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Source

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Chapter No.

AN ACT

Relating to the Council on Domestic Violence and Sexual Assault; establishing the Alaska Criminal Justice Data Analysis Commission; relating to the membership, powers, and duties of the Alaska Criminal Justice Data Analysis Commission; relating to the duties of the Judicial Council; and extending the termination date of the Council on Domestic Violence and Sexual Assault.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the Council on Domestic Violence and Sexual Assault; establishing the Alaska
2 Criminal Justice Data Analysis Commission; relating to the membership, powers, and duties
3 of the Alaska Criminal Justice Data Analysis Commission; relating to the duties of the
4 Judicial Council; and extending the termination date of the Council on Domestic Violence and
5 Sexual Assault.

6
7 * **Section 1.** AS 18.66.020(a) is amended to read:

8 (a) The council consists of

9 (1) **five** [FOUR] public members appointed by the governor, one of
10 whom shall be from a rural area **and one of whom shall be a member of an Alaska**
11 **Native organization**; the governor may consult with the Alaska Network on Domestic
12 Violence and Sexual Assault **and the Alaska Native Women's Resource Center** [, A
13 NONPROFIT CORPORATION,] in appointing the public members under this

1 paragraph; the Alaska Network on Domestic Violence and Sexual Assault **and the**
2 **Alaska Native Women's Resource Center** shall submit a list to the governor of
3 persons recommended for appointment;

4 (2) the commissioner of public safety or the designee of the
5 commissioner of public safety;

6 (3) the commissioner of health and social services or the designee of
7 the commissioner of health and social services;

8 (4) the commissioner of education and early development or the
9 designee of the commissioner of education and early development;

10 (5) the attorney general or the designee of the attorney general; [AND]

11 (6) the commissioner of corrections or the designee of the
12 commissioner of corrections; **and**

13 **(7) the chief executive officer of the Alaska Mental Health Trust**
14 **Authority or the designee of the chief executive officer of the Alaska Mental**
15 **Health Trust Authority.**

16 * **Sec. 2.** AS 18.66.020(d) is amended to read:

17 (d) In this section,

18 **(1) "Alaska Native organization" includes an Indian tribe as**
19 **defined in 25 U.S.C. 5304, a corporation organized under 43 U.S.C. 1601 et seq.**
20 **(Alaska Native Claims Settlement Act), as amended, and a tribal organization as**
21 **defined in 25 U.S.C. 5304;**

22 **(2) "rural area"** means a community with a population of 7,500 or less
23 that is not connected by road or rail to Anchorage or Fairbanks or with a population of
24 3,500 or less that is connected by road or rail to Anchorage or Fairbanks.

25 * **Sec. 3.** AS 22.20 is amended by adding a new section to read:

26 **Sec. 22.20.211. Staff and support for criminal justice data analysis**
27 **commission.** The judicial council shall provide staff and administrative support to the
28 Alaska Criminal Justice Data Analysis Commission established in AS 44.19.641.

29 * **Sec. 4.** AS 22.20 is amended by adding a new section to article 4 to read:

30 **Sec. 22.20.221. Prison inmate characteristics information.** (a) The judicial
31 council shall design and implement a project for the purposes of studying risk factors

1 related to criminal activity, informing the legislature's policy and funding decisions
2 related to primary crime prevention, and improving primary crime prevention
3 strategies in the state. Under the project, the Department of Corrections shall transmit
4 information about offenders sentenced to serve terms of incarceration of 30 days or
5 more, and the judicial council shall analyze the information and provide to the
6 legislature the judicial council's conclusions and recommendations in the report
7 required under (b) of this section. The judicial council shall, in consultation with the
8 Justice Center at the University of Alaska, the Department of Corrections, and other
9 relevant entities or state agencies, create a list of the types of information and inmate
10 characteristics the Department of Corrections shall collect for the project and may
11 revise the list when necessary to meet project goals. The information may include data
12 relating to adverse childhood experiences, mental health and substance abuse history,
13 education, income, and employment of inmates. The Department of Corrections shall
14 adopt policies establishing procedures for collecting the information identified in the
15 list required under this subsection and providing the information to the judicial
16 council. The procedures may provide for the collection of the information as part of
17 the risk assessment program established under AS 33.30.011(a)(7). In this subsection,
18 "primary crime prevention" means intervention programs and strategies designed to
19 reduce crime risk factors among the general population and prevent crime from
20 happening.

