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## Recover Alaska: Healing Alaska's Alcohol Problems

*Marny Rivera and Tiffany Hall*

Alcohol is used by a large segment of the population and is one of the most commonly abused substances. National surveys reveal that 7 out of 10 adults in the U.S. and Alaska drank alcohol in the past year and more than half of all adults report past month alcohol use. While alcohol is part of our social culture and frequently plays a role in celebrations, it is often a factor in tragedies. The National Council on Alcoholism and Drug Dependence estimates that alcohol is a factor in 40 percent of all violent crimes, and is often an element in non-stranger violence, including intimate partner violence, sexual assault, and child abuse.

Excessive alcohol use has enormous social and economic costs. In Alaska parental

alcohol abuse has been cited by the Office of Children's Services (OCS) as the reason for a child's removal from the home in 31 to 47 percent of all maltreatment cases between 2011 and 2015. Both parental alcohol use and removal of a child from the home have lasting consequences for the family and the community. Another consequence of excessive alcohol use is alcohol-induced mortality. The alcohol-induced mortality rate for all Alaskans has remained at least twice as high as the average U.S. rate for over a decade, and has remained at least six times as high for Alaska Natives. In 2014, the age-adjusted alcohol-induced mortality rate in Alaska was 17.8 per 100,000 Alaskans while the average rate for the U.S. was 8.5 per 100,000 (see Figure 1, page 11). Many individual projects and programs have previously been implemented to address the harmful consequences of alcohol use in our state. But until recently Alaska has lacked a coordinated, multi-pronged response to alcohol problems.

Over the past few years an innovative approach—Recover Alaska—has evolved to address Alaska's alcohol-related problems. This initiative aims to reduce excessive alcohol use and related harm in Alaska by

influencing social norms and perceptions about alcohol use and abuse. Through bringing together stakeholders statewide, Recover Alaska seeks more coordinated responses to alcohol-related issues. It also advocates for change in systems and for effective laws and policies about alcohol. Recover Alaska was developed by a group of knowledgeable and influential funding partners—Alaska Mental Health Trust Authority, Mat-Su Health Foundation, and Rasmuson Foundation. These organizations recognized the need for a comprehensive and coordinated approach to target alcohol problems in Alaska and brought together a statewide, multi-sector steering committee to consider strategies. Since then, South-central Foundation, Providence Health and Services, and the Alaska Department of Health and Social Services have joined in supporting the Recover Alaska initiative.

This article provides a brief overview of the strategies being implemented by Recover Alaska to achieve its mission. An important element of the initiative is an evaluation plan to gauge the impact of this new approach to alcohol abuse.

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## Editor's Goodbye

With this issue of the *Alaska Justice Forum*, my eight-year tenure as editor ends. It has been my privilege to build on the foundation created by my predecessor, Antonia Moras, who edited this publication for over 20 years. I want to thank all the university and community partners who have contributed to publishing Alaska justice research, especially our Justice faculty and staff, and guest authors. And I also want to express my appreciation to all those in the Justice community, public and private entities, and individuals across the state, who have so generously given of their time to assist in answering questions and providing data for a variety of articles and topics. Lastly, I want to acknowledge the assistance of the *Forum* editorial board and the Justice Center Publication Specialist. With their help, the roughly drafted articles and statistical tables and charts are turned into a polished publication.

“Leading Alaska to a safer, healthier, and more just society” is the Justice Center's vision statement. The goal of the *Forum* is to contribute to that vision. I have tried to ensure that the articles in the *Forum* continue to focus on the broad landscape of justice issues and look at the connection between public health and justice. My aim has always been to be an advocate for our readers so that research and information are presented in a way that is accessible and interesting to the general reader, as well as to specialists in the field, practitioners, and academics. By providing research and analysis on an array of justice topics to legislators, agencies, policymakers, and the university and general community, the *Forum* serves an important role in Alaska. We hope to engage our readers in a conversation about these issues and to keep the conversation going. I am grateful to have been a part of this process.

