Alaska Criminal Justice Data Analysis Commission

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2026 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 in 2022 to collect and analyze available data pertaining to the functions, operations, and outcomes of Alaska's criminal justice system. The Commission reports annually to the Legislature and the Governor. This document is the Commission's fourth 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

This report provides important information regarding the functioning of the criminal justice system in Alaska. This information is presented in the chronological order that an incident would move through the criminal justice process, from the time a crime is reported to law enforcement, through prosecutorial screening, filing and processing in court, and finally to a case dismissal or a convicted person's release from state supervision.

The information presented here highlights data from 2025 and the first two quarters of 2026, and this information is compared to statistics from past years. Tables, figures, and graphs are provided for ease of understanding. The analysis includes a description of recidivism rates as defined by statute as well as descriptions of alternative measures of recidivism.

Other parts of this report include a brief discussion of crime prevention; a description of procedures and outcomes from cases in which individuals were evaluated for competency to stand trial, including information about civil commitment petitions filed for individuals found to be incompetent; information about their treatment programs and crime prevention activities; a discussion of victims' legal rights, perceptions and experiences; community updates regarding crisis intervention strategies; and an analysis of risk factors related to criminal activity.

Sources of Data

This report relies on data from a variety of sources which the Commission receives in different formats. 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, although data from other sources is used where needed. The report weaves together data from these various sources to create a comprehensive picture of how the criminal justice system responds to reports of crime in Alaska.

Highlights of the Commission's Findings

This report contains findings about rates of reported crime, arrests, case filing and disposition, case processing time, sentencing, incarceration, reentry, and recidivism. Highlights of these findings are discussed below.

Reported Crime Rates: Alaska's rates of violent crime (homicide, rape, robbery, and aggravated assault) are consistently among the highest in the nation. In 2025, the rate of violent crime reported to Alaska law enforcement was the highest in the country (729 per 100,000 people in Alaska compared to an average of 328 per 100,000 people nationwide). The rates of reported violent crime in Alaska have remained relatively constant in recent years, while the rates in the United States as a whole have generally decreased [p. 17].

On the other hand, recent rates of reported property crime in Alaska (burglary, larceny theft, motor vehicle theft, and arson) have been closer to national rates, and property crime rates have dropped in both Alaska and the United States as a whole — although Alaska's rate was 7th in the nation in 2025 (1,917 per 100,000 in Alaska compared to 1,535 per 100,000 nationally). More property crimes were reported in Alaska than violent crimes.

Arrest Rates: Statewide, the number of arrests and citations increased slightly between 2024 and 2025 (from 20,844 to 21,080), but overall, for the seven years from 2019 and 2025, arrests decreased by 32% [Table 1, p. 20].

Bookings: When a person is arrested, a law enforcement officer takes the person to a police station or a correctional facility for booking. Since the end of the pandemic, bookings have remained relatively steady year to year. There was a drop in bookings at the end of 2025, but the first two quarters of 2026 indicate an increase [p. 25].

Pretrial and Unsentenced Prison Population: Beginning during the pandemic and continuing through the end of 2023, the number of pretrial individuals (those not yet convicted of a crime) and unsentenced individuals housed in Alaska's correctional facilities exceeded the number of sentenced individuals. But starting in 2024, the situation reversed, with the number of sentenced individuals exceeding the number of pretrial and unsentenced individuals [Figure 16, p. 36].

Release before Case Resolution: The Commission's study of judges' pretrial release decisions indicated that approximately 70% of defendants were released from custody at some point before their case was resolved. This does not include defendants who were issued a summons and never arrested. Of the defendants who were released before their case was resolved, approximately 31% were released on their own recognizance, and nearly another 13% were released pursuant to the Alaska Court System's misdemeanor bail schedule. Approximately 69% of defendants were ordered to post a money bond of some type. Approximately one third of defendants (32%) were released to the supervision of the Department of Corrections' Pretrial Enforcement Division (PED) [p. 47].

Criminal Court Cases Filed: Criminal case filings increased slightly in 2025 compared to 2024 (a 5% increase). Although small, this increase reversed a trend that began during 2019 and 2020. From 2019 to 2024, total case filings decreased by 38%, the number of felony case filings decreased by 20%, and the number of misdemeanor filings decreased by 43% [p. 38].

Court Dispositions: The total number of cases disposed of in 2025 decreased compared to 2024 (19,750 compared to 22,353 – a decrease of 11%). The number of cases disposed of in 2025 was considerably lower than the number disposed of in 2019 (19,750 compared to 26,703 — a drop of 26%) [p. 63].

Cases can be disposed of in one of three ways: a conviction, an acquittal, or a dismissal. the number of dismissals in 2025 decreased slightly (45% of total case dispositions) from 2024 (47% of total case dispositions). Convictions in 2025 rose slightly (54% of total case dispositions) compared to 2024 (52% of total case dispositions) [p. 63].

Before the pandemic, fewer than 40% of criminal cases ended in dismissals. For example, in 2019 only 37% of cases ended in dismissal. After the pandemic and through 2024, the percentage of cases ending in dismissal was consistently above 40%, with a corresponding drop in the percentage of cases ending in convictions. Very few cases end in acquittals at trial.

Cases Ending with Reduced Charges: Between 2017 and 2025, among criminal cases that resulted in at least one conviction, the conviction was for a lesser offense in 16% of the cases [p. 69].

Time to Disposition: The mean and median times to disposition of criminal cases increased for both felonies and misdemeanors between 2017 and 2021. Starting in 2023, however, times to disposition have been decreasing, and this trend continued in 2025 [Table 12, p. 77]. This improvement in case processing since 2023 may be a result of fewer cases being filed, combined with system-wide efforts to identify the oldest pending cases and eliminate unnecessary case delay. But despite this recent progress, current times to disposition remain longer than in 2019 and years prior.

Sentencing: Convicted individuals can be sentenced to probation only, or to time in prison (often with a period of probation following), along with fines and restitution. Between 2019 and 2025, the mean length of active sentences of imprisonment increased for both felonies and misdemeanors [Figures 35, 36, and 37, pp. 89 to 91].

Recidivism: This report contains data concerning the rate of recidivism within three years of release from prison between 2015 and 2023 (the most recent year for which the three-year period can be calculated). The lowest recidivism rate was 52% and the highest recidivism rate was 60%. Beginning in 2019, the three-year follow-up period overlapped with the pandemic-era restrictions, thus potentially affecting the rate at which people committed new crimes. The data shows a slight decline in recidivism as measured by the statutory definition over the period [p. 111].

Special Projects

In addition to compiling and analyzing the data required by statute, the Commission started or completed several special projects during 2026.

Sex Offenses Report: The Commission updated the 2019 Sex Offenses Report published by the Alaska Commission on Criminal Justice. This update added data through 2023 (and beyond when data was available). The purpose of updating the earlier report was to provide a baseline for future research to assess the effects of laws passed after 2023. The major findings of this analysis include a continuing high rate of sexual offenses in Alaska compared to the rest of the United States. A majority (54%) of all sexual offense victims were minors: in total, 19% of the victims were under the age of 11, 35% were 11 to 17 years old, and 45% were 18 years or older. Nearly half (47.6%) of the victims of felony sex offenses reported to the Department of Public Safety were Alaska Native or American Indian. Finally, the victim knew the suspect in the great majority of sexual offense incidents: the victim was a family member of the suspect in 36% of reports, and the victim knew the suspect but was not related to the suspect in 57% of the reports. The victim was a stranger to the suspect in only 7% of reports.

Agency Staffing: The Commission began reviewing the level of staffing at criminal justice agencies and the relationship of these levels of staffing to the time it takes to resolve criminal cases. Four of the major criminal justice agencies have provided the Commission with information about their staffing levels for the years from 2020 to 2025.

Probation and Parole Study (ongoing): This study reviews data about probation and parole, including legislative changes to the probation and parole statutes since 2015.

1. Introduction

1.1 About the Commission

The Alaska Legislature created the Alaska Criminal Justice Data Analysis Commission in 2022 to collect and analyze data pertaining to the functions, operations, and outcomes of Alaska's criminal justice system. The Commission develops an annual research agenda and priorities based on art. I, secs. 7, 12, and 24 of the Constitution of the State of Alaska, and the issues of most pressing concern to the criminal justice system. It reports annually on November 1 to the legislature and the governor. This document is the Commission's fourth annual report.

Membership & Staffing. The Commission's sixteen members are designated as specified in AS 44.19.642(a). They include the Commissioners of the Departments of Corrections, Health, and Public Safety (or their designees), the Public Defender, the Deputy Attorney General for the Department of Law responsible for criminal cases, three judges (retired or active), two peace officers (one urban, one rural), one representative from the Alaska Native community and one from a victims' organization, the chief executive officer of the Alaska Mental Health Trust Authority (or their designee), two legislators (non-voting positions), and a person jointly designated by the Public Defender Agency and Department of Law who has been convicted of a felony and unconditionally discharged.

Another provision of the statute directs the Alaska Judicial Council to provide staff and administrative support to the Commission.

Duties. The Commission conducts data analysis and research to understand the functions, operations, and outcomes of the state criminal justice system, and to identify areas for improving the efficiencies and effectiveness of the criminal justice system.

To conduct this research, the Commission receives and analyzes data from the Alaska Department of Corrections, the Alaska Department of Public Safety, the Alaska Department of Law, the Alaska Court System,[1] the Council on Domestic

[1] AS 44.19.645(e)-(g).

Violence and Sexual Assault, and other sources. The Commission analyzes these and other data to understand how the criminal justice system works in Alaska, and to track outcomes, trends, efficiencies, and effectiveness as required by AS 44.19.645, including:

- **Risk factors** related to criminal activity.
- The needs and views of **victims**.
- **Crime** and **incarceration rates**, including the rate of violent crime and the abuse of controlled substances.
- The efficacy of **parole** and **probation** in ensuring public safety, achieving rehabilitation, and reducing recidivism.
- The means of promoting uniformity, proportionality, and accountability in **sentencing**; and alternatives to traditional forms of incarceration.
- The adequacy, availability, and effectiveness of **treatment** and **rehabilitation programs**; and descriptions of state-funded treatment programs designed to promote rehabilitation, such as substance use/misuse, mental health, and violence prevention programs.
- **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.

Description of proceedings for previous calendar year. During 2026, the Commission met six times. At these meetings and meetings held in 2025, the Commission developed its annual research agenda, reviewed information and data compiled by staff and by other researchers, refined analyses, oversaw the development of written reports, and took public comment. The Commission carried out special projects including a report about sex offenses, an exploration of staffing patterns at criminal justice agencies, compilation of data about pretrial release, and an analysis of continuances in criminal cases. The results of these activities and other analyses and research conducted during the preceding year were compiled into this report.[2]

Appendix A contains more information about the Commission.

[2] Annual reports from prior years are posted on the Alaska Judicial Council website at: https://www.ajc.state.ak.us/publications/index.html.

1.2 Overview of this Report

This report contains the Commission's analysis of data pertaining to the functioning of the criminal justice system during calendar year 2025 and the first two quarters of 2026. Tables, charts, and graphs are provided for ease of understanding. The report includes, when possible, data from previous years, comparisons to previous years, and cumulative information for historical context. Analyses provided in this and previous annual reports include a description of recidivism rates as defined by the Commission's statute, as well as descriptions of additional measures of recidivism.

This report begins with a short overview of the sources of criminal laws and procedure, a brief discussion of crime prevention, and basic description of each step in the criminal justice process in chronological order from the time that a crime is reported to a convicted person's dismissal or release from state supervision.[3] These sections are followed by a discussion of victims' legal rights, perceptions and experiences. 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.[4]

The remainder of the report contains data, analysis, and research relevant to understanding each step of the criminal justice system, presented chronologically beginning with the reporting of crimes, responses to reports of crime by law enforcement and prosecutors, the court process, outcomes of criminal cases and charges (convictions, dismissal, acquittals), sentencing, incarceration, and finally post-incarceration release to supervision on probation and parole. Most of these analyses rely on records provided to the Commission by the Alaska Court System, the Department of Corrections, the Department of Public Safety, and the Department of Law. Data from other sources are used where needed.

The appendices contain additional detailed information on a number of topics, including reports provided by the Department of Health, the Department of

[3] The report does not cover juvenile delinquency cases, since those are classified as civil matters.
[4] 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.

Corrections, and the Council on Domestic Violence and Sexual Assault of state-funded treatment programs designed to promote rehabilitation, a report from the Department of Law on data on felony sex offense referrals and prosecutions, community updates for Crisis Intervention activities, and an analysis of risk factors related to criminal activity among incarcerated individuals.

1.3 Data Sources, Methods, & Methodology

This report relies on data from a variety of sources which the Commission receives in different formats. Much of the information came from individual case records submitted by state agencies, including criminal case filing and disposition 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 criminal history repository (APSIN).[5] These data were provided by the agencies for analysis by Commission staff. Other information in this report was taken from reports published by or provided to the Commission by 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 Alaska Mental Health Trust Authority, the UAA Justice Center, the US Census, the Alaska Board of Parole, and others.

The report weaves 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 differs from other data sources, the differences are noted.

[5] AS 44.19.645(c) contains a detailed description of the case-level data required to be provided by DPS, DOC, and the Alaska Court System.

2. Crime Prevention

Although the criminal justice system is primarily structured to respond to criminal offenses after they occur, measures to prevent criminal behavior are 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.[6] Primary prevention programs commonly focus on addressing risk factors – such as substance (mis)use – or promoting protective factors – such as employment or job training. Research suggests that such programs can help reduce involvement with the justice system.

In Alaska, the Department of Health – Division of Behavioral Health (DBH) supports a number of primary prevention programs. Programs for youth often employ strategies to manage risk factors and strengthen protective factors. These include school-based social-emotional learning programs, statewide suicide prevention campaigns, and culturally centered initiatives that connect Alaskan youth to Alaska Native traditions, language, and community vitality. Programs such as Sources of Strength and Second Step are implemented in schools to build coping skills, encourage help-seeking behaviors, and strengthen social bonds. Additionally, 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) also 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, and programs to engage men and boys. Community-based domestic violence prevention programs and economic empowerment

[6] 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."

programs[7] have helped many adult women avoid becoming victims of domestic violence.[8]

Secondary crime prevention focuses on interventions for specific individuals or groups who are at higher risk of becoming involved in crimes. The Division of Behavioral Health supports secondary prevention efforts that intervene early when risk factors are present. Examples include the Alcohol and 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.

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 many therapeutic courts.

3. Sources of Criminal Justice Law

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

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[7] "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.
[8] *Id.*

Appendix C of this report contains more detailed information about criminal law and procedure, as does the Commission's 2024 Annual Report. A glossary of criminal justice terms is included at the end of this report.

4. Brief Description of the Criminal Justice Process

After a crime is reported to law enforcement, officers conduct an investigation 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, they can charge a person(s) for it. Law enforcement has the option to file a charging document with the court, to forward the case to the prosecutor's office for review and screening, or, depending on the circumstances, to arrest the person.

After a case is referred from law enforcement, the prosecutor reviews the case. Regardless of whether an arrest was made or whether law enforcement filed initial charges, it is the prosecutor who ultimately decides what criminal charge(s), if any, will be pursued. Only the executive branch of a government (as 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, specific responsibilities to victims of the crime are imposed on the government through the constitution and state laws.

If a person has been arrested, one of the first decisions is about releasing the person to the community to await resolution of their case. Arrestees charged with certain misdemeanors may be released without a court hearing, pursuant to the terms of a judicial administrative order called a *bail schedule*.[9] Arrestees not released pursuant to the bail schedule attend one or more hearings where the court decides the conditions under which the person will be released. Arrestees who are not released pursuant to the bail schedule and who cannot meet judicial conditions for release are held in correctional facilities managed by the Department of Corrections.

[9] The current statewide bail schedule is available at https://courts.alaska.gov/jord/docs/2023/statewide-misdo-bail-schedule.pdf.

Other types of court hearings include arraignment, bail hearings, scheduling hearings, evidentiary hearings, change of plea hearings, trial setting hearings, trials, and sentencing hearings. Felony cases may also include preindictment hearings, grand jury proceedings, or preliminary examination hearings before arraignment on the charges in superior court.

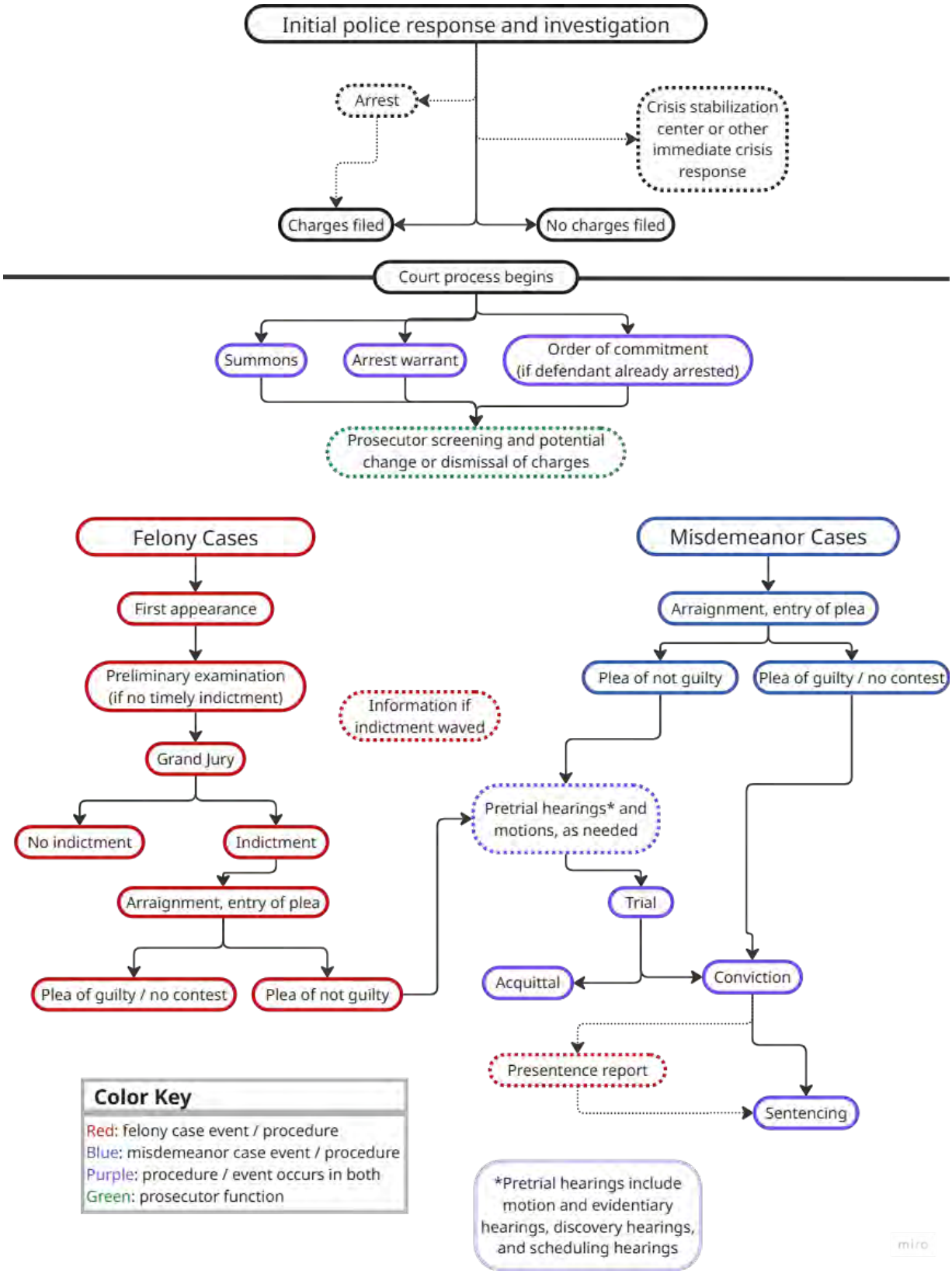
A court case can conclude with different outcomes, or *dispositions*. Dispositions include conviction, acquittal, and dismissal. Defendants are convicted if they admit to the charge(s), do not contest the charges, or if they are found guilty at trial. Case resolutions that do not result in a conviction include dismissal or acquittal. Dismissals occur when the prosecutor decides not to pursue the charge(s) or the case. Acquittal occurs when the factfinder (judge or jury) determines that the prosecution has not established the defendant's guilt beyond a reasonable doubt. Most cases conclude without a trial.

If the defendant is convicted, a sentence is imposed by the judge. Criminal sentences may include probation and/or a term of incarceration, restitution, fines, surcharges, and occasionally restorative justice actions. 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 the sentencing or change of plea 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 1 is a flowchart showing the stages of a typical criminal case in Alaska. Although most cases move through the criminal justice system in the predictable manner illustrated by Figure 1, the processing of each case can be unique depending on many factors.

Figure 1: Flowchart of the criminal justice process.



5. Victims of Crime

A *victim* is "a person against whom an offense has been perpetrated."[10] Such a person is considered a victim from the outset of the police investigation and throughout a criminal case, even though the defendant has not been convicted and is presumed innocent until the case is resolved. Although victims have legal rights established by the Alaska Constitution, a victim is not a party to the criminal case. Victims do not file criminal charge(s) against the defendant, nor do they determine the disposition of a case.[11]

5.1 Victims' Legal Rights

Victims' rights are set out in the Alaska Constitution and in various statutes and court rules. Appendix B contains a more comprehensive explanation of victims' rights and experiences.

5.2 Victims' Perceptions and Experiences

Information about victims' experiences and perspectives is not routinely collected by criminal justice agencies in Alaska. The main source of information about Alaska crime victims' experiences is victim surveys. Victim surveys are expensive and are not performed every year in Alaska.

The most recent Alaska Victimization Survey (AVS) was conducted in 2026 and was not published in time for this report. The AVS survey was conducted by researchers at the University of Alaska – Anchorage Justice Center and the Alaska Justice Information Center with funding by the Council on Domestic Violence and Sexual Assault.

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[10] AS 12.55.185(19)(A). 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." AS 12.55.185(19)(B).

[11] A victim may bring a separate civil action – a lawsuit for damages – against a criminal defendant. A victim of crime involving domestic violence may pursue a civil domestic violence protective order, and a victim of stalking or sexual assault may pursue a stalking or sexual assault protective order.

Since 2010, four AVS surveys have provided estimates that were calculated based on the number of women in Alaska who reported experiencing intimate partner violence, sexual violence, and stalking to the AVS. The AVS also compiled information about the surveyed women's perceptions and experiences as victims.[12] AVS surveys have consistently found significant rates of lifetime and past-year intimate partner violence and sexual violence. These also included threats of intimate partner violence. The surveys also asked about needed services and found that relatively few respondents reported needing services. However, the majority of those who did report needing it received assistance.

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.[13] 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 few than one third (29.4%) talked to police about their victimization experiences.[14]

5.3 Data About Victims

Historically, demographic information about victims has not been readily available in Alaska. Although law enforcement agencies and prosecutors collect certain information about victims, that information is not public. Police reports and prosecution files containing information about victims are not available to the Commission. One exception is information about victims of felony sexual offenses which is published annually by the Alaska Department of Public Safety.[15] DPS also

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

[13] 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.

[14] Ingrid Johnson, *Service Receipt among Alaskan Women Who Experienced Intimate Partner Violence, Sexual Assault, or Staking*, ALASKA JUSTICE INFORMATION CENTER (September 2024), https://scholarworks.alaska.edu/handle/11122/15292. The survey used data from the 2020 Alaska Victimization Survey.

[15] The Alaska Department of Public Safety's 2024 felony sex offense report is posted on its website: https://dps.alaska.gov/felony-level-sex-offense-report-2024/ .

publishes limited demographic information about murder victims in its *Crime in Alaska* reports.

Recently, most law enforcement agencies in Alaska transitioned to a new data reporting system (NIBRS, the National Incident-Based Reporting System) that includes more information about victims, including information about the relationship between a victim and an offender.[16] This transition is expected to result in more victim information becoming available in the future.

6. Reported Crime and Law Enforcement Responses

Crime reported to law enforcement is the starting point for data about the criminal justice system. Alaska law enforcement agencies include the Department of Public Safety, 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 Village Public Safety Operations. 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.

6.1 Understanding Rates of Reported Crime

State law requires law enforcement agencies to submit uniform crime data to DPS.[17] DPS collects these data through the Uniform Crime Reporting (UCR) program. The UCR program is a nationwide cooperative effort by law enforcement agencies to collect and report data on crimes reported in their jurisdiction. The UCR program is managed by the FBI, and data is reported in accordance with national guidelines and requirements.[18]

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[16] Effective January 1, 2021 the FBI began requiring agencies to report crime data using NIBRS. The NIBRS system is explained here: https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs.

[17] See AS 12.62.130.

[18] Alaska Department of Public Safety, *Crime in Alaska 2025* at 1 (August 2026), available at https://dps.alaska.gov/wp-content/uploads/2026/08/2025-Crime-in-Alaska.pdf .

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 (SRS and NIBRS) were collected until 2020. To ensure crime trend analysis could continue nationwide, the FBI developed a method to convert the more robust NIBRS format to the aggregate SRS format.

In 2021, the FBI UCR program phased out the SRS data collection methods. However, not all law enforcement agencies in Alaska have converted from SRS to NIBRS. Consequently, DPS continues to collect both NIBRS and SRS data from law enforcement agencies to ensure continuity in statewide crime trend analyses. DPS then follows the FBI methods to convert the NIBRS crime data to SRS format when compiling annual crime reports.[19]

About 32 state and local law enforcement agencies report their data to DPS each year. These data include reports from VPSOs but typically do not include reports from tribal or village police.[20]

According to DPS, the SRS format divides offenses into two groups: Part I and Part II crimes.[21] Part I offenses include murder, rape, robbery, aggravated assault, burglary, larceny theft, motor vehicle theft, and arson. Law enforcement agencies report all Part I offenses whether or not an arrest is made or the case is prosecuted. Offenses which do not fit into the Part I offense classification are considered Part II offenses.[22]

Part I crimes distinguish between violent crimes and property crimes. The Part I violent crimes are homicide, rape, robbery, and aggravated assault. Aggravated assault is defined as "an unlawful attack by one person upon another to inflict severe or aggravated bodily injury." The UCR Program further specifies aggravated assault is usually accompanied by the use of a weapon or by other means likely to

[19] *Id*.
[20] *Id.,* at 2.
[21] 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.
[22] *Id*. at 1.

produce death or great bodily harm. Attempted aggravated assault that involves the display of, or threat to use, a gun, knife, or other dangerous weapon is included in this crime category because serious personal injury could likely result if the assault were completed. Attempts to murder are also included in this offense category.[23] Note that some assaults defined as misdemeanor crimes in Alaska could fall within the FBI's definition of aggravated assault, depending on the circumstances, while some assaults defined as C felonies in Alaska could fall within the FBI's definition of simple assault. Reporting agencies examine and classify assaults according to the standard UCR definitions, regardless of whether they are termed misdemeanors or felonies by local definitions. Simple assaults are not included in the Part I violent crime trend analyses.[24] Part I property crimes are burglary, larceny theft, motor vehicle theft, and arson.

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

Another relevant aspect of the UCR data is that it reflects the number of crimes reported to a given law enforcement agency but not necessarily the location of those crimes. Although the location of the crime and the reporting agency generally align, very serious crimes in Alaska may be handled by the state or federal agency, rather than the local 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 I 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

[23] Alaska Department of Public Safety, *Crime in Alaska 2025*, supra note 18, at 24.
[24] Simple assaults are classified as Part II UCR offenses and are defined as "assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim. Stalking, intimidation, coercion, and hazing are included." *Id.* at p 401.

penalties than property crimes. Additionally, property crimes and violent crimes tend to have different impacts on victims.

The analysis below includes only Part I crimes reported to law enforcement. In many of the figures below, reported crimes are expressed in terms of a *crime rate*. The crime rate is the number of Part I 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. 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.[25]

Comparing historical rates of reported crime in Alaska to other jurisdictions and to national trends shows that Alaska's rates of reported violent crime have been among the highest in the country for many years. Alaska's relatively high rates of violent crime are driven primarily by aggravated assaults.[26] Property crime rates in Alaska have more closely mirrored national rates.

The most recent Part I data, published in 2026,[27] shows a 7.2% increase in the total number of offenses reported in 2025 compared to 2024. All Part I crimes increased, with the exception of murder and rape offenses. The total number of violent crimes also increased by about 0.5% between 2024 and 2025. Part I violent and property crime rates in Alaska and nationwide are explained in more detail below.

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[25] *UCR Crime Reporting Statistics: Their Proper Use*, at p. 1, available at https://ucr.fbi.gov/ucr-statistics-their-proper-use.

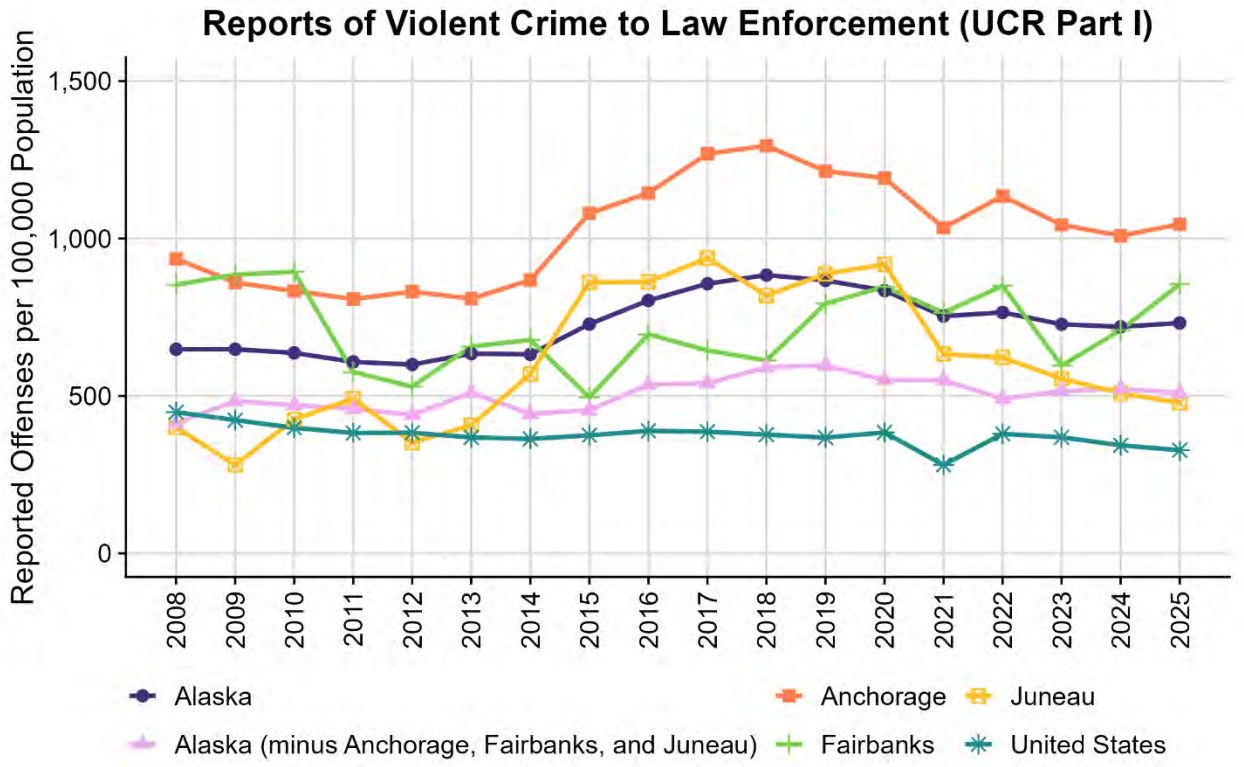
[26] Over the past five years, rates of aggravated assault in Alaska have ranged from a low of 512 per 100,000 in 2024 to a high of 543 per 100,000 in 2022. *Crime in Alaska 2025*, supra note 18, at 8. The Alaska rates are significantly higher than the national rates over those years, which ranged from a low of 237 per 100,000 in 2025 to a high of 272 per 100,000 in 2021. *Id*. at 24.

[27] C*rime in Alaska 2025*, supra note 18, at 9.

6.2 Rates of Reported Violent Crime

Figure 2 shows the rate of reported UCR Part I violent crime in Alaska (homicide, rape, robbery, aggravated assault). The figure shows the national rate, the rate for Alaska overall, individual rates for the law enforcement agencies in Anchorage, Fairbanks, and Juneau, as well as the rate for Alaska without Anchorage, Fairbanks, and Juneau.

Figure 2: Reports of Part I Violent Crime to law enforcement per 100,000 people. Data is presented by calendar year for the United States, Alaska, and regions within Alaska.



Data from Alaska DPS UCR Annual Report, FBI UCR 2025 Summary, and United States Census Bureau for population statistics
Analysis conducted by ACJDAC

The rate of reported UCR Part I violent crime in Alaska is consistently higher than the national rate. For example, in 2025, Alaska's violent crime rate was 729 per 100,000 people, compared to 328 per 100,000 nationwide. In 2025, Alaska had the highest rate of violent crime in the country.[28] Though the 2025 rate (729 per 100,000) is similar to the 2023 rate (732 per 100,000),[29] Alaska had the sixth highest rate in the country in 2023. This suggests that the rate of reported violent crime in the United States has decreased but the rate in Alaska has remained relatively constant.

It should be noted that many factors can affect whether a crime occurs and whether it is reported to law enforcement. The statistics cited above reflect reports that were made to law enforcement, not necessarily the frequency with which crimes occurred.

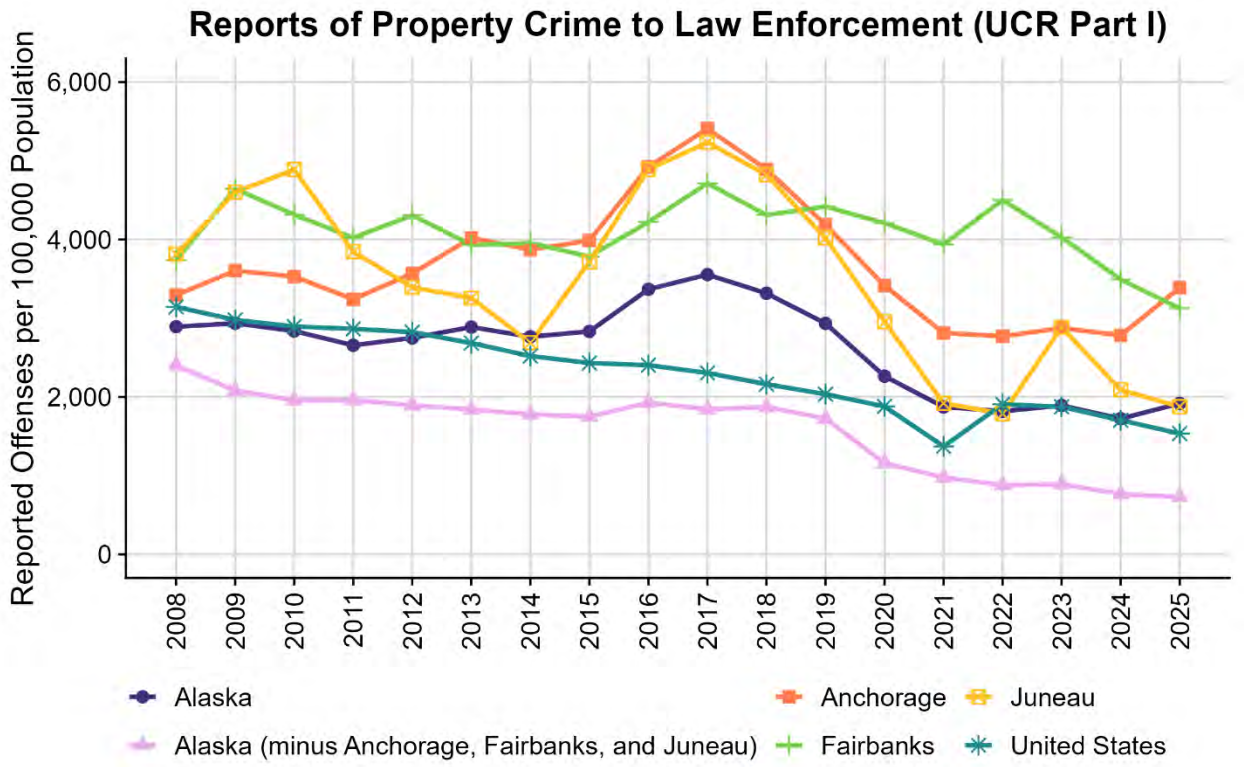
6.3 Rates of Reported Property Crime

UCR Part I property crimes include burglary, larceny theft, motor vehicle theft, and arson. Figure 3 shows the rates of property crime reported to law enforcement for the nation, for Alaska overall, for law enforcement agencies in Anchorage, Fairbanks, and Juneau, and for Alaska without Anchorage, Fairbanks, and Juneau. Figure 3 shows that more property crimes were reported than violent crimes (compare to Figure 2) but the rate between Alaska and the United States has been similar in recent years. For example, in 2023, the rate of property crime in Alaska was 1,871 per 100,000 people compared to 1,917 per 100,000 people in the United States. In 2025, Alaska was 7th in the nation with 1,917 per 100,000 people while the United States overall is 1,535 per 100,000 people.

[28] Data used to calculate rates available at https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/downloads

[29] Alaska Department of Public Safety, *Crime in Alaska 2023*, p. 10 (2024), available at https://dps.alaska.gov/wp-content/uploads/2026/04/Crime-in-Alaska-2023.pdf.

Figure 3: Reports of Part I Property Crime to law enforcement per 100,000 people. Data is presented by calendar year for the United States, Alaska, and regions within Alaska.



Data from Alaska DPS UCR Annual Report, FBI UCR 2025 Summary, and United States Census Bureau for population statistics
Analysis conducted by ACJDAC

As mentioned in the previous section, the number of crimes reported to police is not necessarily a reflection of the number of crimes that occurred. For example, national victim surveys have found that approximately 60% of people who are victims of property crime do not make a report to the police. Conversely, reported property crime may increase when more victims decide to make a report. For example, in 2026 the Anchorage Police Department's Retail Crime Unit used technology to streamline reporting and evidence sharing in incidents of retail theft. Because the initiative makes it easier for retailers to report theft incidents, these changes may result in an increase in reported larceny theft in Anchorage, even if the underlying incidence of theft remains unchanged.

7. 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.

If the investigating officer has probable cause to believe a person has committed a crime, the officer's options for charging the person depend on the circumstances. The officer may arrest the person without a warrant, [30] issue a citation, file charges and request the court issue a summons, or file the case and seek an arrest warrant. The officer also may refer the case to the prosecutor for review without taking any of those steps.

Table 1 shows the number of arrests and citations by court location and year. For the past four years (2022-2025), the total number of arrests has remained relatively constant; however, the total number of arrests has decreased by 32% since 2019. Court locations in Table 1 refer to the presumptive superior court trial site. A criminal case is assigned to a presumptive trial location based on where the crime is alleged to have occurred. [31]For example, an offense alleged to have occurred in Soldotna is assigned to Kenai.

[30] Arrest is defined by AS 12.25.160 as the taking of a person into custody in order that the person may be held to answer for the commission of a crime. The grounds for arrest without a warrant are enumerated in AS 12.25.030.

[31] See Alaska Court System, *Alaska Rules of Court: Rules of Criminal Procedure, Criminal Rule 18*, https://courts.alaska.gov/rules/docs/crpro.pdf.

Table 1: Number of arrests and citations by court location per calendar year.

Judicial District	Court Location	Calendar Year								
		2017	2018	2019	2020	2021	2022	2023	2024	2025
First	Juneau	1,461	1,540	1,527	1,475	1,278	1,151	1,247	1,015	952
	Ketchikan	554	738	1,022	860	748	674	716	555	437
	Petersburg	68	97	129	134	95	49	49	41	57
	Prince of Wales	190	293	276	236	240	202	176	124	115
	Sitka	320	529	336	303	178	169	154	141	106
	Wrangell	71	87	84	55	38	34	41	39	41
Second	Kotzebue	868	812	536	439	383	299	376	336	359
	Nome	961	1,020	832	1,034	631	588	562	609	560
	Utqiagvik	388	566	500	360	352	304	249	236	293
Third	Anchorage	11,351	12,584	12,399	9,815	9,290	9,211	9,242	8,786	9,442
	Cordova	30	66	62	42	41	35	54	41	49
	Dillingham	300	352	452	397	229	139	129	158	188
	Glennallen	99	96	107	95	84	75	64	46	63
	Homer	436	395	439	443	489	522	458	395	401
	Kenai	1,608	1,631	2,029	1,656	1,630	1,334	1,257	1,128	1,136
	Kodiak	428	392	539	371	266	309	336	345	309
	Naknek	144	209	182	143	166	112	142	88	67
	Palmer	2,078	2,287	2,878	2,582	2,533	2,181	2,345	2,250	2,133
	Seward	248	247	199	258	265	262	256	257	253
	Unalaska	160	137	152	58	83	46	59	67	60
	Valdez	95	166	136	119	91	63	112	114	123
Fourth	Bethel	1,491	1,950	2,206	1,840	1,509	1,117	1,184	1,555	1,346
	Delta Junction	43	37	30	42	35	14	36	28	45
	Fairbanks	2,844	3,367	3,590	3,599	2,788	2,286	2,258	2,288	2,359
	Nenana	161	145	201	148	112	96	72	123	114
	Tok	111	118	73	124	107	63	72	79	72
	All	26,508	29,861	30,916	26,628	23,661	21,335	21,646	20,844	21,080

Data provided by Alaska Department of Public Safety
Analysis conducted by ACJDAC

Note that arrest data collected by the Department of Public Safety does not distinguish between arrests and citations. Thus, *arrest* in this and other tables refers both to arrests (a police officer taking a person into custody on suspicion of a crime) and citations.

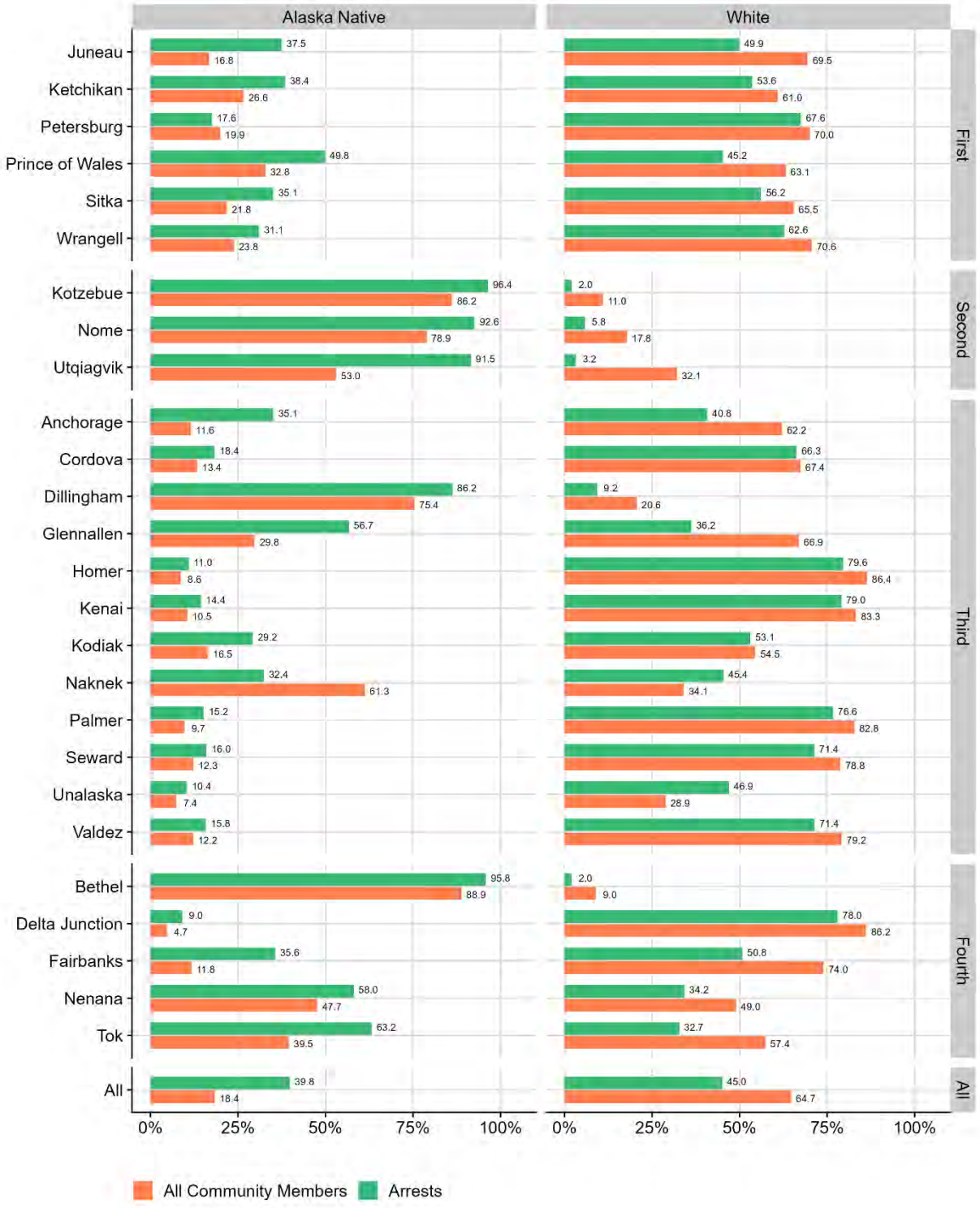
Races of arrestees varied by court location, generally mirroring the races of the underlying community.[32] In some communities, most of the residents are Alaska Native, while in others most of the residents are White. While there is a relationship

[32] In this analysis, *race* refers 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.

between the races of arrestees and the races of members of the community in which they were arrested, Alaska Native individuals are nevertheless overrepresented.

