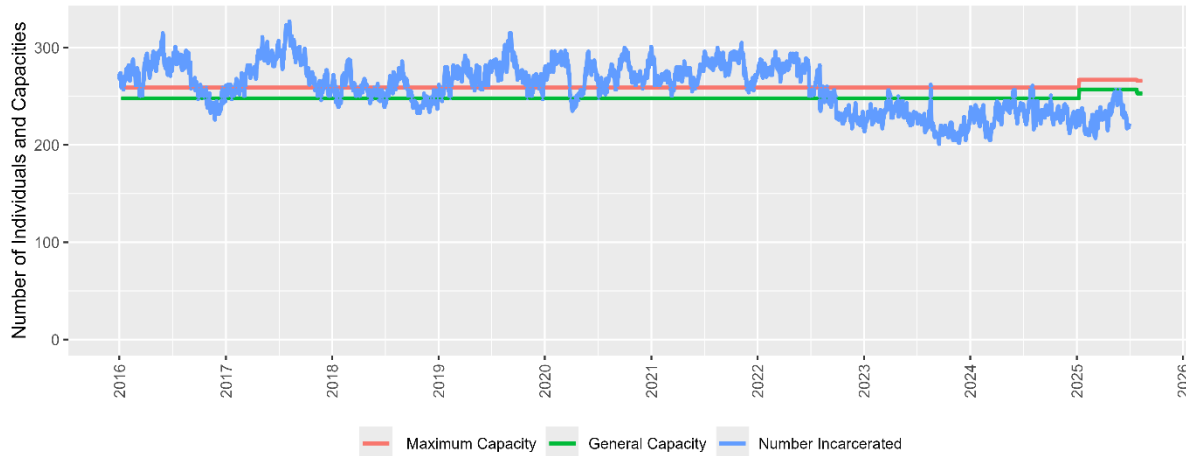
Figure 56 - Number Incarcerated and Capacity of Anvil Mountain Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

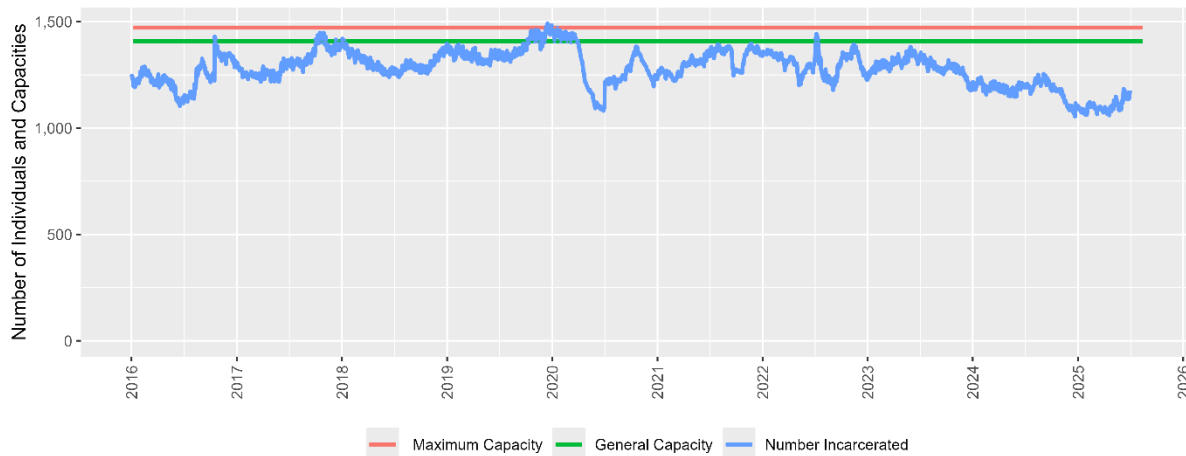
Figure 57 - Number Incarcerated and Capacity of Fairbanks Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

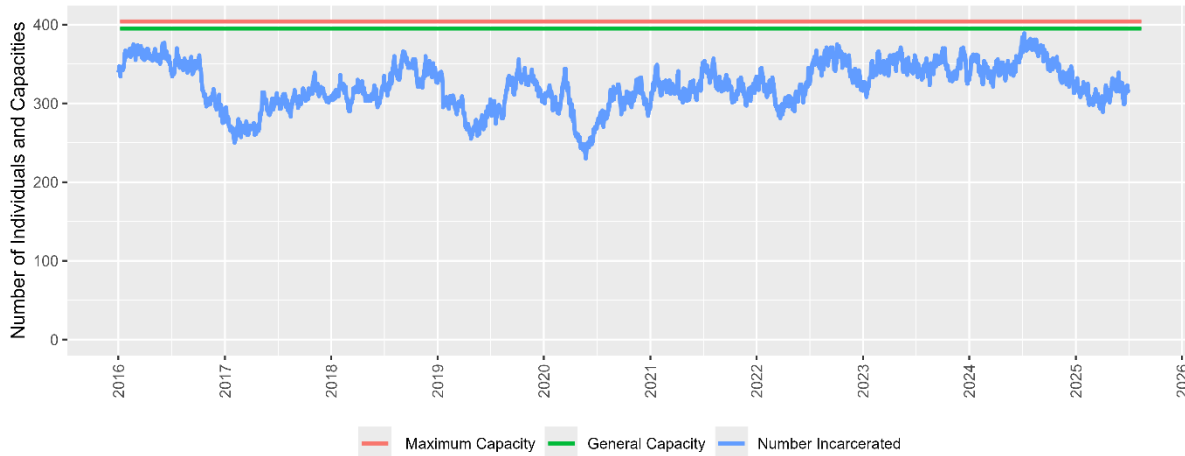
Figure 58 - Number Incarcerated and Capacity of Goose Creek Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

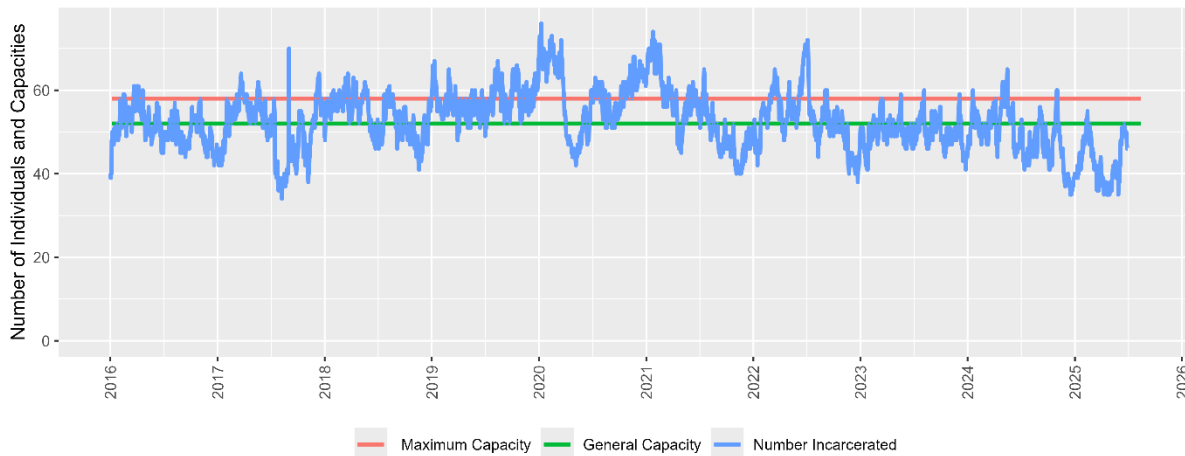
Figure 59 - Number Incarcerated and Capacity of Hiland Mountain Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

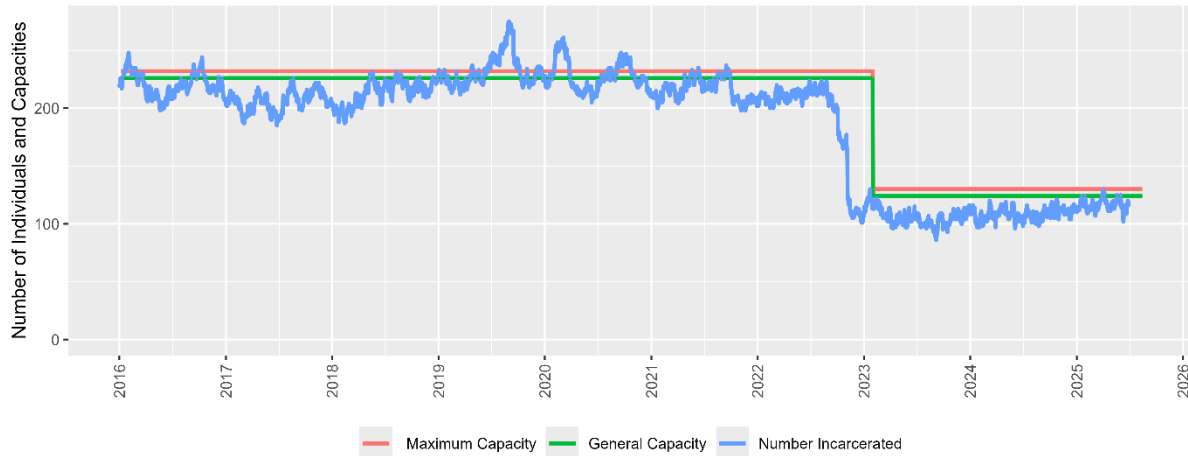
Figure 60 - Number Incarcerated and Capacity of Ketchikan Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

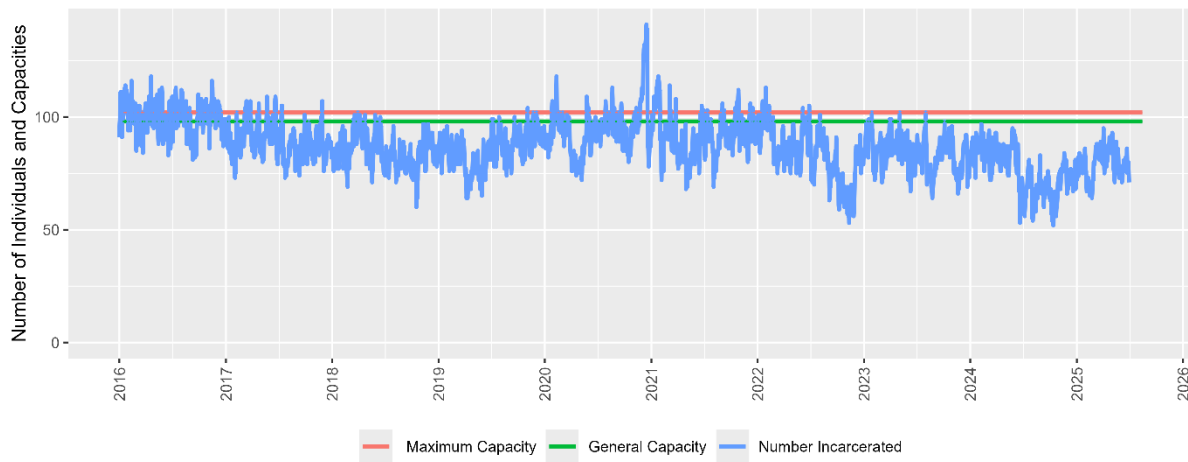
**Figure 61 - Number Incarcerated and Capacity of Lemon Creek Correctional Center per Calendar Day**



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

**Figure 62 - Number Incarcerated and Capacity of Mat-Su Pretrial Facility per Calendar Day**

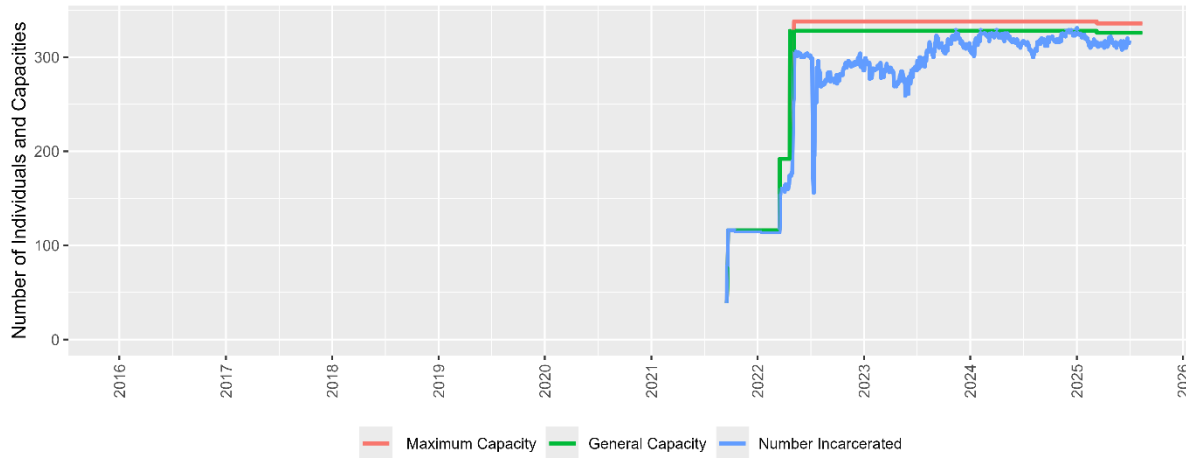


Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission



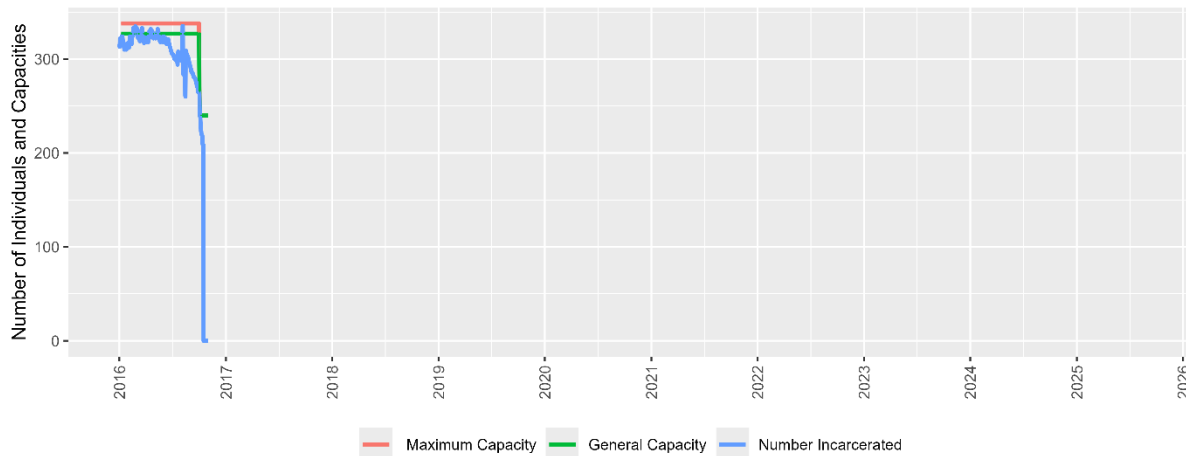
**Figure 63 - Number Incarcerated and Capacity of Palmer Correctional Center per Calendar Day**



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

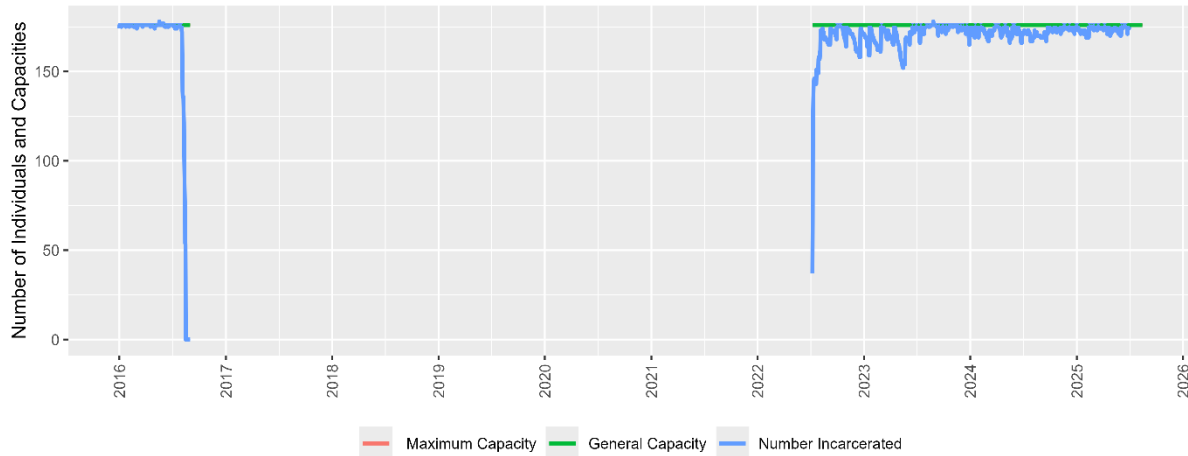
**Figure 64 - Number Incarcerated and Capacity of Palmer Correctional Center (Medium-Security Facility) per Calendar Day**



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

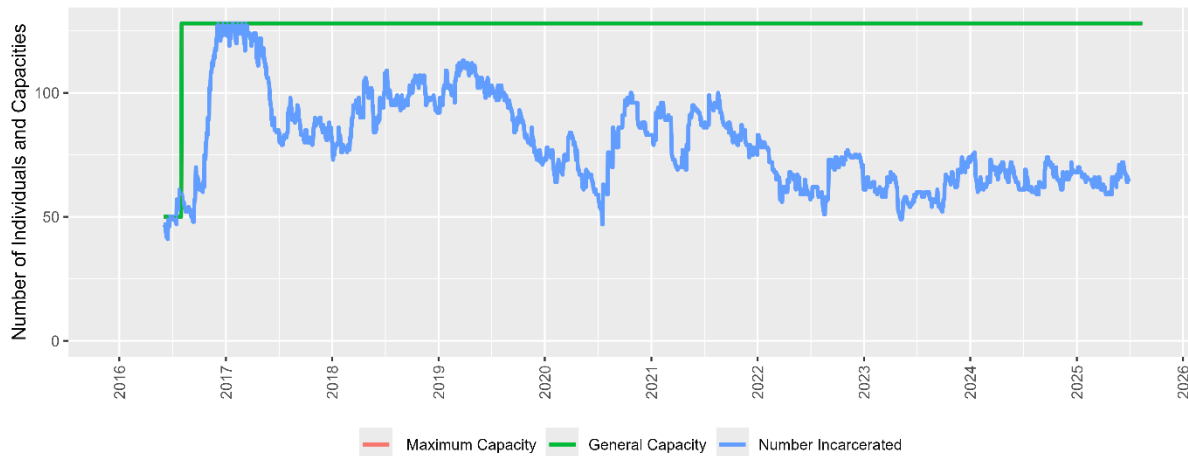
**Figure 65 - Number Incarcerated and Capacity of Palmer Correctional Center (Minimum-Security Facility) per Calendar Day**



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

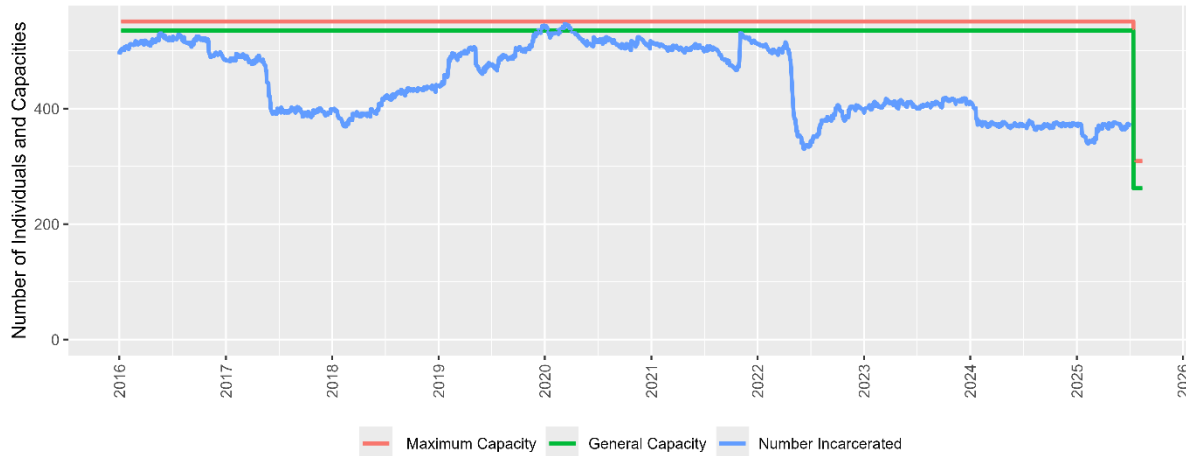
**Figure 66 - Number Incarcerated and Capacity of Pt. Mackenzie Correctional Farm per Calendar Day**



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

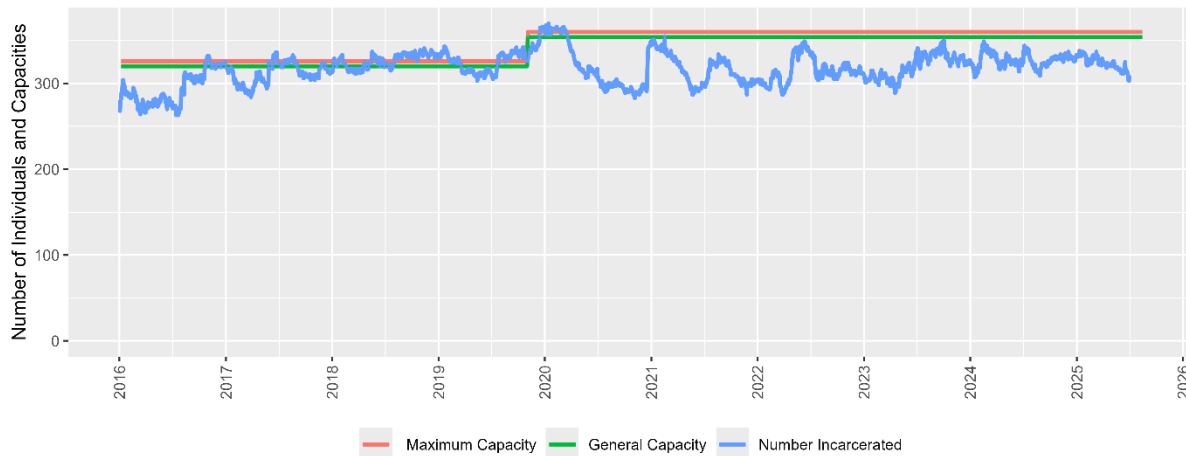
Figure 67 - Number Incarcerated and Capacity of Spring Creek Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

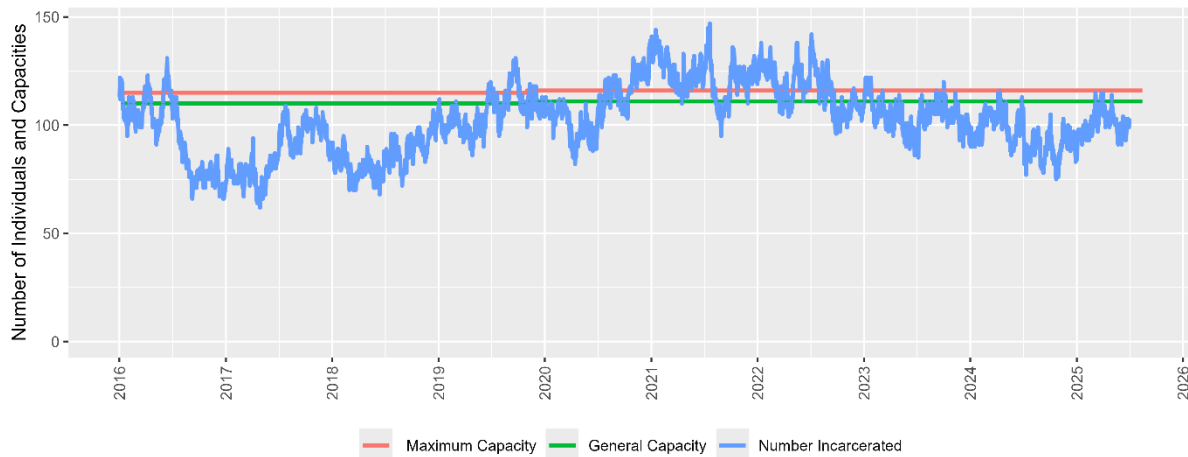
Figure 68 - Number Incarcerated and Capacity of Wildwood Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

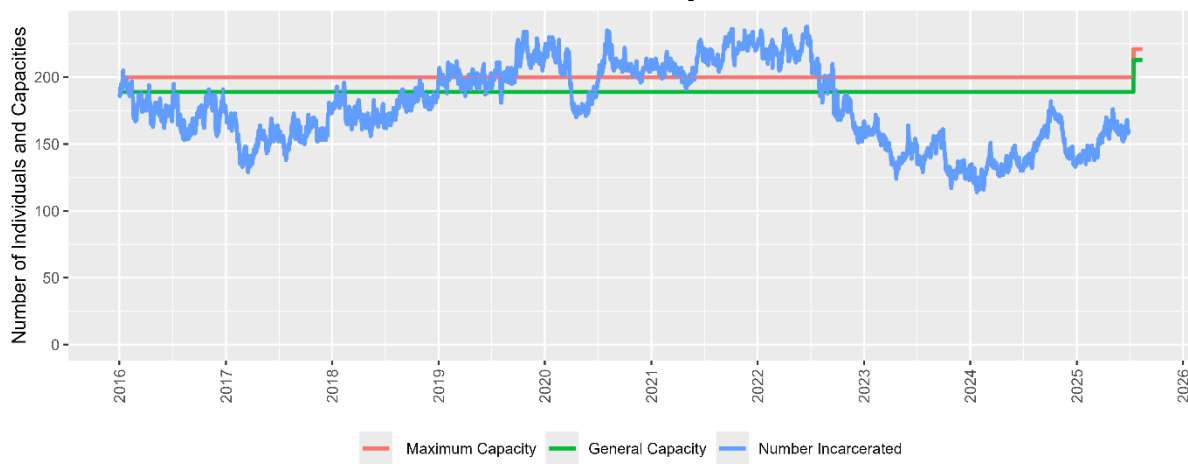
Figure 69 - Number Incarcerated and Capacity of Wildwood Pretrial Facility per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

Figure 70 - Number Incarcerated and Capacity of Yukon-Kuskokwim Correctional Center per Calendar Day



Data Source: Alaska Department of Corrections

Data Analyses: Alaska Criminal Justice Data Analysis Commission

## APPENDIX D: SEX CRIMES PROCESSING

AS 44.23.040(b) requires the Department of Law, in consultation with the Department of Public Safety, to gather and report data on felony sex offenses to the Alaska Judicial Council. The data must include:

- (1) the number of felony sex offenses reported to the Department of Public Safety that were not referred for prosecution;
- (2) the number of felony sex offenses referred for prosecution that were not prosecuted;
- (3) the number of felony sex offenses that resulted in a conviction for a crime other than a sex offense; and
- (4) the number of sex offenses referred for prosecution that were charged as a felony and, under a plea agreement, resulted in a conviction for a crime other than a sex offense.

