

THE ALASKA ADULT CORRECTIONS AGENCY

POPULATION MANAGEMENT PLAN  
UPDATED  
September 22, 1983

U.S. Department of Justice  
National Institute of Justice

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Submitted in Reference to:

Cleary V. Smith  
Case Number 3AN81-5274

Roger V. Endell, Deputy Commissioner  
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In the time period since the last Population Management Plan to the Court, the Division of Adult Corrections has become the Adult Corrections Agency under the leadership of Deputy Commissioner Roger V. Endell, reporting directly to the Governor. This significant step took place on July 12, 1983, with Governor William Sheffield signing Administrative Order 77.

The Adult Corrections Agency (ACA) has continued a vigorous effort of compliance with those settled elements of Cleary V. Smith, 3AN81-5274 Civ. We have also worked to constitutionally extend our capacity to house prisoners. The management efforts are outlined in Tables I (Institutional Capacities), II (Institutional Capacity Projections, Alaska), and Table II Worksheet/Addendum of this report. We are at this time engaged in an accelerated program for the design of a correctional center prototype that will be utilized in all new construction statewide and requiring limited site specific adjustment for construction.

The design/engineering firm under contract has developed a prototype model that builds upon housing quadrants of 16 single cells; 8 on a first level and 8 on a second level, that are situated around a central control area in sets of 4, each with day room and hygiene facilities adjacent, for a building capacity of 64 cells. The basic model will be mated with an admin/program module of similar prototype design. The size of the proposed correctional center and its program function will determine the number of units situated on specific sites. For smaller centers, the 16 room/day room quadrant is adaptable into program/admin use in combination with housing quadrants. The basic housing unit, with custom

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interior flexibility, in combination with the program unit, allows rapid construction and fast track occupancy for all new correctional centers to be built.

The initial application of the Prototype Correctional Center will be as a 64 cell pretrial facility on the campus of the soon to open Wildwood Correctional Center in Kenai. The Kenai application will be accomplished by the earliest possible date which is estimated as April of 1984 (see Table II for target date sequence). Nome replacement; Anchorage replacement for 6th Avenue Annex, Ridgeview and Third Avenue; and, Goose Bay Long Term Facility will be consecutive applications of the Correctional Center Prototype. Preliminary designs, including architectural schematics, will be completed by mid November '83. Bid ready final designs will be ready for construction bids by March '84, with construction expected to commence no later than May 1984, if not earlier.

The figures on Table I (Institutional Capacities) must be viewed with the understanding that capacity is not determined by the number of beds that can be crowded into "X" amount of space. Capacity is the number of beds the facility and its resources will adequately accommodate applying reasonable standards and exceeding minimal constitutional requirements. The reality of incarceration necessarily, and constitutionally, entails restrictions, discomforts, and loss of privileges that complete freedom affords. It is extremely difficult to calculate or project a facility's rated, extended, operating or maximum (every bed/space full) capacity considering the uncontrollable factors of arrest/commitment numbers, prosecution policies coupled with diversion and/or release policies, sentencing practices, community supervision resources, and

parole decisions in existing correctional facilities which may be outmoded, undergoing renovation, or under construction as the press of overcrowding goes on. The Adult Corrections Agency has adopted the following definitions for understanding and clarification of terms pertaining to capacities:

1. Rated Capacity; Design bed/space capacity of inmates who may be properly housed and cared for in the facility as determined by a survey which excludes areas not adapted to housing, such as basements, corridors and day rooms; space not available for regular inmate occupancy, such as infirmary, segregation and intake units.
2. Extended Capacity; Extension of bed/space exceeding minimum constitutional standards, considering the mission of the institution and available staff, by multiple bunking. This extension does not include reserved special purpose space such as infirmary, segregation and intake.
3. Operating Capacity; 95% of Extended Capacity; point beyond which reasonable classification becomes increasingly more difficult over time.

An imminent application of the Prison Overcrowding Emergency Conditional Commutation Plan is anticipated. According to Kevin K. Bruce, Assistant Commissioner-Operations, a prison overcrowding state of emergency population level has been established at 1303 or the point at which the extended capacity of the system is surpassed. Accordingly, the Deputy Commissioner declared the system overcrowded on September 16, 1983.

Table II (Institutional Capacity Projection, Alaska) and Worksheet/Addendum constitute an effort to schematically represent a dynamic system of future prisoner population management by the Adult Corrections Agency (ACA). It is representative based upon available information and projections. It is most representative of a range rather than firm limits. Most clearly depicted is the prospect that by extending a significant portion of all new space, as it is brought on line, ACA may maintain an operating capacity within the accommodation range of the projected prisoner population in-state. With the opening of the Nome replacement facility in February '85, ACA could have the system flexibility to begin preparations for the return of Federal Bureau of Prisons (FBP) placements. From early 1985 onward, ACA may well be in a position, provided funding and construction goals are met, to begin reducing the extended capacities of correctional centers accompanied by a gradual return toward rated capacity operation. The first facility of adequate configuration to accommodate prisoners previously placed with the FBP, and allow the return of those in placement, will most likely be available by May '86 with the opening of Goose Bay.

The analysis herein presented is based upon actual population figures from September 82 through August 83, existing facilities configuration, and planned construction. The average net increase in prisoners for this time period was twenty five (25) per month. For the purposes of calculating population projections, this number has been used as a constant. The Research Section of the ACA is developing a more comprehensive analysis than currently exists which will consider elements such as the impact of recent legislative amendments to the Criminal Code and other relevant factors as they become known. Through

increased cooperation within the Criminal Justice System (CJS), ACA seeks to encourage input into our planning efforts. The National Institute of Justice will soon be conducting a forum on sentencing for Judges, Legislators and key Criminal Justice personnel. In an effort to foster CJS cooperation and understanding, the target parties for this forum from the Alaska system will be encouraged to attend. This Forum will address overcrowding issues.

In conclusion, please note that realization of the steps depicted in Table II (Institutional Capacity Projection, Alaska) will accomplish reasonable management of the Alaskan prisoner population under humane and constitutional conditions. There is presented the reasonable expectation for the return of most Alaskan inmates from the Federal Bureau of Prisons with the opening of the long term facility at Goose Bay during the summer of 1986. It also may be anticipated that most Alaskan Correctional Centers may return to normal operation and no longer be required to extend space, staff, and operations. This progressive return to normal will begin with the opening of Wildwood this Fall or Winter. The Adult Corrections Agency is bringing into manageable configuration the influx of detained and/or incarcerated persons that have to date overtaxed our every facility and resource.

RVE, STW-9'83

Institutional Capacities  
Adult Corrections Agency, In-State, Alaska  
September 1983

Table I

<u>Institution</u>	<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>	<u>Actual Population 9-11-83</u>
Northern Region;				
Fairbanks C.C.	135	145	138	206
Nome C.C.	16	30	28	34
S.C. Region;				
Cook Inlet	158	270	257	275
Annex	90	100	95	89
Ridgeview	60	60	57	60
Third Ave	60	65	62	64
Hiland Mountain	160	200	190	225
Meadow Creek	28	31	29	32
Palmer Minimum	106	130	124	132
Palmer Medium	100	100	95	96
S.E. Region;				
Juneau C.C.	71	118	112	118
Johnson Center	4	4	4	6
Ketchikan C.C.	24	50	47	43
TOTALS	1,012	1,303	1,238	1,380

1. Rated Capacity; Design bed/space capacity of inmates who may be properly housed and cared for in the facility as determined by a survey which excludes areas not adapted to housing, such as basements, corridors and day rooms; space not available for regular inmate occupancy, such as infirmary, segregation and intake units.
2. Extended Capacity; Extension of bed/space exceeding minimum constitutional standards, considering the mission of the institution and available staff, by multiple bunking. This extension does not include reserved special purpose space such as infirmary, segregation and intake.
3. Operating Capacity; 95% of Extended Capacity; point beyond which reasonable classification becomes increasingly more difficult over time.
4. Actual Population on date shown; 9-11-83.

Table II

Time table of projections to increase and improve capacity with current population figures and projection shown. Federal Bureau of Prisons (200) contract space is not included in totals, Actual and Projected. For approximate combined FBP and State total, add 200 to population figures shown.

Point In Time	Rated Capacity <sup>1</sup>	Extended Capacity <sup>2</sup>	Operating Capacity <sup>3</sup>	Actual In-State Population	Projected In-State Population <sup>4</sup>	Comments
7'83				1312	1312 - 7'83	(Please refer to Table II Worksheet/Addendum for detailed commentary and mathematical progression outline).
9'83	1012	1303	1238	1366		
10'83	1062	1365	1297			Oct'83: 12 additional upper bunka into Cook Inlet Extended Capacity. 50 minimum spaces in place at Wildwood C.C. as work crews in preparation for opening. Net gain of 50 Rated Capacity and 62 Extended Capacity.
1'84	1224	1571	1492		1419 - 1'84	Jan'84: Remodelling and addition complete at Juneau C.C.; gain of 36 to Rated Capacity and 100 to Extended Capacity. Wildwood fully open; inmate work crew returned to Minimum Facility and/or integrated into Wildwood population; gain of 106 to Rated and Extended Capacities. Net gain of 162 to Rated Capacity and 207 to Extended Capacities.
4'84	1353	1882	1788			Apr'84: Fairbanks remodel and addition complete including utilization of a Minimum Module on the grounds; gain of 49 to Rated Capacity and 191 to Extended Capacity. Wildwood Pre-Trial Module complete; gain of 80 to Rated Capacity and 120 to Extended Capacity. Net gain of 129 to Rated Capacity and 311 to Extended Capacity.
7'84					1641 - 7'84	
9'84	1421	1950	1833			Sept'84: Bethel Regional C.C. complete with net gain of 68 to Rated Capacity and 68 to Extended Capacity.
12'84	1457	2014	1913			Dec'84: Cook Inlet addition complete with net gain of 36 to Rated Capacity and 64 to Extended Capacity.
1'85					1791 - 1'85	
2'85	1484	2062	1959			Feb'85: Nome replacement fac. complete; gain of 43 to Rated Capacity and 78 to Extended Capacity. Old Nome Fac. closes reducing Rated Capacity by 16 and Extended Capacity by 30. Net gain of 27 to Rated Capacity and 48 to Extended Capacity.
5'85	1594	2351	2234*			May'85: Anchorage Replacement Fac. complete; gain of 230 to Rated Capacity and 414 to Extended Capacity. Ridgeview and Third Avenue close as C.C.'s; reducing Rated Capacity by 60 each for 120 and Extended Capacity by 60 and 65 respectively for 125. Net gain of 110 to Rated Capacity and 289 to Extended Capacity.
7'85					1941 - 7'85	
1'86	1504	2251	2139		2091 - 1'86	Jan'86: Annex closes. Reduction of 90 from Rated Capacity and 100 from Extended Capacity.
5'86	1648	2395	2465			May'86: Goona Bay complete with 384 spaces. Net gain of 344 to Rated and Extended Capacities.
7'86					2241 - 7'86	
1'87					2391 - 1'87	

Footnotes

1. Rated Capacity: Design bed/space capacity of inmates who may be properly housed and cared for in the facility as determined by a survey which excludes areas not adapted to housing, such as basements, corridors and day rooms; space not available for regular inmate occupancy, such as infirmary, segregation and intake units.
2. Extended Capacity: Extension of bed/space exceeding minimum constitutional standards, considering the mission of the institution and available staff, by multiple bunking in some areas. This extension does not include reserved special purpose space such as infirmary, segregation and intake. Multiple bunking is not represented in Goona Bay facility (May'86).
3. Operating Capacity: 95% of Extended Capacity; point beyond which reasonable classification becomes increasingly more difficult over time.
4. & 5. Population figures provided by Adult Corrections Agency, Research & Statistics Section, Susan Knighton supervising. Based upon actual figures over previous twelve months, Sept'82 through Aug'83, showing an average monthly increase of 25 more commitments per month than releases.

\*These two facilities, Ridgeview and Third Avenue, may remain in service, following remodelling, as community/half-way house programs.

TABLE II WORKSHEET/ADDENDUM  
INSTITUTIONAL CAPACITY PROJECTION, ALASKA  
ADULT CORRECTIONS AGENCY

September 1983

At the time of this report, the statewide total capacities from Table I, Institutional Capacities, are:

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,012	1,303	1,238

Oct'83; 12 additional upper bunks are added to the Cook Inlet Pre-Trial Extended Capacity; Rated Capacity remains as no building expansion has taken place:

<u>Rated Capacity</u>	<u>Extended Capacity</u>
1,012	1,303
	+ 12
<u>1,012</u>	<u>3,315</u>

Oct'83; 50 minimum custody prisoners are placed at Wildwood as a work party. These 50 increase the Rated and Extended Capacities statewide as this is the initial occupancy of space in Wildwood. 95% of 1,365 is 1,296.75, rounded to 1,297 for revised Operating Capacity.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,012	1,315	
+ 50	+ 50	
<u>1,062</u>	<u>1,365</u>	1,297

Jan'84; 56 additional spaces added to Juneau Rated Capacity with completion of remodeling Fifty of the fifty-six are doubled to increase Extended Capacity by 100.

<u>Rated Capacity</u>	<u>Extended Capacity</u>
1,062	1,365
+ 56	+ 100
<u>1,118</u>	<u>1,465</u>

Jan'84; Wildwood opens with 98 spaces suitable for double occupancy or 196. Space for 10%/19.6, rounded to 20, reserved for segregation and/or intake units leaving 78 spaces doubled for initial Rated and Extended Capacity of 156. The 50 inmate work crew placed in Oct'83 is returned to minimum custody institution(s) and/or integrated into Wildwood population reducing statewide Rated and Extended Capacity by 50. The revised Extended Capacity is computed for 95% Operating Capacity;  $1,571 \times .95 = 1,492.45$  rounded to 1492.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,118	1,465	
+ 156	+ 156	
- 50	- 50	
<u>1,224</u>	<u>1,571</u>	<u>1,492</u>

Apr'84; Fairbanks remodel and addition complete. Sept'83 Rated and Extended Capacities of 135 and 145 are revised to 156 and 280 respectively. The new Rated Capacity (156; 177 less 21 segregation and intake spaces, extended by doubling 90%/140 X 2 for 280 Extended Capacity. A 28 room module, on the grounds of the Fairbanks Facility, continued in use further increases Rated Capacity by 28; and, by double bunking, the Extended Capacity by 56.

<u>Rated Capacity</u>	<u>Extended Capacity</u>
1,224	1,571
- 135	- 145
+ 156	+ 280
+ 28	+ 56
<u>1,273</u>	<u>1,762</u>

Apr'84; Wildwood Pre-Trial Module complete with 64 spaces. 24 spaces are reserved for segregation, intake and female units leaving 40 spaces which extended by doubling became 80; increasing Rated Capacity by 40 and Extended by 80. The opening of the pretrial module returns the 20 (of 98) reserved segregation and intake spaces to design intent of 40 (20 double bunk) spaces and increases Rated and Extended Capacities by 40. The revised Extended Capacity is computed for 95% Operating Capacity;  $1,882 \times .95 = 1,787.9$  rounded to 1,788.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,273	1,762	
+ 40	+ 80	
+ 40	+ 40	
<u>1,353</u>	<u>1,882</u>	1,788

Sept'84; Bethel Regional Correctional Center complete with 76 space capacity; 8 spaces reserved for segregation and intake, and 34 double occupancy spaces for 68 Rated and Extended Capacity increase. 95% of 1,950 = 1,852.5 rounded to 1,853 Operating Capacity.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,353	1,882	
+ 68	+ 68	
<u>1,421</u>	<u>1,950</u>	<u>1,853</u>

Dec'84; Cook Inlet Pre-Trial addition complete with 36 spaces added to Rated Capacity. 90% of 36 (32.4 rounded to 32) or 32 spaces double bunked adding 64 to Extended Capacity. 95% of 2,014 = 1,913.3, rounded to 1,913 Operating Capacity.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,421	1,950	
+ 36	+ 64	
<u>1,457</u>	<u>2,014</u>	<u>1,913</u>

Feb'85; Nome replacement facility complete adding 43 spaces to Rated Capacity; 48 spaces less (10%/4.8 rounded to 5) 5 reserved for segregation and intake. 90% of 43 (38.7 rounded to 39) or 39 spaces double bunked adding 78 to Extended Capacity. Old Nome facility is closed reducing Rated and Extended Capacities by 16 and 30 respectively. 95% of revised Extended Capacity, 2,062 X .95 = 1,958.9 rounded to 1,959 Operating Capacity.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,457	2,014	
+ 43	+ 78	
- 16	- 30	
<u>1,484</u>	<u>2,062</u>	<u>1,959</u>

May'85; Anchorage replacement facility complete adding 230 spaces to Rated Capacity; 256 spaces less (10%/25.6 rounded to 26) 26 reserved for segregation and intake. 90% of 230 or 207 spaces double bunked adding 414 to Extended Capacity. Ridgeview closes as a correctional center reducing Rated and Extended Capacity by 60. Third Avenue closes as a correctional center reducing Rated and Extended Capacity by 60 and 65 respectively. 95% of revised Extended Capacity, 2,351 X .95 = 2,233.45 rounded to 2,234 Operating Capacity.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,484	2,062	
+ 230	+ 414	
- 60	- 60	
- 60	- 65	
<u>1,594</u>	<u>2,351</u>	<u>2,234</u>

Jan'86; Anchorage Annex closes reducing Rated Capacity by 90 and Extended Capacity by 100. 95% of revised Extended Capacity, 2,251 X .95 = 2,138.45 rounded to 2,139 Operating Capacity.

<u>Rated Capacity</u>	<u>Extended Capacity</u>	<u>Operating Capacity</u>
1,594	2,351	
- 90	- 100	
<u>1,504</u>	<u>2,251</u>	<u>2,139</u>

# THE ALASKA DIVISION OF ADULT CORRECTIONS

## POPULATION MANAGEMENT PLAN

Submitted in partial fulfillment  
of Cleary v. Beirne

Case No. 3AN-81-5274 Civil to the

Honorable Douglas Serdahely

Judge of the Superior Court

Third Judicial District

March 1, 1983

Roger V. Endell, Director

Alaska Division of Adult Corrections

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## INTRODUCTION

The State of Alaska is faced with enormous logistical, financial, and management problems in bringing the state's correctional system back into an acceptable, if not exemplary, administrative posture. The new administration has taken specific and measurable steps to resolve the current crisis in corrections. Most, if not all, of the present problems in corrections are related directly to two primary caustive factors.

The first of these problems is related directly to the tremendous overcrowding of the state's correctional system. Overcrowding is a direct result of a number of interrelated events including, but not limited to the passage and implementation of a new criminal code, fewer releases by the Board of Parole, more stringent sentencing practices by the state's court system, additional law enforcement and prosecutorial personnel and an inability to construct or renovate in a timely manner sufficient new correctional space for the influx of prisoners statewide. Approximately 500 beds have been added to the state's correctional system in the past few years and 200 Alaskan prisoners are held under contract to the Federal Bureau of Prisons outside the State of Alaska. In essence, the Division of Corrections has received insufficient resources and/or otherwise failed to keep abreast of the rapidly growing prisoner population because of a lack of understanding and coordination between the makers of policy and law. While it has been relatively easy to tighten the state's criminal laws and law enforcement practices, it has not been easy to garner the resources necessary to cope with the tightening, or "get tough," practices of the other elements of the state's criminal justice system.

The second major problem has been related to poor management practices and instability within the Division of Corrections' upper management. Governor Sheffield in December of 1982 appointed a Task Force on Corrections which conducted a statewide inquiry into correctional issues and problems. Criminal justice practitioners and interested citizens from Barrow to Ketchikan were surveyed and interviewed resulting in a report to the Governor listing 35 specific recommendations which would guide policy and law for the new administration. A new Director was appointed on January 10, 1983. Following that appointment a new transition management structure was immediately implemented in preparation for a decentralized and regionalized management scheme to be fully in place under a new Department of Corrections as of April 1, 1983. The new departmental management structure will permit the full implementation of a sound regionalized management scheme which will enhance the ability of the Division/Department to effectively and efficiently administer the mandate of the Constitution of the State of Alaska for reformation of the offender and protection of the public. Cabinet status will enhance the ability of corrections to acquire sufficient fiscal resources and to coordinate policy and law as a full partner with the other major agencies of justice in the state -- the Department of Law, Public Safety, and the Court System.

The citizens of Alaska have rightfully demanded that the state get tough with criminal predators. Getting tough is admirable but it is also tremendously expensive. It is now time to pay the bill. The Division/Department of Corrections has developed this plan which attempts to efficiently and effectively address these problems at the lowest possible and responsible dollar figure. Nevertheless increased expenditures will be required.

The State of Alaska is taking expeditious action to reduce inmate populations to an acceptable level. This plan represents a summary of a multitude of studies, plans, timeframes and current executive and legislative proposals addressing the issues.

In summary, the plan anticipates continued, but reduced, overcrowding during the balance of this calendar year. By January 1984 it is expected that in-state institutions will no longer be overpopulated. Analysis of inmate population projections indicates a January 1984 average in-state inmate population of between 1700-1800. However, no one is able to predict with certainty. The projection is based on historical data plus an assumption as to the population impact of 1982 legislative actions which increases Driving While Intoxicated (DWI) terms, limits bail eligibility for certain offenses, and revises drug laws. It will therefore be necessary to modify this population management plan as actual monthly inmate population data becomes available.

### Institutional Space

Major efforts have been initiated and are progressing toward the acquisition of new correctional space for institutionalized populations. Primary efforts are being directed toward the identification, assessment, acquisition and modification of existing "surplus" properties available at various locations around the state.

Locations that are now being considered for adaptability as medium security sites include former military installations at Wildwood in the Kenai Borough and Goose Bay in the Matanuska-Susitna Borough. Also under consideration is the Chiniak site 49 miles by road from Kodiak. Each of these sites is currently being evaluated in a technical sense, as well as for logistical, programmatic, support, and fiscal advantages and disadvantages.

The most viable and likely site to be available at the earliest possible date is at Wildwood. The public hearing process is nearing completion and lease/purchase negotiations are ready to commence. This site will offer the potential for housing 220 medium security inmates within a six to nine month period and will therefore permit the Division/Department of Corrections to relieve the immediate population pressures in our existing institutions at relatively low fiscal expenditures, i.e., compared to new construction costs.

With the acquisition of the Goose Bay site from the Federal Government, corrections could renovate and convert the site for useful placement of an additional 200 medium security inmates. Likewise the Chiniak site near Kodiak could house approximately 130 to 150 offenders.

Development of the latter two available sites and structures may require from one to two years to prepare them for correctional use and occupancy. Nevertheless all three of these sites in concert offer the potential for totally eliminating the overcrowding of our presently overpopulated sentenced felony institutions and will permit a return to concentrated efforts of reformation and rehabilitation of offenders in uncrowded and decent, if spartan, surroundings at comparatively low cost. By utilizing these potentially developable sites, corrections can relieve most, if not all, of the press of the sentenced felony populations at Fairbanks, Hiland Mountain (Eagle River), and Juneau. These actions will negate the previous correctional director's proposal to build an 11.7 million dollar pre-trial expansion at Fairbanks and a 9 million dollar pre-trial expansion at Juneau. In other words, these newly acquired and remodeled facilities can be developed at tremendous cost savings to the state while at the same time alleviating the crisis in overcrowding. Further, corrections plans to purchase private sector expertise for only essential perimeter and interior security modifications and for fire-life safety modifications, and then to use volunteer inmate labor to finalize building rehabilitations.

Unfortunately all of these sites and structures cannot be made available at the same time. The correctional time line estimates include Wildwood's availability in the fall of 1983, Goose Bay in the fall of 1984, and Chiniak, after full surveys have been completed, for a date somewhere in between.

Another problem remains however. While the three previously identified sites are being actively pursued and developed, corrections must also pursue funds for construction of two new institutions not yet funded (funds are requested in the FY'84 capital improvements program now before the Legislature), must complete the new Bethel Regional Correctional Center (50 beds) with existing funds, and request additional funds (5.6 million requested) in order to construct the already designed Nome Regional Correctional Center (50 to 80 beds).

One of the two new institutions is included in a 45 million dollar request for the state's first maximum security institution which will house 300 prisoners. This institution will have an expansion capability and ultimate capacity of 400. Hearings and site analysis work is nearing completion for potential placement of this facility at or near one of the communities of Palmer, Seward, Kenai or Haines. This facility will house most of the state's long term felony prisoners and will include the full range of correctional programming, from counseling and education to vocational training and prison industries.

The second of the two new capital improvements is required in the Municipality of Anchorage to replace both the 3rd Avenue and 6th and "C" correctional centers. Both facilities have been repeatedly found unsatisfactory to corrections and the courts. The 3rd Avenue institution was built as a federal territorial jail and is totally outdated for current use, and the 6th and "C" institution has been remodeled extensively from a city jail. The Municipality of Anchorage will require corrections to vacate the 6th and "C" facility (currently under lease to the state from the city) on or before 1986. Current correctional plans are for development and construction of a 250 bed classification and evaluation center to replace these two outmoded institutions. This includes approximately 50 beds for mental health related observation and evaluation purposes to be staffed by Division of Mental Health personnel. This new facility has a cost estimate of approximately 35 million dollars if built at the proposed Pt. Woronzoff site.

In summary then, corrections can resolve the overcrowding in the state correctional system and have a minimal margin of expansion capability by completing projects already designed (Nome and Bethel Regional Correctional Centers), adding sites and revamping structures for correctional institutional use at much lower than new construction costs, (Wildwood, Goose Bay, and possibly Chiniak), and the construction of two new institutions (Woronzoff classification and evaluation center and a new maximum security institution).

This plan, already underway, will permit the state's existing correctional centers to return to their original missions. Fairbanks, Juneau and

Ketchikan will function primarily as regional intake centers. Palmer will service minimum and medium security inmates oriented toward prison industries and public works projects. Hiland Mountain (Eagle River) will return to its originally designed innovative correctional rehabilitation orientation, primarily targeted toward first offenders, with a strong counseling, community interaction, and prison industries mission. Cook Inlet will be used for pre-trial offenders only and Ridgeview will no longer be used for custody or security purposes. The Careage House no longer houses any offenders and has become corrections' southcentral headquarters and training center.

Improvements will be costly but necessary. The Division/Department of Corrections will use every possible mechanism to implement this plan as expeditiously and as responsibly as possible. Volunteer inmate labor will be utilized in concert with contractual work from the private sector wherever possible, not however, in the construction of new security facilities. This labor can and will be made an essential part of the offender's rehabilitative programming so that the citizens of the state as well as individual inmates receive mutual benefits without increased risk to the public.

### Pre- and Post-Trial Diversion

The task of "Prison Population Management" requires an examination of external and internal administrative options. The thrust of this portion of the plan is to manage existing and future prison populations in the State of Alaaka externally by developing and implementing programs to decrease the number of bookings and divert selected persons into community programs without increasing community risk, while assuring Court appearances at a higher level. This must occur primarily at the misdemeanor level and is the most likely area on which resources must be focused.

At the same time these programs are implemented, impact measurements must be in place. The evaluation of impact of the diversion efforts will be modeled on the standard pre- and post-treatment experimental design. Records of bed space occupancy prior to implementation of the program will be statistically compared with post treatment data to discover if a noticeable reduction in institutional bed space needs has been effected. Every effort will be made to isolate sources of variation which can contribute to confounding of the data. Particular concern will be directed at determining the extent to which diversion tactics are merely "widening the net" of correctional control by increasing the number of prisoners housed in halfway house settings at the expense of their being released to the street.

The following diversion plan and plan execution deals with surging prisoner counts far beyond our present capacity to hold using traditional methods of incarceration and still maintain constitutional incapacitation requirements.