Figure 4 shows that, between 2015 and 2025, 39.8% of all arrests involved an Alaska Native arrestee, while Alaska Natives were 18.4% of the overall population. 45.0% of all arrests involved a White arrestee, while Whites were 64.7% of the overall population.

Figure 4: Race of arrestees and underlying community of the judicial district in which the arrest took place, averaged across 2015-2025.



Data provided by Alaska Department of Public Safety
Analysis conducted by ACJDAC

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 under- represented 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.

7.1 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 the lack of availability of appropriate behavioral health services, law enforcement response often results in placing individuals who are in crisis into suboptimal 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 may also 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 beyond 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.

Legislation passed in 2020 and 2022 clarified and expanded options for responding to a person experiencing a behavioral health crisis. Now, if a responding officer believes a person 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, they have alternatives to arrest. These include delivering the person to a for sub-acute mental health facility such as a crisis stabilization center, crisis residential center, or an evaluation facility.[33] Licensing regulations issued by the

[33] AS 12.25.031; s*ee* also AS 47.30.705.

Department of Health for sub-acute mental health facilities were issued and went into effect in January of 2026.[34] Two new crisis stabilization centers are set to open in Anchorage in late 2026 and early 2027.[35]

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). These also helped to expand services such as crisis stabilization centers, crisis residential centers, and psychiatric emergency services. In 2024, DBH advanced this work by engaging Milliman, a consulting firm, to provide actionable recommendations to broaden crisis response availability and effectiveness. This included solutions tailored to Alaska's unique communities and service needs.[36]

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 launch and continued support of crisis residential centers, and mobile crisis response teams.

Details about these and other crisis-related programs can be found in Appendix E.

8. Booking and Incarceration After Arrest

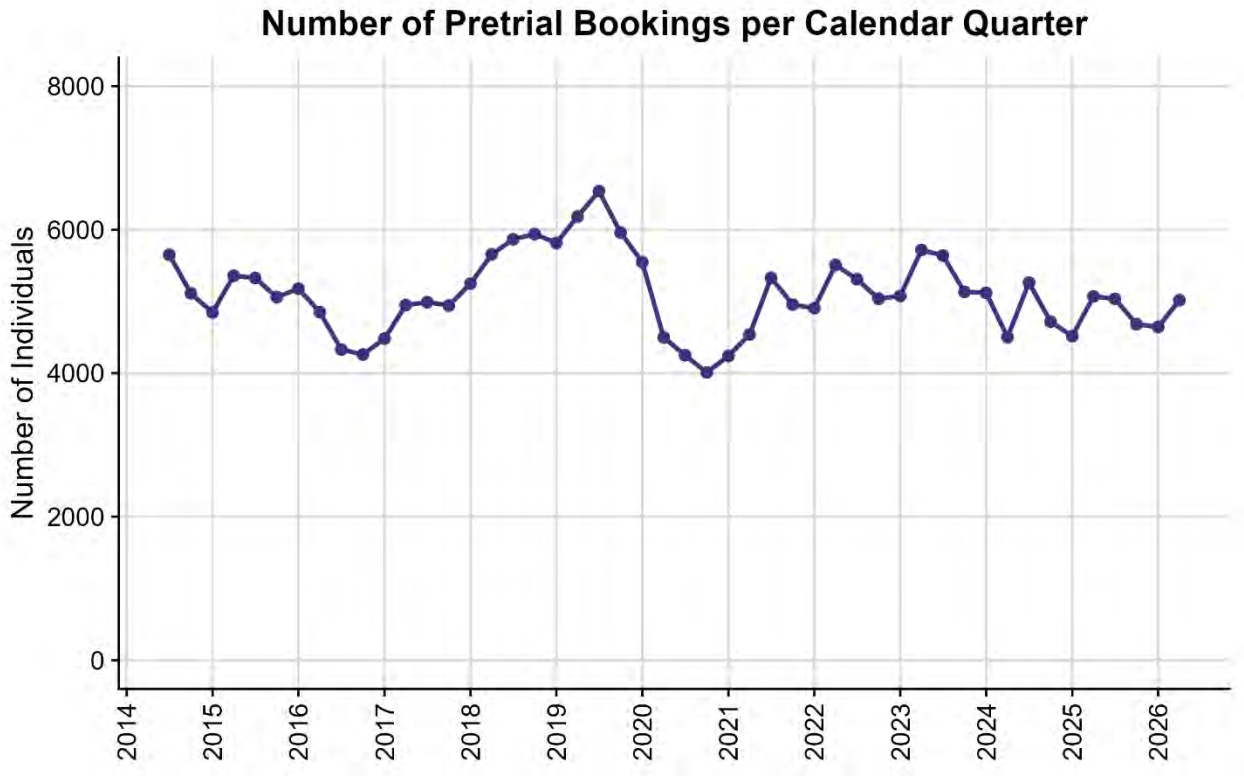
When a person is arrested, the law enforcement officer takes the person to a police station or a correctional facility for booking. Law enforcement officers' decisions to

[34] See 7 AAC 12: Subacute Mental Health Facility Licensing
[35] Anchorage Daily News, *Much-needed mental health resources to open soon in Anchorage* (Sept. 8, 2026).
[36] 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.

arrest and book a person affect the number of individuals housed in Alaska's correctional facilities.

Figure 5 shows the number of individuals who were booked into correctional facilities while awaiting disposition of their cases.

Figure 5: Number of bookings into DOC facilities of pretrial/unsentenced individuals per calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

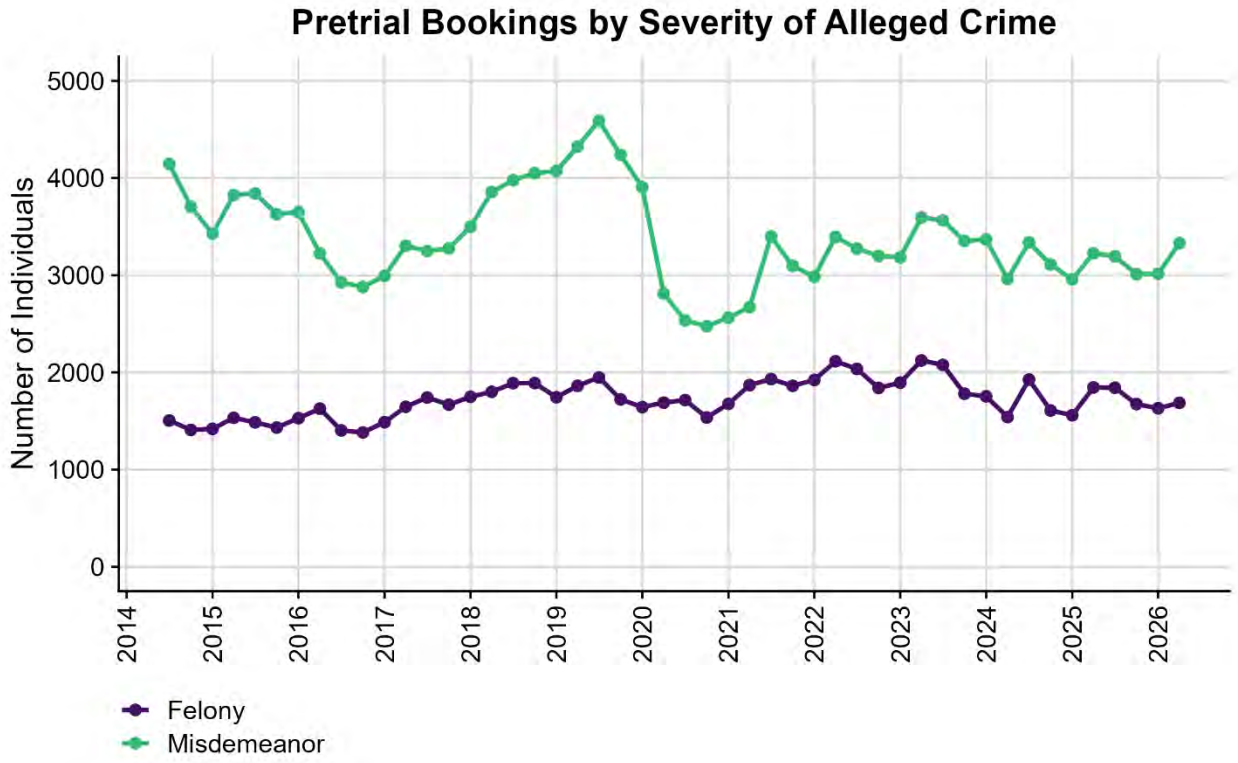
Note that the individuals in Figure 5 are categorized as *unsentenced* in the DOC data. *Unsentenced* individuals include a small number of people who have been convicted but are awaiting sentencing.

The number of people booked each quarter is greater than the number of people who are serving sentences in correctional facilities. Some individuals who are booked for misdemeanor crimes are able to obtain release right away pursuant to the Alaska Court System's bail schedule. 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. People awaiting resolution of their case in the community may return to incarceration because of a bail violation.

Figure 6 shows the number of pretrial 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.

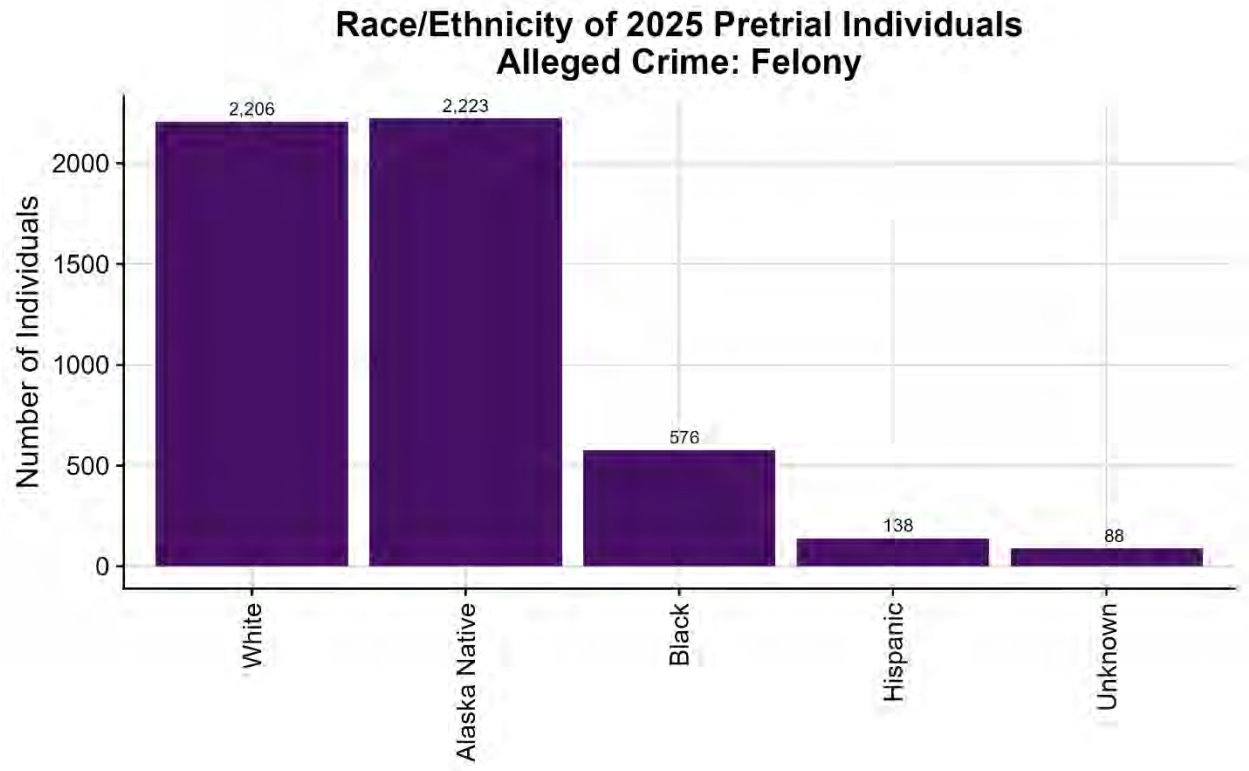
Figure 6: Number of bookings into DOC facilities of pretrial/unsentenced individuals per calendar quarter by severity of alleged crime.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Figures 7 and 8 show the number of people booked into correctional facilities in 2025 by race/ethnicity.[37] [38] Figure 7 shows the felony bookings and Figure 8 shows the misdemeanor bookings. The figures again illustrate that more people were booked into correctional facilities for misdemeanor offenses (9,253) than felony offenses (5,231) in 2025.

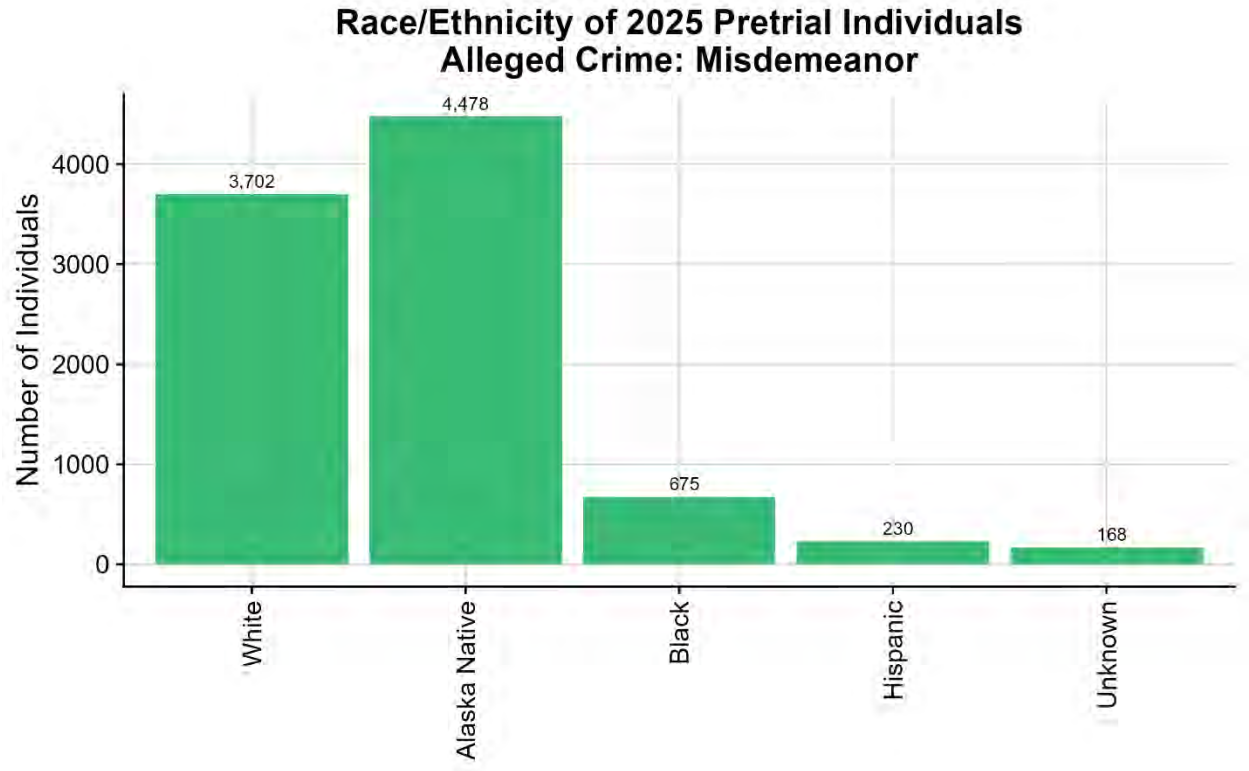
Figure 7: Number of bookings into DOC facilities of pretrial/unsentenced individuals by race/ethnicity whose alleged crime was a felony for calendar year 2025.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

[37] In this analysis, *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.
[38] 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 from the Department of Corrections, which obtains the information from individuals when they are booked into a correctional facility.

Figure 8: Number of bookings into DOC facilities of pretrial/unsentenced individuals by race/ethnicity whose alleged crime was a misdemeanor for calendar year 2025.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

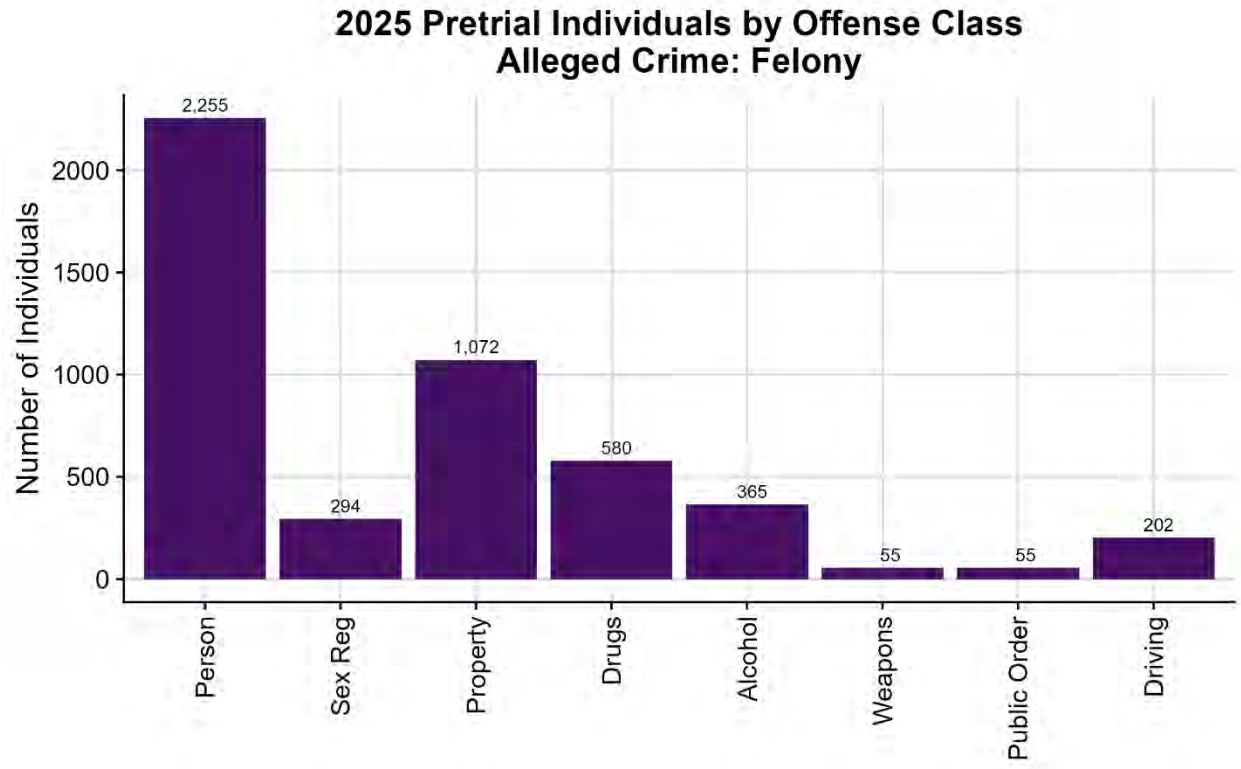
Figures 9 and10 show the number of pretrial people booked into correctional facilities in 2025 by offense type (property, drug, etc.). These figures use the Department of Corrections' definitions of offense types:

- *Person* offenses include many – but not all – crimes enumerated as AS 11.41 and may include crimes from other titles and chapters;
- *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 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.

Appendix G lists the specific crimes that fall into each of these categories.

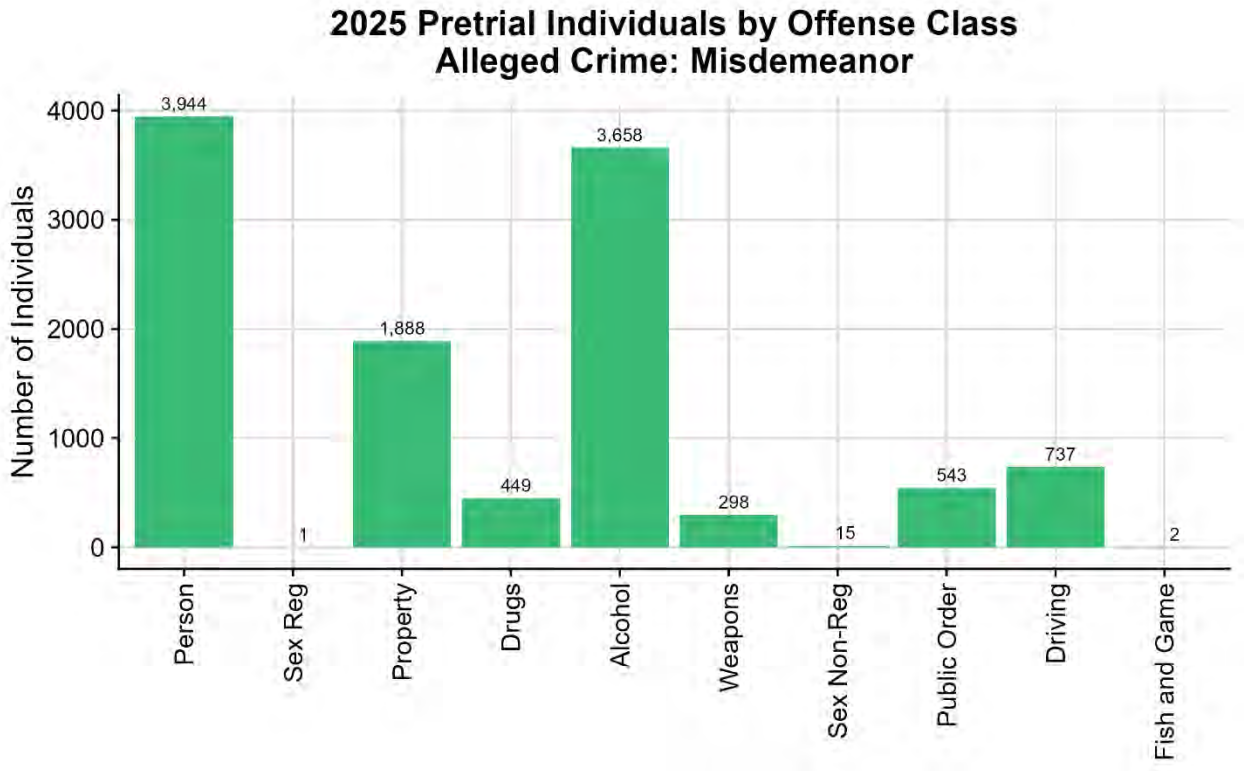
Figure 9 shows felony offenses and Figure 10 shows misdemeanor offenses. A majority of admissions for felony and misdemeanor crimes were crimes against a person.

Figure 9: Number of bookings into DOC facilities of pretrial/unsentenced individuals by felony offense type for calendar year 2025.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Figure 10: Number of bookings into DOC facilities of pretrial/unsentenced individuals by misdemeanor offense type for calendar year 2025.



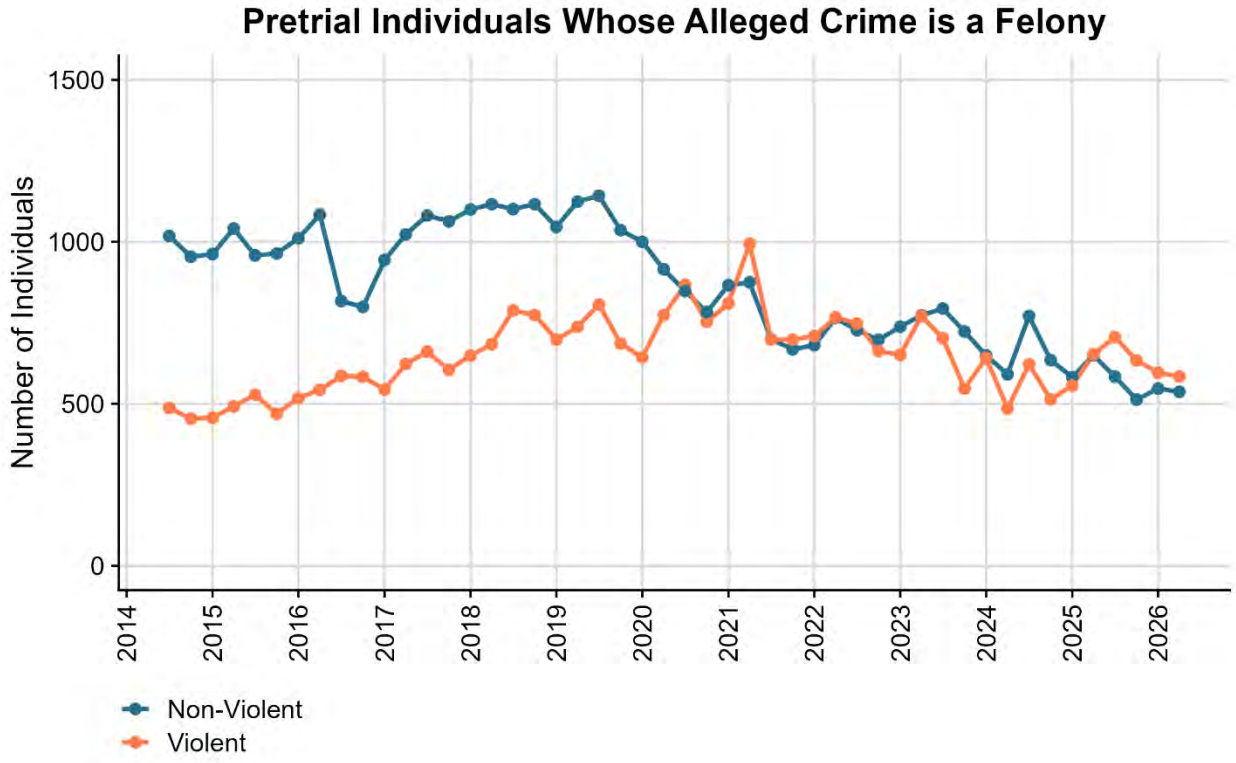
Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Figures 9 and 10 illustrate that alcohol offenses give rise to a large percentage of misdemeanor bookings, but a much smaller percentage of felony bookings. Drug offenses make up a small percentage of all bookings. Crimes against the person are a relatively large percentage of felony and misdemeanor bookings.

Figures 11 and 12 show the number of pretrial people booked into correctional facilities per calendar quarter by whether the alleged crime was *violent*. In these figures, person and registerable sex offenses are violent, and all other offenses are non-violent.

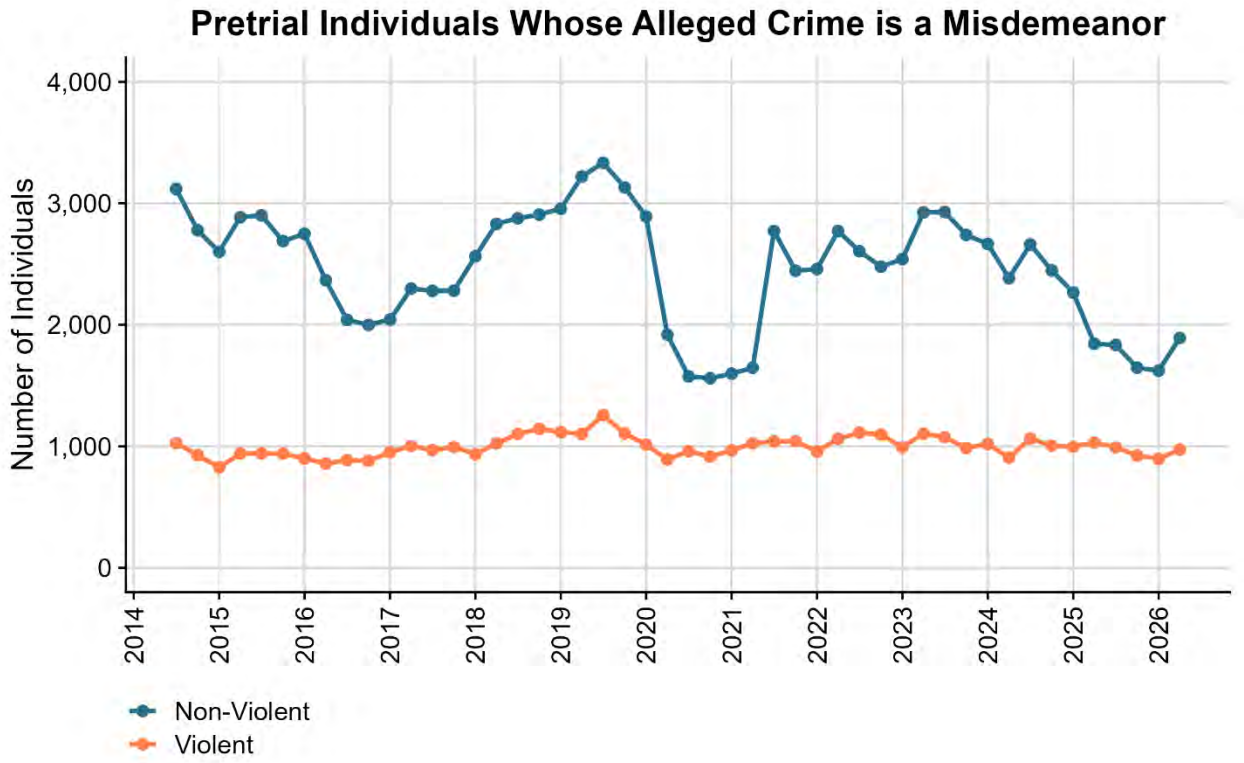
Figure 11 shows felony bookings and Figure 12 shows misdemeanor bookings. These figures illustrate that individuals charged with non-violent misdemeanors are more frequently booked into pretrial incarceration than people charged with any kind of felony. However, people charged with non-violent misdemeanors 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 14).

Figure 11: Number of bookings into DOC facilities of pretrial/unsentenced individuals by felony violent/non-violent crime per calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Figure 12: Number of bookings into DOC facilities of pretrial/unsentenced individuals by misdemeanor violent/non-violent crime per calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

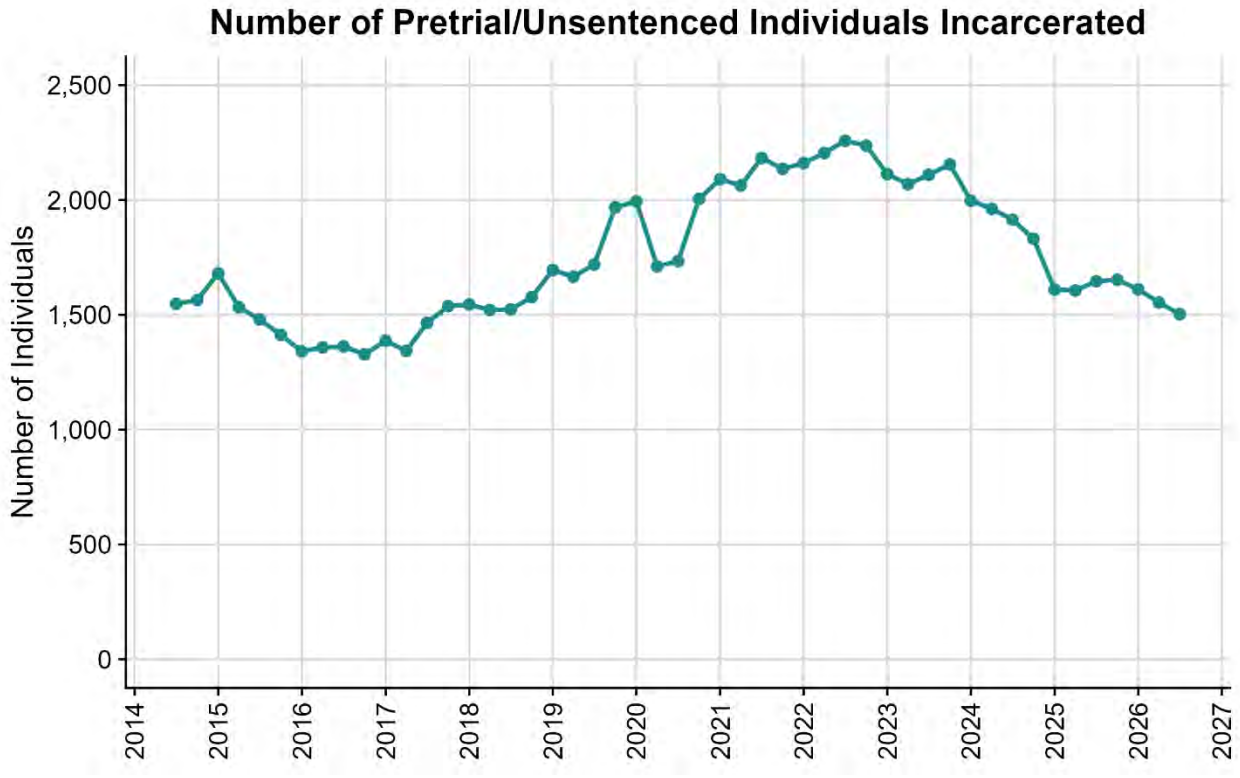
8.1 Incarceration After Arrest

After a person is booked, they have the right to have conditions of release set by a judge. If they can meet the conditions of release, they are released into the community while their case is processed. Housing substantial numbers of individuals while their cases are being processed creates stress on the system because it increases the total incarcerated population. In addition, individuals whose cases are not yet disposed consume more transportation resources (provided by DPS) than those who have been sentenced, because they must be taken to court hearings.

Starting during the pandemic, the number of unsentenced individuals in correctional facilities increased. The number of pretrial and unsentenced individuals exceeded the number of sentenced individuals from 2020 through approximately 2024.

The information displayed in Figure 13 represents the count on the first day of each quarter. This is sometimes referred to as a *moment in time* measure to represent the number of booked individuals over a period of time.[39] The Department of Corrections does not differentiate between defendants whose cases have not yet been resolved (pretrial) and people who have been convicted but are awaiting sentencing (unsentenced). Thus, the data in this figure and the discussion in this section combine the pretrial and unsentenced populations.

Figure 13: Number of individuals who are pretrial/unsentenced incarcerated in DOC facilities on the first day of the calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

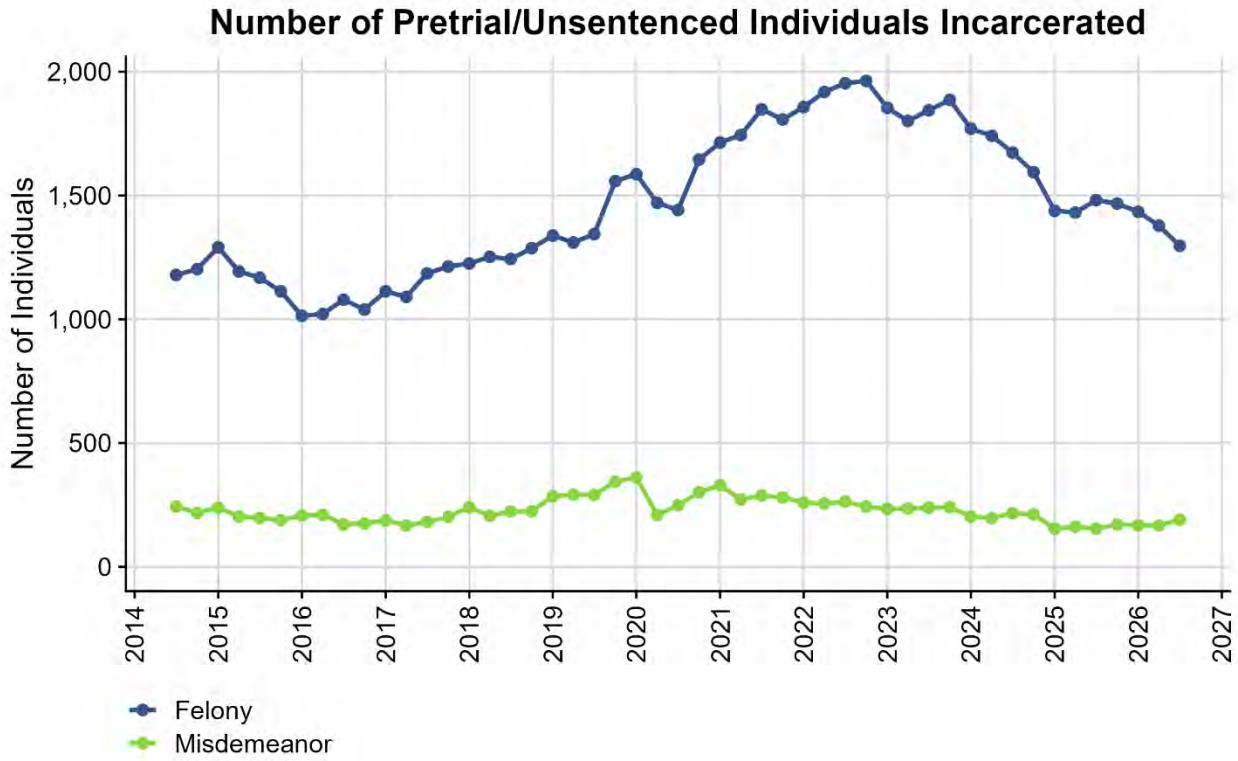
Figure 14 shows the number of pretrial and unsentenced people in correction facilities on a given day, grouped by the severity of the crime they were alleged to have committed. Those held in correctional facilities during their court case tend to be those accused of more serious crimes. While individuals who are charged with misdemeanors are admitted in higher numbers, the majority of incarcerated people awaiting trial on any given day are those charged with a felony. Excluded from Figure

[39] Individuals incarcerated as a result of a post-conviction supervision violation are not included.

14 are those individuals who were held as a result of a technical violation such as violating a condition of release.

The composition of correctional facility populations is affected by admissions and the speed at which cases are resolved. If cases are resolved slowly and individuals are incarcerated while awaiting case resolution, the unsentenced population may remain in correctional facilities longer.

Figure 14: Number of individuals who pretrial/unsentenced incarcerated in DOC facilities by severity of alleged crime on the first day of the calendar quarter.

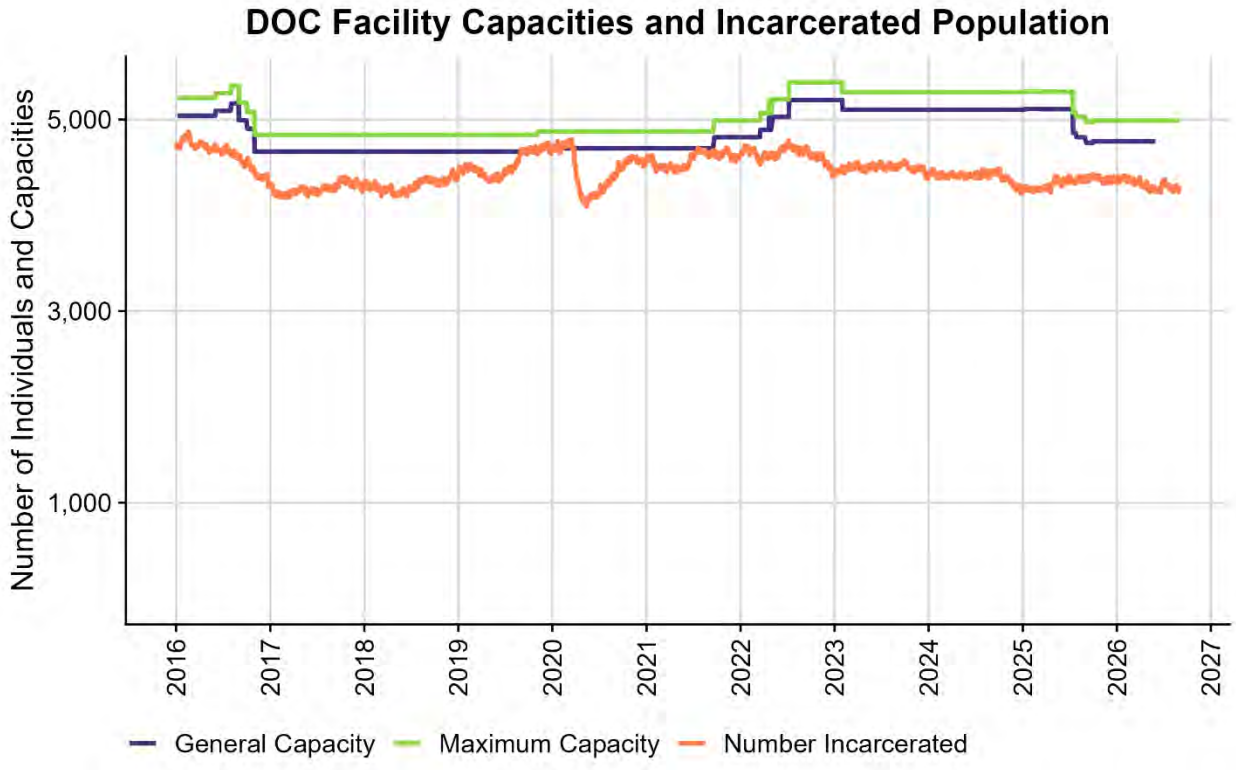


Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Figure 15 shows the total number of people housed in correctional facilities between 2016 and 2026 (orange line). During the period shown, the total number of people fluctuated. Figure 15 also shows two indicators of correctional facility capacity: general (purple line) and maximum (green line). The general capacity reflects the number of people who may be incarcerated in a traditional incarceration cell with a regular bed. General capacity figures are not available from June 1, 2026. 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.

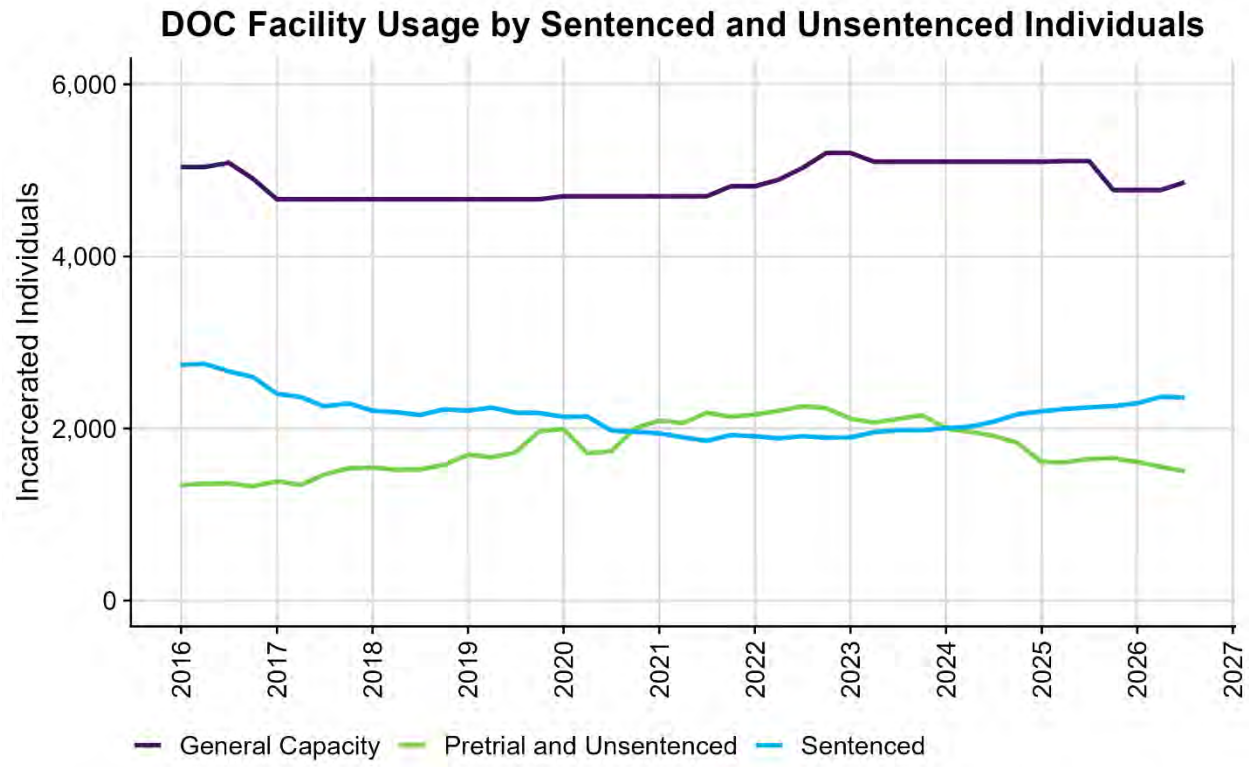
Figure 15: General and maximum DOC facility capacities and the number of incarcerated individuals between 2016 and September 2026.