— *Barbara Armstrong*

# Therapeutic Courts in the Alaska Court System

Barbara Armstrong

Therapeutic courts—often called “problem-solving courts” or “wellness courts”—have been a growing component of the U.S. court system since the 1990s. The National Drug Court Institute (NDCI) reported that in 2014 there were 4,368 problem-solving courts in the nation. Figure 1 shows the dramatic increase in the number of drug courts from 1989 to 2014. Therapeutic courts differ from traditional courts in their holistic approach to offenders and to the underlying issues which bring these individuals into the justice system—most notably substance abuse and mental health. The Alaska Court System (ACS) currently operates 12 therapeutic courts statewide (Table 1) and is considering additional pilot project courts. The latest additions to the roster of therapeutic courts are a dual-jurisdiction state-tribal wellness court—the Kenai Henu’ Community Wellness Court—with cases presided over by both a state judge and a judge of the Kenaitze Tribal Court, and a drug- and alcohol-related felony wellness court in Palmer. This article provides a brief overview of the development of ACS therapeutic courts, including a description of therapeutic courts currently in existence in our state, as well as proposed pilot project courts.

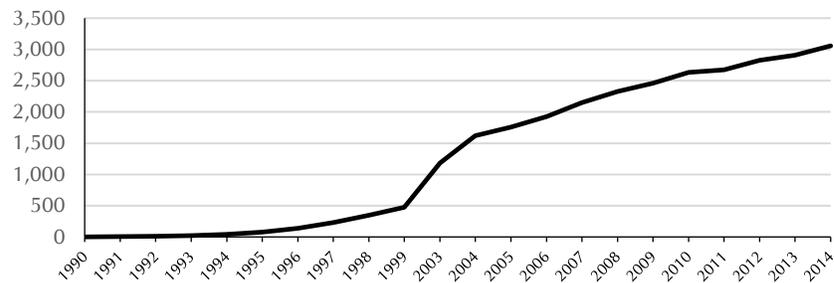
## The Rise and Expansion of Therapeutic Courts

Therapeutic courts began in 1989 with the Miami Drug Court, according to a 2010 Center for Court Innovation study, and since then drug courts have grown rapidly in a number of jurisdictions across the nation (Figure 1). The drug court model soon led to the creation of courts dealing with alcohol issues, most often DUI (driving under the influence of drugs or alcohol) offenses. Drug and alcohol treatment is a critical part of the therapeutic court model and most thera-

peutic court programs last 12 to 24 months. The therapeutic court process involves a team of individuals including the offender, the judge, the prosecutor, defense counsel, and court administrative personnel—and possibly an outside agency related to the offender’s status or underlying problem (such as the U.S. Department of Veterans Affairs for veterans courts)—as well as a treatment provider representative.

This holistic approach, using a collaborative strategy developed by justice system representatives and treatment service providers, results in what the Center for Court

**Figure 1. Number of Drug Courts by Year in the United States, 1989–2014**



**Source of data:** National Drug Court Institute, "Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States" (2016), Table 3 (<http://www.nadcp.org/sites/default/files/2014/Painting%20the%20Current%20Picture%202016.pdf>).

**Table 1. Therapeutic Courts in the Alaska Court System**

Court	Eligible offenders	Date established	Capacity	Type of case referred	
				Felony	Misdemeanor
<b>Anchorage Child in Need of Aid (CINA) Therapeutic Court</b>	Parents or custodians aged 18 or over of children; individuals who are in need of recovery services	2014	20	—	—
<b>Anchorage Coordinated Resources Project (Mental Health Court)</b>	Alaska Mental Health Trust Authority beneficiaries charged with criminal offenses	1998	75	X	X
<b>Anchorage Municipal Wellness Court</b>	Charged with DUI or refusal or other alcohol-related charge	1999	30		X
<b>Anchorage Wellness Court — Felony Drug Court</b>	Felony drug or drug-related offenses	2001	20	X	
<b>Anchorage Wellness Court — Felony DUI Court</b>	Felony DUI or felony refusal	2001	40	X	
<b>Anchorage Veterans Court</b>	Veterans with misdemeanor or felony alcohol- or drug-related offenses	2004	25	X	X
<b>Bethel Therapeutic Court</b>	Felony or misdemeanor crime directly related to offender substance abuse; or violation of probation due to substance abuse	2002	20	X	X
<b>Fairbanks Wellness Court</b>	Felony DUI	2007	30	X	
<b>Juneau Coordinated Resources Project (Mental Health Court)</b>	Misdemeanor or felony charge; currently diagnosed with a mental illness or qualifying for mental health services	2012	15	X	X
<b>Juneau Therapeutic Court</b>	Felony alcohol- or drug-related offenses	2005	15	X	X
<b>Kenai Henu' Community Wellness Court (State-Tribal Wellness Court)</b>	People convicted of drug- and alcohol-related misdemeanor and felony offenses	2016	20	X	X
<b>Ketchikan Therapeutic Court</b>	Charged with multiple misdemeanors, a felony DUI, or felony refusal; or on probation for felony DUI or felony refusal	2005	12	X	X
<b>Palmer Coordinated Resources Project (Mental Health Court)</b>	Charged with misdemeanor or low-level felony and diagnosed with a mental disability; Alaska Mental Health Trust Authority beneficiary; Mat-Su resident	2005	25	X	X

