Barbara Armstrong

Smart on crime and smart justice initiatives seek to reform criminal justice systems by reducing correctional populations and their recidivism rates while lowering costs, maintaining offender accountability, and ensuring public safety. There are two major smart justice initiatives underway in the state: “Results First” and “Justice Reinvestment”— both of which are responses by Alaska’s leaders to the need to examine criminal justice reform.

The Governor’s Office, the Alaska Court System, and the Alaska Legislature issued an invitation to the Pew Charitable Trusts (Pew)—a public policy research organization based in Washington, DC—to come to Alaska to provide technical assistance with this critical endeavor. (Pew has assisted a number of other states in similar efforts.) Pew’s contribution involves working with the entities guiding these efforts, including state agencies and other critical stakeholders. While Justice Reinvestment and Results First have some overlap, they are unique in other ways, and each has a different focus and timeline. By relying on both these approaches, Alaska’s leaders ensure that the state is looking at the multiple components required for successful criminal justice reform.

The significant distinctions between the two projects are as follows. The Justice Reinvestment Initiative (JRI) is a short-term project which includes analyzing data to identify the drivers of prison growth such as sentencing practices, suggesting ways to control prison growth and costs, and drafting legislative language to implement changes to the criminal justice system. The Results First Initiative (RFI), on the other hand, is a longer-term project—a one to two-year capacity-building effort and ongoing benefit-cost analysis—which comprises collecting data on the costs and benefits of programs to reduce recidivism, determining and comparing the long-term return on investment achieved by these programs, and promoting evidence-based decision-making. Results First develops into a more consistent review of programs funded by the state. This work will also extend into other policy areas (e.g., juvenile justice, mental health, substance abuse). Table 1 outlines the major elements of each of these initiatives.

Across the nation, many states are engaged in justice reinvestment reforms,

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<th>Table 1. Smart Justice Initiatives in Alaska</th>
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<td><strong>Focus:</strong> Providing benefit-cost analyses of state-funded adult criminal justice programs in Alaska (e.g., Batterer Intervention Programs). Collecting quantitative and qualitative data about these programs. Reviewing programs offered in the state and identifying state-specific cost and benefits associated with them. Helping the state research alternative programs not currently offered which should be considered. Assisting in presentation of information to state policymakers and other agencies. Assisting in implementation of evaluation process.</td>
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<td><strong>Guided by:</strong> The Alaska Justice Information Center (AJIC) and a steering committee of statewide stakeholders. AJIC research staff — housed at the UAA Justice Center — will analyze criminal justice program data and present reports to the legislature, courts, and criminal justice agencies. AJIC works closely with other state agencies during the process.</td>
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<td><strong>Scope of analysis:</strong> Comparing current interventions against a nationwide inventory of evidence-based programs, and reviewing programs, their incremental costs, and their effectiveness in reducing recidivism.</td>
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<td><strong>Technical assistance:</strong> Provided by the Pew Charitable Trusts and the MacArthur Foundation at no charge to the state.</td>
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<td><strong>Work plan:</strong> Initiated in July 2015. Implementation in Fall 2015. A 1–2 year capacity-building effort and ongoing benefit-cost analysis of public policy areas, e.g., juvenile justice, mental health, substance abuse. The initial focus will be on adult criminal justice.</td>
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<td><strong>Life of project:</strong> AJIC data analysis work will continue beyond the Results First work and explore other projects. AJIC is supported by general funds from the State of Alaska and the Alaska Mental Health Trust Authority. AJIC is the entity responsible for compiling, analyzing, and reporting justice data in Alaska. AJIC will continue to provide reports on criminal justice data to state agencies.</td>
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and a number of research organizations (in addition to Pew) are involved in these projects as well. The efforts now underway in Alaska hold the promise of decreasing criminal justice system costs during a time of severe budget constraints—as well as the possibility of reinvesting savings in the most effective programs and supervision strategies for reducing recidivism and improving public safety. These goals promote healthier and safer citizens and communities, and help control correctional population growth and costs.

Barbara Armstrong is the editor of the Alaska Justice Forum.

Judicial selection (continued from page 1)

and appellate court has its own commission, resulting in 26 total judicial nominating commissions. Each commission has nine commissioners. Before 2001, three commissioners were lawyers appointed by the Florida Bar, three were appointed by the governor (and could be either lawyers or nonlawyers), and the remaining three were nonlawyers selected by the other six commissioners. In 2001, in response to claims that the existing judicial selection process did not reflect the will of the people of Florida, state law was changed to give the governor substantially greater power in appointing members of the judicial nominating commissions. Under the new rules, the governor appoints four members from a list of names submitted by the Florida Bar but can reject the list and ask for a new one; the other five members are appointed entirely at the discretion of the governor, though at least two must be lawyers.

A study was subsequently conducted by Salokar, et al., of judicial appointments in Florida from 1999 to 2003 in an attempt to measure the effect of this change on the type of individuals applying for and appointed to judgeships. Published in 2006 in the Justice System Journal, the study also analyzed the composition of the judicial nominating commissions themselves using data from publicly available member applications for the different commissions. After the change in appointment procedures, nominating commissioners overwhelmingly identified with the political party of the governor (Republican at the time of the change in the law) and announced their alliance with, or intent to promote, conservative policies in their applications. This was true both of the applicants for the gubernatorial-appointed positions and of applicants recommended by the Florida Bar, suggesting a selection bias in who applied for the commissions. Indeed, there was a dramatic decrease in the number of attorneys willing to serve on the nominating commissions following the change in procedure.

Further Information on These Initiatives

Alaska Criminal Justice Commission
http://www.ajc.state.ak.us/alaska-criminal-justice-commission

Alaska Criminal Justice Commission Resource List
Includes PowerPoint presentations on the Alaska Justice Reinvestment Initiative.
http://www.ajc.state.ak.us/alaska-criminal-justice-commission/resource-list-compiled-by-commission-staff

Alaska Justice Information Center
Will guide work of Pew-MacArthur Results First Initiative in Alaska.

The Pew-MacArthur Results First Initiative in Alaska

A party affiliation bias carried over to the judges selected as well. Not only did the number of judges registered as Republican (as opposed to Democrat) increase from 61 percent to 77 percent with the change in selection process (about 10% of the judges selected were unaffiliated), but judicial applicants increasingly listed in their application prominent Republican politicians as personal references. Moreover, the change in the selection process brought an increase in the affiliation of judges with conservative and Christian Right social

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