This appendix contains the Department of Law's most recent report.



THE STATE  
of ALASKA  
GOVERNOR MIKE DUNLEAVY

## Department of Law

OFFICE OF THE ATTORNEY GENERAL

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### Sex Offense Cases Referred to the State of Alaska, Department of Law Between July 1, 2023, and June 30, 2024<sup>1</sup>

Provided by the State of Alaska, Department of Law, Criminal Division  
John B. Skidmore, Deputy Attorney General  
Angie Kemp, Division Director

Prepared by  
Beth Johnson, Research Analyst III

Between July 1, 2023, and June 30, 2024, the State of Alaska Department of Law (DOL) received 428 sex offense referrals for prosecution. To date, DOL has accepted 189 (44%) of those referrals as sex offense prosecutions and 9 (2%) of those referrals as some other form of prosecution not including a sex offense. DOL has declined to prosecute 225 referrals (53%) due to some combination of evidentiary or procedural issues. Based on the relative recency of this cohort, most of these cases are still active prosecutions. Thus, it is premature to reach any conclusions as to the ultimate patterns reflected from this group.

#### DEFINITIONS

The data used for the following analysis was compiled from the case-management system used by DOL. For purposes of this analysis, a *sex offense* refers to a registerable criminal sex offense under *AS 12.63.100(7)*<sup>2</sup>. Table 3 in Appendix A displays the current list of those offenses. Beyond the definition of a sex offense, there are a few other terms that will be helpful for understanding this analysis. *Referral* means the grouping of criminal charges alleged against a single suspect that is referred for prosecution to DOL. *Prosecution* means the grouping of charges filed against a single suspect. Lastly, *case* is used synonymously with *referral* or *prosecution* depending on where the case is in the criminal process.

#### METHODOLOGY

The cohort represented by this analysis is the result of a two-step sampling procedure.

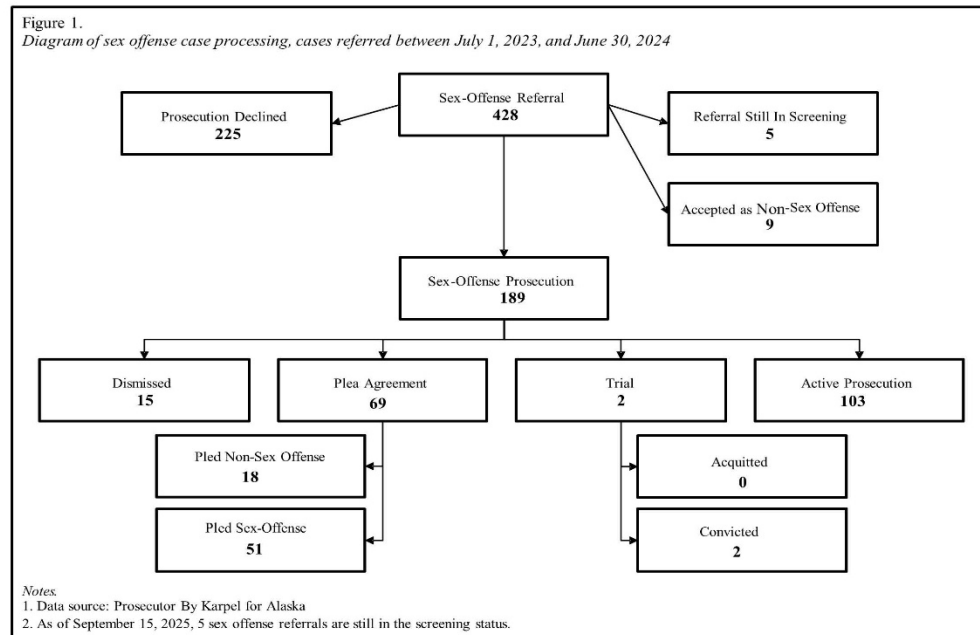
<sup>1</sup> This report is provided pursuant to *AS 44.19.647(a)(5)*, *44.23.020(K)*, and *AS 44.23.040*.

<sup>2</sup> The term "sex offense" was codified under *AS 12.63.100(3)* as part of H.B. 69 (1994), which established the sex offender registry and registration requirements. The statutory citation and language would change throughout the years. The citation would change from *AS 12.63.100(3)* to *AS 12.63.100(5)* in 1999 as part of S.B. 3, then as *AS 12.63.100(6)* in 2007 as part of H.B. 90, and then as the current citation in 2019 as part of H.B. 49.

First, the sampling frame consisted of every referral for prosecution submitted to DOL between July 1, 2023, and June 30, 2024. From this list, referrals were identified as sex offense referrals, and selected for analysis, if they included at least one sex offense charge. This methodology resulted in 428 sex offense referrals submitted. The status or disposition of cases within this cohort is current as of September 15, 2025.

It is important to note that the statutory definition of sex offense has gone through several iterations since it was first codified in 1994 as part of House Bill (H.B.) 69, with different offenses qualifying as a sex offense as well as changes in sex offense qualifications. Table 3 in Appendix A provides a brief historical description of these changes. For purposes of sampling, criminal offenses included in the referrals were anchored in the statutory timeframes in which those offenses qualified (or did not qualify) as sex offenses. For instance, *AS 11.61.123* (indecent viewing or production of a picture) did not qualify as a sex offense until July 9, 2019, the effective date set by the enactment of H.B. 49. Thus, if a referral for prosecution for *AS 11.61.123* was submitted to DOL between July 1, 2023, and June 30, 2024, but the offense was allegedly committed before July 9, 2019, that referral was not considered a sex offense referral. Additionally, if DOL achieved a conviction on an *AS 11.61.123* charge, but the offense was committed prior to July 9, 2019, that scenario is not considered a sex offense conviction.

#### ANALYSIS AND DISCUSSION



The following analysis is a case-processing analysis. Figure 1 is a diagram showing how, as of September 15, 2025, the 428 sex offense cases have been processed and resolved. As shown, DOL received 428 sex offense referrals from law enforcement agencies throughout the State of Alaska. To date, DOL has accepted 189 (44%) of those referrals as sex offense prosecutions and 9 (2%) of those referrals as non-sex offense prosecutions. DOL has declined to prosecute 225 (53%) sex offense referrals. The declination reasons are discussed below. Lastly, to date, 5 sex offense referrals (1%) remain in screening. A referral can remain in screening status for various reasons, such as awaiting additional follow-up investigation, DNA testing results, or victim/witness contact.

Regarding the nine sex offense referrals accepted as non-sex offense prosecutions, DOL resolved six of these cases via plea agreements to include:

- 1) One case of misconduct involving a weapon in the third degree.
- 2) One case of assault in the fourth degree.
- 3) One case of furnishing alcohol to a person under 21.
- 4) One case of indecent viewing of photography (adult victim).
- 5) One case of harassment in the first degree (first time conviction).
- 6) One case that was resolved as a juvenile delinquency felony.

Additionally, two cases were accepted then later dismissed to include an assault in the second degree and one case of harassment in the first degree (adult victim). One case was accepted as an assault in the second degree and is ongoing.

#### *Referrals Declined for Prosecution*

Table 1 (below) shows the distribution of sex offense referrals declined for prosecution, separated into three categories. The vast majority of referrals were declined for prosecution due to evidentiary issues (89%).

Table 1.

*Distribution of sex offense referral declinations, referrals submitted between July 1, 2024, and June 30, 2025.*

| Reason            | Cases (n) | Percentage |
|-------------------|-----------|------------|
| Evidentiary Issue | 200       | 89%        |
| Procedural        | 15        | 7%         |
| Other             | 10        | 4%         |
| Total             | 225       | 100%       |

*Note.* Data source: Prosecutor By Karpel for Alaska

The law requires anyone accused of a crime to be presumed innocent. To overcome this presumption of innocence, the State is required to prove every element of the crime beyond a reasonable doubt. This level of proof is described in Alaska's Criminal Pattern Jury Instructions as "the highest level of proof in our legal system." Jurors are told that, "It is not enough that you believe a defendant is probably or likely guilty or even that the evidence shows a strong probability



of guilt; the law requires more. Proof beyond a reasonable doubt is proof that overcomes any reasonable doubt about the defendant's guilt". Thus, referrals declined for "evidentiary issues" include reasons such as a lack of corroboration, inadmissible evidence, insufficient evidence to prove a necessary element, and other issues such as an essential witness being unavailable for trial. Secondly, the (7%) percent of referrals were declined for procedural reasons such as a lack of jurisdiction to file charges, defendant competency related issues, or issues related to pre-charging delay.<sup>3</sup> Five out of the 15 cases declined for procedural reasons were declined because the defendant was deemed incompetent to stand trial in recent previous cases or because of obvious mental impairment and victim's agreement not to prosecute (33%). Three of the five cases involved the same defendant.

Thirdly, referrals were declined for other reasons, such as to consolidate charges into other referrals or because the suspect was convicted in another case (4%).

#### *Sex Offense Prosecutions and Resolutions*

With respect to case resolutions, as displayed in figure 1, resolutions are separated into four categories: dismissals, plea agreements, trials, and active prosecutions. As of September 15, 2025, 86 (46% of 189 cases) sex offense prosecutions have been resolved, and 103 cases (54%) remain active. For this reporting period, two of the 189 referred prosecutions were resolved through a trial setting in which both defendants were found guilty of one count of sexual assault in the third degree and one count of distribution of indecent material to minors.

The majority of cases in this cohort have been resolved by September 15, 2025, through plea agreements (80% of 86 cases) or as a dismissal (17% of 86 cases). Furthermore, the most frequent conviction scenario has been defendants pleading guilty to a sex offense (51 cases out of 69 case convictions: 74%). Among the 18 prosecutions resulting in a plea agreement for a non-sex offense, six defendants pled to a violent felony, one defendant pled to a violent misdemeanor, and 11 defendants pled to a nonviolent misdemeanor.

#### *Dismissals*

Table 2 (below) shows the distribution of sex offense prosecutions dismissed,<sup>4</sup> separated into three categories.

Table 2.

<sup>3</sup> "Pre-charging delay" refers to whether a defendant's ability to respond to charges is prejudiced by the lapse of time from the incident to the date of filing charges. See *Wright v. State*, 347 P.3d 1000 (Alaska App. 2015) rev'd on other grounds *State v. Wright* 404 P.3d 166 (Alaska 2017); Also see *State v. Gonzales*, 156 P.3d 407 (Alaska 2007). Pre-charging delay can occur for many reasons, but most commonly for a combination of reasons such as a delay in the crime being reported to the police, the length of time to locate and contact witnesses and/or a suspect for statements, sometimes multiple statements are necessary, the length of time to collect physical evidence, the time to test physical evidence, and the time for a case to be screened by a prosecutor for filing of charges—including requested follow-up investigation.

<sup>4</sup> Dismissals occur after charges have been filed.

*Distribution of sex offense case dismissals, sex offense cases referred between July 1, 2023, and June 30, 2024.*

| Reason            | Cases (n) | Percentage |
|-------------------|-----------|------------|
| Evidentiary Issue | 3         | 20%        |
| Procedural        | 5         | 33%        |
| Other             | 7         | 47%        |
| Total             | 15        | 100%       |

As of September 15, 2025, 15 sex offense prosecutions (17% of the 86 cases resolved) have been dismissed in this cohort. A sex offense prosecution is generally dismissed due to an evidentiary issue revealed through additional investigation after charges are filed, or through further analysis of evidence not available to the prosecution at the time the charging decision was made. Cases dismissed for procedural reasons generally occurred because the suspect was found incompetent to stand trial, or the charges were consolidated to further another prosecution. Three out of the five cases dismissed for procedural reasons were dismissed because the defendant was not competent to stand trial (43%). In this cohort, dismissals for evidentiary reasons, as previously mentioned, generally occurred because new information proffered or received created corroboration issues such as inconclusive or negative forensic testing results or inconsistent eyewitness testimony not previously known to the prosecution.

#### SUMMARY

This report is the sixth sex offense referral summary report submitted to the Alaska Criminal Justice Commission. Similar patterns can be seen regarding the volume and processing of sex offense referrals received by DOL during this reporting period and during previous periods. In prior reporting years, DOL reported an average of 600 referrals from law enforcement agencies throughout the state. This year we noticed a significant decrease of sex offense referrals (428 referrals). A little more than half of those referrals were declined for prosecution, primarily for evidentiary reasons. When accepted, DOL nearly always accepts referrals as sex offense prosecutions. Among the referrals accepted as sex offense prosecutions in each cohort, the vast majority of them remained as active prosecutions at the time of the reports. Additionally, unlike in the 2019 and 2020 cohorts, the most frequent resolution scenario at the time of the report in was resolved through a plea agreement. Due to the large number of prosecutions still active, it remains premature to draw conclusions on the processing of sex offense cases for each cohort. It is also premature to draw conclusions based on year-to-year comparisons.

#### Appendix A

Table 3.

*Sex offenses: registerable criminal offense under Alaska Statute 12.63.100(7) (Registration of Sex Offenders)*

| Statute Description                 | Statute      | Original Effective Date |
|-------------------------------------|--------------|-------------------------|
| <i>Categories</i>                   |              |                         |
| Sexual Assault in the First Degree  | AS 11.41.410 | 08/10/1994              |
| Sexual Assault in the Second Degree | AS 11.41.420 | 08/10/1994              |

|                                              |                                    |            |
|----------------------------------------------|------------------------------------|------------|
| Sexual Assault in the Third Degree           | AS 11.41.425                       | 08/10/1994 |
| Sexual Assault in the Fourth Degree          | AS 11.41.427                       | 08/10/1994 |
| Sexual Abuse of a Minor in the First Degree  | AS 11.41.434                       | 08/10/1994 |
| Sexual Abuse of a Minor in the Second Degree | AS 11.41.436                       | 08/10/1994 |
| Sexual Abuse of a Minor in the Third Degree  | AS 11.41.438                       | 08/10/1994 |
| Incest                                       | AS 11.41.450                       | 08/10/1994 |
| Enticement of a Minor                        | AS 11.41.452                       | 06/11/1998 |
| Unlawful Exploitation of a Minor             | AS 11.41.455                       | 08/10/1994 |
| Indecent Exposure in the First Degree        | AS 11.41.458                       | 06/11/1998 |
| Distribution of Child Pornography            | AS 11.61.125                       | 08/10/1994 |
| Possession of Child Pornography              | AS 11.61.127                       | 06/11/1998 |
| Distribution of Indecent Material to Minors  | AS 11.61.128                       | 07/01/2007 |
| <i>Specific Subsections of Statutes</i>      |                                    |            |
| Murder in the First Degree                   | AS 11.41.100(a)(3)                 | 06/05/1999 |
| Murder in the Second Degree                  | AS 11.41.110(a)(3)                 | 06/05/1999 |
| Sexual Abuse of a Minor in the Fourth Degree | AS 11.41.440(a)(2)                 | 01/01/1999 |
| <i>Specific Conditions Under a Statute</i>   |                                    |            |
| Indecent Exposure in the Second Degree       | AS 11.41.460 <sup>a</sup>          | 06/11/1998 |
| Harassment in the First Degree               | AS 11.61.118(a)(2) <sup>b</sup>    | 07/01/2010 |
| Indecent Viewing or Production of a Picture  | AS 11.61.123 <sup>c</sup>          | 07/09/2019 |
| Prostitution                                 | AS 11.66.100(a)(2) <sup>d</sup>    | 07/01/2013 |
| Sex Trafficking in the First Degree          | AS 11.66.110 <sup>e</sup>          | 08/10/1994 |
| Sex Trafficking in the Third Degree          | AS 11.66.130(a)(2)(B) <sup>f</sup> | 01/01/1999 |

*Notes.*

<sup>a</sup>12.63.100(7)(C)(iv): "...AS 11.41.460...if the indecent exposure is before a person under 16 years of age and the offender has previously been convicted under AS 11.41.460;" enacted as part of S.B. 323 (1998).

<sup>b</sup>12.63.100(7)(C)(viii): "...AS 11.61.118(a)(2) if the offender has a previous conviction for that offense;" enacted as part of S.B. 222 (2010).

<sup>c</sup>12.63.100(7)(C)(xv): "...AS 11.61.123 if the offender is subject to punishment under AS 11.61.123(f)(1) or (2);" enacted as part of H.B. 49 (2019). Also in 2019, the revisor redesignated AS 11.61.123(f) to AS 11.61.123(g).

<sup>d</sup>12.63.100(7)(C)(ix): "...AS 11.66.100(a)(2) if the offender is subject to punishment under AS 11.66.100(e);" enacted as part of S.B. 22 (2013). In S.B. 22 (2013), the language read: "...subject to punishment under AS 11.66.100(c)," but in S.B. 54 (2017), the language changed to "...subject to punishment under AS 11.66.100(e)."

<sup>e</sup>12.63.100(7)(C)(vi): "...AS 11.66.110...if the person who was induced or caused to engage in prostitution was under 20 years of age at the time of the offense;" first enacted as part of H.B. 69 (1994) to read that any AS 11.66.110 offense was a sex offense. In H.B. 252 (1998), the statute changed to: "...AS 11.66.110...if the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense;" This language would change again to the current language in S.B. 22 (2013) to the current language.

<sup>f</sup>12.63.100(7)(C)(vi): "...11.66.130(a)(2)(B)...if the person who was induced or caused to engage in prostitution was under 20 years of age at the time of the offense;" first enacted as part of H.B. 252 (1998) to read "...11.66.130(a)(2) if the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense." In S.B. 22 (2013), the language changed to: "...if the person who was induced or caused to engage in prostitution was under 20 years of age at the time of the offense." In S.B. 54 (2017), the language changed again to the current language.

## APPENDIX E: CRIMINAL JUSTICE TERMS

This glossary includes terms found in the Court System's Glossary, in the Office of Victims' Rights Glossary, and in the Department of Law Legal Definitions, with additional terms agreed upon by the Commission members.

### A

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**ACCUSED:** the person charged with a crime; also known as the defendant.

**ACQUITTAL:** a release from a criminal charge by a court, usually when the jury or judge finds the defendant "not guilty" after a trial.

**ADJUDICATION:** a juvenile court proceeding at which a judge decides whether or not a juvenile is delinquent. If the judge finds a juvenile delinquent, the court decides whether the juvenile needs programming, supervision, or institutionalization.

**ADMISSIBLE EVIDENCE:** evidence the judge or jury can consider in deciding a case.

**AFFIDAVIT:** a written statement sworn before a notary or officer of the court.

**AFFIRM:** When an appellate court agrees with the decision from the trial court.

**AFFIRMATIVE DEFENSE:** an explanation for a crime that makes the act noncriminal, such as duress, or that changes the sentence, such as heat of passion or insanity. The defendant has the burden of proving the defense by a preponderance of the evidence.

**AGGRAVATING FACTOR:** a fact about the crime or offender that lets the judge increase a presumptive sentence, such as a history of similar offenses or a particularly vulnerable victim.

**ALLEGATION:** a statement made by a person in the case who claims it can be proved as a fact.

**APPEAL:** the legal procedure by which a person asks a higher court to review the decision of a lower court.

**APPELLANT:** the person who appeals a decision of the lower court.

**APPELLATE COURT:** a court that reviews decisions made by a lower court on questions of law and procedure. The appellate court can affirm, reverse, or remand the original decision for more proceedings.

**APPELLEE:** the person who won in the lower court.

**ARRAIGNMENT:** usually the first court proceeding in a criminal case. The judge tells the defendant what the alleged offenses are, and what rights defendants have. The judge asks the defendant to plead guilty, not guilty, or no contest. In felony cases, the defendant may have appeared in court before the superior court arraignment; they do not enter a plea until the superior court arraignment.

**ARREST:** the legal restraint of a person for the purpose of charging the person with a crime. Police also can arrest a person for investigation in some circumstances, or for violation of a court order.

**ARREST WARRANT:** a legal document issued by the court or parole board authorizing the police to arrest someone.

**ARSON:** intentionally causing a fire or explosion in a building.

**ASSAULT:** causing or threatening physical harm to another person. Alaska has four degrees of assault, depending on the seriousness of the victim's injuries, the weapon used, and the offender's intent.

**ATTORNEY:** a graduate of a law school, admitted to practice before the courts of a jurisdiction (also called a lawyer, or counsel). The attorney advises, represents, and acts for the client or government.

## **B**

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**BAIL:** a term commonly used to describe the release from incarceration of a person who was arrested or imprisoned and charged with a crime. In the bail order, the court can tell the defendant to pay a bond or deposit, require another person to take responsibility for the defendant, or let the defendant go on the defendant's promise to appear in court ("own recognizance"). Bail is intended to assure the defendant's presence in court and to protect the victim and the public. Alaska's constitution requires the least restrictive bail conditions consistent with public safety.

**BAIL BONDSMAN:** an individual who arranges with the court for a defendant's release from a correctional facility. The bail bondsman promises the court that he will pay the full bail if the defendant does not come to court when required. The defendant pays the bondsman a fee for this service.

**BAIL HEARING:** a proceeding at which a judge or magistrate judge decides whether to release a defendant before trial or pending appeal, and under what conditions. Defendants often deposit a sum of money, or sign an unsecured bond with the court to assure their appearance in court.

**BAIL SCHEDULE:** An administrative order issued by one or more presiding judges pursuant to Criminal Rule 41(d) and consistent with Administrative Rule 46 which lists bail amounts and conditions of release for individuals who have been arrested for certain misdemeanor crimes and who have been booked into a correctional facility. A person may be released under the bail schedule without appearing before a judge.

**BAILIFF:** a person appointed by the court to keep order in the courtroom and to have custody of the jury.

**BENCH WARRANT:** an order issued by a judge for the arrest of a person--the defendant, a witness, or other participant in the judicial proceeding--who failed to appear in court as required. Judges may also issue warrants for the arrest of defendants when charges or indictments are filed.

**BEYOND A REASONABLE DOUBT:** the degree which a juror must be sure of the facts in the case before finding the defendant guilty. A reasonable doubt is a doubt based upon reason and common sense. Proof beyond a reasonable doubt must be proof so convincing that, after consideration, you would be willing to rely and act upon it without hesitation in your important affairs.

**BOND:** a pledge by a defendant who promises to come to court when ordered. It may be unsecured (a signed promise to pay a certain amount), or secured. A bond can be secured with a deed to property, or cash, or a payment to a third party who charges a fee to put up the bond. If the defendant does not show up in court or violates conditions of release, the person who guaranteed bail loses the full amount of the bond, giving them a reason to make sure the defendant shows up and complies with bail conditions.

**BILL OF PARTICULARS:** a document that tells the defendant about the specific occurrences that the prosecution plans to prove during the trial. It limits the prosecution to asking about only those occurrences.

**BOOKING:** a police or correctional action officially recording the arrest, person arrested, and reasons for arrest. Fingerprints and photographs are usually taken at booking.

**BOUND OVER:** a change of jurisdiction to another court, such as when a district court judge transfers a felony case to the superior court.

**BRIEF:** a written statement of the facts and legal arguments governing a case, presented from the perspective of one party.

**BURDEN OF PROOF:** the requirement of proving a fact or facts in dispute in a case. For instance, the prosecutor must produce enough evidence to prove the guilt of the defendant "beyond a reasonable doubt" in a criminal case. The burden of proof may be different for other stages or events in the case, and it can be a burden for either the state or the defendant.

**BURGLARY:** entering a building with intent to commit a crime in the building. The seriousness of the crime depends in part on whether the building is a dwelling, if the defendant carries a gun or uses a dangerous instrument, or if the defendant tries to hurt a person inside.