**Source of data:** Alaska Court System. See also "Therapeutic Court Information," <http://www.courts.alaska.gov/therapeutic/index.htm>

Innovation describes as “individualized justice” for the offender. Other common elements of the therapeutic court process, in addition to treatment for factors contributing to criminal behavior, include offender accountability, community engagement, staff training, data collection for each case, improved safety for victims and the public, and an overall focus on positive outcomes for the offender and the community.

Therapeutic courts have expanded to deal with a variety of issues (both criminal and civil) and types of offenders. A Bureau of Justice Statistics (BJS) 2012 census of problem-solving courts in the U.S. outlined the following categories of courts:

- drug courts work with offenders with an underlying drug abuse problem;
- mental health courts work with offenders who have a mental illness or developmental disability;
- family courts address issues with parents and children such as custody—parental substance abuse may be a factor—or may deal with other family issues such as domestic violence;
- domestic violence courts focus on offenders and treatment and assisting victims with safety needs;
- tribal wellness courts deal with substance abuse and other issues through partnerships between state courts and American Indian/Alaska Native tribal courts;
- veterans courts concentrate on this specific population and the surrounding issues which bring veterans into the justice system, such as substance abuse and homelessness;
- youth specialty courts focus on issues with young offenders; and
- DWI (also called DUI) courts work with offenders who have DWI (driving while intoxicated) offenses. Some courts are hybrid DWI/drug courts.

In addition to the above categories identified by BJS, some jurisdictions may have other specialty courts, such as reentry, prostitution, or homelessness courts.

Offenders being considered for a therapeutic court are screened for eligibility and given the opportunity to participate. The programs are voluntary, and typically involve some form of treatment related to an underlying issue that brought the individual to the attention of the justice system. By opting to participate in a therapeutic court, and complying with all the requirements, an offender can decrease the amount of jail or prison time related to an offense, and in some instances, the case may be dismissed. The goal is to assist the offender in desisting from the behavior that brought them before

the court, ensure offender accountability, and focus on positive outcomes for the individual and the community.

### Effectiveness of Problem-Solving Courts

The 2016 report by the National Drug Court Institute (NDCI) provides a brief summary of research on problem-solving courts, and discusses the many meta-analyses that have been conducted. The majority of research has been done on drug courts, a category of problem-solving court that has been in existence the longest. There is consensus that adult drug courts, DUI courts, family drug courts, and mental health courts “improve justice system outcomes and can return net financial benefits to taxpayers.” Because the majority of research has focused on drug courts, additional work is needed to determine the effectiveness of other types of courts. The NDCI also suggests that further research is needed to understand why and how therapeutic courts result in positive outcomes, and to discover ways to improve the effectiveness of these programs. Research has also shown that the number of therapeutic courts will likely continue to grow, and will be able to operate more effectively with more data identifying the key aspects of successful programs.