21 (b) The judicial council shall prepare an annual report summarizing the
22 information collected and analyzed under (a) of this section. The judicial council shall

23 (1) provide a summary in the form of tables, charts, graphs, or other
24 formats that are easily understood;

25 (2) include a review of the data and the judicial council's
26 interpretations, findings, and conclusions related to the information collected;

27 (3) describe any changes in the types of information collected during
28 the preceding fiscal year;

29 (4) make the report required under this subsection available to the
30 public; the judicial council may not publish or present individually identifiable
31 information relating to an inmate;

1 (5) include, when possible, information from the previous fiscal year,
2 comparisons to previous fiscal years, and cumulative information;

3 (6) not later than February 14 of each year, submit the report to the
4 senate secretary and the chief clerk of the house of representatives and notify the
5 legislature that the report is available; and

6 (7) present the summary and analysis to the legislature within 10 days
7 after the convening of the next regular session of the legislature following the
8 submission of the report.

9 * **Sec. 5.** AS 44.19.641 is amended to read:

10 **Sec. 44.19.641. Creation of commission.** The Alaska Criminal Justice **Data**
11 **Analysis** Commission is established in the Office of the Governor.

12 * **Sec. 6.** AS 44.19.642(a), as amended by sec. 135(23) of Executive Order 121, is amended
13 to read:

14 (a) The commission consists of **16** [14] members, **appointed or designated in**
15 **a manner that ensures rural areas of the state are represented,** as follows:

16 (1) the chief justice of the Alaska Supreme Court or another active or
17 retired justice of the supreme court or an active or retired judge of the court of appeals
18 designated by the chief justice;

19 (2) an active or retired superior court judge designated by the chief
20 justice for a three-year term;

21 (3) an active or retired district court judge designated by the chief
22 justice for a three-year term;

23 (4) a member of the Alaska Native community designated by the
24 Alaska Native Justice Center for a three-year term;

25 (5) the **deputy** attorney general **for the division of the Department of**
26 **Law that has responsibility for criminal cases** or [A DESIGNEE OF] the **deputy**
27 attorney **general's designee** [GENERAL];

28 (6) the public defender or **the public defender's** [A] designee [OF
29 THE PUBLIC DEFENDER];

30 (7) the commissioner of corrections or the commissioner's designee;

31 (8) the commissioner of public safety or the commissioner's designee;

1 (9) the chief executive officer of the Alaska Mental Health Trust
2 Authority or the chief executive officer's designee for a three-year term;

3 (10) two [AN] active duty peace officers, one representing a rural
4 community off the road system and one representing an urban community,
5 designated by the Alaska Association of Chiefs of Police [MEMBER OF A
6 MUNICIPAL LAW ENFORCEMENT AGENCY APPOINTED BY THE
7 GOVERNOR] for [A] three-year terms [TERM];

8 (11) one victims' rights advocate designated [APPOINTED] by the
9 Alaska Network on Domestic Violence and Sexual Assault, after consultation
10 with its members and partner organizations, [GOVERNOR] for a three-year term;

11 (12) one nonvoting member, serving ex officio, who is a member of
12 the senate appointed by the president of the senate;

13 (13) one nonvoting member, serving ex officio, who is a member of
14 the house of representatives appointed by the speaker of the house of representatives;
15 [AND]

16 (14) [ONE NONVOTING MEMBER, SERVING EX OFFICIO,
17 WHO IS] the commissioner of health or the commissioner's designee; and

18 (15) one person who has been convicted of a felony offense in the
19 state for which the person has been unconditionally discharged, designated
20 jointly by the deputy attorney general for the division of the Department of Law
21 that has responsibility for criminal cases and the public defender for a three-year
22 term; in this paragraph, "unconditionally discharged" has the meaning given in
23 AS 12.55.185.