Data provided by Alaska Department of Corrections
Data analysis conducted by DAC

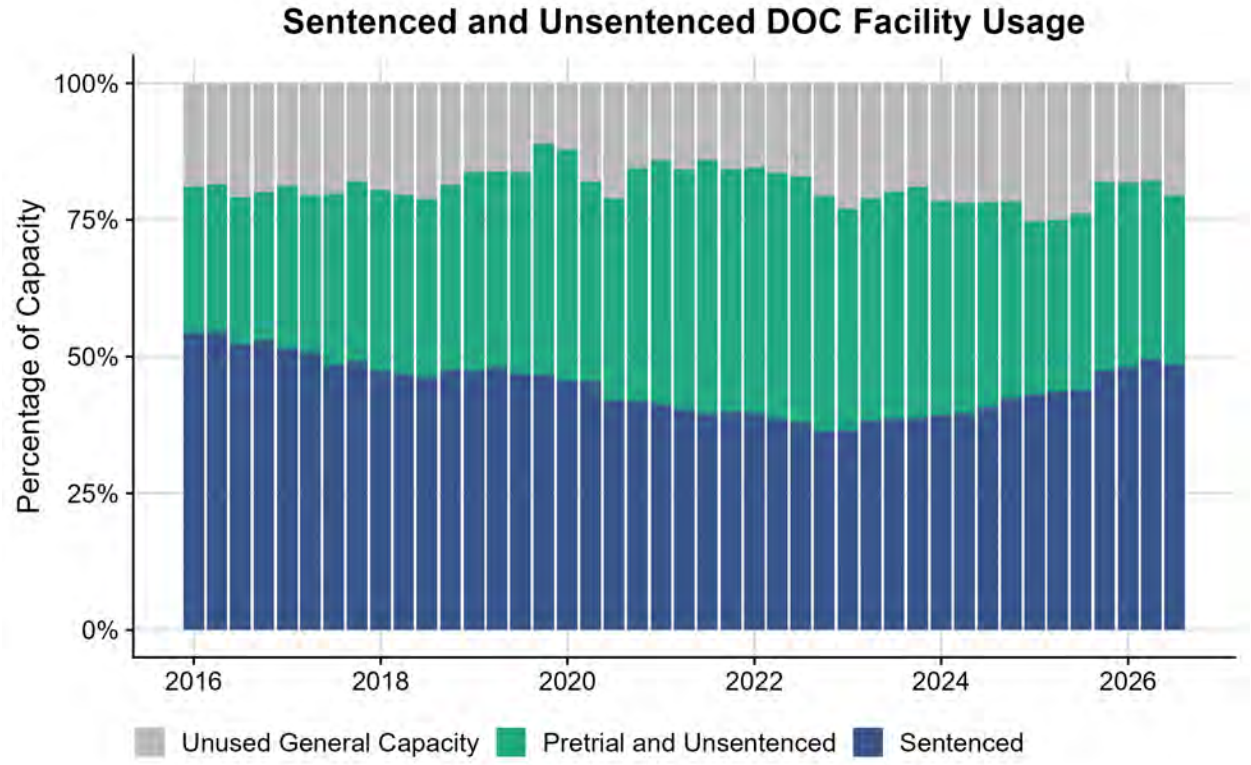
Figures 16 and 17 show the maximum capacity of DOC facilities in relation to the number of pretrial/unsentenced and sentenced individuals incarcerated.

Figure 16: the number of people incarcerated in DOC facilities by pretrial/unsentenced and sentenced individuals, compared with the general capacity of DOC facilities. Number of individuals is shown on the first day of the calendar quarter.



Data provided by Alaska Department of Corrections
Data analysis conducted by ACJDAC

Figure 17: The percentage of DOC facility capacity being used by pretrial/unsentenced individuals (green) and sentenced individuals (blue). The remaining general capacity (unused) is represented in gray. Percentage of capacity usage is shown on the first day of the calendar quarter.



Data provided by Alaska Department of Corrections
Data analysis conducted by ACJDAC

9. Filing of Charges and Processing of Court Cases

The number of reports of crime in a given year exceeds the number of criminal cases filed that year. Law enforcement may investigate a report and determine that there is not probable cause to believe that a crime was committed or that a particular person committed the reported crime, so no related charges are filed. Law enforcement may also forward the investigation of a reported crime to a prosecutor for review for possible charges and the prosecutor, after reviewing the submission, may find that there is not a sufficient evidentiary basis for filing charges.

The court process begins when a prosecutor or police officer files criminal charges. The court system assigns a case number containing all the charges (also known as

counts) against that defendant. One case may contain multiple charges, including both felonies and misdemeanors. A case that contains at least one felony charge is counted as a felony case.

9.1 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 10 years, mostly because fewer misdemeanor charges were filed - 37,767 in 2015 compared to 29,333 in 2025 – a decrease of 28.8%.

Table 2: Criminal cases filed each calendar year by the severity of the single most serious charge in the case. Data from 2026 includes only the first two quarters of the year.

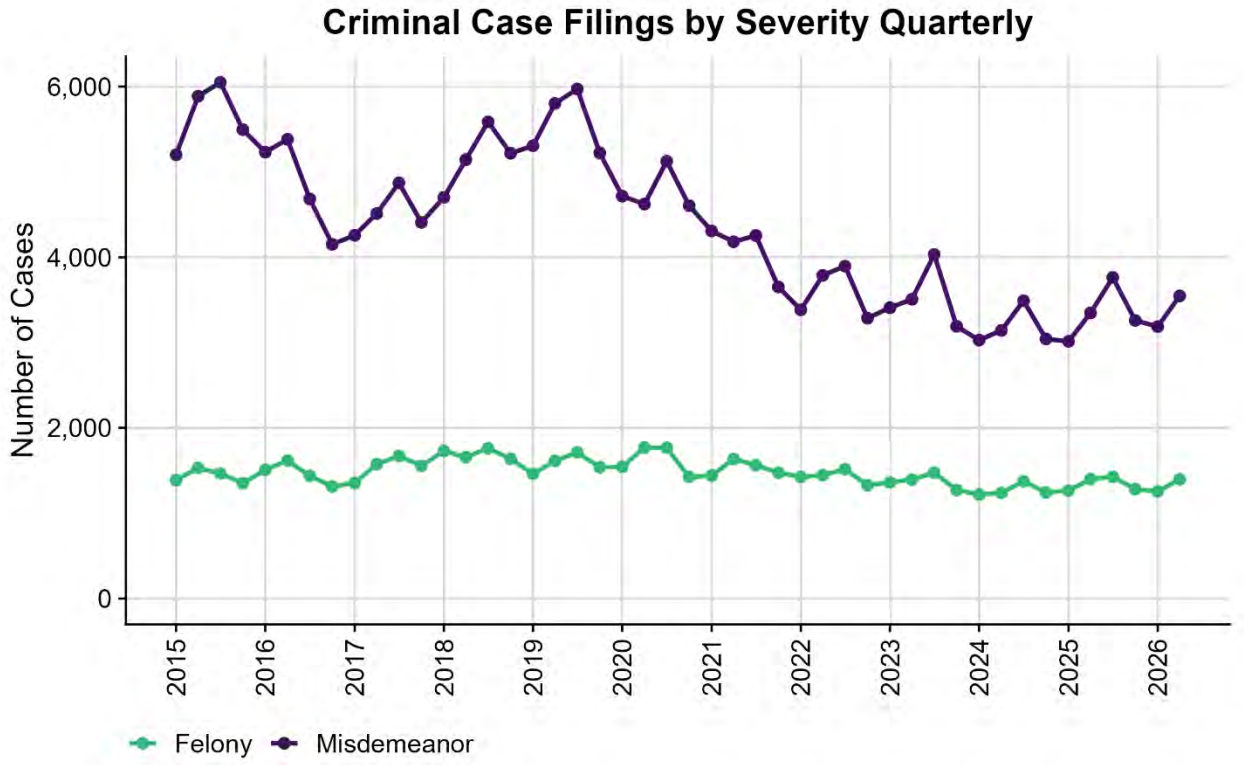
Year	Felony	Misdemeanor	Total
2026	2,652	6,734	9,386
2025	5,376	13,384	18,760
2024	5,075	12,703	17,778
2023	5,503	14,141	19,644
2022	5,715	14,354	20,069
2021	6,114	16,397	22,511
2020	6,505	19,071	25,576
2019	6,327	22,305	28,632
2018	6,785	20,651	27,436
2017	6,158	18,051	24,209
2016	5,878	19,450	25,328
2015	5,738	22,635	28,373

Data provided the Alaska Court System
Analysis conducted by ACJDAC

The number of felony filings has varied somewhat over time, but generally the number of felony cases also has been decreasing over the past 10 years. In 2025 there were fewer felony cases filed than in 2015 - 10,932 versus 12,238 – a decrease of 11.9%. Despite this trend, felony filings did show a small increase between 2024 and 2025.

Similar to Table 2, Figure 18 shows the number of criminal case filings over time. In Figure 18, filings are grouped by the severity of the alleged crime per calendar quarter, rather than per calendar year.

Figure 18: Number of criminal case filings quarterly for felonies and misdemeanors.



Data provided the Alaska Court System
Analysis conducted by ACJDAC

9.2 Post-Charge Screening by Prosecutors

If law enforcement filed charges without prior review by a prosecutor, the prosecutor will review (screen) the case at the outset to determine whether there is a sufficient evidentiary basis for the case to proceed, and, if so, what the appropriate charges will be.

After a case has been filed and the prosecutor has determined the appropriate charges, the prosecutor has a continuing ethical duty to review the case and proceed with a charge only if the prosecutor has a good faith belief that there is a sufficient evidentiary basis for doing so. Because people accused of a crime are presumed innocent until proven guilty, prosecutors are required to prove every

element of the crime beyond a reasonable doubt. A prosecutor may, depending on the circumstances, increase, reduce, modify, or dismiss any or all charges.

Prosecutor's offices generally do not publish information about their screening processes.

9.2.1 Sex Crimes and the Department of Law Screening Process

Although prosecutors' offices do not publish information about their screening processes, 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.[40] Appendix D – *Sex Crimes Processing* contains the most recent information submitted by the Department of Law about prosecutorial decision-making in sex offense cases.

9.3 Arraignment/First Appearance

The first hearing in a misdemeanor case is the arraignment. The first hearing in a felony case is referred to as the felony first appearance. If the defendant has been arrested and remains in custody both hearings occur within 24 hours of the arrest, absent compelling circumstances which require a later hearing. [41] Defendants who were not arrested, or arrested and released appear before the court within a few days or weeks.

During the arraignment the court informs the defendant of the charges, the possible penalties, and, their rights; addresses legal representation; requests that the defendant enter a plea to the charge(s); addresses conditions of release; and, sets the next court appearance. The court does the same during the felony first appearance except that the defendant is not asked to enter a plea. A defendant charged with a felony is arraigned at a later date if the grand jury returns an indictment on one or more felony charges in the case, and the felony defendant at that time is asked to enter a plea.

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[40] 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.
[41] Alaska Rule of Criminal Procedure 5(a), available at https://courts.alaska.gov/rules/docs/crpro.pdf.

9.4 Release Before Case Resolution

If a person has not been released before the first court hearing, the judge must consider conditions under which a defendant may be released from incarceration to await disposition 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.[42] The Alaska Legislature has enacted bail statutes that define how this constitutional right applies to individuals.

The Alaska Supreme Court also sets rules and policies related to granting release and bail. This includes an administrative order issued by the presiding judges establishing a statewide bail schedule allowing the release of certain misdemeanor defendants before a hearing.[43]

When making a decision about a defendant's conditions of release, the judge must consider the safety of the victim and the community, and the likelihood that the defendant will appear in court. The defendant's criminal history, arguments from the attorneys, and the Department of Corrections' pretrial risk assessment are all used to inform the judge's decision. The laws about bail are explained in more detail in the Commission's 2024 annual report.

9.4.1 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.[44] The risk assessment is calculated for each individual who is arrested and booked into a correctional institution.

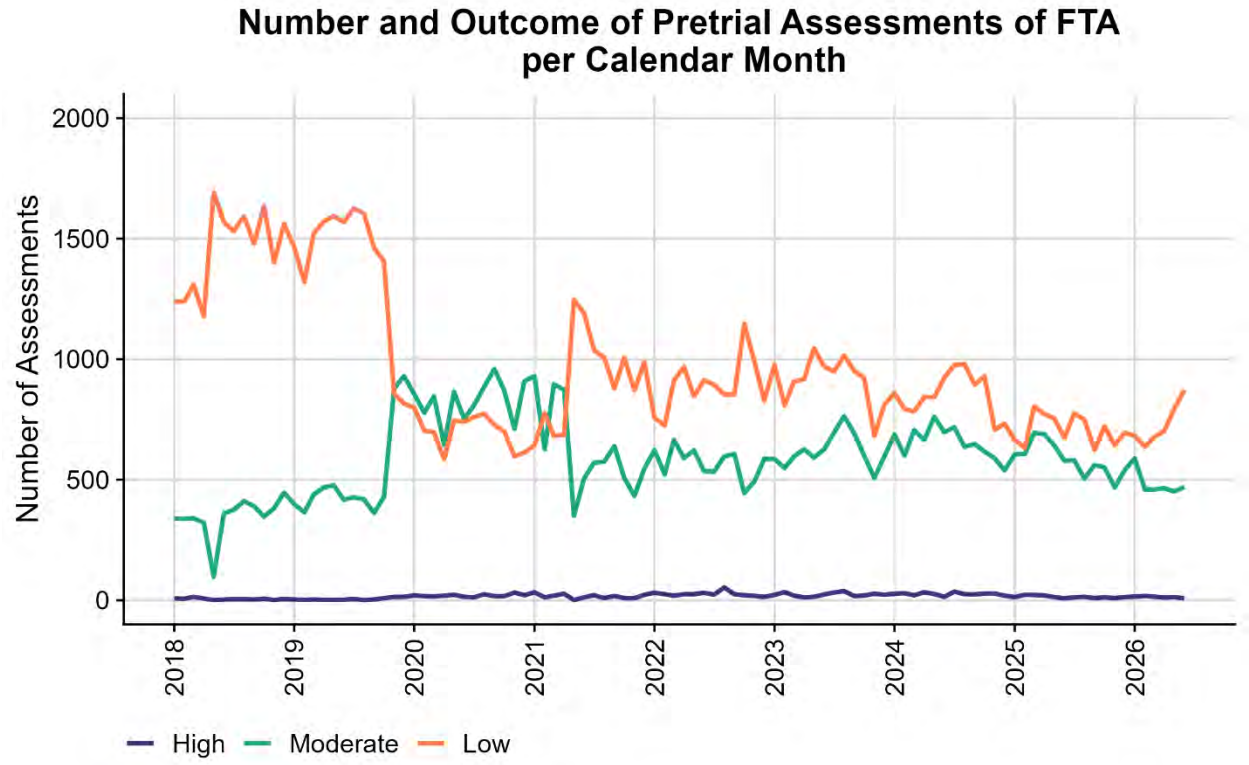
The pretrial risk assessment instrument, developed specifically for Alaska's population, assesses a defendant's level of risk from two measures of pretrial failure, the likelihood of failure to appear in court (FTA) and the likelihood of a new criminal arrest (NCA).

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[42] ALASKA CONST., art. I, § 11. There are no capital offenses in Alaska.
[43] The statewide misdemeanor bail schedule is posted at https://courts.alaska.gov/jord/docs/2020/bail-schedule02-20.pdf.
[44] 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 19 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.[45]

Figure 19: The number and outcome of DOC assessments of pretrial risk of failure to appear (FTA). Number of assessments is reported by calendar month from January 2018 through June 2026.

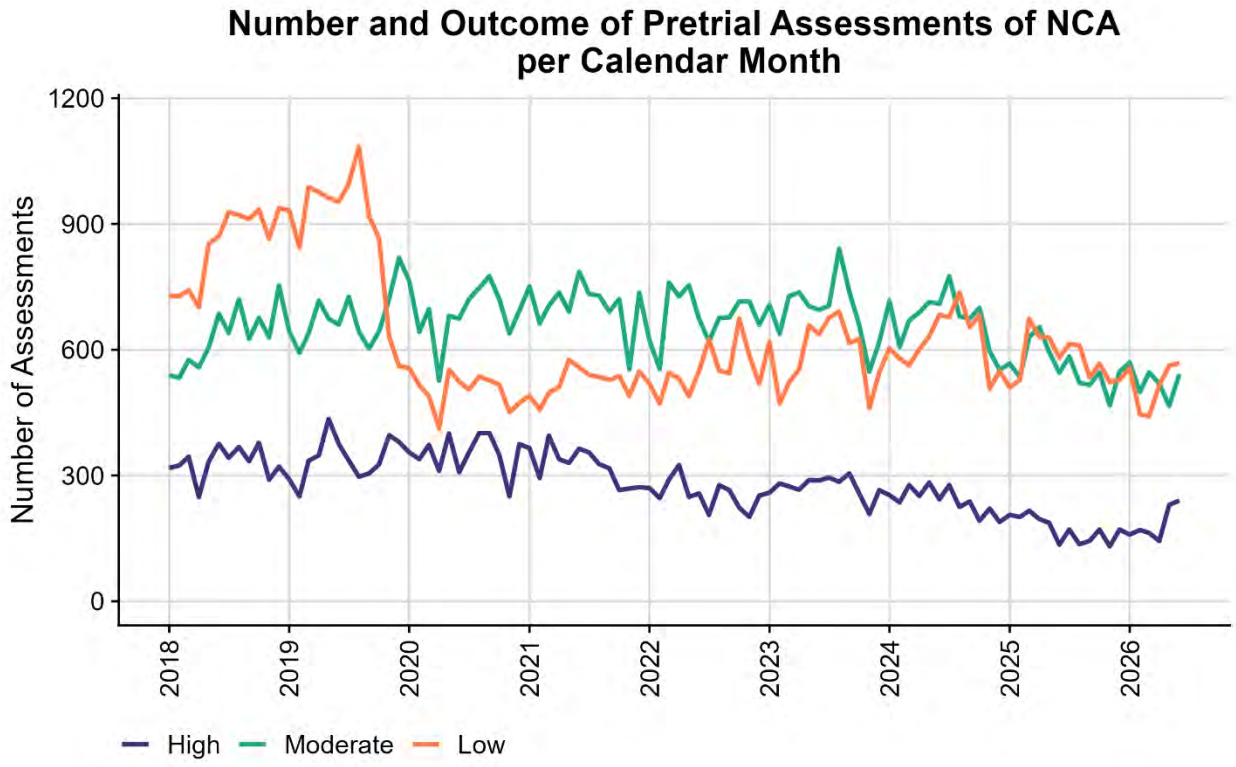


Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

[45] Email from the Department of Corrections to the Alaska Judicial Council (August 15, 2023).

Figure 20 shows the results of the DOC assessments evaluating defendants' risk of new criminal activity. In the first two years that pretrial risk assessments were conducted, most defendants were assessed as having low NCA risk. Since that time, more defendants have been assessed as having moderate risk.

Figure 20: The number and outcome of DOC assessments of pretrial risk of new criminal arrest (NCA). Number of assessments is reported by calendar month from January 2018 through June 2026.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

When the Department of Corrections first began providing risk assessments to judges, judges assigned many low-risk offenders to supervision, more than 40% in 2018 and 2019. After 2019, judges began assigning more moderate-risk offenders to supervision, as shown in Table 3.

Table 3: The percentage of defendants assigned to low, moderate, and high overall risk levels between 2018 and 2026. Overall risk level is a combined measure of New Criminal Arrest and Failure to Appear.

Year	Low Risk	Moderate Risk	High Risk
2026	38%	46%	16%
2025	38%	48%	13%
2024	35%	48%	16%
2023	34%	48%	18%
2022	33%	49%	19%
2021	30%	49%	21%
2020	28%	49%	23%
2019	43%	39%	18%
2018	44%	37%	19%

Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

9.4.2 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,[46] require 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, impose drug and alcohol testing, require the defendant to post a money bond, or other restrictions. Money bond can be forfeited if the defendant fails to appear in court or fails to follow the rules of pretrial release. A copy of the judge's order is provided to the parties and the Department of Corrections and saved in the court file.

Although judges' release decisions are saved in individual defendants' court files, release orders are not aggregated electronically in any database. Because release orders 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

[46] Defendants released on their own recognizance promise to appear at future court hearings and to comply with any conditions set by the judge.

before their case is resolved and what conditions of release are imposed must be collected by examining each case individually. While some orders can be examined online, others cannot. Because these types of individual file reviews are time consuming, only three studies of pretrial release outcomes exist in Alaska.[47]

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. Approximately 12% of those defendants were released on their own recognizance and 10% were released on an unsecured bond.[48] About 67% of defendants were required to post a money bond. Approximately 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 approximately 50% of those with a money bond and/or a third-party-custody requirement stayed incarcerated before trial or other disposition. 75% of those with a third-party-custodian requirement stayed incarcerated while their case was resolved.

The second study was conducted in 2017, in part to understand the effects of a new bail schedule adopted by the Alaska Court System. The study included 358 cases from Anchorage, Nome, Bethel, Fairbanks, and Juneau, examining defendants considered for pretrial release over a three-month period in 2018. The study shows that 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 through 2026, is being conducted by the Alaska Criminal Justice Data Analysis Commission. Similar to those that preceded it, this study examined cases from several locations across the state: Anchorage, Bethel,

[47] 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.

[48] An unsecured bond does not require the defendant to deposit any funds.

Fairbanks, and a selection of other court locations in the First, Second, and Third Judicial Districts. While data collection is not complete, preliminary analyses show that approximately 70% of defendants were released before case disposition. This does not include defendants who were never arrested (never in custody) but responded to summons. Of the defendants who were released, approximately 31% of defendants were released on their own recognizance. Nearly 13% of defendants who were released were released pursuant to the Alaska Court System's misdemeanor bail schedule. [49]

Among all defendants, judges often imposed requirements to post money bonds. Approximately 69% of defendants were ordered by a judge to post a money bond of some type.

Approximately one third of defendants (32%) were ordered by the judge to be supervised by the Department of Corrections' Pretrial Enforcement Division (PED). Nearly a quarter of defendants (24%) were ordered to be monitored electronically, mostly by the PED.

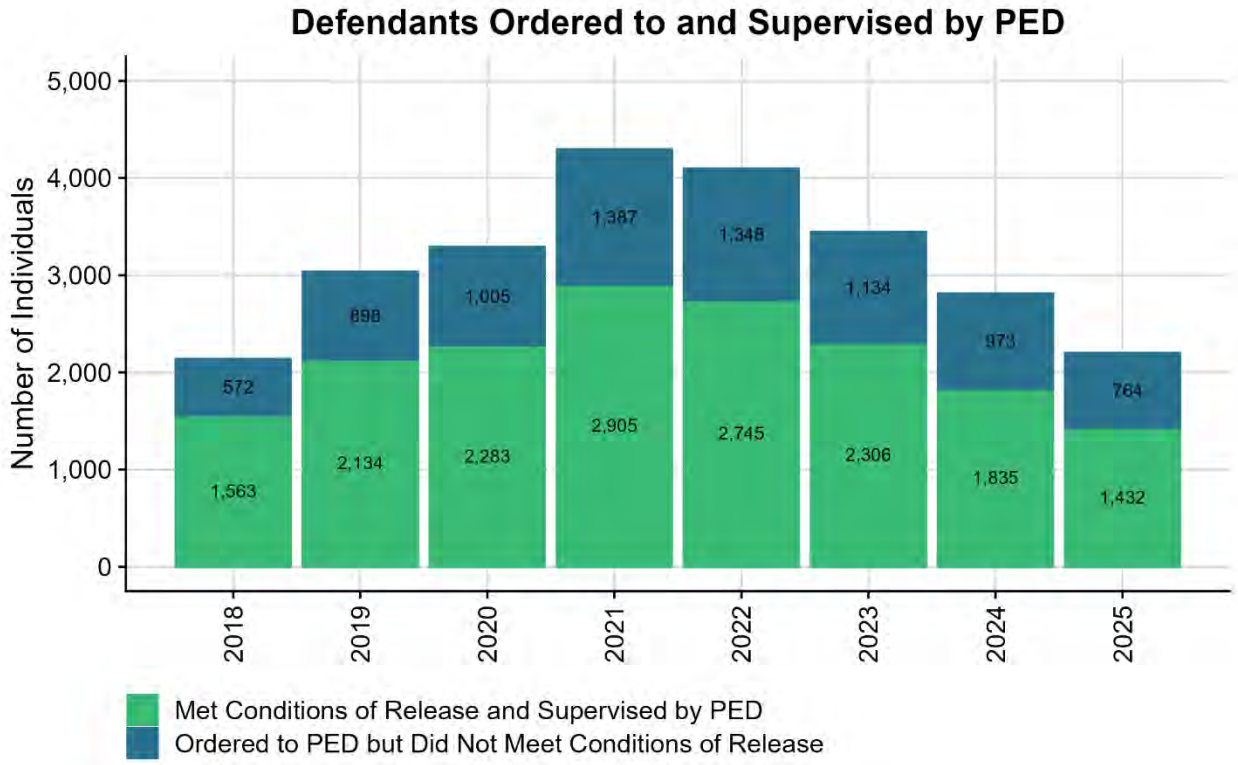
9.4.3 DOC Pretrial Enforcement Division

Judges who order defendants to be supervised on release by PED may impose additional conditions of release, such as money bond. Defendants must meet all conditions before being released to Department of Corrections' supervision. DOC's pretrial enforcement unit keeps track of the number of individuals ordered to DOC supervision, as well as how many of these individuals actually were released to DOC supervision.

[49] See the Glossary for definitions of own recognizance, bond, bail schedule, and bail.

Figure 21 shows the number of individuals who were ordered to DOC pretrial enforcement and how many did or did not meet all other conditions of release.

Figure 21: Number of defendants ordered to and supervised by PED per calendar year.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

The data in Figure 21 show that additional conditions imposed by judges prevented the release of 764 people in 2025 who would otherwise have been supervised in the community by PED. DOC's pretrial supervision office offers electronic monitoring, such as a handheld breath test, GPS ankle bracelet, and GPS wristwatch.

9.5 Violating Conditions of Release and Failure to Appear

Individuals who are not in a correctional facility while awaiting disposition 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 they fail to comply with the conditions of release, fail to appear at a hearing, or are charged with a new offense, they can be arrested and brought back before the court.

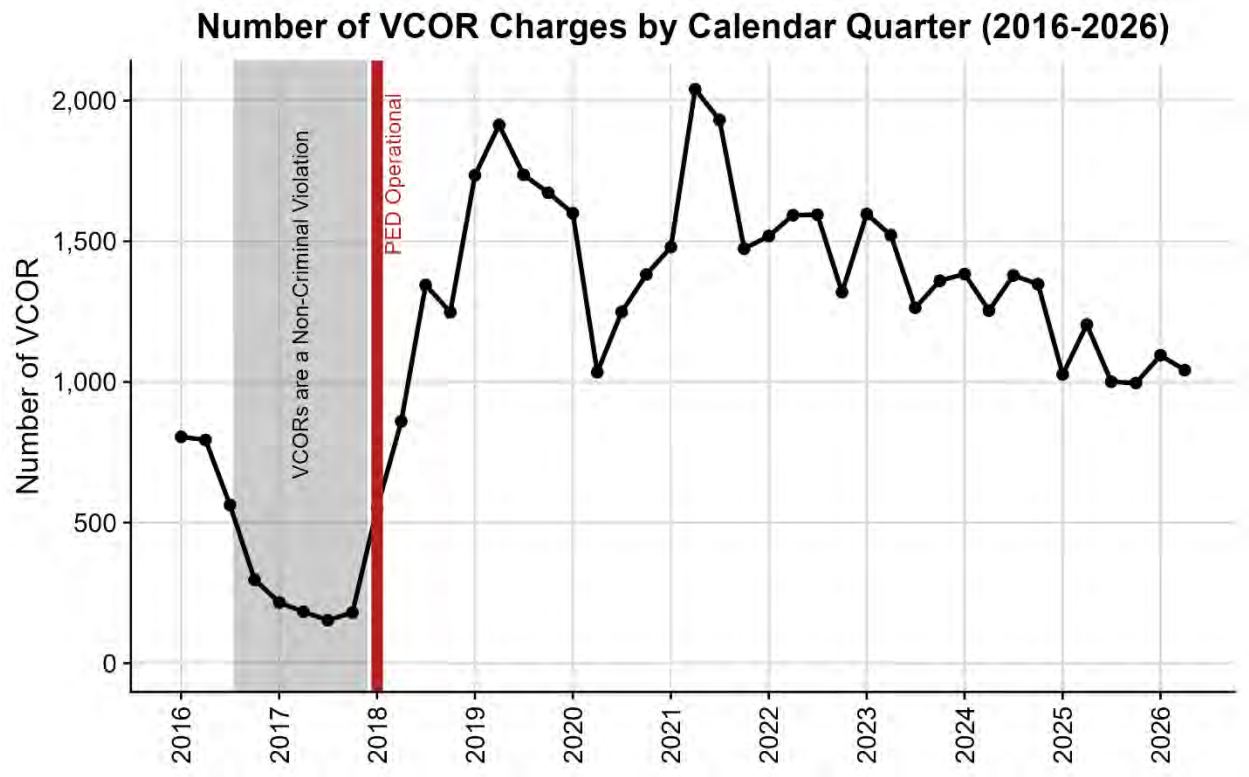
An important measure of how the pretrial release system operates is the frequency with which defendants who are not incarcerated are charged with crimes related to their failure to comply with conditions of release. The two main charges brought against defendants suspected of violating release conditions are *violating conditions of release* and *failure to appear*. A third indicator of pretrial failure is when other criminal charges are brought against defendants who are not incarcerated. A charge of violating conditions of release can be brought in addition to other criminal charges.

9.5.1 Violating Conditions of Release

Violating conditions of release (VCOR) is currently a misdemeanor.[50] Figure 22 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 disposed cases in which one or more VCOR charges had been filed.

[50] AS 11.56.757, AMC 8.30.110, and CBJ 42.05.110.

Figure 22: The number of court case dispositions that contained at least one VCOR charge by calendar quarter.

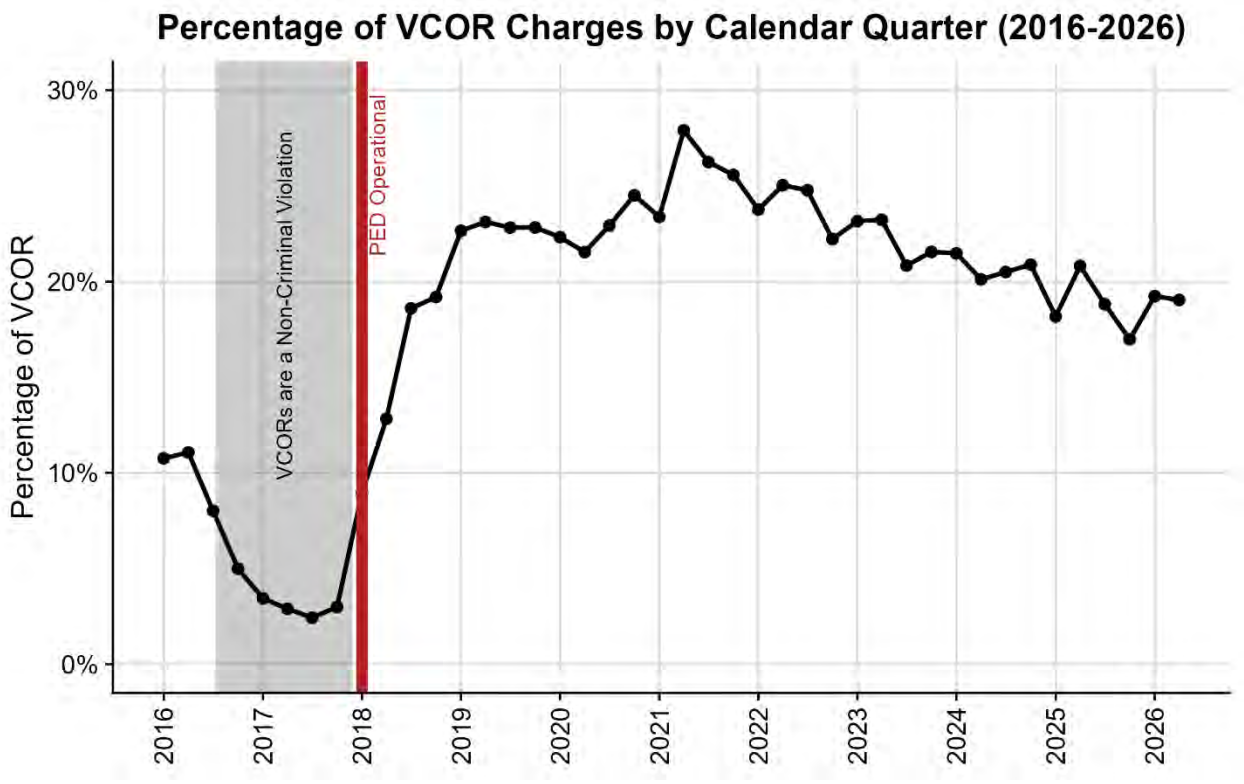


Data provided by the Alaska Court System
Analysis conducted by ACJDAC

For context, in the first 6 months of 2026, roughly 19% of disposed cases contained at least one VCOR charge. This amounts to 4,710 cases out of a total of roughly 24,789 disposed cases.

Figure 23 illustrates the percentage of court case dispositions that contained at least one VCOR charge per calendar quarter.

Figure 23: The percentage of court case dispositions that contained at least one VCOR charge by calendar quarter.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

The data in Figures 22 and 23 can be interpreted in light of several significant legislative and procedural changes in pretrial practice. 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 Figures 22 and 23.

Starting in 2018, the Department of Corrections' pretrial enforcement officers became available to monitor and supervise pretrial defendants. This new availability of supervision resources likely contributed to the increase in VCOR filings shown in the figures (although the data do not identify that PED officers filed the VCOR).

Additionally, across 2021 and 2022, the presiding judges in the Third and Fourth Judicial Districts changed the manner in which VCORs were filed.[51] 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, it could be charged in the new case.

Finally, it should be noted that not all the defendants in the cases represented in Figures 22 and 23 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. However, the court system data does not identify in which cases the defendant remained incarcerated and which cases they were released, thus both instances are included. For this reason, calculating a percentage of cases that lead to a VCOR charge should be treated with caution.

9.5.2 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.[52] An affirmative defense for failing to appear is that unforeseeable circumstances outside the person's control prevented the person from appearing. Subsequently, the person must have contacted the court as soon as possible afterwards to inform them.[53] 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 during 2023, 24% of cases contained at least one recorded failure to appear.[54] 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 requested a continuance. For example,

[51] The presiding judges' orders regarding VCORs for the Third and Fourth Judicial Districts are posted at https://courts.alaska.gov/jord/docs/3rd-pjo-824a.pdf and https://courts.alaska.gov/jord/docs/2022/4th-pj-22-05.pdf
[52] AS 11.56.730.
[53] AS 11.56.730(b).
[54] Data on file with Alaska Criminal Justice Data Analysis Commission.

counsel may have said they were in contact with their client and requested the opportunity to talk further with their client rather than the court issuing a warrant. The majority of cases with a recorded failure to appear involved misdemeanors (59%).

9.6 Pretrial 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 Prosecutors' 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.[55]

For the past several years, the Alaska Department of Law has been administering Civil Diversion Agreements, voluntary agreements between the Department and Tribal governments to create a path for Alaska Tribes to handle certain misdemeanors in tribal court rather than state court. To date, about twelve communities have signed Civil Diversion Agreements with the Department of Law.[56]

In 2025, the Department of Law undertook a review of the Civil Diversion Agreement program and concluded that the program should be restructured so that prosecutors initiated the diversions rather than law enforcement officers. To accomplish this change, the Department of Law is pursuing new agreements with the twelve communities affected. Over the past year, three agreements have been signed that call for this new process. The Department of Law intends to begin tracking the total number of cases diverted to Alaska Tribes under Civil Diversion Agreements going forward.

Although the referral process has changed, the procedure for handling a referral remains the same. After receiving a referral, the tribal court reviews the case and determines whether to accept the person. If the tribal court accepts the case, it follows its own process and procedure for determining what remedy is appropriate.

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[55] AMC 08.05.060.

[56] 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.

Remedies can include fines, forfeiture of property, restitution, temporary deprivation of property, community work service, and more.

The tribal court does not determine guilt or innocence; rather, the person is accepting responsibility and agreeing to follow the remedy ordered by the tribal court. If the tribal court does not accept the case or the offender fails to comply with tribal court, the case will be forwarded to the district attorney's office for processing in state court.[57]

9.7 Competency to Stand Trial

9.7.1 Background

A person charged with a crime has a right to understand the proceedings and assist in their own defense.[58] "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."[59]

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 next steps are governed by AS 12.47.110. The court must stay the criminal case proceedings and, if the case is a felony, must commit the defendant to the custody of the Alaska Department of Family and Community Services for treatment to restore the defendant to competency. (Evaluation and treatment may be ordered but is not required for misdemeanor cases.) Restoration treatment continues until the defendant is

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[57] Information about the civil diversion program is posted at https://law.alaska.gov/department/tribal-relations.html.
[58] *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)).
[59] *R.B. v. State of Alaska*, 533 P.3d 542, 544, n. 1 (Alaska Ct. App. (citing AS 12.47.100(a)).

competent, or the charges are disposed, but in any event, no longer than 90 days. The court must hold a hearing to determine the defendant's competency and if the defendant remains incompetent, may order another period of restoration to last no longer than 90 days. After the second 90-day restoration period, the court must dismiss the charges if the defendant remains incompetent, unless the defendant is charged with a crime involving force against a person and the court finds that the defendant presents a substantial danger of physical injury to other persons and there is a substantial probability that the defendant will regain competency within a reasonable period of time. In that case, the court may order the defendant to a period of commitment to DFCS custody for restoration treatment not to exceed six months.

Effective January 1, 2025, laws went into effect significantly changing the competency process.[60] One section provides that a court may order a defendant to be evaluated and treated for restoration to 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, before the charges are dismissed the prosecutor must petition a court to have the defendant evaluated for involuntary civil commitment. 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.

9.7.2 Competence Evaluations

Number. 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 a competency evaluation was ordered in 665 cases in FY 2026. This compares with 485 cases ordered to undergo a competency evaluation in FY 2025, and 429 ordered in FY 2022. According to court data, a majority (about

[60] Ch. 11 SLA 2024.

73%) of defendants who receive an evaluation are found by the court to be incompetent at the initial court competency hearing.

Time to complete. In FY 2026, API reported an average of 40 days to complete a competency report. API previously reported that in FY 2025, wait times for an evaluation were 2-3 weeks for incarcerated defendants and 4-6 weeks for defendants released to the community. Both API and the Court report that there is little to no backlog for a competency evaluation.

Outcomes. According to court data, 504 competency cases were initiated (which may have included more than one court case due to consolidation). In 138 competency cases the defendant was found competent and the case returned to the regular calendar. In 151 competency cases the defendant was found not competent and ordered to restoration, in 128 competency cases the defendant was found not competent and the charges were dismissed by the court, and in 69 cases the charges were dismissed by the prosecutor.

The high number of dismissals in competency cases reflects two circumstances. First, the court must dismiss cases in which the defendant is found not competent to stand trial and not restorable to competency. Second, appellate courts have held that an incompetent defendant may not be held longer than a reasonable period of time necessary to determine whether there is a substantial probability that the defendant will attain competency, and the nature and duration of commitment must bear a reasonable relationship to the purpose for which the person is committed.[61] These legal restrictions, combined with lengthy waitlists for restoration admission result in many dismissals of misdemeanor and lower-level felony competency cases by prosecutors.

9.7.3 Restoration

Number of Restoration Cases. API reported that in fiscal year 2026, the defendants in 300 cases were ordered to receive competency restoration treatment.[62] In fact, most of those cases were disposed of before the defendants received competency

[61] *J.K. v. State*, 469 P.3d at 440.

[62] According to Alaska Court System data, which tracks cases differently, by "competency cases" which consolidate all cases of a defendant referred for competency evaluation, 151 individuals were ordered to restoration in FY 2026.

restoration services. About 111 cases were dismissed while the defendants were waiting for a competency-restoration bed, and about 19 defendants were ruled competent after a second competency evaluation even though they had yet to receive competency-restoration services.

Restoration Treatment Goal. The goal of restoration treatment is to restore the defendant's ability to understand the legal proceedings and to be able to participate in their defense. Restoration treatment does not necessarily treat the defendant's underlying mental or physical illness or disability.

Capacity constraints. Significant constraints impede the ability of the system to restore incompetent criminal defendants to competency. The Department of Family and Community Services has one residential facility in the state, the Alaska Psychiatric Institute (API), to house and treat individuals who have been committed for restoration. API continues to have a maximum capacity of 10 individuals in its forensic unit, which houses restoration patients and any evaluation patients who require admission.[63] Because API's capacity for restoration services does not meet the need, incompetent defendants who are ordered to restoration by the court are often put on waitlists until a spot opens and the patient can be admitted. As of September 30, 2026, the waitlist for a forensic bed at API was 49 individuals.[64]

In recent years, two projects have been implemented with the goal of alleviating capacity constraints.

> 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

[63] The Alaska Psychiatric Institute posts its capacities, occupancy percentages, and waitlist information on a dashboard: https://dfcs.alaska.gov/alaska-psychiatric-institute/current-bed-availability/.
[64] *Id*.

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.

Admissions to API: In FY 2026, API reported that 44 individuals were admitted to API for restoration treatment. After receiving treatment, 13 were restored to competency and 27 were not. According to previous API data, in FY 2022, 34 individuals were admitted and in FY 2019, 42 individuals were admitted.

Time to admission: If the evaluation indicated the person was not competent to stand trial, individuals who were eventually admitted for restoration waited a total of 327 days in FY 2026. This is significantly higher than previously reported. API reported that individuals waited 194 days in FY 2022, and 161 days in FY 2018. Delays are a significant concern because a 2019 study indicated that most individuals (72%) who were found incompetent awaited admission to restoration while incarcerated.[65]

Lenth of stay: API reported the average length of stay for a person admitted to API for restoration in FY 2026 was 76 days. In FY 2022 the average length of stay was 76 days in FY 2022 and 69 days in FY 2019.

Jail based and outpatient restoration. Court data show that the usage of the two programs developed to increase restoration treatment capacity is low. In FY 2026, 53 individuals were offered jail-based restoration services and 26 individuals participated. Eleven individuals were offered outpatient restoration services and 7 participated. API data also indicated that two individuals were moved from inpatient to the jail-based program, and one individual was moved from jail-based program to inpatient services at API.

9.7.4 Civil Commitment Petitions for Defendants Found Incompetent

As discussed above, the Department of Law is now required by law in AS 47.30.706 to petition a court to order certain defendants to be evaluated for involuntary civil commitment when they have been found incompetent to proceed in a criminal trial

[65] Agnew::Beck Consulting, Inc., *Forensic Psychiatric Hospital Feasibility Study, Phase II Final Report* 9 (2019). *See also J.K. v. State*, 469 P.3d at 435-36.

and trial and the court found they were unrestorable at the time of the evaluation, or when restoration treatment was unsuccessful. The statute applies only to defendants charged with a felony offense against a person under AS 11.41 or felony arson.

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. 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.

