

Alaska Justice Reinvestment Initiative

June 2024



In the decade prior to 2014, Alaska’s prison population increased by 27 percent, requiring the state to open the Goose Creek Correctional Center in 2012 to accommodate the growth.^{1,2} In 2015, policymakers estimated that Alaska would need an additional 1,416 prison beds by 2024, costing an estimated \$169 million in new corrections spending during that time.³ Faced with an expanding prison population and with nearly two-thirds of released individuals returning to state facilities within three years, Alaska’s officials decided it was time to act.⁴

In 2014, the Alaska State Legislature formed the Alaska Criminal Justice Commission (ACJC) to study the state’s adult justice system and develop policy recommendations that would allow the state to “avert future prison growth...[and] reduce the prison population between 15 to 25 percent below current levels.”^{5,6}

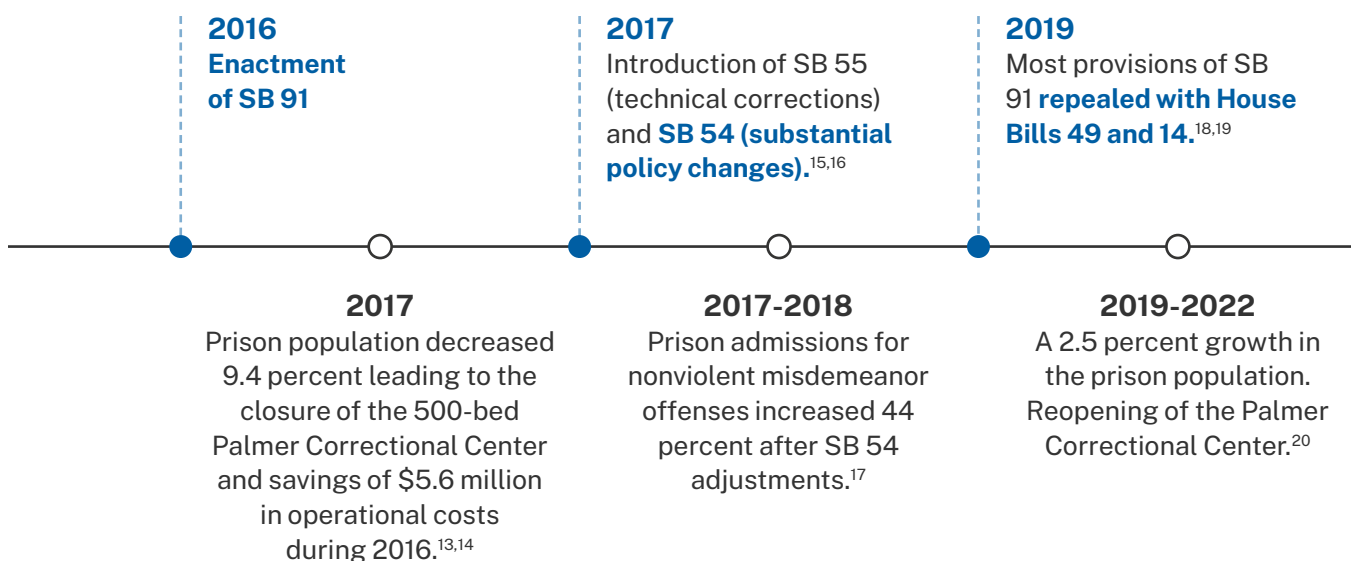
In May 2015, the ACJC partnered with the Crime and Justice Institute (CJI) and The Pew Charitable Trusts to provide technical assistance as part of the Justice Reinvestment Initiative (JRI).^{7,8} This work was funded by Pew and the Bureau of Justice Assistance, a component of the Department of Justice’s Office of Justice Programs. Over the next seven months, the ACJC analyzed Alaska’s adult justice system and issued a report in December 2015 with 21 recommendations to reduce recidivism and corrections costs.⁹