24 * Sec. 7. AS 44.19.645 is amended to read:

25 Sec. 44.19.645. Powers and duties of the commission. (a) The commission
26 shall

27 (1) contract for data analysis, research, reports, or studies
28 necessary to understand the functions, operations, and outcomes of the criminal
29 justice system in the state, including studies that [EVALUATE THE EFFECT OF
30 SENTENCING LAWS AND CRIMINAL JUSTICE PRACTICES ON THE
31 CRIMINAL JUSTICE SYSTEM TO EVALUATE WHETHER THOSE

1 SENTENCING LAWS AND CRIMINAL JUSTICE PRACTICES PROVIDE FOR
2 PROTECTION OF THE PUBLIC, COMMUNITY CONDEMNATION OF THE
3 OFFENDER, THE RIGHTS OF VICTIMS OF CRIMES, THE RIGHTS OF THE
4 ACCUSED AND THE PERSON CONVICTED, RESTITUTION FROM THE
5 OFFENDER, AND THE PRINCIPLE OF REFORMATION. THE COMMISSION
6 SHALL MAKE RECOMMENDATIONS FOR IMPROVING CRIMINAL
7 SENTENCING PRACTICES AND CRIMINAL JUSTICE PRACTICES,
8 INCLUDING REHABILITATION AND RESTITUTION. THE COMMISSION
9 SHALL ANNUALLY MAKE RECOMMENDATIONS TO THE GOVERNOR AND
10 THE LEGISLATURE ON HOW SAVINGS FROM CRIMINAL JUSTICE
11 REFORMS SHOULD BE REINVESTED TO REDUCE RECIDIVISM. IN
12 FORMULATING ITS RECOMMENDATIONS, THE COMMISSION SHALL]
13 consider

14 (A) [(1)] statutes, court rules, and court decisions relevant to
15 sentencing of criminal defendants in misdemeanor and felony cases;

16 (B) the needs and views of crime victims [(2) SENTENCING
17 PRACTICES OF THE JUDICIARY, INCLUDING USE OF PRESUMPTIVE
18 SENTENCES];

19 (C) [(3)] means of promoting uniformity, proportionality, and
20 accountability in sentencing;

21 (D) [(4)] alternatives to traditional forms of incarceration;

22 (E) [(5)] the efficacy of parole and probation in ensuring public
23 safety, achieving rehabilitation, and reducing recidivism;

24 (F) [(6)] the adequacy, availability, and effectiveness of
25 treatment and rehabilitation programs;

26 (G) [(7)] crime and incarceration rates, including the rate of
27 violent crime and the abuse of controlled substances, in this state compared to
28 other states, and best practices adopted by other states that have proven to be
29 successful in reducing recidivism;

30 (2) review the information collected under (1) of this subsection to
31 identify areas for improving the efficiencies and effectiveness of the criminal

1 justice system;

2 (3) if requested by the legislature, the governor, or the chief justice
3 of the supreme court, provide the results of data analysis, studies, or research or
4 make recommendations for improving criminal sentencing practices and
5 criminal justice practices, including rehabilitation and restitution; and

6 (4) submit the annual report required under AS 44.19.647

7 [(8) THE RELATIONSHIP BETWEEN SENTENCING PRIORITIES
8 AND CORRECTIONAL RESOURCES;

9 (9) THE EFFECTIVENESS OF THE STATE'S CURRENT
10 METHODOLOGIES FOR THE COLLECTION AND DISSEMINATION OF
11 CRIMINAL JUSTICE DATA; AND

12 (10) WHETHER THE SCHEDULES FOR CONTROLLED
13 SUBSTANCES IN AS 11.71.140 - 11.71.190 ARE REASONABLE AND
14 APPROPRIATE, CONSIDERING THE CRITERIA ESTABLISHED IN
15 AS 11.71.120(c)].