The Criminal Division Central Office (CDCO) of the Department of Law is monitoring implementation of AS 47.30.706 and civil commitment pursuant to AS 47.30.700, which previously allowed for civil commitment referrals.[66] Table 4 shows the CDCO's information about civil petitions filed and their outcomes.

Table 4: Department of Law Criminal Division Civil Commitment Activities for 2025 and 2026. Note that data from 2026 is presented through 9-29-2026.

Petitions	2025	2026
Total filed	76	59
Filed under AS 47.30.706	64	58
Filed under AS 47.30.700[67]	12	01
Granted	64	45
Transferred to API	33	18
Not transferred	32	27
Pending	0	0
Denied	12	9
No court response	0	5

Data provided by the Alaska Department of Law
Analysis conducted by ACJDAC

The data above shows that in 2025 and to-date in 2026, most petitions for civil commitment are granted (89%). The data also shows that after the petition for civil commitment was granted, fewer than half (47%) of the respondents were transferred

[66] Email from Alaska Department of Law to the Alaska Judicial Council (September 26, 2025).
[67] Ten petitions were filed in 2025 and one filed in 2026 under AS 47.30.700 that dealt with defendants who had charges dismissed due to incompetence to stand trial, but the charges were not felonies covered by AS 47.30.706. Thus, the petitions were filed pursuant to AS 47.30.700.

to API for commitment. In many cases, the respondents had been released by the Department of Corrections, or the petition had expired before transfer to API. Nonetheless, the increase in civil commitments has put additional strain on the API civil unit capacity.[68]

Table 5 shows that most petitions are initiated in the Third Judicial District.

Table 5: Petition Filings by Judicial District for 2025 and 2026. Note that data from 2026 is presented through 9-29-2026.

Case distribution by Judicial District	2025	2026
First Judicial District	0	1
Second Judicial District	3	0
Third Judicial District	61	52
Fourth Judicial District	12	6

Data provided by the Alaska Department of Law
Analysis conducted by ACJDAC

The CDCO also monitors timeframes associated with the new process. CDCO reported that the average stay at API after the petition was granted was 38 days. The shortest stay was one day, and the longest stay was 308 days. The average time it took for the court to act on the petition after it was filed was one day.

9.8 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 disposed without a trial (a) when the government dismisses all charges against the defendant or (b) when the defendant pleads guilty to some or all of the charges against them. Many times, a defendant who pleads guilty to some or all charges does so pursuant to a *plea agreement* – a resolution of the charges negotiated between the prosecutor and the defense.[69] Some defendants may plead guilty or no contest without any agreement.

[68] Alaska Psychiatric Institute Governing Body Meeting Minutes, June 23, 2026, 4. https://dfcs.alaska.gov/media/1c2k5mzx/20260623-governing-body-minutes.pdf.

[69] 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.

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 within a particular range and on one or more specified charges. This is called a *sentence bargain*. Some plea agreements contain both a charging and a sentencing component.

Under Alaska law, government prosecutors control charging decisions, so a judge has no discretion to reject the charge bargain portion of a plea agreement. 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.[70] 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.[71] Sometimes this occurs when the government concludes that it would not be able to prove the charges at trial beyond a reasonable doubt. Or, this may occur 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 prosecutor may dismiss the defendant's remaining cases as part of the plea agreement, or the prosecutor may conclude that there is no point in pursuing the defendant's other cases.

Additionally, 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. In very limited circumstances, a judge may dismiss a charge or a case if the interests of justice require it.

If a case does go to trial, the defendant has the right to demand trial by jury. At trial, the government then bears the burden of proving each charged offense beyond a reasonable doubt. If the defendant is being tried by a jury, the jury's decision must

[70] See Alaska Rule of Criminal Procedure 11.
[71] For specifics, see Table 6.

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 acquittal on other charges.

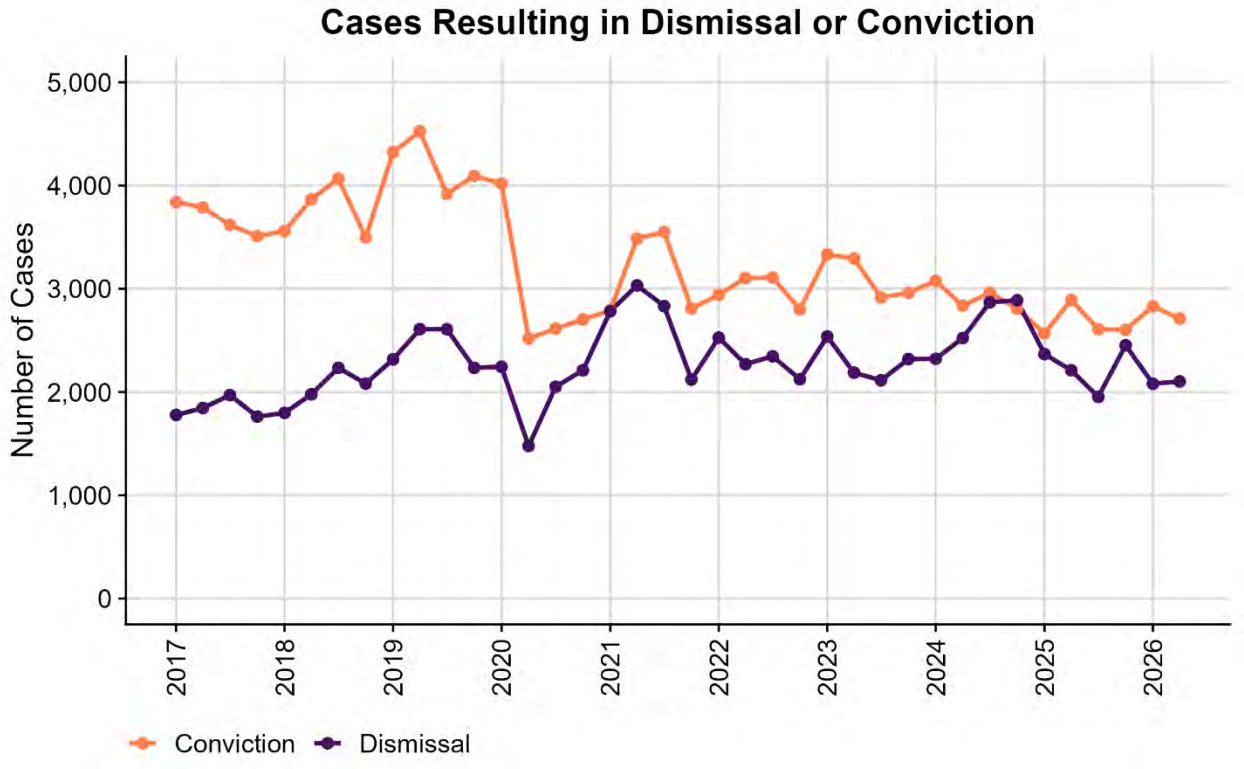
The following figures and tables examine the outcomes of criminal court cases on two dimensions: whether the case resulted in a dismissal, acquittal, or conviction; and whether the case resolved with or without a trial. The first section looks at trial and non-trial cases involving a conviction or dismissal. The next two sections examine resolutions of cases that went to trial, and those that resolved without a trial.

Figure 24 and Table 6 show all cases that were disposed with a dismissal or with a conviction (a guilty/no contest plea or a conviction after a trial).[72] Note that the cases in Figure 24 could have been resolved with or without a trial.

[72] Typically, more than 20,000 criminal case dispositions occur per year. The information presented in Figure 24 by calendar quarter.

Figure 24 shows all disposed cases resolved with a conviction and or a dismissal. The trend lines show that in late 2020, the number of dismissals began rising, so that in recent years the quarterly dismissals have almost equaled the quarterly convictions.

Figure 24: Cases resulting in a dismissal or a conviction, quarterly.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Similar to Figure 24, Table 6 compares the number of cases resulting in a conviction to the number of cases dismissed (no conviction). It also adds the number of acquittals after trial. These outcomes are shown per calendar year instead of per calendar quarter. Table 6 shows that cases disposed with an acquittal are a minority of all case resolutions. Table 6 also demonstrates a recent increase in acquittals compared to dismissals and convictions. Figures 28-28 contain additional detail about differences between felonies and misdemeanors.

Table 6: the number of cases resulting in dismissals, acquittals, and convictions by calendar year. Note that data from 2026 includes only the first two quarters of the year.

Year	Dismissal	Acquittal	Conviction
2026	4,184	51	5,543
2025	8,985	92	10,673
2024	10,603	67	11,683
2023	9,160	49	12,504
2022	9,268	70	11,956
2021	10,770	27	12,637
2020	7,984	14	11,855
2019	9,770	71	16,862
2018	8,093	47	14,991
2017	7,356	50	14,756

Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Table 6 also shows a drop in acquittals in 2021 and 2021. This drop was related to the Alaska Supreme Court's decisions to suspend and later restrict jury trials during the COVID pandemic. Although opportunities for jury trials resumed in late 2020 and early 2021, few trials were scheduled and thus there were few opportunities for acquittals in 2020 and 2021.

9.8.1 Criminal Cases Resolved via Trial

This section examines outcomes of cases that went to trial. Note that very few criminal cases are resolved via trial. Between 2017 and 2025, fewer than 100 misdemeanor and felony cases per calendar quarter were resolved by trial. By contrast, approximately 5,000 cases per calendar quarter were disposed without a trial by a guilty plea or the dismissal of all charges during the same period.

Figures 25 and 26 show felony and misdemeanor cases that were disposed via trial and their outcomes (acquittal or conviction) quarterly.

Figure 25: Results (acquittal or conviction) of felony cases disposed at trial by calendar quarter.

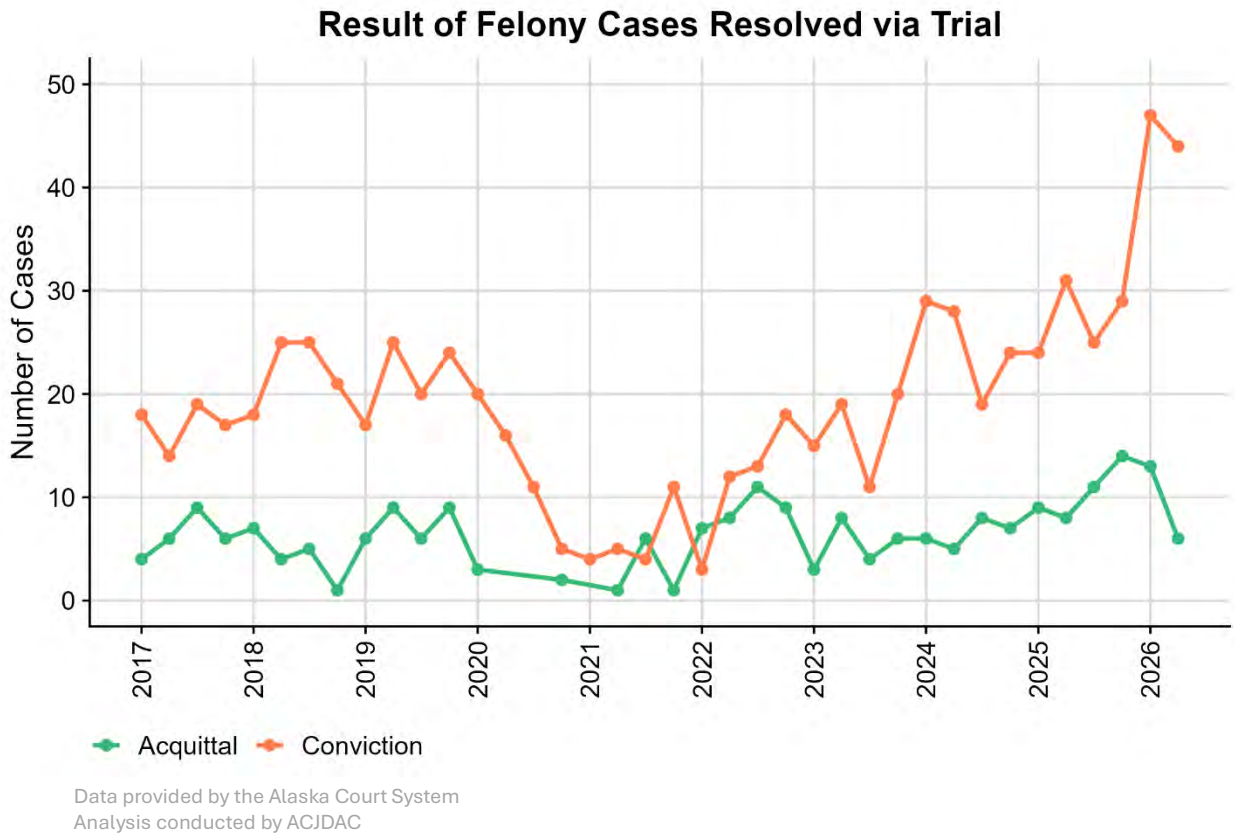
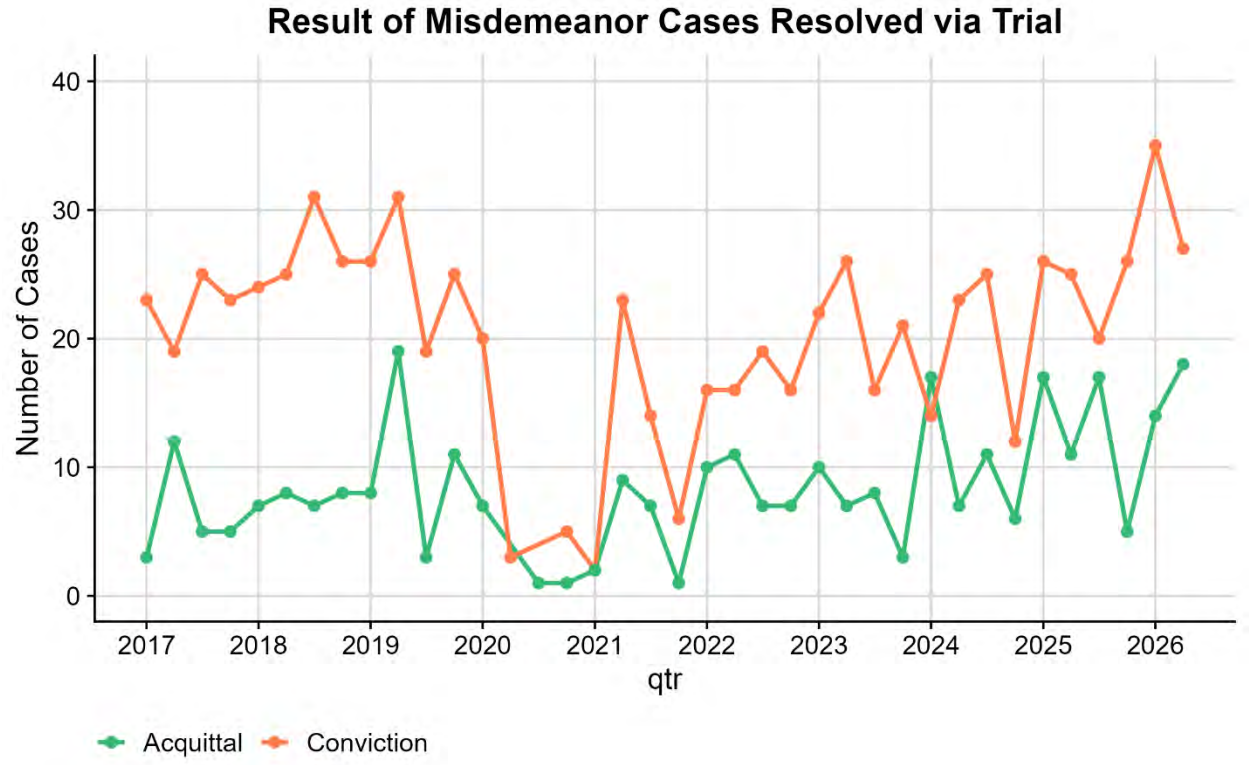


Figure 26: Results (acquittal or conviction) of misdemeanor cases disposed by trial by calendar quarter.

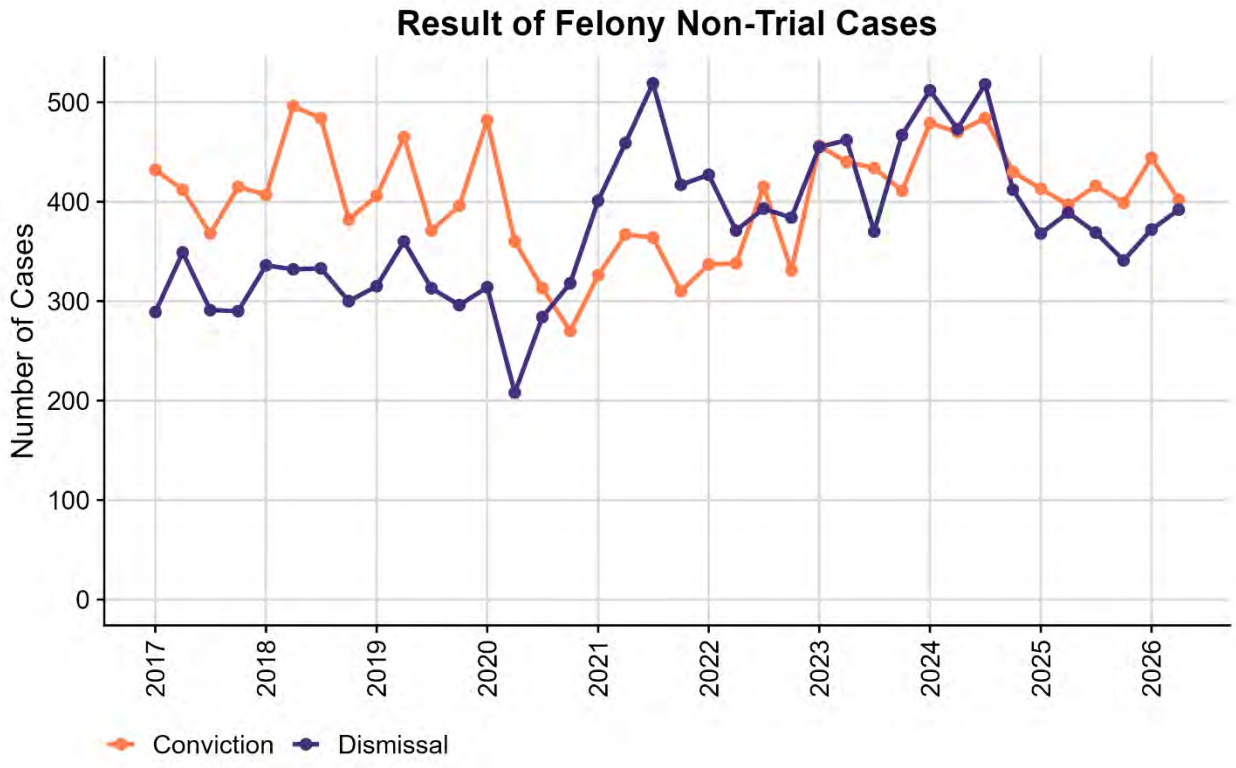


Data provided by the Alaska Court System
Analysis conducted by ACJDAC

9.8.2 Criminal Cases Resolved via Guilty Plea or the Dismissal of all Charges (non-Trial)

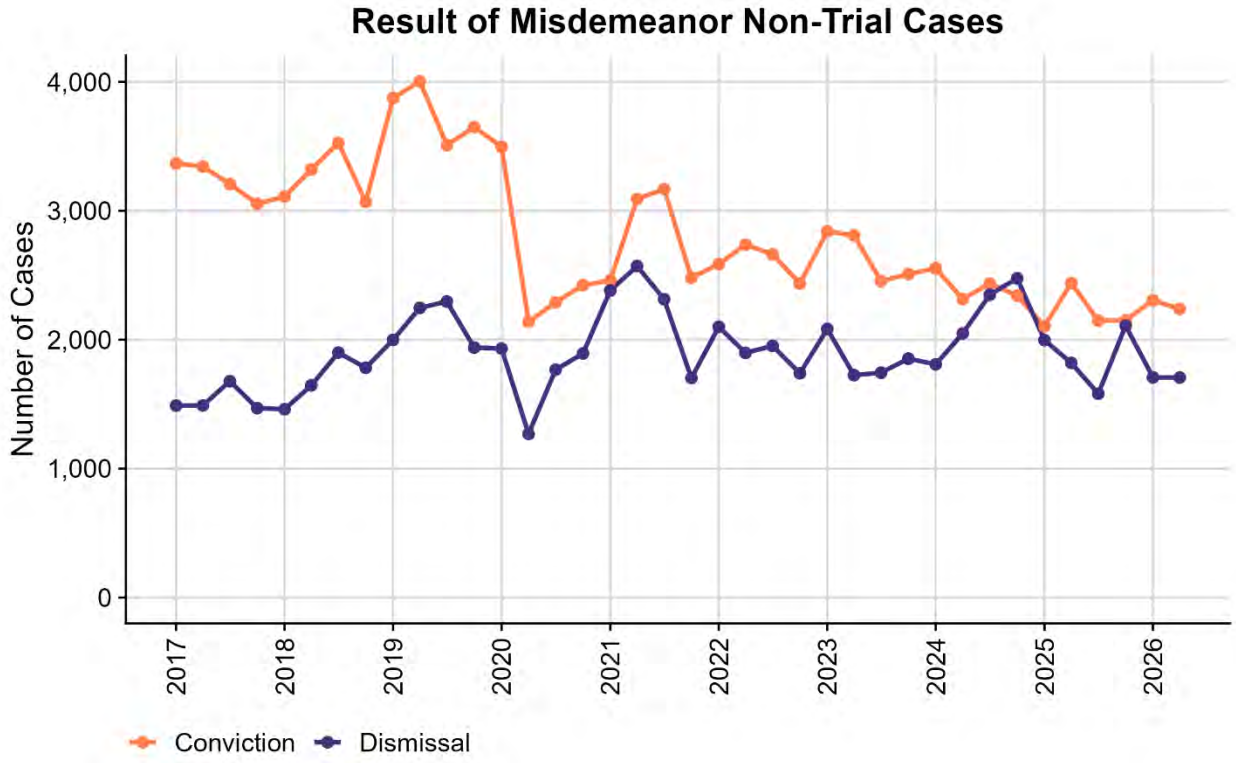
This section examines the resolutions of all cases that were resolved without a trial. Among case dispositions between 2017 and 2025, approximately 51.9% of all felony cases (Figure 27) and 59.7% of all misdemeanor cases (Figure 28) were disposed by a guilty plea without a trial. Over this same period, approximately 40.0% of all misdemeanor cases and 46.6% of all felony cases were dismissed (no conviction).

Figure 27: Results (conviction or dismissal) of felony cases disposed without trial by calendar quarter.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Figure 28: Results (conviction or dismissal) of misdemeanor cases disposed without trial by calendar quarter.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

9.8.3 Differences by Race in Conviction Rates

While a majority of cases resulted in a conviction, there were differences by race of the defendant. Between 2017 and 2025, approximately 51.8% of cases involving Alaska Native defendants resulted in a conviction, while 54.9% of cases involving White defendants resulted in a conviction, as shown in Table 7.

Table 7: Resolution of cases by race and court location, averaged across data from calendar years 2017-2025.

Judicial District	Court Location	Alaska Native		White	
		Dismissal/ Acquittal	Conviction	Dismissal/ Acquittal	Conviction
First	Juneau	43.4%	56.6%	46.5%	53.5%
	Ketchikan	53.8%	46.2%	50.1%	49.9%
	Petersburg	36.8%	63.2%	44.5%	55.5%
	Prince of Wales	57.6%	42.4%	56.7%	43.3%
	Sitka	47.7%	52.3%	48.9%	51.1%
	Wrangell	47.0%	53.0%	41.3%	58.7%
Second	Kotzebue	39.6%	60.4%	47.1%	52.9%
	Nome	55.9%	44.1%	57.2%	42.8%
	Utqiagvik	45.1%	54.9%	47.5%	52.5%
Third	Anchorage	47.4%	52.6%	46.7%	53.3%
	Cordova	35.7%	64.3%	43.2%	56.8%
	Dillingham	42.6%	57.4%	42.6%	57.4%
	Glennallen	33.5%	66.5%	37.5%	62.5%
	Homer	24.4%	75.6%	33.7%	66.3%
	Kenai	26.7%	73.3%	29.2%	70.8%
	Kodiak	30.0%	70.0%	32.7%	67.3%
	Naknek	34.9%	65.1%	21.8%	78.2%
	Palmer	34.9%	65.1%	37.6%	62.4%
	Seward	23.9%	76.1%	29.6%	70.4%
	Unalaska	47.6%	52.4%	60.1%	39.9%
	Valdez	45.1%	54.9%	52.7%	47.3%
Fourth	Bethel	43.8%	56.2%	47.0%	53.0%
	Delta Junction	42.9%	57.1%	35.6%	64.4%
	Fairbanks	46.7%	53.3%	44.7%	55.3%
	Nenana	42.9%	57.1%	38.3%	61.7%
	Tok	46.1%	53.9%	45.7%	54.3%
	All	45.3%	54.7%	42.0%	58.0%

Data provided by Alaska Department of Public Safety
Analysis conducted by ACJDAC

Among both Alaska Native and White defendants, the conviction rate was highest in the Third Judicial District (60.4% and 56.9%, respectively) and lowest in the Second Judicial District (49.6% and 47.3%, respectively).

Between 2017 and 2025 the percentage of cases disposed by dismissal of all charges or an acquittal increased, as shown in Table 8. Among cases that involved Alaska Native defendants, the percentage of cases in which all charges were dismissed or resulted in an acquittal increased from 41% to 54%. Among cases that involved White defendants, the percentage of cases in which all charges were

dismissed or resulted in an acquittal also increased, from 37% to 50%. The conviction rate was higher each year for White defendants than for Alaska Native defendants.

Table 8: Case resolution over time by race averaged across calendar year.

Race	Year	Alaska Native	White
All Charges Dismissed/ Acquitted	2025	54.3%	50.4%
	2023	49.4%	46.0%
	2021	50.6%	45.9%
	2019	45.8%	39.7%
	2017	40.6%	37.3%
Conviction	2025	45.7%	49.6%
	2023	50.6%	54.0%
	2021	49.4%	54.1%
	2019	54.2%	60.3%
	2017	59.4%	62.7%

Data provided by Alaska Department of Public Safety
Analysis conducted by ACJDAC

9.8.4 Charge Reductions

As mentioned above, the prosecutor can change the original charges in a case against a defendant. Defendants who are convicted of at least one charge often are convicted of a charge that is less serious than the most serious original charge. These charge reductions may be the result of prosecution decisions, plea agreements, consolidation of charges, or other factors.

Table 9 breaks out charge decreases by race. The table shows that there are variations between Alaska Native and White defendants depending on the severity of the charge. Overall, severity declined in 16% of cases for both Alaska Native and White defendants. However, looking at felonies, White defendants more frequently had no change in the charge severity between arrest and conviction compared to Alaska Native defendants. Alaska Native defendants had a greater number of charge reductions across felonies. Charge reductions were similar between both groups in cases in which the most serious charge was a misdemeanor.

Table 9: Charge reductions by single most serious charge per case at arrest vs single most serious charge per case at conviction by race between calendar years 2017-2025.

	Single most serious charge at arrest	Single Most Serious Charge at Conviction					
		Unclassified Felony	Felony A	Felony B	Felony C	Misdemeanor A	Misdemeanor B
Alaska Native	Unclassified Felony	40.5%	9.5%	34.7%	10.9%	4.4%	0%
	Felony A	0%	30.6%	32.5%	17.3%	19.1%	0.4%
	Felony B	0.2%	0.4%	40.9%	22.5%	34.9%	1.1%
	Felony C	0%	0%	0.4%	47.5%	50.1%	2%
	Misdemeanor A	0%	0%	0.1%	0.9%	87.2%	11.9%
	Misdemeanor B	0%	0%	0%	0.2%	3.2%	96.7%
White	Unclassified Felony	58.5%	6.1%	25.5%	7.5%	2%	0.3%
	Felony A	0.3%	42.2%	28.6%	13.9%	14.6%	0.3%
	Felony B	0.1%	0.2%	49.7%	20%	28.5%	1.6%
	Felony C	0%	0%	0.4%	61.9%	35.5%	2.1%
	Misdemeanor A	0%	0%	0%	0.7%	88.3%	10.9%
	Misdemeanor B	0%	0%	0%	0.2%	2.3%	97.5%

Data provided by Alaska Department of Public Safety
Analysis conducted by ACJDAC

9.9 Time to Disposition

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 date of judgment. The judgment is considered to have been entered when all charges against the defendant have been disposed, either by dismissal, acquittal, or conviction. For charges disposed by conviction, the judgment is entered when the defendant is sentenced. In felony cases, the sentencing may occur weeks or months after the conviction (for example, if a presentence report is ordered).[73]

The defendant has a constitutional right to a speedy trial, which is defined by Criminal Rule 45 as a trial date within 120 days of arrest or arraignment on the charges.[74] [75] The defense and prosecution can agree to waive or skip certain steps

[73] Criminal Rule 32.1 contains the presentencing procedure for felony cases. Although the rule permits the judge in certain instances to sentence the felony defendant at the time of the conviction, it also sets out procedures that, if followed, necessitate a delay between the conviction and the sentencing.
[74] ALASKA CONST., art. I, § 11.
[75] Alaska Court System, *Alaska Rules of Court: Rules of Criminal Procedure, Criminal Rule 45*, https://courts.alaska.gov/rules/docs/crpro.pdf.

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 also may be paused if the defendant fails to appear for a court hearing or if the defendant files 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 whether the case might be resolved through a plea bargain.

9.9.1 Contributing Causes of Case Processing Time

According to a national study of felony cases in courts in 21 states, the primary drivers of case processing time are the number of continuances per case and the length of those continuances, as well as the number of hearings per case.[76]

That study found no correlation between the speed of criminal case processing and the size or organizational characteristics of the court, including size of court, method of judicial selection, type of calendar, filings per judge, length of presiding judge term, or the availability of case management reports.[77] Despite this broad similarity across all courts in caseload composition and the way felony cases were resolved, some courts resolved the same caseload within tighter timeframes than others. The study noted that the faster courts maintained better control over scheduling and reduced the time a continuance or additional hearing was allowed to add to the schedule.[78]

9.9.2 Use of Continuances in Alaska cases

Legal Framework. A "continuance" is the postponement of legal proceedings until a future time or date. Continuances most commonly occur when one or both parties ask the judge to postpone a scheduled event (such as a hearing or a trial), and the judge agrees.

The granting of continuances in Alaska is governed by court rules and supreme court order. When a party requests continuance of a trial date, the court may grant

[76] Ostrom, Hamblin, and Schauffler, *Delivering Timely Justice in Criminal Cases: A National Picture*, p. 8 (National Center for State Courts) (study on file with Alaska Judicial Council).
[77] *Id*. at 11.
[78] *Id*. at 9.

the motion only good cause, taking into account the victim's circumstances and the effect the delay would have on the victim, and the court must place these findings on the record.[79] Another court rule explicitly allows a judge to grant a continuance at any time during the course of the proceedings when a party has failed to comply with an applicable discovery rule or an order governing discovery.[80] In addition, effective in May 2025, the supreme court adopted an order restricting the length of continuances trial judges can grant in criminal cases filed in 2022 and earlier, and allowing exceptions only upon a showing of "extraordinary circumstances" and a finding that the delay is "indispensable to the interest of justice."[81] The Order requires judges to make findings regarding the bases for granting any continuance.

Commission Study. Because the national data suggest that the number and length of continuances is a major driver of time to disposition, the Commission studied a small random sample of court cases disposed during 2023 to examine the use of continuances in those cases. The sample included both felonies and misdemeanors. The commission examined what types of proceedings were continued, frequency of continuances, the relationship between number of continuances and longer times to disposition, and reasons for continuances.

The two main sources of data for the study were *log notes* and electronic case data. Each of these data sources had limitations. Log notes, a written summary and index of a court proceeding created in real time by the in-court clerk, are created primarily to indicate the portion of the audio recording where a particular item was discussed. Log notes do not document every statement made or every occurrence at a hearing. Similarly, electronic case data is information entered by court staff for purposes of documenting the processing of a case. The electronic case data are not intended to explain why something occurred.

Because the study relied on records created by court staff for operational purposes rather than for a research purpose, the data lacked the specificity or completeness necessary to answer some of the Commission's questions. The data did shed some

[79] Alaska Criminal Rule of Procedure 12(h).
[80] Alaska Criminal Rule of Procedure 16(e)(1)(D).
[81] Alaska Supreme Court Order 2038, amending provisions of Criminal Rule 45 and Criminal Rule 16(e)(1), available at https://courts.alaska.gov/sco/docs/sco2038.pdf .

light on the use of continuances in Alaska cases, but the limitations discussed above prevented a more complete understanding of the issue.

Types of proceedings continued. Of all the continuances granted in the case sample, only about 11% were recorded by court staff as having been associated with a trial date. Over half the continuances in the study were recorded by court staff as having been associated with hearings rather than trials. Although these findings could be understood to suggest that relatively few trials were continued compared to hearings, the analysis is complicated by at least two factors. First, postponement of a hearing can lead to a delay in a scheduled trial date, but that fact would not have been captured in the study data. Second, different court locations use different procedures for setting trial dates, with some setting them at the beginning of a case and others waiting until later. A court date chosen at the beginning of a case might be less accurate than one chosen later, and thus might be more likely to be continued.

Frequency of continuances. The Commission measured the frequency of continuances in the study cases. Approximately 83% of the cases contained at least one recorded continuance. The frequency of continuances varied slightly between felony and misdemeanor cases. At least one continuance was noted in 88% of cases where the single most serious offense at filing was a felony, and in 71% of cases where the single most serious offense at filing was a misdemeanor.[82] In Table 10, cases from the sample are grouped by the severity of the most serious offense at filing and the number of continuances per case.[83]

[82] Data on file with Alaska Criminal Justice Data Analysis Commission.
[83] Data on file with Alaska Criminal Justice Data Analysis Commission.

Table 10: Number of continuances per court case by single most serious offense at case filing from a sample of 435 cases disposed of in 2023.

Single Most Serious Offense at Case Filing	Number of Continuances per Court Case				
	0	1-9	10-19	20-29	30+
Overall	17.2%	51.5%	21.4%	6.0%	3.9%
Felony	12.4%	44.2%	29.5%	7.8%	6.2%
Misdemeanor	29.5%	56.8%	9.7%	3.4%	0.6%

Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Relationship between continuances and time to disposition. The Commission's data confirmed the national findings that more continuances were associated with longer times to disposition. Table 11 shows that time to disposition was greater when there were a greater number of continuances when time to disposition is presented in both mean and median days, and it was true for both felony and misdemeanor cases. [84]

Table 11: Mean and median days to disposition by number of continuances per court case by single most serious offense at case filing from a sample of 435 cases disposed of in 2023.

Single Most Serious Offense at Case Filing	Number of Continuances									
	0		1-9		10-19		20-29		30+	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Overall	185	46	290	198	744.4	638	1,109	1,110	1,417	1,252
Felony	181	25	304	201	736	637	1,165	1,151	1,414	1,251
Misdemeanor	187	55	273	190	820	689	926	893	1,466	1,466

Data provided the Alaska Court System
Analysis conducted by ACJDAC

The study also made a closer examination of the 17 cases with over 30 continuances to see whether any conclusions could be drawn. Sixteen of those cases were felonies, including six unclassified felonies, five class A felonies, and four class B felonies. Four of the seventeen cases ended in a dismissal, one was an acquittal, and the remainder resulted in convictions. Only two of the cases were from Anchorage. Over half were from the Second Judicial District. Two of these

[84] Data on file with Alaska Criminal Justice Data Analysis Commission.

cases with the most continuances cases were in Wellness Court, which would be expected to have numerous hearings and continuances due to the nature of the therapeutic process.

Reasons for continuances. Criminal justice practitioners were asked to explain the most common situations in which they had observed requests for continuances of trials and hearings. The practitioners listed reasons such as: problems with witness availability, a new attorney had recently been assigned to the case, the parties wanted additional time to prepare, they wanted additional time to negotiate a plea, or there was a problem with discovery.

The Commission's study attempted to document the most common reasons given for continuances. For ease of data collection, the written log notes of each continued hearing were consulted for documentation of reasons a party requested a continuance, and the judge's reason for granting the continuance. Many log notes contained no reason at all for the continuance request, and no documentation of the reason a continuance was granted. In other instances, a reason could be discerned from the log notes or from the electronic case information. The most common descriptions in the records for events that were continued included "Hearing Continued" (1,519 instances), followed by "Continued: Defense Request" (1,036 instances), "Continued: Off-Record Continuance" (163), "Continued: Pending Negotiations" (138), and "Continued: Other" (136). There were 33 descriptions in total.

The fact that a log note lacked documentation of the reason for a continuance does not mean a reason was not given by a party or documented by the judge. A reason may have been given orally on the record but not written into the log note. Thus, the data from the log notes cannot be used to conclude that judges routinely grant continuances without a reason given. When a reason was given, the way in which the data was recorded prevented any firm conclusions being drawn about the most common reasons for continuances.

9.9.3 Time to Disposition Statistics

The following analysis describes general times to disposition for felony and misdemeanor cases across court locations. The analysis has certain limitations which must be considered. First, the data provided by the court system does not

indicate periods during which a case could not move forward. For example, the data do not indicate when the case could not move forward because the defendant could not be located. Days or months might elapse before a bench warrant could be executed and the case resumed. Ideally, the data would identify delay caused by the defendant's failure to appear so that time could be subtracted from the total number of days to disposition. Second, a case was considered disposed either when it was dismissed or when the judgment was entered. The judgment is entered when the defendant is sentenced. Misdemeanor defendants generally are sentenced at the time of conviction; however, many felony defendants are not sentenced until days or months after conviction.

The time to disposition increased between 2017 and 2021. Since 2022, time to disposition has leveled off or slightly decreased. Time to disposition is presented as both the mean and the median. The mean is the average days to disposition across all cases (felony or misdemeanor). The median is the middle number of days to disposition when the days to disposition of all cases (felony or misdemeanor) are ranked from smallest to largest. Both the mean and the median are included here to show the variability in times to disposition, because a mean can be exaggeratedly influenced by a small number of cases with extremely long times to disposition.

The analysis showed that felonies generally take more time to reach disposition than do misdemeanors. Table 12 and Figures 29 and 30 show time to disposition based on whether the single most serious charge was a felony or a misdemeanor at the time of filing. [85]

Table 12: Mean and median days to disposition by calendar year. Note that data from 2026 only includes the first two quarters of the year.

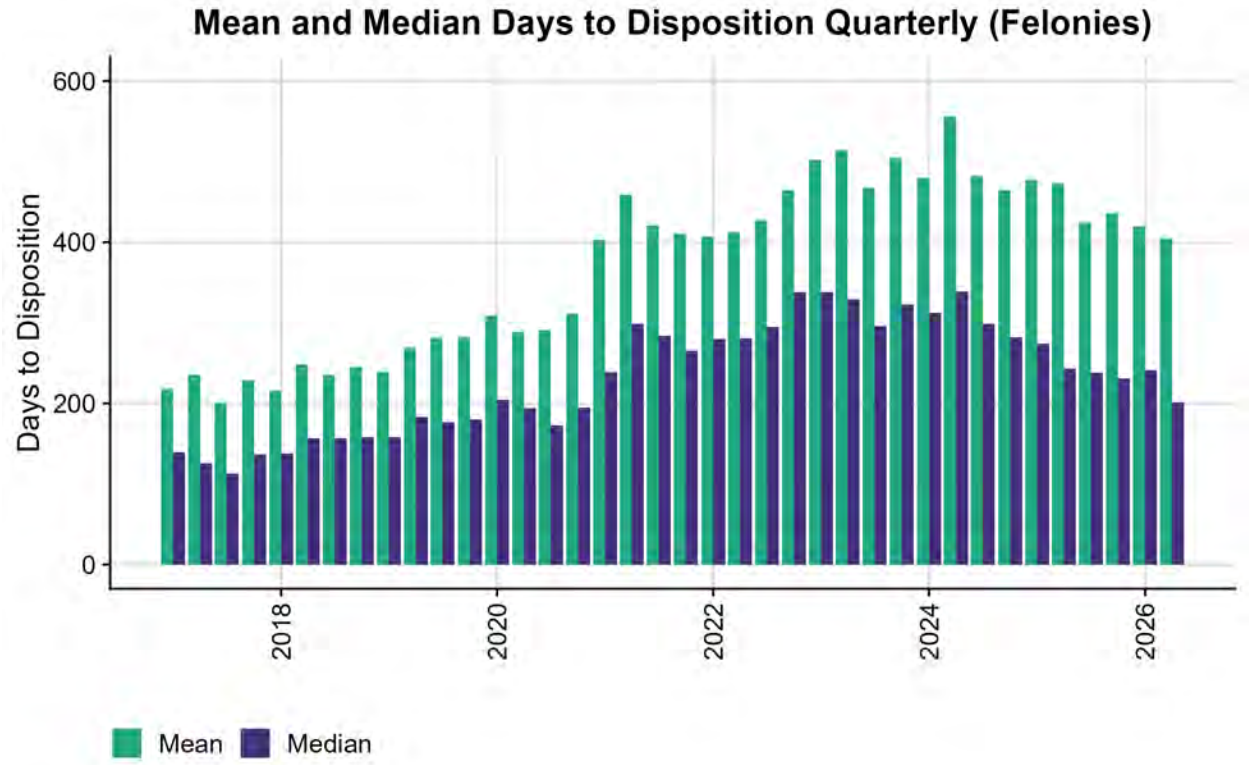
Year	Felony		Misdemeanor	
	Mean	Median	Mean	Median
2026	412	221	272	140
2025	453	246	303	143
2024	495	309	332	197
2023	498	323	361	204
2022	428	294	339	214
2021	424	273	323	195
2020	300	192	213	127
2019	268	173	177	100
2018	236	153	150	83
2017	221	129	170	75

Data provided by the Alaska Court System
Analysis conducted by ACJDAC

[85] In this section 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 where the courts dismissed cases that were twenty years old or more. Instances such as these are either data entry errors or unusual events that would improperly skew the Commission's statistical analyses of time to disposition.

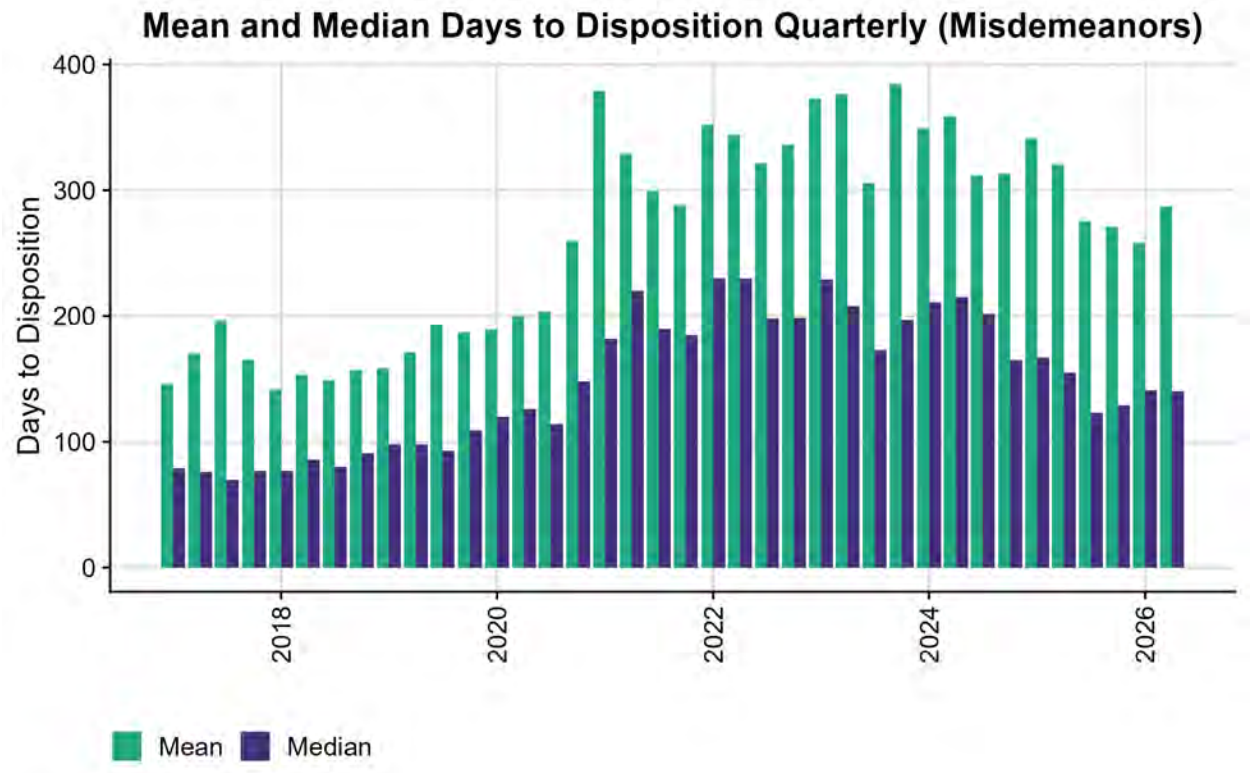
Like Table 12, Figures 29 and 30 show time to disposition in days per calendar quarter for felony and misdemeanor cases.