The Legislature translated the ACJC’s recommendations into Senate Bill (SB) 91, which passed with bipartisan support and was signed into law by Governor Bill Walker on June 11, 2016.^{10,11}

Alaska’s JRI goals included:

1. Implement evidence-based pretrial practices.
2. Focus prison beds on people convicted of serious and violent offenses.
3. Strengthen supervision and interventions to reduce recidivism.
4. Reinvest in practices proven to reduce recidivism and protect public safety.¹²

In the years after SB 91 went into effect, the Alaska Legislature made several changes:



2016
Enactment
of SB 91

2017
Introduction of SB 55
(technical corrections)
and **SB 54 (substantial
policy changes)**.^{15,16}

2019
Most provisions of SB
91 **repealed with House
Bills 49 and 14**.^{18,19}

2017
Prison population decreased
9.4 percent leading to the
closure of the 500-bed
Palmer Correctional Center
and savings of \$5.6 million
in operational costs
during 2016.^{13,14}

2017-2018
Prison admissions for
nonviolent misdemeanor
offenses increased 44
percent after SB 54
adjustments.¹⁷

2019-2022
A 2.5 percent growth in
the prison population.
Reopening of the Palmer
Correctional Center.²⁰

1. Implement evidence-based pretrial practices.

The ACJC found the number of people detained pretrial increased 81 percent from 2005 to 2014 due to increasingly long court wait times.²¹

SB 91 established a pretrial release decision-making framework with limitations on the use of secured money bonds based on an individual's charge and risk level.

SB 91 additionally required the DOC to create a pretrial supervision program by January of 2018.²²

Creation of The Alaska Two-Scale Risk Assessment (AK-2S)²³



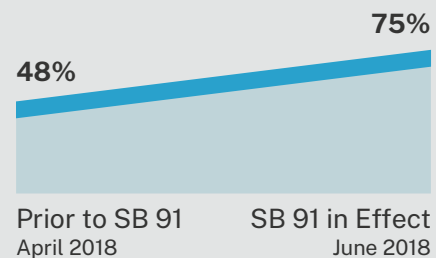
Alaska established the Pretrial Enforcement Division (PED) in 2016 to administer the AK-2S and monitor people awaiting trial. In addition, the PED took steps to reduce travel costs to make it easier for individuals to contact their supervising officer and appear for court.²⁴



Despite the repeal efforts, the PED continues to operate.²⁵ However, after the repeals, judges are no longer obligated to base their pretrial release decisions on defendants' risk scores.²⁶

Percentage of Individuals Released Pretrial²⁷

In a study of 366 criminal cases from five Alaskan cities, researchers found an increase in the number of individuals released pretrial.



2. Focus prison beds on people convicted of serious and violent offenses.

In 2014, 62 percent of those admitted to Alaska's prisons were admitted for nonviolent misdemeanor offenses.²⁸

SB 91 made changes to reduce the use of prison for people convicted of nonviolent offenses including:

- Reclassifying several lower-level misdemeanors as violations.

People Admitted to Prison for Nonviolent Offenses

From FY 2016 to FY 2017²⁹



19.5% Decrease
Misdemeanors



9% Decrease
Felonies

• Limiting the use of incarceration for theft under \$250.

• Reclassifying possession of certain controlled substances to **Class A misdemeanors**.³⁰

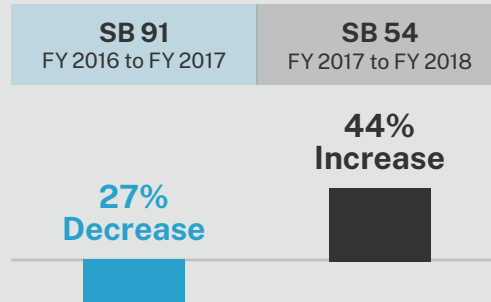


Class A Misdemeanor:

An individual convicted of a class A misdemeanor could be sent to jail for up to 1 year and/or pay a fine up to \$25,000.