16 (b) The commission may

17 (1) [RECOMMEND LEGISLATIVE AND ADMINISTRATIVE
18 ACTION ON CRIMINAL JUSTICE PRACTICES;

19 (2)] select and retain the services of consultants as necessary;

20 [(3) APPOINT A WORKING GROUP TO REVIEW AND
21 ANALYZE THE IMPLEMENTATION OF THE RECOMMENDATIONS MADE IN
22 THE JUSTICE REINVESTMENT REPORT IN DECEMBER 2015, AND OTHER
23 RECOMMENDATIONS ISSUED BY THE COMMISSION, AND REGULARLY
24 REPORT TO THE COMMISSION ON THE STATUS OF THE
25 IMPLEMENTATION; A WORKING GROUP MAY INCLUDE
26 REPRESENTATIVES OF CRIMINAL JUSTICE AGENCIES AND KEY
27 CONSTITUENCIES WHO ARE NOT MEMBERS OF THE COMMISSION;] and

28 (2) [(4)] enter into data-sharing agreements with the Justice Center **and**
29 **the Alaska Justice Information Center** at the University of Alaska, the Alaska
30 Judicial Council, or other research institutions for the purposes of analyzing data and
31 performance metrics.

1 (c) The commission shall

2 (1) receive and analyze data collected by agencies and entities under
3 (e) - (g) of this section, information reported [CHARGED WITH
4 IMPLEMENTING THE RECOMMENDATIONS OF THE 2015 JUSTICE
5 REINVESTMENT REPORT AND OTHER RECOMMENDATIONS ISSUED] by
6 the Department of Law under AS 44.23.040, and information from other sources
7 determined by the commission [AND WHO ARE COLLECTING DATA DURING
8 THE IMPLEMENTATION AND MANAGEMENT OF SPECIFIC COMMISSION
9 RECOMMENDATIONS];

10 (2) track and assess outcomes and trends in [FROM THE
11 RECOMMENDATIONS] the [COMMISSION HAS MADE AND
12 CORRESPONDING] criminal justice system [REFORMS]; and

13 (3) request, receive, and review data and reports on performance
14 outcome data relating to the efficiency and effectiveness of the criminal justice
15 system [REFORM];

16 (4) APPOINT A WORKING GROUP TO REVIEW AND ANALYZE
17 SEXUAL OFFENSE STATUTES AND REPORT TO THE LEGISLATURE IF
18 THERE ARE CIRCUMSTANCES UNDER WHICH VICTIMS' RIGHTS, PUBLIC
19 SAFETY, AND THE REHABILITATION OF OFFENDERS ARE BETTER
20 SERVED BY CHANGING EXISTING LAWS; THE WORKING GROUP SHALL
21 CONSULT WITH THE OFFICE OF VICTIMS' RIGHTS IN DEVELOPING THE
22 REPORT; THE COMMISSION SHALL DELIVER THE REPORT TO THE
23 SENATE SECRETARY AND THE CHIEF CLERK OF THE HOUSE OF
24 REPRESENTATIVES AND NOTIFY THE LEGISLATURE THAT THE REPORT
25 IS AVAILABLE; THE COMMISSION MAY INCLUDE IN THE WORKING
26 GROUP PEOPLE REPRESENTING A VARIETY OF VIEWPOINTS WHO ARE
27 NOT MEMBERS OF THE COMMISSION; AND

28 (5) EXPLORE THE POSSIBILITY OF ENTERING INTO
29 MUTUALLY AGREEABLE ARRANGEMENTS WITH REGIONAL NONPROFIT
30 ORGANIZATIONS, INCLUDING TRIBES AND TRIBAL ORGANIZATIONS, TO
31 PROVIDE THE PRETRIAL, PROBATION, AND PAROLE SERVICES NEEDED

1 IN UNDERSERVED AREAS OF THE STATE].

2 (d) Agencies and entities reporting data to the **commission** [WORKING
3 GROUP AUTHORIZED IN (b)(3) OF THIS SECTION] under (e) - (g) of this section
4 shall

5 (1) report data individually by case number, including an identifier
6 number such as the Alaska Public Safety Information Network number, the court case
7 number, the Alaska Corrections Offender Management System number, and the arrest
8 tracking number, as available;

9 (2) include demographic information necessary for tracking
10 individuals across multiple databases, including the individual's first name, last name,
11 middle initial as available, and date of birth; and

12 (3) include information necessary to measure possible disparate effects
13 of criminal justice laws and policies, such as race and gender as available.

