

STATE OF ALASKA  
**Public Safety Action Plan**

October 30, 2017



**SAFER**  **ALASKA**  
BUILDING RESILIENT COMMUNITIES

## Introduction

For the last several years, crime has been steadily increasing across Alaska. Recently published 2016 crime statistics starkly highlight the gravity of the ongoing public safety problem. In the past year, both property crimes and violent crimes have continued to increase. Among property crimes, there were particularly striking increases in larceny and vehicle thefts from 2015 to 2016. Most concerning, Alaska continues to have the highest rate of violent crime in the country.

To address these troubling trends, Governor Walker tasked the State's public safety agencies with evaluating the causes of the rise in crime and developing a concrete action plan. Taking on a multi-faceted and complex challenge, this Public Safety Action Plan focuses efforts in four main areas:

1. Improving outcomes in the criminal justice system;
2. Identifying public safety resource needs, particularly for rural communities;
3. Improving access to mental health and substance abuse treatment; and
4. Addressing the opioid epidemic and drug trafficking.

For each of these areas, state agencies have identified both short-term efforts to improve public safety as well as potential future or long-term actions to evaluate. Further, recognizing that the challenges of providing public safety services are, and have long been, particularly acute in the many small communities not connected to the road system, the Plan also reflects focused attention on developing tools and partnerships to more effectively serve these areas. As new challenges develop, Alaska's public safety agencies will remain committed to working with tribal, municipal, and federal partners, as well as the legislature and courts, to establish and implement best practices to build a stronger and safer Alaska.

## Part I:

# Improving Outcomes in the Criminal Justice System

In response to mounting evidence of major shortcomings in the state's criminal justice system – including prison populations growing faster than the facilities to house inmates, alarming rates of recidivism (for every 3 inmates released, 2 would return to prison within 3 years), and limited resources to treat underlying substance abuse and mental health challenges – and drawing on successful reform efforts in other states, Alaska recently enacted comprehensive criminal justice reform legislation. Some of those changes became effective in July 2016; others will be implemented in the near future.

Some of the measures that have not gone into effect yet include improvement to pre-trial monitoring and services. For example, the Department of Corrections (DOC) will be deploying an additional 60 pre-trial officers to hold offenders accountable while taking pressure off of the prisons. Longer term, DOC also anticipates evaluating conditions of confinement in state prisons to better prepare inmates for reentry. Having better monitoring on the front end and better preparing inmates when they leave should help reduce recidivism and lead to individuals that can become productive members of society, instead of repeat offenders..

Criminal justice reform will be an ongoing effort. To help identify areas that require adjustment, state agencies continue to gather and analyze crime data in partnership with the Justice Center at the University of Alaska Anchorage. The Alaska Criminal Justice Commission also continues its work evaluating Alaska's criminal justice system and improvements that are needed. More immediately, in response to the sudden spike in larceny and vehicle thefts in the last year, Governor Walker added Senate Bill 54 (SB 54) to the special session proclamation. Introduced last session, this bill will, among other measures, give judges the discretion to impose jail time for first-time Class C felonies and low level repeat theft offenses. Both of these address the main complaints received recently from the public and will give better tools to prosecutors and judges to deter offenders from re-offending and get them into treatment when necessary.

In addition to exploring reforms to reduce recidivist crime, the State is exploring opportunities to prevent crime and increase flexibility for past offenders that have successfully rehabilitated. For example, because foster children are at high risk for entering the criminal justice system, the Department of Health and Social Services (DHSS) plans to explore ways to provide safety nets for children coming out of foster care to help them avoid becoming criminals. The rarely used clemency authority – the Governor's power to pardon a conviction or commute a sentence – can be an important aspect of improving outcomes in the criminal justice system. If you have an individual who has truly been rehabilitated and has a very low risk

of re-offending, it makes sense to give them a chance to re-enter society and contribute to his or her community. On hold for several years pending revisions, the state will finalize the clemency process and begin reviewing and processing clemency applications. Likewise, the State will review the laws governing exoneration of those wrongfully convicted of a crime and expungement of criminal records.