Most of the above studies have focused on the numerous problem-solving courts in the Lower 48. However, several studies of Alaska problem-solving courts have been undertaken by the Alaska Judicial Council (Council) since 2000, shortly after the inception of therapeutic courts in the state. The results published in these studies have been positive and indicate that successful graduates of the programs in problem-solving courts have lower recidivism rates following graduation, which results in cost savings for the system. The studies have examined the Anchorage mental health courts, Anchorage felony drug court and felony DUI court, and Bethel therapeutic court. Overall, therapeutic court program graduates had lower recidivism rates than offenders in comparison groups. The most recent therapeutic court study by the Council was published in 2012 and looked at therapeutic courts and the Alaska Department of Corrections institutional substance abuse programs. The study indicated that these programs also had a positive impact on recidivism rates. In 2012, a law review article by Anchorage Superior Court Judge Jack W. Smith, who at one time presided over the Alaska Veterans Court, looked at the benefits of that court. The article noted that obtaining more data about court participants would assist future analysis of the effectiveness of the court.

Other studies of Alaska Court System therapeutic courts include 2008 reports by

Hornby Zeller Associates on the Anchorage and Palmer mental health courts, and a 2008 Urban Institute Justice Policy Center report on the Anchorage Wellness Court. Both reports noted the positive impact of these courts, including decreased involvement by program graduates in the criminal justice system.

Therapeutic courts in the Alaska Court System are also part of the research currently being done by the Alaska Justice Information Center (AJIC) for the Results First Initiative. This initiative examines evidence-based programs, like therapeutic courts, that potentially impact recidivism, and then generates additional information on benefits and costs to help guide policy decisions and resource allocation.

### Alaska Court System Therapeutic Courts

The first Alaska Court System “wellness court” was established in Anchorage in 1999 to deal with misdemeanor DUI offenders. Individuals were screened for eligibility for the 18-month program and voluntarily agreed to

*Please see **Therapeutic courts**, page 4*



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## Therapeutic courts (continued from page 3)

participate. Substance abuse treatment, as well as supervision, are core elements. The court was specifically called a “wellness court” to reflect the Alaska Native view of justice as a restorative process.

The Alaska Court System has come to recognize different needs in the community, and has sought to expand the types of therapeutic courts available to deal with both felony and misdemeanor offenders, as well as to increase access to these courts. The growth of therapeutic courts is tied to the concept of individualized justice, as well as to access to the most effective and appropriate judicial process. The roster of Alaska therapeutic courts (Table 1, page 2) now includes DUI courts, drug courts, mental health courts (with support from the Alaska Mental Health Trust Authority), municipal wellness courts, a child in need

of aid (CINA) court, a veterans court, and the newly established state-tribal wellness court—Kenai Henu’ Community Wellness Court. Therapeutic courts are located in Anchorage, Bethel, Fairbanks, Juneau, Kenai, Ketchikan and Palmer, with the goal to expand to other court jurisdictions in the future. Funding for therapeutic courts comes from legislative appropriation, federal and state agency grants, and community and private entity donations. At present, more than half of the therapeutic courts (8) focus specifically on working with offenders who have substance abuse issues. (Substance abuse is often a common factor among participants in all of the therapeutic courts.)

Although successful participants are able to receive reduced sentences and sanctions, and in some instances dismissal of a charge, the Alaska Court System stresses in its website description of therapeutic courts that these courts are “not an ‘easy way out’ of a felony or misdemeanor....” Most

importantly, the therapeutic court model is an alternative justice model in which a collaborative court team made up of a supervising judge, district attorney, defense counsel, probation officer and/or substance abuse or mental health treatment provider, oversees and closely monitors participants who chose the treatment program in lieu of incarceration.

Offenders who meet the eligibility screening requirements for participation in a therapeutic court follow prescribed conditions and are supervised by a member of the therapeutic court team. Once all required conditions have been met, the individual is eligible to “graduate” from the therapeutic court in a graduation ceremony. Both the graduates and the judges who preside over the ceremony have stated that this event is often a momentous occasion for successful participants, and can be an important milestone in continued desistance and recovery.

Wellness/therapeutic courts operate in

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Anchorage, Bethel, Juneau, and Ketchikan, and deal with misdemeanor and felony drug and alcohol offenders. A wellness court will open in Palmer in January 2017. The Anchorage Municipal Wellness Court, which deals with misdemeanor alcohol offenders, was the first therapeutic court established in Alaska. All of these courts utilize a team approach for each case and work to assist offenders in becoming productive citizens. Participants in these courts who successfully complete all requirements of the program are eligible to receive sentences that include reduced or dismissed incarceration time.