14 (e) The judiciary shall report quarterly to the **commission** [WORKING
15 GROUP AUTHORIZED IN (b)(3) OF THIS SECTION]. The report shall include
16 criminal case processing data, including

17 (1) the date, type, and number of all charges disposed within the
18 quarter;

19 (2) the disposition of each charge, whether convicted, dismissed,
20 acquitted, or otherwise disposed; [AND]

21 (3) the date of the disposition for each charge; **and**

22 **(4) information on pretrial release decisions by judicial officers,**
23 **including bail and supervision conditions, and information on pretrial outcomes,**
24 **including whether and when a bench warrant for failure to appear was issued**
25 **during the pretrial period; if this information is not readily available in electronic**
26 **format, the court system shall work with the commission to facilitate commission**
27 **staff review of paper case file records.**

28 (f) The Department of Public Safety shall report quarterly to the **commission**
29 [WORKING GROUP AUTHORIZED UNDER (b)(3) OF THIS SECTION]. The
30 report shall include the following information:

31 (1) data on citations and arrests for criminal offenses, including the

1 offense charged and **whether** [REASON FOR ARREST IF] an arrest was made;

2 (2) data on **the disposition of** all criminal **charges, including**
3 convictions and sentences during the quarter; and

4 (3) criminal history information for selected offenders as agreed on by
5 the **Department of Public Safety** [DEPARTMENT] and the **commission**
6 [WORKING GROUP AUTHORIZED IN (b)(3) OF THIS SECTION].

7 (g) The Department of Corrections shall report quarterly to the **commission**
8 [WORKING GROUP AUTHORIZED IN (b)(3) OF THIS SECTION]. The report
9 shall include the following information:

10 (1) data on pretrial decision making and outcomes, including
11 information on pretrial detainees admitted for a new criminal charge; detainees
12 released at any point before case resolution; time spent detained before first release or
13 case resolution; pretrial defendant risk level and charge; pretrial release
14 recommendations made by pretrial services officers; pretrial conditions imposed on
15 pretrial detainees by judicial officers, **if known**, including [AMOUNT OF] bail [,] and
16 supervision conditions; and information on pretrial outcomes **of defendants under**
17 **the supervision of the pretrial services program**, including whether or not the
18 defendant appeared in court or was re-arrested during the pretrial period;

19 (2) data on offenders admitted to the Department of Corrections for a
20 new criminal conviction, including the offense type [, NUMBER OF PRIOR
21 FELONY CONVICTIONS, SENTENCE LENGTH,] and length of stay;

22 (3) data on the population of the Department of Corrections, using a
23 one-day snapshot on the first day of the first month of each quarter, broken down by
24 type of admission, offense type, and **known** risk level;

25 (4) data on offenders on probation supervised by the Department of
26 Corrections, including the total number of offenders supervised using a one-day
27 snapshot on the first month of each quarter; admissions to probation; assignments to a
28 program under AS 33.05.020(f); probation sentence length; time served on the
29 sentence; **and** whether probation was successfully completed [, ANY NEW
30 CONVICTIONS FOR A FELONY OFFENSE, AND ANY SENTENCES TO A
31 TERM OF IMPRISONMENT WHILE ON PROBATION];

1 (5) data on parole, including the number of offenders supervised on
2 parole, using a one-day snapshot on the first month of each quarter; the number of
3 parole hearings; the parole grant rate and number of parolees released on
4 [DISCRETIONARY AND SPECIAL MEDICAL] parole; and information on
5 parolees, including time spent on parole, **and** whether parole was successfully
6 completed [, ANY NEW CONVICTIONS FOR A NEW FELONY OFFENSE, AND
7 ANY SENTENCES TO A TERM OF IMPRISONMENT WHILE ON PAROLE];