Short-Term Action Items: CRIMINAL JUSTICE SYSTEM
1. Pass <b>Senate Bill 54</b> (2017) which, among other provisions, would give judges discretion to impose jail time for larceny, vehicle theft, and other offenses when appropriate. (DPS, LAW)
2. Reevaluate <b>conditions of confinement</b> and how to help reduce recidivism through operational changes. (DOC)
3. Continue <b>pre-trial delay workgroup</b> efforts to increase case processing efficiency.
4. Review <b>clemency</b> applications. (GOA)

Long-Term Action Items to Evaluate: CRIMINAL JUSTICE SYSTEM
5. Evaluate possibility of legislation to remove barriers for former inmates to reenter the job force, including the possibility of <b>exoneration</b> or <b>expungement</b> of criminal records after period of good behavior. (LAW)
6. Evaluate possibility of establishing a <b>safety net for children coming out of foster care</b> to reduce the risk that they might end up in the criminal justice system. (DHSS, ACJC)

## Part II:

### **Identify Public Safety Resource Needs**

State agencies must have adequate resources to react to the crime that occurs, hold offenders accountable, and ultimately work to prevent and deter crime on the front-end. The state's geography and the remoteness of many communities pose inherent logistical and fiscal challenges for state public safety agencies and the criminal justice system. These long-standing challenges have proven even more problematic following several years of substantial revenue shortfalls and the resulting reductions in the agency budgets. Public safety agencies are struggling to find the resources to respond to rising crime trends, especially in rural areas.

To improve public safety, state agencies will continue to look for opportunities to more efficiently utilize existing agency resources. Most immediately, these efforts will include: improving systems for sharing data and information among agencies, coordinating to improve access to military benefits for veterans in the criminal justice system, and coordinating travel logistics to make use of state-owned boats and aircraft to improve response times in rural areas.

Coordination with local and federal law enforcement agencies will also present opportunities to allocate collective public safety resources more effectively throughout the state. For example, given the logistical challenges of deploying and maintaining resources in rural communities, the village public safety officer (VPSO) program and diversion agreements with tribal courts are important resources to engage. Ensuring as much law enforcement presence as possible in communities, as well as offering diversion programs that keeps people in their homes, will help improve response times and have low level offenders face consequences much more quickly. Additionally, currently focused on violent crime involving guns or drug trafficking, federal agencies have outlined opportunities to coordinate investigations and prosecutions particularly in urban areas in the Anti-Violent Crime Strategy. This will leverage all of our law enforcement resources to better respond to and investigate violent crimes, which will hopefully also result in preventing future crimes by the same individuals.

Beyond using existing resources more efficiently, state agencies anticipate requesting additional resources to address targeted areas of concern. For example, the Department of Public Safety (DPS) will request additional funds for troopers and transportation to rural communities. The Department of Law (LAW) will be seeking funding for prosecutors in Kotzebue and Bethel to improve rural public safety and in Anchorage to take on the workload associated with the record number of homicides. Agencies will also explore targeted investments in telecommunications and technology to improve the performance of the criminal justice system and reduce costs in the long run.

The high rates of domestic violence and sexual assault (DVSA) in Alaska also merit special attention. There have been many ongoing efforts to address this issue, but we need to do more. State agencies plan to add criminal investigators to assist in DVSA prosecutions, create a statewide DVSA hotline to improve access to law enforcement, and evaluate opportunities to establish victim safe-houses in rural areas.

#### Ongoing & Short-Term Action Items: PUBLIC SAFETY RESOURCE NEEDS

##### Partnerships and Coordination:

7. Develop and improve tools and processes for **sharing data** and information among law enforcement agencies, including:
  - a. Develop interfaces to connect various agency databases;
  - b. Consider policy requiring DPS reports to be completed within 48 hours; and
  - c. Improve availability of the Alaska Records Management System.
8. Facilitate **veterans' access to existing services** through DMVA while under DOC supervision and after reintegration to community. (DOC, DMVA)
9. Reach out to community partners to explore options to **expand citizen crime watch** programs and other locally driven solutions to deter crime and improve public safety.

##### Add Statewide Resources:

10. Seek funding for more 2 more **prosecutors** in Anchorage given increased demand from record number of homicides. (LAW)
11. Add 60 **pre-trial officers** in January. (DOC)
12. Add dedicated **criminal investigators** in Bethel and Anchorage to assist in DVSA prosecutions. (DPS, LAW)
13. Create statewide **DVSA hotline**.