In unheard of commitment times, unusual or unique solutions may be exercised to deal with the problems. Some of these solutions call for cooperation between police, the Courts at various levels, and Corrections in order for them to work. Other solutions are primarily the design and implementation responsibility of Corrections. To help support the Division's plan, management is reviewing the possibility that traditional techniques of prisoner classification are not sufficient to assure an expeditious and accurate methodology for moving prisoners smoothly through the system and up and down the security ladder, especially considering the overcrowded conditions. To assist the Division, we have contracted with the American Correctional Association to help design and implement a more refined classification model. The assumption is that the new model will enable the classification managers to reduce security levels on a more timely basis and provide more prisoners for soft bed placements earlier as well as more accurately identify prisoners who should have a higher security classification.

#### Diversion:

The plan to divert as many unsentenced and sentenced misdemeanants from incarceration is very rational when one considers that 80 to 90 felons are on furlough at any given time along with 1,400 to 1,500 felons on probation and parole. On 2/24/83 the Division of Adult Corrections had 1,445 persons in custody.

In-State Felons	-	1,017
Out-of-State Felons	-	194
Misdemeanants	-	<u>234</u>
TOTAL	-	1,445

Misdemeanants represent 19% of the in-state prison population. Our maximum bed capacity in-state is 1,014. A shortage of 431 beds existed at the time this report was prepared. The plan to divert as many misdemeanants from custody becomes even more relevant when these numbers are examined. When these potential diversion figures are coupled with new prison bed space significant impact can become a reality.

The diversion plan constitutes three parts and these are Pre-Trial, Post-Trial and Alternative Resource Units. Each unit has its distinctive functions but all units interface with each other. Because of limited resources the Pre-Trial and Post-Trial units will be partially implemented, however, the Alternative Resources Unit will be fully implemented via contractual arrangements during fiscal year 1983. We have requested full funding for all units in FY 84. To a large extent the success of pre-trial and post-trial diversion is determined on the cooperation of the District Court system as the court system controls the Division of Corrections' intake.

#### Pre-Trial:

Pre-Trial diversion consists of placing unsentenced misdemeanants either on Own Recognizance, supervised O.R., Third Party Release, or in a supervised community resource pending court processing.

In order to implement pre-trial diversion effectively, the Division of Adult Corrections needs the cooperation of the Court System at the District and Magistrate's Court level. The Division would like to assist the Magistrate and District Courts screen defendants for release and if necessary supervise those persons released either in a street setting or in a contract community residential setting with 24-hour security.

Superior Court assistance is needed to sanction the rephrasing of the computer bench warrant wording to mandate that the arresting officer take the prisoner immediately before the magistrate for process rather than "as soon as possible" in order to avoid unnecessary prisoner booking and jail time until the prisoner is arraigned the next day. This should be no inconvenience to the police or the Magistrate system because of the already existing 24-hour magistrate service in Anchorage. Our booking records reflect that 10 to 15% of the misdemeanants are for Failure to Appear or Failure to Comply warrants. Our study of other pre-trial systems in other states indicates this percentage can be substantially reduced through supervised O.R. after screening in the Magistrate's Court. The combination of more thorough screening using a base expectancy scoring system, backed by professional judgment and immediate information verification efforts, plus

the reminder to defendant by phone, written and personal contacts for future court hearings, should reduce the Failure to Appear percentage to 5%. Superior Court sanction is also requested to allow Division employees in the Magistrate and District Courts to assist the Judges, as previously noted. We understand the presiding Superior Court Judge serves as the lower Court's supervisor.

Another benefit, because of these listed procedural changes, should be improved community protection because of a more thorough check on the defendant's background before the release-no-release decision is made.

#### Post-Trial Unit:

The only history we have on formal misdemeanor probation regarding pre-sentence work and supervision is the demonstration project which terminated in 1975. Because of the nature of this project, only certain types of offenders were eligible and then only half of these offenders received service. The only other experience with misdemeanor probation is periodic and infrequent service to the District Courts by probation staff as time allows. Consequently, we do not have hard numbers on which to base our budget request for misdemeanor investigation and supervision. However, some estimates are possible to develop the potential staffing pattern based on felony workload measures.

Misdemeanant filings are much more numerous than felony filings. For instance, Anchorage court records indicate that 7,289 misdemeanor charges were filed in 1982 as opposed to less than two thousand felony filings. Unfortunately, the Anchorage Court System does not categorize their caseload so we do not know what or how many different types of offenses were filed. However, a snapshot study, of persons charged or convicted of crimes in the 6th Avenue and Ridgeview facilities for one week in April of 1982, does give us some information on which to project as presented below.

Total number received	167
Felons	31
Misdemeanants	136
Total potential referrals	
(misdemeanants) for one week	41

For example, if the figure of 41 is multiplied by 52 weeks, 2,132 referrals are quite possible for either presentence investigation service or supervision of both. If half of this number is referred (1,066) a possible 3,198 units in presentence investigations will occur according to a modified workload formula. If one half of these potential referrals receive supervised probation for one (1) year, this represents an additional 6,396 units of work when the workload formula is applied. A total of 9,594 units is then divided by the minimum workload standard of 65 units per month per officer in order to arrive at the number of professional staff needed in the

Misdemeanant Probation Unit in Anchorage. Twelve (12) professional line staff supported by four (4) clerical positions and two supervisors are indicated. These same type of estimates may be made in other District Court jurisdictions.

During the first year of District Court service, all misdemeanor staff should not be needed all at once because the projected workload of 9,594 units will occur throughout FY'83. In FY'84, however, all staff should be on board and functioning because the workload will have been actualized.

#### Alternative Resource Unit (Contractual):

This unit serves as a support resource to the Pre-Trial and Post-Trial functions by providing specialized programs and space.

A further snapshot study of Ridgeview and 6th Avenue institution population for one week in April revealed that of 136 misdemeanants confined, 51 were for DWI or 37.5%; 37 or 27% are at Ridgeview. A recent review of inmate charges at Ridgeview revealed about the same percentage. Dealing with this class of offender in a different way other than a secure traditional jail setting will have the most impact in reducing jail counts and still not increase community risk, more than any other single offense category.

The non-traditional approach the Division is suggesting is a less secure, less expensive setting for short-term minimum security prisoners in a

pre-trial and post-trial situation. Sentenced people would be serving anywhere from one day to 90 days so the turnover would be rapid. The contract would provide for room and board and 24-hour security. Contractors would also provide in-house program and arrange for specific social and physical needs upon release with such agencies and services as New Start, TASC, Salvation Army, medical and other public assistance programs. This setting could also be used as a facility for certain probation violators who do not need a secure jail structure.

The New Start organization is an existing Corrections' successful effort which arranges physical and social assistance for offenders and provides practical counseling regarding "how to" skills pertaining to finding employment. This organization is noted for its ability to place offenders on jobs.

The Treatment Alternatives to Street Crime (TASC) organization is an Anchorage Municipality function which specializes in assessing, counseling, monitoring, and testing for alcohol and drug abuse problems. The Division of Adult Corrections has a contractual relationship for services. TASC also plans to implement the following new programs which will have an unknown impact on inmate count reduction:

<u>PROGRAM</u>	<u>NO. OF BEDS</u>	<u>ON-LINE DATE</u>
1. Alternative Residential (Alcoholism treatment)	12 to 15	7/83
2. Domicillary (Chronic public inebriates)	16	8/83
3. Amouak Treatment Center (6 weeks treatment for Natives contract with Anchorage Municipality)	12	Operational
4. Nugen's Ranch (Long term public inebriates)	50 beds	Operational
5. Store Front (Pick up and referral center for chronic public inebriates)	-	Operational

A significant percentage of misdemeanants are chronic inebriates who are jailed for one reason or another. These specific programs are geared to divert the derelict inebriate from secure jail cells. The average chronic inebriate is not a community risk except to him/herself.

These "soft beds", for want of a better description, are being increased by amending existing community residential contracts and the development of new contracts from 83 to 196 beds in the following locations. Included are planned start up dates.

<u>EXISTING</u>	<u>NEW</u>	<u>ON-LINE</u>	<u>TOTAL</u>
Anchorage - 65	30	7/1/83	95
Fairbanks - 16	40	4/1/83	56
Ketchikan - 2	13	7/1/83	15
Juneau - 0	15	7/1/83	15
Nome - <u>0</u>	<u>15</u>	7/1/73	<u>15</u>
TOTAL 83	113		196

Anticipated impact of this operational plan in in-state prison population is estimated from computer intake projections. These projections are based on the linear mathematical method and project in-state populations between 11/82 and 12/83. It is assumed that misdemeanor referrals will continue to

approximate 19 to 25% of the in-state population. A plus or minus factor of 35 to 40 inmate deviation per month is possible for the total average in-state prison population. These projections provide extremely rough estimates due to many unforeseen variables. For example, the projected in-state inmate count for June of 1983 was 1,188. This figure could have been as low as 1,148 or as high as 1,228. In fact, the February 24th prisoner in-state count was 1251. The listed planned on-line dates are used as impact times with the previously noted computer projections.

<u>IMPACT DATE</u>	<u>GROSS PROJECTED IN-STATE COUNT</u>	<u>COMPONENT IMPACT</u>	<u>NET PROJECTED IMPACT COUNT</u>
4/83	1,172	Soft Beds - 40	1,132
7/83	1,223	Soft Beds - 73	1,150
		Pre-Trial - 20	1,130
		Post-Trial- 20	1,110

Each minus figure, for example (-25), represents a projected decrease to the projected in-state total count on that date. At best, these figures are speculative and give us only a target projection aimed toward and a base to work from until actuals occur and corrections can be made.

A Division of Adult Corrections' representative has reviewed a nationally recognized halfway house program on site for three days. The Management of Pioneer Cooperative Affiliates has agreed to assist our present contractors by training staff to select, set up, and operate 24-hour programs in soft bed space. Presently, our Halfway House Contractors are experienced furlough operators but have no direct experience in running programs with offenders that are housed on premises 24-hours a day and do not leave for work or education programs.

Please recall that present prison bed space in-state is 1014. With increased prison bed capacity, contractual soft bed development, a more refined classification technique, pre-trial and post-trial diversion services, the Division will have a practical methodology and capability to manage the prison population along constitutional lines while increasing rehabilitation programming with minimal community risk.

#### Management Structure

The correctional management structure is being revised and greatly improved. These changes will aide in population management in that corrections will have improved data acquisition capabilities in regard to individuals and groups of offenders, and will have an improved management system in place to address system as well as offender needs.

The first of these improved management capabilities is the Offender Based State Corrections Information System (OBSCIS), an on-line computerized system which records offender information from initial entry through discharge. Implementation is taking place in two phases, the first focused on incarcerated offenders and the second to include offenders on probation or parole.

On-line availability of offender data will allow correctional administrators and managers to respond immediately to queries from the court, legal and law enforcement agencies, media, Legislature, and offender families in regard to offender locations and institutional populations profiles. Reports generated from the data management system will provide current information as an aide to population management, caseload management, budget preparation, financial projections, and program assessment and evaluation.

The software programs for the first phase of OBSCIS implementation and use are operational and the hardware has been installed in most of the State's correctional institutions, with remaining institutional installations

scheduled. Currently pending is the Department of Administration's approval of a contract for consultant services to train correctional personnel, complete installations, and phase the system "on line."

Policies and procedures are being rewritten for both institutions and probation/parole field services units. This is being accomplished through contracts with the American Correctional Association. The preparation process actively involves staff from each correctional institution. The benefit of the policy and procedure rewrite efforts are that correctional staff will have current, well written and consistent statewide direction as to the appropriate manner in which offenders are to be managed.

Administrative guidelines of high quality and consistency will be immediately available at all institutional and field service locations regarding processes to be utilized by staff. This clarity will permit, qualitatively and quantitatively better management of offender populations. Representatives from the American Correctional Association and Alaska Corrections will meet in Anchorage on March 3, 1983, in order to continue to guide and provide direction and to establish time lines for completion of this project. Estimated completion time is July 1, 1983.

The classification system is likewise being redesigned through a contract with the American Correctional Association. Much research has been completed and preliminary work has been accomplished. The preliminary classification screening matrix is now being field tested in-state. The comprehensive classification system will have the effect of outlining and identifying classification criteria for both inmates and institutions, and

therefore population management will be enhanced by permitting placement of inmates in the most appropriate setting.

The new management structure referred to in the introduction to this plan and in the Governor's Task Force on Corrections' Report (see Appendix) will not only enhance the Division's/Department's ability to respond effectively in an administrative sense to internal issues and problems, but will also enhance corrections' ability to communicate and coordinate with the other elements of the state's justice system at both statewide and regional levels. (See Table of Organization following.)

For example, the Commissioner of Corrections will have five primary unit managers reporting to him/her: an Assistant Commissioner for administrative functions and support services; an Assistant Commissioner for southcentral correctional operations; and three Regional Directors -- one each based in Fairbanks (interior), Juneau (southeast) and Fairbanks or Anchorage (rural). The latter position, will for the first time in state history permit rural Alaska correctional needs and problems to be sufficiently and quickly addressed.

Except for the Administrative Assistant Commissioner, all other of the executive management level personnel above will be required to effectively manage and administrate all correctional programs in their respective regions. Each will also be required to establish on-going positive working relationships with key personnel in the justice system in his or her region, i.e., the presiding judge, the district attorney, the chief(s) of police,

the trooper commander, city and borough officials, etc. This coordination will enhance the ability of corrections as well as the other justice agencies' ability to communicate effectively and in a timely manner to resolve interagency problems and to prevent problems from occurring.

All executive management positions will be exempt or partially exempt which means that each is appointed by the Commissioner of Corrections and can easily be deprived of office should managerial performance be unsatisfactory. In essence this structure helps to ensure both quantitative and qualitative management and administration. It means quicker attention to problems at the local and/or regional level, and the development of specialized knowledge and expertise in responding to local or regional needs of inmate populations, correctional staffs local communities, and practitioners in the other agencies of the criminal justice system.

At the statewide level, the Commissioner of Corrections will coordinate with law and policy makers at the highest level of state government to ensure that all estimated impacts on the correctional system are made clear before proposals and/or implementations are imposed. Communication up, down, and across the lines of state and local government will be qualitatively superior to the previous circumstances in correctional administration.

#### Federal Bureau of Prisons Placements

Placement of Alaska inmates within the Federal Bureau of Prisons has been a practice since statehood. At present we have 200 inmates placed in federal contract facilities, the maximum now permitted by the federal system.

According to the negotiated Cleary partial settlement agreement Alaska will be permitted to place inmates in federal institutions through 1987. With completion of the proposed \$45 million maximum security institution corrections will for the first time be able to drastically reduce the number of convicted Alaskan citizens placed in the Federal Bureau of Prisons (FBP) system. A current survey has indicated that as much as one-third of the prisoners now placed out of state would prefer to remain there. It is also conceivable that a small number of future prisoners will be placed in FBP for special needs and/or requests. The Alaska correctional system will begin to return out-of-state prisoners as space is developed and within the parameters of the agreement. That is to say, sound correctional practice will require that we do not return prisoners at a cost of recreating overcrowded conditions within State operated facilities.

### Legislative Actions

Executive and legislative actions are in process which will have an impact on Corrections' ability to manage the offender population. During the State of the State Address, Governor Sheffield announced issuance of Executive Order No. 54 (addressed earlier in this plan) to create a Department of Corrections effective April 1, 1983, barring Legislative override. He stated in part: "As Governor I find that it would be in the best interests of efficient administration, protection of the public, and reformation of persons convicted of violations of the criminal laws of the state to reorganize penal corrections functions by creating a Department of Corrections as a principal department of the state. The new department is being created from the current division of corrections which is located in the Department of Health and Social Services.

A similar bill to create a Department of Corrections was introduced in the Legislature. Committee Substitute for House Bill 103 (Health, Education and Social Services) would have similar impact.

As stated earlier, creation of a Department of Corrections will have the effect of allowing Corrections' professionals more control over activities, budget and policies, and therefore to be in a more favorable position in order to manage populations. As a Department, Corrections will at last be on a parallel level with other criminal justice agencies, the Commissioner will be in a position to interact with other policy makers at the formal cabinet level. The Commissioner will have direct access to the Governor on

matters requiring his attention. Budgets, both operating and capital, will be prepared by Corrections as a Department rather than as a Division to be intermingled among other human services priorities. These changes will permit the Administration to be more responsive to Corrections' concerns and will enhance the likelihood of on-going population management by the acquisition of adequate staff and adequate facility funding.

Overcrowding legislation was introduced at the request of the Governor. Senate Bill 106 would take effect immediately upon signature by the Governor. During times of overcrowding the proposed legislation would establish the mechanism for early release and probationary supervision of certain offenders who would be within 90 days of their anticipated release date (see S.B. 106 in the appendix).

Further, legislation is being prepared which would increase statutory good time for persons on furlough from one day for every three days served to one for every two. This request was made by the Administration. If passed the statutory provisions would have the effect of freeing additional community bed space for additional offenders who have met the requirements for pre-release programming.

In summary, it is apparent that there is substantial executive and legislative attention being directed at solving most if not all of the issues currently facing the management and administration of the state's correctional system. The problems are immense, the system is in disrepair, and there are more prisoners than there are appropriate beds. To rectify

these problems all three branches of state government -- Executive, Legislative, and Courts -- will have to continue to work competently and cooperatively to resolve these past and present issues. The problems are resolvable, and are being addressed. It is corrections' view that except for overcrowding the State of Alaska is administering a firm but fair correctional system and will, with patience, diligence, and cooperation, soon have our Alaska correctional system back in good order.

APPENDICES

STATE OF ALASKA  
TASK FORCE ON CORRECTIONS

December/January 1982-1983

APPENDIX I

STATE OF ALASKA

TASK FORCE ON CORRECTIONS

A Report On the Status of Corrections  
for  
Governor William Sheffield

December/January 1982-1983

The Honorable William J. Sheffield  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

January 3, 1983

Dear Governor Sheffield:

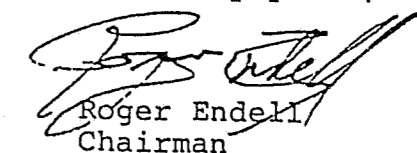
It is my pleasure to present to you the following report of the Task Force on Corrections. We have evaluated the issues and problem areas of correctional administration and management in Alaska as directed in your charge.

It is our hope that you will find the report of this Task Force and its policy recommendations useful to the future administration of a sound correctional system. We believe that it is not only possible but also mandatory that the executive, legislative and judicial branches of state government work diligently and harmoniously to carry out the directive of the Constitution of the State of Alaska for protection of the public and reformation of the offender.

We hope that this report will provide you with, at least, one tool toward that end.

We are pleased that we have had the opportunity to assist you.

Sincerely yours,



Roger Endell  
Chairman  
Task Force on Corrections

GOVERNOR'S TASK FORCE ON CORRECTIONS

December/January 1982-1983

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## INTRODUCTION

### Governor's Charge

Governor William Sheffield's transition Task Force on Human Services identified the management and operation of the Alaska Division of Corrections as a "dominating problem" within the Alaska Department of Health and Social Services. The Task Force on Human Services recommended the appointment of a "Blue Ribbon Task Force on Corrections" to address the following issues and relevant policy and procedural concerns:

1. Prison overcrowding and examination of current capital improvement programs.
2. Rehabilitation and alternatives to institutionalization.
3. Administrative organization and staffing problems.
4. Communications and coordination among justice agencies.
5. Municipal assumption of pretrial detention responsibilities.
6. Institutional location of juvenile corrections in state government.
7. Institutional placement of Corrections in state government.

The Task Force on Corrections was directed to commence an investigation of these identified issues immediately and to prepare and submit a report and policy recommendations to the Governor in early January, 1983.

To carry out its mission, members of the Task Force used two principal investigative methods which provided sources of information. These methods included: 1) the review of a multitude of reports and planning documents written by both in-state and out-of-state correctional practitioners and consultants since 1976; and 2) a statewide and systematic series of interviews with persons from municipal and state governments and local communities who were both knowledgeable about correctional problems and issues, and who were capable of making sound recommendations which would address these problems and issues.

It was not the intent of this Task Force to accumulate all of the voluminous materials and information already existent on this subject and incorporate it into yet one more burdensome volume. We believe that the nearly one million dollars spent on a variety of correctional reports and plans over the past six years provides but one example of the crisis in correctional management. The division has been managed by four different directors in the past six-year period. The most recent director as well as the current director were both hired by the previous administration to move the Division of Correction toward a more stable management situation. Their task was made more difficult because of their lack of knowledge of the unique problems and potential advantages of Alaskan corrections.

Alaska need neither to continue to hire out-of-state leadership nor to contract with out of state consultants. We are not convinced that the other states have developed correctional systems superior to that of Alaska in spite of our current and temporary crisis. We are convinced that knowledgeable and capable leadership should be sought from within our population to manage corrections just as talented and capable Alaskans are found to direct and manage the other departments and divisions within the executive, judicial and legislative branches of state government.

It is clear that there is a crisis in corrections. It is also clear that with sound, long term, and professional management, most of the current problems can and will be resolved. The resolution of these problems will require full cooperation as well as coordination between and among all three branches of Alaska's government--executive, judicial and legislative.

11. The state should move immediately to evaluate and obtain additional available sites for expansion of correctional operations in the Kenai and Matanuska-Susitna Boroughs. (p.13)
12. Comprehensive correctional services regional centers should be constructed in both Nome and Bethel utilizing either "stick built" or prebuilt modular units or a combination of both. (p.14)
13. All new correctional construction proposals should be evaluated in relationship to the need for increased bed capacity statewide. (p.14)
14. The state should continue to maintain a number of dangerously violent Alaska offenders within the Federal Bureau of Prisons system. (p.15)
15. Either a Matanuska-Sustina or Kenai Borough site should be developed and utilized to provide maximum security prison space. (p.15)
16. Correctional construction should be recognized as a high priority among all units of state government. (p.16)
17. A maximum security institution is needed to securely house a portion of the Alaska offender population. (p.17)

#### Administrative Organization

18. The recently completed management plan for corrections should not be fully implemented. (p.19)
19. The revised classification system should be implemented in concert with correctional reorganization and development. (p.19)
20. Corrections should be managed on a decentralized regional basis. (p.20)
21. All jail contracts should be managed by the Department of Corrections. (p.21)
22. A well trained correctional staff is mandatory and critical to efficient management. (p.22)

## SUMMARY OF RECOMMENDATIONS

The following represents an abbreviated listing of the major policy recommendations to be found in this report. These statements are not comprehensive and are extracted out of context as an aid to the discussion of issues contained in the charge to the Task Force on Corrections.

### Prison Overcrowding

1. Except for the Anchorage Careage House, no correctional facilities should be closed until adequate new correctional space has been prepared. (p.9)
2. The Careage House should be utilized as corrections' Southcentral Alaska headquarters and as a correctional training center. (p.9)
3. The new Cook Inlet pre-trial facility should not be opened to inmate populations until the facility is ready for secure occupancy and the staff has been properly trained. (p.9)
- 4 &
5. The Third Avenue and 6th & C correctional centers in Anchorage should be utilized to hold short term offenders and those incarcerated for alcohol related offenses. (p.10)
6. The continued use of Ridgeview should be re-evaluated for potential correctional use in light of economic costs and public benefits. (p.11)
7. Hiland Mountain correctional center near Eagle River must be permitted to return to its original mission. (p.11)
8. Mentally disturbed offenders should continue to be housed temporarily at the Alaska Psychiatric Hospital. (p.12)
9. Sentenced adult female housing space at Meadow Creek (Eagle River) should be added as necessary with much less expensive architecture than past practice. (p.12)
10. The type and methods of construction of the two institutions at Palmer should be copied elsewhere as needed in the state. (p.13)

33. Offender education and recreational programs should be made available to prison populations during the non-work hours of those prisoners. (p.34)
34. A systematic evaluation of approximately 150 parole eligible offenders should be conducted immediately. (p.35)
35. Corrections should provide the opportunity to every offender the resources of a halfway house program for those about to be released -- corrections must correct. (p.35)

#### Institutional Placement of Corrections in Government

23. The Division of Corrections should be moved quickly and decisively in toto by immediate executive order to Departmental status. (p.24)
24. A Commissioner of Corrections should be appointed by the Governor as soon as possible. (p.24)

#### Communication and Coordination Among Justice Agencies

25. A cabinet level body should be directed to coordinate policy and law implementation for the effective administration of justice. (p.26)
26. Management personnel of the agencies of justice (state and local) should coordinate the activities of these agencies at the local and regional level. (p.26)
27. The present partial settlement agreement efforts in the Cleary et al. case should be halted and reviewed immediately. (p.26)

#### Municipal Responsibilities

28. Municipalities should not be made responsible for the costs of pre-trial incarceration of offenders held on state criminal charges, but municipal-state coordination is essential. (p.28)
29. The state should move immediately to address the law, policies and procedures with regard to public drunkenness and drunk driving. (p.29)
30. The state Office of Alcohol and Drug Abuse should provide comprehensive program services to correctional populations in cooperation with local municipalities. (p.29)

#### Juvenile Corrections

31. All youth correctional functions should be organized as a separate division within the Department of Corrections when reorganization is completed and functional. (p.21)

#### Rehabilitation and Alternatives to Incarceration

32. The prisoner population of the State of Alaska should be put to work. (p.33)

#### Recommendation 1:

With the exception of the Anchorage Careage House, no facilities currently holding incarcerated accused or sentenced offenders should be closed until and unless adequate new correctional space has been fully prepared and readied for occupancy.

#### Recommendation 2:

The Careage House in Anchorage should be utilized immediately as the Division of Corrections' headquarters. All Anchorage area central office, institutional, field services and training employees should be moved immediately from the Frontier Building in Anchorage to this new location for greater cost and operating efficiency. This facility is now owned by the state so that only the costs of utilities and minor necessary renovations need be incurred for the Division of Corrections to operate efficiently from this site.

#### Recommendation 3:

In spite of the tremendous pressure on the managers of the correctional system, the transfer of offenders into the new Cook Inlet Pretrial Facility in Anchorage should not take place until the institutional staff has been hired, fully trained, and the facility has been completed. To do otherwise will almost assuredly result in major management problems and raise the risks of difficulties within the offender population. When completed, this facility could

## PRISON OVERCROWDING

Class action suits, media accounts, and expert as well as lay opinion have confirmed beyond all doubt that Alaska's statewide system of correctional centers is overcrowded beyond any reasonable margin of safety and security. The Task Force is well aware that the Constitution of the State of Alaska mandates that the state's correctional system must reform offenders and protect the public. In our judgment, the current crisis in corrections only insures that the state cannot carry out its Constitutional mandate. The State of Alaska must move immediately and with diligence to resolve overcrowding in the correctional system.

The members of the Task Force on Corrections are cognizant that the public has demanded that state and local officials "get tough on crime," that the public's attitude is appropriate, but that it is also extremely costly. Therefore, we have developed a series of recommendations which will alleviate the overcrowded conditions in our correctional system at lower costs than proposed by the previous administration which will, at the same time, we believe, provide adequately for protecting the public and reforming offenders.

## Recommendation 6:

The Ridgeview facility should also continue to be utilized until the Cook Inlet institution is ready. With the opening of Cook Inlet, use of the Ridgeview correctional center should be re-evaluated for potential correctional use in light of economic costs and public benefits. It is possible that Ridgeview could be converted for use as a regional halfway house/community services facility for offenders about to be released and for offenders whom the courts wish to sentence to short term and/or pretrial incarceration (usually followed by probationary supervision). There is a drastic need for this type of less costly facility in the Anchorage area and public opinion should support a "lower risk" use of this present site. Structural and design improvements may be borne by present Division of Corrections expertise and prison labor.

