

STATE OF ALASKA THE LEGISLATURE

2020

Source
SCR 9

Legislative
Resolve No.
23



Establishing the Task Force on Therapeutic Courts.

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

WHEREAS, according to a 2000 report by the Alaska Criminal Justice Assessment Commission, alcohol was a primary or contributing factor in 80 to 95 percent of all criminal offenses in the state; and

WHEREAS, according to a 2004 report by the Alaska Judicial Council, almost 70 percent of convicted offenders in the state who had been charged with a felony offense had an alcohol abuse disorder; and

WHEREAS therapeutic courts are highly effective in treating offenders with substance abuse or mental health disorders through a combination of substance abuse and mental health treatment, cognitive-behavioral therapy, peer support, recovery meetings, employment and finance workshops, case management, community supervision, drug testing, and judicial supervision; and

WHEREAS studies show that the use of therapeutic courts reduces recidivism, reduces costs to the criminal justice and public health systems, and improves community restoration; and

WHEREAS the therapeutic court model has been successful in some communities in the state and may be replicable in additional communities in the state, and the criminal justice system in the state could benefit from following therapeutic court principles and practices;

BE IT RESOLVED by the Alaska State Legislature that the Task Force on Therapeutic Courts is created in the legislative branch and shall consist of 10 members as follows:

- (1) one senator appointed by the President of the Senate;
 - (2) one representative appointed by the Speaker of the House of Representatives;
 - (3) one current or retired judge selected by the chief justice of the Alaska Supreme Court;
 - (4) one member of the administrative staff of the Alaska Court System selected by the administrative director of the Alaska Court System;
 - (5) one prosecutor from the Department of Law selected by the attorney general;
 - (6) one defense attorney from the Public Defender Agency selected by the head of the Public Defender Agency;
 - (7) one member from the Department of Health and Social Services selected by the commissioner of health and social services;
 - (8) one member from the Department of Corrections selected by the commissioner of corrections;
 - (9) one member from the Alaska Mental Health Trust Authority; and
 - (10) one member who has completed a therapeutic court program in the state;
- and be it

FURTHER RESOLVED that a vacancy on the task force shall be filled in the manner of the original appointment; and be it

FURTHER RESOLVED that the legislators on the task force shall select a chair from among themselves, and the chair may assign legislative staff to provide support to the task force; and be it

FURTHER RESOLVED that the task force shall

- (1) examine matters relating to

(A) the therapeutic court model, including current rates of substance abuse related to criminal offenses in the state;

(B) the ways in which substance abuse-related criminal offenses and recidivism affect and cost the criminal justice system in the state;

(C) the effectiveness of prior criminal justice policies regarding the costs to the criminal justice system and recidivism;

(D) the effects of implementing therapeutic courts in this and other states; and

(E) challenges that therapeutic courts in the state currently face;

(2) evaluate and make recommendations for

(A) enhancing the effectiveness and scope of current therapeutic courts in the state, including recommendations relating to providing attorneys in the state with information about therapeutic court principles and practices;

(B) employing full-time therapeutic court attorneys;

(C) providing culturally appropriate treatment resources, including certified or licensed Alaska Native treatment providers;

(D) establishing standardized screening and referral criteria;

(E) establishing and formalizing links between local treatment providers and state and local alcohol and drug agencies;

(F) expanding the capacity of current therapeutic court programs;

(G) making policy or statutory changes;

(H) implementing data collection procedures for therapeutic courts in the state, including for

(i) data regarding the number of individuals to whom a program is offered in the state and the number of individuals who opt in to a program;

(ii) program completion rates;

(iii) criminal charges of the individuals to whom a program is offered;

(iv) program attendance rates;

(v) post-program recidivism rates;

- (vi) noncompletion rates and reasons for noncompletion;
- (vii) costs to the criminal justice system; and
- (viii) costs to emergency rooms; and
- (I) expanding therapeutic courts to rural communities in the state; and

be it

FURTHER RESOLVED that the task force shall begin meeting in July 2020 and meet as necessary, including during the interim, to produce the required recommendations; and be it

FURTHER RESOLVED that the task force is terminated on January 18, 2021; and be it

FURTHER RESOLVED that the task force shall submit a final report summarizing the task force's findings and recommendations to the legislature.