##### Rural Justice Initiatives:

14. Identify law enforcement presence in each community and develop a **communications plan** to improve coordination among state and local authorities. (LAW, DPS)
15. **Increase trooper presence and improve response times** in rural areas by:
  - a. Revising travel restrictions to allow more law enforcement trips to rural Alaska for non-emergency policing and building relationships with rural community residents;
  - b. Improving transportation and logistics coordination in rural areas (i.e., sharing pilots, aircraft, and boats among state agencies);
  - c. Filling trooper vacancies; and
  - d. Exploring possibility of a consolidated communications center with regional dispatch centers to provide more reliable emergency communication services. (DPS)
16. Evaluate opportunities to **strengthen the VPSO program**, including:
  - a. Funding options such as the possibility of VPSO-specific recruitment funding or allowing greater flexibility in the use of lapsed funds;
  - b. Allowing VPSOs to cross-deputize to enforce tribal ordinances if the VPSO grantee and tribe agree. (DPS)
17. Add **telecommunication resources** in more jails for remote court hearings. (DOC)

18. For the many rural communities that do not yet have **victim shelters**, work with tribes and regional nonprofits to set up safe-houses.
19. Educate local public safety partners about **processes and standards for evidence** to enable state prosecution of crimes investigated by local agencies. (LAW)
20. Add **prosecutors** in rural Alaska (1 for Kotzebue, 1 for Bethel). (LAW)
21. Continue implementing **diversion agreements** that provide for civil remedies administered by tribal courts to address low level offenses and crimes with the consent of the offender in rural areas including:
  - a. The civil diversion agreement with the Department of Law and
  - b. The Division of Juvenile Justice’s similar agreement to refer appropriate juvenile cases to tribal courts. (DHSS, LAW)
22. Coordinate with tribes in providing **child protection services**. (DHSS)
23. Seek additional **federal resources** to support State and local public safety programs.

**Action Items for Long-Term Evaluation: PUBLIC SAFETY RESOURCE NEEDS**

Partnerships and Coordination:

24. Explore ability of industry partners to develop plan for **technology to reduce car thefts** and aid in recovery efforts.

Rural Justice Initiatives:

25. Evaluate further opportunities to improve the **VPSO program**. (DPS, DOC, LAW)
26. Develop **smartphone technology** to (1) collect and preserve evidence when other tools are not available and (2) efficiently deliver evidence to state prosecutors.
27. Improve retention and recruitment of **troopers, VPSOs, and pilots**. (DPS)
28. Assign an **aircraft** to the Nome trooper post and update other aircraft. (DPS)
29. Leverage the **FirstNet program** to increase the connectivity in rural Alaska. (DPS)
30. Increase school **fire inspections** and training for rural fire departments. (DPS)
31. Restore staffing of **prosecutor’s offices** in Northwest Alaska. (LAW)
32. Evaluate Washington State’s model for **arrest diversion** of low-level misdemeanors. (DPS)
33. Evaluate various legislative proposals that would further enable **tribal courts** to provide civil remedies for certain offenses. (LAW)
34. Evaluate ability to **release prisoners back to home community** instead of place of arrest to improve access to support network.
35. Explore alternatives for **supervising parolees** in rural communities, including the potential of training VPSOs to take on this responsibility. (DPS)
36. Explore other opportunities to deploy **telecommunications resources** to improve access to services, potentially including remote probation supervision, out-patient treatment, and parenting assistance in Child in Need of Aid cases.
37. **Continue evaluating** how to best allocate existing resources throughout the criminal justice system and where there may be a need for additional resources, including for the court system and associated stakeholders.

### Part III:

## **Improving Access to Mental Health and Substance Abuse Treatment**

Recognizing and addressing mental health and substance abuse problems will be a critical component of improving public safety in Alaska. An essential first step to improving access to treatment will be working to increase the number of beds at treatment facilities in Alaska. To that end, DHSS plans to reach out to hospitals to advocate for more designated evaluation and treatment beds. Longer-term, state agencies will evaluate options for how the Palmer Correctional Center might be used for a mental health or substance abuse evaluation and treatment facility, pursue an exemption from federal regulations that limit the number of beds a provider can operate for residential substance abuse disorder treatments, and look into the possibility of releasing some patients subject to around-the-clock monitoring.

Improving access to mental health and substance abuse treatment will also involve recognizing the problem and getting individuals to needed treatment more quickly. For this reason, law enforcement will continue and expand crisis intervention treatment. In addition, the State will look into the possibility of legislation to clarify and improve the civil commitment process and consider administrative options to make more evaluation beds available. State agencies will also work in a number of forums, including ACJC, to evaluate how to incentivize people to access needed treatment when directed by a court or as part of a plea deal with prosecutors.

An essential tool for protecting individuals incapacitated by alcohol or drugs in public places, Title 47 provides for temporary protective custody in detention facilities under certain circumstances. In the near term, state agencies will confirm such holds are being used appropriately and also evaluate legislation that would authorize courts to require facilities to hold people until they are sober. But, state agencies will also undertake longer term efforts to develop a strategy for these Title 47 holds.