## Recommendation 7:

The Hiland Mountain Correctional Center near Eagle River must be relieved as quickly as possible of the burden of too many inmates in the available space. This facility must return to its original mission as a rehabilitation center for first offenders and those of low security risk. This institution has, in the past, been recognized nationally and even internationally as the model correctional center in which offenders might be reformed. The state must insure that the institution performs its task

operate, as designed, to book and hold all Anchorage area pre-trial detainees, and could have, again as designed, full-time on site magistrate services. This latter procedure would save police man hours and the great expense of prisoner transportation and prevent the unnecessary incarceration of persons able to be released on their own recognizance or to make bail. Use of video equipment would appear to be practical in both Anchorage and Fairbanks at the present time.

Recommendation 4:

The Third Avenue Correctional Center should be utilized to hold short-term offenders, and especially those incarcerated for alcohol-related offenses. It is inappropriate to utilize the facility for booking of new arrestees, for long term offenders, or for the purposes of classification of offenders as was proposed to the Task Force during our discussion with the current director.

Recommendation 5:

The Correctional Center Annex at 6th and C in Anchorage recently received approximately \$1.4 million of renovations in order to comply with a judgment of the court to make it constitutionally sound. It should continue to be fully utilized as a booking facility until the new Cook Inlet institution is operationally ready. Even after Cook Inlet comes on line, the Annex can and should continue to serve as an adequate facility to house short term offenders.

adult women and has a capacity of 30. If expansion becomes necessary, less expensive units can be utilized to extend existing capacity.

Recommendation 10:

The two correctional institutions at Palmer (actually near Sutton) provide good examples of the appropriate mix of tax dollars and inmate labor. The original Palmer Camp (minimum security) was built from the ground up by inmate labor (capacity is now approximately 100 offenders). We recommend that this practice be encouraged and continued. The new, nearly \$5 million medium security facility on the same grounds also houses approximately 100 male offenders. Both facilities are fully utilized but there is a clear need for a full range of prison work programs which would keep all offenders busy for at least 40 hours per week.

Recommendation 11:

The State of Alaska should move immediately to evaluate and to obtain available sites which could be utilized to house correctional operations. Site selection should insure provision for rapid availability of housing for up to 100 offenders. Capacities at these sites should have the potential to be increased. The Task Force recommends that one site be located within the Matanuska-Susitna Borough and the other in the Kenai Borough. Sites which have the advantage of existing grounds, utilities and buildings, and which could have security modules added at relative low cost

as it was intended to perform. Mentally disturbed offenders should not, under none but the most unusual of circumstances, be permitted to be housed at this institution.

Recommendation 8:

Mentally disturbed offenders should continue to be housed temporarily at the Alaska Psychiatric Hospital until a special unit can be designed to treat these offenders within appropriate security facilities to be determined by the Division of Mental Health. The Task Force is cognizant of the June 20, 1980 Task Force Report which specifically addresses these issues. We recommend that the report be carefully re-evaluated.

We believe that the Division of Mental Health must assume responsibility for the security and treatment of mentally disturbed offenders. We have found that the previous administration had gone "full circle" in periodic changes of policy with regard to those offenders. This lack of consistency in management decisions has contributed to the current confusion and jeopardizes offender, as well as public, safety.

Recommendation 9:

The Meadow Creek (Women's) Correctional Center near Eagle River and adjacent to the male facility is an example of architectural extravagance where simplicity and a more spartan environment would have sufficed. It now houses 28

Fairbanks and Juneau Correctional Centers and of a new replacement facility in Ketchikan. Ironically, while these modifications are essential, they will not add substantially, if at all, to the overall correctional system bed capacity. With new facilities to be developed rapidly in the Matanuska-Susitna and Kenai Boroughs, these other state regional correctional centers can return to a more efficient operational posture. It may be necessary and advisable to add a pretrial capability to the Fairbanks institution but this should be re-evaluated in light of our other recommendations. We recommend that all new construction proposals be evaluated in relationship to the need for increased bed capacity statewide. The potential for utilizing prison labor should also be evaluated.

Recommendation 14:

The 188 Alaska prisoners currently being held within the Federal Bureau of Prisons need not all be returned to Alaska. This Task Force recommends that the out-of-state population of offenders be carefully screened so that those who might be ready to be returned to Alaska could be brought back in small numbers as new space is readied for them in both new and existing facilities. It should be possible to continue to maintain a number of dangerously violent Alaska offenders within the FBP system.

Recommendation 15:

Related to #14 immediately above, this Task Force

and high benefit, should be of priority concern. With rapid site acquisitions, this Task Force believes that overcrowding in the Division of Corrections could be addressed dramatically within nine months to one year.

Recommendation 12:

Institutions have previously been approved for construction at both Bethel and Nome. Apparently the availability of funds for the Nome institution are currently in doubt. The Bethel funds have deteriorated in value due to mismanagement of site selection and building design delays. We strongly recommend that either the new Palmer institutional model ("stick built") or prebuilt modular units or any combination be incorporated for sites at both Nome and Bethel as quickly as possible. These facilities should serve as comprehensive correctional services regional centers. They would meet the needs of the southwestern Bethel area and the needs of the Seward Peninsula and Western Alaska regions for short term offenders (up to one year), probation and parole services, community supervision, halfway house, and other correctional related services. These institutions would help to relieve the pressure on the existing state facilities, provide regional treatment and incarceration capabilities, and provide state correctional services where very little now exists.

Recommendation 13:

The Task Force is aware of expansion work at the

Recommendation 17:

Finally, in regard to the need for a maximum security facility in Alaska, the Task Force received clear and compelling testimony from state and local police representatives, the court system, knowledgeable citizens, and correctional professionals that Alaska now needs a maximum security institution. Our recommendation is that the Cook Inlet building design and/or modular security units be constructed in a Southcentral location.

recommends that either the Matanuska-Susitna or Kenai Borough site, or both, should be utilized to provide maximum security space potential to house Alaska's more serious offenders through the use of maximum security units. Such facilities holding up to 300 offenders have been built in the outside states using modular units and are apparently functioning well at low cost relative to poured concrete and steel institutions and have ample security provisions. Only Butler buildings (or similar) need be added for industrial work and/or recreational space.

Recommendation 16:

The Task Force recommends that new site acquisitions, construction additions and building renovations be completed expeditiously as the highest priority through the channels of state government while minimizing both hindrances and costs. The Department of Transportation and Public Facilities should recognize prison construction as a high priority. Building supplies and prisoner labor should be utilized in building renovations and in the construction of non-secure buildings. Security buildings should be built expeditiously by contract labor from the private sector and full service warranties on all new construction should be mandatory. Corrections should have its own facility planners who can expedite construction and renovation work statewide. We recommend that a project evaluation be required upon completion of all major construction.

The multitude of reports, plans and recommendations from experts and practitioners from within the state and beyond have repeatedly stated that we need not transfer and repeat the mistakes of correctional systems elsewhere. We have found, as one interviewee stated, that too often divisional and departmental management decisions have been based, not on merit, but on perceptions. Interrelationships and coordination of services within the Department of Social Services have proven to be complex and perhaps impossible under the current umbrella structure of the Department. We will address the institutional placement of corrections within state government in a separate section.

We make the following recommendations with regard to the elimination of organization and staffing problems within the current organization of corrections.

Recommendation 18:

The management plan recently completed at a cost of over \$100,000 by the Touche-Ross management and accounting firm should not be implemented until it has been reviewed by the new Department of Corrections. Portions of the plan appear to be unrealistic and unworkable.

Recommendation 19:

While the division managers may be commended for their efforts to develop an improved classification system for the division, we believe that even a superlative classification system will be of little use when bed space alternatives are

ADMINISTRATIVE ORGANIZATION AND  
STAFFING PROBLEMS

A clear and consistent pattern of evidence and opinion has been presented to this Task Force that the Division of Corrections has suffered, and is suffering from, a lack of clear leadership from within the Division and from within the Department of Health and Social Services. We earlier identified the fact that the Division of Corrections has been headed by four directors over the past six-year period, and that the most recent past director and the current director were employed by the previous administration from positions they held in the lower contiguous states. They came to Alaska with the disadvantages of not knowing the "territory" and those within the system who were weak from those who had/have strong potential leadership and management ability.

We believe that strong, decisive and professional leadership and management is essential to successful correctional operations in this state. Further, a sense of history, of past failures and accomplishments, of goals and objectives peculiar to the unique strengths and weaknesses of Alaska and Alaskans is essential for state correctional managers.

directors should be appointed for each of the geographic regions - southeast, southcentral, and interior. A fourth regional director should be appointed to manage correctional services in rural Alaska - an area that has suffered from a policy of "benign neglect." Regional Directors should be partially-exempt positions. Each regional director should have full responsibility and authority for managing all correctional services in the region. These responsibilities should include but not be limited to the supervision of institutions, probation and parole, other field services and personnel and budget, and should include coordination with the presiding superior court judges, trooper detachment commanders, district attorneys, public defenders, local chiefs of police and peripheral service agencies. Each regional director should be encouraged to establish local citizen advisory groups to advise him or her on correctional programs in the area. Communications between the state's citizens and correctional managers will be enhanced via this mechanism.

Recommendation 21:

The members of this Task Force recommend that the agreement for administration of local jail contracts should transfer, under a new agreement, from the Department of Public Safety to a new Department of Corrections and that both governmental units should prepare their FY 84 budgets

not yet available to which offenders might be classified. In order for a correctional classification system to work effectively, there must exist a range of correctional institutional and community placement alternatives with available space in each, to which offenders may be directed. A range of facilities from maximum, medium, minimum, to and including, community halfway houses must first be available. While a sophisticated matrix classification system will be useful eventually, we feel it ironic that the basis for the management structure of the system can be found in a report to the Alaska Legislature written five years ago in 1978. We recommend that the revised classification system be implemented in concert with division reorganization and development.

Recommendation 20:

We have examined the potential reorganization of the organizational and management structure of the division along both functional and regional lines. This Task Force strongly recommends that the division be reorganized immediately upon a decentralized regional concept. It is our opinion, and the opinion of the majority of the interviewees within and outside of corrections, that a regionalized management structure would bring increased efficiency and accountability to correctional operations statewide. While a specific plan is inappropriate for this Task Force, our preliminary findings are that regional

accordingly. We believe that all correctional operations administered in part, or totally, by the State of Alaska should be housed in only one administrative unit.

Recommendation 22:

Professionalism in the ranks of the correctional system and in the management structure is of critical concern to this Task Force. Formal educational standards should be established, in addition to agency in-house training for all correctional and field service positions. A uniformed, neat and well-groomed correctional officer staff within the institutions with a well-trained, and professional demeanor would do much to enhance the morale and credibility of correctional staffs. The need for initial and periodic formal education and training is critical. Training can be physically conducted at the Careage House in Anchorage where board and room can be provided at low relative cost.

INSTITUTIONAL PLACEMENT OF CORRECTIONS

IN STATE GOVERNMENT

As stated previously by the transition Task Force on Human Services, the management and operation of the Division of Corrections is a "dominating problem" within the Alaska Department of Health and Social Services and is of critical concern. Several factors were identified by that Task Force which contributed to that assessment. Our Task Force on Corrections, in re-examining those previous conclusions, and in conducting our own independent investigation has found agreement that it is essential to move Corrections to departmental status.

The three guiding factors of greatest relevance are: 1) that the Division has suffered from lack of continuously stable and professional management within the Division and within the Department of Health and Social Services; 2) the fiscal and management needs of the Division of Corrections has placed tremendous demands on the resources of the Department of Health and Social Services; and 3) the primary factor and mission of the Department of Health and Social Services has been oriented toward community health, public assistance, mental health and family services and is neither

efficiently organized nor properly prepared to address the problems of corrections within the criminal justice system. Therefore, the Task Force on Corrections recommends the following:

Recommendation 23:

The Division of Corrections should be moved quickly and decisively in toto by immediate executive order to departmental status. We have found unanimous agreement from virtually all persons interviewed, from all regions of the state, and from all segments of the criminal justice system - police, courts, corrections, law - and from the citizen sector that departmental status is not only justified but necessary. The Task Force has considered previous proposals which discussed a transitional phasing-in of the division toward a cabinet level position. We have concluded that a transitionary movement will cause undue delays and probably result in a less efficient and more burdensome administrative process. We recommend a "quick and clean" transfer by executive decree.

Recommendation 24:

A Commissioner of Corrections should be appointed by the Governor as soon as possible. A deputy commissioner and four regional directors (the latter explained in a recommendation elsewhere in this report) should be appointed by the commissioner to manage the new Department of Corrections.

COMMUNICATION AND COORDINATION AMONG  
JUSTICE AGENCIES

This Task Force and the practitioners in the justice system from both the previous and present state administrations, and those from municipal law enforcement departments whom we interviewed, are clear in their request for statewide coordination of criminal justice policy and law. The activities of the Governor's Commission on the Administration of Justice under the direction of the previous administration were primarily oriented toward the dispersion of federal dollars which emanated from the Law Enforcement Assistance Administration (LEAA). With the demise of the federal program, the Governor's Commission (GCAJ) ceased to function.

New criminal laws and new policies and procedures emanating from one department or sector of the government can have a serious impact on the management and administration of other governmental units. For this reason alone, it is critical to insure that clear communication and sound coordination take place among the managers of the justice system statewide. We recommend the following:

Recommendation 25:

The Governor should empanel members of his administration who have justice administration responsibilities, invite representatives of appropriate related agencies, and appoint lay citizens to coordinate policy and law implementation for the effective administration of justice.

Recommendation 26:

Appropriate management level personnel of the agencies of justice should meet regularly for the purpose of coordinating the activities of the justice agencies at the local and regional level. These groups should be made up of the regional director of corrections, the presiding superior court judge, the local chief (or chiefs) of police, the local trooper detachment commander, the district attorney, the public defender, a municipal attorney and a lay citizen. We found at least one excellent example of this type of coordination and recommend that this management technique be emulated at least regionally across the state.

Recommendation 27:

We believe there are serious potential ramifications from the current effort at pre-settlement in the Cleary case. We strongly recommend that the present partial settlement agreement effort between the State of Alaska and Michael Cleary et al be halted and reviewed immediately and that the state proceed to trial, if necessary, in defense of the State.

MUNICIPAL RESPONSIBILITIES

The Task Force has examined the potential for municipal assumption of pre-trial detention responsibilities. This issue has been of concern because of the differences which exist between the larger urban population centers of the state and the smaller municipalities. That is, within the larger cities, no municipal facilities exist to hold prisoners while they await trial. The burden of pre-trial detention is assumed by the state. On the other hand, the small town police chief must be administratively responsible for housing the arrestee until trial or other disposition is reached. The state has therefore developed contractual arrangements with local municipalities to reimburse or otherwise pay for the maintenance of prisoners held on state charges.

It can cost approximately \$50 per day to book and hold a minor criminal offender in a jail bed which may have cost up to \$125,000 per bed to construct. It is clear that relatively minor offenders should be held in less costly prison or jail space.

There should be an incentive for local municipalities to increase their crime prevention and criminal diversion programs at least for minor offenders who potentially take

up expensive bed space needed for the serious criminal predator. It has been argued that if the municipalities were paying all costs of pre-trial incarceration related to crime at the local level, a substantial incentive (because of the high costs of incarceration) would exist for the cities to develop substantial prevention and diversion programs.

Recommendation 28:

The Task Force on Corrections recommends that municipalities not be made responsible for the costs of the pre-trial incarceration of offenders held on state criminal charges. The impact of such a requirement would be that very costly expenditures would be incurred immediately by every municipality statewide. We believe that the state can and should be responsible for the management and administration of criminal defendants being tried under state statutes. We do believe and strongly recommend however, that careful coordination between and among the criminal justice professionals in both state and local governments is essential to sound management of the system.

Corrections managers do not and cannot select their prison population. The gatekeepers at the front door of the state system of corrections are the local police, troopers, prosecution and court personnel. They should work cooperatively to insure that offenders are held in space appropriate to the level and nature of their offense.

Corrections has an obligation to insure that a variety of types and levels of security is available to the law enforcement community.

Recommendation 29:

While we are reluctant to recommend that still other task forces be formed to investigate and resolve other issues, it is clear that there is a compelling need to address the law, policies and procedures with regard to public drunkenness and drunk driving. The issue has appropriately been identified by the public and in the media as one which demands specific attention. We therefore recommend immediate attention to this issue.

Recommendation 30:

We recognize the high statistical correlation between alcohol abuse and crime. We recommend that the State Office of Alcohol and Drug Abuse (SOADA) should provide alcohol and drug abuse program services in cooperation with local municipalities to correctional centers and community service offices statewide. There is a crucial need for a comprehensive approach to the problem of substance abuse, including "in-house", after care and follow-up program services to offenders.

a probation officer in Nome, Barrow or Haines, for example, could supervise and direct both adults and juveniles, it now seems that these services may require both adult and juvenile specialists.

It is also clear that serious juvenile offenders require strong and decisive management by both the courts and corrections. Violent juvenile offenders require secure supervision and incarceration.

Related to the preceding discussion, we make the following recommendations.

Recommendation 31:

The entire present organization of youth corrections should be moved as a Division of Juvenile Corrections, to the new Department of Corrections when reorganization is completed and functional. Management of this division should be decentralized to fit the regional organization of the Department. For example, the juvenile institution in Fairbanks and the juvenile probation and field services operations should be accountable to the regional director of corrections in Fairbanks. There is no apparent need to add additional staff to juvenile corrections as a result of this transfer, although there may be a need for additional juvenile staff for other reasons to be defined at a later date.

## JUVENILE CORRECTIONS

Following completion of the Correctional Master Plan for the State of Alaska in 1979, the previous Commissioner of the Department of Health and Social Services moved the juvenile corrections segment of the Division of Corrections to the Division of Family and Children's Services. The argument for this move was primarily that the juvenile side of the corrections organization always would receive secondary prioritization in relationship to the demands of adult confinement. The benefits were to be that greater attention to juvenile needs would be the result of the transfer of juvenile institutions and probation supervision services to the family services division.

We have heard ample and persuasive testimony that all persons who have been adjudicated as delinquent or criminal should be managed organizationally within the same governmental unit. We are convinced that the age of the offender separates juvenile crime from adult crime and that many of the most serious crimes are being committed by young offenders.

We have also found duplication of effort within the Department of Health and Social Services. Where previously

A system of relatively inexpensive community treatment halfway houses should be available within the Department of Corrections range of institutions. Offenders who fail or who are not yet ready for release should not be eligible for these lesser security facilities. However, all offenders nearing eventual release should be placed under the carefully coordinated and supervised system of halfway house resources. A full range of maximum to halfway house security level institutions is essential to the reformation of offenders and the efficient management of offender populations. We recommend the following:

### Recommendation 32:

The prisoner population in the State of Alaska should be put to work. While the unemployment rate in Alaska is seasonally and regionally high, the citizens of the state can no longer endure an idle segment of otherwise able bodied prisoners. Prison industries and public works projects have been adequately addressed in the Correctional Master Plan. It is not our intent here to review those already voluminous plans. We intend to emphasize the need for a halt to planning and the commencement of activity. Corrections must be given the resources to provide meaningful work opportunities for the offender population. Cutting and clearing of land, stream rehabilitation, trail building, and parks maintenance and construction are but a few examples of public works projects which would benefit

REHABILITATION AND ALTERNATIVES  
TO INCARCERATION

The public has a right to demand a positive return for its investment in corrections. While protection of the public from the offenders who are sent to jail or prison is reasonably assured, that protection exists primarily during the length of the prisoner's incarceration. Long term protection can only be brought about by the reformation of the offender as mandated by the Constitution of the State of Alaska. Prisoners can return to the state's population as better persons or more bitter as a result of their prison experiences.

Idleness in our prison system, mixed with overcrowding can and will produce chaos and perhaps result in violence to both property and persons. There is a dearth of meaningful work opportunities for the prison population. Make-work institutional maintenance is the routine alternative for even a minority of prisoners. Prison industries and public works projects should be implemented in all long term correctional centers. Restitution and community services opportunities for individual prisoners who are not security risks should be made available and taken into consideration by parole authorities for those prisoners who are eligible.

students. The Department of Corrections should coordinate and contract with local school districts, the Department of Education, and the University of Alaska Statewide Systems for teaching resources.

Recommendation 34:

This Task Force has learned that there are approximately 150 parole eligible offenders within the corrections' institutional population. These offenders apparently meet all of the current qualifications for eligibility for parole consideration but have not applied. In relationship to the very high cost of prison bed space and the current crisis in overcrowding, we strongly recommend that a systematic evaluation of these offender eligibles be conducted immediately.

Recommendation 35:

The Department of Corrections should provide the opportunity to every offender the resources of a halfway house program for those about to be released. Offenders should be encouraged to be self-sufficient, apply for jobs, seek out community treatment resources and renew the ties with the law abiding community including family and friends. Close coordination and carefully organized transitions should be mandatory as the offender moves from secure institutions to halfway houses and finally to the community. Probation and parole field staffs should develop community resources and a system of community volunteers to assist

the citizens of the state as well as the non-violent offender population. Eight hour a day work habits can be learned and law abiding skills can be developed. Adequate pay to prisoners can and should be permitted with the responsibility that the working offender repay the state and/or the victim for at least the partial cost of his crime. His or her family can be partially supported as a result of prison labor, board and room can be at least partially paid, and small amounts can be set aside in savings toward release. The non-working offender should not be entitled to the same privileges granted to the working population.

Recommendation 33:

We agree with current correctional policy that any offender who does not possess a high school diploma or its equivalent should be required to complete a G.E.D. program if feasible within the length of his or her incarceration.

We feel strongly however, that these offenders and those who already possess a high school diploma and who wish to take part in educational and recreational programs should do so in their non-working hours - the same as working citizens of the state outside of the prison system. Higher education courses, arts and crafts and other culturally oriented programs should be encouraged and funded. But prisoners pursuing college educations should seek out and apply for Alaska Student Loans the same as "freeworld"

offenders in making the transition. Community service halfway houses should also be available to probationers, parolees, and ex-offenders who are in need of assistance. The use of university and community college interns should be encouraged in these facilities. Finally, the Department of Corrections should assure that alcohol, mental health and vocational rehabilitation services provided through other departments and divisions of state and local governments are heavily utilized. These offenders should not receive treatment not otherwise available to "ordinary" citizens. However, corrections must correct.

GOVERNOR'S TASK FORCE ON CORRECTIONS  
ACKNOWLEDGEMENTS  
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**CONTINUED**

**1 OF 3**

Barrow

John Winjum, Dir.  
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of Public Safety

Mike Jeffery, Judge  
Sup. Ct. 2nd Dist.

Jeanne Cross  
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Eugene Brower, Mayor  
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Supt., Jnu Corr. Ctr.,  
former Dir. AK Div. of Corr.

Sam Trivette, Exec. Dir.  
Parole Board

Lew Reece  
Reg. Admin., Youth Corr.  
Div. of Fam. & Youth Svcs.

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Cmdr., C Det., AST

C. E. Swackhammer, Det. Cmdr.  
Det. C, AST

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Seward Police Dept.

Duane Udland, Chief  
Soldotna Police Dept.

William Ladwig, Adult  
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Adult Corr.

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Palmer

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Palmer Corr. Ctr.

Stan Zaborac, Supt.  
Palmer Corr. Ctr.

Red Henderson, Chief  
Palmer Police Dept. and  
Pres., Ak Chiefs of Pol.  
Assn.

Beverly Cutler, Judge  
Sup. Ct., 3rd Dist.

Correctional Center Site Visits

Anchorage, 3rd Avenue  
Ridgeview  
Cook Inlet (under const.)  
Meadow Creek (Eagle River,  
women)  
Palmer Med. Security  
Palmer Jail - new (under  
const.)  
Fairbanks Youth Facility  
Bethel  
Juneau Johnson Center

Anchorage, 6th Avenue  
Careage House  
Hiland Mountain (Eagle  
River, men)  
Palmer Min. Security  
Palmer Jail - Police  
Dept. (old)  
Fairbanks Corr. Ctr.  
Barrow  
Kenai City Jail

ATTORNEY GENERAL'S REPORT  
CORRECTIONS

APPENDIX II

# MEMORANDUM

State of Alaska

to: File .

DATE: November 23, 1982

FILE NO: J66-516-82

TELEPHONE NO:

FROM: Wilson L. Condon  
Attorney General

SUBJECT: Analysis of Correc-  
tions Population  
Projections

These materials attempt to provide some insight into the prison population explosion. An early version was provided to the Anchorage Daily News in the spring of 1981; they did not understand it and hence did nothing with it. This version was provided to the Anchorage Times for their Sunday November 21 special on jails and prisons. After reading these materials they got most of it wrong. Despite these missed communications, I still believe these materials clearly explain some important aspects of the problems.

The important conclusions are:

- 1) To best understand the population explosion and anticipate future needs, you should look at three separate populations -- (1) sentenced felons, (2) unsentenced felons and (3) sentenced and unsentenced misdemeanants;
- 2) Most of the explosion has come about as a result of a dramatic increase in the sentenced felon population. A high proportion of the sentenced felon population is composed of serious and violent felons;
- 3) Less serious offenders such as the three-day OMVI offenders represent a very, very small part of the problem faced by the state;
- 4) Even if dramatic law and policy changes were made right now, the new maximum security facility and the new beds requested for Fairbanks will be needed;
- 5) The critical question is "How much more after that?"
- 6) To answer that question current data on new sentenced felons coming into the system should be kept and analyzed. If this were done, it would greatly reduce the guesswork in predicting future prison populations. Collecting the data would be easy because there are only about 35 to 40 new sentenced felons coming into the system each month.

Gordon's  
paper

OVERVIEW OF ALASKA CORRECTIONAL FACILITY  
CAPACITIES, POPULATIONS, AND  
POPULATION PROJECTIONS

There are a number of myths about Alaska's corrections system which must be dispelled at the outset in order to make any intelligent observations about prison population projections.

First, many believe that our jails are filled with minor offenders who ought to be released to solve the current overcrowding crisis. Our jails are not filled with minor offenders. During the third quarter of 1982, almost 1100 of the state's 1300 prisoners were either sentenced or unsentenced felons; of that 1100 nearly 700 were either convicted of or charged with violent felonies.

Second, many believe that the dramatic prison population increase over the past five years has come about by the jailing of increasing numbers of minor offenders. This too is untrue. In fact, the felony population in our corrections system has increased significantly over the last five years while the misdemeanor population has increased much less significantly. From January 1, 1978 through November 1, 1982, the total felony population -- sentenced and unsentenced -- rose from 595 to 1031, a 73% increase.

Sentenced felons rose from 458 on January 1, 1978, to 853 on November 1, 1982, an 86% increase. During the same period unsentenced felons rose from 137 to 278, a 103% increase. During those nearly five years the number of misdemeanants in our system has remained at 140 plus or minus 20 except for significant increases on autumn weekends when large numbers of people serve their three-day OMVI sentences. Recently, however, this number has also begun to increase and on November 1, 1982, there were 197 misdemeanants in our system. The proportion of misdemeanants in the system has therefore dropped over the last five years but is beginning to rise.

I. THE JAIL AND CORRECTIONS SYSTEM IN ALASKA.

There are two corrections/jail systems for which the State of Alaska is responsible.

First, fourteen jails in small communities under contract to the Department of Public Safety hold a large number of prisoners charged with violations of state laws and in some instances even hold sentenced offenders. The population of these facilities is not included by the Division of Corrections when they provide jail population figures. A discussion of that system and information about its population is contained in Appendix A to this report.