Admissions to prison for nonviolent offenses decreased after the passage of SB 91 and increased since the repeals.³¹

People Incarcerated for Nonviolent Misdemeanors³²



In 2021, Alaska reopened the Palmer Correctional Center after the prison population began to increase. The prison was originally closed in 2017 following the enactment of SB 91.



2.5% Increase

in the total number of individuals incarcerated in Alaska's prisons from 2019 to 2022, following the repeal of SB 91³³

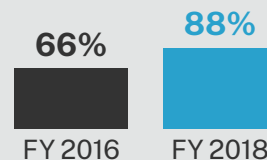
3. Strengthen supervision and interventions to reduce recidivism.

From 2005 to 2014, Alaska saw a 32 percent rise in the number of individuals sent back to prison due to violations of their probation or parole conditions.³⁴ Around three-quarters of these returns to prison were for technical violations such as alcohol consumption, missing a drug test or a positive test result, or failing to report to a supervision officer.³⁵

SB 91 required the DOC to implement an administrative program of graduated incentives and sanctions to respond to behaviors of individuals on supervision.³⁶

As an additional incentive, SB 91 required the DOC to create a program allowing individuals on supervision to earn credits towards time off their sentence for positive behaviors.³⁷

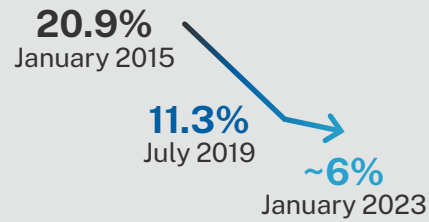
Successful Discharges From Probation and Parole Supervision³⁸



Average probation and parole officer caseloads decreased from 46 to 37 people between FY 2017 and FY 2019.³⁹

In addition, SB 91 limited the maximum revocation sentence for technical violations of supervision and required DOC commissioner approval for enhanced sanctions.⁴⁰

Percentage of People in Prison for a Supervision Violation^{41,42}



Average Length of Incarceration for a Supervision Violation⁴³

FY 2019 to FY 2020 | Post Repeal

76 to 100 days
for sentenced
individuals



13 to 14 days
for unsentenced
defendants

4. Reinvest in practices proven to reduce recidivism and protect public safety.

In its 2015 report, the ACJC recommended reinvesting a portion of any savings resulting from implementing the recommendations into services intended to enhance public safety, reduce victimization, and maintain reductions in the prison population.⁴⁴

SB 91 reinvested savings resulting from the legislation in substance use and mental health treatment, increasing reentry supports, pretrial services, violence prevention programming, and support for victims of crime.⁴⁵



The Legislature and Governor allocated a total of **\$98.8 million** to be reinvested between 2016 and 2022.⁴⁶



As part of this reinvestment, the Council on Domestic Violence and Sexual Assault received **\$1,000,000** for prevention programs. While Alaska had been allocating state resources to these programs since 2009, **SB 91 stabilized funding for this work.**⁴⁷ Funding continued after SB 91 was repealed.⁴⁸

Additional Accomplishments and Information Related to Reforms

- The ACJC met 71 times between 2014 and 2022 to evaluate Alaska’s criminal justice practices and monitor data.^{49,50}
- The ACJC published seven annual reports and six reports on special topics in the criminal justice system. These special topical reports covered domestic violence, crime in Alaska, impaired driving and related offenses, restitution, sex offenses, and social impact bonds.⁵¹



The Justice Reinvestment Initiative (JRI) is a data-driven process funded through a public-private partnership between the Bureau of Justice Assistance (BJA), a component of the Department of Justice’s Office of Justice Programs, and The Pew Charitable Trusts. JRI aims to improve public safety by helping states make their justice systems more fair, effective, and efficient as they direct resources to address the complex factors that drive crime and recidivism.



The Crime and Justice Institute (CJI) has more than a decade of experience as a JRI technical assistance provider, supporting states through assessing strengths and needs, conducting data analysis, facilitating policy development, and assisting with implementation.

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