

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

6 (2) classify prisoners;

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

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

11 (B) maintain health;

12 (C) create or improve occupational skills;

13 (D) enhance educational qualifications;

14 (E) support court-ordered restitution; and

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

17 (4) provide necessary

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

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

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

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

28 (C) assessment or screening of the risks and needs of offenders
29 who may be vulnerable to harm, exploitation, or recidivism as a result of fetal
30 alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based
31 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.