Figure 29: Mean and median days to disposition for felony cases by calendar quarter.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Figure 30: Mean and median days to disposition for misdemeanor cases by calendar quarter.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Between 2017 and 2025, there were slight differences in time to disposition between judicial districts. Among cases involving a felony, median time to disposition was longest in the First Judicial District (245 days), followed by the Third (221 days), Second (212 days), and Fourth (209 days). Whether a presentence report is ordered may affect the time to disposition in felony cases that resolve with a conviction. Different judicial districts may have different practices about the use of presentence reports.

Among cases involving a misdemeanor, there was more variability. Median time to disposition was longest in the Third Judicial District (150 days), followed by the Second (143 days), Fourth (129 days), and First (97 days). Table 13 shows median time to disposition between 2017 and 2025 by judicial district and severity.

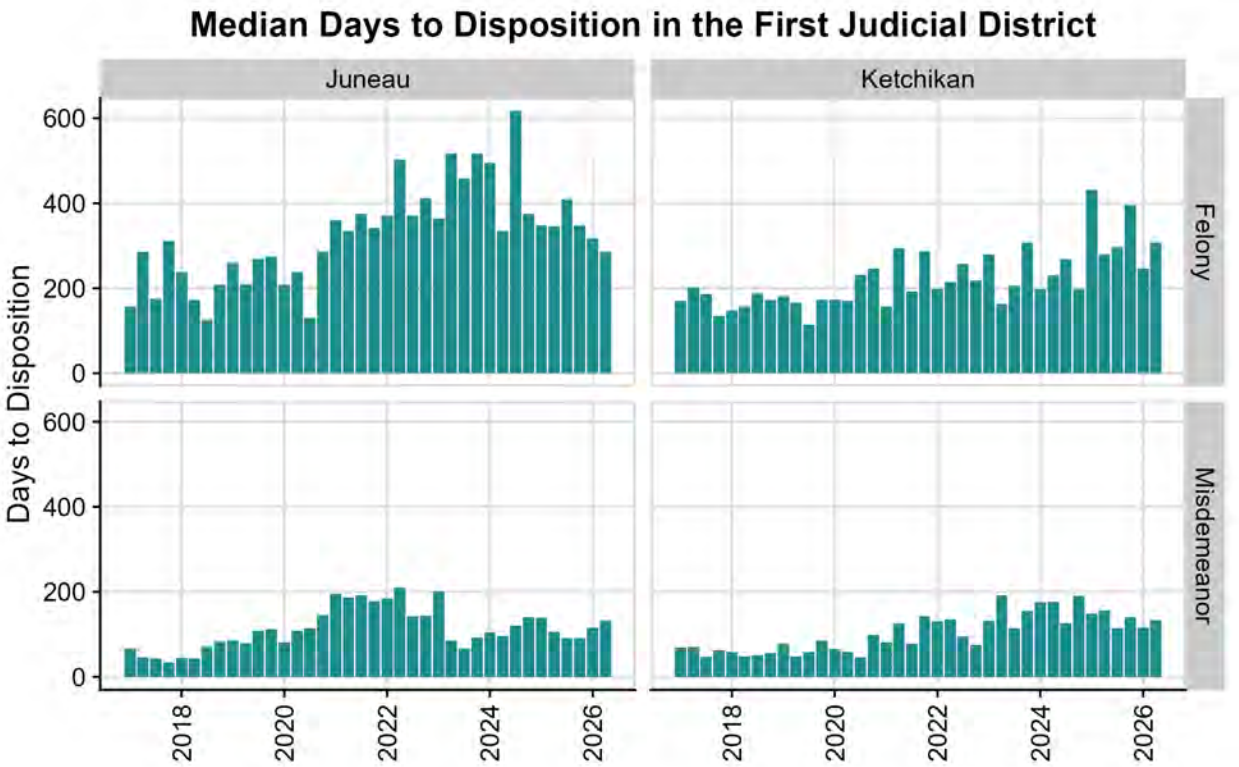
Table 13: Median days to disposition for felony and misdemeanor cases by judicial district and year. Note the data from 2026 includes only cases from the first two quarters of the year.

Year	First		Second		Third		Fourth	
	Felony	Misdemeanor	Felony	Misdemeanor	Felony	Misdemeanor	Felony	Misdemeanor
2026	288	126	233	129	228	150	166	120
2025	347	118	257	174	242	143	215	148
2024	305	128	291	203	335	227	208	152
2023	310	118	317	220	343	239	267	178
2022	296	137	328	271	298	250	271	180
2021	290	142	179	246	273	213	269	179
2020	203	94	215	135	190	144	170	119
2019	200	83	202	120	153	101	208	105
2018	166	52	146	85	143	93	180	83
2017	184	56	83	42	122	79	154	96

Data provided by the Alaska Court System
Analysis conducted by ACJDAC

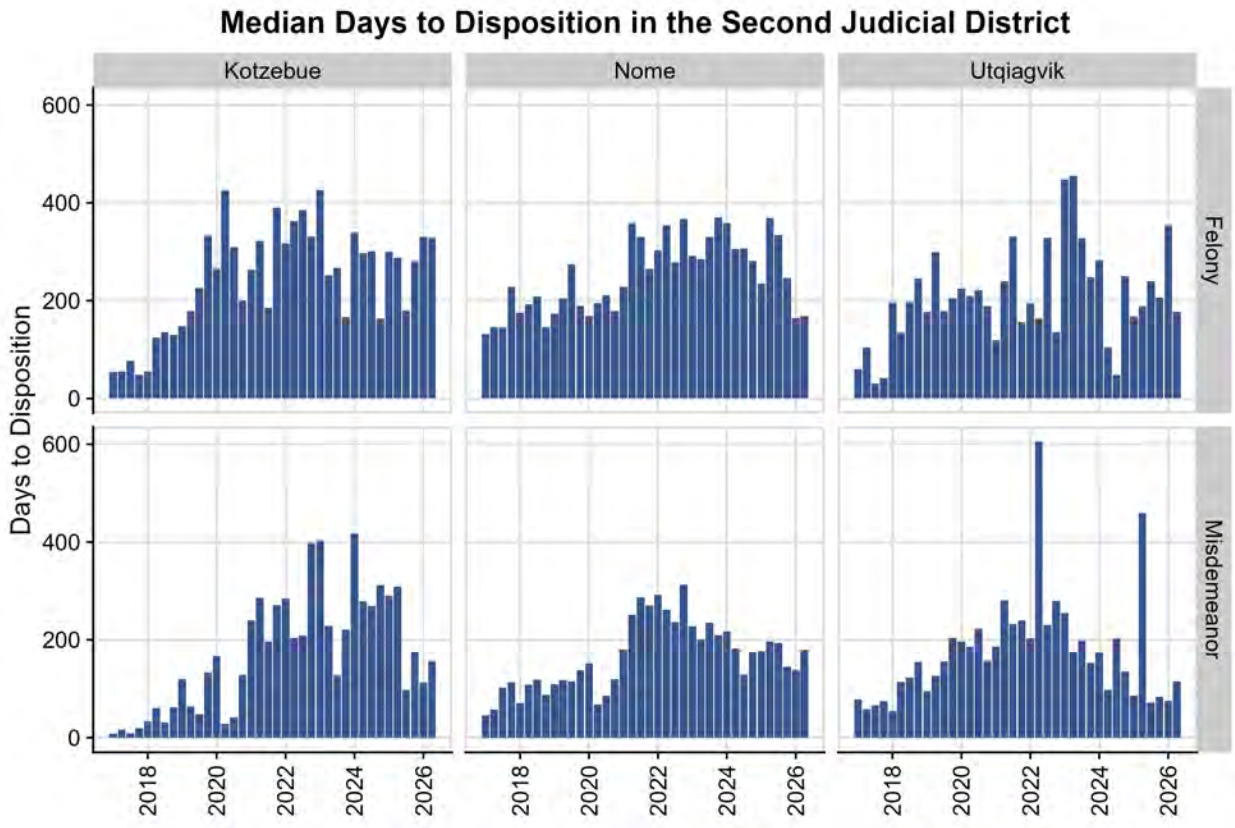
In Figures 31-34, days to disposition in select court locations from each judicial district are shown.

Figure 31: Median days to disposition by selected court locations in the First Judicial District.



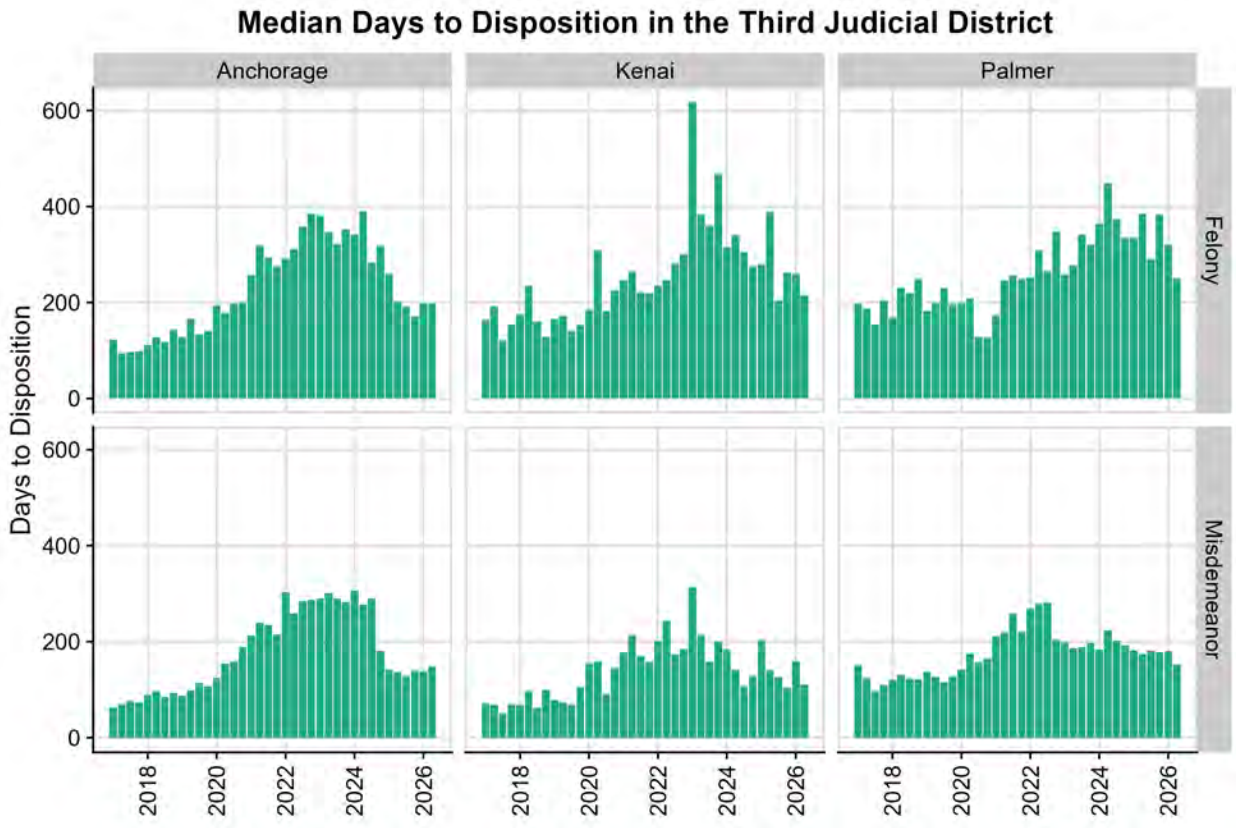
Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Figure 32: Median days to disposition by selected court locations in the Second Judicial District.



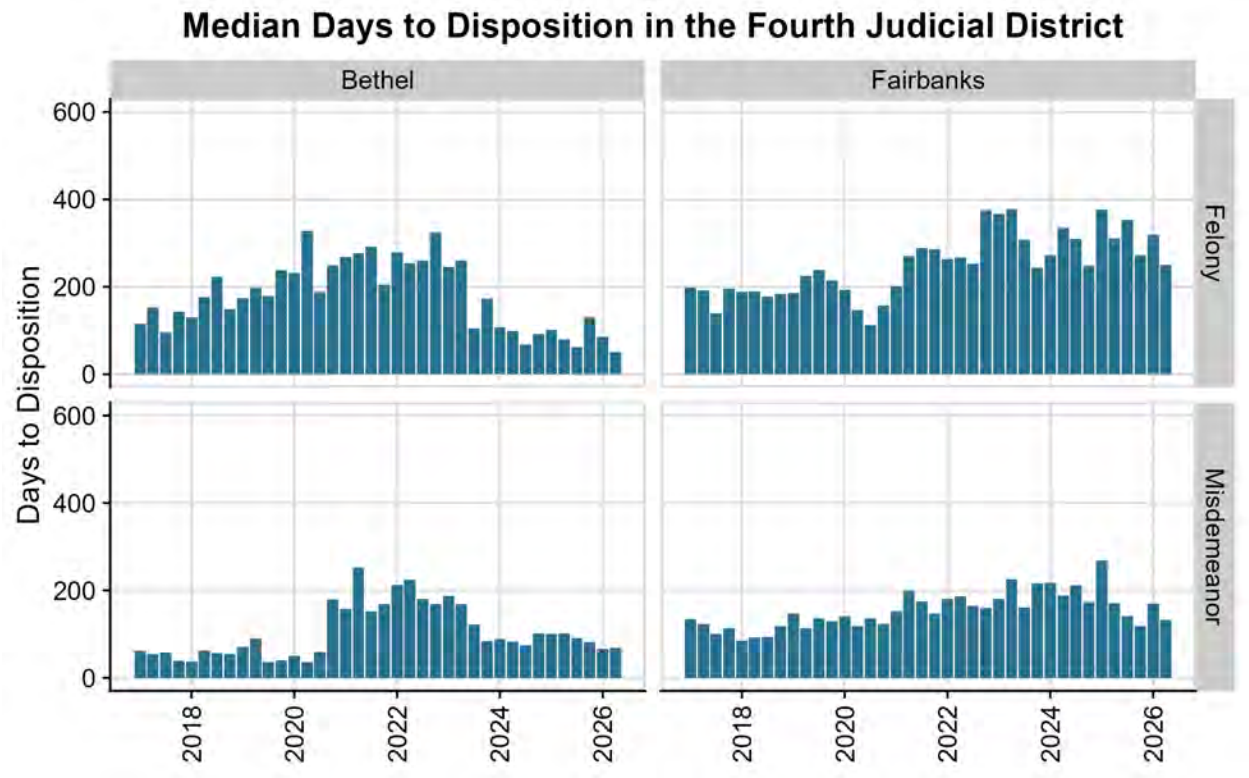
Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Figure 33: Median days to disposition by selected court locations in the Third Judicial District.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Figure 34: Median days to disposition by selected court locations in the Fourth Judicial District.



9.10 Post-Conviction Diversion Programs

As noted above, most cases are resolved with a conviction when the defendant admits to the charges (pleads guilty or does not contest the charges, *nolo contendre*). 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 have otherwise been imposed and the defendant receives substantial services for rehabilitation.

Post-conviction diversion programs include *therapeutic courts* or *wellness courts*, currently located in Anchorage, Fairbanks, Juneau, and Palmer.[86] These courts are sometimes described as *DUI* or *drug courts*. [87] Each of these courts has specific legal and clinical eligibility criteria. Therapeutic courts also serve people charged with crimes who may have mental health conditions and/or substance mis(use) problems. Completion of a therapeutic court program may include reduction or dismissal of charges. Most participants will have avoided incarceration.

Utilization of therapeutic courts is 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 supervise 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 a traditional plea offer is more attractive and choose that over therapeutic court participation.

In addition to state therapeutic courts, there is tribal-state collaborative court in Kenai (Henu).[88] This collaboration follows the wellness court model to serve people with substance (mis)use problems using culturally appropriate programs.

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[86] Alaska Court System Therapeutic Courts, https://courts.alaska.gov/therapeutic/index.htm. Bethel also had a Wellness Court for many years that closed because of lack of treatment programs and staffing.

[87] 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.

[88] *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. A tribal-state collaborative court in Sitka formerly operated but recently lost funding.

9.11 Statutory Diversion Processes

Alaska has two statutory provisions that allow people either to suspend imposition of the sentence (SIS) or suspend the entry of judgment (SEJ). These special judgments allow defendants to show their rehabilitation by complying with probation conditions. The SIS allows the conviction to be set aside so that it will not be counted as part of the person's prior criminal history, although the conviction remains in the public record. [89] 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.

SIS is "primarily meant to be a one-time opportunity for particularly deserving first offenders."[90] A judge has discretion whether to grant an SIS, may do so without the prosecutor's agreement, and is not limited to Rule 11 agreements. However, an SIS cannot be granted for DUI, most physical and sexual assaults, or if a firearm was used while committing the offense.[91] A defendant receiving an SIS may be required to serve time incarcerated 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 sets aside the conviction at the conclusion of the probationary period. This 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. 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 an SIS involved theft, alcohol, or a minor assault charge.[92]

SEJ, established by law in 2016,[93] is a type of probationary sentence. It allows the parties and the court to agree to "impose conditions of probation without imposing or entering a judgment of guilt."[94] Upon successful completion of probation, the

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[89] Alaska Court System website, *Suspended Imposition of Sentence: Frequently Asked Questions*, https://courts.alaska.gov/media/docs/bp-sis-faq.pdf.
[90] *State v. Huletz*, 838 P.2d 1257, 1259 (Alaska App. 1992).
[91] *See* AS 12.55.085.
[92] 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*.
[93] SLA 2016, ch.36, § 77, *codified at* AS 12.55.078.
[94] 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.

court discharges the person, dismisses the case, and the charge is removed from the defendant's record (unlike SIS). SEJ is not permitted for several violent and serious offenses or under certain other circumstances. The sentence cannot include any incarceration. Similar to SIS, between 2016 and 2025, approximately half of the cases containing an SEJ involved theft, alcohol, or a minor assault charge.

Table 14 shows the numbers of SEJ and SIS dispositions entered from 2016 through 2026 and the proportion of SIS and SEJ cases relative to the total number of cases handled by the courts each year.[95]

Table 14: the number (n) of SEJ, SIS, and cases with both SEJ and SIS by calendar year. The table also shows percentage (%) of cases with SEJ, SIS, and SEJ & SIS yearly. Note that data from 2026 only includes the first two quarters of the year.

Year	SEJ		SIS		Both SEJ and SIS	
	n	%	n	%	n	%
2026	51	0.5%	115	1%	1	0%
2025	87	0.4%	206	0.9%	1	0%
2024	162	0.6%	203	0.8%	2	0%
2023	142	0.6%	172	0.7%	1	0%
2022	93	0.4%	152	0.6%	0	0%
2021	84	0.3%	177	0.7%	0	0%
2020	92	0.4%	176	0.8%	0	0%
2019	176	0.6%	319	1%	1	0%
2018	149	0.6%	293	1.1%	2	0%
2017	95	0.4%	338	1.4%	0	0%
2016	4	0%	776	2.8%	0	0%

Data provided by the Alaska Court System
Analysis conducted by ACJDAC

Since 2016, the combined numbers of SIS and SEJ have decreased from approximately 3% of all cases 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. Also, cases eligible to receive an SEJ have been restricted by the Alaska Legislature.

[95] 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 data are not available to the Commission.

9.12 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.[96] The sentencing hearing in a felony case may occur several months after conviction. Sentencing in misdemeanor cases usually occurs immediately after the conviction.

Judges must impose sentence 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.

9.12.1 Sentences of Incarceration

The judge can sentence a person to incarceration and may suspend some or all of that time.[97] The amount of incarceration a judge can impose is regulated by statute and by caselaw. Generally, the amount of incarceration depends on the severity and number of the charges of conviction and the defendant's criminal history.

Figure 35 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.

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[96] 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;

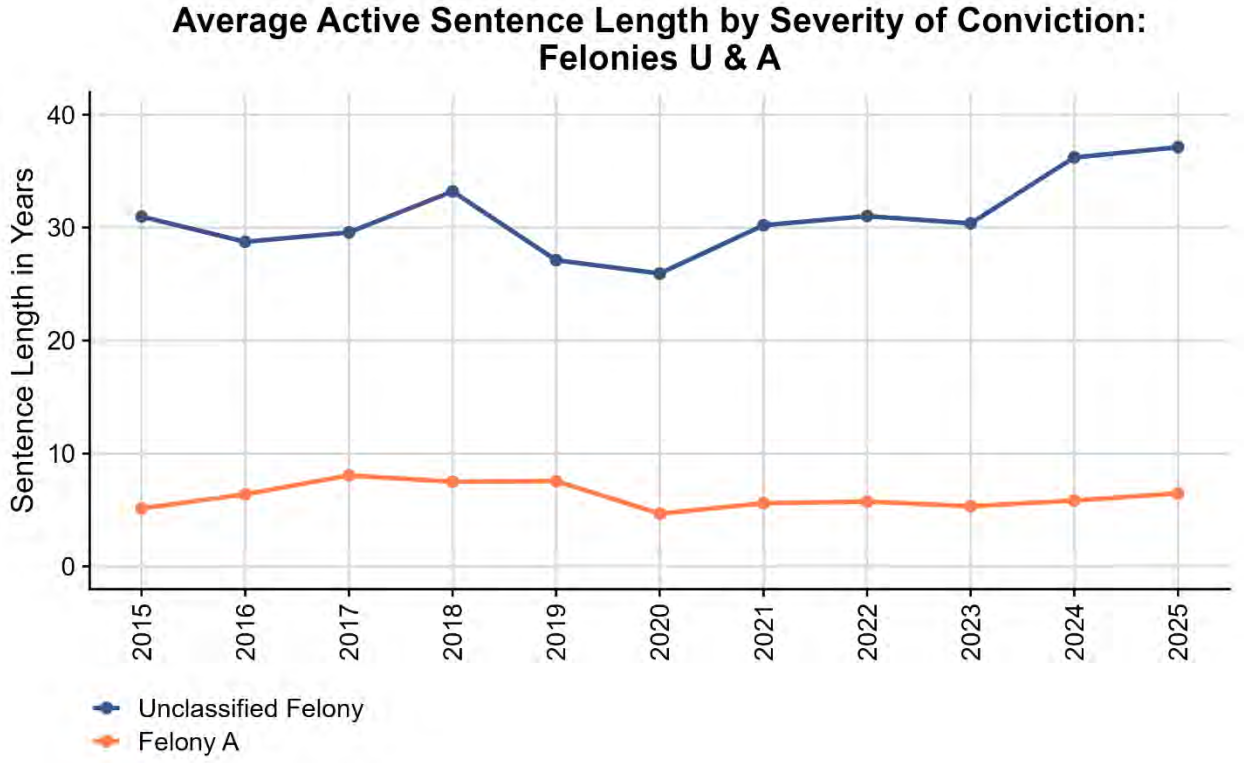
(6) the effect of the sentence to be imposed as a community condemnation of the criminal act and as a reaffirmation of societal norms; and

(7) the restoration of the victim and the community."

[97] Suspended terms of incarceration can be imposed by a judge if the defendant violates the conditions of probation after the defendant is released. Probation is discussed below.

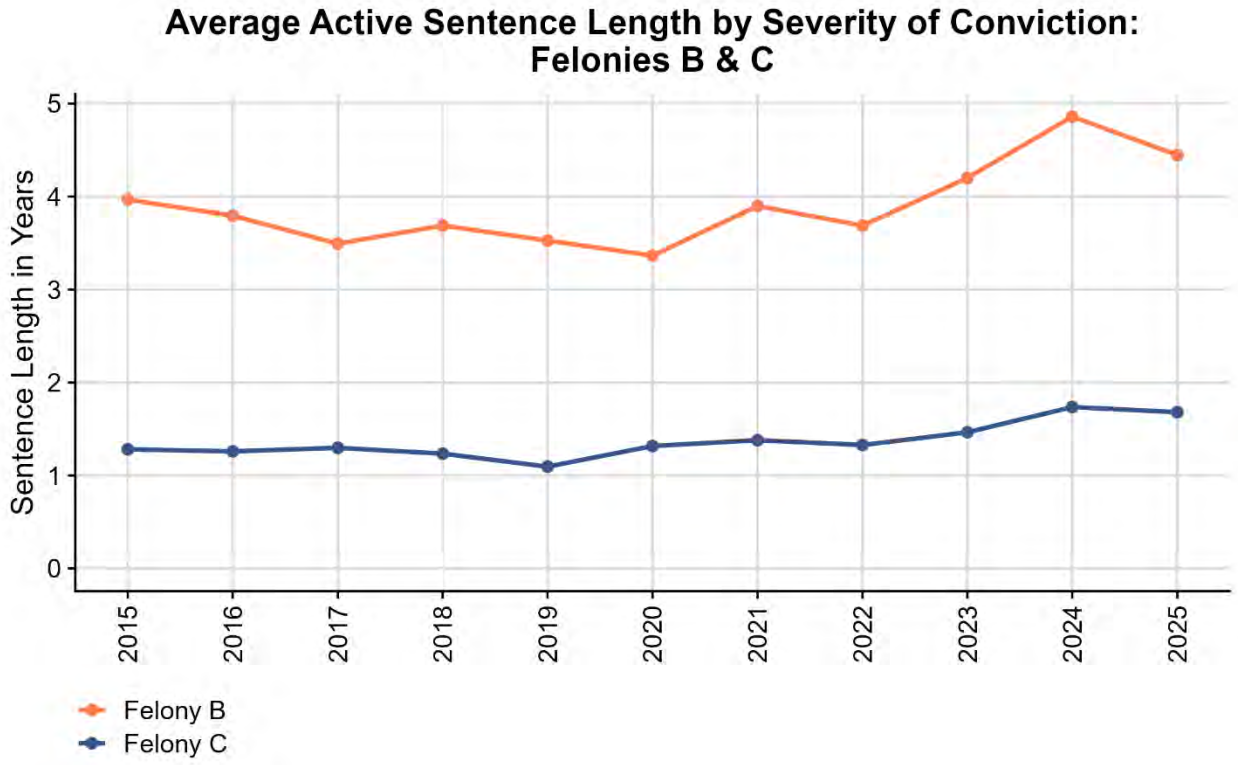
Under Alaska law, sentence length is longer for felonies than misdemeanors. These differences are shown in Figures 35, 36, and 37. Figure 35 shows the average years of incarceration for people convicted of an Unclassified or A Felony. Figure 36 shows the average years of incarceration for people convicted of Felony B and C crimes over time. Figure 37 shows the average days of incarceration for people convicted of Misdemeanor A and B crimes over time. Note that in Figures 35 and 36, the y-axis represents sentence length in years while Figure 37 represents it in days.

Figure 35: Average active sentence length in years among Unclassified and Felony A crimes per calendar year.



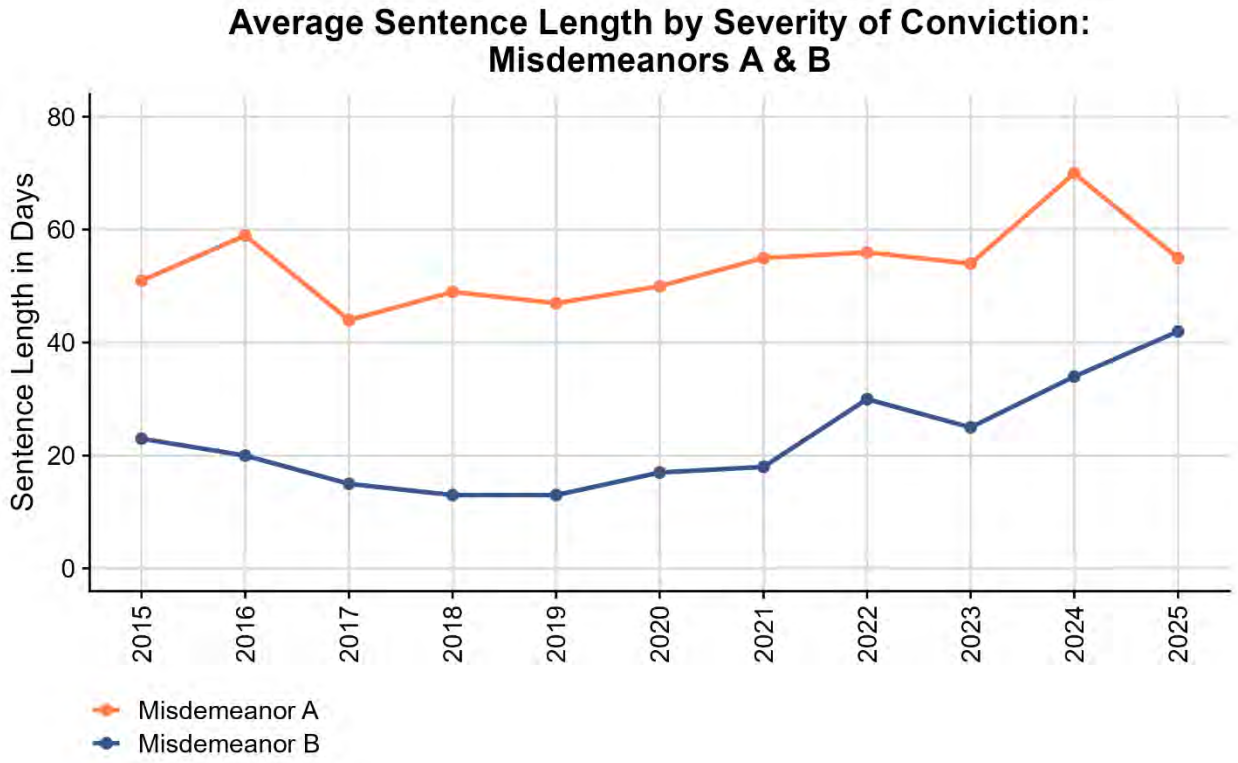
Data provided by the Alaska Department of Public Safety
Analysis conducted by ACJDAC

Figure 36: Average active sentence length in years among Felony B and C crimes per calendar year.



Data provided by the Alaska Department of Public Safety
Analysis conducted by ACJDAC

Figure 37: Average active sentence length in days among Misdemeanor A and B crimes per calendar year.



Data provided by the Alaska Department of Public Safety
Analysis conducted by ACJDAC

Another way to understand sentence length, rather than by average length for severity of crime, is to look at groups of sentencing ranges. As shown in Table 15, Unclassified Felonies and Class A Felonies disposed between 2015 and 2025 generally had active sentences greater than five years (67.1%).

Table 15: Average active sentence length by severity of crime of conviction for calendar years 2015 – 2025.

Unclassified Felony and Felony A				
0-5 years	6-10 years	11-25 years	26-50 years	More than 50 years
32.9 %	21.7%	17.4%	14.0%	14.0%
Felonies B & C				
0-6 months	6 mo.- 1 year	1-2 years	2-3 years	More than 3 years
33.1%	22.5%	20.2%	12.7%	11.5%
Misdemeanors A & B				
0-5 Days	5-10 days	10-25 days	25-50 days	More than 50 days
35.3%	15.0%	12.2%	16.6%	20.8%

Data provided by the Alaska Department of Public Safety
Analysis conducted by ACJDAC

Mandatory minimums require active sentences greater than five years for Unclassified Felonies. Most Class B and C Felonies had active sentences of two years or less (75.8%), while most misdemeanors had active sentences of 25 or fewer days (62.5%).

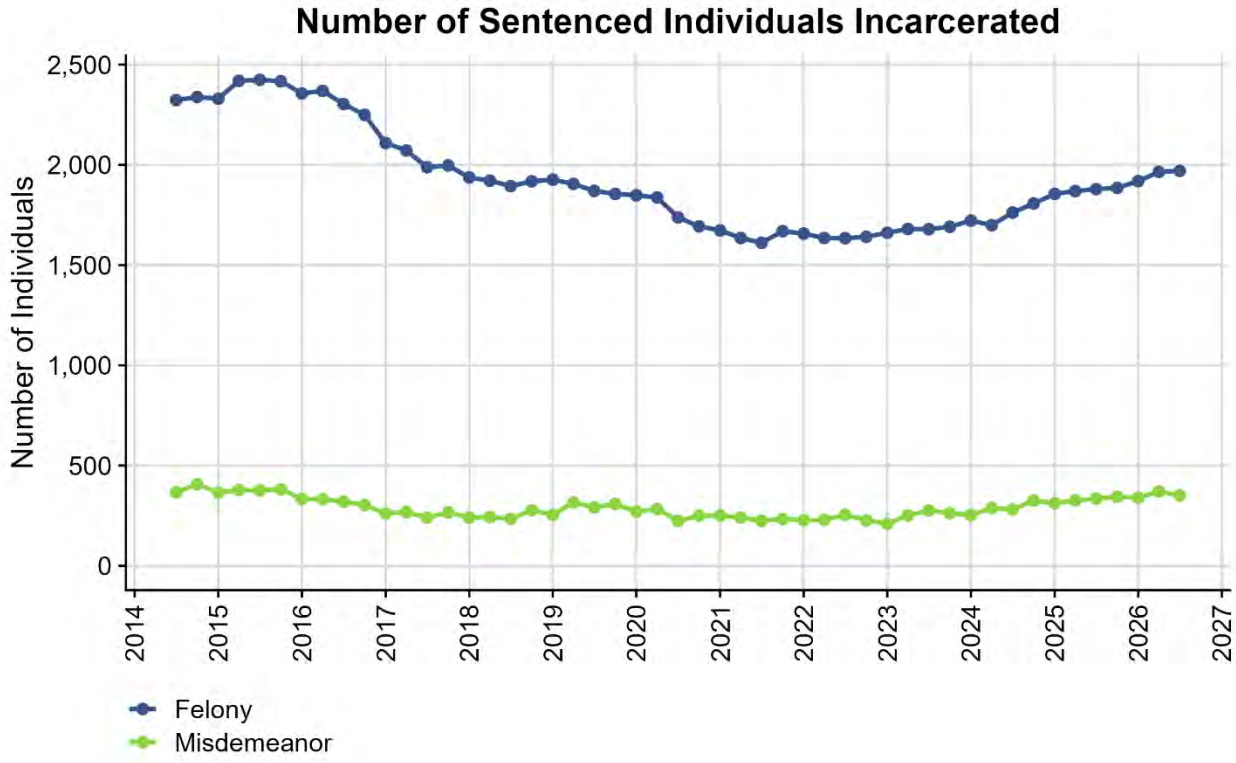
The sentence lengths documented in Figures 35, 36, and 37 and Table 15 do not represent the exact amount of time that the convicted offenders spent or will spend in a correctional facility. One reason is that any time a defendant spent incarcerated before conviction is deducted from the active sentence. Another reason is that most individuals sentenced to incarceration are eligible to earn *good time* credit and be released on parole 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.[98] Some serious felony 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.[99] However, in most instances, some good time is earned.

[98] AS 33.20.010(a).
[99] *Id*.

After a judge sentences a person to a term of incarceration, they are immediately remanded to the Department of Corrections to serve their sentence, if they are not already incarcerated. In a minority of cases, a person may begin their sentence at a later date.

Figure 38 shows the number of individuals who are serving a sentence of incarceration over time. These individuals have been convicted of a Felony or a Misdemeanor and sentenced by a judge. These data represent the count in DOC custody on a given day, or a *moment in time*. The data show that most individuals who have been sentenced to a correctional facility are there for a felony offense.

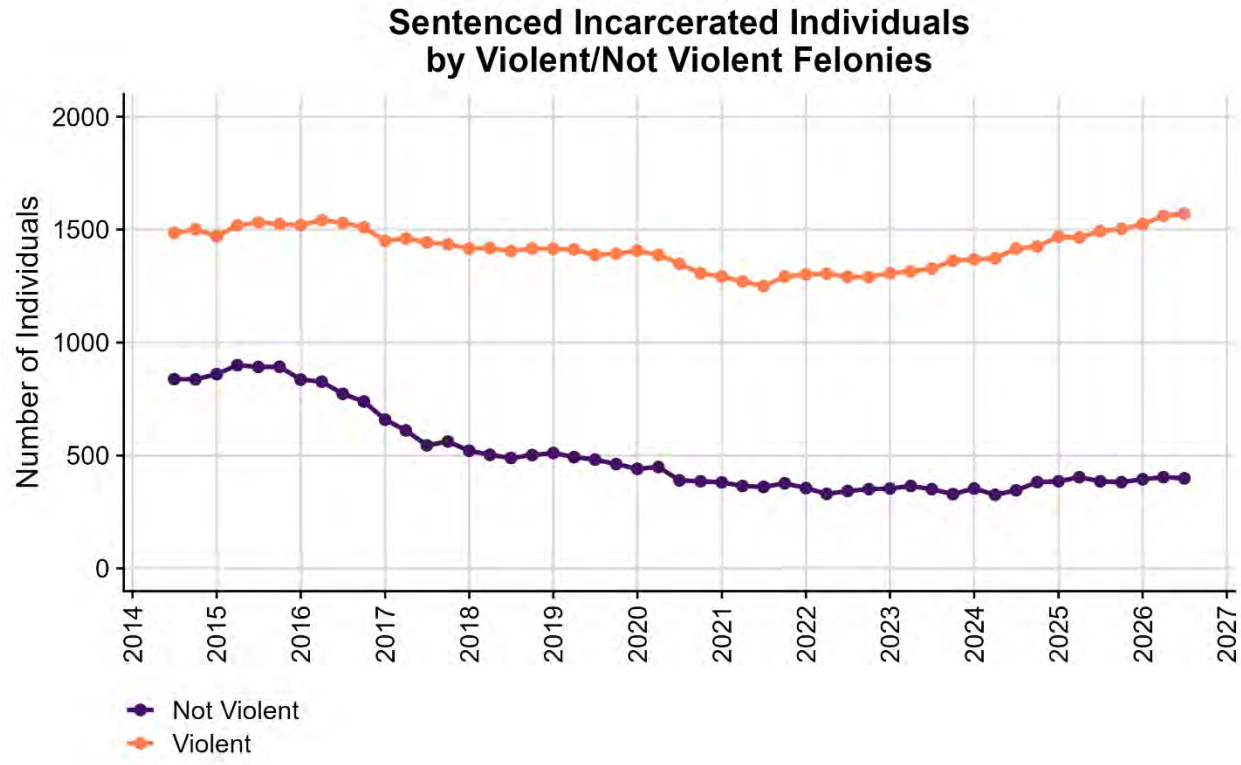
Figure 38: Number of convicted individuals housed in a correctional facility by severity of crime of conviction on the first day of the calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

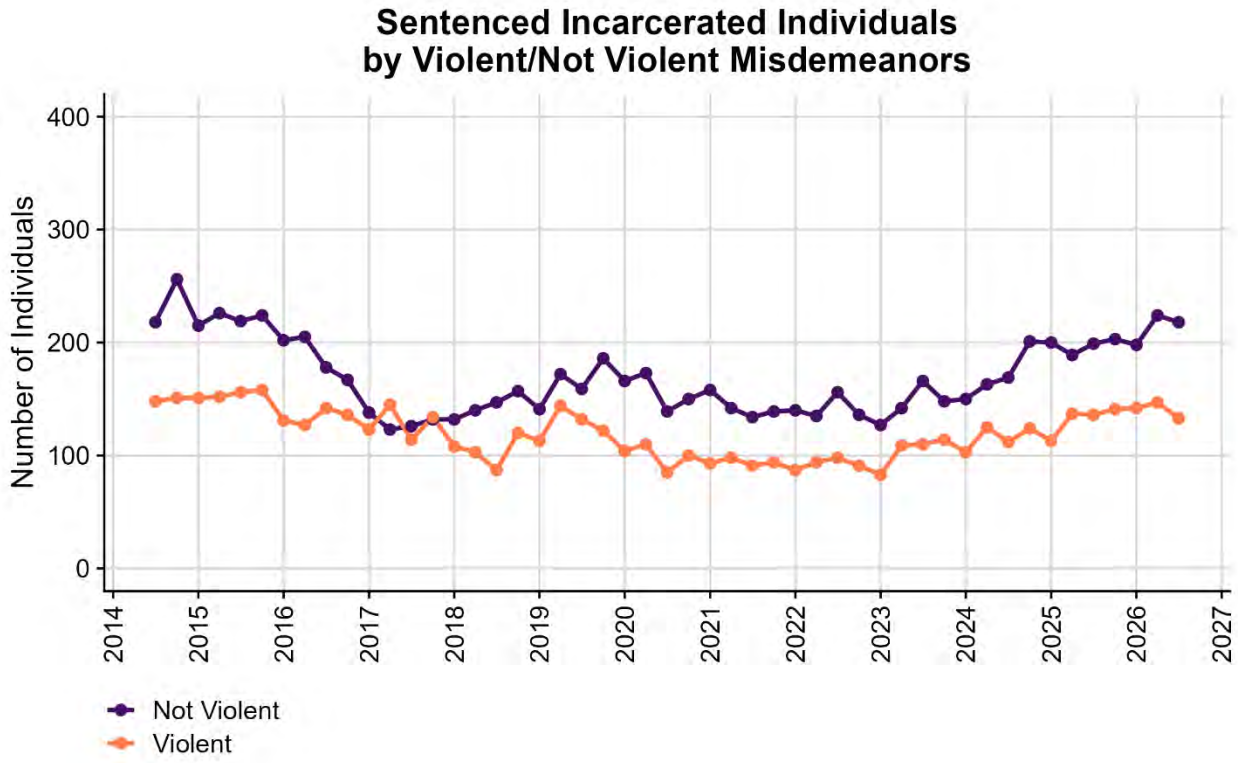
Figures 39 and 40 show the number of individuals in correctional facilities on a given day by whether the offense was violent. Figure 39 shows felony offenses and Figure 40 shows misdemeanor offenses. *Violent offenses* include most offenses enumerated in AS 11.41, such as Assault (AS 11.41.200), Robbery (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 codified in other titles and chapters, as well as comparable offenses at the local level.