8 (6) data on the [IMPLEMENTATION OF POLICIES FROM THE
9 2015 JUSTICE REINVESTMENT REPORT, INCLUDING THE] number and
10 percentage of offenders who earn compliance credits under AS 33.05.020(h) or
11 AS 33.16.270 in one or more months, and the total amount of credits earned; the
12 average number of sanctions issued under as 33.05.020(g) before a petition to revoke
13 probation or parole is filed; and the most common violations of probation or parole;
14 and

15 (7) data on probation and parole revocations, including information on
16 probationers and parolees admitted **solely for a technical violation; probationers**
17 **and parolees admitted** for a supervision violation pre-case and post-case resolution;
18 probationers and parolees admitted for a new arrest; the number of previous
19 revocations on the current sentence, if any; the length of time held pre-case resolution;
20 the length of time to case resolution; and the length of stay.

21 * **Sec. 8.** AS 44.19.645 is amended by adding a new subsection to read:

22 (i) The commission shall design and implement a project for the purposes of
23 studying risk factors related to criminal activity, informing the legislature's policy and
24 funding decisions related to primary crime prevention, and improving primary crime
25 prevention strategies in the state. Under the project, the Department of Corrections
26 shall transmit information about offenders sentenced to serve terms of incarceration of
27 30 days or more to the commission, and the commission shall analyze the information
28 and provide to the legislature, in the report required under AS 44.19.647, the
29 commission's conclusions and findings. The commission shall, in consultation with the
30 Justice Center and the Alaska Justice Information Center at the University of Alaska,
31 the Alaska Judicial Council, the Department of Corrections, and other relevant entities

1 or state agencies, create a list of the types of information and inmate characteristics the
2 Department of Corrections shall collect for the project and may revise the list when
3 necessary to meet project goals. The information may include data relating to adverse
4 childhood experiences, mental health and substance abuse history, education, income,
5 and employment of inmates. The Department of Corrections shall adopt policies
6 establishing procedures for collecting the information identified in the list required
7 under this subsection and providing the information to the commission. The
8 procedures may provide for the collection of the information as part of the risk
9 assessment program established under AS 33.30.011(a)(7). In this subsection,
10 "primary crime prevention" means intervention programs and strategies designed to
11 reduce crime risk factors among the general population and prevent crime from
12 happening.

13 * **Sec. 9.** AS 44.19.646 is amended to read:

14 **Sec. 44.19.646. Methodology.** In conducting research [MAKING
15 RECOMMENDATIONS], the commission shall

16 (1) solicit and consider information and views from a variety of
17 constituencies to represent the broad spectrum of views that exist with respect to
18 possible approaches to sentencing and administration of justice in the state; and

19 (2) adopt a research agenda and priorities based on art. I, secs. 7,
20 12, and 24, Constitution of the State of Alaska, and the issues of most pressing
21 concern to the criminal justice system, including

22 (A) [BASE RECOMMENDATIONS ON THE FOLLOWING
23 FACTORS:

24 (A) THE SERIOUSNESS OF EACH OFFENSE IN
25 RELATION TO OTHER OFFENSES;

26 (B) THE EFFECT OF AN OFFENDER'S PRIOR CRIMINAL
27 HISTORY ON SENTENCING;

28 (C) THE NEED TO REHABILITATE CRIMINAL
29 OFFENDERS;

30 (D) THE NEED TO CONFINE OFFENDERS TO PREVENT
31 HARM TO THE PUBLIC;

1 (E) THE EXTENT TO WHICH CRIMINAL OFFENSES
2 HARM VICTIMS AND ENDANGER THE PUBLIC SAFETY AND
3 ORDER;

4 (F) THE EFFECT OF SENTENCING IN DETERRING AN
5 OFFENDER OR OTHER MEMBERS OF SOCIETY FROM FUTURE
6 CRIMINAL CONDUCT;