## C

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**CALENDAR:** a daily list of cases to appear before the court. Some courts call this list a docket. At "calendar call," the court sets trial dates for a large number of cases.

**CHAIN OF CUSTODY:** documentation of all persons who have had responsibility for a piece of evidence to prove that no one has damaged or tampered with it. The court often requires proof of custody for items stolen in a theft, drugs seized in a narcotics case, and so forth.

**CHANGE OF PLEA:** when the defendant changes a plea, usually from not guilty to no contest or guilty. This means there will be no trial and the defendant will be sentenced.

**CHANGE OF VENUE:** moving a case begun in one place to another location for trial. The court can change venue when the defendant cannot obtain a fair trial in the place where the crime was committed, or for other reasons.

**CHARACTER EVIDENCE:** the prosecutor cannot use evidence about the defendant's

character to show that the alleged crime was consistent with that character. The court may admit evidence about the defendant's character when it would help to prove some aspect of the offense such as intent, preparation, method, or motive.

**CHARGE:** an accusation briefly describing the crime or crimes the suspect allegedly committed. The police or prosecutor spell out the charges in a complaint, indictment, or information.

**CIRCUMSTANTIAL EVIDENCE:** indirect evidence that this person committed this crime. Examples of circumstantial evidence include finding the defendant's gun at the scene of the crime, or testimony that someone saw the defendant near the scene shortly before the crime occurred.

**CITATION:** an order issued by police requiring a person to appear in court at a later date. Also, a reference to a legal authority such as a statute or court case.

**CIVIL:** A civil case happens when one person, business, or agency sues another one because of a dispute between them, often involving money. If someone loses a civil case, they may be ordered to pay the other side money or to give up property, but they will not be sentenced or fined just for losing the case. This is different than a criminal case which is filed by the government on behalf of the citizens against a defendant who is accused of committing a crime. If the defendant is found guilty, they may be incarcerated, pay a fine, pay restitution, or be required to comply with other conditions (for example, get treatment).

**CLEMENCY:** a pardon or the commutation of a sentence

**CLOSING ARGUMENT:** at the end of a trial, the prosecutor and defense lawyer each present arguments that sum up their case. Usually, the prosecution makes the first closing argument then the defense attorney. The defense's closing argument is the last

chance to remind the jury of the prosecution's high burden of proof and to persuade the jury that there is reasonable doubt about the defendant's guilt.

**COMMITTING MAGISTRATE:** the judicial officer (usually a magistrate judge) who considers probable cause and pretrial release at a defendant's first court appearance (arraignment for a misdemeanor; first appearance for a felony).

**COMMON LAW:** the system of law that started in England and was later developed in the United States. Common law comes from customs and principles upheld by judicial decisions rather than from acts passed by legislatures. Also called "case law."

**COMMUNITY WORK SERVICE:** as part of a sentence, a judge may order a defendant to do a certain number of hours of volunteer work for a community or government organization.

**COMPLAINANT:** the person who alleges that a crime has been committed, and brings the facts to the attention of the authorities.

**COMPLAINT:** a written statement of the essential facts about the offense charged; usually filed at the beginning of the case.

**CONCURRENT SENTENCES:** a judge's decision to allow the defendant to serve more than one sentence at the same time. Whether sentences can be concurrent is often specified by law.

**CONFESSION:** the defendant's oral or written admission of guilt. The state cannot use the confession against the defendant at trial unless the defendant confessed voluntarily.

**CONFRONTATION, RIGHT TO:** the U.S. and Alaska Constitutions give the defendant the right to confront the witnesses against them. This includes the defendant's right to be present at every important stage of the case, the right to cross-examine adverse

witnesses, and the right to subpoena witnesses.

**CONSECUTIVE SENTENCES:** a requirement by the judge that the defendant serve two or more sentences separately, one after the other. Judges can make sentences partially concurrent and partially consecutive, depending on what the law allows for specific situations.

**CONSOLIDATION:** the act of joining together two or more charges or defendants for a single trial.

**CONTEMPT OF COURT:** an act calculated to embarrass or obstruct a court in the administration of justice or calculated to lessen its authority or dignity.

**CONTINUANCE:** the postponement of legal proceedings until some future time or date.

**CONVICTION:** the court's judgment that the defendant is guilty of a criminal offense, based on the verdict of a judge or jury, or on the defendant's plea of guilty or no contest.

**CORRECTIONAL INSTITUTION/FACILITY:** a facility for imprisoning offenders or those alleged to have offended. Although these are often referred to as "prisons" or "jails," Alaska has a unified correctional system in which all places where people are incarcerated are managed by the State of Alaska.

**CORROBORATING EVIDENCE:** evidence that supplements evidence already given and tends to strengthen or confirm it.

**COUNT:** one of the parts of a complaint, indictment, or information. Each count alleges a separate offense; it is synonymous with "charge."

**COURT:** a chamber or other room where trials and other judicial hearings take place. A judge presides over the court. "The court" also refers to the judge rather than to the room or building. Finally, it refers to the institution, to all of the courts collectively.

**COURT CLERK (IN COURT CLERK):** an individual who keeps a record of court proceedings each day and records future dates for the judge's calendar. This person takes charge of all case files and paperwork for each day.

**CRIME:** any act that the Legislature has decided to sanction by incarceration or a fine or other means, that a government or tribe prosecutes in a criminal proceeding.

**CRIMINAL JUSTICE SYSTEM:** the combination of executive and judicial branch agencies that operates collectively to prevent crime, enforce the criminal law, try criminal cases, and sanction, supervise, and rehabilitate those convicted of a crime.

**CRIMINAL MISCHIEF:** the offense of intentionally damaging property. It can be a felony or a misdemeanor, depending upon the amount and type of damage.

**CROSS-EXAMINATION:** the questioning by a party or attorney of the opponent's witness, after the direct examination. The court usually limits cross-examination to the credibility of the witness and to matters raised on direct examination.

**CUSTODY:** detained by authority of the law; arrest and detention. The courts often release defendants to the custody of a responsible third person before trial. They also often let juveniles stay in the custody of a parent or guardian during proceedings and after disposition.

## **D**

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**DEFENDANT:** the person charged with a crime; also called the accused.

**DEFENSE ATTORNEY:** The attorney who represents the defendant. A defendant has the right to retain the attorney of their choice at their expense. In most criminal cases a defendant who cannot afford an attorney has a right to appointed counsel without charge.

**DELINQUENCY:** a formal finding by a court that a juvenile has committed a crime and should be subject to state supervision.

**DE NOVO:** literally anew, as in trial de novo-the granting of a new trial.

**DETENTION:** the legal confinement of a person awaiting criminal or juvenile proceedings.

**DIRECT EVIDENCE:** proof of facts by witnesses who saw the acts done or heard the words spoken, as distinguished from circumstantial or indirect evidence.

**DISCOVERY:** pre-trial procedures where the parties exchange information about evidence.

**DISMISSAL:** An oral or written notice to the court and the defendant by the prosecutor which declares that the prosecution has terminated. If the defendant is incarcerated, he or she will be released on that charge upon dismissal of the case. If bail has been posted, it will be exonerated or returned to the person who posted it.

**DISMISSED WITH PREJUDICE:** when the judge dismisses the charges against the accused and does not let the government file the charges again.

**DISMISSED WITHOUT PREJUDICE:** when the judge dismisses one or more charges against the defendant, but lets the government refile the charges later if they choose to.

**DISPOSITION:** the outcome of a case, which may include dismissal, conviction and sentencing, or other action. In juvenile cases, disposition is similar to sentencing.

**DISTRICT ATTORNEY:** The prosecutor for the State of Alaska. In Alaska, all district attorneys and their assistants are employed directly by the Alaska Department of Law. Municipalities and tribes may prosecute



cases; their employees are generally referred to as prosecutors.

**DIVERSION:** the official suspension of criminal proceedings against an alleged offender, or the decision by a law enforcement officer or prosecutor to allow a person alleged to have committed a crime to go to a treatment or care program, or obtain other services as a condition of the diversion.

**DIVISION OF MOTOR VEHICLES (DMV):** The State of Alaska government agency that has authority over the administrative process when someone has been arrested for DUI; it can revoke their driver's license.

**DOMESTIC VIOLENCE:** physical abuse, sexual abuse, threats, stalking, or other crimes done by a present or former spouse, sexual partner, household member, or relative.

**DOUBLE JEOPARDY:** a constitutional protection that keeps the government from prosecuting a person twice for the same charges.

**DRIVING UNDER THE INFLUENCE (DUI):** The crime of operating a vehicle, aircraft, or watercraft while under the influence of an alcoholic beverage, inhalant, or controlled substance. It is also referred to as "Driving While Intoxicated (DWI)," or "Operating a Motor Vehicle while under the Influence (OMVI)."

**DUE PROCESS OF LAW:** the constitutional and common law principles that protect fairness and justice in the courts. The constitutional guarantee of due process requires that every person have the protection of a fair trial.

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## E

**ELECTRONIC MONITORING DEVICE:** a device that tracks a person's location and typically is attached to a person's ankle to be worn at all times. They are designed to be tamper-resistant so cannot be removed

easily. The device uses a radio frequency signal to communicate back to a monitoring station. Electronic monitoring may be an alternative to incarceration. Defendants may have to pay the installation and daily monitoring costs. It is also called an "ankle monitor."

**EVIDENCE:** information offered to the court or jury to help with the decision-making process. This can include testimony, documents, and physical objects. The Alaska Rules of Evidence control how and what information can be provided.

**EVIDENTIARY HEARING:** Court proceeding during which witnesses give testimony under oath before a judge and in some cases, present written, video or other evidence.

**EXCLUSION OF WITNESSES:** an order requiring witnesses to stay out of the courtroom until the judge calls them to testify. The judge tells these witnesses not to discuss the case or their testimony with anyone except the attorneys in the case.

**EXHIBITS:** documents, charts, weapons, or any other tangible evidence used in a court case.

**EX PARTE:** a judicial proceeding or action that involves only one of the parties in a case.

**EXPERT EVIDENCE:** testimony given in relation to some scientific, technical, or professional matter by a qualified person. Experts can testify only on matters that are beyond the experience of ordinary citizens.

**EXTRADITION:** the process of returning a person from one state or country to another, usually so that the government can send the person to trial.

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## F

**FELON:** person who has been convicted of a felony crime

**FELONY:** in Alaska, any criminal offense that carries a possible sentence of one year or more in a correctional facility. There are four categories of felony crimes in Alaska: Unclassified and class A, B, and C felonies. The Unclassified felony is the most serious and provides for the greatest sentence while the class C felony is the least serious.

**FINE:** a sum of money paid as a form of sanction.

**FIRST APPEARANCE:** The first time the defendant in a felony case goes to court and a judge reads the charges, advises the defendant of their rights, and often sets or modifies release/bail requirements. This happens within 24 hours after the arrest. There will be an arraignment at a later date.

**FIRST OFFENDER:** a person committing a first adult felony offense, for purposes of applying presumptive sentencing laws. A first offender may have a history of juvenile offenses or adult misdemeanors.

**FOUNDATION:** a party seeking to have evidence admitted often must first "lay a foundation" by showing preliminary facts related to the evidence. For example, before an eyewitness can testify about what happened during an alleged crime, someone must show that the witness actually saw the crime.

**FORFEITURE:** a court order requiring the defendant to give the government an item connected to the crime. Property commonly forfeited includes cars, planes, or weapons used in a crime, and money, animals, or goods gained by the crime.

**FORGERY:** counterfeiting or altering a document like a deed, a will, or a check, or knowingly using a forged document.

**FURLOUGHS:** release of an incarcerated person into the community for education, employment, training, or treatment. Furloughs are granted by the Department of Corrections.

**FY:** fiscal year; in Alaska, from July 1 to June 30. State agencies receive their budgets and often issue reports to cover a fiscal year.

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## G

**GOOD TIME:** days credited to the offender's sentence for good behavior while incarcerated. If the offender does not lose good time through misbehavior, they can be released after serving two-thirds of the sentence. Good time gives offenders an incentive to comply with correctional rules.

**GRAND JURY:** a body of citizens called together by the court that hears evidence against a person suspected of a crime and decides if there is probable cause to charge the suspect formally. In Alaska, the grand jury can also conduct its own investigations and issue reports. The judge is not present at the grand jury. If the grand jury decides there is enough evidence to charge the defendant, it issues an indictment; if not, it issues a "no true bill."

**GUARDIAN AD LITEM:** a person appointed by the court to represent the rights of a child in a legal matter. The court also may appoint a guardian ad litem for a person who is legally incapable of managing their own affairs.

**GUILTY:** a plea accepting guilt, or a verdict from a judge or jury that the prosecution has met its burden of proof.

**GUILTY BUT MENTALLY ILL:** a verdict that the defendant committed the crime but, as a result of mental disease or defect, did not know it was wrong or could not control their conduct. The defendant is still subject to incarceration for a specified period, combined with mental health treatment.

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## H

**HABEAS CORPUS:** an order to bring a person before the judge that issued the order. The court then decides whether the

person has been held in custody with due process of law.

**HALFWAY HOUSE:** also called a community residential center (CRC). A residential incarceration facility with fewer restrictions than other institutions. People residing there can leave the building by themselves to find or keep a job, go to school, or go to treatment programs. They must get permission to leave, and must be back by a set time.

**HEARING:** a formal court proceeding that occurs in a courtroom and is usually open to the public.

**HEARSAY:** evidence not based upon a witness's personal knowledge, but on information the witness got from someone else. Hearsay evidence is admissible in very limited circumstances.

**HOMICIDE:** the killing of one human being by another. Homicide may be murder, manslaughter, or criminal negligence. It may even be non-criminal, as in self-defense.

**HUNG JURY:** a jury unable to agree unanimously on whether to convict or acquit a defendant. The case may be re-tried.

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## I

**IGNITION INTERLOCK DEVICE:** equipment attached to the car's ignition that requires a driver to breathe into it before the car starts. IIDs may be required when someone commits a DUI crime to get their license back. The amount of time that the IID needs to be on a person's car depends on how many times an individual has been convicted of a DUI.

**IMMUNITY:** protection from a duty or penalty. A witness may be granted immunity from prosecution to encourage the witness to answer questions. Otherwise, the witness might refuse to answer to avoid self-incrimination.

**IMPANELLING:** the process by which the court selects potential jurors and swears them in.

**IMPEACHMENT:** an attack on the credibility of a witness or the accuracy of the witness's testimony.

**IMPLIED CONSENT:** when someone consents to something by their actions instead of their express statements. When someone gets a driver's license there is implied consent that they will submit to a test to determine if they were driving under the influence.

**IMPOSE:** to set a penalty (such as a term of incarceration or a fine), or to place a person under an obligation or burden (such as paying restitution or complying with a condition of probation), through an exercise of authority.

**INADMISSIBLE EVIDENCE:** evidence that cannot be used at a hearing or trial because it is irrelevant, misleading, improperly obtained, or for some other reason.

**INCARCERATED:** confined or detained in a government-managed facility, without the liberty to leave, usually because of being charged with or convicted of criminal offenses.

**INCOMPETENT:** refers to persons whose testimony the court will not admit because of mental incapacity, immaturity, lack of proper qualifications, or similar reasons. This term also describes defendants, who, because of a physical or mental disorder, cannot help their lawyers prepare a defense or cannot understand the nature of proceedings against them.

**INDICTMENT:** a document prepared by a grand jury formally charging a person with a crime. Also called a true bill.

**INDIGENT:** a person who cannot afford an attorney.

**INFORMATION:** a sworn affidavit charging a person with a crime based on facts supplied to the prosecutor.

**INFRACTION:** Violation of a law which usually results in a fine and is less serious than a misdemeanor

**INSANITY:** the degree of mental disorder, defect, or disease that relieves a person of criminal responsibility for their actions. The judge can order a defendant found not guilty by reason of insanity to be incarcerated or held in a secure facility, unless the defendant proves that they are no longer dangerous.

**INTAKE:** a process occurring early in juvenile criminal actions, when a Division of Juvenile Justice intake officer decides how to proceed with the case.

**INVESTIGATION/ TO INVESTIGATE:** An official effort to find information about a crime. The goal is to identify the suspect who committed a crime. There are many ways to conduct investigations including talking to people who were present and using techniques such as fingerprint and ballistics analysis, or DNA testing.

## **J**

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**JAIL:** Alaska does not have jails as they are commonly thought of because it has a unified correctional system in which all correctional facilities are operated by the State of Alaska. Some places of confinement are contracted through the Alaska Department of Corrections to local governments and are sometimes called jails.

**JUDGE:** a public official appointed to hear and decide cases in a court of law.

**JUDGMENT:** the official decision of a court.

**JUDICIAL NOTICE:** a court finding that parties do not need to prove certain facts because most people know them or can find them from reliable sources. Examples

include geographic facts and historical events.

**JURISDICTION:** the legal authority of a court over the defendant or the subject matter of the dispute.

**JURY:** a panel of citizens who evaluate the evidence presented to them and decide the truth of the matter in dispute.

**JURY INSTRUCTIONS:** instructions that the judge gives to the jury. Jury instructions explain the principles of law that the jury should apply to the facts of the case to reach a verdict.

**JUVENILE:** a person who, because he or she is under 18 years old, is within the sole jurisdiction of the juvenile court unless bound over for adult processing.

## **K**

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**KIDNAPPING:** restraining or hiding another person with the intent of holding the person for ransom, using them as a shield or hostage, or injuring or sexually assaulting them. Kidnapping is among the most serious felonies.

## **L**

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**LEADING QUESTION:** a question asked in words that instruct or suggest to the witness what to answer. This type of question is prohibited on direct examination.

## **M**

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**MAGISTRATE JUDGE:** In state court, a judicial officer with less authority than a judge. Magistrate judges issue search and arrest warrants, try and sentence violations, try and sentence misdemeanor cases with the consent of the defendant, and conduct felony bail hearings.

**MANSLAUGHTER:** causing the death of another person under circumstances not

amounting to murder in the first or second degree.

**MASTER:** a magistrate judge appointed in juvenile or other proceedings to hear the facts of a case and make recommendations to the judge.

**MIRANDA RIGHTS/MIRANDA WARNING:** A police officer who arrests someone must give a warning that:

- they have the right to remain silent;
- anything they say can be used against them in court;
- they have the right to talk to a lawyer and have the lawyer there to help them when police question them; and
- if they cannot afford a lawyer, the court will appoint one for them at public expense.

**MISCONDUCT INVOLVING CONTROLLED SUBSTANCES:** criminal drug possession, manufacture, or sale.

**MISCONDUCT INVOLVING WEAPONS:** prohibited possession, use or sale of firearms.

**MISDEMEANOR:** an offense that authorizes a sentence of incarceration up to one year. Alaska has class A (more serious) and class B (less serious) misdemeanors.

**MISTRIAL:** a trial that the judge has ended and declared void before the verdict because of some extraordinary circumstance or some fundamental error that cannot be cured by appropriate instructions to the jury.

**MITIGATING FACTOR:** a fact about the crime or offender set out by law that lets the judge reduce a presumptive sentence.

**MOTION:** a request by a party in a case that the court make a certain ruling.

**MURDER:** murder includes killing another person with intent to kill, or through torture, or killing another person with intent to cause serious physical injury, during another

serious felony (felony-murder), or while acting in a way that shows extreme indifference to the value of human life.

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## N

**NOLO CONTENDERE OR NO CONTEST:** a plea in a criminal case indicating that the defendant neither admits nor denies the charge(s), but does not contest the facts of the case. The criminal case proceeds as if the defendant pled guilty.

**NOT GUILTY:** a plea by a defendant denying guilt. Also, a verdict indicating that the prosecution failed to meet its burden of proof, also known as an acquittal.

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## O

**OBJECTION:** opposition to the form or content of a question asked by opposing counsel. The judge rules on the validity of the objection. Parties also can object to evidence or to the conduct of opposing counsel.

**OFFENDER:** a person convicted of a crime.

**OFFENSE:** the violation of any criminal law.

**OFFER OF PROOF:** when a judge excludes evidence, the party asking to have the evidence admitted makes an "offer of proof" to the court about what the evidence would show. For example, a party might state on the record what the witness would say if permitted to answer the question, and what the answer would prove. The offer of proof gives the trial court a chance to reconsider, and preserves the question for appeal.

**OMNIBUS HEARING:** A pre-trial hearing that happens after the arraignment in felony cases when the defendant has entered a not guilty plea. At the omnibus hearing, the court hears arguments from the lawyers/parties about any motions filed, including what evidence should be excluded from jury's consideration during the trial. The court also discusses the likelihood of trial, the expected

length of trial, and any anticipated scheduling difficulties. The court may set an omnibus hearing in a misdemeanor case.

**OPEN SENTENCING:** Also known as an open plea. If the plea agreement includes a closed sentence, this means that the prosecution and defense agree ahead of time on the sentence. If the plea agreement includes open sentencing, that means that the attorneys may offer a suggested sentencing range, but the judge will make the final decision on the sentence.

**OPENING STATEMENT:** The prosecutor and defense lawyer may each make a statement at the beginning of the trial. It provides a roadmap of what the evidence will show and what the judge or jury will be asked to decide.

**OPINION EVIDENCE:** evidence of what the witness thinks, believes, or infers about a fact in dispute, as distinguished from personal knowledge of the facts or observation. Opinion evidence is usually only admissible if the opinion comes from an expert witness.

**OPINION OF THE COURT:** a written or oral statement by a judge explaining the reasons for a decision.

**ORAL ARGUMENT:** An oral presentation by lawyers/parties to the judge about a request to the court for a decision (a motion). In an appeal, the lawyers present the reasons they think the trial court decision should be affirmed or overturned.

**ORDINANCE:** a law passed by a local government.

**OVERRULE:** the term used when the judge denies a point raised by one of the parties, as in "objection overruled."

**OVERTURN:** Reversed. When an appellate court decides the trial court judge made a mistake, the trial court's decision will be overturned.

**OWN RECOGNIZANCE (OR):** also called personal recognizance. The defendant's release from incarceration is based on their promise to appear in court, without posting money or security for bail. Sometimes the court imposes special conditions such as remaining in the custody of another, following a curfew, or keeping a job.

## P

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**PARDON:** the power of the governor of a state to relieve a convicted person from the legal consequences of the conviction.

**PAROLE:** under Alaska law, when a defendant is sentenced to a term of imprisonment, there are two ways in which the defendant can obtain release from custody before the expiration of their prison term: "discretionary" parole (which includes geriatric and medical parole) and "mandatory" parole.

- "Discretionary parole" is parole release that is granted at the discretion of the Alaska Parole Board. After a defendant has served the statutorily required minimum portion of their sentence, the defendant can apply for discretionary parole, and the Parole Board may release the defendant from prison, under the supervision of a parole officer, if the Board concludes that the defendant can remain at liberty without violating the law or their conditions of parole, and that releasing the defendant on parole will not diminish the seriousness of the defendant's crime.
- "Geriatric parole" is a special type of discretionary parole that allows the Parole Board to consider an inmate for parole even though the inmate has not served the normal minimum portion of their sentence if the inmate is at least 60 years old, if they have served at least 10 years of their sentence, and if they were not

convicted of an unclassified felony or a sexual felony.

- “Medical parole” is another special type of discretionary parole that allows the Parole Board to release an inmate who would not otherwise be eligible for discretionary parole if the inmate is so severely medically or cognitively disabled that they pose no threat of harm to the public.
- “Mandatory parole” is parole release that is “mandated” (required) by statute when a defendant’s number of days of credit for good behavior equals the number of days remaining in the defendant’s term of imprisonment. If the defendant was sentenced to a term of imprisonment of less than two years, the defendant is unconditionally discharged when they become eligible for mandatory parole. If, however, the defendant received a sentence of two years or more, the Parole Board will set conditions for the defendant’s parole release, and the defendant will be supervised by a parole officer.

**PENALTIES:** sanctions in a criminal case. After a person has been convicted of a crime, a judge considers a number of factors before imposing a sentence. A judge can impose a sentence that may include incarceration, probation, fine, community service, restorative justice consideration, restitution, or a combination of all penalties, as allowed by Alaska law.

**PEREMPTORY CHALLENGE:** when choosing a jury, each side can reject a fixed number of potential jurors without giving any reason. In Alaska, each side can also peremptorily challenge the judge assigned at the beginning of the case, without giving a reason.

**PERJURY:** the offense of giving false testimony under oath. It can be a felony or a misdemeanor.

**PETIT JURY:** twelve persons called by the court in a felony case, or six persons in a misdemeanor case, who are empaneled to hear witnesses and consider evidence in order to decide the guilt or innocence of the defendant.

**PETITION:** a document filed in juvenile court setting forth the facts that bring the youth within the jurisdiction of the court, and stating that the youth needs treatment, supervision, or rehabilitation.

**PETITION TO REVOKE PROBATION:** the document the prosecutor files in court if someone violates a condition of probation. If the prosecutor proves the defendant violated probation, the judge will decide whether to continue probation, add more restrictions or revoke the probation and send the defendant to incarceration.

**PLEA:** the defendant's response to the prosecution's charges. A defendant may plead guilty, not guilty, no contest, or not guilty by reason of insanity.