The Coordinated Resources Project includes the mental health courts in Anchorage, Juneau, and Palmer. The first mental health court was established in Anchorage in 1999. The Palmer court began operation in 2005 and the Juneau court was created in 2012. A high percentage of adults in the criminal justice system are Alaska Mental Health Trust Authority (Trust) beneficiaries—that is, individuals who are dealing with any of the following:

- mental illness;
- developmental disabilities;
- chronic alcoholism and other substance abuse-related disorders;
- Alzheimer’s disease and related dementia; or
- traumatic brain injuries.

A 2014 study by Hornby Zeller Associates estimated that on June 30, 2012, about 65 percent of the persons under Alaska Department of Corrections supervision were Trust beneficiaries. Trust beneficiaries are often diagnosed with co-occurring disorders—e.g., both mental illness and substance abuse. The Coordinated Resources Project is able to assist individuals who are often dealing with multiple disorders, and the Trust provides ongoing financial support for this effort.

The Veterans Court in Alaska, created in 2004, was one of the first veterans courts in the nation. Alaska has a higher percentage of veterans in the general population than any other state, according to a June 2016 report by the Alaska Department of Labor and Work Force Statistics. This court works closely with the Department of Veterans Affairs to determine the most effective treatment plan for veterans in the criminal justice system, to ensure offender accountability, and to assist in the rehabilitation of veterans.

The Child In Need of Aid (CINA) Therapeutic Court was first started as a pilot project in 2014 to assist parents with substance abuse issues. The court functions with two judges for each case—one judge who deals with underlying substance abuse issues, and one who deals with other issues in the case,

such as custody. This court is now an established therapeutic court, and functions with input from representatives from the Alaska Office of Children’s Services, the Division of Behavioral Health, the Office of Public Advocacy, the Public Defender, Native organizations, and other social service agencies.

A government-to-government agreement was recently signed between the Alaska Court System, Alaska Department of Law, and the Kenaitze Tribe. This is the first such agreement in the state. An Alaska Court System judge and a Kenaitze Tribal judge will sit jointly to hear felony cases involving substance abuse issues, as well as child in

need of aid (CINA) cases involving felony offenders. It is anticipated this court will hear its first cases in December 2016.

These therapeutic courts exist as part of the effort to deal with the substantial problems of substance abuse and mental health issues that are contributing factors for involvement with the criminal justice system.

**Behavioral Health Data and Court Case Filings**

Substance abuse continues to be a significant public health issue in the U.S. and

*Please see Therapeutic courts, page 6*

**Table 2. Growth of Drug Courts from 2009 to 2014**

Drug court model	12/31/2009	12/31/2014	Difference	Percent change 2009 to 2014
Adult drug court	1,317	1,540	+223	+17 %
Adult hybrid drug/DUI court*	354	407	+53	+15 %
Campus drug court	5	3	-2	-40 %
Co-occurring disorders court	NR	62	—	—
DUI court	172	262	+90	+52 %
Family drug court	322	305	-17	-5 %
Federal district reentry drug court	30	29	-1	-3 %
Federal district veterans treatment court	NR	6	—	—
Juvenile drug court	476	420	-56	-12 %
Reentry drug court	29	26	-3	-10 %
Tribal wellness drug court	89	138	+49	+55 %
Veterans treatment court	19	266	+247	+1,300 %
<b>Total</b>	<b>2,459</b>	<b>3,057</b>	<b>+598</b>	<b>+24 %</b>

\* Hybrid drug/DUI courts are a subset of adult drug courts and are not counted separately in the total tallies.  
NR: not reported.

**Source:** National Drug Court Institute, "Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States" (2016), Table 4 (<http://www.nadcp.org/sites/default/files/2014/Painting%20the%20Current%20Picture%202016.pdf>).