7 (G) THE EFFECT OF SENTENCING AS A COMMUNITY
8 CONDEMNATION OF CRIMINAL ACTS AND AS A REAFFIRMATION
9 OF SOCIETAL NORMS;

10 (H)] the elimination of unjustified disparity in **the criminal**
11 **justice system;**

12 **(B)** [SENTENCES;

13 (I) THE SUFFICIENCY OF STATE AGENCY RESOURCES
14 TO ADMINISTER THE CRIMINAL JUSTICE SYSTEM OF THE STATE;

15 (J)] the effect of criminal justice laws and practices on
16 [REDUCING] the rate of recidivism in the state **and the needs of victims of**
17 **crimes** [;

18 (K) PEER REVIEWED AND DATA-DRIVEN RESEARCH;
19 AND

20 (L) THE EFFICACY OF EVIDENCE-BASED
21 RESTORATIVE JUSTICE INITIATIVES ON PERSONS CONVICTED OF
22 CRIMINAL VIOLATIONS AND OFFENSES, THE VICTIM, AND THE
23 COMMUNITY].

24 * **Sec. 10.** AS 44.19.647(a) is amended to read:

25 (a) The commission shall submit to the governor and the legislature an annual
26 report. The report must include

27 (1) a description of its proceedings for the previous calendar year;

28 (2) **a description of** [A SUMMARY OF SAVINGS AND
29 RECOMMENDATIONS ON HOW SAVINGS FROM CRIMINAL JUSTICE
30 REFORM SHOULD BE REINVESTED TO REDUCE RECIDIVISM;

31 (3) PERFORMANCE METRICS AND OUTCOMES FROM THE

1 RECOMMENDATIONS THE COMMISSION MADE IN ITS DECEMBER 2015
2 REPORT, INCLUDING] recidivism rates;

3 **(3) analysis of the** [, DEFINED AS

4 (A) THE PERCENTAGE OF INMATES WHO RETURN TO
5 PRISON WITHIN THREE YEARS AFTER RELEASE, BROKEN DOWN
6 BY OFFENSE TYPE AND RISK LEVEL; AND

7 (B) THE PERCENTAGE OF INMATES WHO RETURN TO
8 PRISON WITHIN THREE YEARS AFTER RELEASE FOR A NEW
9 CRIMINAL CONVICTION, BROKEN DOWN BY OFFENSE TYPE AND
10 RISK LEVEL;

11 (4) RECOMMENDATIONS FOR ADDITIONAL REFORMS,
12 WHICH MAY INCLUDE RECOMMENDATIONS FOR LEGISLATIVE AND
13 ADMINISTRATIVE ACTION; AND

14 (5)] data reported by the Department of Law under AS 44.23.040;

15 **(4) the results of any data analysis, studies, or research conducted**
16 **under AS 44.19.645 relevant to understanding the efficiency and effectiveness of**
17 **the criminal justice system;**

18 **(5) a description provided by the Department of Health, the**
19 **Department of Corrections, and the Council on Domestic Violence and Sexual**
20 **Assault of state-funded treatment programs designed to promote rehabilitation,**
21 **such as substance abuse, mental health, and violence prevention programs,**
22 **including a description of program funding, capacity, utilization, and any**
23 **available outcome data; and**

24 **(6) if requested by the legislature, the governor, or the chief justice**
25 **of the supreme court, the results of data analysis, studies, or research or the**
26 **recommendations for improving criminal sentencing practices and criminal**
27 **justice practices, including rehabilitation and restitution.**

28 * Sec. 11. AS 44.19.647(b) is amended to read:

29 (b) The commission shall submit the **annual report, findings** [REPORTS,
30 SUMMARIES], and recommendations provided under this section not later than
31 November 1 of each year.

1 * **Sec. 12.** AS 44.19.647 is amended by adding a new subsection to read:

2 (d) In the report required under (a) of this section, the commission shall
3 include a summary and analysis of the information collected under AS 44.19.645(i).