Figure 39: Number of individuals convicted of a felony housed in a correctional facility by violent/non-violent crime on the first day of the calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

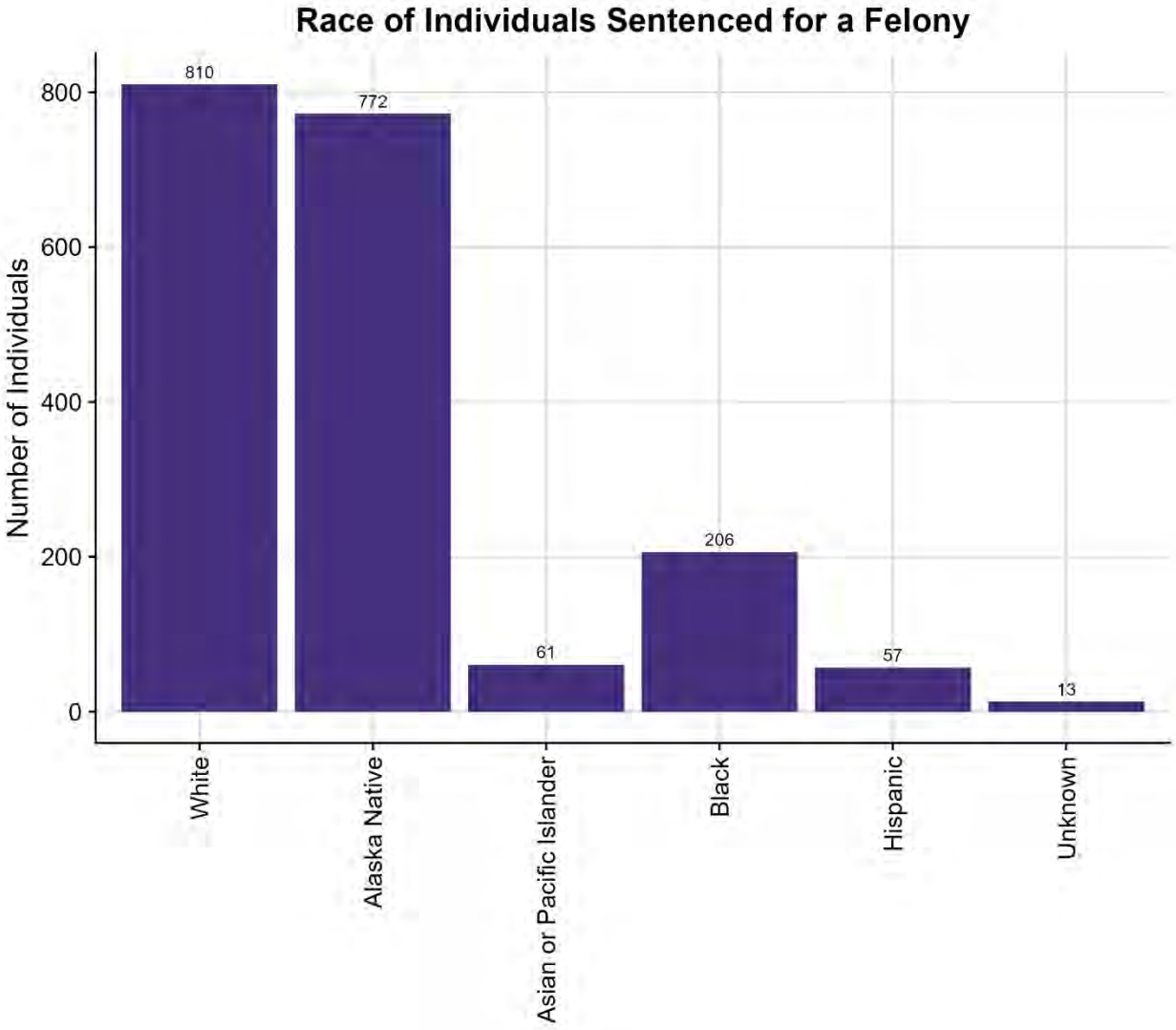
Figure 40: Number of individuals convicted of a misdemeanor housed in a correctional facility by violent/non-violent crime on the first day of the calendar quarter.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

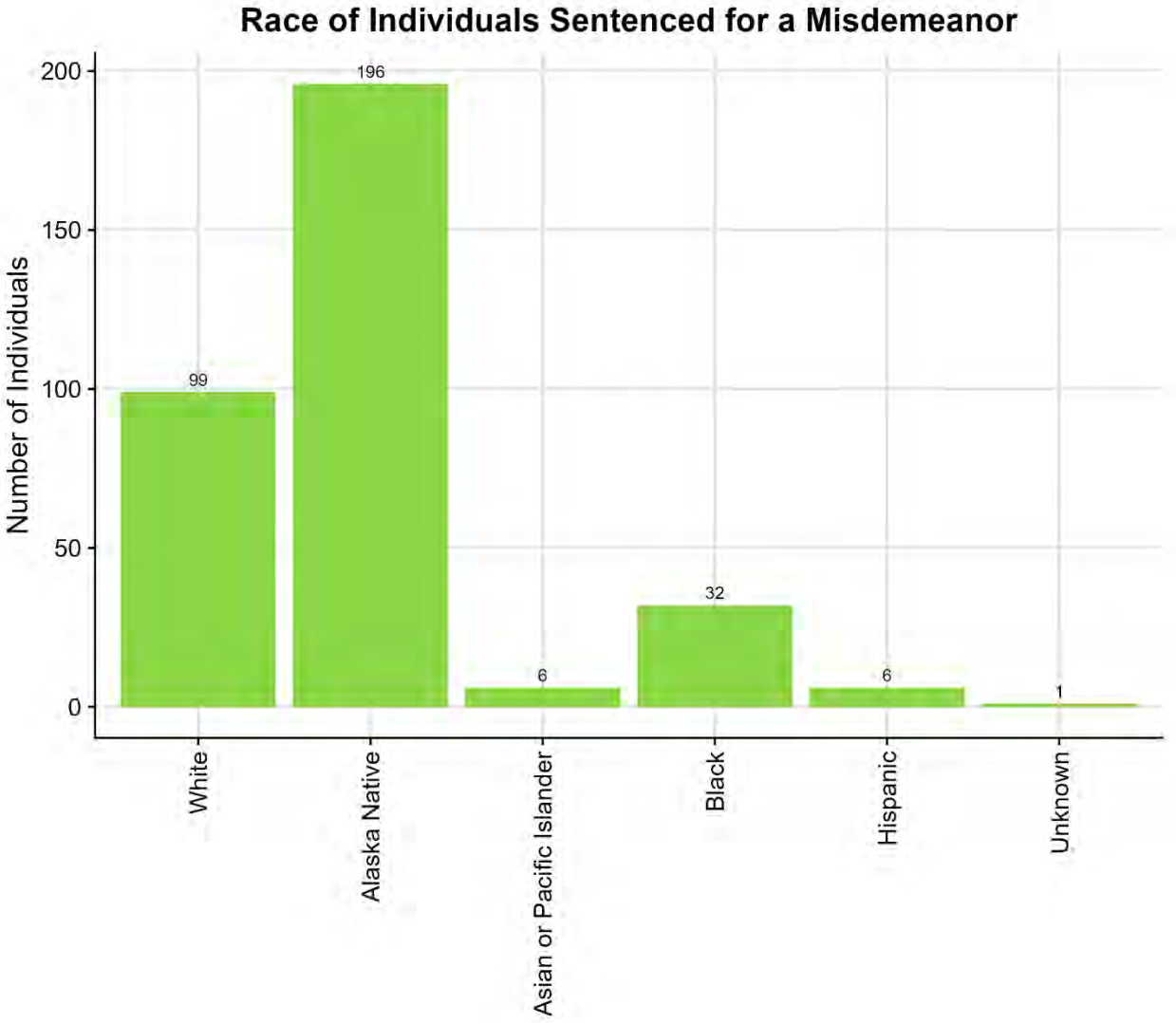
Figures 41 and 42 show the number of convicted individuals in correctional facilities on a given day by offender race/ethnicity. Figure 41 shows individuals convicted of a felony and Figure 42 shows individuals convicted of a misdemeanor. Among felony and misdemeanor offenses, more offenders were Alaska Native than were White.

Figure 41: Number of individuals convicted of a felony housed in a correctional facility by race/ethnicity on January 1, 2026.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Figure 42: Number of individuals convicted of a misdemeanor housed in a correctional facility by race/ethnicity on January 1, 2026.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

People who are incarcerated after sentencing 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 Appendix F.

9.12.2 Sentences of Probation

If it serves the best interests of the public and the offender, a judge may include a period of supervised probation for a definite length of time in the sentence. This may be up to 10 years for a felony offense and up to 25 years for a felony sex offense.[100] The judge can sentence an offender to probation after incarceration or sometimes instead of 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.

9.12.3 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.[101]

In fiscal year 2026, the court system reports that it entered 1,148 new restitution judgments. The number of restitution orders issued depends on many variables, including the number of cases filed and the number and types of cases that are disposed in a given year.

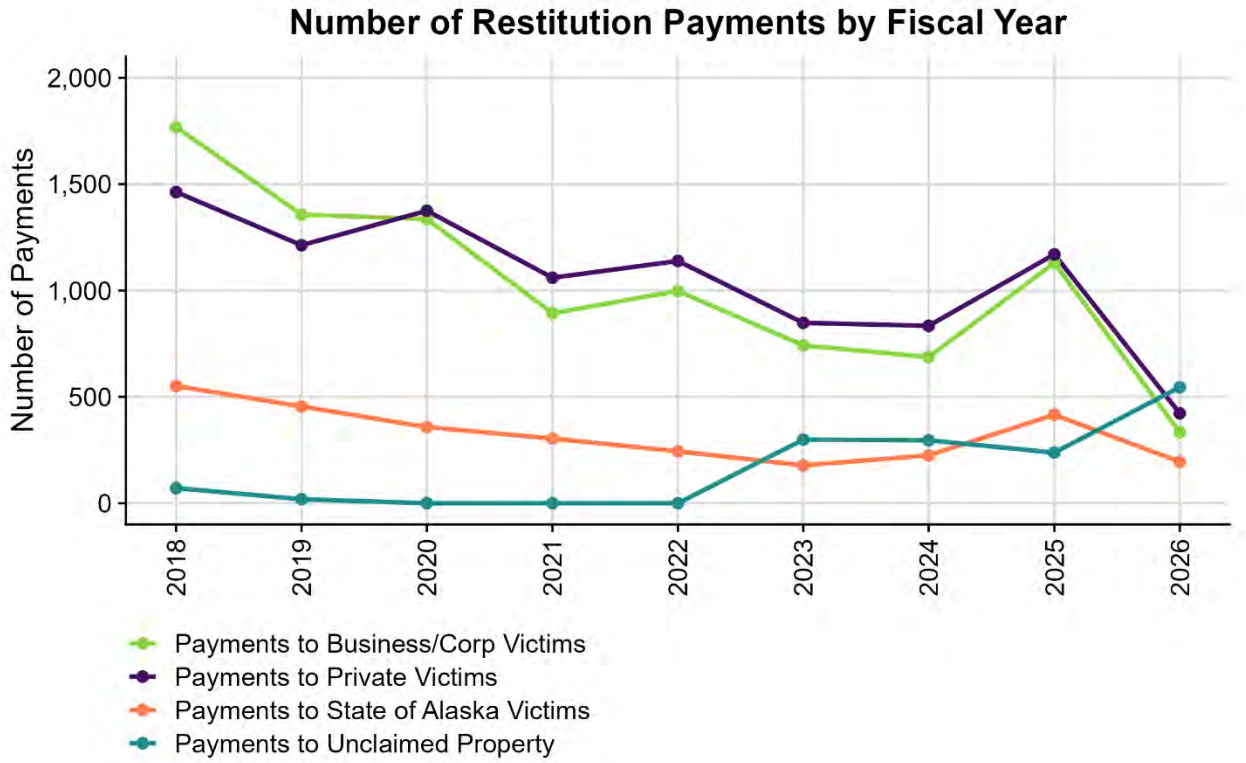
The fact that a restitution judgment has been entered does not necessarily mean that the offender will make payments right away, or ever. When offenders do make payments, they may do so over time, so several months or years may elapse before the restitution order is satisfied. Thus, the court system typically is administering several years' worth of restitution orders in any given fiscal year.[102]

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[100] AS 12.55.090(c).
[101] *See* AS 12.55.045.
[102] 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.

Figure 43 shows the number of restitution payments made between fiscal years 2018 and 2026.[103]

Figure 43: the number of restitution payments made between fiscal years 2018 and 2026. Different victim types are represented by color.



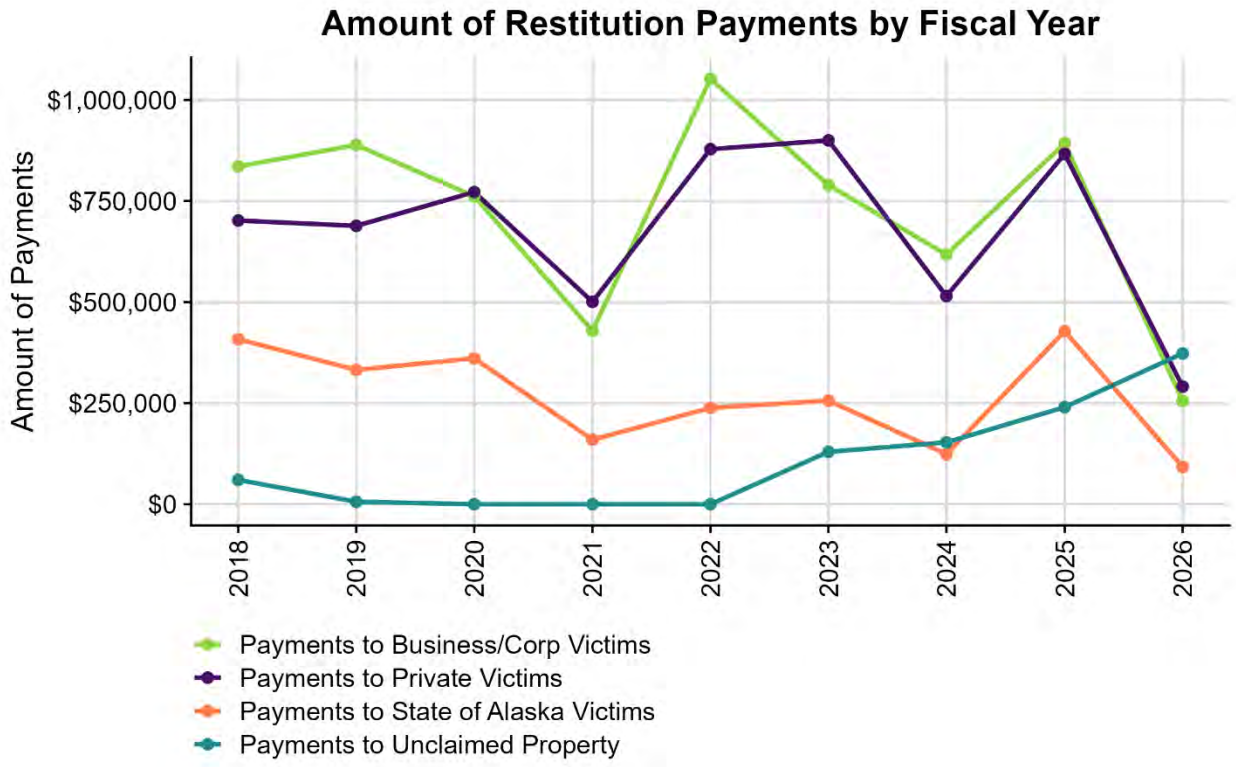
Data provided by the Alaska Court System
Analysis conducted by ACJDAC

In Figures 42 and 43, "Victim Payments to Unclaimed Property" denotes monies the court system disbursed to the "Unclaimed Property" fund. The court disburses funds to "Unclaimed Property" when it does not have a valid address for the victim. Funds disbursed to "Unclaimed Property" are held until the victim claims them.

[103] If two payments were made to fully satisfy a restitution order, that would count as two payments in Figure 43.

Figure 44 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. As mentioned above, payments to "Unclaimed Property" denotes funds the court disbursed to the Unclaimed Property fund after failing to locate a valid address for the victim.

Figure 44: The dollar amount of restitution payments made between fiscal years 2018 and 2026. Different victim types are represented by color.



Data provided by the Alaska Court System
Analysis conducted by ACJDAC

9.13 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 37 sentence appeals and 408 merit appeals were pending before the Alaska Court of Appeals at the end of fiscal year 2025.[104] According to the Alaska Court System, the Alaska Court of Appeals disposed of 233 cases in FY

[104] Alaska Court System, *Alaska Court System Statistical Report, Fiscal Year 2024*, https://courts.alaska.gov/admin/docs/fy24-statistics.pdf.

2025, a 10% increase from FY 2024. During FY 2025, 297 cases were filed in the Court of Appeals, a 22% increase from the total filed in FY 2024. [105]

10 Probation, Parole, and Reentry

10.1 Probation

Probation is a court-ordered period during which a person convicted of a crime must comply with conditions the judge sets. Probation may begin immediately following sentencing or after serving a period of incarceration. In Alaska, probation takes several forms, including supervised probation through the Department of Corrections (DOC), Therapeutic Court probation through the Department of Health's Division of Behavioral Health (DBH), and unsupervised probation to the court, which may include monitoring by DBH's Alcohol Safety Action Program (ASAP) Probation Officers. Unlike DOC probation officers, DBH's Therapeutic Court and ASAP Probation Officers are non-sworn officers responsible for community supervision and monitoring compliance with court-ordered requirements, respectively. These forms of probation differ in their level of supervision, monitoring, and enforcement authority.

Supervised Probation. DOC probation officers monitor individuals placed on supervised probation through the Division of Pretrial, Probation, and Parole. Supervised probation is most commonly associated with felony convictions, although not all individuals convicted of felonies are placed on supervised probation.

Probation officers carry out the judge's orders and monitor individuals to ensure they comply with supervision conditions. They may help individuals find employment, obtain drug and alcohol treatment, and access other community services. Probation officers may arrest individuals under their supervision for violating probation conditions, with or without a warrant, as authorized by law.

A probation officer may also file a petition to revoke probation to bring an individual back before the court. At the revocation hearing, the offender can have an attorney

[105] Alaska Court System, Statistical Report FY 2025, at p. 7 https://courts.alaska.gov/admin/docs/fy25-statistics.pdf

and the government must prove that the offender violated one of the probation conditions. If the offender is found to have violated, the judge may continue probation, impose additional restrictions, or revoke probation and impose some or all of the remaining suspended sentence, consistent with applicable law.

According to DOC, approximately 3,444 individuals were on supervised probation and parole combined as of July 1, 2025.[106] Approximately 18% of individuals under supervision were female, compared to 10% of the incarcerated population.[107] Because DOC probation officers supervise both probationers and parolees, the reported caseload includes individuals on parole, some of whom may also be on probation.

Therapeutic Court Probation. Alaska also provides specialized probation supervision through Therapeutic Courts, which serve individuals with substance use or mental health conditions through a multidisciplinary approach involving judges, attorneys, treatment providers, and probation officers. The Department of Health's Division of Behavioral Health (DBH) employs non-sworn Therapeutic Court Probation Officers who provide active community supervision for individuals participating in felony and misdemeanor Therapeutic Courts.

Unlike DOC probation officers, DBH Therapeutic Court Probation Officers are not peace officers and have no law enforcement or arrest authority. Their responsibilities include conducting field and home visits, monitoring compliance with court-ordered conditions, administering drug and alcohol testing, coordinating treatment and recovery supports, and reporting participant progress or noncompliance to the court. Their supervision emphasizes accountability, participant stability, and engagement in treatment and recovery, consistent with evidence-based practices. The court retains authority over judicial decisions and responses to violations. During FY2026, DBH Therapeutic Court Probation Officers documented case management services for approximately 561 unique individuals statewide.

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[106] Alaska Department of Corrections, *2025 Offender Profile*, page 6, posted at https://doc.alaska.gov/admin/docs/1CurrentProfile.pdf.
[107] *Id*. at pp. 26 and 11.

Unsupervised Probation. Most individuals convicted of misdemeanor offenses in Alaska are placed on unsupervised probation to the court rather than supervised probation through DOC. Unsupervised probation does not mean that an individual has no obligations or conditions to meet. Individuals remain responsible for complying with court-established conditions, which may include completing treatment, participating in educational programs, paying court-ordered fines, or meeting other sentencing requirements.

The primary distinction between supervised and unsupervised probation is that individuals on unsupervised probation are not routinely assigned a DOC probation officer to monitor their activities or compliance. However, designated programs or service providers may monitor or document compliance with specific court-ordered conditions. If someone reports a violation to the court, the court may take further action, including requiring the individual to appear at a hearing.

For certain alcohol- and drug-related offenses, including Driving Under the Influence (DUI), Operating Under the Influence (OUI), and refusal to submit to a chemical test, the court may order monitoring through the Department of Health's Alcohol Safety Action Program (ASAP).[108] DBH employs non-sworn ASAP Probation Officers who provide screening, case management, referrals, and compliance monitoring for court-ordered requirements, including participation in required education or treatment programs. ASAP Probation Officers report noncompliance to the court but lack the law enforcement or arrest authority of DOC probation officers. Individuals participating in ASAP may remain on unsupervised probation to the court while receiving monitoring services through the program. According to the Division of Behavioral Health (DBH), approximately 3,359 unique individuals were admitted to the Alcohol Safety Action Program (ASAP) in FY2026, accounting for 3,575 total admissions, as some individuals were admitted more than once. As of October 15, 2026, approximately 5,163 individuals were actively receiving ASAP monitoring services, including those whose cases were returning to court for noncompliance. The average duration of ASAP monitoring is 167.7 days, while the average probation length is 3 years. The program receives approximately 3,740 new referrals annually, based on a five-year average from FY2022 through FY2026.

[108] See AS 28.35.030 (h), requiring defendants convicted of these offenses to complete rehabilitative services.

Other court-ordered programs, such as batterer intervention programs, may also track participation and may report noncompliance to the court. These monitoring and reporting functions do not, by themselves, constitute supervised probation.

Although DOC does not supervise most misdemeanor cases, limited exceptions exist. DOC may review exceptional misdemeanor cases involving substantial public safety concerns to determine whether supervision is appropriate. Interstate supervision arrangements may also result in DOC supervising individuals whose offenses would be classified as misdemeanors under Alaska law.

10.2 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. Special medical and geriatric parole are uncommon in Alaska. In 2025, there were no individuals being actively supervised in Alaska as the result of special medical or geriatric parole.[109]

Relatively few people are released on discretionary parole compared to mandatory parole. Discretionary and mandatory parole are discussed further below.

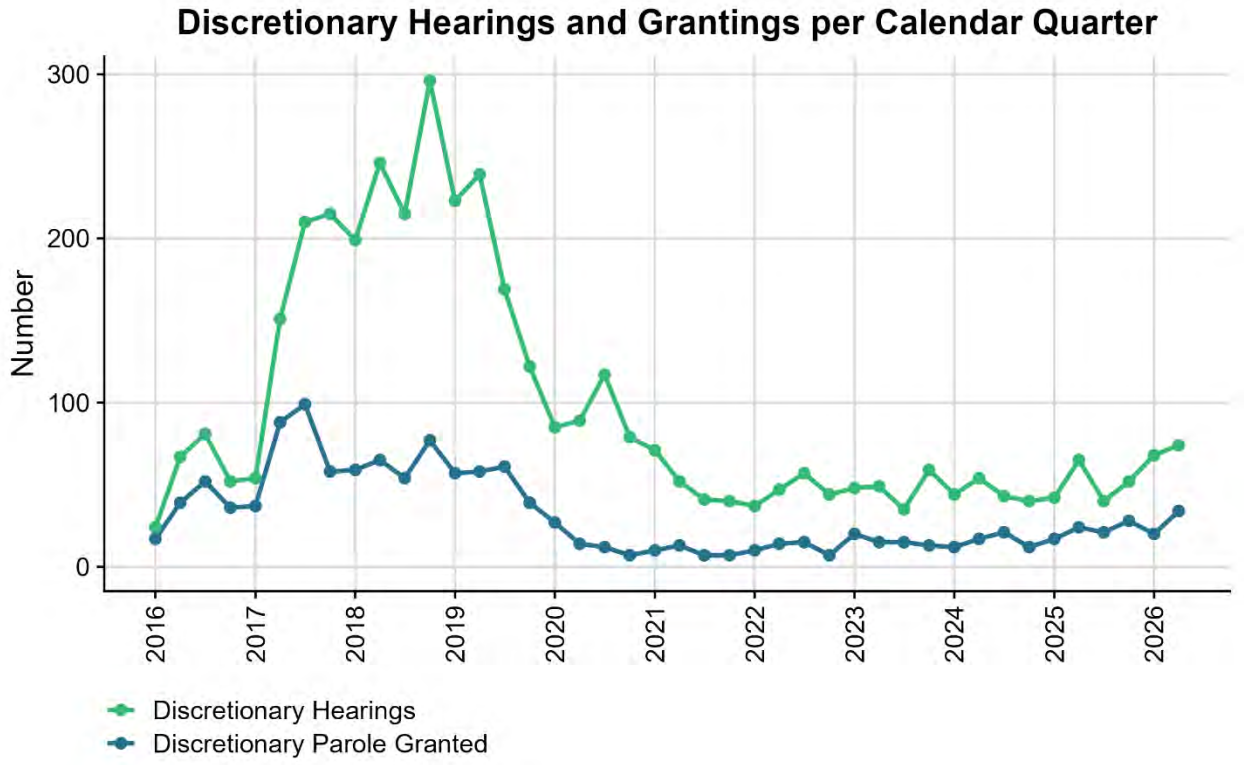
10.2.1 Discretionary Parole

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.[110] Persons released on parole are supervised by the same officers who supervise probation, and a person may be on both probation and parole at the same time.

Figure 45 shows the number of discretionary parole hearings and the number of people who were granted discretionary parole per quarter.

[109] State of Alaska Board of Parole, *Quick Facts, December 31, 2024*, https://doc.alaska.gov/Parole/documents/Quick%20Facts%202025.pdf
[110] AS 33.16.130.

Figure 45: Number of discretionary parole hearings and discretionary parole grantings per calendar quarter.



Data provided by the Alaska Parole Board
Analysis conducted by ACJDAC

Discretionary parole was 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 a hearing for all those eligible, whether or not they requested it, and to expand the number of people eligible. Figure 45 shows a large increase in hearings and a small increase in the number of cases granted parole after 2017. Later, in 2019, the law reverted to requiring an application to be filed to be considered for discretionary parole. It also limited eligibility for some crimes. As a result, the number of discretionary parole hearings and releases decreased.[111]

[111] Email from the Department of Corrections to the Alaska Judicial Council (September 25, 2023).

10.2.2 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.[112] [113] Individuals convicted of certain serious felonies are not eligible for mandatory parole. Most supervised parolees were released as a result of mandatory parole. In 2025, 781 people were released on parole. 87% of those were released as a result of mandatory parole. This is in contrast to discretionary parole, which constituted only 11% of people released on parole in 2025.[114]

10.3 Reentry to the Community

After release from incarceration, an individual reenters the community, often while on probation or parole. 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. To reduce the risk of recidivism, the State of Alaska has developed a coordinated reentry plan.[115]

The Legislature created a Recidivism Reduction Fund in 2016.[116] The Division of Behavioral Health (DBH) administers the Recidivism Reduction grant program, which funds one reentry case manager in each of eight Alaska regions: Anchorage, the Kenai Peninsula, Juneau, Fairbanks, Ketchikan, Nome, the Mat-Su Borough, and Bristol Bay. The program supports individuals transitioning from incarceration

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[112] AS 33.16.010(a) and (c).

[113] 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 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."

[114] An additional 2% of parolees are people who were convicted in other states and are serving their parole in Alaska under the Interstate Compact for Adult Offenders. https://doc.alaska.gov/Parole/documents/Quick%20Facts%202025.pdf

[115] *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; Alaska Mental Health Trust Authority, *Alaska Community Reentry Program Guide* (2018), https://juneaureentry.org/wp-content/uploads/2018/12/Alaska-Community-Reentry-Program-Guide-Version-4-FINAL.pdf.

[116] See discussion in Section 11.4, below.

through individualized case management aimed at successful community reintegration and reducing recidivism. Participation in the program is voluntary and individuals can terminate their participation at any time.

Reentry case managers collaborate with the Department of Corrections (DOC) and community partners to coordinate pre-release planning and connect participants with existing resources, including housing, employment, healthcare, behavioral health treatment, and other essential services. Grant-funded programs reported serving approximately 600 individuals in FY2025 and 800 in FY2026 through case management and other reentry assistance.

Community Reentry Coalitions: Alaska has nine reentry coalitions located in Anchorage, Mat-Su, Fairbanks, Kenai, Juneau, Dillingham, Nome, Ketchikan, and Kodiak. Communities with reentry programs work with these local coalitions to support their capacity to meet the needs of individuals who are reentering their communities following incarceration. The support and services offered by these coalitions include access to healthcare (physical health, mental health and substance use treatment), employment counseling and assistance, transportation, education and training, and housing.

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 released and who indicate that they are interested in receiving community services.

11. 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 primary definition for the purpose 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."[117] [118]

Defining recidivism in this way is problematic because it allows the measured rate of recidivism to be affected by factors other than the rate at which people engage in later criminal behavior. For example, 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 remained constant. There will also be times when a person was arrested because the police reasonably suspected that the person committed a new crime, but further investigation revealed that the person did not commit the crime.

The same logic that applies to law enforcement agencies applies to other agencies in the criminal justice system, all of which 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.

11.1 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). This definition measures recidivism as 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. The at-risk date is defined as the date of their

[117] AS 44.19.649(2).
[118] "Convicted defendants" includes both misdemeanants and felons.

conviction or the date of their release from incarceration, whichever is later.[119] [120] [121]

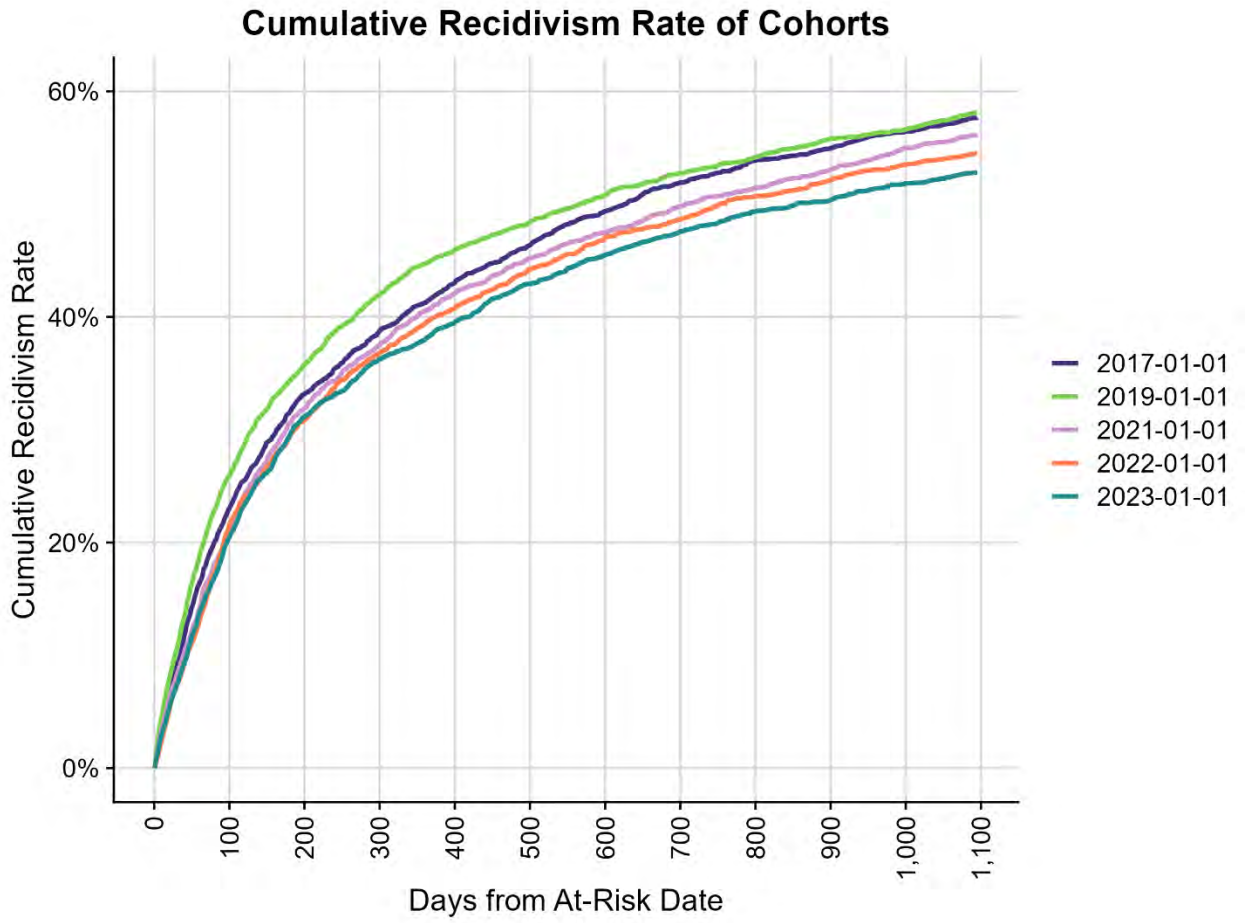
This statutory measure is an imprecise measure of whether a previously convicted offender has, in fact, engaged in new criminal behavior. For example, a previously convicted offender might commit a new crime while incarcerated (i.e. before being released from a correctional institution), but this new 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 has not committed any new crime. For this reason, the next section will discuss additional ways to measure or track a previously convicted offender's new criminal behavior.

In Figure 46, the cumulative recidivism rate based on the statutory definition is shown for five cohorts.[122] By the end of the first year, the recidivism rate across cohorts is approximately 40%. In the subsequent two years, the rate at which the remaining individuals recidivated lessened significantly. The risk of re-offending may lessen over time as individuals successfully re-establish themselves in the community. At year three, 50%-60% of the individuals within the cohorts had been incarcerated at least once on or after their at-risk date for a remand to incarceration

[119] 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.
[120] 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 using this definition.
[121] Generally, individuals may receive no incarceration 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.
[122] Cohorts are referred to by the at-risk start date, e.g., those beginning the at-risk period between January 1, 2017 to March 31, 2017, are labeled "January 1, 2017."

because of violating conditions of release or for a new offense. While five 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 46).

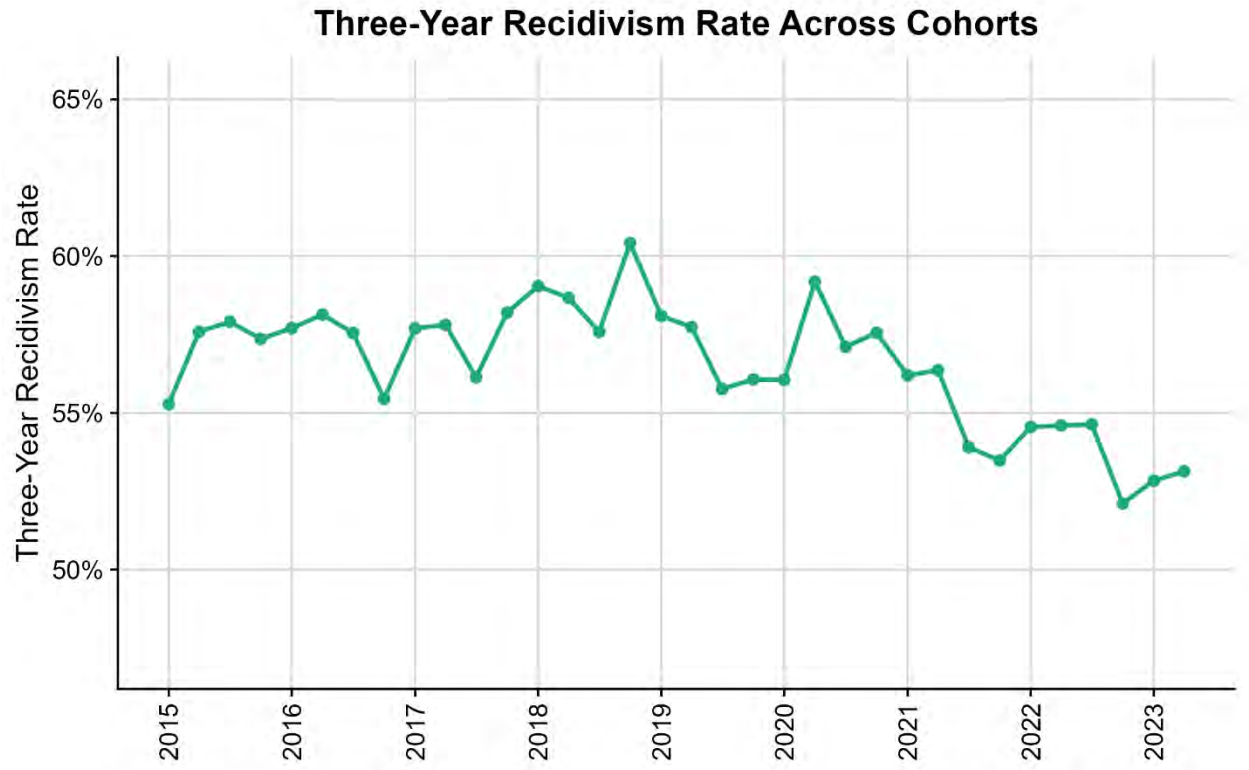
Figure 46: Recidivism of the January 1 (first quarter) Cohorts (Statutory Definition) for years 2017, 2019, 2021, 2022, and 2023.



Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

In Figure 47, the three-year recidivism rate based on the statutory definition is shown for the 34 cohorts between 2015 and 2023.[123] Among these cohorts, the minimum recidivism rate was 52% and the maximum recidivism rate was slightly more than 60%. Beginning with cohorts in 2019, the three-year follow-up period would have overlapped with the pandemic-era restrictions.[124] Both Figures 47 and 48 show a slight decline in recidivism as measured by the statutory definition over the period assessed.

Figure 47: The three-year recidivism by cohort (statutory definition).



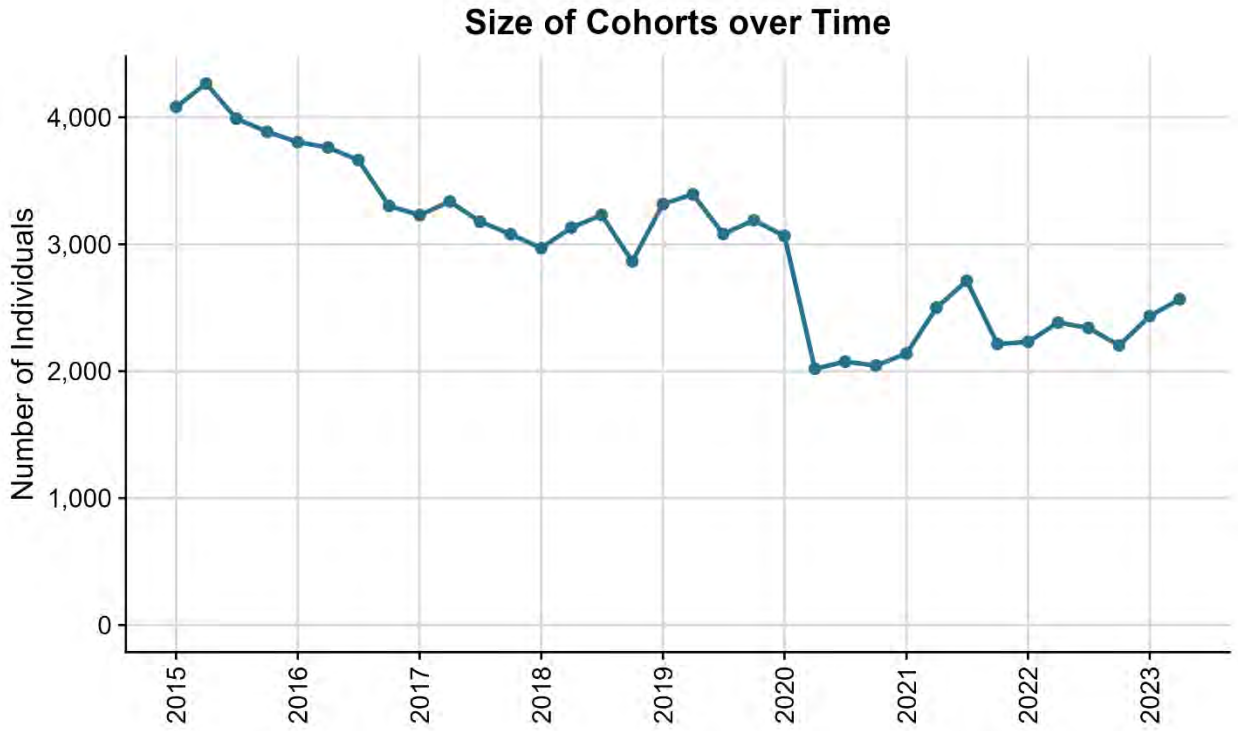
Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

Beginning in April 2020, the size of the cohorts decreased (Figure 48). The number of convictions also decreased following the implementation of pandemic restrictions (see Table 6), which is reflected in the size of cohorts as individuals convicted of a crime and released after completing their sentence. Prior to April 2020, cohorts consisted of more than 3,000 individuals. From April 2020, they

[123] AS 44.19.649(2).
[124] 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.

consisted of only approximately 2,000 individuals. However, there has been a slight rebound since April 2021.

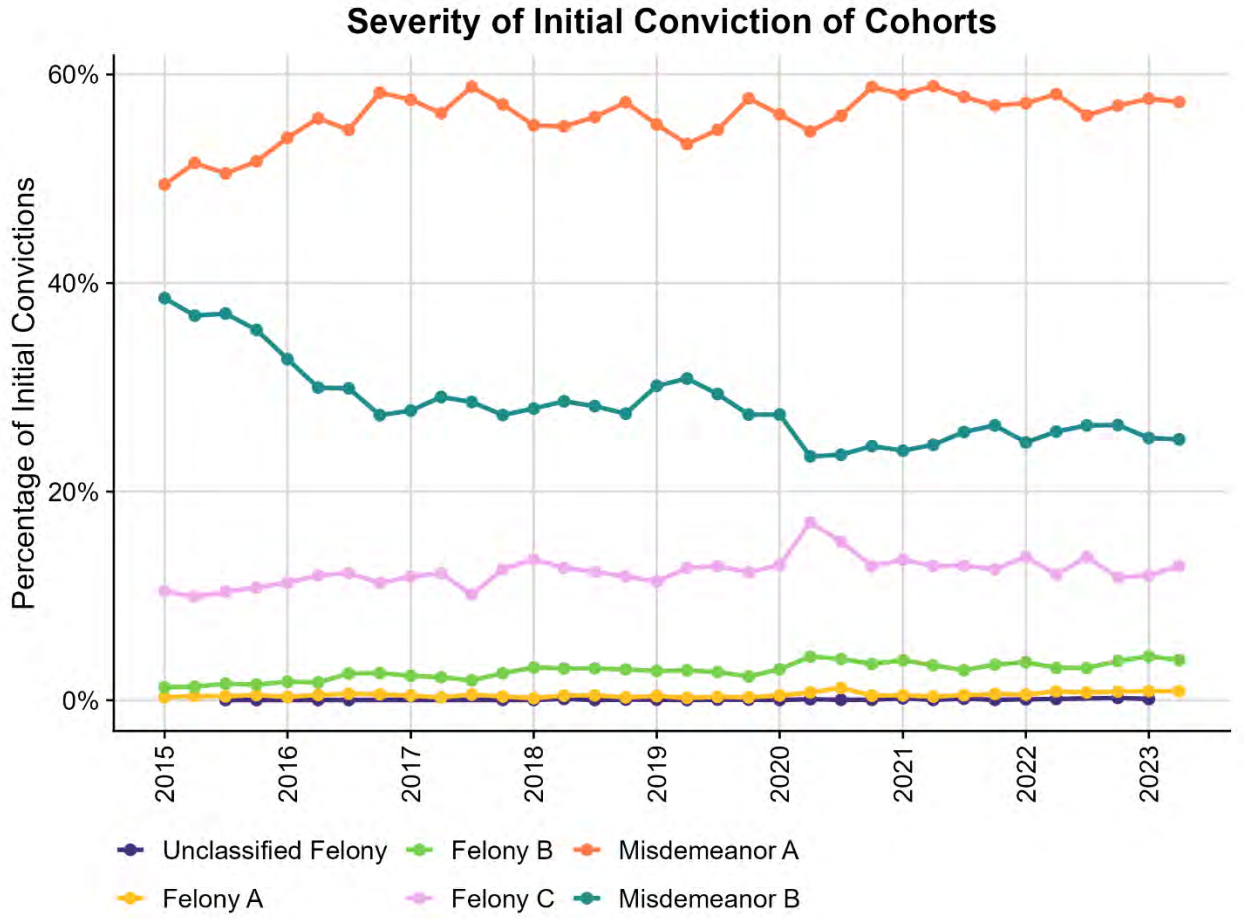
Figure 48: The size of release cohorts by calendar quarter.



Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

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 49. 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 47, recidivism declined slightly over this period, when measured using the statutory definition.

Figure 49: The severity of the single most serious crime at conviction of cohorts.



Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

11.2 Additional Measures of Recidivism

As discussed above, the statutory measure of recidivism is useful but it is an imprecise measure of whether a previously convicted offender has, in fact, engaged in new criminal behavior. This section explores additional ways to measure the ways in which previously convicted offenders can be understood to engage in new criminal behavior.