**Table 3. Growth of Problem-Solving Courts (Other than Drug Courts) from 2009 to 2014**

Drug court model	12/31/2009	12/31/2014	Difference	Percent change 2009 to 2014
Adult mental health court	288	392	+104	+36 %
Child support court	46	62	+16	+35 %
Community court	25	23	-2	-8 %
Domestic violence court	206	210	+4	+2 %
Gambling court	1	0	-1	-100 %
Gun court	6	2	-4	-67 %
Homelessness court	25	22	-3	-12 %
Juvenile mental health court	NR	37	—	—
Parole violation court	6	3	-3	-50 %
Prostitution court	8	18	+10	+125 %
Reentry court	26	30	+4	+15 %
Sex offender court	NR	9	—	—
Truancy court	352	314	-38	-11 %
Other problem-solving courts	200	189	-11	-6 %
<b>Total</b>	<b>1,189</b>	<b>1,311</b>	<b>+122</b>	<b>+10 %</b>

NR: not reported.

**Source:** National Drug Court Institute, "Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States" (2016), Table 8 (<http://www.nadcp.org/sites/default/files/2014/Painting%20the%20Current%20Picture%202016.pdf>).

## Therapeutic courts (continued from page 5)

Alaska. The Substance Abuse and Mental Health Services Administration (SAMHSA) noted in *Behavioral Health Barometer: Alaska, 2015* that 39,000 individuals aged 12 or older (7% of that age group) reported past year alcohol dependence or abuse during 2013–2014, and 35,000 adults age 21 or older (7% of that age group) reported heavy alcohol use in the preceding 30 days during that period. Illicit drug use or dependence (including non-medical use of prescription drugs) in the prior year was reported by 19,000 persons age 12 years or older (3% of this age group) for the period 2013–2014. All of these Alaska percentages are similar to national averages for the time period. The same SAMHSA report also presents data on serious mental illness among persons in Alaska age 18 years and older for 2013–2014: of individuals age 18 years or older, 20,000 persons (4% of this age group) indicated a serious mental illness for the period. (The data above are from the National Surveys on Drug Use and Health sponsored by SAMHSA and reflect the age ranges in the surveys.)

Data on Alaska Court System FY 2015 case filings involving alcohol or drug offenses illustrate the role of substance abuse on court caseloads. In Superior Court in FY 2015, felony drug cases represented about 19 percent (1,208) of felony filings, and felony DUI cases represented about 5

percent (306) of felony filings. In District Court, misdemeanor drug cases represented 2 percent (528 cases) and misdemeanor DUI filings represented 13 percent (3,414) of misdemeanor filings statewide for the period. (In FY15 there were 6,457 total felony case filings and 25,887 total misdemeanor case filings statewide.) And, though not separately tracked in court statistics, many other offenses are committed by persons whose criminal behavior is directly tied to substance abuse.

### Conclusion

Therapeutic courts continue to expand both in Alaska and nationwide. Based on responses to their survey of states and territories, the National Drug Court Institute (NDCI) cites a 24 percent increase in the types of drug courts overall from 2009 to 2014, and a 36 percent rise in adult mental health courts during the same period (see Tables 2 and 3, page 5).

There has been exponential growth in different drug courts over the period 2009–2014 (Table 2). Veterans Courts grew by 1,300 percent, by far the largest increase of all the types of courts listed. Tribal wellness courts grew by 55 percent, DUI courts by 52 percent, and adult drug courts and adult hybrid drug/DUI courts by 17 percent and 15 percent respectively. There was a large decrease (40%) in campus drug courts (a category of court not discussed extensively in the NDCI report), while there were much smaller drops in family drug courts (-5%),

Federal district reentry courts (-3%), juvenile drug courts (-12%), and reentry drug courts (-10%).

Among problem-solving courts, other than drug courts, the greatest expansion in 2009–2014 was seen in prostitution courts (125%—increasing from 8 in 2009 to 18 in 2014), adult mental health courts (36%), child support courts (35%), and reentry courts (15%) (Table 3). The NDCI estimates that over the next 3 years, among all problem-solving courts the categories most likely to increase in number are adult drug courts, followed by reentry courts, juvenile mental health courts, and domestic violence courts.