**PLEA AGREEMENT/ BARGAIN/ DEAL:** negotiations between the defense and the prosecution to resolve a criminal case without a trial. For example, the prosecution can agree to dismiss some charges if the defendant pleads guilty to the other charges, or the defendant can agree to plead guilty to a lesser charge. The prosecutor may also agree to recommend a certain sentence to the court. The judge may reject a sentencing agreement but not a charge agreement (AK criminal rule 11(e)).

**PLEADINGS:** the formal, written legal arguments and statements of the prosecutor and defense in a case that are filed with the court.

**POST-CONVICTION RELIEF:** a request to the trial judge to modify a sentence or overturn a conviction.

**PRE-INDICTMENT HEARING:** The pre-indictment hearing may be set by the

prosecutor and defendant/defense attorney in a felony case to provide an opportunity for early resolution before preliminary hearing or indictment. As part of the pre-indictment process, the defendant must agree to extend the normal deadlines for an indictment or a preliminary hearing so that there is sufficient time to schedule and conduct the pre-indictment negotiations.

**PRELIMINARY EXAMINATION:** a district court hearing at which the judge decides whether probable cause exists to believe that a felony was committed, and that the defendant committed it. If the judge finds probable cause the prosecution may move forward with the case.

**PREPONDERANCE OF EVIDENCE:** proof that would lead the trier of fact (judge or jury) to find that the existence of the contested fact is more probable than not. Courts use this standard in criminal trials when the defendant asserts an affirmative defense. It is a lower burden of proof than proof beyond a reasonable doubt.

**PRESENTENCE REPORT:** a thorough background investigation sometimes ordered by the court in felony cases to help decide the appropriate sentence. A probation officer prepares the presentence report.

**PRESUMPTIVE SENTENCING:** Alaska's sentencing system for felony offenses.

**PRETRIAL:** the period or legal status after an arrest or the filing of criminal charges but before the resolution of the case.

**PRETRIAL DETENTION:** incarceration during the pretrial period, or, on occasion, awaiting the filing of charges.

**PRIMA FACIE CASE:** evidence presented by the prosecution that, unless contradicted, would prove each element of the crime beyond a reasonable doubt. If the prosecution cannot make a prima facie case, the court will grant the defendant's motion for judgment of acquittal.

**PRISON:** A facility for confining someone convicted of a crime. Alaska has a unified correctional system, and does not have either prisons or jails. Instead, it has correctional institutions that may have people at any stage of the criminal justice process, and for any level of charge for which incarceration is a possible penalty.

**PRO SE:** a Latin expression for a defendant who acts as their own attorney. Also known as "pro per," or self-represented.

**PROBABLE CAUSE:** facts and circumstances that would make a reasonable person believe that someone has committed a crime, or that property that the government can seize is at a designated location. Depending on the circumstances, a police officer, grand jury, or judge may decide that probable cause exists.

**PROBATION:** when a sentencing judge suspends a portion, or all, of a defendant's term of imprisonment, the defendant must serve the unsuspended portion of their prison sentence and then the defendant will be released on probation for a fixed period of time. During this period of probation, the defendant must abide by the conditions set by the sentencing judge, and in felony cases the defendant is actively supervised by a probation officer. If the defendant successfully completes their probation, the defendant does not have to serve the previously suspended portion of their prison sentence. If, on the other hand, the defendant violates the conditions of probation, the prosecutor or the probation officer can ask the judge to revoke the defendant's probation and order the defendant to serve some or all of the previously suspended term of imprisonment.

**PROBATION MODIFICATION:** a formal court proceeding started by the defendant, the prosecutor, or the probation officer, to change the defendant's conditions of probation.



**PROBATION OFFICER:** Probation officers work in the Division of Pretrial, Probation and Parole, in the Department of Corrections. They carry out the orders of the judge, supervising felony offenders who are not incarcerated after sentencing or who have already served their time. Probation officers check the offender's conduct to make sure the offender complies with all the conditions of supervision. They may try to help the offender find work, get drug and alcohol treatment, and become a law-abiding citizen. They write presentence reports for the judge. They may arrest offenders for violating the conditions of supervision

**PROSECUTOR:** a government attorney who represents the citizens' interests in criminal cases. The prosecutor charges crimes, takes cases to trial or negotiates pleas, dismisses cases, makes recommendations at sentencing, and handles appeals. In Alaska, all felony prosecutors work for the Alaska Department of Law under the direction of the state's attorney general. Municipalities may hire their own prosecutors; tribes make their own arrangements for prosecuting cases.

**PROTECTIVE ORDER:** a court order requiring a person to stay away from a particular person or people. A protective order may be issued in a criminal or civil case.

**PUBLIC ADVOCATE:** an attorney working for the Office of Public Advocacy who represents indigent adults and juveniles accused of crimes. They may also act as guardians ad litem for children/juveniles, and incapacitated adults.

**PUBLIC DEFENDER:** an attorney working for the Public Defender Agency who represents indigent adults and juveniles accused of crimes. They may also represent parents in child in need of aid cases.

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## Q

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**QUESTION OF FACT:** a fact about which the parties disagree. The judge or jury decides whether the parties have proven the fact.

**QUESTION OF LAW:** a legal question about which the parties disagree. The judge decides the proper interpretation of the law in the case.

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## R

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**RAP SHEET:** an adult's prior record of criminal arrests and dispositions. The law restricts general public access to the list.

**REENTRY:** returning to the community after being convicted of a crime, often after a period of incarceration.

**REASONABLE DOUBT:** a doubt about the defendant's guilt, based upon reason and common sense, arising from a fair consideration of all the evidence in the case. If a judge or jury has a reasonable doubt about the truth of the charge, then they must give a verdict of not guilty.

**REBUTTAL:** evidence that explains away or contradicts the evidence of the other side. Generally refers to evidence that the prosecutor presents after the defense has completed its case.

**RECIDIVISM:** repeated criminal activity. This may be characterized in different ways. Alaska statutes define recidivism as: "the percentage of convicted defendants who are booked into, or who return to, a correctional facility within three years after release or the date of conviction, whichever is later." Other definitions may be used to understand different aspects of the criminal justice system.

**REDIRECT EXAMINATION:** questions following cross-examination, asked by the party who first examined the witness.

**REHABILITATION OF OFFENDER:** efforts to help offenders keep from committing future crimes. Rehabilitation often includes drug and alcohol treatment, education, counseling, finding and keeping a job, and understanding the effect of the crime on the victim.

**REHABILITATION OF WITNESS:** an attempt to re-establish the credibility of a witness whose testimony has been attacked, or whose character has been discredited during cross-examination.

**REST:** a party "rests" when it has presented all the evidence it intends to offer.

**RESTITUTION:** to pay back, to make whole again. A judge can require the defendant to pay the victim of the crime for any money spent or lost because of the crime, including medical and counseling costs, lost wages, and lost or damaged property.

**REVOCATION HEARING:** a court hearing requested by a probation officer or prosecutor to decide whether the offender violated the conditions of probation and what the consequences should be. The parole board holds similar hearings for parole violations.

**ROBBERY:** taking or attempting to take property by force from the presence of another person.

**RULE 5:** the Rule of Criminal Procedure that provides the timelines required for when individuals who have been arrested or cited must appear in court for an arraignment or felony first appearance.

**RULES OF EVIDENCE:** Rules that govern the introduction of evidence in the Alaska courts. These rules determine what evidence is allowed for juries or the judge to consider.

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## **S**

**SEARCH AND SEIZURE:** the police practice of looking for and then taking evidence useful

in the investigation and prosecution of a crime. The United States and Alaska Constitutions set limits on searches and seizures. Except in certain urgent circumstances, police must get a search warrant prior to the search and seizure.

**SEARCH WARRANT:** an order issued by a judge that lets police officers look through certain premises, vehicles or containers for certain things or persons, and bring them before the court.

**SECURED BOND:** money, property, or other valuables that a defendant provides to the court to be released from incarceration. The bond is supposed to help ensure the defendant shows up for court (appearance bond), or complies with the conditions of their release (performance bond). A bail bondsman may help provide the security, in exchange for a fee. If the defendant does not show up in court, or violates the conditions of release, the defendant loses the money or asset pledged.

**SELF-DEFENSE:** protecting one's person or property against an immediate injury attempted by another. The state cannot punish a person criminally to the extent that they acted in justified self-defense.

**SELF-INCRIMINATION:** making a statement against one's own criminal interests. The Alaska and U.S. Constitutions provide that an accused person has a right to remain silent, and the right to the presence and advice of an attorney, before any police questioning while the accused is in custody. Statements and evidence obtained in violation of this rule cannot be used in the defendant's criminal trial. A defendant taken into custody must be notified of these rights (often referred to as Miranda warnings). The defendant can remain silent throughout the trial.

**SENTENCE:** the consequence imposed on a defendant after conviction for a crime. A sentence can include a combination of incarceration, probation, restitution,

community work service, treatment, fines, loss of license, or other restrictions and punishments, as well as restorative justice approaches.

**SENTENCE HEARING:** Court proceeding to determine the defendant's sentence or punishment after being found guilty or pleading guilty or no contest

**SEQUESTRATION:** keeping jurors together throughout the trial and deliberations (or just during deliberations), and guarding them from contact with other sources of information about the trial.

**SERVE:** Providing other side in the case with any document filed in court or any order or notice issued by the court; it can also be used when a citizen is chosen to sit on a jury (serve on a jury); it can also be used when a defendant completes their sentence (serve the sentence or serve time incarcerated).

**SEVERANCE:** separation of the trials of two or more defendants, or separation of charges for the same defendant, to prevent prejudice that might arise if tried together.

**SEXUAL ABUSE OF A MINOR:** sexual conduct by an adult with a young person, or between two young people within a certain number of years of age.

**SEXUAL ASSAULT:** also known as rape.

**SPEEDY TRIAL:** the constitutional right of an accused person to have a trial free from unreasonable delay.

**SR-22 INSURANCE:** Special car insurance required by the DMV for people who have had their license revoked because of a DUI to get their license reinstated. The insurance company must notify DMV any time the policy is canceled, terminated or lapses. SR-22 insurance is required for 3 years to life depending on the number of DUI offenses.

**STATUTE:** a law passed by the state Legislature.

**STATUTE OF LIMITATIONS:** the time limits within which the state must prosecute a defendant or else be barred from prosecuting the person for that particular crime.

**STIPULATION:** an agreement by attorneys on opposite sides of a case about facts or procedures. It does not bind the parties unless both agree, and the judge approves it.

**SUBPOENA:** a court order requiring a witness to appear and give testimony before a judge or grand jury.

**SUMMONS:** a written order from a judge telling a person to appear at a certain time and place to answer charges or questions.

**SUPPRESS:** Keep evidence out of a criminal case. A defense lawyer may file a motion to suppress arguing that evidence was gotten illegally so should not be presented to the jury for consideration.

**SURCHARGE:** Money that a defendant has to pay after pleading guilty or no contest, forfeiting bail or getting convicted of a felony, some misdemeanors, or violations of city ordinances. The surcharge amounts are set by statute.

**SURETY:** Money given as a guarantee that someone will perform a duty, pay their debts, etc. For example, "The judge granted bail with a surety of \$500."

**SUSPENDED ENTRY OF JUDGMENT:** A type of probationary sentence where the court may "defer further proceedings" and place the defendant on probation. If the defendant follows the probation conditions, the SEJ will result in the court dismissing the criminal case including removing the charge from their record.

**SUSPENDED IMPOSITION OF SENTENCE (SIS):** a type of case resolution in which the judge does not impose a sentence until after the defendant has completed certain conditions similar to probation, potentially including incarceration. If the defendant

meets all conditions, the judge can set aside the conviction. If not, the judge can impose sentence. SIS is most often used for young, first offenders.

**SUSPENDED SENTENCE:** in some cases, the judge can suspend part or all of a sentence to incarceration and give probation instead. If the defendant fails to meet the conditions, the judge can impose part or all of the suspended time.

**SUSTAIN:** to support, as in "the judge sustained the objection because he found the question irrelevant."

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## T

**TESTIMONY:** evidence given by a witness who took an oath to tell the truth.

**THEFT:** taking the property of another with intent to deprive the person of it. Thefts are felonies or misdemeanors, depending on the amount and conditions of the crime.

**THIRD-PARTY CUSTODIAN:** An individual responsible for a criminal defendant who is waiting for their trial. If approved by the court, the defendant will be released to the third party custodian who must make sure the defendant follows all conditions of release and shows up for court.

**THREE-JUDGE PANEL:** if imposing a presumptive sentence would cause manifest injustice (obvious unfairness) after the sentence is adjusted for aggravating and mitigating factors, the trial judge can refer the case to a panel of three other trial judges. The three-judge panel can increase the sentence, decrease the sentence, or leave it the same.

**TIME SERVED:** Describes a sentence where the defendant is credited after the guilty verdict (plea or trial) with the time they spent incarcerated before the trial.

**TRIAL:** A formal judicial proceeding through which courts decide criminal and civil disputes.

**TRANSCRIPT:** the official, word-for-word record of a trial or hearing.

**TRIAL:** a formal judicial proceeding through which courts decide criminal and civil disputes.

**TRIAL COURT JUDGE:** the trial court judge acts as an impartial decision maker in the adversary system. Trial court judges oversee a large part of the criminal justice process. Judges make decisions about bail and pretrial release or incarceration, appointment of defense counsel, motions on legal issues, trial, sentencing, and probation revocations.

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## U

**UNSECURED BOND:** Bond where the defendant signs a contract and agrees to appear before the court or abide by bail conditions without putting up any cash.

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## V

**VENUE:** place of trial or where a case will be handled; generally the same as the geographic location where the alleged crime was committed.

**VERDICT:** the formal conclusion of a judge or jury, deciding whether the prosecution has proven that the defendant is guilty of the crime.

**VICTIM:** This term is defined in Alaska law as "a person against whom an offense has been perpetrated." If the direct victim is a minor or incompetent (as defined by law) this can include family members or other interested persons; it can also include businesses. The victim is not a party to the criminal case but may be called as a witness to provide evidence about the crime. If the defendant is found guilty, the court may order the defendant to pay the victim restitution.

**VICTIM IMPACT STATEMENT:** the victim's account of the harm the victim suffered from the crime, to be considered by the judge at sentencing.

**VIOLATION:** an offense that carries no term of incarceration but may be penalized by a fine. A violation is not considered a crime.

**VOIR DIRE:** the questions asked of potential jurors by the attorneys or judge to decide whether they will serve on the jury.

## **W**

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**WAIVER:** the intentional and voluntary giving up of a known right. A person can waive a right by agreeing to give it up, or the judge can infer the waiver from circumstances. Examples: waive jury; waive speedy trial; waive presentence report.

**WARRANT:** a written order from a judge that authorizes a police officer to make an arrest or a search, or carry out a judgment.

**WITNESSES:** Individuals who provide evidence in a criminal case. This can include people who saw the crime being committed or have first-hand knowledge about the crime. An expert witness has special knowledge about the topic they will testify about such as a doctor, forensic expert, or psychologist.

**WORK RELEASE:** a program that lets inmates leave a correctional facility or halfway house during the day to work at a job.

## **Y**

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**YOUTH COURT:** a voluntary alternative to the criminal justice system for young people who have committed a crime or an offense, and whose behavior is deemed to be best handled informally.

## APPENDIX F: AGENCY REPORTS REGARDING STATE-FUNDED TREATMENT PROGRAMS

The Commission is required to include in its annual report a description provided by the Department of Health, the Department of Corrections, and the Council on Domestic Violence and Sexual Assault of State-funded treatment programs designed to promote rehabilitation such as substance abuse, mental health, and violence prevention programs, including a description of program funding, capacity, utilization, and any available outcome data.

This appendix contains the information as reported by the Departments and the Council on Domestic Violence and Sexual Assault.

## ALASKA DEPARTMENT OF CORRECTIONS

The Alaska Department of Corrections (DOC) primarily provides evidence-based programming that includes culturally relevant components to address the criminogenic needs of the offender population, promote prosocial behaviors, reduce recidivism, and improve overall public safety.

DOC provides inmates with access to essential programming to promote stability, productivity, and aid in community reintegration. The following programs provide incarcerated individuals skills necessary for integration back to the community, establishing employment, housing, and connecting with community providers.

DOC utilizes partnerships with other state entities to include the Alaska Mental Health Trust Authority, Department of Health (DOH), Department of Public Safety (DPS), Department of Labor and Workforce Development (DOLWD), the Department of Education and Early Development (DEED), and the Alaska Court System (ACS), along with federal and private organizations statewide to aid in promoting rehabilitation for criminal justice involved individuals.

Programs provided by DOC include the following.

### ***Offender Reentry Unit***

DOC maintains an internal Offender Reentry Unit to assist releasing offenders in successfully transitioning back into the communities.

The DOC empowers reentrants to successfully transition into communities through collaborative release planning including individualized case management, programming, and positive family, community, and peer support services to increase public safety, rehabilitation efforts and reduce recidivism rates.

The DOC is committed to a proactive reentry process that supports individuals transitioning out of incarceration by providing them with the tools needed to be productive, healthy, and contributing members of communities across the state.

Reentry supports and services include:

- Direct funding support on a limited basis for resources and support to supplement existing resources and community programs, and aid those returning to communities where resources may be limited.
- Transition and reentry planning and support.
- Support and engagement with community-based programs.
- Participation within reentry coalitions and identification of new resources.
- Facilitation of in-reach at DOC facilities, and coordination between DOC-facility staff and community organization.

### ***Correctional Adult Reentry Education and Employment Recidivism Reduction Strategies (CAREERS)***

DOC continued the Correctional Adult Reentry Education and Employment Recidivism Reduction Strategies (CAREERS) grant. The goal of the grant is to implement new vocational training and expand existing educational, vocational, and employment services for incarcerated adults

preparing to reenter the rural workforce. Grant funding also provided for a career counselor to work with incarcerated individuals returning to rural communities. CAREERRS grant funding in FY25 contributed to partnerships and collaboration with the Alaska Native Heritage Center; the Automotive Technology Program at University of Alaska, Anchorage; Alaska Driving Academy; and contributed to the existing and on-going collaboration between DOC and the Department of Labor and Workforce Development. The grant is set to conclude September 30, 2025, and to date has served over 300 individuals.

### ***Mental Health Reentry Programs***

DOC has specialized reentry services focused on meeting the needs of individuals diagnosed with a mental illness, substance use disorder, or who are dually diagnosed. DOC recognizes that mentally ill offenders recidivate at more than twice the rate of non-mentally ill offenders and it is DOC's goal to reduce clinical relapse, reduce legal recidivism, and increase successful reentry for this vulnerable demographic.

DOC has two specialized release programs designed to aid in transitioning and maintaining seriously mentally ill offenders in the community.

- **IDP+**: The Institutional Discharge Project Plus program is designed to aid offenders on felony probation or parole who have been diagnosed with a severe and persistent mental illness in transitioning and maintaining in the community. IDP+ clinicians maintain regular contact with treatment providers, probation staff, and offenders for the purpose of monitoring stability and treatment compliance in the community.
- **APIC**: DOC's mental health reentry program known as the APIC initiative assists eligible beneficiaries with severe mental illness and/or cognitive disorders to engage and remain in services with a community agency following incarceration to contribute to the overall reduction of recidivism by increasing access to treatment.

In FY 2025, APIC handled 184 referrals involving 170 discrete individuals.

### ***Educational and Vocational Programming***

The DOC helps incarcerated individuals better their chances of employment upon release by providing education and vocational programming through training and apprenticeships. Vocational education is one of the most cost-effective investments in criminal justice programming in Alaska.

#### **FY25 Education Core Programs**

These programs are available in all facilities and are typically delivered by DOC education coordinators:

- Adult Basic Education (ABE)
- General Educational Development Testing (GED)
- English as a Second Language (ESL)
- Parenting
- Reentry
- Cognitive Behavior Change
- Computer Literacy



### **Vocational/Work Force Development (WFD) Programs**

These programs are available in select facilities where space, equipment, and qualified staff/contractor availability allow:

- Hazardous Painting
- OSHA Forklift
- Welding
- Serve Safe Kitchen Management
- Asbestos Abatement
- OSHA 10
- Introduction to Automotive Technologies
- Commercial Driver's License (via CAREERRS grant)
- Maritime Drill Instructor
- CPR/1<sup>st</sup> Aid
- DEC Food Worker Card
- DOL Seafood Orientation
- DMV Written Driver's License
- NCCER Trainings (CORE, Carpentry, Plumbing, Electrical, Maritime Fundamentals, Cabinetry, Welding)
- Shopbot CNC Machining
- EETC Small Engine Repair
- ACT WorkKeys
- Western States Carpenters Union Pre-Apprenticeship
- CDL Manual
- Custodial Sciences
- Welding Simulators
- Heavy Equipment Operations Simulators
- Culinary Safety & Equipment Operation
- Tractor Safety
- Math for Trades
- Apprenticeships (Baking, Culinary, Building Maintenance, Warehouse Management)
- Barber School

### **Behavioral Health and Cognitive Behavioral Therapy Interventions**

The Alaska Department of Corrections (department) provides a wide range of behavioral health services designed to meet statutory requirements under AS 33.30.011 and to support rehabilitation and successful reentry. These services address the needs of individuals in custody through both clinical treatment and evidence-based programming that support reduction of recidivism. The department continues to be the largest direct care behavioral health provider in the state.

#### **Behavioral Health Services Overview**

Behavioral health services within the department include:

- Crisis management services
- Group and individual counseling

- In-patient mental health units
- Sub-acute mental health units
- Intensive mental health reentry planning
- Suicide prevention
- Dual diagnosis treatment
- Evaluation for Title 47
- Title 47 management
- Medication management
- Trauma-informed care
- Mental Health First Aid (MHFA)
- Peer support
- Substance use disorder (SUD) treatment

In FY2025, Behavioral Health Services had 111,198 contacts with the population DOC is charged with serving. Behavioral health contacts are defined as any documented behavioral health interaction for a given day. This includes formal evaluations, those served in group programming, responses to inmate requests, follow-up visits, etc. However, interactions that are not face-to-face, such as chart reviews, are excluded. Details related to these contacts are listed in the chart below.

| FY25 BH Contacts      |         |
|-----------------------|---------|
| <b>MH Contacts</b>    | 84,865  |
| <b>SUD Contacts</b>   | 26,333  |
| <b>Total (MH+SUD)</b> | 111,198 |

### Clinical Services

Mental health staff provide a continuum of services, ranging from outpatient brief interventions to acute inpatient care. Services are delivered in several ways, including:

- *On-Site Clinical Services:* Suicide assessment and intervention, crisis intervention, diagnostic assessment, psychiatric referral, treatment planning, counseling, medication monitoring, community treatment referral, and release planning.
- *On-Site Dual Diagnosis Services:* Assessment, treatment, and release planning for individuals diagnosed with both a severe and persistent mental illness and a substance use disorder.
- *On-Site Psychiatric Services:* Medication assessment and monitoring provided by a psychiatrist or psychiatric provider.
- *Acute Psychiatric Units:* 24-hour hospital-level care for acutely or chronically mentally ill individuals, offering stabilization, medication management, and therapeutic programming.
- *Sub-Acute Psychiatric Units:* Step-down inpatient units that provide a structured, therapeutic setting for individuals whose mental health needs limit their ability to function well in general population. Services include medication management and individual or group therapy, with an emphasis on building skills to support transition to less restrictive housing.
- *Tele-Psychiatry:* Psychiatric services delivered remotely.
- *Contracted Clinical Services:* Mental health services provided by community-based clinicians under contract.

**Medication Assisted Treatment (MAT) Program**

MAT interventions and treatment options the department offers include:

- Screening all offenders entering a DOC facility for an Opioid Use Disorder (OUD). Substance Use Disorders (SUD) assessments as needed to further determine seriousness of OUD needs.
- Methadone and buprenorphine bridging for up to 30 days for offenders remanded with a verified community prescription with tapering off medications starting after the initial 30 days.
- Continuation of Medicated Assisted Treatment for Reentry (MATR) for pregnant offenders as long as therapeutically necessary to ensure the overall health of the mother and child.
- Providing resources while incarcerated and when returning to the community to include education, counseling, help with housing, connection to benefits, and other associated needs.
- Extended-release naltrexone is available to offenders meeting criteria, prior to releasing back into the community.
- Offering a Narcan Rescue Kit to offenders releasing back into the community to help in the event they or someone they know experiences an overdose due to the use of opiates.

In FY2025, the department continued bridging verified methadone and buprenorphine prescriptions for eligible participants. These services provide bridging of the medication for up to 30 days with tapering of the medication after 30 days. Methadone services were offered through coordination with community Opioid Treatment Programs (OTP).