Second, of course, there is the system run by the Division of Corrections. At the present time that system consists of 12 jail/prison facilities in the state\*. Five of those facilities are located in Anchorage, one in Ketchikan, two in Juneau, two in Palmer, one in Fairbanks, and one in Nome. The following table shows the normal operating capacity of these 12 facilities, their emergency operating capacity and the number of prisoners in each of these facilities on November 1 of this year.

TABLE 1  
STATE CORRECTIONAL CENTERS

STATE INSTITUTIONS	NORMAL OPERATING CAPACITY	EMERGENCY OPERATING CAPACITY	11/1/82 PRISONER COUNT	% of NORMAL CAPACITY
Ketchikan	22	30	28	127%
Juneau	90	100	132	47%
Johnson Center (Women & Juveniles)	4	6	1	25%
Anchorage - 3rd Ave.	65	65	83	128%
Anchorage - 6th Ave.	100	115	100	100%
Ridgeview Men's	90	90	134	149%
Hiland Mountain	160	180	153	96%
Meadow Creek (Women)	28	30	26	93%
Palmer Minimum	115	115	130	113%
Palmer Medium	100	104	95	95%
Fairbanks	110	118	164	149%
Nome	30	34	33	110%
Totals	914	987	1079	118%

\* Alaska is one of the few states which assumes the responsibility for unsentenced prisoners. Elsewhere this is a county or municipal function. Consequently, there is much more administrative and record keeping activity in Alaskan prisons and a less stable prison population. In addition, the state's statistical focus is directed to the number of "bookings" rather than to the makeup of the sentenced population. Bookings require less time and effort to keep track of than do detailed census figures.

In addition to the 1079 prisoners in state correctional facilities on November 1, there were 188 prisoners housed in federal institutions outside the state and 61 in contract community halfway houses. Thus on January 27 the total prison population for which the Division of Corrections was responsible was 1328. It is noteworthy that during the month of October the population reached figures considerably higher than this. Such fluxes in population can be expected to continue.

Over the next year and one half there are a number of additional planned increases in the capacity of our state correctional institutions. These additions are set forth in the following table.

T A B L E 2

CORRECTIONS SYSTEM ADDITIONS 4/1/82 - 12/31/83

FACILITY	COMPLETION DATE	NET NEW BEDS
Careage House (Minimum Security in Anchorage)	12/1/82	75
Ketchikan (Replacement of existing jail)	11/15/82	8
Anchorage PreTrial (Cook Inlet)	3/1/83	180
Juneau Expansion	10/1/83	56
Fairbanks Expansion	10/1/83	67
Bethel	12/1/83	30**

\*\* Since this 50 bed facility will be replacing a local jail which currently houses 20 state prisoners (see Appendix A), the addition of this facility will bring only 30 new beds to the system.

By the end of 1983 the anticipated capacity of the state prison system will be 1258. The following table shows the location of those beds.

TABLE 3  
STATE CORRECTIONAL CENTERS - 12/31/83 \*

Facility	1983
Ketchikan	30
Juneau Men's	146
Juneau Women's	4
Anchorage	
Careage House	75
3rd Avenue	65
6th Ave. Men's & Women's	100
Ridgeview Men's **	-0-
Hiland Mountain	160
Meadow Creek	28
Cook Inlet	180
Anchorage Total	608
Palmer Minimum	115
Palmer Medium	110
Fairbanks	177
Nome	28
Bethel	50
INSTATE BED TOTAL	1,258

\* The Division of Corrections is planning to bring on-line a large number of additional halfway house beds (about 100) over the next few months.

\*\* The Division of Corrections currently plans to close the Ridgeview facility at the end of this year after the opening of the new Cook Inlet pre-trial facility.

The Division of Corrections has requested funding for the construction of another 533 beds to be ready some time in 1986 or 1987 and an additional 230 beds in 1988. These additions would include a 302 bed medium/maximum security facility (location yet undetermined), an 80 bed pre-trial facility in Fairbanks; a 36 bed addition to the Anchorage pre-trial facility; a 50 bed pre-trial facility in Juneau, a 35 bed addition to the facility in Ketchikan; 230 new beds in Anchorage; and a 50 bed facility in Nome (only 20 of which will be new beds to the system.)

How certain can we be that we need these facilities? The following sections of this report will provide information which will be helpful in making that judgment.

## II. WHO'S IN JAIL

Estimates of jail population increases have generally been based on various kinds of analyses of the total population. However, it is much easier to understand what is happening in our jail system and to make judgments about its needs if each of three separate populations in the system are looked at individually. Those three populations are sentenced felons, unsentenced felons (previously charged with felonies who have either not yet been tried or who have been tried but are not yet sentenced) and misdemeanants (both sentenced and unsentenced). Table 4 shows these populations over the five year period 1978 through 1982.

T A B L E 4

Division of Corrections Prison/Jail Population  
1/1/78 - 11/1/81 (Quarterly Average)

	Sentenced Felons	Unsentenced Felons	Misdemeanants (Sentenced & Unsentenced)	Total
1978				
1st Quarter	469	140	143	752
2nd Quarter	477	129	135	741
3rd Quarter	483	132	126	741
4th Quarter	497	111	135	743
1979				
1st Quarter	493	110	131	734
2nd Quarter	499	115	121	735
3rd Quarter	513	121	123	757
4th Quarter	537	118	112	767
1980				
1st Quarter	545	128	101	774
2nd Quarter	550	128	116	794
3rd Quarter	555	141	124	820
4th Quarter	582	172	115	869
1981				
1st Quarter	608	178	119	905
2nd Quarter	626	189	142	957
3rd Quarter	661	219	151	1031
4th Quarter	715	196	157	1068
1982				
1st Quarter	731	212	176	1119
2nd Quarter	773	240	167	1180
3rd Quarter	810	265	204	1279

By looking at the jail population in the three component parts as depicted in Table 4, several important conclusions immediately emerge. First, the great preponderance of the dramatic increase in prison population over the last four years has come in the convicted felon portion of the population. Second, the misdemeanor

population, until the beginning of 1982, remained fairly constant in total numbers, and over time it has comprised a smaller and smaller proportion of the total jail population. Third, during the two year period from the first quarter of 1978 through the last quarter of 1979 the jail populations rose by what appeared to be a very small number - 15 (752 to 767). However, during the same period the number of convicted felons increased by about 70. The overall net increase was held down by a temporary drop in the unsentenced felon and misdemeanor populations. When those populations returned to their apparent "normal" levels, the overall population increased rapidly. This occurred because the most critical variable in the overall population, the number of sentenced felons, had been increasing steadily all along.

a. The Sentenced Felon Population. Figure 1 on the following page graphs the month by month population figure for sentenced felons. For the three year period from January, 1978 through December, 1980 the average monthly increase in this population was 3.5 individuals. During the last two years this average monthly increase has jumped to 12 individuals.

At two different points over the five year period a fairly complete analysis of the sentenced felon population was undertaken. In August, 1978, the firm which was preparing the Alaska Corrections Master Plan conducted a detailed analysis of the population. A similar analysis of the population was conducted by the Division of Corrections three years later in

SENTENCED FELONS

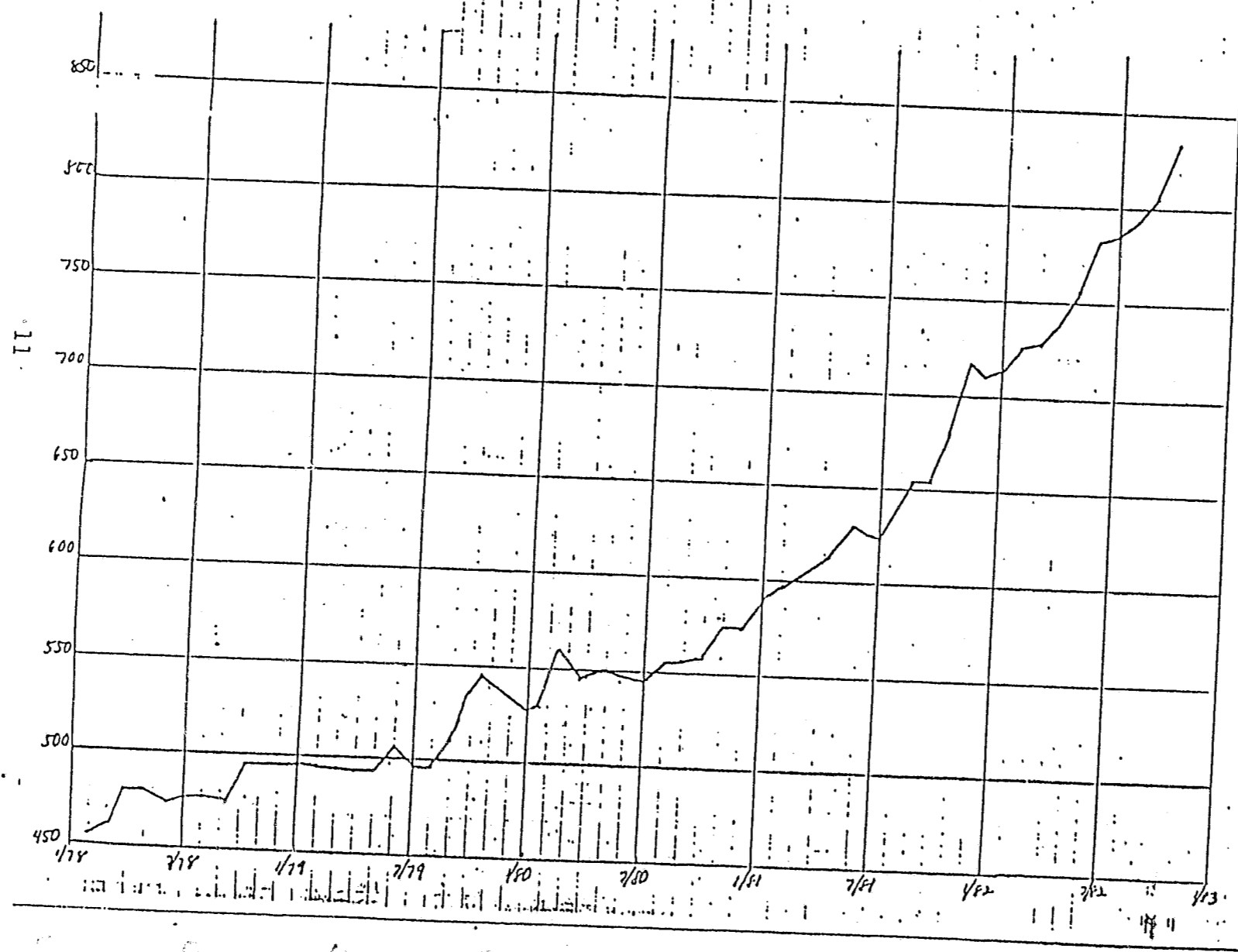


FIGURE 1

August, 1981. Comparison of the figures of these two studies is helpful in showing what kind of sentenced felons are filling our jails and what changes have taken place in that population over the last four years.

T A B L E    5  
COMPARISON OF SENTENCED FELON POPULATIONS  
August 1978 and August 1981

	1978	1981	Increase 1978 to 1981	% Increase 1978 to 1981
Violent Felons				
Murder	47	83	36	77%
Manslaughter	37	37	0	0%
Sexual Assault	39	88	49	126%
Armed Robbery	73	87	14	19%
Aggravated Assault	66	79	13	20%
Other Violent	21	31	10	48%
Total Violent	283	405	122	43%
Non Violent Felons	189	248	59	31%
Total Sentenced Felons	472	653	181	38%

Of the convicted felons in state correctional institutions in August 1978, 60 per cent had been convicted of violent felonies; in August 1981, 62 per cent had been convicted of violent felonies. It is important to note that a large propor-

tion of the numerical increase in sentenced violent felons were for the crimes of murder and sexual assault.

b. The Unsented Felon Population. Figure 2 on the next page graphs the month by month population figures for unsented felons. From this graph it can be seen that the unsented felon population varied between 110 and 150 until September 1980 when it began to climb dramatically. Currently it is close to 300.

# UNSENTENCED FELONS

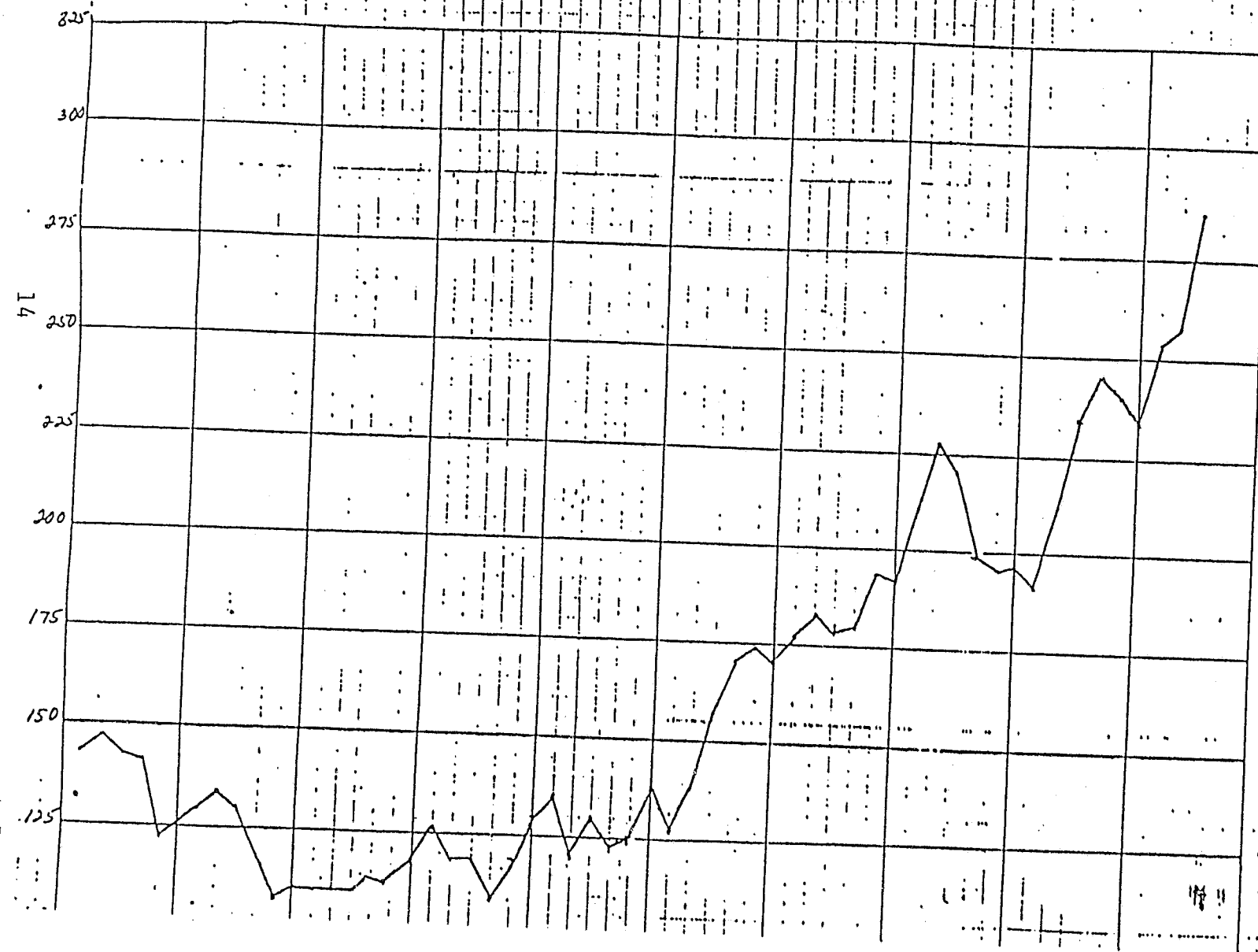


FIGURE 2

The following table compares the unsentenced felon population for the last Monday in January for 1980, 1981, and 1982.

T A B L E 6  
COMPARISON OF UNSENTENCED FELONS  
January 1980, 1981 and 1982

	Last Monday of 1/80	Last Monday of 1/81	Last Monday of 1/82
Violent Felons			
Murder	10	10	25
Manslaughter	3	0	3
Sexual Assault	13	12	22
Robbery	19	13	14
Aggravated Assault	19	24	30
Other Violent	<u>2</u>	<u>5</u>	<u>10</u>
Total Violent	66	64	104
Non Violent Felons	<u>65</u>	<u>88</u>	<u>96</u>
Total	131	152*	200

\* The monthly average for January 1981 was 170; this particular Monday the figure was obviously lower.

There was a dramatic increase in the number of people charged with violent felonies in January 1982 compared to January 1981. This clearly foreshadowed the dramatic increase that took place over the last nine months in the number of sentenced felons in our jail system. The large number of unsentenced felons currently in the system suggests that the rate of increase will continue.

c. The Violent Crime Rate and the Increase in the Unsenteded Felon Population

According to the publication Crime in Alaska - 1981 there has been a dramatic increase in violent crime since late 1980. Table 7 presents those statistics for actual crime rates for selected violent offenses statewide for the past four year period 1978 through 1981.

T A B L E 7  
ACTUAL VIOLENT  
CRIMES STATEWIDE

	Homicide	Sexual Assault	Robbery	Aggravated Assault	Total	Total per 100,000 Population
1978	50	216	365	1046	1677	399
1979	55	275	432	1059	1821	438
1980	35	228	359	1145	1767	442
1981	58	355	458	1372	2243	535

Table 8 breaks the last two years of Table 7 down into six month periods.

T A B L E 8  
ACTUAL VIOLENT  
CRIMES STATEWIDE

	Homicide	Sexual Assault	Robbery	Aggravated Assault	Total	Total per 100,000 Population
1/1/80- 6/30/80	17	120	164	537	838	210
7/1/80- 12/31/80	18	108	195	608	929	232
1/1/81- 6/30/81	30	185	197	673	1085	259
7/1/81- 12/31/81	28	170	261	699	1158	276

This increase in the occurrence of violent crimes offers one explanation for the increase in the unsentenced felon population in state jails. If it is the reason for the increase, then we can expect the unsentenced felon population to stay at its present levels unless the violent crime rate drops. And if the violent crime rate increases still further, we can expect a corresponding increase in the unsentenced felon population.

### III. POPULATION PROJECTIONS AND RECORD KEEPING

a. Past and Present Forecasts. Through the end of 1978 several attempts were made by the Division of Corrections and by independent consultants to predict Alaska jail populations to the year 1990 and in some instances to the year 2000. Each of these projections seems to be much too low. In 1977 an internal Division of Corrections projection predicted a total jail population of 947 in 1990; in 1978 Division of Corrections predicted a 1990 jail population of 920. The consulting firm of Gruzen and Partners, in their study Justice Facilities Planning Study, forecast a 1990 jail population ranging from 720 to 815 using varying assumptions. Finally in 1978 the firm of Moyer and Associates, in preparing the Alaska Corrections Master Plan, forecast a year 2000 jail population of 857 to 1113 if the revised criminal code were not implemented and a population of 1224 to 1569 if the code were implemented. Further, they concluded that their estimates closely followed the Division of Correction forecast of 920 prisoners in 1990. A discussion of the derivation of all of these forecasts is contained in the 15 page excerpt from the Alaska Corrections Master Plan contained in Appendix B to this report.

Largely on the basis of the Master Plan significant additions to the state's jail capacity were planned, funded and are now being constructed. Initially, the policy goal of the construction was to reduce to a minimum the number of state prisoners in the Federal Bureau of Prisons (FBP) and to accommodate the anticipated increases in the jail population of the 1980's.

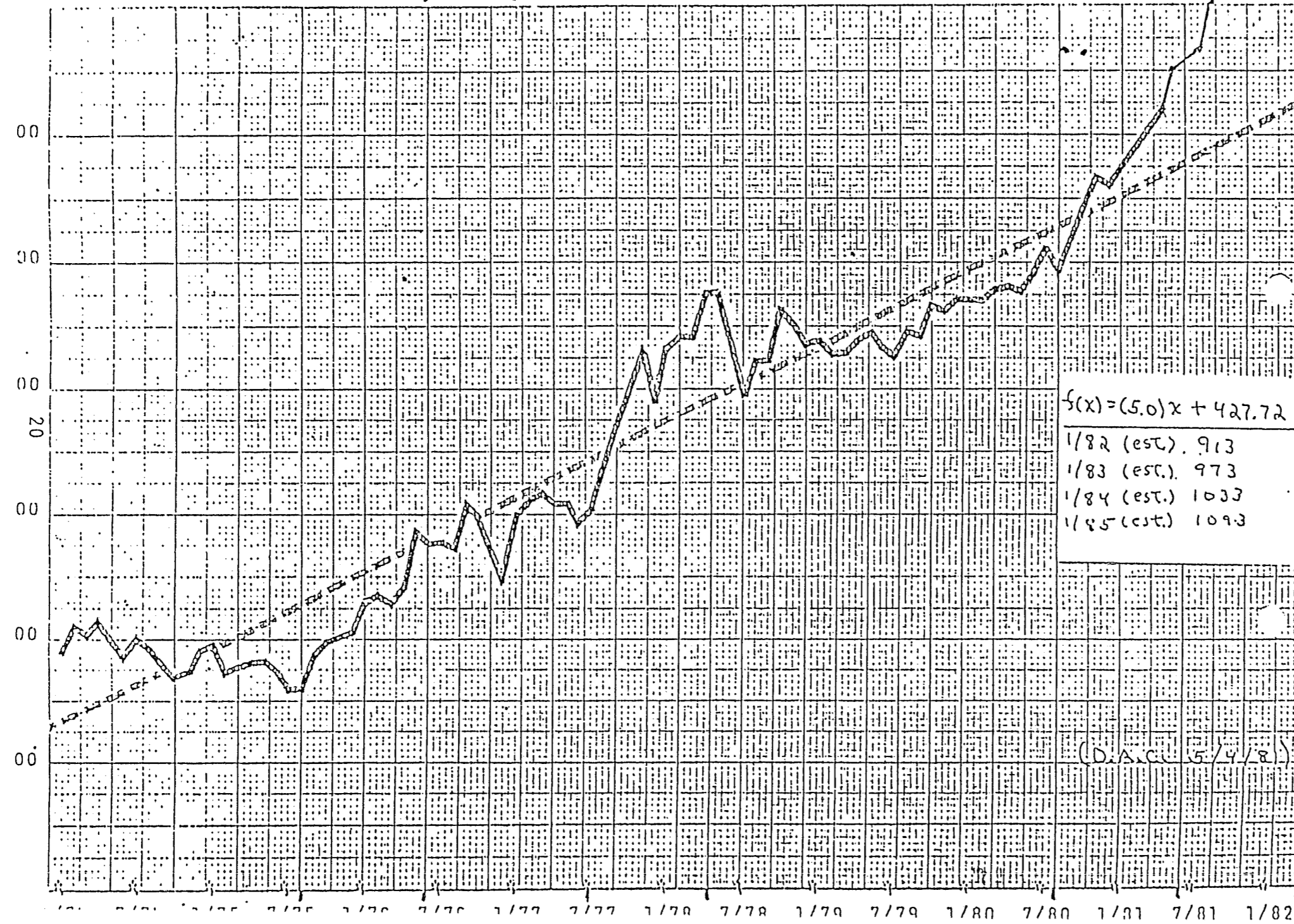
As we have already now seen, at the end of 1982 the jail population has surpassed all the predictions of four and five years ago for 1990. When the on-going construction projects are completed, there will not even be enough capacity for the current population unless significant numbers of state prisoners remain with the FBP. The policy goal of returning significant numbers of prisoners from the FBP cannot now be realized.

From 1978 until a little more than a year ago the Division of Corrections used, for internal planning purposes, the following simple linear equation to predict future jail populations.

$$\text{Jail Population} = 428 + [5 \times (\text{number of months since December 1973})]$$

The Division was forecasting a net monthly increase averaging 5 prisoners per month. Figure 3 on the following page graphs the actual jail population since January 1, 1974, compared to the line derived from the equation set forth above. As the reader can readily see, the equation worked well until about September 1980. But the combined increases

Monthly Averages: Total Adult Institutional Population



$$f(x) = (5.0)x + 427.72$$

1/82 (est.) 913

1/83 (est.) 973

1/84 (est.) 1033

1/85 (est.) 1093

in the sentenced and unsentenced felon populations that began taking place in late 1980 pushed the actual population off the chart, so to speak. The equation no longer correctly predicted future jail populations.

In light of this failure, the Division of Corrections is now using a new linear equation to predict future jail populations. That formula is easily derived from Figure 4 on the next page. This Figure is the last page from a Division of Corrections paper entitled Division of Adult Corrections - Capacity of Correctional Centers - February 1982. The projections clearly show that future populations are now being forecast by assuming a net increase of 14 and 1/6 prisoners per month.

b. Other Forecasting Options. The foregoing analysis clearly shows that there are three separate populations that must be considered in attempting to forecast Alaska's future prison population. Those populations are misdemeanants, unsentenced felons and sentenced felons.

First the capacity necessary for misdemeanants can be accurately predicted using standard statistical analyses.

Second, the unsentenced felon population seems to correlate with the crime rate - most particularly, the violent crime rate - and to the quality of the investigative

# INSTATE BED CAPACITY COMPARED WITH PROJECTED PRISONER POPULATION

Facility	1982	1983	1984	1985	1986
Ketchikan	30	30	30	30	50
JunEAU Men's	90	130	130	130	130
JunEAU Women's	3	3	3	3	3
Fairbanks	110	177	177	177	177
3rd Avenue	50	50	50	50	50
6th Ave. Men's & Women's	100	100	100	100	100
Ridgeview Men's	90	-0-	-0-	-0-	-0-
Eagle River Men's	160	160	160	160	160
Eagle River Women's	28	28	28	43	43
Palmer	237	237	237	237	237
Post Road	-0-	180	180	180	180
Nome	28	32	32	32	32
Bethel	-0-	40	40	40	40
Long Term Fac. Southcentral	-0-	-0-	-0-	300	300
Fairbanks Addition	-0-	-0-	-0-	80	80
INSTATE BED TOTAL	896	1,167	1,167	1,562	1,582
Projected Inmate Populations	1,112	1,281	1,450	1,620	1,790
Range of Expected High/Low	to	to	to	to	to
Counts	1,022	1,191	1,360	1,530	1,700

Summary: The difference between "Instate Bed Totals" and "Projected Inmate Populations" is that number that must be addressed through placement in the Federal Prison System, placement in contract community facilities, or by additional construction.

units of police agencies around the state. Unhappily, violent crime has risen substantially in the last two and one half years, and no one is predicting an early decline. Happily, the major police agencies around the state have shown great skill in solving these crimes over the past year and a half. Therefore, it would seem reasonable to predict that the state will need 275-350 beds for unsentenced felons for the foreseeable future. Major changes in bail legislation or policy could have a significant effect on this number, however.

The third population, sentenced felons, presents the most problems. The increase in that population accounts for most of the large increase in our jail population over the last five years. From one month to the next the sentenced felon population depends on three variables: the number of sentenced felons in the system, the number of new sentenced felons arriving in a particular month, and the number of sentenced felons who are released. If more people are sentenced than are released, the population increases. Currently, the Alaska prison/jail system has about 32 sentenced felons walking in the door each month and 20 being released. Sentence lengths play a large part in determining how many people are released each month.

Given the relatively small numbers of people that are involved, it would not be difficult to do an intensive study of the sentenced felony population in order to explain the large increase in that population over the last four years and particularly over the last year. This would help to determine whether we can expect the present dramatic upward trend to continue.

