

SENATE BILL NO. 209

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY SENATOR KIEHL

Introduced: 2/21/20

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to state identifications and driver's licenses for persons in the custody**
2 **of the Department of Corrections; relating to the duties of the commissioner of**
3 **corrections; and providing for an effective date."**

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

5 *** Section 1.** AS 18.65.310 is amended by adding a new subsection to read:

6 (s) Upon request, the department shall mail a card issued under (a) of this
7 section to a Department of Corrections address provided by an applicant who is
8 serving an active term of imprisonment exceeding 120 days.

9 *** Sec. 2.** AS 28.15.101 is amended by adding a new subsection to read:

10 (e) Upon request, the department shall mail a driver's license renewed under
11 (c) of this section to a Department of Corrections address provided by a licensee who
12 is serving an active term of imprisonment exceeding 120 days.

13 *** Sec. 3.** AS 33.30.011(a) is amended to read:

14 (a) The commissioner shall

(1) establish, maintain, operate, and control correctional facilities suitable for the custody, care, and discipline of persons charged or convicted of offenses against the state or held under authority of state law; each correctional facility operated by the state shall be established, maintained, operated, and controlled in a manner that is consistent with AS 33.30.015;

(2) classify prisoners;

(3) for persons committed to the custody of the commissioner, establish programs, including furlough programs that are reasonably calculated to

(A) protect the public and the victims of crimes committed by prisoners;

(B) maintain health;

(C) create or improve occupational skills;

(D) enhance educational qualifications;

(E) support court-ordered restitution; and

(F) otherwise provide for the rehabilitation and reformation of prisoners, facilitating their reintegration into society;

(4) provide necessary

(A) medical services for prisoners in correctional facilities or who are committed by a court to the custody of the commissioner, including examinations for communicable and infectious diseases;

(B) psychological or psychiatric treatment if a physician or other health care provider, exercising ordinary skill and care at the time of observation, concludes that

(i) a prisoner exhibits symptoms of a serious disease or injury that is curable or may be substantially alleviated; and

(ii) the potential for harm to the prisoner by reason of delay or denial of care is substantial; and

(C) assessment or screening of the risks and needs of offenders who may be vulnerable to harm, exploitation, or recidivism as a result of fetal alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based disorder;

1 (5) establish minimum standards for sex offender treatment programs
 2 offered to persons who are committed to the custody of the commissioner;

3 (6) provide for fingerprinting in correctional facilities in accordance
 4 with AS 12.80.060;

5 (7) establish a program to conduct assessments of the risks and needs
 6 of offenders sentenced to serve a term of incarceration of 90 days or more; the
 7 program must include a requirement for an assessment before a prisoner's release on
 8 parole, furlough, or electronic monitoring from a correctional facility;

9 (8) establish a procedure that provides for each prisoner required to
 10 serve an active term of imprisonment of 90 days or more a written case plan that

11 (A) takes effect and is provided to the prisoner within 90 days
 12 after sentencing;

13 (B) is based on the results of the assessment of the prisoner's
 14 risks and needs under (7) of this subsection;

15 (C) includes a requirement to follow the rules of the institution;

16 (D) is modified when necessary for changes in classification,
 17 housing status, medical or mental health, and resource availability;

18 (E) includes participation in programming that addresses the
 19 needs identified in the assessment;

20 (9) establish a program to begin reentry planning with each prisoner
 21 serving an active term of imprisonment of 90 days or more; reentry planning must
 22 begin at least 90 days before release on furlough or probation or parole; the reentry
 23 program must include

24 (A) a written reentry plan for each prisoner completed upon
 25 release on furlough or probation or parole that includes information on the
 26 prisoner's proposed

27 (i) residence;

28 (ii) employment or alternative means of support;

29 (iii) treatment options;

30 (iv) counseling services;

31 (v) education or job training services;

1 (B) any other requirements for successful transition back to the
 2 community, including electronic monitoring or furlough for the period between
 3 a scheduled parole hearing and parole eligibility;

4 (C) coordination with the Department of Labor and Workforce
 5 Development to provide access, after release, to job training and employment
 6 assistance; and

7 (D) coordination with community reentry coalitions or other
 8 providers of reentry services if available;

9 (10) for offenders under electronic monitoring, establish

10 (A) minimum standards for electronic monitoring, which may
 11 include the requirement of active, real-time monitoring using global
 12 positioning systems; and

13 (B) procedures for oversight and approving electronic
 14 monitoring programs and systems provided by private contractors;

15 (11) assist a prisoner in obtaining a valid state identification card if the
 16 prisoner does not have a valid state identification card before the prisoner's release; **if**
 17 **a prisoner is serving an active term of imprisonment exceeding 120 days, the**
 18 **commissioner shall make a good faith effort, in consultation with the**
 19 **commissioner of administration, to ensure the prisoner has a state identification**
 20 **card upon the prisoner's release;** the department shall pay the application fee for the
 21 identification card; and

22 (12) provide to the legislature, by electronic means, by January 10
 23 preceding the first regular session of each legislature, a report summarizing the
 24 findings and results of the program established under (7) of this subsection; the report
 25 must include

26 (A) the number of prisoners who were provided with written
 27 case plans under (8) of this subsection;

28 (B) the number of written case plans under (8) of this
 29 subsection initiated within the preceding year; and

30 (C) the number of written case plans under (8) of this
 31 subsection that were updated in the preceding year.

1 * **Sec. 4.** AS 33.30.095(b) is amended to read:

2 (b) The program established under (a) of this section must include

3 (1) instruction on

4 [(A) OBTAINING STATE IDENTIFICATION;

5 (B)] community resources available for housing, employment,
6 and treatment;

7 (2) an individualized reentry plan under AS 33.30.011(a)(9) for the
8 prisoner;

9 (3) probation and parole orientation, if appropriate; and

10 (4) a partnership with one or more nonprofit organizations to allow
11 access to a prisoner before the prisoner's discharge, release, or furlough to assist the
12 prisoner with the prisoner's application for Medicaid, social security benefits, public
13 assistance under AS 47.25, and a state identification card or driver's license and
14 provide other programs to assist the prisoner's transition into the community, promote
15 rehabilitation, and reduce recidivism.

16 * **Sec. 5.** This Act takes effect January 1, 2021.