Medication assisted treatment combines opioid inhibiting medication such as Vivitrol, Buprenorphine or Methadone. MAT services are available at:

- Anchorage Correctional Complex (Anchorage)
- Hiland Mountain Correctional (Eagle River)
- Matsu Pre-Trial (Palmer)
- Fairbanks Correctional Center (Fairbanks)
- Goose Creek Correctional Center (Wasilla)
- Wildwood Correctional Center (Kenai)
- Anvil Mountain Correctional Center (Nome)
- Lemon Creek Correctional Center (Juneau)
- Ketchikan Correctional Center (Ketchikan)
- Palmer Correctional Center (Palmer)
- Yukon Kuskokwim Correctional Center (Bethel)

The chart below shows the number of MAT services provided within DOC and through linkage to community partners.

| <b>MAT Services Provided Within DOC</b>                             | <b>FY25</b> |
|---------------------------------------------------------------------|-------------|
| Buprenorphine Subcutaneous (Sublocade)                              | 30          |
| Buprenorphine Sublingual (Subutex)                                  | 116         |
| Buprenorphine-Naloxone (Suboxone)                                   | 0           |
| Naltrexone injectable (Vivitrol)                                    | 3           |
| Naltrexone Oral                                                     | 2           |
| <b>MAT Services Provided by Community Partners with DOC Linkage</b> | <b>FY25</b> |
| Methadone (Community Partner)                                       | 85          |
| <b>Totals</b>                                                       |             |
| Total (DOC + Community Partner)                                     | 236         |
| Total (DOC)                                                         | 107         |
| Unique Patients Receiving MAT                                       | 226         |

### ***Substance Use Disorder (SUD) Screening and Assessment***

#### **Substance Use Disorder Services and Assessments**

The Alaska Department of Corrections (department) remains committed to expanding, standardizing, and streamlining treatment and recovery services across the state. It prioritizes evidence-based practices throughout the system, with a strong emphasis on culturally relevant approaches. Programs across the system are aligned to deliver consistent core interventions aimed at reducing recidivism.

To ensure quality and effectiveness, the department is systematically evaluating programs and services to achieve the following objectives:

- *Evidence-Based and Evidence-Informed Practices:* All programming is grounded in research-supported methodologies to maximize effectiveness and outcomes.
- *Continuity of Care:* Seamless transitions between institutional and community-based services ensure sustained support throughout the recovery process.
- *Standardized Cognitive Behavioral Strategies:* Core cognitive behavioral interventions are implemented across programs, promoting the development of transferable skills applicable in diverse life contexts.
- *Criminogenic Needs Addressed:* Programming is designed to target and mitigate factors that contribute to criminal behavior, supporting long-term rehabilitation.
- *Clear Participant Expectations:* Treatment success is supported by clearly defined expectations and individualized needs assessments.
- *Defined Target Populations and Scheduling:* Programs are tailored to specific populations with thoughtful scheduling to enhance accessibility and engagement.
- *Expanded Access to Assessments and Aftercare:* Increased availability of assessments and community-based aftercare ensures continued support post-treatment.
- *Systemwide Admission, Discharge, and Completion Criteria:* Uniform standards across all programs promote consistency and transparency in service delivery.

- *Standardized Evaluation for Fidelity:* Evaluation criteria are established to ensure programs are delivered as intended and maintain high quality.
- *Culturally Relevant Components:* Services incorporate culturally responsive elements to better meet the diverse needs of offenders served.

A large percentage of incarcerated individuals in Alaska suffer from a diagnosable and treatable substance use disorder (SUD) and/or mental illness.

A critical component of the department's treatment framework is the initial assessment process, which determines the appropriate level of care for each incarcerated individual. The following outlines how substance use disorder assessments are conducted and why they are foundational to effective service delivery.

### *Screening and Assessment*

The department utilizes the American Society of Addiction Medicine (ASAM) Continuum: Co-Triage screening tool for initial SUD screenings. This screening provides a preliminary level of care and diagnosis for the offenders being screened. This tool has allowed the department to better allocate services based on identified offender needs. The SUD assessments are then completed with the ASAM Continuum. The SUD assessment guides clinical decision-making and ensures consistent, evidence-based placement of incarcerated individuals into appropriate levels of care.

The SUD assessments are the basis for the type of care offered to offenders within the department. This multidimensional assessment framework evaluates key areas such as withdrawal potential, biomedical conditions, emotional and behavioral needs, readiness for change, relapse potential, recovery environment, and includes the nature and extent of an offender's drug and alcohol problems. By applying ASAM criteria, the department ensures that treatment intensity aligns with each offender's unique clinical profile, promoting more effective and targeted interventions and appropriate level of care placement. Each assessment helps form an appropriate treatment plan.

SUD Screenings and Assessments are available statewide and are conducted through a combination of in-person and telehealth services.

During FY 2025, DOC received 1,445 assessment referrals and completed 1,042 assessments. The majority of incomplete cases were due to individuals either declining to participate or being released from custody.

### **Intensive Outpatient Substance Abuse Treatment (Level 2.1)**

Intensive Outpatient Substance Abuse Treatment (IOPSAT) offers a structured, evidence-based regimen designed to address substance use disorders within the department's facilities. These programs typically span 15 weeks, during which participants engage in approximately 15 hours of group therapy per week, supplemented by individual counseling sessions tailored to their specific needs.

IOPSAT programming is gender-responsive and utilizes curricula that reflect the distinct needs of male and female populations:

- Female IOPSAT: Employs the *Criminal Conduct and Substance Abuse Treatment* curriculum, which integrates gender-specific considerations into the therapeutic process.
- Male IOPSAT: Utilizes *New Directions* and *Living in Balance*, both of which focus on cognitive behavioral strategies, relapse prevention, and lifestyle changes to support long-term recovery.

This structured approach ensures consistency across facilities while allowing for targeted interventions that address the unique challenges faced by different populations.

IOPSAT Programs are available at:

- Fairbanks Correctional Center (Fairbanks)
- Goose Creek Correctional Center (Wasilla)
- Hiland Mountain Correctional Center (Eagle River)
- Palmer Correctional Center (Palmer)

During FY 2025, 138 individuals completed facility-based IOP programs statewide.

### **Institutional Residential Substance Abuse Treatment (Level 3.5)**

The department's residential treatment services are based on the Modified Therapeutic Community (MTC) model, a well-established approach that promotes comprehensive behavioral and psychological change. MTCs integrate counseling, structured group therapy, and peer-led activities to facilitate multidimensional transformation. This includes achieving drug abstinence, reducing antisocial behavior, and fostering the development of prosocial attitudes, values, and behaviors.

The department currently operates three Residential Substance Abuse Treatment (RSAT) programs: two for male participants and one for female participants. Each program spans approximately six months and includes:

- 25 hours of group therapy per week
- Individual counseling sessions

All RSAT programs utilize the evidence-based curricula *A New Directions* and *Living in Balance*. The female RSAT program incorporates the *Moving On* curriculum to address gender-specific treatment needs. Additionally, all programs implement *Helping Men/Women Recover* by Dr. Stephanie Covington, a trauma-informed curriculum designed to explore and address the impact of trauma among justice-involved individuals.

RSAT Programs are available at:

- Hiland Mountain Correctional (Eagle River)
- Wildwood Correctional Center (Kenai)
- Palmer Correctional Center (Palmer)

In FY 2025, 62 individuals completed RSAT statewide.

### **Cognitive Behavioral Interventions**

The department prioritizes evidence-based programming, with a focus on Cognitive Behavioral Therapy (CBT) to support rehabilitation, reduce recidivism, and improve overall mental health. CBT-based programs build skills in areas such as social interaction, problem solving, moral reasoning, impulse management, and self-efficacy.

Programs offered include, but are not limited to:

- *Anger Management*: A 12-session, Substance Abuse and Mental Health Services Administration (SAMHSA) program that helps participants understand the triggers and cues associated with anger, create personalized anger control plans, and learn strategies to interrupt the aggression cycle.
- *Healthy Living / Coping with Incarceration*: An open-ended group designed to help individuals adjust to incarceration, manage daily stressors, and adopt habits that support overall health and well-being.
- *Cognitive Change Programs*: Programs that address harmful thinking patterns by teaching cognitive restructuring, building social skills, and improving problem-solving abilities. These programs help participants recognize how certain thoughts and feelings can lead to harmful behaviors and explore healthier alternatives.
- *Seeking Safety*: A structured program that helps participants strengthen safety and coping skills for current challenges while addressing the effects of trauma and substance use.
- *Dialectical Behavior Therapy (DBT)*: A therapy model that helps participants develop skills to reduce self-harm, manage suicidal thoughts, and address problematic behaviors such as substance use.

### **Mental Health First Aid**

The department offers Mental Health First Aid (MHFA) training to both incarcerated individuals and department staff throughout the state. MHFA is an evidence-based, early-intervention course that teaches participants about mental health and substance use challenges.

In FY25, department staff facilitated eight classes for the incarcerated population, reaching 97 participants. Four additional classes trained 124 professional staff, including department correctional and probation officers, as well as municipal staff from communities across Alaska.

Near the end of FY25, three behavioral health staff members earned MHFA instructor certification from the National Council for Mental Wellbeing, supporting training capacity after staffing challenges had reduced the number of certified instructors. These new instructors help maintain the availability of MHFA for both staff and the incarcerated population.

### **Sex Offender Management Programming**

The rate of sexual violence in Alaska continues to lead the nation. Currently, Alaska's rate of sexual assault is four times the national average with 161.9 rapes per 100,000 people compared to the national average of 42.6 per 100,000. Offenders convicted of a sex offense make up about 16.27% of the Alaska Department of Corrections (ADOC) total prisoner population. On any given

day, more than 700 Alaskan offenders are incarcerated for sex crimes.<sup>167</sup> More than 97%<sup>168</sup> of sex offenders in Alaska are male; Alaska Native men make up approximately 51% of the sex offender population, with Caucasian being the second largest demographic at 35%. Approximately 59%<sup>169</sup> of Alaskan sex offenses involve crimes against children.

Sex offender treatment programs utilize cognitive behavioral treatment interventions to address deviant sexual and antisocial behaviors while seeking to increase prosocial behaviors in sex offenders. The programming is based on the risk, needs and responsivity model.

Sex offender treatment programs include:

- Institutional Sex Offender Treatment
- Rural Telehealth Treatment
- Community Sex Offender Treatment
- Polygraphs

Institutional sex offender treatment programs are available at:

- Wildwood Correctional (Kenai)
- Lemon Creek Correctional (Juneau)
- Goose Creek Correctional (Wasilla)
- Palmer Correctional Center (Palmer)

Evidence has shown that sex offenders who receive cognitive behavioral treatment while incarcerated have a 14.9% lower recidivism rate than those who do not. The DOC uses the University of Cincinnati Corrections Institute (UCCI) Cognitive Behavioral Interventions for Sex Offenders (CBI-SO) as the curriculum for sex offender treatment both in the institution and for community-based treatment. This allows offenders to seamlessly transition from institutional to community-based treatment or move from one provider to another if necessary. In FY25, the DOC engaged 294 male and female sex offenders in treatment in the institutions and community. The average length of time a sex offender was in treatment was 544 days in an institution, and 589 in the community, averaging 577 total days to complete treatment. For sex offenders engaged in treatment either in the community or in an institution in FY25, approximately 43 individuals completed treatment, and 87 individuals were administratively discharged or discharged incomplete from treatment (i.e., deceased, maximum benefit, released from custody, offender withdrew from programming).

While incarcerated, male sex offenders have access to sex offender treatment in four institutions with the capacity to treat 104 male sex offenders at any given time.

The DOC currently offers 209 community-based treatment slots across the state, including 24 telehealth treatment slots for offenders in remote areas.

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<sup>167</sup> Alaska Criminal Justice Data Analysis Commission, *2024 Annual Report*, [http://ajc.alaska.gov/datacommission/docs/reports/DAC\\_2024\\_Annual\\_Report.pdf](http://ajc.alaska.gov/datacommission/docs/reports/DAC_2024_Annual_Report.pdf).

<sup>168</sup> Alaska Department of Public Safety, *Crime in Alaska 2023*, <https://dps.alaska.gov/Statewide/R-I/UCR>.

<sup>169</sup> Alaska Department of Public Safety, *Felony Level Sex Offenses 2023 Report*, <https://dps.alaska.gov/Statewide/R-I/UCR>.



**Domestic Violence Program**

In 2025, the Council on Domestic Violence and Sexual Assault (CDVSA) voted to return authority and regulation of the Batterer's Intervention Program (BIP) to the DOC. The DOC is working closely with the CDVSA to ensure a smooth transition of services and program oversight to the DOC. The Criminal Justice Planner over the Sex Offender Management Program (SOMP) is working closely with the Criminal Justice Planner at CDVSA to gain a thorough understanding of provider approval, current curriculum utilized, services offered in the institutions and community, and all other program oversight management for BIP.

## ALASKA DEPARTMENT OF HEALTH

The Division of Behavioral Health (DBH) manages grants, contracts, and initiatives that are intended to increase behavioral health and public safety outcomes. Based on the authorized fiscal year 2024 budget, DBH received \$6,008,900 from the recidivism reduction fund. The division utilizes recidivism reduction funding to support a variety of evidence-based treatment programs, including psychiatric emergency services, outpatient treatment services for individuals with severe mental illness (SMI), and to treat seriously emotionally disturbed (SED) transitional aged youth (18-22).

### ***Alcohol Safety Action Program (Misdemeanor and Therapeutic Courts) | \$ 5,156.300.00***

#### *Program Description*

The Alcohol Safety Action Program (ASAP) is a program within the Division of Behavioral Health. ASAP provides substance misuse screening, case management, and accountability for Driving While Intoxicated (DWI) and other alcohol/drug related misdemeanor cases. ASAP refers and monitors both adults and juveniles with substance use offenses to ensure completion of a substance abuse education or treatment program as prescribed by the courts, Division of Motor Vehicles, and/or Division of Juvenile Justice. ASAP programs are in Anchorage, Dillingham, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Kotzebue, Mat-Su, and Seward.

ASAP also provides oversight and management of a growing network of therapeutic court programs working with misdemeanor and felony-level substance use and/or mental health-connected offenses. Though ASAP does not directly receive funding from the recidivism reduction fund, this program aligns with AS 44.19.647(a)(5), as the program participants are at risk of/currently involved with the criminal justice system.

#### *Program Capacity / Utilization*

The Misdemeanor ASAP program sees approximately 4,000 new clients annually throughout the state. Almost all the clients are referred from the Alaska Court System, Department of Motor Vehicles, or the Division of Juvenile Justice. The ASAP office provides case-management and community supervision to 410 participants annually in Alaska.

#### *Funding Source*

- Fed Rcpts.
- UGF
- AODTP
- I/A Rcpts.

### ***Reentry Case Management | \$ 1,023,053.95***

#### *Program Description*

Reentry case managers are located in eight communities across Alaska: Anchorage, the Kenai Peninsula, Juneau, Fairbanks, Ketchikan, Nome, the Mat-Su Borough, and the Bristol Bay region. Reentry case managers link individuals releasing from incarceration to transitional and permanent housing, treatment, employment, and transportation assistance. A key element of reentry case

management includes pre-release planning within correctional institutions when permitted by the Department of Corrections. The program is intended to last approximately nine months and eligibility is based on the type of offense committed, LSI-R score, and a felony conviction.

Reentry case managers provide the following services to reentrants:

- Case planning services.
- Referrals for substance use assessments, mental health services, and Medication-Assisted Treatment.
- Basic hygiene items upon release.
- Rental and utility assistance.
- Assistance obtaining identification, birth certificates, and social security cards.
- Transportation assistance.
- Emergency service support – including assistance with addressing food insecurity.

#### *Program Capacity / Utilization*

With current funding levels, the division has funding for case management positions in eight communities. Each reentry case management caseload is capped at 40 participants, which is in line with the recommendations for evidence-based case management practices for this population. The highest utilization of the program has traditionally been in the communities of Anchorage and Fairbanks.

#### *Performance Metrics / Outcome Data*

- 242 unique individuals received case management services in FY 2024.
- 100% of program participants were screened to determine Medicaid Eligibility, and all eligible clients received enrollment assistance.

#### *Funding Source(s) / Funding Amount*

##### *Funding Source*

- Recidivism Reduction Fund

##### *Funding Amount 1,023,053.95*

- Anchorage Neighborhood Housing Services | \$155,864.85
- Frontier Community Services | \$52,000.00 \*Mid-year grant awarded
- True North Recovery Inc. | \$155,864.85
- JAMHI Health & Wellness, Inc. | \$145,864.85
- Ketchikan Wellness Coalition | \$125,864.85
- Norton Sound Health Corporation | \$125,864.85
- Valley Charities, Inc. | \$155,864.85
- Bristol Bay Native Association | \$105,864.85

**Reentry Services | 325,502.04***Program Description*

To increase capacity in the Anchorage area, the division also contracts with a local community provider to provide services to probationers, parolees, or individuals within six months of release. This contract supports many of the same services provided by Reentry Case Managers; however, there are fewer eligibility requirements to receive services, and the service area is limited to Anchorage.

Program goals include:

- Protect the public by reducing the number of repeat crimes by former participants.
- Reduce the public expenditures for incarceration and related costs.
- Support rehabilitation of reentrants through stable housing and case management services.
- Reduce recidivism in the Anchorage reentry population.

*Program Capacity / Utilization*

The contractor provides services to a minimum of 750 people in Anchorage each year.

*Performance Metrics / Outcome Data*

- 842 program participants received transitional housing assistance.
- 798 program participants received case management services for at least 5 months.

*Funding Source(s) / Funding Amount**Funding Source*

- Recidivism Reduction Fund

*Funding Amount*

- Partners for Progress | \$ 325,502.04

**Discharge Incentive Grant (DIG) | \$ 95,865.00***Program Description*

This resource primarily funds the housing component of release planning from incarceration for Alaska Mental Health Authority Trust beneficiaries who experience severe and persistent mental illness (SPMI) and other cognitive and co-occurring disorders. DIG provides funding for participants to assist them during their first crucial months in the community while they seek stability via treatment and other supports. To be eligible participants cannot have other financial resources, generally lack a support system, and require housing and clinical oversight from the community. They also need to agree to follow through on treatment recommendations, adhere to housing rules, and not abuse substances to remain eligible.

*Program Capacity / Utilization*

- In FY 2024, the DIG program provided support to 96 unique individuals.
- During the same period, the DIG program funded 236 rent occurrences.

#### *Performance Metrics / Outcome Data*

- 93 (96.8%) beneficiaries experienced a mental illness alone or with a co-occurring disorder
- Of the 96 unique individuals, 11 experienced a Developmental/Intellectual Disability with or without a co-occurring disorder
- 52 (54.1%) beneficiaries experienced a substance use disorder with a co-occurring disorder
- 2 (2.08%) experienced a traumatic brain injury (TBI) alone or with a co-occurring disorder, which is likely lower than the true number. TBI for individuals with documentation, compelling information, and reports that substantiate TBI are acknowledge. TBI is believed to be underreported in the correctional system.

#### *Funding Source(s) / Funding Amount*

##### *Funding Source*

- Recidivism Reduction Fund

##### *Funding Amount*

- Alaska Housing Finance Inc. | \$95,865.00

#### ***Comprehensive Behavioral Health Treatment and Recovery (CBHTR) Grants | \$36,077,511***

The Comprehensive Behavioral Health Treatment and Recovery (CBHTR) Grant program is the largest grant that DBH administers. Funding sources are braided and include marijuana education tax, alcohol drug tax, general fund, and federal receipts (SAMHSA block grant). This grant program provides intensive mental health, substance use, and recovery support services throughout the state. The grant is divided into three program breakout areas: CBHTR Outpatient Treatment, CBHTR Residential Withdrawal Management and Residential substance use disorder (SUD) Services, and CBHTR Peer and Consumer Support Services.

The goals of the CBHTR Outpatient programs include:

- Provide timely, accessible care, particularly for those transitioning from a higher level of care.
- Ensure that clients receive the most appropriate level of care with change in levels as needed.
- Provide culturally and linguistically appropriate services.
- Provide trauma-informed and trauma treatment services.
- Promote recovery, resilience, and community integration.
- Maximize client access to sources of insurance including Medicaid and demonstrate effective billing practices.

The goals of the CBHTR SUD Residential/Withdrawal Management grant programs include:

- Providing timely, accessible care.
- Providing effective care.
- Utilization of Evidence-Based Practices.
- Provision of culturally and linguistically appropriate services.
- Provision of trauma-informed services.
- Promotion of recovery, resilience, and community integration.

The goals of the CBHTR Peer and Consumer Support Services grant programs include:

- Integrated community environments or in institutions and/or community-based, intensive programs as a transition into less intense community environments.
- Outreach, in reach, and engagement services.
- Warm hand-off to other community-based services, employment and education services, housing services, and non-medical recovery such as 12-step programs.
- Access to community resources for basic needs.
- Additionally, Recidivism Reduction funding also provided a grant to Adult Rural Peer Support. This was awarded to the City of Valdez for \$51,100.00. The City of Valdez provided support to 17 unduplicated individuals.
- Recruit, train, and retain a competent workforce including the utilization of peer workers.

#### *Performance Metrics / Outcome Data*

- There were 4 Peer Support Programs funded from Recidivism Reduction funding in FY 24.
- There were 3 Drop-In Peer Support Models and one Club House Peer Support Model.
  - o The Alaska Mental Health Consumer Web (Drop-In) served 943 unduplicated consumers. The program supported 2 individuals who were on probation and 4 individuals who were incarcerated.
  - o Cook Inlet Tribal Council (Drop-In) served 350 unduplicated individuals. The program provided support to 36 individuals on probation, 17 on parole, and 17 who were incarcerated.
  - o True North Recovery Fairbanks (Drop-In) served a total of 58 unduplicated consumers. The program supported 16 individuals on probation, 2 on parole, and 4 who were incarcerated.
  - o Polaris House (Club House) served 115 unduplicated consumers. The program supported 2 individuals on probation and 4 who were incarcerated.

#### *Funding Source(s) / Funding Amount*

##### *Funding Source*

- Programs are partially supported through Recidivism Reduction funding.

##### *Funding Amount*

- Tanana Chiefs Conference | \$85,148.65
- Alaska Addiction Rehab Services (Nugen's Ranch) | \$527,352.46
- Cook Inlet Tribal Council | \$263,076.00

- Polaris Club House | \$262,432.00
- Bristol Bay Area Health Corporation | \$97,761.48
- Community Connections | \$20,034.01
- Hope Community Resources | \$189,525.40
- Kodiak Area Native Association | \$36,073.98
- North Slope Borough Integrated Behavioral Health | \$10,726.27
- SeaView Community Services | \$92,182.30
- Sitka Counseling and Prevention Services | \$700,00.00
- Yukon-Kuskokwim Health Corporation | \$405,691.64
- The Mental Health Consumer Web | \$137,638.00
- True North Recovery Fairbanks | \$109,824.00

***Mental Health Services within the Sub-Acute Mental Health Unit at Spring Creek Correctional Center | \$ 52,400***

*Program Description*

This reimbursable services agreement (RSA) provides funding for specialized mental health services for inmates housed at Spring Creek Correctional Center in the facility's sub-acute mental treatment unit. One focus of this unit is to transition inmates with a serious mental health illness out of a segregation status into the general milieu of the sub-acute mental health unit. These funds assist with this transitioning process by providing specialized skill development by a Mental Health Clinician III.

*Performance Metrics / Program Capacity*

Performance metrics and program capacity for this program are established and tracked through the Department of Corrections.

*Funding Source(s) / Funding Amount*

*Funding Source*

- Recidivism Reduction Fund

*Funding Amount*

- Department of Corrections | \$52,400

***Permanent Supportive Housing-Assertive Community Treatment (ACT) | \$ 1,013,187***

*Program Description*

Assertive Community Treatment (ACT) is a service delivery model that has been identified by the Substance Abuse and Mental Health Services Administration (SAMHSA) as an evidence-based practice that consistently demonstrates positive outcomes and is considered to be an essential treatment option. The individuals served have severe and persistent mental illnesses that are complex, have devastating effects on functioning, and, because of the limitations of traditional outpatient behavioral health services, may have gone without appropriate services or may not have previously benefited from services.

Program goals include:

- Reduction of hospital admissions, interaction with the criminal justice system, and use of emergency rooms and other emergency response systems measured by the number of interactions with these systems for each participant.
- Increased housing stability measured through housing tenure (length of stay in permanent supportive housing) for each participant.
- Increased employment rates measured by number of participants employed.
- Increased outside resources to supplant grant funding.

*Program Capacity / Utilization*

Staff-to-consumer ratio: 10 or fewer consumers per team member, excluding team psychiatrist and program assistant.

*Performance Metrics / Outcome Data*

- In FY 2024, there were 71 individuals served and all 71 received instances of outreach and engagement.
- ACMHS served a total of 40 individuals and supported 6 individuals who were incarcerated and 4 who were on probation/parole. JAMHI served a total of 27 individuals and 5 who were incarcerated and 5 who were on probation/parole.
- 67 reported and accessed relapse and wellness prevention services.
- 66 received support and access to mainstream benefits.

*Funding Source(s) / Funding Amount*

*Funding Source*

- Recidivism Reduction Fund

*Funding Amount*

- JAHMI Health & Wellness | \$ 506,593.50
- Alaska Housing Finance | \$253,243 506,593.50

**Alcohol Safety Action Program (ASAP) Grants | \$1,327,191**

*Program Description*

The Alcohol Safety Action Program (ASAP) provides substance abuse screening, case management, and accountability for Driving While Intoxicated and other alcohol/drug related misdemeanor cases. ASAP screens cases referred from the district court into classification categories and monitors cases throughout education and/or treatment requirements based on individual need.

ASAP operates as a neutral link between the justice and the health care delivery systems. This requires a close working relationship among all involved agencies: law enforcement, prosecution, judicial, probation, corrections, rehabilitation, licensing, traffic records, and public information/education.



*Program Capacity / Utilization*

ASAP admissions vary statewide by agency. In FY 2022, there were approximately 4,421 ASAP admissions statewide, with over half (2,451) in the Anchorage area.