Unfortunately, until very recently the Division of Corrections has not had readily available records which would make it possible to conduct such a study. All of the Division of Correction's records are generated by the booking process when the prisoner is admitted to an institution. Whenever a prisoner is brought to an institution -- whether as a result of arrest, sentencing or transfer -- he goes through the same booking process. Table 9 gives a breakdown on total bookings in state correctional institutions over the last seven years.

T A B L E 9  
DIVISION OF CORRECTIONS BOOKINGS

<u>YEAR</u>	<u>BOOKINGS</u>
1975	13,283
1976	13,950
1977	14,577
1978	14,180
1979	14,581
1980	14,258
1981	16,394

From this mass of data and the way it is kept, it has simply been impossible to do a detailed study of the sentenced felon population and come up with any meaningful conclusions about the population increase that has occurred over the past five years.

c. The Judicial Council Sentenced Felon Population Study. During the winter and spring of 1982, the Judicial Council conducted a sophisticated analysis which provided projections of the sentenced felon population in state correctional facilities over the next five years. A copy of that study is attached to this paper as Appendix C. <sup>\*</sup>/ This analysis is based upon a computer model developed for the State of Minnesota. Data concerning the sentenced felon population presently in the system and the number of recently sentenced felons and the sentences those recently sentenced felons have received are analyzed using the model. In addition, for the model to work it requires assumptions about the number of new sentenced felons who will be entering the system and the sentences those new sentenced felons will be receiving. From this data and these assumptions the model predicts future sentenced felon populations.

<sup>\*</sup>/ The perceptive reader will observe that a great deal of the explanation in the text of the Judicial Council Study was copied from an earlier draft of this paper.

The Judicial Council study was based on the following data. It used information from a census taken of the jail and prison population at the end of January and the beginning of February, 1982; the census data used did not include data on the 60 sentenced felons who were in half-way houses or on furlough at the time the census was taken. Consequently the base number of 665 sentenced felons used in the study for month "0", February, 1982, corresponds to the 725 sentenced felons carried on all of the Division of Corrections population reports for that month.

The Judicial Council had earlier conducted an in-depth study of sentences imposed on felony offenders for the calendar year 1980. The results of that study with several variations were plugged into the model to provide "assumed" data about new prisoners currently going into the system. Several variations from the 1980 data were used to provide assumptions about the numbers of new sentenced felons who would be entering the system each month in the future. Tables II through VIII on pages 9 through 16 of the report set forth an array of results from the use of model.

There are two points which the reader should notice in reviewing those tables. First, since the base population of 665 is the February 1, 1982 population, month "1" in each of the tables is March, 1982. "Year 1", then, on each of the tables is March 1982 through February 1983. Second, the sentenced felon population under each of the

differing sets of assumptions climbs from month "1" through month "7" in each year in each table and then declines in month "8" through month "12." Then in every instance the population takes a dramatic jump from month "12" of one year to month "1" of the next year. Common sense suggests the conclusion that there may be an anomaly in the data used or some problem with the model. These particular variations have not taken place historically, and it would seem unlikely they will take place in the future. If the model is going to be used to provide information for future policy making, this apparent problem needs to be explained.

The following table compares the actual sentenced felon population in the Alaska corrections system for the period month "1" through month "7" of the Judicial Council study with two of the first-year projections from that study. Those projections are the first year "no growth from 1980 projection" and the "20% growth from 1980 to 1982 projection." To make the numbers as comparable as possible, 60 prisoners had to be subtracted from each months' population report number in recognition of the 60 sentenced felons in half-way houses and on furlough who were excluded from the Judicial Council study.

T A B L E 10  
Actual Sentenced Felon Population Compared  
To Judicial Council Projections

	Actual Population Minus 60	Judicial Council Projection No Growth 1980-1982	Judicial Council Projection 20% Growth 1980-1982
Feb. 1982	665	665	665
March 1982 (Month 1)	668	677	687
April 1982 (Month 2)	679	680	695
May 1982 (Month 3)	693	684	704
June 1982 (Month 4)	720	684	709
July 1982 (Month 5)	725	698	728
Aug. 1982 (Month 6)	733	710	746
Sept. 1982 (Month 7)	745	717	757
Oct. 1982 (Month 8)	773	709	751

The Judicial Council model could, in fact, be used to reduce, but not eliminate, the guess-work necessary to estimate future sentenced felon populations. It would work well if the data collected and used to run the model were accurate and current. This could be easily done if a careful census of the inmate population were taken and accurate information were kept on all new sentenced felons coming into the system. Presently an average of about 35 sentenced felons enters the system each month. Once accurate census information is obtained and kept current, the accuracy of future sentenced population projections

would depend upon correctly guessing the number of new sentenced felons and the sentences they would be receiving. Careful collection of the data necessary to run the model would provide good information for making these "guesses" about the future.

#### IV. ARE THERE OTHER OPTIONS BESIDES BUILDING MORE CORRECTIONAL FACILITIES?

The Moyer and Associates Alaskan Corrections Master Plan suggested six alternatives to expanding Alaska's jail facilities. Those six options were:

1. Decriminalization of selected victimless or minor offenses.
2. Increased use of diversion options prior to sentencing.
3. More efficient presentence release programs.
4. Increased use of non-incarcerating sentences.
5. A reduction in the maximum sentences imposed for crimes.
6. An increase in the release rate (parole rate, good-time rate and pre-release programs).

Each of these six options does, of course, offer some possibility for reducing the need for prison space in Alaska. However, under any realistic set of assumptions, the combined effort of exercising all six of these options would probably not eliminate the need for the construction of new jail facilities.

a. Decriminalization of Selected Offenses. An examination of the current prison population reveals that only a very small proportion of the state's prisoners are charged with victimless and/or minor offenses. Therefore, the exercise of this option would have little impact on the present jail population. Furthermore, the current mood of the public and the legislature is to criminalize what some now characterize as "victimless" crimes. Consequently, it seems likely that more prison space will be necessary to accommodate changes in the criminal laws currently contemplated by the legislature.

b. Increased Diversion. Sending first-time offenders into a pre-trial diversion program rather than prosecuting them can certainly reduce prison populations. At the present time, the state, through the Criminal Division of the Department of Law, has a comprehensive diversion program. During 1981, 231 defendants charged with felony offenses and 749 defendants charged with misdemeanor offenses were referred to the diversion program. However,

given the relatively constant level of the misdemeanor population over the last four years and the high proportion of violent offenders among our felon population, it is unlikely that diversion would have been a realistic option for significant numbers of people now in the state's prison system. In short, this option is already being exercised to its fullest practical extent.

c. More Pre-sentence Release. Of the 200 unsentenced felons in the state prison system at the end of January, 96 were charged with felonies that were not violent in nature. It is possible that some portion of that number would be good candidates for pre-sentence release. Similarly, of the 104 charged with violent felonies, 30 were charged with aggravated assault. Again, a small number of those too might be logical candidates for pre-sentence release. But before someone concludes that temporarily releasing some of these unsentenced prisoners is preferable to constructing new jail capacity, a detailed study of those prisoners and their criminal histories should be undertaken. At the present time, no such study exists.

d. Increased Use of Non-Incarcerating Sentences. Of the 715 sentenced felons inhabiting the state prison system during the last quarter of 1981, roughly 430 had been convicted of violent offenses and 285 had been convicted of offenses that were not violent in nature. It is possible

that some portion of the 285 non-violent offenders should have been given non-incarcerating sentences. Before one could make an informed judgment on that question, however, he would certainly want to have the opportunity to review a careful analysis of those 285 offenders including the offenses for which they were convicted, their sentences, and their criminal histories.

e. Reduction in Maximum Sentences. Any significant reduction in sentence lengths could, in the future, have a profound affect on the number of people in the state's prisons. An across-the-board reduction would require legislative changes, however.

A high proportion of people currently in the system are felony offenders, and a high proportion of those felons are violent felons. Therefore, before maximum sentence reductions would have a major impact on Alaska prison populations, sentences would probably have to be reduced for violent felony offenses. Politically, this is probably an unacceptable option at this time.

f. Increase in the Release Rate. There are a number of different ways in which the release rate from state prisons can be "increased." These include increasing the use of half-way houses and other community corrections institutions during the last year of a sentence as a

stepping stone from prison back to normal civilian life. Another "increase release" option would be to increase the parole rate by increasing the number of prisoners paroled and/or by granting parole at an earlier date in the prisoner's sentence.

Increasing the release rates would effect a one-time quantum reduction in the overall prison population, but would not have a significant effect upon the rate at which that population grows over time. Nevertheless, if policy changes resulted in the parole or half-way housing of 100 prisoners who would not otherwise have been paroled or placed in half-way houses, that would reduce by 100 the number of new beds required in the state's prisons.

There has definitely been a very large decrease in the parole rate over the last seven years. In 1975, the average sentenced felon population of our prison system was slightly under 300. During that year, 93 people were released on parole. Those 93 people had an average of almost 31 months remaining on their sentences when they were released. By contrast, in 1980, the average sentenced felon population was 560, but only 58 people were released on parole. The average remaining sentence of those 58 was 18½ months. This apparent change in policy has almost certainly had some impact on the state's prison population.

Finally, Alaska could do as Michigan has done in providing for sentence reductions in emergency situations. Under the Michigan Emergency Powers Act, the Governor can declare a "prison overcrowding emergency" if the prison population exceeds capacity for 30 consecutive days. After declaring such an emergency, the Governor may reduce the minimum sentences of all prisoners by 90 days thereby making them eligible for parole consideration earlier.

This is only an interim emergency solution to a prison overcrowding problem, however. It is not a longer term solution.

g. Conclusions Regarding Alternatives to Jail Construction. Some of these six options offer sufficient potential to merit further consideration. Some analysis of the non-violent unsentenced and sentenced felons is clearly in order to see if greater use of pre-sentence release and non-incarcerating sentences would be appropriate. There is also some possibility that an increase in the release rate could achieve a one-time reduction in the sentenced felon population. Assuming the use of some of these options lead to some reduction in the number of beds needed, this would still not eliminate the need for new bed space if the sentenced felon population continues to increase at the current rate of 10-11 individuals per month. At best, the need for new capacity might be somewhat reduced.

## V. CONCLUSION

One cannot be absolutely certain that the sentenced felon population will continue to increase indefinitely by the 12 plus individuals per month experienced during the past two years. However, it would be unwise not to plan for continued major increases given current violent crime rates, the enactment of legislation increasing the maximum sentences for crimes, and the newly enacted drug bill. Since most would agree that the kind of prisoners currently in our jails ought to be there, more jail space is almost certainly a necessity.

LEGISLATION

APPENDIX III

IN SENATE - Offered: 1/18/83  
Referred: Health, Education  
& Social Services, Judiciary  
and Finance

IN HOUSE -- Offered: 1/17/83  
Referred: Health, Education  
& Social Services,  
Judiciary and Finance

EXECUTIVE ORDER NO. 54

Under the authority of art. III, sec. 23, of the Alaska Constitution,  
and in accordance with AS 24.30.130(b), I order the following:

\* Section 1. FINDINGS. As governor, I find that it would be in the  
best interests of efficient administration, protection of the public, and  
reformation of persons convicted of violations of the criminal laws of the  
state to reorganize penal corrections functions by creating a Department of  
Corrections as a principal department of the state. The new department is  
being created from the current division of corrections which is located in  
the Department of Health and Social Services.

\* Sec. 2. AS 12.55.025(b) is amended to read:

(b) The sentencing report required under (a) of this section  
shall be furnished within 30 days after imposition of sentence to the  
Department of Law, the defendant, the Department of Corrections [DIVI-  
SION OF CORRECTIONS], the state Board of Parole if the defendant will  
be eligible for parole, and to the Alcoholic Beverage Control Board if  
the defendant is to be sentenced for a conviction of a violation of  
AS 04, a regulation adopted under AS 04, or an ordinance adopted under  
AS 04.21.010.

\* Sec. 3. AS 12.55.025(d) is amended to read:

(d) A sentence of imprisonment shall be stayed if an appeal is  
taken and the defendant is admitted to bail. If an appeal is taken  
and the defendant is not admitted to bail, the Department of Correc-  
tions [HEALTH AND SOCIAL SERVICES] shall designate the facility in  
which the defendant shall be detained pending appeal or admission to  
bail.

\* Sec. 4. AS 12.55.055(a) is amended to read:

(a) The court may order a defendant convicted of an offense to  
perform community work as a condition of a suspended sentence or

1 suspended imposition of sentence, or in addition to any fine or resti-  
2 tution ordered. If the defendant is also sentenced to imprisonment,  
3 the court may recommend to the Department of Corrections [HEALTH AND  
4 SOCIAL SERVICES] that the defendant perform community work.

5 \* Sec. 5. AS 12.55.185(2) is repealed.

6 \* Sec. 6. AS 12.70.220(b) is amended to read:

7 (b) When the return to this state is required of a person who  
8 has been convicted of a crime in this state and has escaped from con-  
9 finement or broken the terms of his bail, probation, or parole, the  
10 prosecuting attorney of the judicial district in which the offense was  
11 committed, or the attorney general, the parole or probation authority  
12 having jurisdiction over him, or the commissioner of the Department of  
13 Corrections [HEALTH AND SOCIAL SERVICES] shall present to the governor  
14 a written application for a requisition for the return of that person.  
15 In the application there shall be stated the name of the person, the  
16 crime for which he was convicted, the circumstances of his escape from  
17 confinement or of the breach of the terms of his bail, probation, or  
18 parole, and the state in which he is believed to be, including the lo-  
19 cation of the person therein at the time the application is made.

20 \* Sec. 7. AS 12.70.220(c) is amended to read:

21 (c) The application shall be verified by affidavit, shall be ex-  
22 ecuted in duplicate and shall be accompanied by two certified copies  
23 of the indictment returned, or information and affidavit filed, or the  
24 complaint made to the superior court judge or district judge, stating  
25 the offense with which the accused is charged, or of the judgment of  
26 conviction or of the sentence. The attorney general or the prosecut-  
27 ing attorney, the parole or probation authority, or the commissioner  
28 of the Department of Corrections [HEALTH AND SOCIAL SERVICES] may also  
29 attach further affidavits and other documents in duplicate he deems

1 proper to be submitted with the application. One copy of the applica-  
2 tion, with the action of the governor indicated by endorsement on the  
3 application, and one of the certified copies of the indictment, com-  
4 plaint, information and affidavits, or judgment of conviction or sen-  
5 tence shall be filed in the office of the governor to remain of record  
6 in that office. The other copies of all papers shall be forwarded  
7 with the governor's requisition.

8 \* Sec. 8. AS 33.05.080(2) is amended to read:

9 (2) "commissioner" means the commissioner of the Department  
10 of Corrections [HEALTH AND SOCIAL SERVICES] or the designee of the  
11 commissioner.

12 \* Sec. 9. AS 33.15.260(2) is amended to read:

13 (2) "commissioner" means the commissioner of the Department  
14 of Corrections [HEALTH AND SOCIAL SERVICES] or the designee of the  
15 commissioner;

16 \* Sec. 10. AS 33.15.260(4) is amended to read:

17 (4) "department" means the Department of Corrections  
18 [HEALTH AND SOCIAL SERVICES].

19 \* Sec. 11. AS 33.30.130(a) is amended to read:

20 (a) The commissioner of public safety shall provide for the sub-  
21 sistence, care and safekeeping in suitable quarters of a person ar-  
22 rested or held under the authority of state law pending arraignment or  
23 commitment by a court to the custody of the commissioner of correc-  
24 tions [HEALTH AND SOCIAL SERVICES] or to the custody of the keeper or  
25 person in charge of a prison facility designated in advance by the  
26 commissioner of corrections [HEALTH AND SOCIAL SERVICES].

27 \* Sec. 12. AS 33.30.900(1) is amended to read:

28 (1) "commissioner" means the commissioner of the Department  
29 of Corrections [HEALTH AND SOCIAL SERVICES] or the commissioner's

designee;

\* Sec. 13. AS 33.30.900(3) is amended to read:

(3) "department" means the Department of Corrections [HEALTH AND SOCIAL SERVICES];

\* Sec. 14. AS 33.32.010(1) is amended to read:

(1) develop and operate agricultural, industrial, and service enterprises employing prisoners under the jurisdiction of the commissioner of corrections [HEALTH AND SOCIAL SERVICES];

\* Sec. 15. AS 33.32.015 is amended to read:

Sec. 33.32.015. POWERS AND DUTIES OF THE COMMISSIONER OF CORRECTIONS [HEALTH AND SOCIAL SERVICES] [REPEALED EFFECTIVE JULY 1, 1987].

(a) The commissioner of corrections [HEALTH AND SOCIAL SERVICES] may establish and administer a correctional industries program that is based on voluntary prisoner participation.

(b) The commissioner of corrections [HEALTH AND SOCIAL SERVICES] may

(1) subject to the Fiscal Procedures Act (AS 37.05), use, purchase, lease, equip, and maintain buildings, machinery, and other equipment, and may purchase materials and enter into contracts, which may be necessary for the correctional industries program;

(2) provide for prisoners to be employed in rendering services and producing articles, materials, and supplies needed by a state agency, a political subdivision of the state, an agency of the federal government, other states or their political subdivisions, or for use by nonprofit organizations;

(3) if the Correctional Industries Commission established in AS 33.32.070 approves, employ prisoners to provide services or products as needed by private industry if the services or products have potential for contributing to the economy of the state and will

have minimal negative impact on an existing private industry or labor force in the state.

\* Sec. 16. AS 33.32.020(a) is amended to read:

(a) There is established in the Department of Corrections [HEALTH AND SOCIAL SERVICES] a fund to be known as the correctional industries fund. All expenses of the correctional industries program, except salaries and benefits of state employees, are to be financed from the correctional industries fund and budgeted in accordance with the Executive Budget Act (AS 37.07). The commissioner of corrections [HEALTH AND SOCIAL SERVICES TO] shall report annually to the legislature all activities and balances of the fund.

\* Sec. 17. AS 33.32.030 is amended to read:

Sec. 33.32.030. MARKETING OF CORRECTIONAL INDUSTRIES PRODUCTS [REPEALED EFFECTIVE JULY 1, 1987]. (a) The commissioner of corrections [HEALTH AND SOCIAL SERVICES] shall market correctional industries products to appropriate entities as provided for in AS 33.32.015(b)(2). Because of the potential for contributing to the economy of the state, agricultural produce may be sold to commercial processors, wholesalers, or distributors, in addition to the entities provided for in AS 33.32.015(b)(2).

(b) The commissioner of corrections [HEALTH AND SOCIAL SERVICES] may sell a product or service of a correctional industries program to a private industry, subject to the approval of the Correctional Industries Commission established in AS 33.32.070. Before giving its approval, the Correctional Industries Commission must determine that the product or service has potential for contributing to the economy of the state and will have minimal negative impact on an existing private industry or labor force in the state.

(c) A product or service provided by correctional industries

1 that meets marketable standards of quality and that meets the needs of  
2 state agencies at reasonable cost, as determined by the commissioner  
3 of administration, shall be purchased by state agencies through proce-  
4 dures established by the Department of Administration in such a manner  
5 as to facilitate the purchase. A product or service of the type and  
6 quality of that supplied by the correctional industries may not be ob-  
7 tained from a source outside correctional industries unless the com-  
8 missioner of corrections [HEALTH AND SOCIAL SERVICES] certifies to the  
9 Department of Administration that correctional industries is not able  
10 to provide the product or service on a basis that is competitive with  
11 other sources. State agencies shall make maximum use of the resources  
12 of the correctional industries program both in the purchase of exist-  
13 ing products and by assisting in the development of new products or  
14 adaptation of existing products to meet future needs.

15 (d) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]  
16 shall periodically determine the prices at which products and services  
17 will be sold. Prices must approximate the fair market value of prod-  
18 ucts and services of comparable quality offered by commercial sources.

19 (e) The commissioner of administration shall establish suitable  
20 methods of accounting and purchasing to facilitate the production and  
21 marketing of correctional industries products and to assure accurate  
22 cost data.

23 \* Sec. 18. AS 33.32.040(a) is amended to read:

24 (a) In administering the correctional industries program, the  
25 Department of Corrections [HEALTH AND SOCIAL SERVICES] shall comply  
26 with federal and state health and safety regulations, except for the  
27 provision of workers' compensation under AS 23.30.

28 \* Sec. 19. AS 33.32.050 is amended to read:

29 Sec. 33.32.050. WAGES OF CORRECTIONAL INDUSTRIES WORKERS;

1 FORFEITURE [REPEALED EFFECTIVE JULY 1, 1987]. (a) The commissioner  
2 of corrections [HEALTH AND SOCIAL SERVICES] shall establish a pay plan  
3 for prisoners working in correctional industries based on the quantity  
4 and quality of work performed and the skill required. A wage estab-  
5 lished under the pay plan may not exceed 50 percent of the minimum  
6 wage established under AS 23.10.065. Wage incentive plans to increase  
7 productivity may be included in the pay plan. The commissioner of  
8 corrections [HEALTH AND SOCIAL SERVICES] shall determine the amount to  
9 be credited to the prisoner after disbursements made under (c) of this  
10 section.

11 (b) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]  
12 may establish a wage for work performed in the production of a product  
13 that is higher than the maximum wage authorized under (a) of this sec-  
14 tion to comply with federal law or regulation if that compliance is  
15 required before the product may be sold to the federal government.

16 (c) The commissioner of corrections [HEALTH AND SOCIAL SERVICES]  
17 shall disburse prisoners' payments in amounts determined to be appro-  
18 priate under procedures adopted by the commissioner based on the fol-  
19 lowing order of priority:

20 (1) for support of the prisoner's dependents, if any;

21 (2) to reimburse the state for compensation awarded under  
22 AS 18.67 resulting from the prisoner's criminal conduct;

23 (3) to pay a civil judgment resulting from the prisoner's  
24 criminal conduct;

25 (4) for the purchase of clothing and commissary items for  
26 the prisoner's personal use;

27 (5) to pay a restitution or fine of the prisoner ordered by  
28 a sentencing court.

29 (d) Money credited to a prisoner must be retained by the

1 commissioner of corrections [HEALTH AND SOCIAL SERVICES] for the pri-  
2 mary purpose of being available to the prisoner at the time of re-  
3 lease. The commissioner of corrections [HEALTH AND SOCIAL SERVICES]  
4 may, however, permit the prisoner to draw upon a portion of the money  
5 for other purposes that the commissioner of corrections [HEALTH AND  
6 SOCIAL SERVICES] considers appropriate.

7 (e) If a prisoner escapes, a portion of the earnings of the pri-  
8 soner, as determined by the commissioner of corrections [HEALTH AND  
9 SOCIAL SERVICES], is to be forfeited. The commissioner of corrections  
10 [HEALTH AND SOCIAL SERVICES] shall deposit forfeited earnings in the  
11 general fund.

12 \* Sec. 20. AS 33.32.060 is amended to read:

13 Sec. 33.32.060. LIMITATION ON ATTACHMENT, ETC., OF WAGES [RE-  
14 PEALD EFFECTIVE JULY 1, 1987]. Only the prisoner payments retained  
15 by the commissioner of corrections [HEALTH AND SOCIAL SERVICES] under  
16 AS 33.32.050(d) are subject to lien, attachment, garnishment, execu-  
17 tion, or similar procedures to encumber funds or property.

18 \* Sec. 21. AS 33.32.070(a) is amended to read:

19 (a) The Correctional Industries Commission is established to  
20 provide general policy direction to the correctional industries pro-  
21 gram through the commissioner of corrections [HEALTH AND SOCIAL SER-  
22 VICES]. The commission consists of seven members, five of whom are to  
23 be appointed by the governor to serve staggered terms of four years.  
24 The appointed members must include a representative of private indus-  
25 try, organized labor, agriculture, and the general public, and one  
26 ex-offender. The commissioner of administration is also a member, as  
27 is the commissioner of corrections [HEALTH AND SOCIAL SERVICES] who is  
28 to serve as chairperson.

29 \* Sec. 22. AS 33.32.080(a) is amended to read:

1 (a) The Correctional Industries Commission shall monitor the  
2 correctional industries program, annually review the proposed budget  
3 of the program, and make appropriate recommendations to the commis-  
4 sioner of corrections [HEALTH AND SOCIAL SERVICES]. This budget must  
5 be transmitted in the normal budgetary process to the legislature as  
6 part of the governor's budget.

7 \* Sec. 23. AS 33.32.080(c) is amended to read:

8 (c) The Correctional Industries Commission shall recommend to  
9 the commissioner of corrections [HEALTH AND SOCIAL SERVICES] the ad-  
10 visability of establishing, expanding, diminishing, or discontinuing  
11 industrial, agricultural, or service activities to enable the program  
12 to operate as nearly as possible in a self-supporting manner, to pro-  
13 vide as much employment for prisoners as is feasible, to provide di-  
14 versified work activities with minimal negative impact on an existing  
15 private industry or labor force in the state, and contribute to the  
16 economy of the state. In making recommendations, the Correctional In-  
17 dustries Commission shall consider testimony received at public hear-  
18 ings.

19 \* Sec. 24. AS 33.32.090 is amended to read:

20 Sec. 33.32.090. COOPERATION WITH STATE AGENCIES [REPEALD EFFEC-  
21 TIVE JULY 1, 1987]. With the approval of the commissioner of correc-  
22 tions [HEALTH AND SOCIAL SERVICES], a state agency may, without  
23 charge, transfer to the Department of Corrections [HEALTH AND SOCIAL  
24 SERVICES] for the correctional industries program any property or  
25 equipment suitable for the purposes of that program.

26 \* Sec. 25. AS 33.35.040 is amended to read:

27 Sec. 33.35.040. CENTRAL ADMINISTRATOR AND INFORMATION AGENT.  
28 The commissioner of corrections [HEALTH AND SOCIAL SERVICES] or the  
29 designee of the commissioner of corrections [HEALTH AND SOCIAL

SERVICES] is the central administrator of and information agent for the Agreement on Detainers under AS 33.35.010.

\* Sec. 26. AS 33.36.040 is amended to read:

Sec. 33.36.040. IMPLEMENTATION. The commissioner of corrections [HEALTH AND SOCIAL SERVICES] or the commissioner's designee shall do all things necessary or incidental to the carrying out of the Interstate Corrections Compact. However, no contract is of any force or effect until approved by the commissioner of administration.

\* Sec. 27. AS 33.36.100 is amended to read:

Sec. 33.36.100. IMPLEMENTATION OF COMPACT. The commissioner of corrections [HEALTH AND SOCIAL SERVICES] may enter into such contracts on behalf of the State of Alaska as may be appropriate to implement the participation of this state in the Western Interstate Corrections Compact under art. III of the compact. No contract is of any force or effect until approved by the commissioner of administration.

\* Sec. 28. AS 44.17.005 is amended by adding a new paragraph to read:

(18) Department of Corrections.

\* Sec. 29. AS 44 is amended by adding a new chapter to read:

#### CHAPTER 28. DEPARTMENT OF CORRECTIONS.

Sec. 44.28.010. COMMISSIONER OF CORRECTIONS. The principal executive officer of the Department of Corrections is the commissioner of corrections.

Sec. 44.28.020. DUTIES OF DEPARTMENT. The Department of Corrections shall (1) manage state adult penal institutions, and (2) provide probation and parole supervision.

Sec. 44.28.030. REGULATIONS. The commissioner may adopt regulations to carry out or assist in carrying out the powers and duties of the department.

\* Sec. 30. AS 44.29.020(9) is amended to read:

(9) management of state institutions, except for adult penal institutions;

\* Sec. 31. AS 44.29.020(17) is repealed.