11.2.1 Recidivism Events

While incarceration is commonly used to signal recidivism, new criminal activity can be measured using other indicators as well, such as 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 a result of 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 needed to adjudicate them. In the following analyses, the groups being assessed are the same: 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.[125]

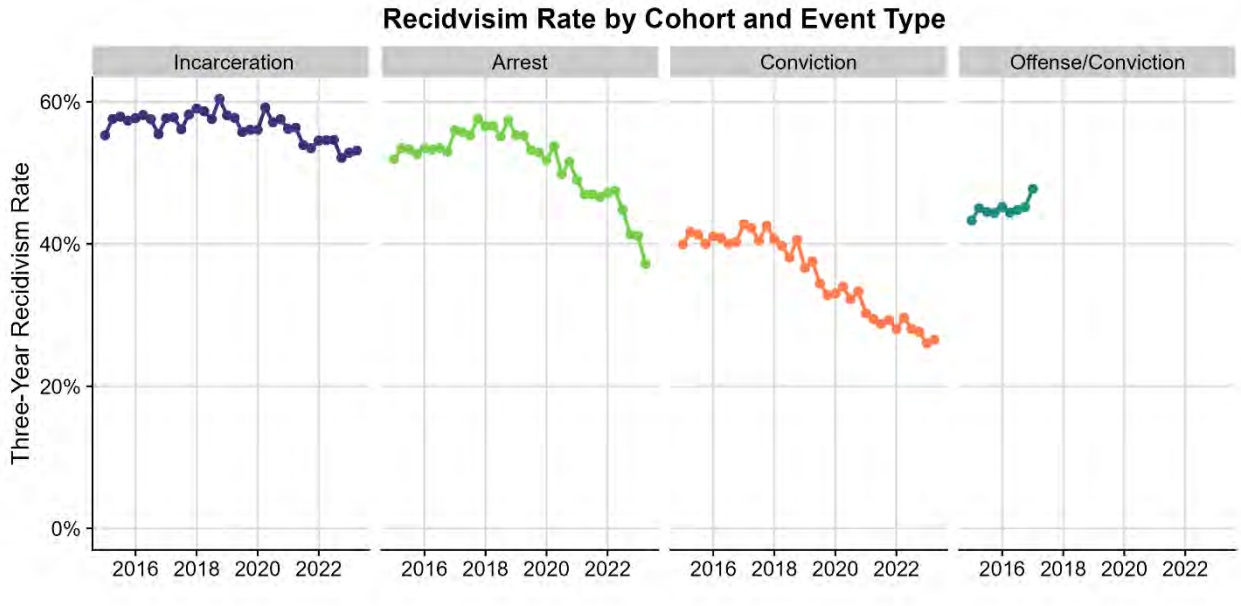
Between 2015 and 2023, the three-year recidivism rate tended to be highest when measured using incarceration (57%) (the statutory definition), followed by arrest (51%), and finally conviction (36%), as shown in Figure 50.[126] [127] [128] As discussed elsewhere in this report, a large percentage of criminal 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 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. 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

[125] AS 44.19.649(2).
[126] These values represent the mean rate among cohorts between 2015 and 2023.
[127] 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.
[128] Recidivism in terms of incarceration (statutory definition) is identical in Figure 47 and Figure 50; it is reproduced in Figure 49 to enable comparison.

Commission only has enough data to capture expected events among the earliest cohorts, as shown in Figure 49 (*Offense/Conviction*).

Figure 50: The recidivism rate by cohort and event type.



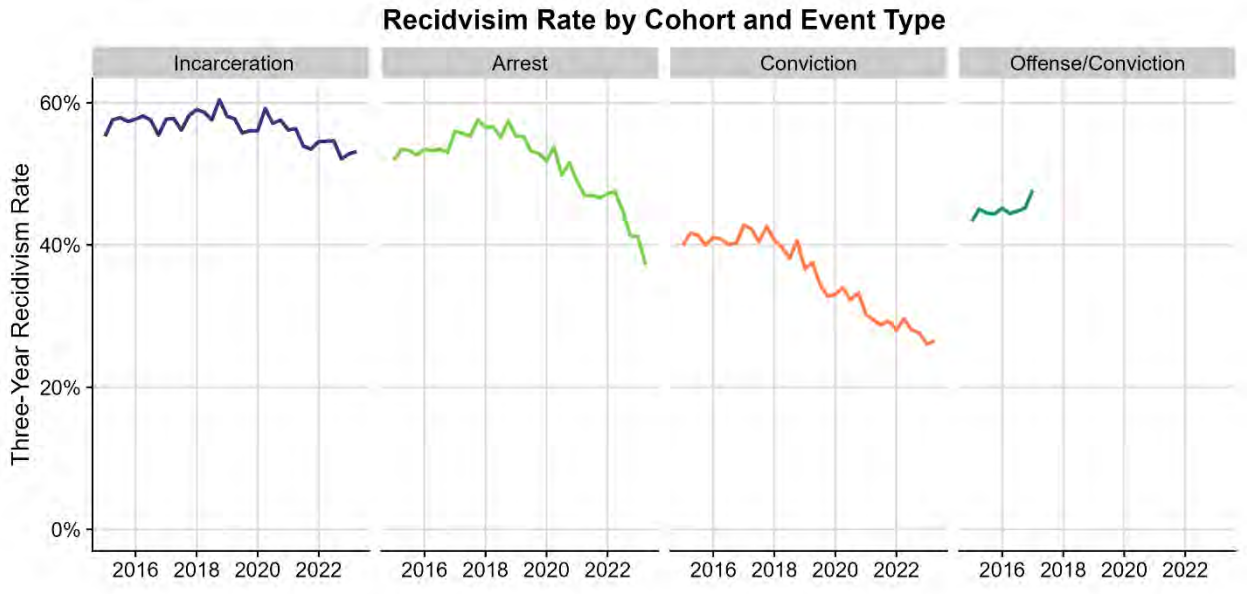
Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

11.2.2 Timing of Recidivism

Although recidivism tends to be highest in the first year following the at-risk date, as noted when discussing Figure 46 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 2023, the average number of days for half of those who would ultimately recidivate by year three to do so was 143 for incarceration (the statutory definition), 223 for arrests, 413 for convictions, and 241 for offense/conviction.

Over time, the speed with which a cohort reaches 50% varies, as shown in Figure 51. 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 51: Number of Days to 50% of the Three-Year Recidivism by Cohort and Event Type.



Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

11.2.3 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.[129]

[129] 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 16 displays the relative frequency of the original and recidivism-conviction severity for cohorts between 2015 and 2023. 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.

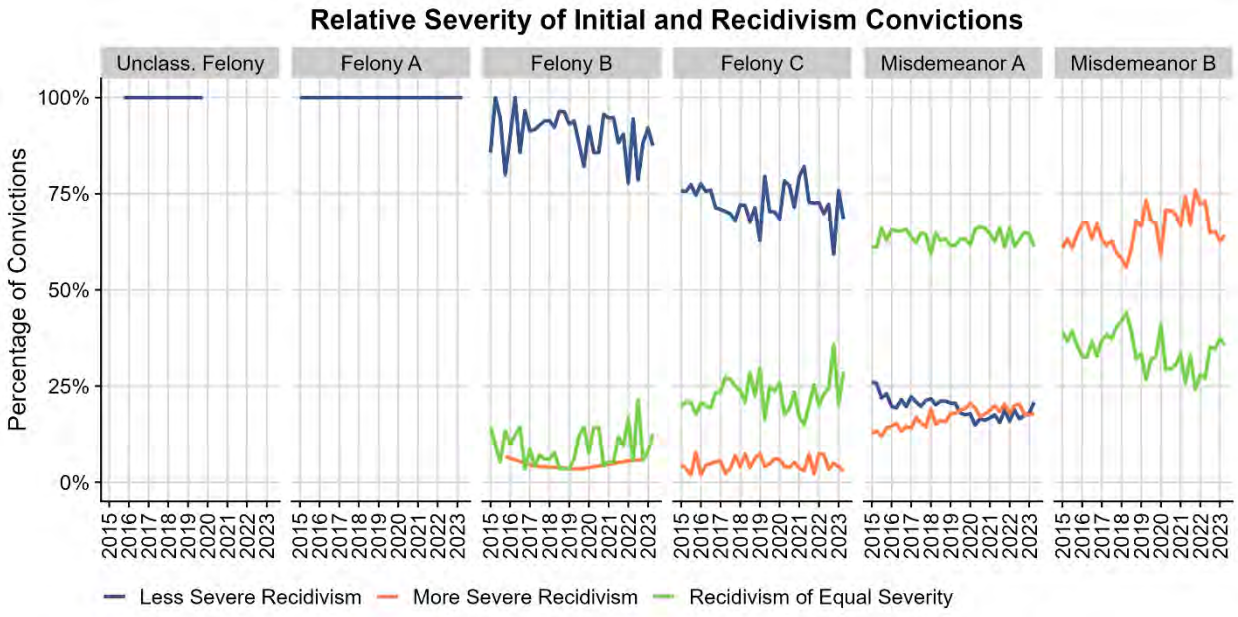
Table 16: Relative severity of recidivism conviction by original conviction severity.

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%	8.2%	23.5%	49.4%	18.8%
Felony B	0%	0.9%	8.0%	21.2%	54.0%	15.9%
Felony C	0.2%	0.5%	4.1%	22.6%	55.8%	16.9%
Misdemeanor A	<0.1%	0.3%	2.4%	13.5%	63.6%	20.1%
Misdemeanor B	<0.1%	0.3%	1.7%	10.4%	52.2%	35.3%

Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

Figure 52 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 52: Relative severity of severity of the initial conviction and the severity of the recidivism conviction by cohort.



Data provided by Alaska Department of Corrections and Alaska Department of Public Safety
Analysis conducted by ACJDAC

11.3 Recidivism Reported by Other Entities

In Alaska, other entities such as reentry organizations, academics, and the Alaska Department of Corrections (DOC) may calculate and report recidivism. 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

differently. 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 shape the rates calculated.

DOC determines *cohorts* by tracking only felons who serve time incarcerated and who are subsequently released. In contrast, the Commission tracks all people convicted of any crime, whether or not they served any period of incarceration.

DOC defines a *recidivism event* as a return to incarceration after having been convicted and sentenced to a term of incarceration. This includes return to incarceration for a new crime or after having been adjudicated on a petition to revoke probation. This is different from the Commission's primary definition of a recidivism event: a return to incarceration for any criminal reason – including remand on a petition to revoke probation, re-arrest by a law enforcement officer, or to serve a sentence after conviction for a crime, whichever occurs first. The Commission's definition includes events counted by DOC, a return to incarceration after conviction, as well as re-arrest, revocation of probation or parole, or for other reasons.

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. 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 dops significantly after that period.

The individuals being assessed and the event used to signify *recidivism* can significantly affect the results. As noted, DOC's cohorts do not include people convicted of a misdemeanor, nor does DOC include those who re-offend but do not return to incarceration (e.g., because alternative sanctions were used). Based on prior research, misdemeanants (particularly domestic violence 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 in the Commission's reports when compared to DOC.

Furthermore, for DOC, the recidivism event includes only 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. As noted above, convictions occur less frequently than reincarcerations because a large percentage of cases are dismissed before conviction or even before charging. Additionally, convictions have been occurring less frequently over recent years, beginning with the COVID pandemic. Thus, DOC's focus on conviction as the recidivism event would be expected to show fewer recidivism events than when using the Commission's definition. However, despite these differences, the reported rates of recidivism tend to be similar between DOC and the Commission[130]. 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 policies and priorities.

Recidivism is not a single measure calculated the same way for all parties. Instead, 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 more than a decade ago with the goal of measuring the success (or failure) of DOC's efforts to redirect felony offenders towards lives away from crime. The focus is on the population DOC has the most opportunity to influence: those who were incarcerated for a significant time (felons) and who were released from incarceration.

That the Commission includes probation/parole violations as recidivism events recognizes that even without a new conviction, a failure to adhere to supervision terms indicates a lack of successful reintegration. The Commission's definition of recidivism is meant to assess the impact of criminal justice policy changes and

[130] According to data reported by DOC to the Alaska Office of Management and Budget https://omb.alaska.gov/html/performance/ABS/index_kpm_dept_20.html

thus offer a wider scope to reflect broad changes in the functioning of the criminal justice system.

11.4 Recidivism Reduction Program and Funding

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.[131] Programs created under this law must accomplish one of the following objectives: increase access to evidence-based rehabilitation programs or support offenders' transition and reentry to the community from correctional facilities.[132] The law further requires DOC and the Department of Health to publish a joint annual report on recidivism reduction services.

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. This money can be used to fund programs run by the Departments of Corrections, Public Safety, and Health.[133]

According to the Office of Management and Budget, in fiscal year 2026 the legislature appropriated a total of $13,000,000 in recidivism funds to the three departments above.[134] Of that total, the Department of Corrections was allocated $6,970,500,[135] the Department of Public Safety was allocated $1,617,500,[136] and the Department of Health was allocated $4,412,000.[137] This money was available to the Departments to support programming as detailed in Appendix F.

[131] AS 47.38.100 (a); ch. 83, § 1, SLA 2014.
[132] AS 47.38.100(b).
[133] AS 43.61.010(c) and (d).
[134] *See* https://omb.alaska.gov/ombfiles/26_budget/FY26Enacted_statewide_totals_6-12-25.pdf
[135] *See* https://omb.alaska.gov/ombfiles/26_budget/DOC/Enacted/26depttotals_doc.pdf
[136] *See* https://omb.alaska.gov/ombfiles/26_budget/PublicSafety/Enacted/26depttotals_publicsafety.pdf DPS allocates this money to the Council on Domestic Violence and Sexual Assault.
[137] *See* https://omb.alaska.gov/ombfiles/26_budget/Health/Enacted/26depttotals_health.pdf

12 Areas of Commission Research

12.1 Sex Offenses Report

The Commission updated the 2019 Sex Offenses Report published by the Alaska Commission on Criminal Justice. This update added data through 2023 (and beyond when data was available). The purpose of updating the earlier report was to provide a baseline for future research to assess the effects of laws passed after 2023. The major findings of this analysis include a continuing high rate of sexual offenses in Alaska compared to the rest of the United States. A majority (54%) of all sexual offense victims were minors: int total, 19% of the victims were under the age of 11, 35% were 11 to 17 years old, and 45% were 18 years or older. Nearly half (47.6%) of the victims of felony sex offenses reported to the Department of Public Safety were Alaska Native or American Indian. Finally, the victim knew the suspect in the great majority of sexual offense incidents: the victim was a family member of the suspect in 36% of reports, and the victim knew the suspect but was not related to the suspect in 57% of the reports. The victim was a stranger to the suspect in only 7% of reports.

12.2 Agency Staffing

The DAC began reviewing agency staffing and its ties to time to disposition of cases. Four of five agencies have provided “point in time” information about their staffing levels as of October 30, 2025 for the five years from 2020 to 2025. As the work moves forward, questions include: How do staffing levels correlate with times to disposition, statewide and by court location (if data are available)? How do the numbers and types of charged cases correlate with agency staffing both for law enforcement (police and prosecutors) and for the agencies required to accept and handle the cases (defense attorneys, courts, corrections)? How do state policies, changes to statutes, external events (e.g., the pandemic restrictions), and local practices affect the progress of cases through the system?

12.3 Probation and Parole

Alaska Law, Practices, and Data on Probation and Parole (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. This report is in progress, with background information being compiled. Department of Corrections data are not yet available.

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);
- 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: Victim's rights

Crime victims' rights are set out in the Alaska Constitution, and in various statutes and court rules. This section briefly explains some of those rights.

Constitutional Rights: The Alaska Constitution guarantees all victims of crime numerous rights. Article I, section 24 includes the victim's right to be treated with dignity, respect and fairness; to be reasonably protected from the accused through the imposition of appropriate bail or conditions of release by the court; to confer with the prosecution; to timely disposition of the case after an arrest; to be provided information about and be allowed to attend all criminal or juvenile proceedings where the defendant has a right to be present; to be heard, upon request, at sentencing and at any proceeding where the accused's release from custody is considered; the right to restitution from the defendant who is found guilty; and the right to be informed of the accused's escape or release from custody. State law, in AS 12.61, provides more details about the duties of others (such as prosecutors and law enforcement officers) to ensure victims' rights during the investigation and prosecution of the accused, and after conviction.

After a Report of a Crime: Law enforcement officers are required to give domestic violence, sexual assault, and stalking victims information about their rights and the services available, including information about obtaining a civil protective order, medical treatment, and local service providers. Some officers carry this information in a booklet. Victims of crimes involving domestic violence are entitled to transportation to a safe house or shelter.

Law enforcement officers investigating certain sexual offenses in most cases may not disclose information about the offense to the victim's employer.[138] Employers may not penalize or threaten to penalize a victim for reporting an offense to law enforcement or participating in the ensuing investigation.[139]

Duties of Prosecutors: Alaska Statute 12.61.015 requires prosecuting attorneys to make a reasonable effort, when requested, to notify or confer with victims of domestic violence and felony crimes about certain aspects of the criminal case. If a

[138] *See* AS 12.61.016.
[139] AS 12.61.017.

victim of a felony, sex offense, or domestic violence offense requests, prosecuting attorneys are required to make a reasonable effort to:

- Confer with the victim about their testimony before trial;
- Notify the victim of the defendant's conviction, of the victim's right to make a statement at sentencing, and of the time and place of the sentencing hearing;
- Notify the victim of the final disposition of the case;
- Confer with the victim about a proposed plea agreement and note the victim's position on the plea agreement; and
- Inform the victim of any motions that may substantially delay proceedings and inform the court of the victim's position on that motion.[140]

Prosecutors must also inform victims of a sex offense or a DV offense if, before trial, the defendant is discharged from a treatment program for noncompliance.[141] Prosecutor's offices employ victim/witness paralegals who most often make contact with victims and survivors.[142]

During Court Proceedings: Alaska law provides for confidentiality of victim and witness address and phone numbers during the court process and also prohibits disclosure of the names of victims of certain violent offenses in court documents (these victims are identified by initial rather than by name).[143] A court rule requires that all documents filed with the court contain a certification that records do not contain information legally required to be kept confidential. The law also places limits on contact by the defense in a sexual offense case.[144]

Victims have the right to notified of the date and time of trial, and to be present during any court proceeding where the defendant has the right to be present. Victims also have the right to make a written or oral statement for use in preparation of a presentence report of a felony defendant and to appear personally at the defendant's sentencing hearing to present a written or oral statement.

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[140] AS 12.61.015(a).
[141] AS 12.61.015(f).
[142] Alaska Criminal Justice Commission, *Domestic Violence in Alaska* at 46 (2022), http://ajc.alaska.gov/acjc/docs/rr/domestic_violence_in_alaska.pdf.
[143] *See* AS 12.61.130, AS 12.61.140.
[144] AS 12.61.125 - .127.

The Department of Law administers a notification system, often referred to as VINE link. People who are victims and/or witnesses in a criminal case can register with the Department of Law victim notification system through paralegals in the prosecutors' offices. They receive a PIN to protect their confidentiality if they are receiving phone notifications or they can opt for email. The office will inform them about a variety of upcoming events (trials, sentencings, etc.) as well as hearing cancellations. This system is entirely separate from the Department of Corrections VINE system and is limited to only those who are victims or witnesses.

Victims may be called to testify in court as a witness. As a witness, a victim may be required to appear in court with only modest compensation for their time. State law prohibits an employer from penalizing or threatening to penalize a victim who is required to give testimony in court.[145]

After Conviction: In all cases, crime victims have the right to be notified of and appear at the convicted person's sentencing hearing.[146] Victims also have the right to make a statement (oral or written) at sentencing.[147] In some cases, victims' advocates from the Office of Victims' Rights may help victims draft those statements and may advocate for them in court.[148] Other victim advocates, such as those from Victims for Justice, may assist victims in drafting a statement and may accompany victims to court while making a statement.[149]

The Department of Corrections is required to maintain an automated victim notification system (the VINE system) to provide crime victims with notice when there is a change in the status of the offender.[150] The VINE system established by DOC is available from the time of arraignment of the defendant in a criminal case. Victims have the right to notice of offenders' discretionary or special medical parole hearings and about the release or escape of the offender from

[145] AS 12.61.017.
[146] ALASKA CONST., art. I, §24; AS 12.61.010 (a)(1)-(2).
[147] ALASKA CONST., art. I, §24; AS 12.61.010(a)(9).
[148] AS 24. 65.110. OVR's jurisdiction is limited to felonies, class A misdemeanors involving a crime against a person in AS 11.41, and class A misdemeanor crimes involving domestic violence.
[149] This information is available on the Victims for Justice website: https://victimsforjustice.org/support-services/#court.
[150] *See* AS 12.61.050. This is different from the Dept. of Law VINE. Anyone, not just victims, can sign up for the DOC VINE system.

incarceration.[151] DOC uses the VINE system and other methods, such as sending letters, to fulfill its duties to notify victims about various events.

Victims have statutory rights regarding negotiating and submitting to the court for consideration an agreed upon sentence with a defendant in cases not involving a domestic violence offense or an Arson 1st Degree charge;[152] and to civilly compromise certain misdemeanor cases, with court acceptance.[153]

The judge must ensure that victims' rights are honored and that the victim's concerns are appropriately considered, particularly those related to the victim's safety.[154]

Additional information about victims' rights can be found on the web page of the Office of Victims' Rights (https://ovr.akleg.gov/docs/victim_rights%20outline-maxi.pdf).

[151] *See* AS 12.61.010.
[152] AS 12.55.011(a).
[153] AS 12.45.120-.140. Offenses which cannot be civilly comprised include offenses committed by a defendant against the defendant's: spouse, former spouse; parent, grandparent, child, grandchild, or member of the same social unit living in the same dwelling as the defendant or a person the defendant formerly lived with in a spousal relationship, though they were never married.
[154] *Shepersky v. State,* 401 P.3d 990, 993 (Alaska App. 2017).

Appendix C: 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 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. Some tribes handle cases about minor offenses. The tribal court or council may impose fines, community work service, alcohol treatment, or other conditions. They may 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. 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, 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 and includes the Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments that apply to all criminal cases in Alaska. 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."

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.

State criminal statutes and municipal criminal ordinances define crimes and sentences. Most offenses – violent, property, fraud, drugs, and sex offenses are in Title 11. 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 and decency, controlled substances, imitation controlled substances, and miscellaneous. 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.

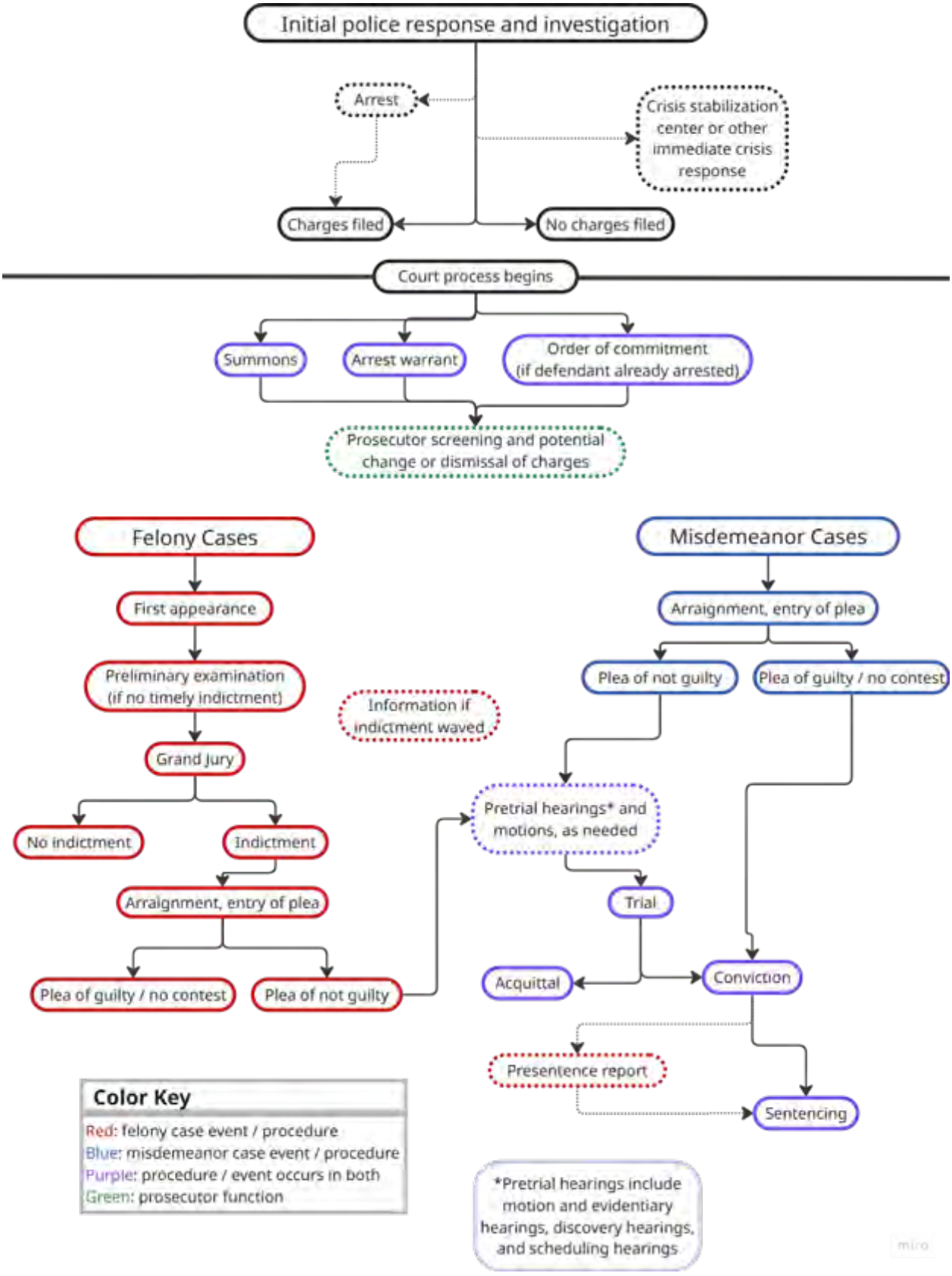
Severity. Alaska's criminal code divides crimes into three general severities: felonies, misdemeanors, and violations. These are further separated into Unclassified, class A, class B, and class C felonies, and class A and class B misdemeanors. Unclassified felonies include murders, kidnapping and some 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 1 provides a general overview of the stages of a typical criminal case in Alaska. Although most criminal cases move through the criminal justice system in a predictable manner as illustrated by Figure 1, it should be noted that each criminal case is unique, and differences in processing can occur depending on many factors.

Figure 1: Flowchart of the criminal justice process.



What Happens After a Crime is Reported

After a crime is reported to law enforcement, 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. 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.

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 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 statues

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 immediately meet the release conditions, 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 the 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.

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, video, audio, digital files, 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. 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 Appeals; 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, they will go to one of the state's fifteen institutions. All people incarcerated will have an immediate medical and mental health assessment, and will receive medical and mental health services as needed.

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 to a courtroom for in-person hearings.

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.

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 D: Sex Crimes Processing

Under AS 44.23.040, the Department of Law, in consultation with the Department of Public Safety, is required to gather and report data on felony sex offenses to the Alaska Judicial Council. The data must include the number of felony sex offenses reported to the Department of Public Safety that were not referred for prosecution; the number of felony sex offenses referred for prosecution that were not prosecuted; the number of felony sex offenses that resulted in a conviction for a crime other than a sex offense; and 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.

The report contained in this appendix, submitted by the Department of Law, contains the required information.

Sex Offense Cases Referred to the
State of Alaska, Department of Law
Between July 1, 2024, and June 30, 2025[155]

Provided by the State of Alaska, Department of Law, Criminal Division
Angie Kemp, Deputy Attorney General
Robert Henderson, Division Director

October 6, 2026

Prepared by
Beth Johnson, Research Analyst III

Between July 1, 2024, and June 30, 2025, the State of Alaska Department of Law (LAW) received 524 sex offense referrals for prosecution. To date, LAW has accepted 289 (56%) of those referrals as sex offense prosecutions and 4 (0.8%) as non-sex-offense prosecutions. LAW has declined to prosecute 223 referrals (43%) due to evidentiary or procedural issues. Because many of these cases remain active, the cohort does not yet reflect final outcomes or long-term trends. Accordingly, caution should be used when drawing conclusions from the data at this stage.

A. DEFINITIONS

The data used for the following analysis was compiled from the case-management system used by LAW. For purposes of this analysis, a *sex offense* refers to a registerable criminal sex offense under AS 12.63.100(7)[156]. Table 5 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 to LAW for prosecution. *Prosecution* means the grouping of charges filed against a single suspect. Lastly, *case* is used synonymously with *referral* or *prosecution*, depending on where the matter is in the criminal process.

[155] This report is provided pursuant to *AS 44.19.647(a)(5)*, *44.23.020(K)*, and *AS 44.23.040*.
[156] 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.

B. METHODOLOGY

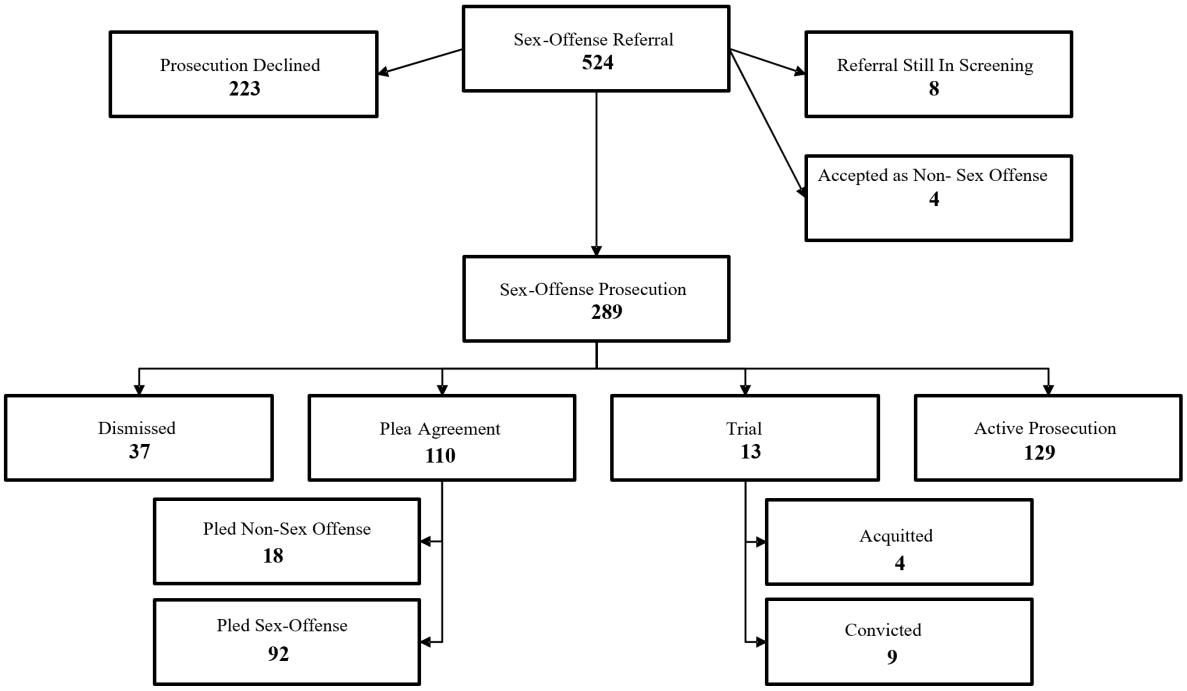
The cohort represented by this analysis is the result of a two-step sampling procedure. First, the sampling frame consisted of every referral for prosecution submitted to LAW between July 1, 2024, and June 30, 2025. From this list, referrals were identified as sex offense referrals and selected for analysis if they included at least one sex offense charge. This methodology resulted in 524 sex offense referrals submitted. The status or disposition of cases within this cohort is current as of October 6, 2026.

It is important to note that the statutory definition of "sex offense" has been revised several times since it was first codified in 1994 as part of House Bill (H.B.) 69. These revisions have changed both the offenses, included within the definition and the circumstance under which an offense qualifies as a sex offense. Table 5 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 LAW between July 1, 2024, and June 30, 2025, but the offense was allegedly committed before July 9, 2019, that referral was not considered a sex offense referral. Additionally, if LAW obtained a conviction on an *AS* 11.61.123 charge, but the offense was committed prior to July 9, 2019, that conviction is not classified as a sex offense conviction.

C. ANALYSIS AND DISCUSSION

The following analysis is a case-processing analysis. Figure D-1 provides a diagram showing how, as of October 6, 2026, the 524 sex offense cases have been processed and resolved.

Figure 1.
Diagram of sex offense case processing, cases referred between July 1, 2024, and June 30, 2025



Notes.
1. Data source: Prosecutor By Karpel for Alaska
2. As of October 6, 2026, 8 sex offense referrals are still in the screening status.

As shown, LAW received 524 sex offense referrals from law-enforcement agencies throughout the State of Alaska. To date, LAW has accepted 289 (56%) of those referrals as sex offense prosecutions and 4 (.8%) of those referrals as non-sex offense prosecutions. LAW has declined to prosecute 223 (43%) referrals. The reasons for declination are discussed below. Finally, 8 referrals (1.5%) remain in screening. A referral may remain in screening for various reasons, such as awaiting additional follow-up investigation, DNA-testing results, or victim or witness contact.

As discussed above, four sex offense referrals were accepted as non-sex-offense prosecutions, including:

1. One case accepted as multiple counts of felony assault and interfering with the report of a crime involving domestic violence.
2. One case accepted as assault in the fourth degree.
3. One case accepted as a juvenile delinquency matter.
4. One case accepted of third-degree assault and coercion.

i. Referrals Declined for Prosecution

Table D-1 (below) categorizes the sex offense referrals declined for prosecution by reasons for declination. As shown, the vast majority of referrals were declined for prosecution due to evidentiary issues (92%).

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

Reason	Cases (*n*)	Percentage
Evidentiary Issue	206	92%
Procedural	13	6%
Other	4	2%
Total	223	100%

Note. Data source: Prosecutor by Karpel for Alaska

The law requires that anyone accused of a crime to be presumed innocent until proven guilty in a court of law. To overcome this presumption, the State must prove every element of the charged 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 instructed 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".

Accordingly, referrals declined for "evidentiary issues" include reasons such as a lack of corroboration, inadmissible evidence, insufficient evidence to prove a necessary element, or other issues such as an essential witness being unavailable for trial.

An additional 6% of referrals were declined for procedural reasons, including a lack of jurisdiction to file charges, competency-related issues involving the defendant, or issues related to pre-charging delay.[157] Of the 13 cases declined for procedural reasons, three were declined because the defendant was found incompetent to stand trial (23%).

Finally, 2% of referrals were declined for other reasons, such as consolidating charges into other referrals or because the suspect was convicted in another case.

[157] "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.

ii. Sex Offense Prosecutions and Resolutions

With respect to case resolutions, they are separated into four categories: dismissals, plea agreements, trials, and active prosecutions. *See* Figure 1 above. Of the 289 accepted prosecutions, 160 cases (55%) have been resolved, while 129 cases (45%) remain active.

Resolution Types

Of the 160 resolved prosecutions:

- 110 cases (69%) were resolved by plea agreement.
- 37 cases (23%) were dismissed.
- 13 cases (8%) proceeded to trial:
  - 9 resulted in convictions on sex-offense charges;
  - 3 resulted in acquittals; and
  - 1 resulted in an acquittal of the sex-offense charges but a conviction on first-degree burglary.

Plea Outcomes

Among the 110 prosecution convictions:

- 92 defendants (84%) pled guilty to a sex offense.
- 18 defendants (16%) pled guilty to a non–sex-offense, including 7 violent felonies and 11 non-violent misdemeanors.

Dismissals

Table D-2 (below) shows the distribution of sex-offense prosecutions dismissed,[158] separated into three categories.

Table D-2.
Distribution of sex-offense case dismissals, sex offense cases referred between July 1, 2024, and June 30, 2025.

Reason	Cases (*n*)	Percentage
Evidentiary Issue	16	43%
Procedural	15	41%
Other	6	16%
Total	37	100%

As of October 6, 2026, 37 sex-offense prosecutions (23% of the 160 resolved cases) have been dismissed. Dismissals for evidentiary reasons generally occurred when additional investigation, or further analysis of evidence that was not available at the time of the

[158] Dismissals occur after charges have been filed.

charging decision, revealed issues affecting the State's ability to prove the charged offense beyond a reasonable doubt. In this cohort, these issues included new information that created corroboration concerns, inconclusive or negative forensic testing results, and inconsistent witness statements or testimony not previously known to the prosecution.

Dismissals for procedural reasons generally occurred because the defendant was found incompetent to stand trial or because the charges were consolidated into another prosecution. Of the 15 cases dismissed for procedural reasons, 10 (67%) were dismissed because the defendant was found incompetent to stand trial.

iii. FY2025 Summary and Trend Observations:

Several trends emerge from the FY2025 sex-offense referrals:

- Evidentiary issues accounted for the vast majority of declinations. Of the 223 referrals declined for prosecution, 206 (92%) were declined for evidentiary reasons.
- When referrals were accepted for prosecution, they were overwhelmingly prosecuted as sex offenses. Only 4 of the 524 referrals were accepted for prosecution solely as non-sex offenses.
- Plea agreements remain the most common form of resolution to date. Of the 160 prosecutions that have been resolved, 110 (69%) were resolved by plea agreement.
- A substantial portion of the accepted sex-offense cases remain active. Of the 289 accepted prosecutions, 129 (45%) remain pending.

Because 45% of the accepted sex-offense prosecutions remain active, the outcomes for the FY2025 cohort will continue to develop. Accordingly, resolution data for this cohort should be considered preliminary.

iv. Fiscal Year Comparison FY2019 – FY2025:

This report is the seventh sex-offense referral summary submitted to the Alaska Criminal Justice Commission. Comparing the FY2025 cohort with prior reporting years provides additional context for evaluating referral, charging, and case-resolution patterns over time. Because sex-offense prosecutions can take several years to resolve, several reporting year cohorts remain incomplete, with more recent cohorts generally containing a greater proportion of active cases.

The comparison below summarizes sex-offense referrals received between FY2019 and FY2025. Because several cohorts continue to include active prosecutions, resolution data should be interpreted in light of each cohort's relative maturity. The FY2019 through FY2022

cohorts are currently the most complete and provide the clearest picture of final case outcomes.

Key Metrics Across Fiscal Years:

- Referral volume has varied considerably across reporting years. Annual referrals ranged from 697 in FY2022 to 428 in FY2024. FY2025 referrals increased from FY2024 but remained below the levels reported in FY2019 – FY2023.
- FY2025 had the highest acceptance rate of the seven reporting years. LAW accepted 289 of the 524 referrals for sex-offense prosecution. In FY2019 – FY2024, acceptance rates ranged from approximately 45% to 49%.
- Declination rates were relatively consistent from FY2019 through FY2024, before declining in FY2025 to the lowest rate of the seven reporting years.
- Very few sex-offense referrals are accepted solely for prosecution as non-sex offenses. Across individual reporting years, between 4 and 15 referrals were accepted solely as non-sex-offense prosecutions. In FY2025, only 4 of the 524 referrals (less than 1%) fell into this category.
- Plea agreements are consistently the most common form of resolution among resolved cases. The percentage of accepted cases resolved by plea typically ranges between 61% and 68%, except in FY2025, in which the cohort remains largely unresolved.
- Relative few accepted prosecutions proceed to trial. The older cohorts reflect between 37 and 39 trials annually in FY2019 – FY2022. Trial totals are currently lower for the more recent cohorts, but those cohorts also contain a greater number of active prosecutions.
- Most completed trials resulted in a conviction of at least one charge. In FY2019 – FY2025, the percentage of trials resulting in a conviction on either a sex offense or a non-sex offense ranged from approximately 69% to 92%.

Listed below is a fiscal-year-by-fiscal-year comparison of sex-offense referrals reported between FY2019 – FY2025. Because these types of cases are complex by nature, they can take several years to resolve. Currently, the reporting years FY2019 – FY2022 are the most complete with respect to the number of active cases.

Table D-3.

Sex-offense referral data between FY2019 – FY2025

Case Data	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25
Referrals	619	639	594	697	588	428	524
Referrals in screening	0	1	0	0	2	2	8
Referrals accepted as a non-sex offense charges	14	9	15	9	12	9	4
Referrals declined	301	327	311	355	318	231	223
Referrals accepted for prosecution	304	302	268	333	256	186	289
Dismissals	60	49	58	67	53	18	37
Active prosecutions	5	9	9	19	25	40	129
Pleas to sex-offenses charges	168	162	133	171	134	95	92
Pleas to non-sex-offenses	34	43	31	38	21	21	18
Trials	37	39	37	38	23	12	13
Trials: convicted on sex-offense charges	22	26	21	31	15	11	8
Trials: convicted on non-sex-offense charges only	4	4	5	1	1	0	1
Trials: hung jury	1	0	1	1	0	0	0
Trials: acquittals	10	9	10	5	7	1	4

Table D-4.

Percentages of sex-offense data in relation to cases accepted for prosecution between FY2019 – FY2025.

Percentage	**FY 19**	**FY 20**	**FY 21**	**FY 22**	**FY 23**	**FY 24**	**FY 25**
Percentage of referrals accepted	50%	48%	46%	48%	45%	45%	56%
Percentage of accepted cases dismissed	20%	16%	22%	20%	21%	10%	13%
Percentage of active prosecutions	1.64%	2.98%	3.36%	5.71%	9.77%	21.51%	44.64%
Percentage of accepted cases resolved through plea agreements	66%	68%	61%	63%	61%	62%	38%
Percentage of accepted cases resolved through pleas to sex-offense charges	55%	54%	50%	51%	52%	51%	32%
Percentage of accepted cases resolved through pleas to non-sex-offense charges	11%	14%	12%	11%	8%	11%	6%
Percentage of accepted cases resolved through trial	12%	13%	14%	11%	9%	6%	4%
Percentage of trial convictions for sex-offense charges	59%	67%	57%	82%	65%	92%	62%
Percentage of trial convictions for non-sex-offense charges	11%	10%	14%	3%	4%	0%	8%

Table D-5.
Sex offenses: registerable criminal offense under Alaska Statute 12.63.100(7) (Registration of Sex Offenders)

Statute Description	Statute	Original Effective Date
Categories		
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
Specific Subsections of Statutes		
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
Specific Conditions Under a Statute		
Indecent Exposure in the Second Degree	AS 11.41.460[a]	06/11/1998
Harassment in the First Degree	AS 11.61.118(a)(2)[b]	07/01/2010
Indecent Viewing or Production of a Picture	AS 11.61.123[c]	07/09/2019
Prostitution	AS 11.66.100(a)(2)[d]	07/01/2013
Sex Trafficking in the First Degree	AS 11.66.110[e]	08/10/1994
Sex Trafficking in the Third Degree	AS 11.66.130(a)(2)(B)[f]	01/01/1999

Notes.
[a]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).
[b]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).

[c]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).

[d]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)."

[e]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.

[f]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: 2025 Community Updates for Crisis Intervention

Crisis Services Institutional Readiness Grant Program

In 2025, the Division of Behavioral Health (DBH) within the Department of Health solicited information from nonprofits interested in participating in the Crisis Services Institutional Readiness Grants Program administered by the Department of Family and Community Services. According to the solicitation, the program is intended to help community-based organizations become facility-based crisis service centers certified to provide services in the least restrictive environment, and that 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. Examples of items that could be funded included: 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.

New and existing grantees were encouraged to submit information about new crisis services they would like to provide. The solicitation further stated that the program award would be a 3-year duration (FY26-FY28) with a total of $7,233,446.69 in available funds for the three-year period.

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 reported that the Crisis Now framework is more than creating individual services. It is about creating integrated, coordinated systems of care — from first contact to follow

up. The Trust remains committed to investing in programs and partnerships to better meet Beneficiary needs by transforming local and statewide behavioral health care systems to be more timely, direct and compassionate.

Crisis Now Community Updates 2025/2026

Below (Table E-1) are highlights from the Trust's 2025 Crisis Now Implementation Report. This report also includes preliminary data for 2025 mobile crisis response.[159,160]

[159] Alaska Mental Health Trust Authority, *Crisis Now: Annual Implementation Report 2025* available at: https://alaskamentalhealthtrust.org/wp-content/uploads/2026/04/Crisis-Now-Implementation-Report-2025.pdf.
[160] 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 16, 2026).