*Performance Metrics / Outcome Data*

ASAP utilizes the number of ASAP admissions to ensure that court-ordered cases are monitored and that individuals have the best possibility of program completion. Program completion is tracked across fiscal years as participants complete the program according to their education and/or individualized treatment plan, which is not time limited to one year.

The work of ASAP leads to:

- Increased accountability of program participants;
- Reduced recidivism resulting from successful completion of required education or treatment;
- Significant reductions in the amount of resources spent by prosecutors, law enforcement officers, judges, attorneys, and correctional officers enforcing court-ordered conditions; and
- Increased safety for victims and the larger community because program participants are more likely to receive treatment, make court appearances, and comply with other probation conditions.

*Funding Source(s) / Funding Amount**Funding Source*

- Undesignated General Funds (UGF)
- Designated General Funds (DGF)
- Federal Receipts (Fed)

*Funding Amount*

- Akeela, Inc. (Southcentral) | \$150,000
- Akeela, Inc. (Southeast) | \$110,000
- Alaska Family Services | \$210,000
- Bristol Bay Area Health Corporation | \$60,000
- Fairbanks Native Association | \$150,000
- JAMHI Health & Wellness, Inc. | \$147,191
- Maniilaq Association | \$60,000
- Nome Community Center, Inc. | \$60,000
- Providence Health & Services – Washington DBA Kodiak | \$110,000
- SeaView Community Services | \$60,000
- Tundra Women’s Coalition | \$60,000
- Volunteers of America Alaska | \$150,000

## COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

The Council on Domestic Violence and Sexual Assault (CDVSA) is established within the Department of Public Safety and its “mission is to provide safety for Alaskans victimized or impacted by domestic violence and sexual assault.” CDVSA is “responsible for making sure Alaska has a system of statewide crisis intervention services (such as local shelter programs), perpetrator accountability programs (such as batterer’s intervention programs), and prevention services.”<sup>170</sup>

### *Community-Based Primary Prevention*

In FY 2025, CDVSA provided \$1.8 million in funding to 13 grantees around the state for community-based programming to prevent domestic violence and sexual assault. While the full final report was not available at the time of publication of this report, preliminary analysis shows that in FY25, our grantees engaged 9,576 Alaskan youth in prevention programming.

Grantees included:

- Abused Women’s Aid in Crisis (AWAIC) - Anchorage
- Advocates for Victims of Violence (AVV) - Valdez
- Aiding Women in Abuse and Rape Emergencies (AWARE) - Juneau
- Cordova Family Resource Center (CFRC) - Cordova
- Safe and Fear Free Environment (SAFE) - Dillingham
- Sitkans Against Family Violence (SAFV) - Sitka
- Seward Prevention Coalition (SPC) - Seward
- South Peninsula Haven House (SPHH) - Homer/Kenai Peninsula
- The Interior Alaska Center for Non-Violent Living (IAC) - Fairbanks
- The LeeShore Center (LSC) - Kenai
- Tundra Women’s Coalition (TWC) - Bethel
- Women in Safe Homes (WISH) - Ketchikan
- Working Against Violence for Everyone (WAVE) - Petersburg<sup>171</sup>

The most common protective factors are connecting youth to caring adults, social-emotional skills, positive community norms, and resiliency. The most common risk factors are teen dating violence, rigid social norms, mental health, and child abuse. Lack of housing or insecure housing is a profound and increasingly common risk factor.

In March 2025, CDVSA hosted a statewide Prevention Summit, in partnership with the Division of Behavioral Health. This event brought grantees from both cohorts as well as community partners together from around the State to explore shared risk and protective factors across issues.

In the spring of FY25, CDVSA released a solicitation for the next grant cycle, FY26-FY28. There were 14 successful applicants from around the state, including both new and returning providers.

<sup>170</sup> Council on Domestic Violence and Sexual Assault, *Who We Are*, ALASKA DEPARTMENT OF PUBLIC SAFETY, <https://dps.alaska.gov/CDVSA/About-Us/Who>.

<sup>171</sup> Council on Domestic Violence and Sexual Assault, *2022 Annual Report: Redefining Our Work: Embracing a New Normal Post-COVID*, at 17 (2022), [https://dps.alaska.gov/getmedia/814729ff-a6dc-4b55-9463-fcf160c804a7/CDVSA-FY2022-Annual-Report\\_V11-\(2\).pdf](https://dps.alaska.gov/getmedia/814729ff-a6dc-4b55-9463-fcf160c804a7/CDVSA-FY2022-Annual-Report_V11-(2).pdf).

CDVSA provides information to the public about domestic violence & sexual assault, including prevention and victim services through a partnership with Walsh Sheppard. FY25 continued to expand beyond awareness months to year-round presence across numerous platforms including TV, radio, streaming platforms, podcasts, and social media.

### *Programming for Perpetrators of Violence*

CDVSA also funds Battering Intervention Programs.<sup>172</sup> In FY 2025, CDVSA funding served 323 individuals in these programs. These services are currently offered in Homer, Kenai, Anchorage, Juneau, Ketchikan, and Fairbanks. The majority of participants were current or former spouses to their victim or a current or former romantic partner. The majority of participants engaged in physical violence against their victims.

In FY 2022, CDVSA initiated a Perpetrator Rehabilitation Workgroup to begin the process of revising programming for this population. The 18-month workgroup concluded in Spring of 2023, resulting in recommendations to be used in creating revised regulations and curriculum for domestic violence intervention programming. With the addition of a Program Coordinator 2 position, this work continued through FY 2025 through work with the University of Alaska and other statewide partnerships. The process of regulation revision was then turned over to the Department of Corrections (DOC) as part of their departmental regulation revision work, as these regulations are held in DOC statute.

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<sup>172</sup> Approved and funded Battering Intervention Programs exist in Fairbanks, Homer, Juneau, Kenai, Ketchikan, and Palmer; for more information, see CDVSA, *Services for Those Who Commit Acts of Domestic Violence - Battering Intervention Programs - Overview*, <https://dps.alaska.gov/CDVSA/Services/ForThoseWhoCommitDV>.

## APPENDIX G: DESCRIPTION OF THE CRIMINAL JUSTICE PROCESS

This appendix summarizes the criminal justice process using descriptions that were originally published in the Commission's 2024 Annual Report. It gives a chronological description of what can happen in a criminal case in the Alaska criminal justice system, showing each step of the criminal justice process as it would occur in a typical case, and how the cases could end. The introductory information explains the laws and practices that shape the process, and the people involved in the process.

### THE BASICS: HOW THE CRIMINAL JUSTICE SYSTEM IS SET UP

Criminal justice starts with governments that make laws through a democratic process and carry out those laws through the courts and the executive branch to serve public safety, justice, and the needs of all of the people the governments represent.

### TYPES OF GOVERNMENT: FEDERAL, STATE, LOCAL, AND TRIBAL

Governments (federal, state, local, and tribal) handle different problems. Each layer of government controls (has jurisdiction over) certain issues.

- The federal government includes the President, Congress (the United States Senate and House of Representatives), the United States Supreme Court and the other federal courts. Agencies in the executive branch enforce laws that Congress has made against drugs and weapons trafficking, organized crime, bank robberies, crimes occurring on military bases and in national parks, immigration, violations on the high seas, and other offenses. This report does not cover federal law.
- State government in Alaska is the executive branch (the Governor and executive branch agencies), the Legislature (Alaska Senate and House of Representatives), and the judicial branch (the Alaska Court System, the Judicial Council, and the Commission on Judicial Conduct). The Alaska Legislature makes laws that define crimes and establish sentences in Alaska. The Legislature also decides how much money to spend each year on criminal justice, reflecting state priorities for enforcement, prevention, sanctions, and treatment. The executive branch agencies enforce the criminal laws enacted by the Legislature. This report covers criminal cases under state and local laws.
- Alaska has local cities and boroughs, with mayors, assembly or council members, and police. Some cities and boroughs have their own laws or ordinances that cover misdemeanor crimes committed within city or borough limits. Some of these ordinances overlap with state law, while others cover local issues. Local police and prosecutors enforce these ordinances, but all of the cases are heard in state courts. Convicted offenders serve time in state institutions, if sentenced to incarceration. Most of the procedures described in this report apply to these municipal cases.

- Most Alaska tribes have governing councils. Some have executive agencies, and some have tribal courts, although tribal governments do not always have three separate branches of government that resolve disputes for the residents of the village. Some tribes hear cases about public drunkenness, disorderly conduct, and minor or juvenile offenses. The tribal court or council may impose fines, community work service, alcohol treatment, or other conditions. They work with village public safety officers, village police, state troopers, and the state's justice system agencies. Alaska has a few joint tribal-state programs, and tribes may participate in restorative justice programs at sentencing. This report does not cover cases heard in tribal courts because they have different procedures.

## BASICS OF CRIMINAL LAW AND PROCEDURE

Laws adopted by the federal government, state and local governments, and tribal laws shape criminal justice procedures.

Laws define some acts as crimes and say how the government can respond to them. Citizens can report crimes and act as witnesses, but only the government can prosecute a crime or dismiss a case. The government may ask for incarceration, fines, restitution to the victim, further victim protection, restorative justice, and rehabilitation programs as consequences for conviction of a crime.

The rules that police, attorneys, parties, and courts follow during the criminal justice process are called criminal procedure and they are shaped by federal and state constitutions, Alaska statutes and court rules, and federal and state court decisions. Criminal procedures cover the permissible length of time until a defendant's trial, the defendant's right to an attorney, the evidence that may properly be used at trial and sentencing, victims' rights, and much more.

## SOURCES OF ALASKA CRIMINAL LAW

The American legal system tries to strike a balance between the interests of individuals and those of groups. It does this using constitutions, statutes, case law, and rules and regulations.

- Constitutions set up the basic structure of government in the United States and in each of the fifty states. They describe the three branches of the government (legislative, executive, and judicial), the powers of the government, and the rights of citizens. In criminal matters, the Alaska constitution addresses protection of the public, the rights of crime victims, the rights of defendants, and reformation of convicted persons.
- The U.S. Constitution is the supreme law of the land<sup>173</sup> and includes the Fourth,<sup>174</sup> Fifth,<sup>175</sup> Sixth<sup>176</sup>, Eighth,<sup>177</sup> and Fourteenth Amendments that apply to all criminal cases in Alaska.

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<sup>173</sup> Per Article VI.

<sup>174</sup> The right to be free from unreasonable searches and seizures and the requirement that search warrants be supported by probable cause based on sworn evidence and particularly describe the place(s) and person(s) to be searched and the things being searched for.

<sup>175</sup> The rights to due process, grand jury indictment for serious offenses, to be free of double jeopardy, and to not be compelled to be a witness against oneself.

<sup>176</sup> The rights to a speedy, public, jury trial with impartial jurors, in the district where the crime is alleged to have been committed.

<sup>177</sup> Prohibitions of excessive bail, excessive fines, and cruel and unusual punishment.

Alaska law may provide greater protection than required by the U.S. Constitution but cannot provide for less.

- Statutes are laws that Congress or the state legislatures write. Cities, boroughs, and tribal governments can also adopt their own laws and ordinances to govern their citizens, defining what the people of that state, community, or tribe consider a crime. Laws passed by the Alaska Legislature describe what constitutes a criminal offense, the classification of each criminal offense, and the range of possible sentences that can be imposed for a state criminal offense. Some larger Alaska municipalities also have ordinances providing for misdemeanor criminal offenses and the sentences for those offenses. Tribes have their own ordinances and sanctions.
- Appellate courts make decisions and issue opinions that address the trial court findings when someone has a question about the proper interpretation of laws and regulations, and other case law. Opinions issued by the Alaska Supreme Court, the Alaska Court of Appeals, and the U.S. Supreme Court are binding on Alaska trial court judges, who must follow the rule of law stated in an opinion when deciding the same issue. Some tribal governments also include appellate courts.
- The executive branch of government creates detailed rules and regulations about how to carry out the laws passed by the legislature. Some regulations (such as fish and game, and health and safety) create and define crimes and penalties.
- The Alaska Supreme Court, and at times the Alaska Legislature, adopts court rules that govern how court hearings, trials, and other events happen in all state courts. Court rules must be consistent with the Alaska and U.S. Constitutions, and Alaska statutes.

## ALASKA CRIMINAL LAW

The Alaska Constitution requires that “Criminal administration shall be based upon . . . the need for protecting the public, community condemnation of the offender, the rights of victims of crimes, restitution from the offender, and the principle of reformation.”<sup>178</sup>

State criminal statutes and municipal and tribal ordinances establish the “elements” of a criminal offense – those things that constitute the offense and which the prosecutor must prove at trial. A criminal offense may have several elements, but include at least two: (1) a person did something forbidden by law, and (2) while doing so the person had a certain mental state.<sup>179</sup>

State criminal statutes and municipal criminal ordinances define crimes and sentences. Most offenses – violent, property, fraud, drugs, and sex offenses are in Title 11.<sup>180</sup> Sentencing statutes for adults are located primarily in Title 12, with probation and parole in Title 33.

Crimes are categorized by *type* and *severity* of the offense.

*Type.* Alaska law sorts crimes into different *types*: against the person, against property, against the family and vulnerable adults, against public administration, against public order, against health

<sup>178</sup> ALASKA CONST., art. I, § 12.

<sup>179</sup> There are four criminal mental states – intent, knowing, reckless, and negligence. (AS 11.81.900(a)(1)-(4)).

<sup>180</sup> Driving offenses are in Title 28, fish and game offenses are in Title 16, and alcohol offenses in Title 4.

and decency, controlled substances, imitation controlled substances, and miscellaneous.<sup>181</sup> Alaska criminal justice research often focuses on Offenses Against the Person (assaults, sex offenses, kidnapping, and homicides) and Offenses Against Property (thefts, burglaries, frauds, and embezzlement) because these are the most frequent and of most concern to citizens.

**Severity.** Alaska's criminal code divides crimes into three general severities: felonies, misdemeanors, and violations.<sup>182</sup> These are further separated into Unclassified,<sup>183</sup> class A,<sup>184</sup> class B,<sup>185</sup> and class C<sup>186</sup> felonies, and class A<sup>187</sup> and class B<sup>188</sup> misdemeanors. Unclassified felonies include murders, kidnapping and some sex offenses. Class A felonies include manslaughter and the most serious assaults and drug offenses. Class B felonies include burglary, high-value thefts, less serious assaults and sex offenses, and a few others. Class C felonies include the full range of types of offenses, and repeat offenses of drunk driving, thefts, and others.

Class A and B misdemeanors are the most common offenses: Fourth Degree Assaults, many thefts and property offenses, drunk driving (first and second times), and many crimes against public order, as well as most fish and game crimes.

## THE CRIMINAL JUSTICE PROCESS

Figure 71 provides a general overview of the stages of a typical criminal case in Alaska.<sup>189</sup> Although most criminal cases move through the criminal justice system in a predictable manner as illustrated by Figure 71, it should be noted that each criminal case is unique, and differences in processing can occur depending on many factors.

<sup>181</sup> The type categories include many more offenses than those listed. These are given as examples.

<sup>182</sup> Felonies are the most serious offenses, for which the sentence can include incarceration for a year or more. Misdemeanors are less serious crimes where the maximum sentence is incarceration for up to one year. Violations, also called minor offenses, are infractions that cannot be sanctioned by incarceration, and instead may result in fines and limitations on privileges such as driving or fishing. Most traffic tickets fall into this category.

<sup>183</sup> The unclassified felonies are Murder 1<sup>st</sup> Degree, Murder 2<sup>nd</sup> Degree, Sexual Assault 1<sup>st</sup> Degree, Sexual Abuse of a Minor 1<sup>st</sup> Degree, Misconduct Involving a Controlled Substance 1<sup>st</sup> Degree.

<sup>184</sup> Class A felonies include: Manslaughter, Assault 1<sup>st</sup> Degree, Robbery 1<sup>st</sup> Degree, Kidnaping, Misconduct Involving a Controlled Substance 2<sup>nd</sup> Degree, Criminal Mischief 1<sup>st</sup> Degree, and Arson 1<sup>st</sup> Degree.

<sup>185</sup> Class B felonies include: Criminally Negligent Homicide, Burglary 1<sup>st</sup> Degree, Sexual Assault 2<sup>nd</sup> Degree, Sexual Abuse of a Minor 2<sup>nd</sup> Degree, Misconduct Involving a Controlled Substance 3<sup>rd</sup> Degree, Assault 2<sup>nd</sup> Degree, Arson 2<sup>nd</sup> Degree, Criminal Mischief 2<sup>nd</sup> Degree, and Theft 2<sup>nd</sup> Degree.

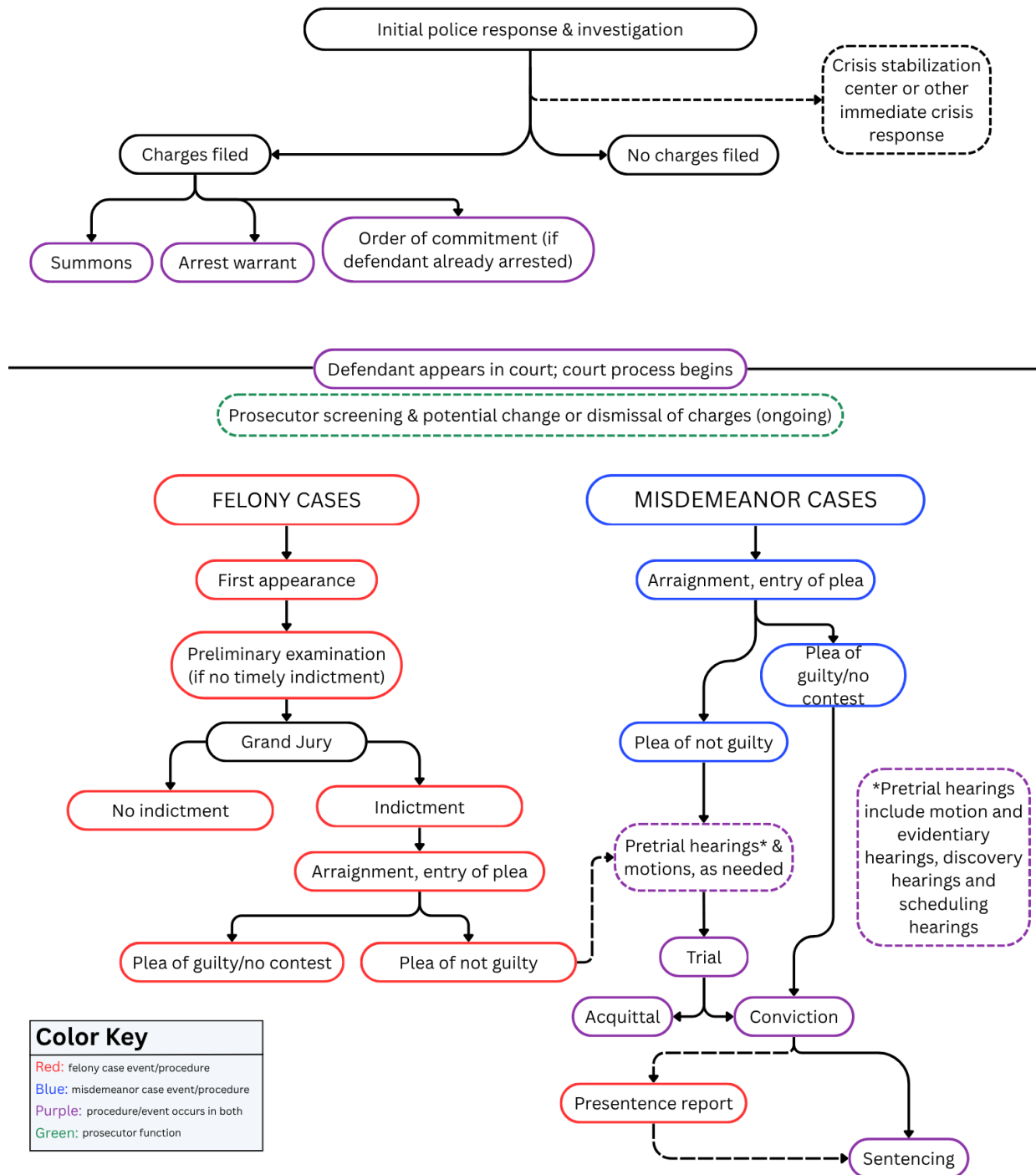
<sup>186</sup> Burglary 2<sup>nd</sup> Degree, Assault 3<sup>rd</sup> Degree, Sexual Assault 3<sup>rd</sup> Degree, Sexual Abuse of a Minor 3<sup>rd</sup> Degree, Third or greater DUI or Refusal to Submit to Chemical Testing, Criminal Mischief 3<sup>rd</sup> Degree, Theft 3<sup>rd</sup> Degree, Stalking 1<sup>st</sup> Degree, and Misconduct Involving a Controlled Substance 4<sup>th</sup> Degree.

<sup>187</sup> Class A misdemeanors include: 1<sup>st</sup> and 2<sup>nd</sup> Driving Under the Influence (DUI) and Refusal to Submit to Chemical Testing (Refusal); Theft 3<sup>rd</sup> Degree, Assault 4<sup>th</sup> Degree, Misconduct Involving a Controlled Substance 5<sup>th</sup> Degree, Criminal Mischief 4<sup>th</sup> Degree, Harassment 1<sup>st</sup> Degree, and Criminal Trespass 1<sup>st</sup> Degree.

<sup>188</sup> Class B misdemeanors include: Disorderly Conduct, Theft 4<sup>th</sup> Degree, Criminal Mischief 5<sup>th</sup> Degree, Misconduct Involving a Controlled Substance 6<sup>th</sup> Degree, Criminal Trespass 2<sup>nd</sup> Degree, and, Harassment 2<sup>nd</sup> Degree, Disorderly Conduct.

<sup>189</sup> Figure 71 and Figure 2 are the same; it is repeated here for convenience.

Figure 71 - Stages of a Typical Criminal Case





## WHAT HAPPENS AFTER A CRIME IS REPORTED

After a crime is reported, there is an investigation, possible arrest, prosecution, dismissal or conviction, and sentences for those convicted.

### Reports of Crime and Investigation

Most criminal cases begin with police investigation of a crime. A crime victim or witness may report a crime to the police or to someone who tells the police, or the police may observe the crime being committed. The police may interview the victims or witnesses and look for evidence at the scene of the crime. If the police identify a suspect, they can check the suspect's criminal record and look for other evidence that might connect the suspect to the crime. If there is no particular suspect, the police can check reports of similar crimes to see if a suspect or pattern can be identified. For complicated crimes, a thorough investigation can take months.

A police officer involved in the investigation may make the first decision whether to charge a person with a crime, and which crime to charge, particularly in cases not involving a serious felony offense. Or a police officer may refer a possible criminal case to a prosecutor to review.

In many instances, victims do not report the crime to law enforcement. National victim surveys suggest that as many as half of people who said they were the victim of a violent crime did not report it to law enforcement, with 60% or more saying they did not report property crimes.<sup>190</sup> This is an important consideration when discussing crime rates and all criminal justice system activities that come after that: only a subset of all crime is reflected in criminal justice statistics.

### Charging Decisions by Police and Prosecutors

Whether to charge a person with a crime, and how to charge the crime, are decisions made by the police and prosecutors. If a police officer made the initial charging decision and filed a charging document with the court, a prosecutor still reviews (screens) the case, often before a defendant's first court appearance. The prosecutor ultimately decides what criminal charge(s), if any, will be pursued. The prosecutor may dismiss, amend, reduce, and/or add to the charge(s) filed by a police officer.

The charging decision triggers the opening of a court case, but the prosecutor makes the initial charging decision and can change the charges later. If the prosecutor files any felony charges, the court system opens a felony case (even if the case also involves misdemeanor charges). If the prosecutor files only misdemeanor charges, the court system opens a misdemeanor case.

### Arrest, Arraignment, and First Appearance in Court

A person may be arrested on criminal charges, or might receive a citation or summons ordering them to appear in court for a hearing on criminal charges. If a person is arrested and not released from incarceration, they appear before a judge for a court hearing within 24 hours, unless circumstances require a later court appearance. At the defendant's first hearing the court tells the defendant about the charges and reasons for arrest, about their legal rights, and about release from incarceration on their own recognizance or with conditions. The defendant has a right to a lawyer at this hearing, whether it is in person or by videoconference.

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<sup>190</sup> Bureau of Justice Assistance, *NCVS Dashboard*, <https://ncvs.bjs.ojp.gov/quick-graphics#quickgraphicstop> (last visited August 17, 2023).

There are some differences between the first hearing for a defendant charged with a felony offense and a defendant who is charged only with misdemeanor(s). The first court appearance in a misdemeanor case is the arraignment. District court judges or magistrate judges conduct most misdemeanor arraignments. At the arraignment, the judge makes sure the defendant has received the charging document, informs the defendant of their rights, addresses legal representation, and the possible sentence that could be imposed if the defendant is convicted. The misdemeanor defendant must plead either guilty, not guilty, or nolo contendere<sup>191</sup> at the arraignment. If the defendant does not make any plea, the court enters a plea of not guilty. If it is a felony charge, the defendant does not enter a plea, but the judge still determines release conditions. The defendant will be arraigned on the felony charges and enter a plea after an indictment or information is filed.