\* Sec. 32. TRANSITION. All litigation, hearings, investigations and other proceedings pending under a law amended or repealed by this Order, or in connection with functions transferred by this Order, continue in effect and may be continued and completed notwithstanding a transfer or amendment or repeal provided for in this Order. Certificates, orders, and regulations issued or adopted under authority of a law amended or repealed by this Order remain in effect for the term issued, or until revoked, vacated, or otherwise modified under the provisions of this Order. All contracts, rights, liabilities, and obligations created by or under a law amended or repealed by this Order, and in effect on the effective date of this Order, remain in effect notwithstanding this Order's taking effect. Records, equipment, and other property of agencies of the state whose functions are transferred under this Order shall be transferred commensurate with the provisions of this Order.

\* Sec. 33. NAME CHANGE. To be consistent with the changes made by this Order, wherever in the Alaska Statutes and in regulations adopted under those statutes "division of corrections" appears, and "division," "department," and "Department of Health and Social Services" appear in connection with administering the correctional institutions of the state (except those for juvenile offenders), they must be read as referring to the Department of Corrections. Similarly, wherever "director of corrections" appears, and "director," "commissioner," and "commissioner of health and social services" appear in connection with administering the correctional institutions of the state (except those for juvenile offenders), they must be read as referring to the commissioner of corrections. Under AS 01.05.031, the revisor of statutes shall implement this section in the statutes, and,

1 under AS 44.62.125(b)(6), the regulations attorney shall implement this  
2 section in the administrative regulations.

3 \* Sec. 34. This Order takes effect April 1, 1983.

5 DATED: 1/17/83

7 Bill Sheffield  
8 Bill Sheffield  
9 Governor

Offered: 2/14/83  
Referred: Judiciary and Finance

Original sponsors: Fritz, Koponen,  
Furnace, et al

1 IN THE HOUSE

BY THE HEALTH, EDUCATION  
AND SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 103 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a Department of Corrections and  
7 transferring certain functions of the Department of  
8 Health and Social Services to the Department of  
9 Corrections; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 \* Section 1. AS 44 is amended by adding a new chapter to read:

12 CHAPTER 30. DEPARTMENT OF CORRECTIONS.

13 Sec. 44.30.010 COMMISSIONER OF CORRECTIONS. The principal execu-  
14 tive officer of the Department of Corrections is the commissioner of  
15 corrections.

16 Sec. 44.30.020. DUTIES OF DEPARTMENT. The Department of Correc-  
17 tions shall administer the state programs of corrections including

18 (1) state prisons and state prisoners;

19 (2) probation and parole;

20 (3) extraditions and detainers.

21 \* Sec. 2. AS 11.71.305 is amended to read:

22 Sec. 11.71.305. REHABILITATION. A person convicted of violating  
23 a provision of this chapter may, when the violation relates to that  
24 person's own personal use of a controlled substance, be committed to  
25 the custody of the Department of Corrections [HEALTH AND SOCIAL SER-  
26 VICES] for rehabilitative treatment for not to exceed one year. Such  
27 treatment may be imposed in place of a fine or imprisonment, but only  
28 where the imprisonment would not have exceeded one year.

29 \* Sec. 3. AS 12.55.025(b) is amended to read:

1 (b) The sentencing report required under (a) of this section  
2 shall be furnished within 30 days after imposition of sentence to the  
3 Department of Law, the defendant, the Department of Corrections [DIVI-  
4 SION OF CORRECTIONS], the state Board of Parole if the defendant will  
5 be eligible for parole, and to the Alcoholic Beverage Control Board if  
6 the defendant is to be sentenced for a conviction of a violation of  
7 AS 04, a regulation adopted under AS 04, or an ordinance adopted under  
8 AS 04.21.010.

9 \* Sec. 4. AS 12.55.025(d) is amended to read:

10 (d) A sentence of imprisonment shall be stayed if an appeal is  
11 taken and the defendant is admitted to bail. If an appeal is taken  
12 and the defendant is not admitted to bail, the Department of Correc-  
13 tions [HEALTH AND SOCIAL SERVICES] shall designate the facility in  
14 which the defendant shall be detained pending appeal or admission to  
15 bail.

16 \* Sec. 5. AS 12.55.055(a) is amended to read:

17 (a) The court may order a defendant convicted of an offense to  
18 perform community work as a condition of a suspended sentence or  
19 suspended imposition of sentence, or in addition to any fine or re-  
20 stitution ordered. If the defendant is also sentenced to imprison-  
21 ment, the court may recommend to the Department of Corrections [HEALTH  
22 AND SOCIAL SERVICES] that the defendant perform community work.

23 \* Sec. 6. AS 12.70.220(b) is amended to read:

24 (b) When the return to this state is required of a person who  
25 has been convicted of a crime in this state and has escaped from  
26 confinement or broken the terms of [HIS] bail, probation, or parole,  
27 the prosecuting attorney of the judicial district in which the offense  
28 was committed, or the attorney general, the parole or probation au-  
29 thority having jurisdiction over the person [HIM], or the commissioner

1 of the Department of Corrections [HEALTH AND SOCIAL SERVICES] shall  
2 present to the governor a written application for a requisition for  
3 the return of that person. In the application there shall be stated  
4 the name of the person, the crime for which the person [HE] was con-  
5 victed, the circumstances of the person's [HIS] escape from confine-  
6 ment or of the breach of the terms of [HIS] bail, probation, or pa-  
7 role, and the state in which the person [HE] is believed to be, in-  
8 cluding the location of the person in that state [THEREIN] at the  
9 time the application is made.

10 \* Sec. 7. AS 12.70.220(c) is amended to read:

11 (c) The application shall be verified by affidavit, shall be  
12 executed in duplicate and shall be accompanied by two certified copies  
13 of the indictment returned, or information and affidavit filed, or the  
14 complaint made to the superior court judge or district judge, stating  
15 the offense with which the accused is charged, or of the judgment of  
16 conviction or of the sentence. The attorney general or the prosecut-  
17 ing attorney, the parole or probation authority, or the commissioner  
18 of the Department of Corrections [HEALTH AND SOCIAL SERVICES] may also  
19 attach further affidavits and other documents in duplicate considered  
20 [HE DEEMS] proper to be submitted with the application. One copy of  
21 the application, with the action of the governor indicated by endorse-  
22 ment on the application, and one of the certified copies of the in-  
23 dictment, complaint, information and affidavits, or judgment of con-  
24 viction or sentence shall be filed in the office of the governor to  
25 remain of record in that office. The other copies of all papers shall  
26 be forwarded with the governor's requisition.

27 \* Sec. 8. AS 33.05.080(2) is amended to read:

28 (2) "commissioner" means the commissioner of the Department  
29 of Corrections [HEALTH AND SOCIAL SERVICES] or the designee of the

1 commissioner.

2 \* Sec. 9. AS 33.15.010 is amended to read:

3 Sec. 33.15.010. STATE BOARD OF PAROLE. There is in the depart-

4 ment a board of parole consisting of five members to be appointed by

5 the governor, subject to confirmation by a majority of the members of

6 the legislature in joint session. One of the members, who shall be

7 chairman of the board, shall be a person with training or experience

8 in the field of probation and parole, [AND THAT MEMBER MAY BE AN

9 OFFICIAL OR EMPLOYEE OF THE DEPARTMENT] but that member may not be an

10 official or employee of the department [DIVISION OF CORRECTIONS]. The

11 term of each of the other four members of the board is four years and

12 until a successor is appointed and qualifies. Successors are ap-

13 pointed in the same manner as provided for the board members first

14 appointed. A vacancy shall be filled for the unexpired term.

15 \* Sec. 10. AS 33.15.260(2) is amended to read:

16 (2) "commissioner" means the commissioner of the Department

17 of Corrections [HEALTH AND SOCIAL SERVICES] or the designee of the

18 commissioner;

19 \* Sec. 11. AS 33.15.260(4) is amended to read:

20 (4) "department" means the Department of Corrections

21 [HEALTH AND SOCIAL SERVICES].

22 \* Sec. 12. AS 33.30.130(a) is amended to read:

23 (a) The commissioner of public safety shall provide for the

24 subsistence, care and safekeeping in suitable quarters of a person

25 arrested or held under the authority of state law pending arraignment

26 or commitment by a court to the custody of the commissioner of correc-

27 tions [HEALTH AND SOCIAL SERVICES] or to the custody of the keeper or

28 person in charge of a prison facility designated in advance by the

29 commissioner of corrections [HEALTH AND SOCIAL SERVICES].

1 \* Sec. 13. AS 33.30.900(1) is amended to read:

2 (1) "commissioner" means the commissioner of the Department

3 of Corrections [HEALTH AND SOCIAL SERVICES] or the commissioner's

4 designee;

5 \* Sec. 14. AS 33.30.900(3) is amended to read:

6 (3) "department" means the Department of Corrections

7 [HEALTH AND SOCIAL SERVICES];

8 \* Sec. 15. AS 33.32.070(a) is amended to read:

9 (a) The Correctional Industries Commission is established to

10 provide general policy direction to the correctional industries pro-

11 gram through the commissioner of corrections [HEALTH AND SOCIAL SER-

12 VICES]. The commission consists of seven members, five of whom are to

13 be appointed by the governor to serve staggered terms of four years.

14 The appointed members must include a representative of private indus-

15 try, organized labor, agriculture, and the general public, and one ex-

16 offender. The commissioner of administration is also a member, as is

17 the commissioner of corrections [HEALTH AND SOCIAL SERVICES] who is to

18 serve as chairperson.

19 \* Sec. 16. AS 33.35.010 (Article III(b) of the Agreement on Detainers)

20 is amended to read:

21 (b) The written notice and request for final disposition re-

22 ferred to in paragraph (a) of this article shall be given or sent by

23 the prisoner to the warden, commissioner of corrections [HEALTH AND

24 SOCIAL SERVICES] or other official having custody of the prisoner

25 [HIM], who shall promptly forward it together with the certificate to

26 the appropriate prosecuting official and court by registered or certi-

27 fied mail, return receipt requested.

28 \* Sec. 17. AS 33.35.010 (Article III(c) of the Agreement on Detainers)

29 is amended to read:

1 (c) The warden, commissioner of corrections [HEALTH AND SOCIAL  
2 SERVICES] or other official having custody of the prisoner shall  
3 promptly inform the prisoner [HIM] of the source and contents of any  
4 detainer against the prisoner [HIM], and shall also inform the pri-  
5 soner [HIM] of the [HIS] right to make a request for final disposition  
6 of the indictment, information or complaint on which the detainer is  
7 based.

8 \* Sec. 18. AS 33.35.010 (Article III(d) of the Agreement on Detainers)  
9 is amended to read:

10 (d) Any request for final disposition made by a prisoner under  
11 paragraph (a) of this article shall operate as a request for final  
12 disposition of all untried indictments, informations or complaints on  
13 the basis of which detainers have been lodged against the prisoner  
14 from the state to whose prosecuting official the request for final  
15 disposition is specifically directed. The warden, commissioner of  
16 corrections [HEALTH AND SOCIAL SERVICES] or other official having  
17 custody of the prisoner shall notify all appropriate prosecuting  
18 officers and courts in the several jurisdictions within the state to  
19 which the prisoner's request for final disposition is being sent of  
20 the proceeding being initiated by the prisoner. Any notification sent  
21 under this paragraph shall be accompanied by copies of the prisoner's  
22 written notice, request, and the certificate. If trial is not had on  
23 any indictment, information or complaint contemplated by this article  
24 before the return of the prisoner to the original place of imprison-  
25 ment, that indictment, information or complaint is of no further force  
26 or effect, and the court shall enter an order dismissing it with  
27 prejudice.

28 \* Sec. 19. AS 33.35.040 is amended to read:

29 Sec. 33.35.040. CENTRAL ADMINISTRATOR AND INFORMATION AGENT.

1 The commissioner of corrections [HEALTH AND SOCIAL SERVICES] or the  
2 designee of the commissioner of corrections [HEALTH AND SOCIAL SER-  
3 VICES] is the central administrator of and information agent for the  
4 Agreement on Detainers under AS 33.35.010.

5 \* Sec. 20. AS 33.36.040 is amended to read:

6 Sec. 33.36.040. IMPLEMENTATION. The commissioner of corrections  
7 [HEALTH AND SOCIAL SERVICES] or the commissioner's designee shall do  
8 all things necessary or incidental to the carrying out of the Inter-  
9 state Corrections Compact. However, no contract is of any force or  
10 effect until approved by the commissioner of administration.

11 \* Sec. 21. AS 33.36.100 is amended to read:

12 Sec. 33.36.100. IMPLEMENTATION OF COMPACT. The commissioner of  
13 corrections [HEALTH AND SOCIAL SERVICES] may enter into such contracts  
14 on behalf of the State of Alaska as may be appropriate to implement  
15 the participation of this state in the Western Interstate Corrections  
16 Compact under art. III of the compact. No contract is of any force or  
17 effect until approved by the commissioner of administration.

18 \* Sec. 22. AS 41.20.110(b) is amended to read:

19 (b) As an aid to the construction and maintenance of trails and  
20 campsites under (a) of this section the commissioner of corrections  
21 [HEALTH AND SOCIAL SERVICES] is authorized to establish a program that  
22 would allow prisoners to volunteer for work on the trails and camp-  
23 sites. The commissioner is authorized to grant remuneration for the  
24 work, either in money or reduction of sentence, which the commissioner  
25 [HE] considers sufficient.

26 \* Sec. 23. AS 44.17.005 is amended by adding a new paragraph to read:

27 (18) Department of Corrections.

28 \* Sec. 24. AS 44.29.020(9) is amended to read:

29 (9) management of state institutions other than correction-

1     al institutions;  
2     \* Sec. 25. AS 47.08.050(8) is amended to read:  
3             (8) medical services currently provided to persons in the  
4     custody of the Department of Corrections [DIVISION OF CORRECTIONS];  
5     \* Sec. 26. AS 47.17.020(a)(4) is amended to read:  
6             (4) peace officers, and officers of the Department of  
7     Corrections [DIVISION OF CORRECTIONS];  
8     \* Sec. 27. AS 47.21.010(b)(1) is amended to read:  
9             (1) certain delinquent juveniles in the custody of the  
10    Department of Health and Social Services [DIVISION OF CORRECTIONS];  
11    \* Sec. 28. AS 47.30.845(5) is amended to read:  
12            (5) the Department of Corrections [DIVISION OF CORRECTIONS]  
13    in a case in which a prisoner confined to the state prison is a pa-  
14    tient in the state hospital on authorized transfer either by voluntary  
15    admission or by court order;  
16    \* Sec. 29. AS 47.37.040(3) is amended to read:  
17            (3) cooperate with the Department of Corrections [DIVISION  
18    OF CORRECTIONS] in establishing and conducting programs to provide  
19    treatment for alcoholics and intoxicated persons in or on parole from  
20    penal institutions;  
21    \* Sec. 30. The following laws are repealed: AS 12.55.185(2), AS 44.-  
22    29.020(17).  
23    \* Sec. 31. On the effective date of this Act the Department of Health  
24    and Social Services shall transfer facilities, supplies, equipment and  
25    other assets relating to its corrections function to the Department of  
26    Corrections to enable the Department of Corrections to perform the duties  
27    imposed by this Act.  
28    \* Sec. 32. This Act takes effect July 1, 1983.

Introduced: 2/2/83  
Referred: State Affairs and  
Finance

1     IN THE SENATE  
2  
3                             BY THE RULES COMMITTEE BY  
4                             REQUEST OF THE GOVERNOR  
5                             SENATE BILL NO. 106  
6                             IN THE LEGISLATURE OF THE STATE OF ALASKA  
7                             THIRTEENTH LEGISLATURE - FIRST SESSION  
8                             A BILL  
9     For an Act entitled: "An Act relating to overcrowding of the state prison  
10    system; and providing for an effective date."  
11    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
12    \* Section 1. LEGISLATIVE FINDINGS AND PURPOSE. The legislature finds  
13    that the need for protecting the public is of paramount importance in re-  
14    sponding to the problem of crime in Alaska. However, at the same time the  
15    legislature recognizes that art. I, sec. 12, of the Alaska Constitution re-  
16    quires that penal administration also be based on reformation of the of-  
17    fender. When the state prison system is so overcrowded as to be unable to  
18    function adequately, then both the principle of reformation and of protec-  
19    tion of the public are adversely affected. Prison overcrowding adds to the  
20    stress and frustration of persons convicted of violating criminal laws, and  
21    interferes with participation in rehabilitative programs offered in correc-  
22    tional institutions. Therefore the purpose of this Act is to alleviate  
23    overcrowding in state prisons by providing for the early release and proba-  
24    tionary supervision of certain prisoners who would be due to be released in  
25    the near future.  
26    \* Sec. 2. AS 33.20 is amended by adding new sections to read:  
27            ARTICLE 3. PRISON OVERCROWDING EMERGENCY ACT.  
28            Sec. 33.20.100. CAPACITY OF PRISON SYSTEM. The commissioner  
29            shall specify, by regulation adopted under the Alaska Administrative  
            Procedure Act (AS 44.62), the emergency capacity of the state prison  
            system.  
            Sec. 33.20.110. DIRECTOR TO CERTIFY PRISON OVERCROWDING. (a)

1 If the average daily prisoner population in the state prison system  
2 exceeds the emergency capacity for a 30-day period, the director shall  
3 within 48 hours, certify to the commissioner that a prison  
4 overcrowding state of emergency exists.

5 (b) Within 15 days after certifying that a prison overcrowding  
6 state of emergency exists, the director shall submit to the commis-  
7 sioner and the attorney general a list of all prisoners who are eligi-  
8 ble under AS 33.20.140 for early release under (c) of this section.  
9 The list must include the offenses for which the prisoners were con-  
10 victed, the dates the sentences were imposed, the lengths of sen-  
11 tences, and the time remaining to be served on each sentence.

12 (c) If the commissioner confirms the director's certification  
13 that a prison overcrowding state of emergency exists, and determines  
14 that the average daily prisoner population exceeds the emergency ca-  
15 pacity for the 15-day period following the director's certification,  
16 he shall release each prisoner eligible under AS 33.20.140 within 72  
17 hours.

18 (d) If the average daily prisoner population falls below the  
19 emergency capacity for the 15-day period following the director's cer-  
20 tification, the prison overcrowding state of emergency terminates, and  
21 no prisoner may be released under this section.

22 Sec. 33.20.120. PROBATION SUPERVISION FOR PRISONERS RELEASED  
23 EARLY. A prisoner released under AS 33.20.110 shall be placed on su-  
24 pervised probation or parole during the period he would have been in-  
25 carcerated, as follows:

26 (1) if the prisoner's sentence provides for probation to  
27 follow his incarceration, then the probation is to follow the period  
28 of supervision resulting from his early release under AS 33.20.110,  
29 and the conditions of probation ordered by the court apply during the

1 entire period;

2 (2) if the prisoner's sentence does not provide for proba-  
3 tion to follow his incarceration then, during the period of supervi-  
4 sion resulting from his early release under AS 33.20.110, probation is  
5 imposed and the conditions are that the prisoner violate no state or  
6 federal law or municipal ordinance, and that the prisoner abide by the  
7 reasonable conditions imposed by his probation officer; or

8 (3) if the prisoner is scheduled to be released on parole,  
9 he or she is considered to be on parole during the period of supervi-  
10 sion resulting from the early release under AS 33.20.110, and is sub-  
11 ject to the conditions of parole established by the board of parole.

12 Sec. 33.20.130. VIOLATION OF CONDITIONS OF PROBATION OR PAROLE.

13 (a) The court may revoke the probation resulting from early release  
14 under AS 33.20.110 for violation of a state or federal law, municipal  
15 ordinance, or condition of probation.

16 (b) The board of parole may revoke the parole resulting from  
17 early release under AS 33.20.110 for violation of a state or federal  
18 law, municipal ordinance, or condition imposed by the board.

19 Sec. 33.20.140. PRISONERS ELIGIBLE FOR EARLY RELEASE. A state  
20 prisoner who has been sentenced to a period of incarceration is eligi-  
21 ble for early release under AS 33.20.110 if, at the end of the 15-day  
22 period following the director's certification, the prisoner:

23 (1) has been continuously incarcerated during the 30-day  
24 period upon which a prison overcrowding state of emergency, certified  
25 by the director, is based;

26 (2) is serving a sentence for a crime other than:

27 (A) a crime against a person under AS 11.41.100 --  
28 11.41.530, with the exception of custodial interference in the  
29 first or second degree under AS 11.41.320 and 11.41.330;

1 (B) arson in the first or second degree under AS 11.-  
2 46.400 or 11.46.410, respectively;

3 (C) criminal mischief in the first degree under  
4 AS 11.46.480; or

5 (D) attempt or solicitation under AS 11.31.100 or  
6 11.31.110, respectively, to commit any of these offenses listed  
7 in this subsection; and

8 (3) has 90 days or less remaining to serve on his sentence.

9 Sec. 33.20.150. FREQUENCY OF EARLY RELEASE. Once prisoners are  
10 released under AS 33.20.110(c), the 30-day period upon which a subse-  
11 quent prison overcrowding state of emergency would be based does not  
12 begin to run until after the commissioner releases prisoners under  
13 AS 33.20.110(c) or until a prison overcrowding state of emergency ter-  
14 minates under AS 33.20.110(d).

15 Sec. 33.20.160. DEFINITIONS. In AS 33.20.100 -- 33.20.150, un-  
16 less the context otherwise requires,

17 (1) "average daily prisoner population" means the total of  
18 the daily morning prisoner counts at each state prison facility divid-  
19 ed by the number of days for which the counts were taken;

20 (2) "commissioner" means the commissioner of the Department  
21 of Health and Social Services;

22 (3) "director" means the director of the division of cor-  
23 rections;

24 (4) "emergency capacity" means the maximum number of pris-  
25 oners, as determined by the commissioner, which can be held in the  
26 state prison system, above which the system cannot adequately function  
27 with available resources; and

28 (5) "state prison system" means all state prison facilities  
29 which are owned or operated by the state and which hold persons

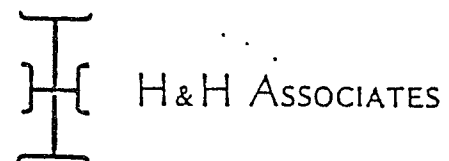
1 charged with or convicted of violations of law.

2 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
3 10.070(c).

HUTTO REPORT  
Population Capacities

APPENDIX IV

CONSULTANT'S REPORT ON  
POPULATION CAPACITY  
OF THE ALASKA DIVISION OF CORRECTIONS  
AMERICAN CORRECTIONAL ASSOCIATION  
December, 1902  
T. Don Hutto, Consultant



DON HUTTO  
(804) 276-8572

2125 McKesson Drive  
Richmond, Va. 23235

January 6, 1982

Robert Hatrack, Director  
Division of Adult Corrections  
Frontier Bldg, 4th Floor  
30th & C Streets  
Anchorage, Alaska 99504

Dear Bob:


I am enclosing a copy of my report regarding population capacities. Also enclosed is a resume which I would appreciate your furnishing to the Asst. A.G. as I do not know his address.

I was terribly disappointed to learn of the Governor's decision, both for the stability of the Alaska system and you, personally. Keep your chin up - things like this have a way of working out for the best.

Please express my warmest regards to your family. Their genial hospitality was much appreciated.

I look forward to seeing you in Nashville and am glad that I had the opportunity to work with you.

Sincerely,

  
T. Don Hutto

Enc.

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## PURPOSE OF THE STUDY

At the request of the Alaska Division of Corrections, this consultant was engaged by the American Correctional Association as a part of the ongoing technical assistance effort to the State of Alaska. Specifically, the task assigned was to 1). evaluate the population capacities of all state-operated correctional institutions from the standpoint of correctional standards practice and legal and constitutional requirements; 2). recommend a methodology and system for continuing re-evaluation by Division personnel as changing circumstances dictate; and 3). recommend a policy and procedure which would assure internal and systematic review of Alaska population capacities by Division personnel.

## ACKNOWLEDGEMENTS

The staff and employees of the Alaska Division of Corrections were candid, helpful and cordial, freely interrupting their schedules and, in several instances, sacrificing their days off, in order to assist. Without their cooperation, the study could not have been completed within the allotted time-frame, and I regret that time does not permit the naming of each such contributor.

Special acknowledgement and appreciation is noted for the contribution of Newton Chase, Facilities Planner, and Stanley Zaborac, Superintendent of the Palmer Correctional Center, who formed the other two-thirds of the team. Without their knowledgeable assistance and unflagging energy, completion of the work would have been impossible. While every effort was made to gain concurrence and consensus of the team, this writer assumes responsibility for the conclusions drawn herein.

## GENERAL PERSPECTIVES REGARDING POPULATION CAPACITIES

Determination of "person" capacities is well grounded and accepted in our society. Capacities are set for elevators, auditoriums and aircraft, to name only three. We understand that when we exceed these capacities, we do so at our peril. Corrections facilities, however, have not been accorded the same reasoned judgement. Curiously, we punish an airline pilot who exceeds maximum capacities while requiring wardens and Superintendents to exceed safe limits on a regular basis. Correctional agencies control neither their input nor their output and are, consequently, fated to house the persons

arrested or committed, whatever their number. Historically, only two factors have surfaced to prevent this, 1) intervention by the courts through eminent domain litigation or setting population limits, and 2) legislation which sets population maximums and provides systematic relief through release of less dangerous prisoners. This second approach, legislation, has only lately arrived on the scene but is becoming increasingly popular as executive and legislative branches attempt to maintain control rather than abrogating responsibility to the courts.

An erroneous, but all too persistent myth, is that correctional facility capacities are determined by the number of beds that can be crowded into "X" amount of space and that the number of beds equals population capacity.

Unfortunately, this popular but simplistic view, fails dramatically to take account of the many and varied factors which must be considered. The size of the facility, its general condition, type of space available, i.e. food service and medical, adequacy of plumbing and utilities are obviously critical. Additionally, the quantity and quality of staff, program availability such as idleness-reducing activities and amount of space are key elements. Most important (and most often ignored) is the need for good prisoner classification. While classification has varied purposes, in its most basic form, it is the process of grouping prisoners according to dangerousness in order to limit physical and psychological harm to themselves and others, both in the facility and following their release.

As correctional facilities do not enjoy a static population and, to the contrary, have high numbers of entry and release, prisoner movement within the facility is a necessary fact of life. The closer the facility approaches filling all beds, there is a corresponding inability to classify prisoners properly. Most experienced correctional administrators would agree that it becomes increasingly difficult to fulfill the institution's obligation to public safety when 95% of the beds are filled and some would place this figure as low as 85%.

In setting capacities, then, it is necessary to determine the number of beds which the facility and its resources will adequately accommodate and to recognize that capacity is reached prior to the actual filling of all beds. This phenomenon is more acute at short term institutions than in facilities housing longer term prisoners as there is a greater daily turnover; nevertheless, it exists in both.

Too, it must be borne in mind that the standards of free society do not routinely apply. Prisoners, as a group, are more intractable, anti-social, aggressive and hostile than the average citizen, making group living more difficult and adequate body space even more necessary. In "free society" space allows us to "walk away" from trouble! The very fact of secure confinement severely reduces the option to a prisoner and all but denies it in a facility which is bursting at the seams.

Overcrowded facilities produce negative results including, but not limited to, breakdown of proper classification procedures, increased violence against other inmates as well as staff, deterioration of sanitation standards, increased levels of contagious diseases and a serious reduction in the physical and psychological quality to both inmates and staff.

#### SPECIFIC CONSIDERATIONS IN ALASKA

While the Alaskan correctional system has much in common with many sister states in the "lower 48" there are some differences. The sheer geographical size and sparsity of population dictate that facilities (except in the Anchorage area which is more similar to other state systems) house all types and classifications, including pre-trial and sentenced offenders. This requires each facility to have the ability to separate offenders into a larger number of groupings, as well as to house security categories from minimum to maximum. Further, several facilities were originally designed as jails (for short term detention only) and precious little activity or idleness-reducing space is available; thereby severely limiting their ability to hold long term sentenced prisoners.