Table E-1: Community Impact Data, Crisis Now Annual Implementation Report (2025)

2025 Data & Outcomes

Community	Someone to Contact		Someone to Respond		A Safe Place for Help
	*Calls Answered by Alaska Careline**	*% of Calls Resolved with Contact Center*	*Mobile Responses***	*% Resolved in Community (Average)*	
Anchorage	11,147	99%	8,532+^	90%	Southcentral Foundation anticipates opening crisis stabilization services in early summer 2026; Providence anticipates launching services in late 2026.
Fairbanks	3,472	99%	1,319^	98%	Alaska Behavioral Health continues to explore crisis stabilization.
Juneau	2,625	99%	333^ (MCT) 1,960- (MIH)	62%^ n/a-	A community work group continues efforts to explore crisis stabilization needs and opportunities.
Central Kenai Peninsula	2,720	99%	35^ *Data is from December 2025 through January 21, 2026.*	80%	
Ketchikan	271	99%	1,000-	n/a	
Kotzebue	18	100%	n/a	n/a	Maniilaq Association continues planning to develop an EmPATH unit adjacent to the emergency department.
Mat-Su	2,753	99%	476^		My House saw 133 unique clients; Mat-Su Regional Medical Center Behavioral Health Unit had 414 admissions.
Unalaska	12	95%	n/a	n/a	Iliuliuk Family & Health Services, the City of Unalaska, and the Aleutian Pribilof Island Association completed collaborative work exploring a shared vision for potential crisis stabilization services.
Statewide	**47,826**	**99%**	**13,655**	**82%**	

Data Notes:
* Callers can choose whether to share their location. The volume of calls from specific communities may be underrepresented.
** Includes in-person and telephonic responses.
+ Includes Anchorage Fire Department Mobile Crisis Team (MCT), Anchorage Police Department Mobile Intervention Team (MIT), and VOA Rapid Response Team.
^ Denotes MCT data.
- Denotes Mobile Integrated Health (MIH) data.

Data Source: Alaska Mental Health Trust Authority

Appendix F: Agency Reports Regarding State-Funded Treatment Programs

Department of Corrections, Department of Health, Council on Domestic Violence and Sexual Assault

Note: AS 44.19.64(a) requires this annual report to include "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 submitted by the Departments of Health and Corrections, and the Council on Domestic Violence and Sexual Assault.

CDVSA Description of Programs Designed to Promote Rehabilitation

FY2026 was the first year in a new three-year grant cycle for Prevention programs, increasing from 13 to 14 grantees. Seven of those grantees support schools in implementing the Alaska Safe Children's Act, in addition to their other programming. CDVSA's communications contract with Yuit Communications has been creating vibrant new materials and expanding outreach and education across the state through a variety of media platforms. CDVSA also began hosting the statewide prevention leadership committee in FY2026, bringing together an updated group of subject matter experts across multiple fields to coordinate and leverage resources efficiently for key risk and protective factors. They will implement the new plan for Alaska prevention work from 2025-2030.

In FY2026, 11,158 youth participated in CDVSA-funded prevention programs, a 16.5% increase from FY2025 and a fivefold increase since FY2018 (Table X). The steady growth reflects sustained program funding, strong community partnerships, and grantee support for schools implementing the Alaska Safe Children's Act.

Data for this measure are collected from CDVSA-funded prevention grants and contracts, including the annual LeadOn! conference hosted by the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA). Participation includes both one-time events and ongoing programs such as Girls on the Run. Numbers may include repeat participants across programs.

This dataset does not include Alaskan youth or adults reached through social media or other communication platforms. CDVSA's communications contract for statewide outreach and education is an increasingly important medium; those numbers are counted separately.

Staff turnover and vacancies continued to limit growth and impact data quality in FY2026, with grantees citing low wages and lack of housing. Despite these constraints, the long-term trend demonstrates sustained program growth, a strong community commitment to prevention, and broad youth engagement in strategies that promote protective factors and reduce risk factors for interpersonal violence. Continued investment in prevention capacity will be critical to maintaining momentum and achieving long-term reductions in violence across Alaska.

Table F-1: The number of youth participating in CDVSA-funded activities between fiscal years 2018 and 2026.

Fiscal Year	# of youth participating in CDVSA-funded activities
FY 2026	11,158
FY2025	9,576
FY 2024	9,029
FY 2023	6,498
FY 2022	7,698
FY 2021	4,534
FY 2020	4,346
FY 2019	3,706
FY 2018	1,787

Data provided by CDVSA

CDVSA/Department of Corrections Perpetrator Rehabilitation Programming

CDVSA and Department of Corrections (DOC) developed a plan to transition community-based (Battering Intervention Programs/BIPs) and prison-based perpetrator (PBP) rehabilitation programs back to DOC in efforts to expand and revitalize this programming and align with statutes. The DOC maintains statutory responsibility for perpetrator rehabilitation programming, while CDVSA is statutorily responsible for approving perpetrator rehabilitation regulations established by DOC and approving new and existing provider applications to become a state accredited program. CDVSA currently administers all perpetrator rehabilitation programming and funding through an MOU with DOC, but has struggled to devote the time and focus this programming needs to grow and succeed.

Transferring these programs back to DOC, in strong collaboration with CDVSA, is expected to strengthen accountability for those who cause harm and expand access to intervention programs in communities that currently lack such services. The initiative aligns with CDVSA's mission to end domestic violence by addressing both victim safety and offender rehabilitation.

In FY26 CDVSA implemented a new method of collecting data utilizing our VELA database management platform. The CDVSA Research Analyst has been working with each sub-grantee on how to report BIP/PBP data throughout the year. The preliminary numbers reported show:

Community Based Programs (BIPs)

- Total of 114 participants, 76 new throughout the fiscal year.
- Approximately 62% of the new participants were court ordered into the program and the rest were self-referred or other.
- The average session attendance rate was about 90% and there were more than 1300 session attendances recorded.

Prison-Based Programs (PBPs)

- 22 total participants
- 22 new participants (21 of them court ordered, 1 self-referred)
- Average session attendance rate of 95%.

Department of Health's Description of State-Funded Programs Designed to Promote Rehabilitation

The Division of Behavioral Health (DBH), a DOH division, oversees grants, contracts, and initiatives to improve 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 (ACS), DOC, the Alaska Mental Health Trust Authority (The Trust), and the Department of Labor and Workforce Development (DOLWD).

DBH allocates recidivism reduction funding to support evidence-based treatment programs, including peer support programs, reentry case management services, and various housing and family programs. Some of these are described below. By providing secure housing, employment opportunities, treatment options, and family support upon release, this funding aims to increase access and enhance the community-based services available to reentrants. These services significantly increase the likelihood of a successful transition back into the community and reduce the risk of reoffending.

In Fiscal Year (FY) 2025 (Alaska's fiscal year runs from July 1 through June 30), DBH expended approximately $4,432,502.08 in recidivism reduction funds. This amount is in addition to the support DBH provided for the Alcohol Safety Action Program, misdemeanor and therapeutic court programs, and Reimbursable Service Agreements (RSAs) with other state agencies. This includes an RSA with ACS that supports coordinated case management for participants in the Anchorage Mental Health Court, facilitates access to medical and Medicaid-covered services, and promotes continuity of care for individuals returning to the community.

Alcohol Safety Action Program

The Alcohol Safety Action Program (ASAP) provides SUD screening, case management, and accountability for Operating Under the Influence (OUI), Driving Under the Influence (DUI), Refusal to Submit to Chemical Test, and other alcohol/drug-related misdemeanor cases. This involves screening cases referred from the district court into drinker classification categories, as well as thoroughly monitoring cases throughout education and/or treatment requirements based on individual need.

ASAP operates as a neutral link between justice and health care delivery systems. This requires a close working relationship among all involved agencies: enforcement,

prosecution, judicial, probation, corrections, rehabilitation, licensing, traffic records, and public information/education.

The benefits of ASAP monitoring:

• Increased accountability of justice-involved individuals.
• Reduced recidivism resulting from successful completion of required education or treatment.
• Significant reductions in resources spent by prosecutors, law enforcement officers, judges, attorneys, and probation officers enforcing court-ordered conditions; and
• Increased safety for victims and communities because justice-involved individuals are more likely to be receiving treatment, making court appearances, and complying with other probation conditions.
In FY 2025, there were 3,301 unduplicated ASAP admissions statewide, with 1,530 in the Anchorage area.

Comprehensive Behavioral Health Treatment and Recovery Programs

Funding Comprehensive Behavioral Health Treatment and Recovery (CBHTR) programs plays a crucial role in supporting reentrants and reducing recidivism rates by fostering a comprehensive approach that extends beyond the individual reentrant. These programs recognize that successful reintegration into society requires addressing the complex needs of not only the reentrant but also their families and the broader community.

CBHTR programs coordinate community-based, person-centered services and supports for improved health, wellness, and quality of life for those with or at risk of behavioral health issues. CBHTR programs include the following categories: Psychiatric Emergency Services (PES); Withdrawal Management (Detoxification) Services; Residential Treatment Services; Outpatient Treatment Services; Housing Services; and Peer and Consumer Support.

Programs servicing the reentrant, their families, and the community have a profound impact. For the reentrant, access to behavioral health treatment and recovery services can address underlying mental health needs and SUD, which are often contributing factors to criminal behavior. These services can provide support for achieving and maintaining sobriety, developing healthy coping skills, and addressing other behavioral and emotional challenges.

Furthermore, involving reentrants' families in these programs recognizes the vital role they play in the reintegration process. By offering counseling, education, and support services for families, these programs encourage healthy communication, strengthen familial

bonds, and provide a support system for both the reentrant and their loved ones. This family-focused approach increases the likelihood of successful reintegration and reduces the risk of recidivism by creating a more stable and supportive environment.

Peer and Consumer Support Services

Through the CBHTR Peer and Consumer Support Services Grant, DBH continued to provide recidivism funding to two peer support drop-in centers and one peer-run clubhouse. These drop-in centers remain centrally located within their communities, offering convenient access to reentry services focused on housing, employment, mental health, SUD recovery, and physical health needs, all delivered through a peer support framework. The centers are designed to create a welcoming environment where individuals can meet basic needs, connect with peers, and actively engage in their recovery process.

Each center offers a range of support to address immediate challenges while promoting ongoing engagement in recovery-oriented activities. Many provide on-site laundry and shower facilities to support personal care and dignity, and several include computer labs for job searching, skill-building, and accessing community resources. Participants are also encouraged to take part in group activities that build social connections and support long-term stability. Collectively, these centers continue to serve as essential community hubs, offering both short-term assistance and meaningful pathways toward sustained recovery and reintegration. FY 2025 CBHTR: Peer and Consumer Support grantees included:

True North Recovery
Palmer
$79,924
True North Recovery's program focuses on supporting immediate crisis needs for individuals. A top need for these clients is obtaining appropriate temporary, transitional, or permanent housing. This program serves approximately 600 individuals annually.
Alaska Mental Health Consumer Web
Anchorage
$124,365.10
Alaska Mental Health Consumer Web program operates as a sober drop-in center where a peer support team can assist members in finding housing, education, and employment, and in planning their days and setting goals. This program admits up to 30 individuals at a time and serves approximately 1500 individuals annually.
Polaris House
Juneau
$251,112.34

Polaris House's Peer Support Specialists (PSS) establish and strengthen partnerships with key community resources to help individuals obtain housing, education, and/or employment. This program serves approximately 400 individuals annually.

Outpatient Treatment

Kodiak Area Native Association

Kodiak

$36,073.98

Kodiak Area Native Association (KANA) delivers comprehensive outpatient behavioral health services to both adults and children across Kodiak and six surrounding villages. For adults experiencing SUD, KANA provides treatment at ASAM levels 1.0 and 2.1. Children with severe emotional disturbances receive tailored outpatient behavioral health care. Core services include behavioral health screenings and assessments, case management, individual and group community recovery support, psychotherapy for individuals, families, and groups, and crisis intervention and stabilization. KANA also operates a robust peer support program that enhances recovery through lived-experience engagement. To ensure access in remote areas, KANA utilizes Behavioral Health Aides and itinerant clinicians to deliver services in regional villages. The organization maintains accreditation through the Accreditation Association for Ambulatory Health Care (AAAHC), reflecting its commitment to high standards of care.

Sitka Counseling and Prevention Services, Inc.

Sitka

$700,000

Sitka Counseling has adopted the "no wrong door" philosophy in providing behavioral health services. This approach is designed to welcome all clients, eliminate barriers to initial engagement in services, and provide specific mechanisms to help each client, regardless of their presentation and motivation, connect to a suitable program as quickly as possible.

Funding supports the provision of Outpatient SUD services for youth, families, and adults. These services are available to any minor or adult residing in Sitka who has been assessed to have a SUD or co-occurring disorder. Youth aged 19-21 may be evaluated for either the Youth and Family Outpatient SUD program or the Adult Outpatient SUD program. Additionally, specialized services through the Women and Children Outpatient SUD Treatment program are provided to women aged 18 and older who live at home or in supportive housing in Sitka. This program serves women who present during an assessment with a SUD and who have parental rights to minor children. It is designed to support these women and their children in meeting identified needs while reducing risk factors associated with parental substance misuse.

The Salvation Army Clitheroe Center

Anchorage

$1,002,413.22

The Salvation Army offers those who have an addiction and mental illness hope. Clitheroe's Residential Program includes a dual diagnosis treatment program for individuals experiencing mental health and SUD issues. The 42-bed campus near Point

Woronzof is a safe, therapeutic environment for those seeking recovery. The Men's program provides an intermediate and long-term residential treatment environment for men whose lives have been severely impaired by substance misuse and mental health challenges. The Women's program is based on the treatment needs of women and is specifically designed to address their unique strengths and challenges. Mental health services are also offered to clients experiencing mental health issues that are affecting their ability to remain sober.

During the last quarter of FY 2025, ten individuals currently on probation and parole were served, and 19 individuals incarcerated in the previous 90 days were served. This was approximately 58% of their overall clients served. The program's completion rate was 61.3%.

Yukon Kuskokwim Health Corporation

Bethel

$196,391.64

The Yukon Kuskokwim Health Corporation **(YKHC)** Behavioral Health operates the Ayagnirvik Healing Center (AHVC), a 16-bed, culturally grounded residential treatment program that provides holistic, evidence-based care for adults experiencing SUD. Services include comprehensive assessment, individualized treatment planning, individual and group counseling, trauma-informed therapies, co-occurring mental health care, case management, skills training, and medication-assisted treatment for opioid and alcohol use disorders. The program integrates Western clinical models with traditional Yup'ik healing practices (Calricaraq) and offers linguistically and culturally appropriate services delivered by a primarily Alaska Native workforce.

AHVC served 19 individuals who had been released from incarceration within 90 days and served 20 individuals who were actively on probation. For individuals returning to the community from incarceration or other controlled settings, AHVC offers structured, high-intensity residential support designed to stabilize individuals, address co-occurring needs, and build skills for successful reentry. Case management includes helping clients navigate benefits such as Medicaid, connecting them to outpatient and village-based services, and coordinating ongoing supports after discharge. Family members of reentrants also benefit from education, engagement, and culturally aligned support. The program provides health education (Tuberculosis (TB), Human Immunodeficiency Virus (HIV), Hepatitis), information on recovery pathways, coordination with outpatient and community resources, and services that strengthen healthy relationships during reentry.

Psychiatric Emergency Services

Southeast Alaska Regional Health Consortium

Prince of Whales Island

$ 297,400.00

Southeast Alaska Regional Health Consortium (SEARHC) provides the only PES on Prince of Wales Island, serving the communities of Craig, Klawock, Hydaburg, Kasaan, Thorne Bay, Hollis, Coffman Cove, and Whale Pass. Staff work in collaboration with community

members on the island to transport and support PES cases. All reentry clients in this area are served at this center.

The North Slope Borough

Utqiagvik

$10,726.27

In FY 2025, North Slope Borough Integrated Behavioral Health (NSB IBH) made strides in delivering PES, demonstrating resilience and commitment to community wellness despite facing operational challenges. The program successfully onboarded essential staff, expanded its community outreach efforts, and earned Commission on Accreditation of Rehabilitation Facilities (CARF) accreditation, highlighting its focus on culturally sensitive, high-quality services. Staff also engaged in specialized training to improve service quality, with a particular emphasis on child welfare and cultural awareness.

Bethel Community Service Patrol and Sobering Center

Bethel

$606,400.84

The City of Bethel operates a Community Service Patrol and Sobering Center as part of a coordinated, communitywide response to address the health and safety needs of individuals experiencing extreme intoxication. This initiative was developed to prevent exposure deaths among individuals unable to care for themselves due to severe inebriation. Operated by Yukon-Kuskokwim Health Corporation, the sobering center provides a safe, secure environment for adults who are too intoxicated to remain in public safely. Historically, these individuals would have been treated in hospital emergency rooms or incarcerated. Instead, the center offers a compassionate alternative, reducing strain on emergency services and the criminal justice system. Beyond immediate care, the center connects individuals to outpatient treatment, primary healthcare, housing, and other community supports, promoting long-term sobriety and stability. In FY 2025, the program successfully reduced emergency room utilization, offered a viable alternative to incarceration, and, notably, there were no deaths due to exposure among this vulnerable population.

Community Reentry Case Managers

Reentry programs that provide intensive case management services are vital for successful reentry in Alaska. The unique challenges faced by individuals reentering society after incarceration require comprehensive support and guidance, which intensive case management offers. Alaska's vast size and geographical challenges make it crucial to have a robust support system in place to ensure a smooth transition and sustained success. Intensive case management programs offer a tailored approach to address an individual's specific needs, including housing, employment, healthcare, education, and social services. By providing continuous support and regular contact, case managers can help reentrants access resources, navigate complex systems, and address barriers to successful reintegration. These programs also offer mentoring, counseling, and skill-building opportunities to enhance personal growth and self-sufficiency. Intensive case management programs recognize that reentry is a multifaceted process that requires

dedicated, ongoing support, ultimately increasing the chances of success and reducing recidivism rates in Alaska.

Reentry case managers are 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 provide linkage for individuals released 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 DOC. The program is intended to last approximately 9 months, and eligibility is based on the type of offense committed, the Level of Services Inventory-Revised (LSI-R) score, and if the individual is convicted of a felony. In FY 2025, reentry case managers provided case management services to 251 unique individuals.

Anchorage has the highest number of reentrants returning to the community. A significant number of these individuals have committed sexual offenses and are supervised by DOC. Due to the nature of the offenses, this population presents unique challenges for providers in securing transitional housing and increasing employment opportunities while still protecting the public. Community reentry providers utilize recidivism reduction funding to connect individuals facing complex reentry barriers to emergency support and transitional housing, intending to increase permanent placements within the reentrant's community of residence.

Second only to housing, employment is a primary concern for reentrants upon release. Reentry case managers provide a variety of supports to job seekers, including online job searches, obtaining a means of transportation (bus passes and bicycles), purchasing cold-weather gear for work, conducting mock interviews where reentrants can practice addressing their criminal history with potential employers, and referring reentrants to community-based employment services where available.

In addition to housing and employment services, Reentry Case Managers provide the following services to reentrants:
- Referrals for SUD assessments,
- Basic hygiene items upon release,
- Referrals for mental health services,
- Connecting reentrants to MOUD providers,
- Assistance obtaining identification, birth certificates, and social security cards,
- Bus passes,
- Assistance addressing food insecurity, and
- Financial assistance to obtain Municipality of Anchorage (MOA) food handler cards.

FY 2025 Reentry Case Management grantees received $879,792.05. Grantees included:
Partners for Progress, Inc.
Anchorage

$150,579.60
Partners for Progress's program coordinates immediate support and planning for the critical first week after someone is released from incarceration, connecting them to essentials like housing, food, and transportation. The program also facilitates in-reach visits, bringing intensive case management services directly into correctional facilities for ongoing engagement. This program serves approximately 200 individuals annually.

JAMHI Health and Wellness, Inc.

Juneau
$116,530.06
JAMHI's program highlights collaboration, information sharing, and coordinated planning to support individuals transitioning from incarceration back into the community. The "Success Inside & Out" initiative highlights enhanced pre-release preparation and post-release support. The program serves approximately 50 individuals annually.

Ketchikan Wellness Coalition

Ketchikan
$130,000.00
Ketchikan Wellness Coalition's program prioritizes bringing intensive case management services directly into correctional facilities through on-site in-reach sessions that support intake services and one-on-one consultations. The program extends support through telephonic outreach to assist clients located in other facilities beyond Ketchikan. The program serves approximately 50 individuals annually.

Norton Sound Health Corporation

Nome
$102,112.50
Norton Sound Health Corporation's program provides reentry services, including housing assistance and support for clients returning to their home villages with permanent housing and stable employment. The program serves approximately 100 individuals annually.

Daybreak, Inc.

Palmer
$92,343.06
Daybreak's program highlights the importance of strong coordination with DOC probation officers and field officers. Housing and transportation are the region's leading priorities for assisting reentrants. The program serves approximately 100 individuals annually.

Bristol Bay Native Association

Dillingham
$69,107.50
Collaborating with DOC staff and the Alaska Jobs Center, Dillingham's program conducts quarterly in-person outreach and case management at correctional facilities. These in-reach efforts to meet with incarcerated individuals before release provide culturally grounded reentry planning and trust building before reentrants return to the community. The program serves approximately 50 individuals annually.

True North Recovery Inc

Fairbanks
$137,821.33

True North Recovery's program highlights building relationships with community treatment programs, landlords, and other community members to enhance support for reentrants. The program serves approximately 100 individuals annually.

Frontier Community Services

Kenai

$81,298

Frontier Community Services' program assists reentrants in securing affordable housing, finding employment, and accessing substance use disorder treatment. Critical to these is securing affordable transportation necessary to access job opportunities, education, and healthcare services. The program serves approximately 50 individuals annually.

Discharge Incentive Grant

The Discharge Incentive Grant (DIG) program is an innovative cooperative partnership between DOC, DBH, the Alaska Housing and Finance Corporation (AHFC), Partners for Progress, and the Alaska Mental Health Trust (Trust). The program has three core components, DIG I, II, and III. DIG I and II comprised grant funding provided by DBH to DOC through the Alaska Housing and Finance Corporation (AHFC). Partners for Progress Reentry program served as the grantee and pass-through agency. This grant primarily funded housing for individuals experiencing serious mental illness (SMI) and other cognitive and co-occurring disorders upon release from incarceration, identified as eligible by DOC. DIG I and II spent $175,379 on housing for 75 unique individuals. AHFC also assists reentry grantees to provide additional housing supports for program participants in Alaska communities. DIG III was a program piloted in 2025 for Mental Health Trust beneficiaries or individuals escaping domestic violence and/or sex trafficking, also receiving mental health/behavioral services, and in most cases had been released from incarceration or an incarceration-like setting within the last year. $126,000 was spent on 72 unique individuals using DIG III funding. Although DIG I and II could support housing and housing-related expenses, DIG III was for housing only.

The primary success this year is that, for the 17th consecutive year, beneficiaries experiencing eSMI and other cognitive and co-occurring disorders were released from incarceration to safe and supportive housing. This housing meets their needs and ensures their stability, particularly during the vulnerable post-release period, when they face numerous risks and adjustments, including the loss of benefits and personal belongings, and the need to rebuild their lives from scratch. Secure housing enables beneficiaries to address their mental health needs better and find community support and a sense of belonging. Additionally, those released during winter face increased risks, and housing support from the DIG program helps prevent homelessness and reduces the burden on shelters by providing safe, warm housing.

Supported Employment

Supported employment is a specialized approach designed to help individuals with SMI and/or SUD who are 18 years of age or older find and retain meaningful, competitive jobs. This model is grounded in the belief that individuals with disabilities can succeed in integrated, community-based employment with the proper support. The Individual

Placement and Support (IPS) model plays a vital role in helping individuals reenter the workforce, offering a person-centered approach that addresses the unique barriers they may face, including limited work experience, stigma, and restricted access to resources. IPS provides comprehensive, team-based support through vocational training, job placement, and ongoing assistance, emphasizing rapid job searches, workplace integration, and continuous support. The program serves adults with supported employment who participate in the competitive labor market. The average case load is 18 individuals.

DBH committed additional resources to promote evidence-based IPS-supported employment through the International Center for Clubhouse model. Through tailored support, DBH-funded programs empower individuals with behavioral health challenges to develop the skills and resilience needed to achieve financial stability, rebuild their lives, and actively contribute to their communities. The FY 2025 supported employment grant recipients included:

Frontier Community Services
Kenai
$193,436.90
Frontier Community Services' program provides direct services to clients, educates employers about the benefits of hiring individuals with employment gaps or disabilities, and offers hiring incentives. The program also assists clients with critical needs such as finding and stabilizing housing and providing essential work clothing or tools required for employment. Average caseload is 20 individuals.

Northern Hope Center
Fairbanks
$132,535
Northern Hope Center's program assists individuals with a focus on challenges associated with fluctuating mental health symptoms, trauma histories, or substance use challenges, and improving motivation, confidence, and reliability in the workplace. The program also assists clients who have experienced stigma and discrimination in previous employment and builds trust when reentering the workforce. Average caseload is 11 individuals.

South Peninsula Behavioral Health Services, Inc.
Homer
$193,436.90
Southern Peninsula Behavioral Health Service' program works with potential employers to help clients find positions. Average caseload is 30 individuals.

Volunteers of America, Alaska
Anchorage
$143,266.20

Department of Corrections' Description of State-Funded Programs Designed to Promote Rehabilitation

The Alaska Department of Corrections 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.

Reentry Unit

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 and contributing members to their communities. To achieve this, and to support overall strategies to reduce recidivism, DOC maintains an internal Reentry Unit. These staff directly support individuals, work internally across the department to aid other staff their own efforts to support reentry, and work externally with community-based organizations and other stakeholders to support reentry. DOC empowers reentrants to successfully transition into communities through collaborative release planning including individualized case management, education and workforce development training opportunities, and other pro-social activities and programs.

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 and resource fairs at DOC facilities, and coordination between DOC-facility staff and community organization.

Reentry Housing

For the second year the DOC partnered with the Alaska Housing and Finance Corporation (AHFC) and reentry coalitions across the state to assist releasing offenders secure housing. Through this program $250,000 was allocated to the reentry coalitions who were able to serve 96 households consisting of 138 individuals 8 of whom were minors.

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**: The primary goal of the APIC initiative is to assist 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 2026, APIC served 158 referrals of which 129 were unduplicated individuals. IDP+ served 57 unduplicated 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.

Education Core Programs

These programs are typically widely available across facilities and typically delivered by DOC education coordinators:

- Adult Basic Education (ABE)
- General Educational Development (GED) Testing & Tutoring
- English as a Second Language (ESL)
- Parenting
- Reentry classes

- Cognitive Behavior Change
- Computer Literacy
-

Vocational/Work Force Development Opportunities & Programs

These programs and trainings were available in select facilities where space, equipment and qualified staff/contractor availability allow:

- Welding (contracted delivery through the Alaska Ironworkers Union)
- ServSafe (contracted delivery through the Kitchen Management Education Services)
- Asbestos Abatement (contracted delivery through Environmental Management Inc)
- Aerial Lift training (contracted delivery through the Alaska Ironworkers Union)
- OSHA 10 (contracted delivery through the Alaska Ironworkers Union & an independent contractor)
- CDL (contracted delivery through Alaska Driving Academy)
- Intro to Electric (contracted delivery through Alaska International Brotherhood of Electrical Workers)
- Intro Construction Craft Laborer Training (contracted delivery through the Alaska Laborers Union)
- Maritime First Aid w/ Ergonomics (contracted delivery through the AMSEA)
- Toyo Stove Repair (contracted delivery through an independent contractor)
- CPR/1st Aid/BBP
- DEC Food Worker Card
- DOL Seafood Orientation
- DMV Written Driver's License
- NCCER CORE
- NCCER Carpentry
- NCCER Plumbing
- NCCER Maritime Fundamentals
- NCCER Cabinetry
- NCCER Welding
- Shopbot CNC Machining
- EETC Small Engine Repair
- OSHA 10/30
- OSHA Forklift
- Carpentry Pre-Apprenticeship (Western States Carpenters Union)
- Baking Apprenticeship
- Culinary Apprenticeship
- Building Maintenance Apprenticeship
- Warehouse Management Apprenticeship
- Non-Chemical Barber License

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 interventions
- Inpatient mental health units
- Subacute 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)
- Substance use disorder (SUD) treatment
-

In FY26, Behavioral Health Services documented 112,464 contacts with individuals in DOC custody. Behavioral health contacts are defined as documented behavioral health interactions occurring on a given day. These contacts include formal evaluations, individuals served through group programming, responses to requests from individuals in custody, follow-up visits, and other clinical interventions. Interactions that do not occur face-to-face, such as chart reviews, are excluded. FY26 behavioral health contacts are summarized below.

FY26 BH Contacts	
MH Contacts	88,010
SUD Contacts	24,454
Total (MH+SUD)	112,464

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, therapeutic

interventions, medication monitoring, community treatment referrals, 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 individuals experiencing acute or chronic mental health needs, including 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 safely function in general population. Services include medication management and individual or group therapeutic interventions, 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 contracted staff.

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.
- Pilot program at Wildwood Correctional Complex (Kenai): provides buprenorphine to sentenced inmates with opioid use disorder up to 30 days prior to release; providing continuity buprenorphine for new inmates with valid community prescription (October 2026).
- 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 FY2026, 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.

MAT Services Provided Within DOC	**FY25**
Buprenorphine Subcutaneous (Sublocade)	34
Buprenorphine Sublingual (Subutex)	552
Buprenorphine-Naloxone (Suboxone)	0
Naltrexone injectable (Vivitrol)	3
Naltrexone Oral	9
MAT Services Provided by Community Partners with DOC Linkage	**FY25**
Methadone (Community Partner)	91
Totals	
Total (DOC + Community Partner)	689
Total (DOC)	598
Unique Patients Receiving MAT	689

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 FY26, DOC received 1,482 assessment referrals and completed 850 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 the *A New Direction* and *Living in Balance* curricula, 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 Northstar CRC (Fairbanks)
- Goose Creek Correctional Center (Wasilla)
- Hiland Mountain Correctional Center (Eagle River)
- Palmer Correctional Center (Palmer)

During FY26, 112 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)
- Palmer Correctional Center (Palmer)
- Wildwood Correctional Center (Kenai)

In FY26, 75 individuals completed RSAT statewide.

Cognitive Behavioral Interventions

The department prioritizes evidence-based programming, with a focus on Cognitive Behavioral Therapy (CBT) based interventions 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.

During FY26, department staff facilitated 18 Mental Health First Aid classes for the incarcerated population, reaching 175 participants. An additional four classes were provided to professional staff, reaching 106 participants, including department correctional and probation staff and municipal personnel.

Sex Offender Management Programming

Alaska's rate of sexual assault is 119.8 rapes per 100,000 people, a decrease of 1.2% from the year prior. A national rate comparison is not available. (The Department of Public Safety should be contacted with further questions regarding uniform crime reporting. Offenders convicted of a sex offense make up about 16.27% of the Alaska Department of Corrections (ADOC) total prisoner population[1]. On any given day, more than 700 Alaskan offenders are incarcerated for sex crimes.[161] 97.7%[162] of sex offenders in Alaska are male; Alaska Native men make up approximately 50%[2] of the sex offender population, with Caucasian being the second largest demographic at 38.3%. Approximately 51.1%[163] 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)

The DOC uses the University of Cincinnati Corrections Institute (UCCI) Cognitive Behavioral Interventions for Sex Offenders (CBI-SO) as the curriculum for sex offender

[161] Alaska Criminal Justice Data Analysis Commission 2025 Annual Report https://www.ajc.state.ak.us/datacommission/index.html#reports

[162] Alaska Department of Public Safety Crime in Alaska 2025 report https://dps.alaska.gov/Statewide/R-I/UCR

[163] Alaska Department of Public Safety Felony Level Sex Offenses 2024 Report https://dps.alaska.gov/Statewide/R-I/UCR

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 FY26, the DOC engaged 466 male and female sex offenders in treatment in the institutions and community. The average length of time a sex offender was in treatment was 612 days in an institution, and 602 in the community, averaging 607 total days to complete treatment. In For sex offenders engaged in treatment either in the community or in an institution in FY26, approximately 64 individuals completed treatment, and 75 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 96 male sex offenders at any given time.

The DOC currently offers 247 community-based treatment slots across the state, including 36 telehealth treatment slots for offenders in remote areas.

Domestic Violence Program

The Department of Corrections (DOC) maintains a collaborative partnership with the Council on Domestic Violence & Sexual Assault (CDVSA) to deliver Battering Intervention Programming (BIP) and Prison-based Battering Intervention Programs (PBP). These programs are administered by CDVSA grantees, with financial support from both CDVSA and DOC. Currently, DOC and CDVSA are actively engaged in developing and implementing updated standards, regulations, and approval processes for new programs as well as for BIP and PBP providers.

Appendix G: Alaska Department of Corrections' Offense Classification

The Department of Corrections organizes offenses into several classes. Table 17 provides a list of offenses and their corresponding offense classification. This list is not exhaustive.

Table 17: Department of Corrections' Offense Classification

Offense Classification	Offense Description
Alcohol	DUI
	DWI
	Felony DUI - 2+ Priors
	Felony Refusal of Chem Test- 2+ Priors
	Import Alcohol - Dry Area – Small Amt
	Minor Consuming/Possessing Alcohol
	Omvi – Alcohol
	Prohibition of Importation After Election
	Purchase Alcohol From Non-Licensee
	Refusal To Submit to Chemical Test
	Sex Off Furn Alco Pers<21 Local Option
Drugs	Attempted Misconduct Involving Controlled Substance 2
	Attempted Misconduct Involving Controlled Substance 3
	Attempted Misconduct Involving Controlled Substance 4
	Conspiracy Drugs Third Degree
	Misconduct - Controlled Substance 1
	Misconduct - Controlled Substance 2
	Misconduct - Controlled Substance 3
	Misconduct - Controlled Substance 4
	Misconduct - Controlled Substance 5
Motor Vehicle	Abandonment Unlawful
	Drive W/O Valid Operator License
	Drive W/ License Canc/Susp/Revoked/Ltd
	Insurance or Other Security Required
	Leave Accident w/o Assisting Injured
	Leave Scene of Crash
	Reckless Driving
	Remove/Falsify VEH ID Number
Person	Assault 1
	Assault 2
	Assault 3
	Assault 4
	Assault in the Presence of a Child
	Attempted Assault 1
	Attempted Assault 2
	Attempted Assault 3
	Attempted Kidnapping
	Attempted Murder 1
	Attempted Murder 2
	Attempted Robbery 1
	Attempted Robbery 2
	Attempted Stalking 1 – Violation of Court Order
	Coercion
	Conspiracy Robbery 1
	Criminally Negligent Homicide
	Harassment – Offensive Touch Through Clothes
	Indecent Expose to Over 16 Year Old

Person, continued	Kidnapping Manslaughter Murder 1 Murder 2 Neglect – Inadequate Supervision Reckless Endangerment Robbery 1 Robbery 2 Solicitation to Commit Murder 1 Stalking 1 Stalking 2 – Fear for Self or Family
Property	Arson 1 – Danger of Serious Injury Arson 2 – Damage Building w/ Intent Arson 3 – Burn Motor Vehicle Public Land Arson 3 – Burn/Expl Vehicle Private Land Attempted Arson 1 Attempted Arson 2 Attempted Auto Theft 1st Attempted Burglary 1 Attempted Burglary 2 Attempted Criminal Mischief 3 Attempted Forgery 1 Attempted Fraud Use Stolen Accss Dev/ID under $75 Attempted Scheme to Defraud Attempted Theft 1 Attempted Theft 2 Burglary 1 Burglary 2 Conceal Merch- Firearm Conceal Merch- Value $250-$749 Concealment of Merchandise $50+ Criminal Impersonation 2 Criminal Mischief 1 Criminal Mischief 3 Criminal Mischief 4 Criminal Mischief 5 Criminal Trespass 1 Criminal Trespass 2 Criminally Negligent Burning Criminally Negligent Burning 2 Forgery 1 Forgery 2 Fraud Use Access Device- Under $1000 Fraudulent Use of Stolen Access Device Larceny Value <$250 Removal Of Merchandise $50+ Resist Arrest by Hiding/Barricading Retain Lost Property Under $250 w/ Priors Scheme To Defraud Theft 1 Theft 2 Theft 3 Theft 4 Theft of Lost/Mislaid Property $50+ Theft of Svcs, Deception/Force/Thrt $50+ Unauthorized Use of Access Device Vehicle Theft 1 Vehicle Theft 2

Public Order	Attempt Attempted Escape 2 Attempted Escape 3 Attempted Fail to Stop at Direction of Officer Attempted Terror Threat 2-Cause Fear Person Injury Attempted Unlawful Evasion 1 Compounding-Bribe to Conceal Crime Criminal Mischief 4 Criminal Trespass 1 Criminal Trespass 2 Disord Conduct- Create Hazard Condition Disord Conduct-Loud Noise, Publ/Priv Disorderly Conduct Distribute Indecent Material to Minors Enter/Remain Bus Property, Told to Leave Enter/Remain Bus Property in Viol Notice Escape 2 Escape 3 Escape 4 Fail to Change Mailing Address-Sor Fail to Change Residence Address-Sor Fail to File Verification Fail to Register as Sex Offender 2 Fail to Stop at Direction of Officer 1 Fail to Stop at Direction of Officer 2 Fail to Supply Complete/Accurate Info Failure to Appear Failure to Register as Sex Offender 1 Failure to Register as Sex Offender 2 False ID Arrest/Detention/Investigation False Info/Rpt Harassment 1 Harassment 2 Hinder Prosecution 1- Or Apprehension Indecent Prod Pic Brst/Anus/Gntls/Minor Interfere w/ Offc Proc- Affect Outcome Interfere w/ Report of DV Crime Interstate Custody Compact Perjury Promoting Contraband 1 Promoting Contraband 2 Resisting Arrest Tamper Phys Evid-Destroy/Alter/Suppress Tamper Witness 1- Influence Testimony Tampering w/ Witness 1 Terroristic Threats 2 Trespass- Public Prop/Vehicle Not Open Unlawful Contact 1 Unlawful Contact 2 Unlawful Evasion 1 Unlawful Evasion 2 Violate Conditions of Release Violate Order to Submit to DNA Testing Violate Protective Order
Sex Non-Registerable	Indecent Exposure 2
Sex Registerable	Attempted Exploit of Minor Attempted Sex Abuse Minor 1 Attempted Sex Abuse Minor 2 Attempted Sex Assault 1

Sex Registerable, continued	Attempted Sex Assault 2 Distribute Child Pornography Enticement Of a Minor Exploitation Of a Minor Incest Indecent Exposure 1 Online Enticement of a Minor Possess Child Pornography Sex Abuse of Minor 1 Sex Abuse of Minor 2 Sex Abuse of Minor 3 Sex Assault 2 Sex Assault 3 Sex Trafficking 1 Solicitation Sex Assault 2
Weapons	Attempted MISC/Weapons 2- Fire Gun at Building Attempted MISC/Weapons 3- Felon in Possession Attempted Misconduct Involving Wpns 1 Attempted Weapons 2 Cruelty to Animals-Intimidate/Threaten Disorderly Conduct Make/Provide/Possess Metal Knuckles Misconduct w/ Weapons 1 Misconduct w/ Weapons 2 Misconduct w/ Weapons 3 Misconduct w/ Weapons 4

Data Source: Alaska Department of Corrections, 2025 Offender Profile*, page 41-68*
https://doc.alaska.gov/admin/docs/1CurrentProfile.pdf.

Appendix H: Risk Factors Related to Criminal Activity

AS 44.19.645(i) requires the Commission to study and report on risk factors related to criminal activity using information provided by the Department of Corrections.

LSI-R Analysis

The Department of Corrections (DOC) assesses sentenced individuals for their risk of future criminal activity upon admittance to a DOC facility (citation). For these assessments, DOC uses the *Level of Service Inventory – Revised* (LSI-R) as a screening tool (citation, citation, citation). DOC transmits risk assessment information about offenders sentenced to incarceration of 90 days or more to the Commission for analysis.

Purpose of LSI-R

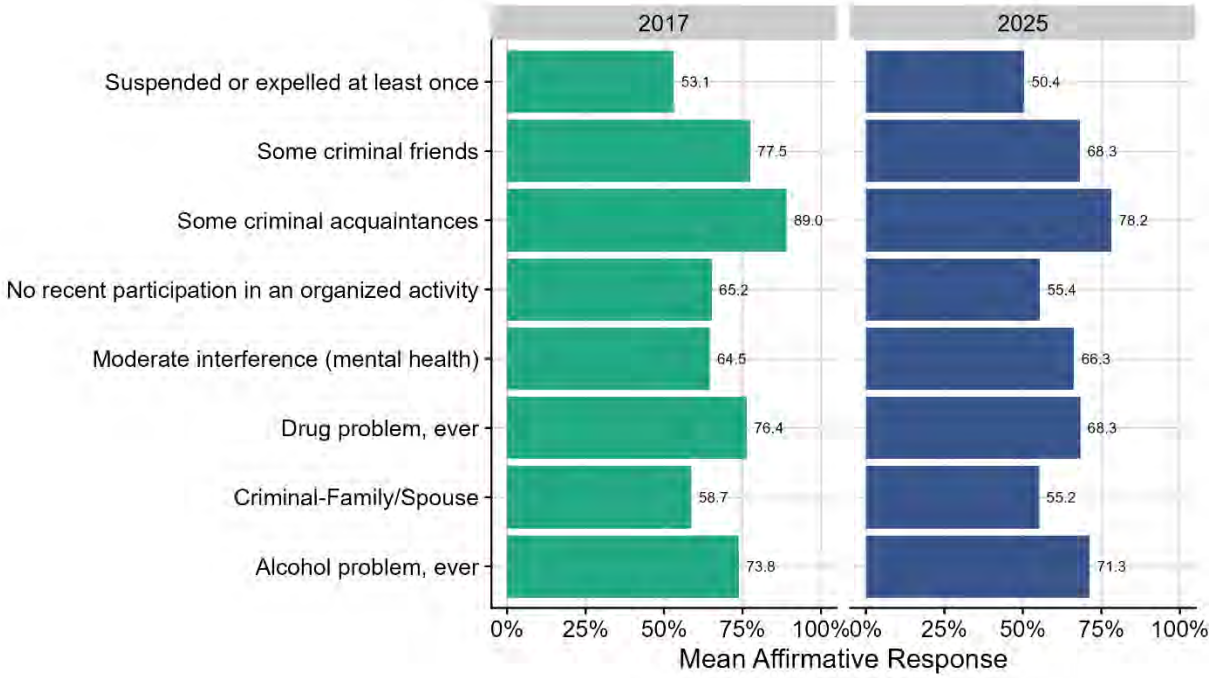
A comparison of DOC LSI-R risk assessments performed in 2017 and 2025 shows that the most prevalent risk factor was an association with other individuals involved in crime. More than three quarters of the respondents reported having criminal acquaintances and friends. Another pervasive factor was substance (mis)use, with nearly two-thirds or more reporting drug or alcohol problems. Less prevalent risk factors included a lack of engagement in community activities and issues with mental health. These patterns of responses were consistent throughout LSI-R respondents.

Figure 53 shows the percentage of sentenced incarcerated people who said "yes" to any of the following questions for assessments administered in 2017 and 2025. [164]

- Whether they were ever suspended or expelled from school;
- Whether they had any friends involved in crime;
- Whether they had any acquaintances involved in crime;
- 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;
- Whether they had ever had a drug problem;
- Whether they had any family members or spouse involved in crime; and
- Whether they had ever had an alcohol problem

[164] While only results from 2017 and 2025 are presented in Figure 53, data from other years is available upon request.

Figure 53: LSI-R Risk Assessment affirmative response rates for calendar years 2017 and 2025. Survey items selected represent the highest affirmative response rates.



Data provided by Alaska Department of Corrections
Analysis conducted by ACJDAC

Only incarcerated people completed the LSI-R risk assessment. Their results do not necessarily apply to individuals who have not experienced incarceration. To find ways to prevent crime among Alaska's general population, assessments must be developed using characteristics of the general population, rather than the incarcerated population.

Glossary: 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_____

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 factfinder (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: a hearing at which the court informs the defendant of the charges, the possible penalties, and their rights; addresses legal representation; requests that the defendant enter a plea to the charge(s); addresses conditions of release; and sets the next court appearance. See also “First Appearance.”

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_____

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 during which the court decides a defendant’s conditions of release from custody while the case is pending. The court may require the posting (deposit) of a cash amount to secure the defendant’s appearance for court proceedings and/or to assure the defendant complies with the other conditions of release. The court may allow the posting of an unsecured bond, in lieu of cash, to secure the defendant’s appearance.

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_____

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_____

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 a new, 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 acquittal. 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.

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: a 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.

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: a court hearing in a felony case which occurs within 24 hours after a defendant's arrest. During the first appearance, the judge reads the charges to the defendant, advises the defendant of their rights, and often sets or modifies release/bail requirements. The felony defendant is not asked to enter a plea until later, at the arraignment. The defendant charged with a felony is arraigned after the grand jury returns an indictment on one or more felony charges.

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.

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.

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.

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_____

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_____

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_____

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_____

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.

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.

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: reverse. 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_____

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.

Q_____

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.

R_____

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.

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 contes

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."

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.

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.

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_____

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_____

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