### **Pretrial Release or Custody, Bail**

Alaska's constitution and statutes describe the release rights and provisions (bail) for all people charged with an offense. While the constitution and bail statutes presume that a person should be released without paying money or having conditions (on their own recognizance, which is the person's statement that they will appear and not commit crimes, or an unsecured bond), there are times when judges may require the posting of a money bond or other conditions of release.

Conditions of release must be reasonable, protect the victim and community, and assure the defendant's appearance at required hearings. The judge looks at the pretrial risk assessment done by the Department of Corrections, charge(s) against the person, the victim(s)' needs, employment, residence, prior bail situations, prior criminal history (if any), and other factors. Conditions can include electronic monitoring, supervision by the Pretrial Enforcement Division of the Department of Corrections, a cash or secured bond, and restrictions on drinking, drug use, and other behavior related to the charges.

If the defendant cannot meet any release conditions immediately, they may be incarcerated until they can. They may have a right to further hearings about their custody status. At any bail hearing, the judge may solicit comments by the victim or a parent or guardian of a minor victim who is present at a bail review hearing and wishes to comment. Victims have a constitutional right to be allowed to be heard, upon their request, at any proceeding where the accused's release from incarceration is considered. If a victim makes a comment, the judge must consider their comments.

If the released person does not appear for hearings or violates the conditions of release in other ways, they may be required to appear before the court, and may be incarcerated.

### **Pretrial Diversion Programs**

In some situations, people may be diverted from the court process, either through a pre-trial diversion program like that run by the Municipality of Anchorage, or by being admitted to a therapeutic court where special needs can be considered.

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<sup>191</sup> NOLO CONTENDERE OR NO CONTEST: a plea in a criminal case indicating that the defendant neither admits nor denies the charge(s) but does not contest the facts of the case. The criminal case proceeds as if the defendant pled guilty.

## **Grand Jury and Felony Preliminary Examination**

People have the right to be indicted by a grand jury on felony charges before there can be a trial. Some defendants waive their right to a grand jury, and the prosecutor then files an “information” that describes the felony charges. There might also be a preliminary examination, during which both sides present evidence to the judge to prove probable cause that the charged crime was committed by this defendant. If this hearing occurs, it does not take away the defendant’s right to a grand jury.

## **Other Court Hearings**

Before any trial occurs, the court will generally hold a variety of hearings and decide motions brought by the attorneys. The court’s decisions may lead to the dismissal of charges, or they may affect the types of evidence or the types of arguments that can be presented at trial or other procedural matters. Hearings are often continued at the request of either the prosecution or the defense.

A major concern of both sides of a criminal case is the evidence for and against the defendant. This can include police reports, confessions, victim/witness statements, physical evidence (such as DNA, fingerprints, weapons, etc.), expert witnesses, and more. Some hearings may focus on questions about the validity of evidence, while other hearings may have to do with custody status, mental competency of the defendant to stand trial, details of the trial, and other matters.

## **Disposing of the Criminal Case**

Although some criminal cases are resolved at trial, more commonly the case is dismissed, either by decision of the prosecutor, by order of the court, or the defendant pleads guilty to one or more of the charges (or amended charges). Dismissals may occur due to a re-evaluation of the case by the prosecutor, as part of a plea agreement, or by order of the court. When a defendant enters a guilty plea to one or more charges, it is most often in exchange for concessions from the prosecutor. The victim(s) must be notified of plea agreements before they are finalized.

If the defendant is convicted by plea or trial, the court holds a sentencing hearing where both the defendant and the victim(s) are entitled to be heard. The court then imposes a sentence, either of the court’s own making based on laws, or pursuant to a sentencing agreement of the parties that meets legal requirements. Criminal sentences may include spending time on probation in addition to, or instead of, spending time in a correctional facility, and may include fines, restitution, or restorative justice requirements.

## **Appeals**

A defendant convicted after a trial has the right to appeal some sentences or the merits of the case against them, and has the right to be represented by an attorney during the appellate process.<sup>192</sup> The appeal must be filed within a specified period after the sentencing. Defendants convicted without a trial may sometimes appeal their sentence. While a case is on appeal, the sentencing court may require the person to remain incarcerated, or may release them on bail or other conditions. The initial appeal in a criminal case will be heard by the Alaska Court of

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<sup>192</sup> Prosecutors may also appeal certain aspects of sentences or decisions.

Appeals;<sup>193</sup> the Alaska Supreme Court has the discretion to hear additional appeals, petitions for review, and other matters in criminal cases.

## Department of Corrections

*Incarceration.* If a person is required to spend time incarcerated as a condition of their sentence,<sup>194</sup> they will go to one of the state's fifteen institutions.<sup>195</sup> All people incarcerated will have an immediate medical and mental health assessment, and will receive medical and mental health services as needed.<sup>196</sup>

Many people spend time incarcerated before conviction, sometimes for months or years, before their case is resolved by conviction, dismissal, or (more rarely) acquittal. (If they are convicted, they have credit for the time already served against the time required by their sentence.) They receive medical assessments and care as needed, they may attend court hearings by teleconference or videoconference, or they may be transported for in-person hearings to a courtroom.

The services and rehabilitative programs that are available depend on the legal status of the person incarcerated, with more services for those who are serving longer sentences. People who are serving a sentence of more than ninety days will have a risk assessment, and a reentry plan. For many people sentenced to six months or less of incarceration, the time incarcerated is too short for most services to be available or useful.

*Probation and parole.* Felony defendants who are released back into the community because they have completed their incarceration sentences or have been granted parole are usually supervised by probation/parole officers from the Department of Corrections for a period specified by the judge at sentencing. Misdemeanor defendants who have completed their sentence of incarceration are not supervised on probation unless they are participating in a therapeutic court or other special program.

People who are serving a sentence of incarceration can be released on probation, discretionary parole, mandatory parole, or special parole, depending on the conditions of their sentence set by law or by the judge. The Parole Board makes decisions to release an inmate on discretionary or special parole following a hearing. If released on probation or parole and later charged with a violation of probation conditions, the probationer has the right to an attorney and due process. The Parole Board hears and decides all cases in which a parolee (mandatory or discretionary) is alleged to have violated their conditions of release while a judge hears cases in which a probationer is alleged to have violated their conditions of release.

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<sup>193</sup> Initial appeals from district court decisions may be heard in the Alaska Superior Courts. Some tribes have their own appellate courts for decisions made by tribal trial courts.

<sup>194</sup> There are no tribal incarceration facilities in Alaska. People convicted in federal courts serve time in federal facilities outside of Alaska, although they might spend short amounts of time in an Alaskan state institution.

<sup>195</sup> More detailed information about the Department of Corrections institutions is at <https://doc.alaska.gov/>. In some instances, they may serve time on electronic monitoring, particularly for first-time DUI offenders, or may serve time in a "half-way house" or community residential center (commonly referred to as a "CRC") or may be sent to a residential treatment program. Rarely, convicted people may serve sentences outside the state.

<sup>196</sup> Alaska Department of Corrections, *Friends and Family Handbook*, <https://doc.alaska.gov/institutions/docs/Family%20Handbook%20June%202025.pdf>.

**Reentry**

Reentry planning by officers trained in reentry issues begins at the time of sentenced incarceration for people with a sentence of ninety days or more and may continue throughout the time incarcerated. Once a person is released into the community whether on probation or parole, or without conditions, reentry programs may help them find housing, treatment, employment, and other services.

## APPENDIX H: RESEARCH SUMMARY - DO REENTRY PROGRAMS REDUCE RECIDIVISM?

### Background

In the United States, at any given time, 6.9 million people are under some kind of incarceration or correctional supervision. Each year an estimated 600,000 people are released from state and federal prisons and an estimated 9 million people cycle through local jails. About two-thirds of those released in a given year are rearrested within three years, and about half of those released are reincarcerated.<sup>197</sup>

According to the Alaska Department of Corrections (DOC), in Alaska an average of 4,322 people were incarcerated in state correctional institutions in fiscal year 2024 daily.<sup>198</sup> The average population figure is much lower than the number of admissions yearly; in fiscal year 2024, total admissions to state correctional institutions equaled 26,915.<sup>199</sup> Stays tend to be relatively short, with most (64%) staying less than three years.<sup>200</sup> In Alaska, reincarceration rates within three years of release ranged from 54% to 61% between 2015 and 2022.<sup>201</sup>

In simple terms, recidivism measures the relapse into criminal conduct of those who have previously been convicted of a crime.<sup>202</sup> In criminology research, recidivism can be measured by several different events: arrest, incarceration, or conviction for a new crime or for a violation of conditions of probation or parole.<sup>203</sup> No one measure is consistent throughout studies, largely because the data relied upon by researchers come from different sources including law enforcement, corrections, and courts, and the data most readily available or most reliable are different in different jurisdictions.<sup>204</sup>

Researchers increasingly recommend a shift to more nuanced views of persistent criminal activity that look not only at a binary yes/no measures of recidivism but also at how long an individual's interval of desistance lasted, how severe the relapse was, and the frequency of re-offenses as ways to measure the effectiveness of criminal justice interventions.<sup>205</sup> Researchers are also recommending broadening the view of recidivism by looking at other markers of reintegration such as increased employment and financial stability, housing security, health, and social reintegration to get a fuller picture of the effect of criminal justice system policies.<sup>206</sup>

<sup>197</sup> Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation website, <https://aspe.hhs.gov/topics/human-services/incarceration-reentry-0>.

<sup>198</sup> Alaska Department of Corrections, *DOC Offender Profile FY 2024*, 11.

<sup>199</sup> *Id.*

<sup>200</sup> *Id.* at 13. About 30% of individuals stayed less than six months, 34% stayed 7-36 months, and about 37% have stayed 37 months or more.

<sup>201</sup> See Figure 48.

<sup>202</sup> National Institution of Justice website, <https://nij.ojp.gov/topics/corrections/recidivism>.

<sup>203</sup> See, Council of State Governments, *Beyond Recidivism: Redefining Measures to Understand Reentry Success*, June 2025; Ana Mourao, *A Systematic Review Exploring Comprehensive Criteria for Successful Reintegration After Prison Release*, 52 CRIMINAL JUSTICE AND BEHAVIOR 1173 (2025).

<sup>204</sup> Council of State Governments, *Beyond Recidivism*, *supra* n. 7.

<sup>205</sup> *Id.*

<sup>206</sup> *Id.*

## Moving to Reentry to Address Recidivism

In the early to mid-2000s, researchers began to focus on ways to address high rates of incarceration and reoffending by addressing the problems faced by those released that made reintegration difficult and led to reoffending.<sup>207</sup> Two books, *When Prisoners Come Home: Parole and Prison Reentry* (2003) and *But They All Come Back: Facing the Challenges of Prisoner Reentry* (2005), in particular brought attention to the fact that many returning citizens remained uneducated, unskilled, lacked family support, faced added stigma of a prison record, and were often released into communities with high rates of crime, addiction, poverty, and limited employment opportunities.<sup>208</sup> Federal policymakers in the United States responded to these identified needs by implementing such programs as the Serious and Violent Offender Reentry Initiative (2003), the Second Chance Act (2008), and the First Step Act (2018). These efforts were all aimed at reducing recidivism rates by addressing returning citizens' problems including: lack of education and vocational skills; health, substance abuse, and mental health issues; housing; and employment opportunities.<sup>209</sup>

Alaska policymakers responded as well. With the goals of addressing high recidivism rates and high resultant criminal justice system costs, the Alaska Legislature adopted a Recidivism Reduction Program in 2014.<sup>210</sup> The state's response to recidivism included offering programs while incarcerated and assistance with transition and reentry into the community after release. The state also offered support for community efforts to increase availability of programs and community openness towards reentrants through Reentry Coalitions.<sup>211</sup>

One reason that policymakers turned to reentry programs to reduce recidivism is that research consistently shows that the experience of and length of incarceration has no demonstrable effect on recidivism.<sup>212</sup> <sup>213</sup> But research also shows that incarceration *paired with programming* has the potential to reduce recidivism<sup>214</sup> and that rehabilitative programs are more effective at reducing the likelihood of recidivism than control or deterrent approaches.<sup>215</sup> In addition to academic

<sup>207</sup> DAMON PETRICH, ET AL., *Prisoner Reentry Programs* in HANDBOOK OF ISSUES IN CRIMINAL JUSTICE REFORM IN THE UNITED STATES (Elizabeth Jeglic, et al. eds., 2022), MERLINDA NDRECKA, ET AL., *What Works in Reentry and How to Improve Outcomes*, in PRISONER REENTRY: CRITICAL ISSUES AND POLICY DIRECTIONS (Stan Stojkovic ed., 2017).

<sup>208</sup> PETRICH, *supra* n. 11, at 337 (discussing JOAN PETERSILIA, *WHEN PRISONERS COME HOME: PAROLE AND PRISON REENTRY* (2003) and JEREMY TRAVIS, *BUT THEY ALL COME BACK: FACING THE CHALLENGES OF PRISONER REENTRY* (2005)).

<sup>209</sup> PETRICH, *supra* n. 11, at 337.

<sup>210</sup> Ch. 83, § 34, SLA 2014; am ch 36, §§ 174 – 176, SLA 2016; am ch 23, § 16 SLA 2022) (*codified in AS 47.38.100*). See Sen. John Coghill, Sponsor Statement, Omnibus Crime/Corrections/Recidivism Bill, Version M, available at: [https://www.akleg.gov/basis/get\\_documents.asp?session=28&docid=23445](https://www.akleg.gov/basis/get_documents.asp?session=28&docid=23445).

<sup>211</sup> See *Alaska Community Reentry Program Guide*, Version 4.1 (2018); see also Alaska Reentry Partnership website, <https://www.akreentry.org/about>.

<sup>212</sup> See, e.g., EDWARD J. LATESSA, ET AL., *WHAT WORKS (AND DOESN'T) IN REDUCING RECIDIVISM*, (2<sup>nd</sup> ed. 2020), 102 – 105; Charles E. Loeffler & Daniel S. Nagin, *The Impact of Incarceration on Recidivism*, 5 Annual Review of Criminology 133 (2022); Gary Goodley, et al., *Predictors of Recidivism Following Release from Custody: A Meta-Analysis*, 28 Psychology, Crime & Law, 703 (2022). More specifically, research shows that pretrial incarceration has the effect of *increasing* recidivism. This is thought to be due to the disruptions individuals experience when incarcerated with regards to employment, family functioning, and mental and physical health. Loeffler & Nagin, *supra*, at 149.

<sup>213</sup> While incarceration alone does not further the policy goal of reducing recidivism, criminologists recognize that other reasons for incarcerating individuals (incapacitation, general deterrence, reinforcement of community values, retribution) serve as policy justifications to support its use. LATESSA, *supra* n. 16, at 102.

<sup>214</sup> See, Loeffler & Nagin, *supra* n. 16, at 149.

<sup>215</sup> Christy A. Visser, et al., *Evaluating the Long-Term Effects of Prisoner Reentry Services on Recidivism: What Types of Services Matter?* 34 JUSTICE QUARTERLY 136, 138 (2017).

research support, the public has expressed consistent support for rehabilitation and reentry efforts.<sup>216</sup>

### Principles of Reentry

Prisoner reentry is not a single program or event. Rather, reentry programs represent a “system of service delivery”<sup>217</sup> and has been described as including “all activities and programming conducted to prepare convicts to return safely to the community and to live as law-abiding citizens.”<sup>218</sup> Reentry programs can employ several different types of assistance (e.g. substance abuse, housing, and employment) in a wraparound style, or just one (e.g. substance abuse).<sup>219</sup> Programs can be offered in prison, while preparing for release, after release while in the community, or in any combination.<sup>220</sup> Reentry programs tend to be short because the risk of recidivism is highest during the first year after release.<sup>221</sup>

Many current reentry programs employ the Risk, Needs, and Responsivity framework. “Risk” refers to the risk that an individual will reoffend and is measured by actuarial assessment tools such as the LSI-R.<sup>222</sup> “Needs” refers to the criminogenic needs that are correlated with criminal behavior such as criminal thinking, and lack of achievement in school or work. “Responsivity” refers to the delivery of services that is appropriate and matches the needs and ability of the client, and which is structured to reduce criminal behaviors. Flavors related to responsivity can include internal aspects such as motivation and cognitive ability, or external factors such as transportation, housing, and childcare. Risk, Needs, and Responsivity can be thought of as the “who,” “what,” and “how” of programming.<sup>223</sup> One researcher concluded that the most promising reentry programs are those that employ a Risk, Needs, and Responsivity model.<sup>224</sup>

### Do Reentry Programs Reduce Recidivism?

Reentry research tends to show wide variability of findings and mixed results for reductions in recidivism and/or secondary measures such as improved employment and social reintegration.<sup>225</sup> While a plethora of evaluations are conducted,<sup>226</sup> single program evaluations are often not generalizable and often lack statistical power and should not be used to review overall effectiveness of reentry programs. Better sources are studies that review a body of research (meta-analyses) or multi-site studies with larger samples sizes and applications in different locations. What follows is a summary of several studies published since 2012 that are either meta-analyses or multi-site studies.

<sup>216</sup> PETRICH, *supra* n. 11, at 338-340.

<sup>217</sup> NDRECKA, *supra* n. 11, at 185-86.

<sup>218</sup> PETERSILIA, *supra* n. 12, at 3.

<sup>219</sup> NDRECKA, *supra* n. 11, at 186.

<sup>220</sup> *Id.*

<sup>221</sup> Maria Berghuis, *Reentry Programs for Adult Male Offender Recidivism and Reintegration: A Systematic Review and Meta-Analysis*, 62 INTERNATIONAL JOURNAL OF OFFENDER THERAPY AND COMPARATIVE CRIMINOLOGY, 4655 (2018).

<sup>222</sup> See page 5 for a discussion of the LSI-R.

<sup>223</sup> NDRECKA, *supra* n.11, at 199-200.

<sup>224</sup> *Id.* at 197.

<sup>225</sup> See, e.g., LATESSA, *supra* n. 16, at 268; Visher, *supra* n. 19, at 138; Elizabeth Taylor, et al., *Community reentry program characteristics associated with outcomes over five years for individuals on probation and parole*. 64 JUSTICE, OPPORTUNITIES, AND REHABILITATION, 116, 118-19 (2025).

<sup>226</sup> See, e.g., Department of Justice, Office of Justice Programs, *Crimesolutions*, <https://crimesolutions.ojp.gov/topics/Reentry>, for a searchable database of program evaluations and reviews.



## Meta-Analyses

There have been three comprehensive meta-analyses of reentry programs in the past decade; all found mixed effects for reentry programs.

The first, from criminologist Merlinda Ndrecka, published in 2014, was a meta-analysis of 53 studies published between 1980 and 2013 which had random controlled or quasi-experimental designs. It found that, on average, reentry programs reduced recidivism by a modest six percent, but the average masked the variability among programs; some programs reduced recidivism as much as 39% while others increased recidivism by 17%.<sup>227</sup> Programs were more effective when treatment was offered in three phases: institutional, transitional, and community. Programs that were offered in the community and those that initiated treatment while the offender was incarcerated and continued after release had a greater impact on recidivism. Programs that targeted high risk offenders, adhered to a therapeutic community treatment model, and were at least 13 weeks in length were associated with a statistically significant impact on recidivism.<sup>228</sup>

In 2017, the Washington State Institute of Public Policy published a meta-analysis of 43 reentry programs in the state, ranging from police diversion for people with mental illness to vocational education.<sup>229</sup> Similar to above, that analysis also found variable effects of programs on recidivism. Of the programs studied, 53% showed a statistically significant reduction in recidivism.<sup>230</sup> Even when effective, program effects were moderate or weak. Washington programs with no or weaker effectiveness included life skills classes, drug treatment in the community (inpatient or outpatient), and traditional case management. Stronger positive effects on recidivism were seen in case management programs with swift/certain consequences for failure to comply with conditions, and drug courts. Perhaps the most important finding of the Washington State Institute of Public Policy analysis, however, was that despite the moderate or weak program effects on recidivism, 80% of the programs showed benefits that exceeded program costs.<sup>231</sup> Calculating the uncertainty of the estimates, the authors concluded that 64% of the programs had at least a 75% chance of breaking even.<sup>232</sup>

Criminologist Maria Berghuis published a reentry meta-analysis in 2018.<sup>233</sup> The analysis began with a systematic search of 8,179 titles. All but nine were excluded because they did not meet scientific eligibility criteria, including having a randomized controlled design. The analysis of those nine studies found trends of lower rearrest, reconviction and reincarceration favoring reentry interventions, but the effects were too weak to result in statistically significant findings. The findings, the author concluded, were “not encouraging.” Of the six programs that reported secondary outcomes of changes in employment, housing, social support, and substance use, the analysis found mixed and limited results. The author noted disappointment in the quality of the underlying studies including methodological problems with bias identification and poor program implementation. The author concluded that their analysis was reflective of the variable findings in previous research and was consistent with systematic reviews of subsets of reentry programs such as employment and housing efforts.<sup>234</sup>

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<sup>227</sup> NDRECKA, *supra* n. 11, at 212.

<sup>228</sup> *Id.* at 212-13.

<sup>229</sup> Kristofer Bitney, et al., *The Effectiveness of Reentry Programs for Incarcerated Persons: Findings for the Washington Statewide Reentry Council* (Washington State Institute for Public Policy, 2017).

<sup>230</sup> *Id.* at 6.

<sup>231</sup> *Id.* at 9.

<sup>232</sup> *Id.*

<sup>233</sup> Berghuis, *supra*, n. 25.

<sup>234</sup> *Id.* at 4669-71.

## Multi-Site Evaluations

### Serious and Violent Offender Reentry Initiative (SVORI) Outcomes

In the early 2000s, the National Institute of Justice funded a multiyear, multisite evaluation of the Serious and Violent Offender Reentry Initiative (SVORI). The goal of the SVORI programs was to improve reentry outcomes in five areas: criminal justice, employment, education, health, and housing. The SVORI programs and resulting evaluations have resulted in numerous analyses.<sup>235</sup>

One of the most recent studies analyzed data from 12 pre-release prison reentry programs in 12 states with a 54-month follow up period. While an early study at 3 months post-release indicated that the programs did not result in statistically significant reductions in rearrest or reincarceration, the review at 54 months post-release found that participating in a SVORI program resulted in a longer time to arrest and fewer arrests after release.<sup>236</sup>

The authors found that specific services had inconsistent impacts. Services that focused on individual change were more beneficial than services focusing on practical skills and immediate needs. In fact, practical skills services (including commonly used programs such as reentry classes, life skills assistance, and employment services) were detrimental and were associated with shorter time to rearrest. The authors hypothesized this may be due to expectations of the recipients that they would have an easier time post-release in the community, the recipients were less prepared to make individual changes necessary to avoid recidivating.<sup>237</sup>

Results of programs designed to promote individual change also showed inconsistent impacts.<sup>238</sup> Programs to modify criminogenic thinking resulted in longer times to first arrest. But substance abuse and mental health treatment resulted in no significant benefit, perhaps because it was not continued in the community after release in this program. Mental health treatment resulted in detrimental effects, perhaps because of the severity of the needs presented barriers to reentry.

Overall, the authors found that simply participating in a SVORI reentry program had a beneficial effect beyond any effect seen for specific services, perhaps due to an unmeasured benefit of higher levels of service, higher quality of services, or the effect of “wraparound” continuity.<sup>239</sup> Even so, by 54 months post-release, 82% of SVORI participants had been rearrested.<sup>240</sup>

### Minnesota Comprehensive Offender Reentry Plan (MCORP) Outcomes

One study examined a program implemented in five counties in Minnesota that used randomized controlled design.<sup>241</sup> The Minnesota Comprehensive Offender Reentry Plan programs focused on in-reach into the institution, developing dynamic case planning, and case management that provided continuity between the offender’s confinement and return to the community. The program also used motivational interviewing and goal setting with the use of the LSI-R

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<sup>235</sup> See, National Institute of Justice, Office of Justice Programs description at: <https://nij.ojp.gov/topics/articles/evaluation-serious-and-violent-offender-reentry-initiative#whatworks>.

<sup>236</sup> Visher, *supra* n.19, at 151-152.

<sup>237</sup> *Id.* at 155-56.

<sup>238</sup> *Id.*

<sup>239</sup> *Id.* at 158.

<sup>240</sup> *Id.* at 152.