#### METHODOLOGY

After a meeting with Director Hatrack and his staff, a methodology for the evaluation was agreed upon.

1. Team approach - The consultant would be accompanied by Stanley Laborac, Superintendent of Palmer Correctional Center, and Newton Chase, Facilities Planner for the Department of Health and Social Services, to facilitate logistics and data gathering.

2. The team would adopt criteria to be used consistently throughout the state. Emphasis would be placed on objective (measurable) criteria with consideration being given to subjective considerations which are important but not easily quantifiable.

3. Population capacities would be assessed relative to reasonable correctional standards and minimum constitutional requirements. NOTE: (While various court decisions can be considered contradictory, and no person can predict with exactitude what a particular court will rule, a general pattern has emerged as "case law". It is much easier to say what is not constitutional than what is constitutional. Also, the United States Supreme Court in Wolfish v. Bell and Rhodes v. Chapman have made clear that acceptable correctional practice may exceed the constitutional minimum.)

4. Where total population capacities would be impacted, an attempt would be made to assess capacity in multi-use facilities according to the various types of detainees, i.e. pre-trial, booking, post sentence, detention, etc. NOTE: (This consultant was able to identify booking as the only category which made any appreciable difference.)

5. Consideration would be given to current facilities as well as those soon to be opened or planned for closure.

6. An on-site visit would be made to each facility.

7. A survey-questionnaire form would be developed for use by the team.

8. Separate capacities would be assessed for general population, special purpose, males and females.

9. Assumptions resulting from previous reports and studies, i.e. Ault Staffing Report, would be reviewed and any exceptions noted.

#### CRITERIA

The following generally accepted factors for assessing population capacity were adopted and used:

1. Square footage of space as defined in the Manual of Standards for Adult Correctional Institutions, (Second Edition) and Standards for Adult Local Detention Facilities, (Second Edition).

- a. residential areas
- b. day rooms
- c. outdoor recreation
- d. indoor recreation
- e. kitchen
- f. visiting space

2. Staffing complement and staff/inmate ratio.

- a. security
- b. administration
- c. support
- d. program

3. Utilities

- a. plumbing adequacy, accessibility and condition
- b. number of commodes, wash basins and showers
- c. adequacy of water supply
- d. capacity of sewage treatment plant
- e. lighting (including emergency power)
- f. heating and ventilation

4. Security and housing type

5. Support services

- a. culinary
- b. medical
- c. exercise/recreation areas
- d. general programming

- 1) degree of idleness
- 2) work programs
- 3) education (vocational and academic)
- 4) counselling and casework
- 5) industries
- 6) special activities

6. Fire and Life Safety

7. Staff experience and training

8. External considerations (public acceptance, etc.)

9. Classification procedure (assumption was made that present classification project will be implemented)

10. Overall quality of life (physical, psychological and social environment)

#### SUMMARY OF ACTIVITIES

Activities were generally divided among the following:

1. Planning the project
2. Data collection and on-site visits
3. Report preparation

# FACILITIES SUMMARY

1. Hiland Mountain - a modern facility consisting primarily of room configuration. Facility has four living houses divided into four wings each. Rooms are designed for single occupancy and each wing of rooms shares an adjacent day room. Each house has a larger day space which is shared by all four wings. There are 40 rooms per house. The rooms are suitable for the housing of medium security prisoners. Two small cell blocks exist with 10 cells each that are designed for single occupancy. One of these was grossly overcrowded, housing some 30 residents with double bunks arranged in the space between the facing cells. Present population allows no day room or exercise space. One of these two blocks of 10 cells each is capable of housing general population while the other should be classified as special purpose. Staffing at the facility should be brought up to the level recommended in the Ault report.

Operating capacity: G.P. - 162  
Maximum capacity: 170

S.P. - 10  
B. - 0

10  
0

2. Palmer Medium - a newly built facility suffering only from its wood construction allowing ease of destruction, making any overcrowding a definite hazard. Otherwise, it is built to modern standards. Has five cottages of 20 rooms each with a slight shortage of day room space. It has an excellent gymnasium. There is little activity or program space other than the wood shop. This could be easily remedied by placing a second floor above the wood shop which is now wasted space. Residents are satellite fed from the Palmer Minimum kitchen which is totally inadequate. A new kitchen is sorely needed and present plans, if implemented, should suffice. Staffing should be increased to the Ault Report recommendations.

Operating capacity: G.P. - 95  
Maximum capacity: 100

S.P. - 4  
B. - 0

4  
0

3. Palmer Minimum - a unique facility which is not modern by architectural standards but is, nevertheless, very functional as a minimum security facility. Consists of one cubicle dormitory capable of housing 40 persons, 42 individual rooms and three 16 man modular buildings. The 16 man modular buildings are double-bunked which should be eliminated. Plans are to replace modulars when new kitchen is built at Palmer Medium in space that now houses kitchen for entire complex. Recreation areas are spacious and provide maximum activity for residents. Staffing should be increased to the level recommended in the Ault Report.

Operating capacity: G.P. - 124  
Maximum capacity: 130

S.P. - 0  
B. - 0

0  
0

4. Ridgeview - an antiquated and deteriorated facility which should be closed forthwith. Support areas are almost totally lacking. Plumbing and sewage problems abound. Renovation into any type of functional facility appears both infeasible and uneconomical. This consultant is hesitant to give it any capacity at all, but, theoretically, it can be used temporarily. Staffing is inadequate and, if continued, should be increased to the level recommended in the Ault report.

Operating capacity: G.P. - 70  
Maximum capacity: 74

S.P. - 3  
B. - 0

3  
0

5. 6th. Avenue - an old facility but in good condition physically. It suffers from an almost total absence of program space. If it is to be used for other than short term detention, at least one dormitory should be converted to program space and recommendations in this report as to capacity are predicated on such. Configuration is such that cells have no adjacent day room space making them unusable for long term use unless in conjunction with present dormitories. Also, excessive reliance on dormitory space makes its use for other than minimum or medium security problematical.

Operating capacity: G.P. - 80  
Maximum capacity: 84

S.P. - 3  
B. - 0

3  
0

6. 3rd. Avenue - an antiquated facility currently undergoing renovation with roof top exercise area being added. Suitable only for booking purposes and then only if staff is brought up to the level recommended in the Ault Report. Presently has a court ordered maximum capacity of 65 for under 10 days. This consultant's recommendation is for use as a booking facility (as is presently planned). While booking is usually for less than 48 hours, the time may extend to 10 days in some cases. Northside and Southside dorms are not capable of being viewed entirely by staff. This must be remedied during the renovation or the facility should not be used even for booking purposes. There is no separate day room space. If women are to be held, I would recommend that the present trustee area be used for them and that the present isolation cells with adjacent area be used for trustee workers. This facility should be considered as a temporary expediency with no long term utilitarian value to the Division.

Operating capacity: G.P. - 0  
Maximum capacity: Same

S.P. - 3  
B. - 63

7. Meadowcreek - an extremely modern facility with spacious leisure time areas. There are 28 single rooms with 14 rooms per house. Designated as a female housing unit. Conversion of cells in infirmary and movement of infirmary to another, if possible, would result in an added 2 persons to the capacity.

Operating capacity - G.P. -	27	S.P. -	2	B. -	0
Maximum capacity:	30		2		0

8. Cook Inlet - a new facility now under construction. Modern and built to latest standards. Some problems may be encountered with accidental and malicious breakage of safety glass between day rooms and outside exercise areas. Ample program and administrative space for a pre-trial facility. There is a total of 100 single cells broken down into groupings of 2-12s, 2-24s and 6-10s. Since facility is not yet in operation, staffing and operations were not evaluated.

Operating capacity: G.P. -	148	S.P. -	12	B. -	0
(Male)					
Maximum capacity:					
(Male)	156		12		0
Operating capacity:	11		0		0
(Female)					
Maximum capacity:	12		0		0
(Female)					

9. Nome - An older facility in good state of maintenance but designed for short term holding only. A total lack of program or administrative space. No recreation or exercise space; however, residents are taken to National Guard gymnasium "one or two days a week" except during January and February when facility is not available. No significant storage space available which presents a special problem in Nome. Is significantly overcrowded at present time. Needs to be replaced as soon as possible by a larger and more spacious facility. In spite of its physical inadequacy, however, the nature of the present population seems to allow a low key and rather informal management approach which enhances the quality of life and makes conditions less onerous. Staffing is short and should be increased in accordance with the levels recommended in the Ault Report.

Operating capacity: G.P. -	18	S.P. -	2	B. -	0
Maximum capacity:	19		2		0

10. Fairbanks - an older facility which was designed as a short term holding facility. There is an extreme shortage of program space, but the quality of life is enhanced by a very adequate gymnasium. The addition of

72 single cells now in progress with conversion of some current living space to program area should make it a very acceptable facility. New addition will be hard-pressed to house close custody residents due to lack of control rooms or areas. Modular building now under construction and almost complete will allow 40 additional minimum security beds. These have been included in current capacity as occupancy is imminent. Staffing is already inadequate and will be severely so when modular building becomes operational.

Current Operating Cap: G.P. -	119	S.P. -	4	B. -	5
Current Maximum Cap:	125		4		5
Future Operating Cap:	163		4		4
Future Maximum Cap:	172		4		4

11. Juneau (Lemon Creek) - an older facility which was designed as a short term holding facility, almost identical in design to Fairbanks. Space usage, however, is better arranged to maximize program area. Facility maintenance and condition is outstanding. New and very secure gymnasium enhances the quality of life greatly. New living additions presently under construction will add 56 cells capable of holding 52 close security and 4 maximum prisoners. Staff should be increased to the level recommended in the Ault report.

Operating capacity: G.P. -	74	S.P. -	8	B. -	5
(Current)					
Maximum capacity:	70		8		5
(Current)					
Operating Capacity:	132		6		5
(Future)					
Maximum capacity:	139		6		5
(Future)					

12. Ketchikan State Jail - an antiquated and dilapidated facility originally built as a short term holding facility. Now being replaced by new regional jail and opening is imminent. Capacities are stated only temporarily until new facility can be occupied as by any modern standard, it is not capable or suitable for detaining persons. It is highly doubtful if the facility could be economically renovated as space would be so small as to cause astronomical per resident costs.

Operating capacity: G.P. -	13	S.P. -	1	B. -	3
Maximum capacity:	14		1		3

13. Ketchikan Regional Jail - a new facility now under construction. In male cell area, over one-half

of the cells are not easily observable which will create problems and require a high staff to resident ratio in order to adequately supervise the inmates. Women's area is already double-bunked in anticipation of overcrowding. Unable to properly evaluate staffing, but it appears to be inadequate due to the lack of cell visibility.

Operating capacity: G.P. - 19 S.P. - 2 B. - 4  
Maximum capacity: 20 2 4  
(Male)

Operating capacity: 3 0 0  
Maximum capacity: 4 0 0  
(Female)

14. Johnson Center - an extremely modern women's facility which shares its space with juveniles. Built to latest standards. Staff is inadequate for double coverage on all shifts thereby placing staff in potentially dangerous situation.

Operating Capacity: G.P. - 4 S.P. - 0 B. - 1  
Maximum Capacity 5 0 1  
(Female)

15. Careage House - a former nursing home facility with room type accommodations for living units. Rather severe shortage of showers, but this could be remedied easily and economically. Very suitable for minimum security usage such as work release, restitution center or other type community corrections function. There is a lack of program and recreation space; however, if used as a true community facility with minimum security, this would not be a greatly limiting factor.

Operating capacity: G.P. - 71 S.P. - 0 B. - 0  
Maximum capacity: 72 0 0

# SYSTEM RECAP AND MATRIX

See pages 11-17.

FACILITY DESPACE TYPE	General Population		Cooking Capacity/ LOAFERS	Disciplinary Capacity (Spec. Purpose)						SELF MATIC	Medical	Ext. Rec.	Spec. Act.	Hort.	Con. Visit	Non Con. V	Atty. Clinic	Staff Etn.	Plumbing	Sewer	Water	Lighting	Heating	Ventilg	Sec. Ser	Rel. Act.	Library	Vol. Prom.	Violence	Infl.	Other/False	Sec.
	Operating Capacity	Maximum Capacity																														
CURRENT Male																																
Juniata C. C.	74	78	5	8							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Fairbanks C. C.	119	125	5	4							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Home	18	19	0	2							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Palmer (Minimum)	124	130	0	0							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Palmer (Medium)	95	100	0	4							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Island Mountain	162	170	0	10							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Highview	70	74	0	3							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
6th Ave.	80	84	0	3							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
3rd Ave.	0	0	68	3							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Ketchikan	13	14	3	1							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
Careage House	71	75	0	0							U	+	U	U	+	+	+	+	+	+	+	+	U	+	U	+	+	+	+	+	+	+
TOTAL	926	945	81	30																												

U Recommend replacement & expansion ASAP  
U Recommend closure ASAP  
C Court ordered by capacity, For working only, hours, or less

U Not supportive of population density  
U Neither supportive or prohibitive  
U Supportive of population density  
NA Not applicable



[illegible]

**CONTINUED**

**2 OF 3**

FULL CAPACITY		(COL. 8)																											
FACILITY BEDSPACE TYPE	Sq Ft/Inmate w/dayroom	Sq Ft/Inmate w/dayroom	Inmates/ Commode	Inmates/ Wash Basin	Inmates/ Shower	Indoor Rec. Sq Ft/Inmate	Kitchen Sq Ft/Inmate	Inmate/ Staff	Medical	Ext. Rec	Spec. Act.	Work	Com. Visit	Non Com. V	Atty. Client	Staff Exp.	Plumbing	Sewer	Water	Lighting	Heating	Ventill'g	Soc. Ser	Rel. Act.	Library	Vol. Prom.	Violence	Inf.	
DORMS																													
CURRENT																													
JUNIOR MEN'S (9)						(126.9)	(15.7)	(1.98)	7	4	1	1	1	4	1	7	4												
Intake (12)		82.25	2.66	2.40	6.0	-	-	-																					
E Dorm (6)		88.33	6.00	3.00	6.0																								
C Dorm (11)	50.90	31.56	5.50	3.66	5.5																								
A Dorm (15)	50.40	27.73	5.00	5.00	7.5																								
F. Dorm (14)	41.00	31.85	4.66	4.66	7.00																								
F. Dorm (4)		57.25	4.0	4.0	4.0																								
COOKS (8)		58.33	4.8	6.0	18.0																								
AIRFAIR'S C (10)		(70.0)		6.00	4.25	(70.76)	(14.23)	(1.89)																					
W. Dorm (6)	70.00	76.66	6.0	6.00	4.25																								
S-4 (6)		37.25	6.0	6.00	6.0																								
S-3 (6)		51.33	6.0	3.00	6.0																								
S-5 (0)		NO CAPACITY																											
C Dorm (10)		81.90	4.0	3.33	5.00																								
A Dorm (14)		81.71	5.6	4.66	7.00																								
TRUSTEE B (14)		81.71	5.6	4.66	7.00																								
D Dorm (17)		82.35	11.33	17.00	4.25																								
S-2 Dorm (4)		45.5	4.00	4.00	4.0																								
S-1 Dorm (4)		43.5	4.00	4.00	4.0																								
ONE						(None)	(18.78)	(1.35)																					
W. Dorm (10)		77.4	5.00	5.00	10.0																								
F. Dorm (5)		71.2	5.00	5.00	5.0																								
WILL BE																													

W. Dorm

F. Dorm

TRUSTEE B

SHOWER & ADJACENT COMMUNITIES

NO SPECIAL REFERENCE

FACILITY OCCUPANCE TYPE	Sq Ft./Inmate W/Inroom	Sq Ft./Inmate w/Inroom	Inmates/ Comrade	Inmates/ Hash Hagin	Inmates/ Shower	Indoor Rec. Sq Ft./Inmate	Kitchen Sq Ft./Inmate	Inmate/ Staff
DORMS FOR CELLS								
COR. INMATE (100)								
TYPICAL		807						
12 Bed Pods		"			4			
18 Bed		"			6			
24 Bed		"			8			
HALLWAY								
S.T.-GRITAP Cells	100	737	1	1	10			
COMM.								
HAND MINT. 2-	141.1	704	10	3.3	5			2.32
TYP 2-	141.1	737	5	5.0	5			
PALMER								
BARRACKS -	N.A							
TRAILER -	N.A							
MEDIUM Bldg	2764	707	5.0	8.0	6.66			
MEADOWCREIC (70)	66.67	807	3.5	3.5	3.5			
ETCHIKIAN THURCELLS								
20 MAN	76.45	707	1	1	5			
WOODMAN'S	65.75	764	1	1	3			

NO SPECIAL PURPOSE

NO SPECIAL PURPOSE									
FACILITY BEDSPACE TYPE	Sq Ft/Inmate w/Dayroom	Sq Ft/Inmate Ho/Dayroom	Inmates/ Cenote	Inmates/ Wash Basin	Inmates/ Shower	Inmate Rec. Sq Ft/Inmate	Kitchen Sq Ft/Inmate	Inmate/ Staff	
DAYROOM END CELLS									
JUNIOR MMA (8)	1400 155/27	66.0			4	1/1000	1	1	
MAJ (14)	120.5/1	66.0			6/1000	1			
CLONE (52)	155/36	65.5/11.5			1/6/1000	1			
INTAKE (1)		68 ft			1	1	1		
JOHNSON CTR. (?)	1587/	76 ft - all built							
FAIRBANKS C.A.									
INT. (72)	1225 133.0/	80 ft							
	2000 21.0/								
	2100 21.0/								
	2100 27.0/								
WOMEN (3)	170/10	50.0							
MAY	25.5	61.5							

## RECOMMENDATIONS

1. Establishment of a NORMAL OPERATING CAPACITY for general population, total male and female of 950 (including 81 booking) plus 40 special purpose beds. (Current)
2. Establishment of a MAXIMUM CAPACITY for general population, total male and female, of 990 (including 81 booking) plus 40 special purpose beds. (Current)
3. Upon completion of Cook Inlet, Ketchikan Regional Jail and the additions at Juneau and Fairbanks, establishment of a NORMAL OPERATING CAPACITY for general population, total male and female, of 1220 (including 81 booking) plus 51 special purpose beds. (Future)
4. Upon completion of Cook Inlet, Ketchikan Regional Jail and the additions at Juneau and Fairbanks, establishment of a MAXIMUM CAPACITY for general population, total male and female, of 1286 (including 81 booking) plus 51 special purpose beds. (Future)
5. Division should recommend some type population trigger legislation granting the Governor the authority to reduce sentences until normal operating capacity is reached. Trigger should be effectuated after 30 days in excess of maximum capacity. See similar Michigan legislation as a guide. Legislation should include, at a minimum:
  - a. provision that maximum capacity could never be exceeded for more than 120 days.
  - b. provision for periodic adjustment of capacities as changing circumstances warrant (new facilities opened, facilities closed, renovations changing bed capacities, court orders, etc.)
  - c. adoption of criteria similar to that used in this report for the purpose of determining capacities.
6. Close Ridgeview as soon as possible for use in housing prisoners.
7. Replace and expand capacity of Nome Jail.
8. Renovation of 3rd. Avenue facility include provisions for removing obstructions from Northside and Southside dormitories.
9. Reduce immediately the cellblock at Hiland Mountain, now housing 30 people, to 10.

10. Remove all polyurethane mattresses immediately and replace with boric acid treated cotton.

11. Complete all fire safety renovations with utmost expediency and bring all facilities into compliance with fire safety requirements.

12. Implement fully the staffing recommendations of the Ault Report.

#### DEFINITIONS

Definitions below were used for the purposes of this report as related to circumstances in Alaska and do not necessarily comport with ACA Standards definitions.

BOOKING - temporary confinement, usually for 48 hours or less, where arrested persons are pending release, adjudication, or transfer to another facility.

CELL - a single occupancy room with toilet and hand washing facilities.

CORRECTIONAL FACILITY - a facility designed and operated to house prisoners, usually with sentences in excess of 120 days.

DETENTION FACILITY - a facility designed and operated to house unsentenced prisoners and sentenced prisoners, usually with sentences of less than 120 days.

DORMITORY - a group-living unit housing not less than four nor more than 50 prisoners as opposed to individual rooms or cells.

GENERAL POPULATION - the ordinary prisoner population excluding temporary disciplinary detention or infirmary assignments.

HOLDING - same as booking.

MAXIMUM CAPACITY - the capacity at which all general population and booking beds are full.

OPERATING CAPACITY - the capacity at which 95% of all general population beds are full and beyond which, reasonable classification becomes impossible.

ROOM - a single occupancy living unit with toilet and/or hand washing facilities external to the room itself.

PRE-TRIAL - unsentenced prisoners, usually, confined in this status for 120 days or less.

SENTENCED - prisoners whose cases have been adjudicated and sentenced for a term usually longer than 120 days.

SPECIAL PURPOSE CELLS - living units which are for temporary holding purposes such as disciplinary detention and infirmary or for limited periods of time as circumstances dictate.

## REFERENCES

1. Standards for Adult Correctional Institutions, Second Edition, January 1961, The American Correctional Association.
2. Standards for Adult Local Detention Facilities, Second Edition, April 1961, The American Correctional Association.
3. "Analysis of Prison Population", March 1962, Report to the Alaska Division of Corrections, Arthur Young and Company.
4. "Staff Analysis; Alaska Jails and Prisons", October 16, 1962, National Institute of Corrections, Allen-L. Ault, Ed.D., Consultant.
5. "Correctional Consultant Report" to the Alaska Division of Corrections, August 13, 1979, J. J. Clark, Consultant.
6. Working Draft - "Institutional Security Classification Policy", Alaska Division of Corrections, The American Correctional Association.
7. Working Draft - "The Classification Process Policy", Alaska Division of Corrections, The American Correctional Association.
8. Proposed consent agreement, Michael Cleary, et al, vs. Helen Beirne, et al.
9. American Correctional Association, Alaska Classification Questionnaire 4, October, 1962.
10. "Management Plan", September, 1962, for the Alaska Division of Corrections, Touche Ross & Co.

## STATEMENT OF PROFESSIONAL QUALIFICATIONS

Terrell Don Ault

### BORN:

June 8, 1935

### EDUCATION:

Bachelor of Science (History and Sociology), East Texas State University, 1958

### Graduate Studies:

George Washington University, 1960-61 (Education)  
The American University, 1963-64 (Education)  
Sam Houston State University, Institute of Contemporary Corrections and the Behavioral Sciences, 1965-67 (Master of Arts Course Work completed in Correctional Administration)

### PROFESSIONAL ASSOCIATIONS:

Member (1964-62), and President-elect (1962-64), American Correctional Association  
Past President, Association of State Correctional Administrators  
Past President, Southern States Correctional Association  
Member, North American Association of Wardens and Superintendents  
Member, Virginia Corrections Association  
Member, National Association of Volunteers in Criminal Justice

### PROFESSIONAL POSITIONS AND EXPERIENCE:

January 1962 to Present  
Self-employed, Corrections and Criminal Justice Consultant.

Criminal justice management consulting service specializing in correctional management, research, evaluation, administration, organization, construction planning, and long range plans and projections.

May, 1977 to January 1962  
Director, Department of Corrections, Commonwealth of Virginia.

Supervised and administered state agency responsible for delivering correctional services to juvenile and adult clients. Included institutional services, delinquency prevention, probation and parole, inspection of local jails and community corrections activities.

Established policy, made long-range plans and projections, approved and administered agency budget of almost 200 million dollars annually, and with almost 7000 employees.

Generally directed all correctional activities at the state level and coordinated activities at the local level. Participated in the development and implementation of the Community Diversion Incentive Act, the Virginia Meritorious good-time law and served as an advisor to the Virginia Code Commission in revision of the Corrections Code. Participated in revision of state minimum standards for jails, learning centers, halfway houses, detention centers, group homes and court service units. Served as chief advisor to the State Board of Corrections as well as member of Council on Criminal Justice, State Substance Abuse Advisory Committee, Criminal Justice Services Commission and consultant to the Virginia Alcohol Safety Action Project. Participated in the development of special program for the treatment of sex offenders, treatment of emotionally disturbed and mentally retarded juveniles. Developed and programmed a special mental health facility for the treatment of adult offenders. Supervised the development and curriculum for the Corrections Training Academy. Reorganized the Department into functional operating units for management efficiency and proper span of control. Responsible for developing the state master plan, "Options for the Eighties" and implemented management by objective noted in "Continuing and Specific Objectives". Participated in the planning and construction of two 500 man medium security adult institutions and the planning of two more. Managed the construction and renovation of other projects including numerous water and waste-water treatment plants. Exercised responsibility for reviewing all local jail plans. Served as advisor to Governor and legislature on correctional matters.

November 1976 to May 1977  
Deputy Director, Virginia Department of Corrections.

June 1971 to November 1976  
Director, Arkansas Department of Corrections.

Served as chief administrative officer of agency responsible for adult correctional services including institutions and probation and parole. Developed a complete administrative structure for new department. Served as member of Governor's Cabinet and was responsible implementing compliance requirements of *Holt v. Sarver*. Developed and administered budget and allocated resources. Served as advisor to legislature and as chief spokesman for corrections in state. Dismantled armed trusty guard system and replaced with qualified staff.

1967 to 1971  
Warden, Ramsey Unit, Texas Department of Corrections.

Served as chief managing officer of 1800 man maximum security institution with two separate facilities. Responsible for the management and direction of security, treatment, industry, agriculture and resource allocation. Reorganized internal management structure for proper span of control and management effectiveness.

1964 to 1967  
Assistant Warden, Pre-release Counselor, Captain of Correctional Officers, Correctional Officer, Texas Department of Corrections.

1962 to 1964  
Teacher, Fairfax County, Virginia Public Schools.

1960 to 1962  
Administrative Specialist, Staff Communications Office, Office of the Chief of Staff, Army, Washington, D.C.

1959 to 1960  
Sales Representative, Roberts Paper Company, Inc., Amarillo, Texas.

Prior to 1959  
Student

#### SPECIALIZED TRAINING:

Management for Executives Seminar, The University of Texas, 1968.  
Management Development Seminar, University of Arkansas at Little Rock, 1972.  
Correctional Program Evaluation Seminar, Dallas, Texas; 1976.  
Hostage Negotiation Seminar, F.B.I., 1975; refresher, 1980.  
Prison Grievance Mechanisms, Philadelphia, Pa., 1977.

#### SPECIALIZED EXPERIENCE:

Arkansas Governor's Cabinet, 1971 to 1976.  
Arkansas Information Systems Executive Committee, 1971 to 1976.  
Chairman, Arkansas Board of Criminal Detention Facilities, 1973 to 1976.  
Arkansas Crime Commission, 1971 to 1976..  
Special management and security consultant, Orleans Parish Jail, New Orleans, La., 1973 to 1974.

TERRELL DON HUTTO  
(Page 4)

Consultant and auditor, Commission on Accreditation  
for Corrections, 1980 to 1982.  
Consultant, National Institute of Corrections, Legal  
Training Seminar, 1981.  
Expert Witness, United States District Courts, Eastern  
District of Arkansas, Eastern District of Virginia,  
Western District of Virginia, 1971 to 1981.  
Consultant, American Correctional Association, advisory  
committee on Stateville, Ill., 1979.