Where mental health and the criminal justice systems interact, there are opportunities to improve efficiencies through legislative action. The state will evaluate possible legislative or administrative options to ensure more timely court competency hearings and better communication and reporting on competency. The state will also look into legislation on the civil commitment process, especially in regards to dangerous individuals found incompetent to stand trial.



## Ongoing & Short-Term Action Items: MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT

### Access to Treatment:

38. Continue **interagency coordination** to allocate reinvestment funding.
39. Continue and expand **crisis intervention training** for law enforcement. (DPS)
40. Propose ongoing **stakeholder meetings** to discuss the civil commitment process and options for improving the state psychiatric emergency system. (DHSS, LAW)
41. Approach hospitals about opening more **designated evaluation and treatment beds** to increase capacity and improve availability of acute care mental health treatment and evaluation beds at Alaska Psychiatric Institute (API). (DHSS)

### Criminal Competency and Civil Commitments:

42. Legislation to authorize courts orders requiring DOC to **hold people who are intoxicated** when they are arrested until they are sober.
43. Evaluate current use of **Title 47 safety net** for individuals incapacitated due to substance abuse until a better long-term solution is found.

## Action Items for Long-Term Evaluation: MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT

### Access to Treatment:

44. Evaluate ways to increase availability of treatment **resources for outpatient services**.
45. Evaluate how to **incentivize treatment** on demand so services are available when needed.
46. Evaluate turning Palmer jail into a restorative justice facility, such as a **mental health and substance abuse evaluation and treatment facility**.
47. Pursue an exemption from the federal institute for mental disease rule limiting how many **beds** a provider can operate for residential substance abuse disorder treatment. (DHSS)
48. Increase and improve **services for children** who need institutional care, including increasing the number of beds at treatment facilities like API. (DHSS)
49. Develop a standardized system for evaluating and treating **non-restorable patients** and explore possibility of releasing some patients subject to around-the-clock monitoring to reduce costs and open rooms for other patients at API. (DHSS)

### Criminal Competency and Civil Commitments:

50. Develop long-term strategy for **Title 47 holds**. (ACJC discussing)
51. Evaluate possible legislative or administrative options to ensure **timely competency hearings**. (LAW)
52. Establish a clear system for persons who have been civilly committed for involuntary inpatient psychiatric treatment to give up their **guns** before returning home. (DHSS)

Part IV:

## Addressing the Opioid Epidemic and Drug Trafficking

Taking steps to address substance abuse has become particularly important as the nationwide opioid epidemic has struck Alaska— necessitating an emergency declaration from Governor Walker and instituting an incident command structure to marshal resources and respond to the most urgent and immediate impacts. The State will also focus efforts on reducing access to controlled substances generally by allocating additional state resources, in coordination with our federal partners, to investigate and prosecute drug trafficking crimes, and advancing legislation to help stem the tide of the importation of drugs.

Ongoing & Short-Term Action Items: OPIOID EPIDEMIC AND DRUG TRAFFICKING
53. Earlier this year, Governor Walker issued a <b>Disaster Declaration</b> and an established incident command structure to coordinate state efforts to combat the opioid epidemic.
54. The State continues to execute the <b>Strategic Plan</b> for Responding to the Opioid Crisis and evaluate further measures to combat opioid abuse, including: expanding treatment capacities at existing facilities and recovery networks; improving access to group recovery in prisons; providing tools and resources to “second chance employers”; expanding drug take-back programs; increasing security measures to prevent importation of opioids on bush airlines, airports, ferries, etc.; funding public and provider education campaigns; fund distribution of overdose education materials and naloxone kits to first responders.
55. Explore ways to increase use of <b>social media</b> to promote positive, useful messages for parents to help in drug and crime prevention. (DPS, DHSS)
56. Increase state resources directed at catching and prosecuting drug traffickers, including: <ul style="list-style-type: none"><li>a. Create a statewide <b>drug prosecutor</b> position (LAW) and</li><li>b. Add <b>drug dogs</b> to assist in disrupting the drug trade and catch traffickers (DPS, DOT).</li></ul>
57. Seek a <b>High Intensity Drug Trafficking Area</b> designation to increase availability of federal funds for drug investigations. (DPS)
58. Better coordinate drug enforcement efforts with <b>federal partners</b> , including: <ul style="list-style-type: none"><li>a. Increased collaboration with Ted Stevens International Airport Police for recently established WAANT Unit;</li><li>b. Cross-deputize a state prosecutor as a Special Assistant United States Attorney to prosecute drug offenses in federal court; and</li><li>c. Work with federal law enforcement agencies in implementing the Anti-Violent Crime Strategy.</li></ul>
59. Propose <b>legislation</b> to more effectively combat drug trafficking.