<sup>241</sup> Grant Duwe, *Evaluating the Minnesota Comprehensive Offender Reentry Plan (MCORP): Results from a Randomized Experiment*, 29 Justice Quarterly 347, 349 (2012).

assessment tool.<sup>242</sup> Initial results were promising and at six-months post-release showed significant reductions in the risk of rearrest, reconviction, and reincarceration, but not for revocations due to technical violations.<sup>243</sup> The author hypothesized this was due to the better employment, decreased homelessness, better social support, and increased participation in community support programming achieved due to the program.<sup>244</sup> Later analysis of the same data also found that the program reduced recidivism but more modestly, and with less confidence, than initial analysis suggested.<sup>245</sup>

### Second Chance Act (SCA) Outcomes

Another study looked at seven state and local programs funded by Second Chance Act funds designed for medium and high-risk offenders.<sup>246</sup> The study, like the Minnesota Comprehensive Offender Reentry Plan study, used a randomized control design. Offenders were followed for 18 months post assignment (post-release time was shorter). At follow-up, program participants were more likely to have received job search assistance, cognitive behavioral treatment for criminogenic thinking, help with reentry from a case manager, and have a reentry plan. Despite this, they reported similar levels of unmet needs as those of members of the control group.<sup>247</sup> The difference in the receipt of services was modest, with many members of the control group receiving the same types of services as the treatment group outside of the programs.<sup>248</sup> The study, based on surveys of both groups, reported no improvement in participants for the probability of being employed, hourly wages, or earnings<sup>249</sup> and no effects on housing, health status, substance abuse.<sup>250</sup> The study reported no differences between groups in likelihood of recidivism for rearrest, reconviction, or reincarceration at 18 months.<sup>251</sup> The authors hypothesized that the lack of effects may have been due to similar services being provided to non-program offenders, still-unmet needs, and inherent limitations to the programs (such as the lack of evidence for traditional case management, unfunded referrals by the program, and the inherent difficulty of implementing strong risk-needs-responsivity based programs).<sup>252</sup> At 30 months follow-up, the lack of positive effect on rearrest, reconviction, and reincarcerations persisted and participants showed an increased likelihood of rearrests and re-convictions, perhaps due to increased supervision. Employment and earnings improved, however, at the longer follow up.<sup>253</sup>

### Possible Reasons for Weak Findings

Researchers have identified a host of reasons for weak and inconsistent findings from reentry programs.<sup>254</sup> These can be factors intrinsic to the programs including: serious flaws in the content

<sup>242</sup> *Id.* at 352.

<sup>243</sup> *Id.* at 364-369.

<sup>244</sup> *Id.*

<sup>245</sup> Jennifer L. Doleac, et al., *Which Prisoner Reentry Programs work? Replicating and extending analyses of three RCTs*. 62 INTERNATIONAL REVIEW OF LAW AND ECONOMICS (2020).

<sup>246</sup> RONALD D'AMICO, ET AL., AN EVALUATION OF SEVEN SECOND CHANCE ACT ADULT DEMONSTRATION PROGRAMS: IMPACT FINDINGS AT 18 MONTHS (U.S. Dept. Justice, 2017).

<sup>247</sup> *Id.* at 48.

<sup>248</sup> *Id.* at 51.

<sup>249</sup> *Id.* at 71.

<sup>250</sup> *Id.* at 77.

<sup>251</sup> *Id.* at 57.

<sup>252</sup> *Id.* at 88-89.

<sup>253</sup> RONALD D'AMICO AND HUI KIM, EVALUATION OF SEVEN SECOND CHANCE ACT ADULT DEMONSTRATION PROGRAMS: IMPACT FINDINGS AT 30 MONTHS (U.S. Dept. of Justice, 2018).

<sup>254</sup> For a comprehensive discussion of the reasons for weak or null findings, see PAMELA K. LATTIMORE, CONSIDERING REENTRY PROGRAM EVALUATION: THOUGHTS FROM SVORI (AND OTHER) EVALUATIONS in RETHINKING REENTRY (Brent Orrell ed., 2020), 7-38.

and delivery of many programs; failure to target high-risk offenders, poor implementation, and focus on factors weakly linked to recidivism.<sup>255</sup> Researchers have noted that research studies are of poor quality, lacking information on possible bias and often lacking implementation information.<sup>256</sup> Also, many non-participants often receive the same services as participants, which leads to weak power of evaluations to identify any program treatment effects.<sup>257</sup>

## Conclusion

Reentry research has yet to find a strong association between reentry programs and reductions in recidivism. Research has shown that some reentry programs have the potential to reduce recidivism. Research suggests that programs have a lower likelihood of success when focused on immediate needs and practical skills and higher likelihood of success when focused on individual change such as addressing criminal thinking, problem-solving, and education. Finally, programs are more likely to reduce recidivism when targeting high-risk offenders and when applied both while incarcerated and after release in the community.

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<sup>255</sup> PETRICH, *supra* n.11, at 350-51; *see also*, LATTIMORE, *supra* n. 57, at 25-28.

<sup>256</sup> Berghuis, *supra* n. 25, at 4670.

<sup>257</sup> LATTIMORE, *supra* n. 57, at 25-27.

## APPENDIX I: COMMUNITY UPDATES FOR CRISIS INTERVENTION, 2025

### **Crisis Services Institutional Readiness Grant Program<sup>258</sup>**

The Department of Health Division of Behavioral Health (DBH) reports that the Crisis Services Institutional Readiness Grants Program, administered by the Department of Family and Community Services, provided grants in 2024 to community-based organizations to help them become a facility-based crisis service center. DBH reported that awards were issued to six organizations in southcentral, interior, northern, and southeast Alaska. These organizations are using the funds primarily for planning and development of new facilities, and also for expanding capacity of existing crisis stabilization and crisis residential centers.

The Crisis Services Institutional Readiness Grants Program provides grants to enable community-based organizations to become a facility-based crisis service center certified to provide services in the least restrictive environment. Services can be provided 24 hours a day, seven days a week, 365 days a year to all individuals (adults and children) presenting a mental health crisis. The grant can be used to cover (but is not limited to): staff training, 23-hour recliners, crisis triage beds (non-ligature), safety improvements to facilities, medication safes, construction of walls to ensure individuals under 18-years of age are not housed with adults, staff time to coordinate any needed subcontracts (e.g., with a commercial kitchen for patient meals; with telehealth medical providers should on-site staff not be able to provide for more complex medical or psychiatric needs), non-ligature furniture, and clothing.

DBH reports that awards have been issued to the following organizations:

- South Central Foundation's new project will construct a stand-alone, three-story building in Anchorage on the Alaska Native Medical Campus. The new facility will serve as a 23-hour crisis stabilization facility with 16 chairs. Additionally, the new facility will provide a 16-bed short-term crisis residential center with outpatient behavioral health services, including a detox program. The new facility aligns with the department's goals of offering alternative treatment options for Alaskans experiencing behavioral health crises. The project is in the "Planning and Development" phase and is expected to open its doors in October 2026.
- North Hope Center is currently in the Planning and Development phase of a new 24-hour Crisis Stabilization facility in Fairbanks. The goals of the new project are to increase access to immediate crisis services, reduce reliance on emergency departments and law enforcement, deliver trauma-informed care, enhance community partnerships, and implement robust evaluation and accountability practices. While currently in the final stages of determining the facility's location, the facility will have 12 stabilization chairs and 8 crisis residential beds to offer 24-hour operation with comprehensive services to Alaskans experiencing acute mental health crises. The facility plans to phase in the opening of the new facility to fine-tune service operations and community needs beginning in the 4th quarter of 2025.

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<sup>258</sup> Email from Alaska Department of Family and Community Services to the Alaska Judicial Council (October 1, 2025).

- Set Free Alaska's new expansion project will offer 8 new crisis residential beds to vulnerable Alaskans experiencing mental health or substance use disorder crises. The new facility, located in Wasila, will double the capacity of the current facility offering crisis stabilization services. This project is part of the Set Free Alaska Therapeutic Expansion Project, which is currently in the execution phase with an expected opening in Summer 2025.
- The Maniilaq Association's new EMPATH unit will add four crisis stabilization chairs and two crisis residential beds to the Maniilaq service area at the Maniilaq Health Center in Kotzebue. The funding from this grant will be specifically used for crisis service training for the staff of the new facility. Specifically, creating a core of locally trained instructors who can provide sustainable workforce training on a trauma-informed system of care for those experiencing behavioral health crisis. The facility is currently in the planning and development phase.
- Residential Youth Care in Ketchikan is in the execution phase of standing up Crisis Residential services for youth aged 12-17. The goal of this new 4-bed facility is to offer youth residential care and crisis services as they transition from in-patient care or out-of-state care. The program will provide a safe environment, and intensive and individualized support as well as the opportunity to adjust to community-based care, develop safety plans, and increase stability for the community's youth. The rollout of services is expected to begin in Fall 2025.
- The City of Unalaska is proposing the planning and construction of a new, integrated fire station to provide safe cells for individuals experiencing behavioral health crises. With the support of a mental health provider and the implementation of a Crisis Intervention Team, the project will reduce the risk of harm during crises, strengthen local healthcare infrastructure, and address substance misuse by improving access to mental health services in a remote community. The proposed facility will offer 4 crisis residential beds and is currently in the planning and development phase.

Table 14 - Crisis Services Institutional Readiness Grant Program Award Status

| Facility                 | Location  | Crisis Stabilization Center Chairs | Crisis Residential Center Beds | Total Number of Units | Project Phase            |
|--------------------------|-----------|------------------------------------|--------------------------------|-----------------------|--------------------------|
| South Central Foundation | Anchorage | 16                                 | 16                             | 32                    | Planning and Development |
| North Hope Center        | Fairbanks | 12                                 | 8                              | 20                    | Planning and Development |
| Set Free Alaska          | Mat-Su    | 0                                  | 8                              | 8                     | Execution                |
| Maniilaq Association     | Kotzebue  | 4                                  | 2                              | 6                     | Planning and Development |
| Residential Youth Care   | Ketchikan | 0                                  | 4                              | 4                     | Execution                |
| City of Unalaska         | Unalaska  | 0                                  | 4                              | 4                     | Planning and Development |
| Totals                   |           | 32                                 | 42                             | 74                    |                          |

*Data Source: Alaska Department of Family and Community Services*

## The Crisis Now Model

The Alaska Mental Health Trust Authority (Trust) continued its longstanding work to promote system change using the Crisis Now model, or the no-wrong-door approach, to improve Alaska's

behavioral health crisis care system. The Crisis Now model includes three key components to best support those in a behavioral health crisis:

- Someone to contact - a regional or statewide call center;
- Someone to respond - centrally deployed 24/7 mobile crisis response teams; and
- A safe place for help - for individuals unable to be stabilized in the community, 23-hour and short-term residential stabilization services offer a safe and appropriate placement.

The Trust's Crisis Now work is collaborative and involves other state agencies, including the Department of Health, the Department of Public Safety, and the Department of Family and Community Services. The Trust also funds several crisis-related programs within state agencies in the annual state budget, and through grants to behavioral health providers.

In 2024, the Trust reported progress in all three components of the Crisis Now model, including successful operation and development of mobile crisis teams in several communities, planning for infrastructure projects such as new crisis stabilization centers and specialized areas within existing facilities for individuals in a behavioral health crisis, and ongoing outreach and support of community efforts.

Before the development of crisis services, Trust beneficiaries who needed support in a behavioral health and/or mental health crisis were responded to by law enforcement and emergency services and transported to hospital emergency rooms and/or correctional facilities.

#### *Crisis Now Community Updates 2024/2025*

Below are highlights from the Trust's 2024 Crisis Now Implementation Report. This report also includes preliminary data for 2024 mobile crisis response.<sup>259,260</sup>

<sup>259</sup> Alaska Mental Health Trust Authority, *Crisis Now: Annual Implementation Report 2024*, available at: <https://alaskamentalhealthtrust.org/wp-content/uploads/2025/07/Crisis-Now-Implementation-Report-2024.pdf>.

<sup>260</sup> Alaska Mental Health Trust Authority, *Behavioral Health Crisis Response*, <https://alaskamentalhealthtrust.org/alaska-mental-health-trust-authority/what-we-do/crisis-continuum-of-care/> (last visited September 30, 2025).

Table 15 - Community Impact Data, Crisis Now Annual Implementation Report (2024)

| Community               | Someone to Contact  |                                     | Someone to Respond  |                                          | Community Achievements                                                                                                                                                                                         |
|-------------------------|------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         | <i>Calls Answered by Alaska Careline*</i>                                                            | <i>% of Calls Resolved on Phone</i> | <i>Mobile Responses**</i>                                                                             | <i>% Resolved in Community (Average)</i> |                                                                                                                                                                                                                |
| Anchorage               | 9,002                                                                                                | 99%                                 | 7,727+^                                                                                               | 89%                                      | Anchorage Fire Dept. Mobile Crisis Team (MCT) pilots 24/7 response and is codified as an essential service.                                                                                                    |
| Fairbanks               | 2,308                                                                                                | 99%                                 | 800^                                                                                                  | 84%                                      | Fairbanks Community Council approves a community paramedicine position.                                                                                                                                        |
| Juneau                  | 2,343                                                                                                | 99%                                 | 2,627~                                                                                                | n/a                                      | Bartlett Hospital and Capital City Fire and Rescue launched a Mobile Crisis Team in late 2024.                                                                                                                 |
| Ketchikan               | 133                                                                                                  | 97%                                 | 288~                                                                                                  | n/a                                      | The Ketchikan Mobile Integrated Health (MIH) Program experienced 7 months of success graduating 17 of 21 participants from the high-utilizer program, which contributed to a 10% reduction in emergency calls. |
| Kotzebue                | <20                                                                                                  | 100%                                | n/a                                                                                                   | n/a                                      | Maniilaq Association continues participation in SAMSHA-funded project to increase connectivity between 988 and Tribal communities.                                                                             |
| Mat-Su                  | 1,673                                                                                                | 99%                                 | 506^                                                                                                  | 80%                                      | Mobile Crisis Team involvement reduced the amount of time other first responders were on scene in 1/3 of responses.                                                                                            |
| <b>Statewide Totals</b> | <b>39,951</b>                                                                                        | <b>99%</b>                          | <b>10,093</b>                                                                                         | <b>84%</b>                               |                                                                                                                                                                                                                |

Data Source: Alaska Mental Health Trust Authority

#### Community highlights:

- Anchorage: The Anchorage Police Department continues to transfer calls to the Careline (a crisis call center). Anchorage has several mobile response teams, including the Anchorage Fire Department, the Anchorage Police Department, the Anchorage Safety Patrol, and the Volunteers of America Rapid Response team, which focuses on crisis intervention with youth aged 14-23. Relating to “a safe place for help,” Southcentral Foundation broke ground on its crisis stabilization center project in May 2024 and estimates it will be completed in early 2026. Providence Hospital continues to be in the construction phase of its crisis stabilization center project.
- Fairbanks: The Fairbanks Mobile Crisis Team (MCT), operated by Alaska Behavioral Health and partnering with local first responders and dispatch, is now fully integrated with the Alaska State Troopers. The Fairbanks Fire Department has launched a mobile integrated health team. Alaska Behavioral Health is planning a 23-hour crisis stabilization center that will admit individuals with an involuntary status.
- Juneau: In Juneau, the Capital City Fire Department operates the mobile crisis team in partnership with Bartlett Regional Hospital (BRH). BRH provides a master's-level licensed clinician, and the fire department provides an EMT to make a two-person response team. The mobile crisis team has been responding to behavioral health dispatches for the last year.



- Kenai Peninsula: Central Peninsula General Hospital is operationalizing a mobile crisis team on the Kenai that will be dispatched from the hospital in Soldotna via 911. The team receives technical assistance and training from an established mobile crisis team operator in Maricopa County, AZ. The team is expected to begin operating in fall 2025.
- Ketchikan: In June 2024, the Ketchikan Fire Department launched a new mobile integrated healthcare (MIH) program. The MIH program received the Alaska Hospital and Healthcare Association's 2025 Annual Champion Award for Innovation in Patient Safety and Quality.
- Kotzebue: Maniilaq Association Behavioral Health is in the planning stages for an EmPATH Unit. An EmPATH unit is a specialized area within a hospital emergency department designed to provide immediate and compassionate care to individuals experiencing a psychiatric crisis. Construction started and is scheduled for completion in October 2027.
- Mat-Su: True North Recovery's Mobile Crisis Team expanded its service area and is delivering 24/7 crisis coverage. The MCT has partnerships with Alaska State Troopers, Palmer Police Department, Alaska State Park Rangers, and MATCOM dispatch. MATCOM is the primary dispatch entity for the Mat-Su Valley.
- Unalaska: Iliuliuk Family & Health Services is conducting a feasibility study to renovate and expand its clinic, including one room designated as a designated 'Safe Space' for individuals in a behavioral health crisis.

## APPENDIX J: ALASKA DEPARTMENT OF CORRECTIONS' OFFENSE CLASSIFICATION

The Department of Corrections organizes offenses into several classes. Table 16 provides a list of offenses and their corresponding offense classification. This list is not exhaustive.

Table 16 - Department of Corrections' Offense Classification

| Offense Classification | Offense Description                            |
|------------------------|------------------------------------------------|
| Alcohol                | DUI                                            |
|                        | DWI                                            |
|                        | Felony DUI - 2+ Priors                         |
|                        | Felony DWI - 2+ Priors W/In 5 Yrs              |
|                        | Felony Refusal of Chem Test- 2+ Priors         |
|                        | Import Alcohol - Dry Area                      |
|                        | Minor Consuming                                |
|                        | Omvi - Alcohol                                 |
| Drugs                  | Refusal To Submit to Chemical Test             |
|                        | Attempted Misconduct - Controlled Substance 2  |
|                        | Attempted Misconduct - Controlled Substance 3  |
|                        | Attempted Misconduct - Controlled Substance 4  |
|                        | Conspiracy Misconduct - Controlled Substance 2 |
|                        | Conspiracy Misconduct - Controlled Substance 3 |
|                        | Misconduct - Controlled Substance 1            |
|                        | Misconduct - Controlled Substance 2            |
|                        | Misconduct - Controlled Substance 3            |
|                        | Misconduct - Controlled Substance 4            |
|                        | Misconduct - Controlled Substance 5            |
| Motor Vehicle          | Attempted Fail to Stop at Direction of Officer |
|                        | Drive W/ License Canc/Susp/Revoked/Lim         |
|                        | Drive W/O Valid Operator License               |
|                        | Fail To Stop at Direction of Officer 1         |
|                        | Fail To Stop at Direction of Officer 2         |
| Person                 | Reckless Driving                               |
|                        | Assault 1                                      |
|                        | Assault 2                                      |
|                        | Assault 3                                      |
|                        | Assault 4                                      |
|                        | Attempted Assault 1                            |
|                        | Attempted Assault 2                            |
|                        | Attempted Assault 3                            |
|                        | Attempted Kidnapping                           |
|                        | Attempted Murder 1                             |
|                        | Attempted Robbery 1                            |
|                        | Attempted Robbery 2                            |
|                        | Coercion                                       |
|                        | Conspiracy To Murder 1                         |
|                        | Criminally Negligent Homicide                  |
|                        | DV Assault                                     |
|                        | Endanger Welfare Minor 1                       |
|                        | Human Trafficking 1- Participate               |
|                        | Kidnapping                                     |
|                        | Manslaughter                                   |

|                           |                                                    |
|---------------------------|----------------------------------------------------|
| Person - <i>continued</i> | Murder 1                                           |
|                           | Murder 2                                           |
|                           | Neglect- Inadequate Supervision                    |
|                           | Reckless Endangerment                              |
|                           | Robbery                                            |
|                           | Solicitation To Commit Murder 1                    |
|                           | Stalking 1                                         |
|                           | Stalking 2                                         |
| Property                  | Arson 1                                            |
|                           | Arson 2                                            |
|                           | Arson 3                                            |
|                           | Attempted Arson 1                                  |
|                           | Attempted Arson 2                                  |
|                           | Attempted Auto Theft 1st                           |
|                           | Attempted Burglary 1                               |
|                           | Attempted Burglary 2                               |
|                           | Attempted Theft 1                                  |
|                           | Attempted Theft 2                                  |
|                           | Burglary 1                                         |
|                           | Burglary 2                                         |
|                           | Concealment Of Merchandise \$50+                   |
|                           | Criminal Impersonation 2                           |
|                           | Criminal Mischief 1                                |
|                           | Criminal Mischief 2                                |
|                           | Criminal Mischief 3                                |
|                           | Criminal Mischief 4                                |
|                           | Criminal Mischief 5                                |
|                           | Criminal Trespass 1                                |
|                           | Criminal Trespass 2                                |
|                           | Damage Property-Value \$250-\$999                  |
|                           | Forgery 1                                          |
|                           | Forgery 2                                          |
|                           | Forgery 3                                          |
|                           | Fraud                                              |
|                           | Larceny Value <\$250                               |
|                           | Larceny Value Under \$250 W/2+ Priors              |
|                           | Malicious Destruction of Property                  |
|                           | Removal Of Merchandise \$5 - \$50                  |
|                           | Removal Of Merchandise \$50+                       |
|                           | Resist Arrest by Hiding/Barricading                |
|                           | Scheme To Defraud - \$10,000+                      |
|                           | State Forest: Maliciously Set Fire                 |
|                           | Theft 1                                            |
|                           | Theft 2                                            |
|                           | Theft 3                                            |
|                           | Theft 4                                            |
|                           | Vehicle Tampering                                  |
|                           | Vehicle Theft 1                                    |
|                           | Vehicle Theft 2                                    |
| Public Order              | Attempted Escape 2                                 |
|                           | Attempted Escape 3                                 |
|                           | Attempted Tampering W/Physical Evidence            |
|                           | Attempted Terror Threat 2-Cause Fear Person Injury |
|                           | Contributing To Delinquency of a Minor             |
|                           | Cruelty To Animals - Inflict Severe Pain           |
|                           | Disobey Lawful Order of Public Officer             |
|                           | Disorderly Conduct                                 |
|                           | Distribute Indecent Material to Minors             |
|                           | Eluding A Police Officer                           |

|                                 |                                          |
|---------------------------------|------------------------------------------|
| Public Order - <i>continued</i> | Enter/Remain Business Property Not Open  |
|                                 | Enter/Remain Bus Property, Told to Leave |
|                                 | Enter/Remain Bus Property in Viol Notice |
|                                 | Escape 2                                 |
|                                 | Escape 3                                 |
|                                 | Escape 4                                 |
|                                 | Fail To Change Residence Address-Sor     |
|                                 | Fail To File Verification                |
|                                 | Fail To Supply Complete/Accurate Info    |
|                                 | Failure To Appear                        |
|                                 | Failure To Comply                        |
|                                 | Failure To Register as a Sex Offender 1  |
|                                 | Failure To Register as a Sex Offender 2  |
|                                 | Failure To Satisfy Judgement             |
|                                 | False Id                                 |
|                                 | False Info/Rpt-Id at Arrst/Invst/Incarc  |
|                                 | Fugitive From Justice                    |
|                                 | Give False Info to Implicate Another     |
|                                 | Harassment 1                             |
|                                 | Harassment 2                             |
|                                 | Hinder Prosecution 1- Or Apprehension    |
|                                 | Hindering Prosecution 1                  |
|                                 | Indecent Prod Pic Brst/Anus/Gntls Adult  |
|                                 | Indecent View Pic Brst/Anus/Gntls Minor  |
|                                 | Indecent View/Photo W/O Consent-Of Adult |
|                                 | Interference                             |
|                                 | Obstruct Investigation by Fleeing        |
|                                 | Obstruct Pedestrian or Vehicular Traffic |
|                                 | Perjury                                  |
|                                 | Promoting Contraband 1                   |
|                                 | Promoting Contraband 2                   |
|                                 | Resist Own Arrest by Use of Force        |
|                                 | Resist/Interfere with Arrest             |
|                                 | Resisting Arrest                         |
|                                 | Tampering W/ Physical Evidence           |
|                                 | Tampering W/ Witness 1                   |
|                                 | Terror Threat 2-Cause Fear Person Injury |
|                                 | Unlawful Contact 1                       |
|                                 | Unlawful Contact 2                       |
|                                 | Unlawful Evasion 1                       |
|                                 | Unlawful Evasion 2                       |
|                                 | Violate A Protective Order               |
|                                 | Violate Conditions of Release            |
|                                 | Violate Order to Submit to DNA Testing   |
|                                 | Violate Stalking or Sex Asslt Protec Ord |
|                                 | Violation Of Custodian Duty - Re Felon   |
| Sex Non-Registerable            | Indecent Exposure 2                      |
| Sex Registerable                | Attempted Sex Abuse Minor 2              |
|                                 | Attempted Sex Abuse Minor 3              |
|                                 | Attempted Sex Abuse of Minor 1           |
|                                 | Attempted Sex Assault 1                  |
|                                 | Attempted Sex Assault 2                  |
|                                 | Attempted Sex Assault 3                  |
|                                 | Distribute Child Pornography             |
|                                 | Enticement Of Minor Under 16             |
|                                 | Exploitation Of a Minor-Make Porn        |
|                                 | Indecent Exposure 1                      |
|                                 | Online Enticement of a Minor             |
|                                 | Online Enticement of Minor Under 16      |

|                                     |                                          |
|-------------------------------------|------------------------------------------|
| Sex Registerable - <i>continued</i> | Possess Child Pornography                |
|                                     | Sex Trafficking 1 - Person In Custody    |
|                                     | Sexual Abuse of Minor 1                  |
|                                     | Sexual Abuse of Minor 2                  |
|                                     | Sexual Abuse of Minor 3                  |
|                                     | Sexual Abuse of Minor 4                  |
|                                     | Sexual Assault 1                         |
|                                     | Sexual Assault 2                         |
|                                     | Sexual Assault 3                         |
|                                     | Solicitation Sex Assault 2               |
| Weapons                             | Attempted Misconduct Involving Weapons 3 |
|                                     | Misconduct Involving Weapons 1           |
|                                     | Misconduct Involving Weapons 2           |
|                                     | Misconduct Involving Weapons 3           |
|                                     | Misconduct Involving Weapons 4           |
|                                     | Misconduct Involving Weapons 5           |

Data Source: Alaska Department of Corrections, 2024 Offender Profile, page 45,  
<https://doc.alaska.gov/admin/docs/1CurrentProfile.pdf>