AULT REPORT  
Staffing Needs

APPENDIX V

# MEMORANDUM

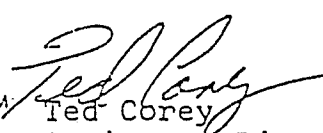
## State of Alaska

TO: Robert S. Matrak  
Director  
Division of Adult Corrections

DATE: November 1, 1982

FILE NO:

TELEPHONE NO:

FROM:   
Ted Corey  
Assistant Director  
Division of Adult Corrections

SUBJECT: Cleary Settlement  
Institution Staffing

The attached forms reflect the current staffing, post expansion staffing and additional staffing needed to implement the programs stipulated in the Cleary Settlement Agreement. The right collum of the eleven Institutions respective forms lists the number of positions, each positions first year costs, and the Cleary documents corresponding reference page and paragraph numbers.

Initially, the settlement agreement was reviewed thoroughly for items that would impact staffing.

The following subject paragraphs will describe each item in the Cleary document requiring additional staff to implement as well as the statewide total positions and costs.

### Visitation - Reference Pg. 5-F-1-3

The proposed settlement expands visitation to include 30 hours a week for each prisoner in Institutions with prisoner populations of 100 or more; 27 hours for Institutions larger then 50 but fewer then 100; and 24 hours for Institutions with a prisoner population less then 50. Since one hour of contact visiting is required for most of the inmates, additional Correctional Officer positions was recommended to supervise the expanded program.

### Exercise/Recreation - Pg. 4-D

The agreement stipulates that each prisoner shall be allowed at least one hour of exercise or recreation per day for a minimum total of seven hours a week: Additional staffing were added to supervise recreation and exercise.

### Hygiene - Pg. 3-4

The agreement stipulates that each inmate will be showered three times per week: for many of the Institutions this will require additional staffing where showers are not located immediately adjacent to the housing areas.

Telephone and Mail Communications: Pg. 7-1-8

The agreement indicates that in and out inmate mail is unlimited and must be delivered within 24 hours. Also, inmates will be allowed a minimum of three 15 minute phone calls per week with almost unlimited access to attorney calls. Additional security staff are recommended for this purpose.

Attorney/Client Relationships:

The attorneys, law clerks or paralegals are allowed almost unlimited access to inmates between the hours of 8:00 a.m. and 11:00 p.m. as stipulated in the agreement. The staff recommended for assisting with visitation will provide supervision of this activity.

Law Library Access Pg. 9-1-7

The agreement indicates that Institution law libraries are required to be open from 4 to 6 hours a day, depending on the size of the Institution. It is recommended in many of the Institutions that additional roving or activity officers be utilized to supervise this activity. It was noted that the agreement requires that the law libraries be located in a room that is not used for other activities. Due to limited program space in the Institutions this would be virtually impossible.

Counseling, Drug/Alcohol Treatment Pg. 13-1-4

The proposed settlement states that group and individual counseling shall be available to all inmates. Community social services resources can be utilized, but if these services are provided by correctional staff, the Supervisor shall have a degree in social or behavioral sciences and will not be provided by correctional or probation officer. Defendants are to provide crisis intervention counseling to be available on a 24 hour a day basis and drug/alcohol counseling available to all inmates. Diagnostic testing to include personality, achievement and general aptitude test with a qualified counselor available to discuss the results and advise a treatment plan within ten days after testing. A review and revision of the plan a minimum of once every 6 months. The agreement also specifies basic life skills training, family counseling, stress reduction and management programs, social interaction programs, employment skills programs, and comprehensive counseling services will be made available to all pregnant female inmates. To provide all of the above services, professionally trained counselors and/or social workers were recommended to act in preparing inmates for pre-release programs and parole.

Food Service - Pg. 14-1-12

In order to meet the requirements stipulated by the proposal agreement, additional staff are recommended to provide staff supervision of food preparation on a seven day basis.

Education Programs - Pg. 20,e

The proposed agreement stipulates that G.E.D. and various simultaneously taught college, vocational or special interest courses should be taught. Recommendations are for additional staff to provide a number of these programs as well as contracting with outside resources to provide some of these programs.

Additional Staffing: Pg. 23-S

The agreement states that additional staffing is required to adequately carry out the duties of defendants as required by law and by this agreement. Defendants shall assess their personal needs including professionals required to carry out the provisions of this agreement. This was accomplished through this report.

Classification Plan Pg. 23-T

The proposed agreement stipulated that defendants prepare and propose a classification plan for the courts approval. Any such plan will require additional professional counseling and social work services, along with coordination by the probation officer and corrections counselor. This stipulation was taken into consideration when recommending increased professional counseling and social work staff.

Hearing Officer Pg. 23-T

Although hearing officer positions were included in the staffing recommendations, it is recommended that most of these services would be contractual rather than performed by state employees.

Staff Advocates Pg. 26-5

The proposed agreement stipulates that at least 3 or 4 correctional probation officers shall receive training in inmate advocacy. This stipulation could consume a considerable amount of time for staff members if they are called on regularly to represent the inmates at disciplinary hearings or other administrative hearings.

Allen L. Ault, Esq. D. a National Institute of Corrections Consultant and I visited 11 Institutions statewide to evaluate the additional staffing needs of each Institution for implementation of the programs stipulated in the proposed Cleary Settlement Agreement. A specific staff analysis was conducted and the necessary staffing was listed on the attached forms.

The total number of additional staff necessary to implement the programs stipulated in the proposed Cleary Settlement are 112 positions at a total cost of \$5,047,415.90.

Institution:

Page \_\_\_\_ of \_\_\_\_ Pages

Palmer/SCC

Security Post:

Title and/or Description

Minimum: 130

Medium: 100

Capacity: 230  
 Comments:  
 Current Staff: 66  
 Recommended Staff: 89  
 Increase: 23  
 % of Increase: 35%

## ADMINISTRATIVE &amp; SUPPORT

	Number of Posts	Days Manned	Hours Manned	Relief Factor	Staff Total	
Superintendent	1	5	X		1	
Assistant Superintendent (Min. Unit)	1	5	X		1	
Assistant Superintendent (Prog)	1	5	X		1	
Admin Officer I	1	5	X		1	
Accounting Clerk II	1	5	X		1	
Clerk Typist III	1	5	X		1	
Clerk Typist II	3	5	X		3	
Food Service Mgr.	1	5	x		1	
Food Steward	1	5	X		1	
Transportation Officer	2	5	X		2	
Hearing Officer	.2	1	X		.2	(Contract)

## INMATE PROGRAMS

Classification & Recreation	1	5	X		1	(Compliance) 1 - \$40,674.00
Institutional Instructor	2	5	X		2	1 - \$36,817.00
Vocational Instructor	2	5	X		2	2 - \$73,634.00
P.O.II	4	5	X		4	1 - \$40,673.00
Psychological Counselor	4	5	X		4	4 - \$173,520.00
Visiting Room/Utility	1	7	X	1.7	1.7	1.7 - \$78,346.20

## WORK PROGRAMS

Auto Shop/COIII	1	5	X		1	
Supply, Tool Rm & Woodshop I/COII	1	5	X		1	
Furniture Shop - COII	1	5	X		1	
Outside Work Crew - COIII	1	5	X		1	
Institution Maint./Road Crew COII	1	5	X		1	
Warehouse & Agriculture COII	1	5	X		1	
Grounds Work Crew (Med) COII	1	5	X		1	

## SECURITY-MEDIUM SECURITY UNIT

Shift Supervisor COIII	1	7		X	5.2	5.2	
Central Control	1	7		X	5.2	5.2	
Roving Housing Patrol	2	7		X	5.2	10.4	
" " "	1	7	X		1.7	1.7	
Activities Area Roving Officer	2	7	X		3.4	6.8	5.8 - \$299,784.80

## MINIMUM SECURITY UNIT

Shift Supervisor	1	7		X	5.2	5.2	5.2 - \$229,247.20
Roving Housing Officer	1	7		X	5.2	5.2	
" " "	1	7	X		3.4	3.4	
" Mobile "	1	7		X	5.2	5.2	

## MEDICAL

Nurse

## CONTRACT:

1. Additional Medical							
2. Add'l Programs as Required							

Page Total:

89.4 Impact Positions = 23  
 Cost = \$972,596.20

Grand Total:

89



[illegible][illegible]

[illegible]

Institution:		Page ___ of ___ Page	
Ridgeview		Count: 130	
Security Post:		Capacity: 90	
Title and/or Description		Comments: 34	
		Current Staff: 51	
		Increase: 17	
		% of Increase: 50%	
		Recommended Staff: 51	
		Increase: 17	
		% of Increase: 50%	
ADMINISTRATIVE & SUPPORT		Cleary Impact Positions &	
Assistant Superintendent	1 5 X	1	
Secretary	1 5 X	1	
Clerk Typist	1 5 X	1	
Maint. Supervisor	1 5 X	1	
Food Stewards	2 5 X	2	
Transportation Officer	1 X	1	
Hearing Officer	1 .5	.2	.2 (Contract)
PROGRAMS			
P.O.II	2 5 X	2	2 - \$78,598.00
Psy Counselors	2 5 X	2	2 - \$83,802.00
Institutional Instructor	1 5 X	1	1 - \$36,815.00
Recreation Officer	1 5 X	2	(Compliance) 2 - \$90,186.00
Alcohol & Drug Counselor	1 .5	.5	.5 - \$19,649.50
SECURITY			
Shift Supervisor	1 7	X 5.2	5.2
Control Room	1 7	X 5.2	5.2
Booking Officer	1 7	X 5.2	5.2
Northwing Floor Officer 7 Dorms COIL	2 7	X 5.2	10.4
Southwing Floor Officer 5 Dorms	1 7	X 5.2	5.2
Dining Room/Gym (54 Beds)	1 7	X 5.2	5.2 - \$224,265.60
CONTRACT			
MEDICAL STAFF			
ALL OTHER TREATMENT SERVICES			
Page Totals:		50.1	Impact Positions = 11
Grand Total		50	Cost=\$533,316.10
(Last Page Only)			

Institution:		Page 1 of 1 Pages									
3rd Avenue C.C.		Capacity: 70 19									
Security Post:		Comments:									
Title and/or Description		Current Staff: 30									
		Recommended Staff: 41									
		Increase: 11									
		% of Increase: 33%									
		Clear Impact Positions & C									
ADMINISTRATIVE & SUPPORT											
Superintendent	1	5	X							1	
Asst. Superintendent	1	5	X							1	
Secretary	1	5	X							1	
Clerk Typist	1	5	X							1	
Maintenance (Laundry)	1	5	X							1	
Food Steward	2	5	X							2	
Transportation Officer	1	5	X							1	
Hearing Officer	1	.2	5							.02	
PROGRAMS											
Institutional Instructor	1	5	X							1	1 - \$36,817.00
Psy Counselor	1	5	X							1	1 - \$41,901.00
P.O. II.	1	5	X							1	
Recreation Officer (Security)	3	5	X							3	3 - \$123,900.00
Alcohol & Drug Counseling	1	2.5								.5	.5 - \$18,407.50
SECURITY											
Shift Supervisor COIII	1	7		X	5.2	5.2					
Control Room Officer COII	1	7		X	5.2	5.2					
1st Floor Dorms Officer COII	1	7		X	5.2	5.2					
2nd Floor Dorms Officer COII	1	7		X	5.2	5.2					
Roving Officer	1	7	X		3.4	3.4				3.4	3.4 - \$160,016.20
Visitation/Utility	1	7	X		1.7	1.7				1.7	1.7 - \$ 79,208.10
CONTRACT											
Medical											
All Treatment											
Page Total:										40.6	Impact Positions=11
Grand Total										41	Cost=\$460,249.30

Institution:		Page 1 of 1 Pages									
State Correctional Center Annex		Capacity: 100									
Anchorage Security Post:		Comments:									
Title and/or Description		Current Staff: 52									
		Recommended Staff: 59									
		Increase: 7									
		% of Increase: 13%									
		Clear Impact Positions & C									
ADMINISTRATIVE & SUPPORT											
Superintendent	1	5	X							1	
Assistant Superintendent	1	5	X							1	Classification & Discipline
Administrative Assistant	1	5	X							1	
Secretary	1	5	X							1	
Clerk Typist	1	5	X							1	
Food Steward	2	5	X							2	
Maintenance Supervisor	1	5	X							1	
Records Officer	1	5	X							1	
Hearing Officer	1	.2	5							.2	.2 (Contract)
Transportation Officer	1	5	X							1	
PROGRAMS											
P.O. II	2	5	X							2	1 - \$39,300.00
Psy Counselor	2	5	X							2	2 - \$83,802.00
Recreation Officers (Security)	2	7	X		1.7	3.4					(Compliance) 3 - \$129,384.00
Institutional Instructor	1	5	X							1	1 - \$36,815.00
Visitation Officer (Security)	1	7	X		1.7	1.7					
SECURITY											
Shift Supervisor	1	7		X	5.2	5.2					
Booking Officer	1	7		X	5.2	5.2					
Assistant Booking Officer	1	7	X		3.4	3.4					
Central Control Room	1	7		X	5.2	5.2					
Dorm 1 Area COII	1	7		X	5.2	5.2					
Dorm 2-5 Area COII	1	7		X	5.2	5.2					
Dorm 3-4 Area COII	1	7		X	5.2	5.2					
Utility Floor Officer	1	7	X		3.4	3.4					
CONTRACT											
1. Medical											
2. All Other Education & Treatment Programs as Req.											
Page Total:										58.8	Impact Positions = 7
Grand Total										59	Cost = \$199,301.00

Institution:		Page ____ of ____ Page											
Hiland Mountain													
Security Post: Title and/or Description	Number of Posts	Days Manned	Hours Manned	Relief Factor	Staff Total	Capacity: 160		Comments:		Current Staff: 73	Recommended Staff: 85	Increase: 12	% of Increase: 16%
						8	16	24					
<b>ADMINISTRATIVE &amp; SUPPORT</b>													
Superintendent	1	5	X			1							
Assistant Superintendent	1	5	X			1							
Secretary	1	5	X			1							
Clerk Typist	3	5	X			3							
Administrative Assistant	1	5	X			1							
Maintenance Supervisors	2	5	X			2							
Food Stewards	2	5	X			2							
Transportation Officers	1	5	X			1							
Hearing Officer	1	.2	.5			.2	.2					(Contract)	
<b>PROGRAMS</b>													
Institutional Instructor	2	5	X			2							
Vocational Instructor	1	5	X			1				1 - \$39,299.00			
Special Projects Supervisor	1	5	X			1				1 - \$39,299.00			
Visitation Officer	1	7	X			1.7			1.7	1.7 - \$79,179.20			
Recreation Officer	2	7	X			3.4			3.4	3.4 - \$158,358.40			
<b>SECURITY COMPLEX</b>													
Exterior Mobile Patrol	1	7		X	5.2	5.2							
Shift Supervisor	1	7		X	5.2	5.2							
Dining/Kitchen Supervision	1	7	X		1.7	1.7							
Central Control	1	7		X	5.2	5.2							
Admissions Officer	1	5	X		1.7	1.7							
Utility Officer	1	7	X		3.4	3.4							
<b>UNIT ADMIN./HOUSING UNITS 1, 2, 3, 4</b>													
Supervisor COIII	4	5	X			4				(Compliance Officers) 4-\$202			
Housing Security COII	4	7		X	5.2	20.8							
*P.O. II	4	5				4							
*Psy Counselor	3	5				3				1 - \$41,901.00			
<b>SPECIAL TREATMENT UNIT</b>													
Supervisor COIII	1	7		X	5.2	5.2							
Floor Officer COII	1	7	X		3.4	3.4							
<b>MEDICAL - Nurse</b>													
1						1							
<b>CONTRACT: All other Medical, Edu</b>													
<b>&amp; Treatment Program</b>													
<b>*Other Program Staff listed in</b>													
<b>-Unit Administration</b>													
<b>Page Total:</b>													
85													
<b>Impact positions = 17</b>													
<b>Cost=\$560,836.6</b>													

[illegible]

STATUS REPORTS  
Facility Projects

APPENDIX VI

# MEMORANDUM

State of Alaska

TO Roger Endell  
Director  
Division of Adult Corrections

DATE February 1, 1983

FILE NO:

TELEPHONE NO

FROM Ted Corey  
Asst. Director  
Division of Adult Corrections

SUBJECT Opening Cook Inlet Correctional  
Center

Due to extreme prisoner over crowding in the Anchorage area, the target date for opening the Cook Inlet Correctional Center located on Post Road is February 7, 1983. In the following numbered paragraphs the schedule outlines the actions in sequence for opening the Cook Inlet Correctional Center.

- 1) On 1-31-83 Careage House closed to prisoners and Careage House Correctional Officers were assigned to duty at the Ridgeview Correctional Center.
- 2) Twelve Correctional Officers from the Ridgeview Correctional Center will report for duty at the Third Avenue Correctional Center on 2-2-83.
- 3) Twelve staff from the Third Avenue Correctional Center will report for duty at the Cook Inlet Correctional Center on 2-4-83.
- 4) Fourteen recently Academy Trained Correctional Officers will report for duty at the Cook Inlet Correctional Center on 2-4-83, making a total start up Correctional Officer staff of 26.
- 5) At 9:00 a.m. on 2-7-83, approximately 20 pre-trial felons will be transferred from the Ridgeview Correctional Center to the Cook Inlet Correctional Center. The Alaska State Troopers will transport the prisoners with the Anchorage Police Department providing an escort. In addition, D.A.C. Correctional Officers will assist as needed. Upon arrival at the Cook Inlet Facility, the prisoners will be separated and confined in the intake holding cells. At that time prisoners will be processed individually, placed in prison clothing, and escorted to an assigned cell in the Housing Unit. After all prisoners are secured they will receive an orientation.
- 6) At 9:00 a.m. on 2-8-83, approximately 35 pre-trial felons will be transferred from the Hiland Mountain Correctional Center to the Cook Inlet Correctional Center. The transporting and procedures will be as stated in number 5.

- 7) During the first three weeks of operation, the Cook Inlet Facility will maintain an average daily count of 72 pre-trial felons. Post arraignment pre-trial felons from the 6th Avenue Correctional Center will be transferred to Cook Inlet as needed to maintain the 72 prisoner daily count.
- 8) After an operational shake-down period of three weeks the Cook Inlet Facility will begin booking felons only. During the week of 2-28-83 five Booking Officer positions and the Felony Booking function will be transferred from the 6th Avenue Correctional Center to the Cook Inlet Correctional Facility. Also during the week of 2-28-83, five Correctional Officer positions and the Misdemeanant Booking function will be transferred from the Ridgeview Correctional Center to the 6th Avenue Correctional Center. All law enforcement Agencies will receive information, confirmation and prior notification as the changes progress and take place.

Attached for your information is a Southcentral Correctional Facilities use plan. The report briefly describes the current and future proposed utilization of each DAC Facility in the Southcentral area.

TC:jb

cc: All Superintendents and Regional Administrators  
Newton Chase, Facility Planner  
1st Sgt. Heddle, Alaska State Troopers  
Betsy Kanago, Facility Planner  
Robert Spinde, DAC Classification Officer  
Ron Epperson, Academy Training Officer  
Lt. Jay Yakopatz, Alaska State Troopers  
Ed Rhodes, Deputy Chief Anchorage Police Department  
Captain Del Smith, Anchorage Police Department

PROPOSED

SOUTHCENTRAL CORRECTIONAL FACILITIES USE PLAN

January, 1983

LINKAGE

Cook Inlet Pre-Trial

1

- Cook Inlet is targeted to be opened by 2-7-83.
- Initial inmates will be concentrated in 18 bed pods "C" and "D" which will be fitted with double bunks. Concentration on these pods will allow maximum use of those staff which have already been trained and permit other staff time for training and shakedown of other pods. Other pods will be opened as staff and the pods are deemed ready. (A decision on whether to retain or add further bunks after full opening/staffing will be made later). (See attached memo) Estimated cost: \$12,000 CIP- Anch. Pre-Trial with DOT.

2

- Facility will handle felony booking as soon as area can be made operational after opening. (6th Avenue will continue felony booking until then, as necessary).

3

- No females will be housed at Cook Inlet after booking. (Females will be housed at 6th Avenue).

6th AVENUE C.C.

1

- With opening of Cook Inlet, all current pre-sentence felons will be transferred to the new facility as space is available after movement of all pre-sentence felons from Hiland Mountain.

3

- As dorms are vacated, unsentenced misdemeanor inmates will be transferred in. Priority will be given to vacating Careage House followed by the southside of Ridgeview Correctional Center, and any others with unsentenced misdemeanants. Residual space, as necessary, will be available for excess female detention/female short-term sentenced inmates or overflow from Pre-Trial and other Anchorage facilities as beds and dorms permit.

2

- Felony booking will remain until Cook Inlet is ready to handle booking operations. Misdemeanant booking will begin at this facility during the week of 2-28-83. Misdemeanant booking will remain until operations can be centralized in Cook Inlet; dependent on sufficient holding space being made available in the new facility. Estimated cost: \$5,000 CIP: Pre-Trial with DHSS

LINKAGE

3

Ridgeview Correctional Center

- Southside of facility will be closed as soon as inmates can be moved to 6th Avenue as described above.
- Incidental booking support equipment and staff will be transferred to 6th Avenue and/or Cook Inlet as the situation warrants.
- Short-term sentenced misdemeanants will be transferred to 3rd Avenue Correctional Center as space is vacated by current population. ("Short-term will be defined by Regional Director based on analysis of inmate counts by length of sentence).
- Other inmates will be transferred to: Palmer (longer term sentenced), Cook Inlet (pre-sentenced felons) etc. as space is available. Target for vacating Ridgeview for detention purposes is 6/30/83.
- After closure as a detention facility, DOAC hopes to convert the facility to halfway or furlough use assuming DOAC can secure an additional lease term or can purchase. Estimated Cost: \$25,000 (Conversion) Short term use: CIP-Ridgeview Restoration & Moving.

3rd Avenue Correctional Center

- Facility will retain classification function until Cook Inlet is ready to accept the function and/or sufficient beds by dorms are available to house short-term sentenced misdemeanants.
- Proposed remodeling of facility will continue in light of the Cleary interim agreement; health, safety and security concerns addressed; bearing in mind possible future use of the facility for contract correctional warehousing or other correctional residential use acceptable to the Fire Marshall. Estimated Cost: \$200,000: CIP- 3rd Ave. Renovation with DOT/PF

Old Federal Building

5

- 4800 square feet of space will be acquired from Federal Government in Old Federal Marshall's space to provide "storefront" access to Southcentral Probation and Parole operations. Space will be available February 1, 1983 on an interim basis pending signing of formal lease (in Washington, D.C.) around May. Lease will be for ten years with option to terminate anytime after December 1984. Estimated Cost: \$65,000\*

LINKAGE

5

- All Probation and Parole staff in Frontier Building, except for R.A. and his clerical support, will move to this space after remodeling has occurred; target March 1, 1983. R.A. and staff will move to Careage House as P&P move occurs. Estimated Cost: \$20,000: CIP-3rd Ave. Renovation with DHSS.

Careage House

5

- Careage House will immediately be converted into South Central Corrections headquarters. All staff currently in residence in the Frontier Building will be moved to Careage by March 1, 1983. "Round the Clock" communication/offender locator service will be instituted as soon as possible. Estimated Cost: \$5,000 - CIP Ridgeview Restor/Moving.

5

- West wing and parts of East wing will be remodeled to accommodate the new offices. Estimated Cost: \$50,000 CIP SB 190 with DHSS.
- Careage House will continue as Training Center for Corrections including trainee housing.

5

- Inmate housing will be reduced to only those inmates needed to operate and maintain the facility -- cleaning, kitchen, support activities. Inmates will be supervised by a "round-the-clock" correction's communication team.
- South wing will remain vacant except for support inmates until further use can be found -- e.g. additional Headquarters or new Probation and Parole office is needed.

Hiland Mountain

1

- Unsented inmates currently at H.M.C.C. will be immediately transferred to Cook Inlet as initial pods are available.
- H.M.C.C. correction's population is to be maintained at 160. Population from House(s) vacated to allow Fire/Life safety work will be moved to other areas of the institution, e.g. gym or other houses until work has been completed.
- Use of House # 1, originally set aside for N.G.I.s will be determined separately.

LINKAGE

Meadowcreek

- 3
- Any unsentenced female inmates in residence are to be transferred to 6th Avenue Correctional Center as space becomes available-short-term sentenced females will follow as other priorities for 6th Avenue are accomodated (refer 6th Avenue above).

Palmer Medium

- 7
- Top priority for funding is the double fence. (Fence will be doubled around buildings and run down middle of yard). Targeted to start at breakup. Estimated Cost: \$600,000: CIP - Palmer Addition et al with DOT/PF.
  - Palmer Kitchen equipment, as specified in current working drawings, will be purchased immediately and stored on-site. Construction of kitchen will await funding becoming available and/or arrangements with DOT to allow significant use of inmate labor for the construction. Estimated Cost: \$280,000: CIP - Palmer Kitchen with DOT/PF
  - Other inmate work activities will be developed independently, e.g., shop work, building remodeling, site landscaping, incidental work on fence, etc.

Palmer Minimum Correctional Center

- 7
- Once Palmer Medium Kitchen is operational, current area will be remodeléd into housing for those currently housed in the Seward skill center trailers.
  - Current residual monies from older projects will be merged as appropriate with other general use funds to construct warehouse/multipurpose butler-or similar type facility. (Estimates dependent on funding availability).

LIST OF SITES NOW OR PREVIOUSLY CONSIDERED  
FOR CORRECTIONAL FACILITIES

Goose Bay Nike Site - This 1340 acre site includes land returned to the State for the University Trustee Lands Program consisting of approximately 530 acres and containing the launch facilities. The remaining 810 acres containing the base living quarters and support facilities is being surplussed. Questions of its availability because of native claims exist. The Department of Natural Resources has been requested to obtain a minimum of 40 acres as soon as possible for correctional use.

Sheep Creek Camp - A surplus pipe line camp 19 miles from Valdez.

City of Seward - City has identified a site in Fourth of July Creek industrial area. Has indicated site would be made available by Kenai Peninsula Borough at no cost.

Middleton Island - A privately owned surplus military installation with airstrip on island in Gulf of Alaska south of Prince William Sound.

Pt. Woronzoff - State land near International Airport on bluff. MOA also has land in the vicinity that may be available for temporary facility to replace Careage House. None of this land is ideal.

Palmer Correctional Center - The site of the existing Palmer minimum and medium custody facilities has been identified as the site of choice for the new South Central Long Term Correctional Center.

Campbell Tract - Land in Anchorage off Tudor Road near the foothills - no longer available.

Pt. Campbell Nike Site - Land east of Anchorage airport - no longer available.

Alcantra - State owned 640 acre site three miles east of Wasilla and 10 miles west of Palmer. Present uses are Alaska Emergency Services, U.S. National Guard Armory, and Alcantra Youth Camp.

Camp Isabell - Pipeline camp located on state leased land approximately 269 miles from Anchorage and 167 miles from Fairbanks. Camp capacity was 1500 persons.

Buchner Building - This six story, 273,000 square foot concrete and masonry structure was built to house 2,500 military personnel at Whittier.

Mt. Edgecumbe - Bureau of Indian Affairs school complex located at Sitka. Presently it has not been declared surplus but might be in the future.

Wildwood - A surplus military installation near Kenai presently owned by the Kenai Native Association. Includes both developable land and existing structures. One available structure of 66,208 square feet consists of concrete walls, floors, and room partitions. It includes kitchen/cafeteria, recreation, administrative areas, and 110 double occupancy rooms.

Fire Island - Surplus military property (island) in Turnagain Arm near Anchorage presently owned by native association.

Ohlson Mountain - Surplus radar site now privately owned near Homer.

City of Seldovia - City has indicated their interest in a correctional facility.  
No specific site.

**END**