4 The commission shall

5 (1) provide a summary in the form of tables, charts, graphs, or other
6 formats that are easily understood;

7 (2) include a review of the data and the commission's interpretations,
8 findings, or conclusions related to the information collected;

9 (3) describe any changes in the types of information collected during
10 the preceding fiscal year;

11 (4) make the summary and analysis required under this subsection
12 available to the public; the commission may not publish or present individually
13 identifiable information relating to an inmate;

14 (5) include, when possible, information from the previous fiscal year,
15 comparisons to previous fiscal years, and cumulative information; and

16 (6) present the summary and analysis to the legislature within 10 days
17 after the convening of the next regular session of the legislature following the
18 submission of the report.

19 * **Sec. 13.** AS 44.19.649 is amended to read:

20 **Sec. 44.19.649. Definitions [DEFINITION].** In AS 44.19.641 - 44.19.649,

21 **(1) "commission" means the Alaska Criminal Justice Data Analysis**
22 **Commission;**

23 **(2) "recidivism" means the percentage of convicted defendants**
24 **who are booked into, or who return to, a correctional facility within three years**
25 **after release or the date of conviction, whichever is later;**

26 **(3) "technical violation" means a violation of a condition of**
27 **probation or parole that does not constitute**

28 **(A) a new criminal offense;**

29 **(B) failure to complete sex offender treatment; or**

30 **(C) failure to complete an intervention program for**

31 **batterers.**

1 * **Sec. 14.** AS 44.66.010(a)(5) is amended to read:

2 (5) Council on Domestic Violence and Sexual Assault (AS 18.66.010)
3 - June 30, **2028** [2022];

4 * **Sec. 15.** AS 44.66.010(a) is amended by adding a new paragraph to read:

5 (14) Alaska Criminal Justice Data Analysis Commission
6 (AS 44.19.641) - June 30, 2029.

7 * **Sec. 16.** AS 47.38.100(b) is amended to read:

8 (b) The commissioner, in cooperation with the Alaska Criminal Justice **Data**
9 **Analysis** Commission established in AS 44.19.641, may provide for programs that
10 have, as a primary focus, rehabilitation and reduction of recidivism for persons on
11 probation or parole or incarcerated for offenses and recently released from correctional
12 facilities. The commissioner may enter into contracts to provide for programs under
13 this section. An eligible program under this section must accomplish at least one of the
14 following objectives:

15 (1) increasing access to evidence-based rehabilitation programs,
16 including drug and alcohol treatment, mental health treatment, and cognitive
17 behavioral programs; or

18 (2) supporting offenders' transition and re-entry from correctional
19 facilities to the community, including transitional housing services, employment
20 services, vocational training, educational support, counseling, and medical care.

21 * **Sec. 17.** AS 22.20.220; AS 44.19.642(b); and AS 44.66.010(a)(12) are repealed.

22 * **Sec. 18.** AS 22.20.211; AS 44.19.645(i), and 44.19.647(d) are repealed June 30, 2029.

23 * **Sec. 19.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 TRANSITION: COMMISSION MEMBERS. A person who is a member of the
26 Alaska Criminal Justice Commission on the day before the effective date of sec. 6 of this Act
27 continues to serve on the Alaska Criminal Justice Data Analysis Commission until the
28 expiration of the member's term. Each appointing or designating authority shall take the
29 requirements of AS 44.19.642(a), as amended by sec. 6 of this Act, into account when making
30 new appointments or designations.

31 * **Sec. 20.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 TRANSITION: ALASKA JUDICIAL COUNCIL. On or before the effective date of
3 sec. 17 of this Act, the Alaska Judicial Council shall conclude business of the council related
4 to the project and annual report required by AS 22.20.220, as repealed by sec. 17 of this Act,
5 and provide all information or data received under AS 22.20.220, as repealed by sec. 17 of
6 this Act, to the Alaska Criminal Justice Data Analysis Commission.

7 * **Sec. 21.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 EXEMPTION FROM AS 44.66.050(e). Sections 14 and 15 of this Act are exempt
10 from the provision of AS 44.66.050(e) that prohibits a bill from continuing or reestablishing
11 more than one board or commission.