The Alaska Court System is striving to meet the needs of Alaskans involved with the criminal justice system who are dealing with mental health and substance abuse issues. Research shows that therapeutic courts can be effective in working with offenders with these problems. Access to justice is a critical focus, and the court is looking at ways to increase the locations and types of therapeutic courts. Current therapeutic court pilot projects under discussion include a CINA (Child In Need of Aid) Therapeutic Court in Palmer. The Alaska Court System is committed to offender accountability, public safety, and providing the opportunity for offenders to become productive community members.

*Barbara Armstrong is the editor of the Alaska Justice Forum.*

## Alaska Felony Sentencing Patterns: Selected Findings

*Teresa White Carns*

The Alaska Judicial Council (Council) recently released *Alaska Felony Sentencing Patterns: 2012–2013*. The report examines factors associated with felony sentences under new presumptive ranges set by the legislature in 2005 and 2006. The study has been used by the Alaska Criminal Justice Commission (ACJC), established by the legislature in 2014 to make recommendations about criminal justice reform and sentencing. This brief article looks at selected findings from the report.

### Background

The goal of presumptive ranges is to decrease the likelihood of unjustified disparity in sentencing, while generally allowing some judicial discretion in the imposition of a sentence. In 2005 and 2006, the legislature significantly changed Alaska's sentencing laws by substituting presumptive sentencing ranges for the specific presumptive sentences in effect since 1980. The legislature also

extended the presumptive ranges to include all first offender Class B and C felonies, thus substantially increasing the number of offenders subject to the presumptive system. Additional legislative changes in the years between 2005 and 2012 included significant increases in the presumptive ranges for sex offenses, an increase in the types of offenses classified as felonies, and an increase in the seriousness level of classification for a number of already existing felonies. (See "Classification of Felony Offenses.")

### Selected Findings

The report examined sentencing records for 2,970 cases, a 60 percent sample of all felonies sentenced during 2012 and 2013. The analysis included the single most serious charge identified in each case and a variety of other factors related to the sentencing. Other factors included offender demographic characteristics, location of the case in the state, seriousness of the offense, and whether the conviction was at trial or

### Classification of Felony Offenses

- *Unclassified* offenses are the most serious crimes, such as murder, kidnapping, and sexual assault in the first degree.
- *Classified offenses* are categorized in order of seriousness by class—Class A being the most serious, then Class B, Class C.

the result of a plea (Table 1).

More than half of the sample was Caucasian (58%); 28 percent was Alaska Native/American Indian; 9 percent was African American; 4 percent was Asian/Pacific Islander; and 1 percent was unknown. About one-fifth of the offenders (21%) in the sample were female. More than half (54%) of the offenders were between the ages of 16 and 30 years.

Two-thirds (67%) of the offenders in the study had no prior felony convictions. The

majority of offenders (81%) were convicted of Class C felonies—the least serious offense classification (Figure 1). Just over 70 percent were convicted of nonviolent Class C felonies (e.g., property, driving, and drugs) (Figure 2).

In nearly all the cases (94%), conviction was by a plea agreement. Cases for the most serious offenses went to trial most often, however, and 55 percent of Unclassified offenses (the most serious) had been convicted after a trial.

Most offenders (79%) were sentenced to some active time of incarceration. Nearly two-thirds of offenders (61%) received sentences that included probation plus some incarceration time. In determining a sentence, a judge may hand down a *Suspended Imposition of Sentence* (SIS) if the offender and the offense fall under certain criteria. The SIS can specify conditions including incarceration, probation, and restitution; if the person successfully completes all of the conditions, the person is discharged and the court may set aside the conviction. In the sample examined, 15 percent of offenders received an SIS.

Regarding the most serious offenses, most offenders convicted of a sex offense received sentences of active incarceration time within or above the presumptive ranges, while more than half (51%) of offenders convicted of a Class A felony (non-sexual offense) received sentences below the presumptive ranges due to mitigating factors. The report also found sentences below presumptive ranges for 39 percent of Class B nonsexual sentences and 51 percent of Class A nonsexual offenses.

In looking at each class of felony offense (A, B, C), longer active sentences were imposed for violent offenses versus nonviolent offenses. Overall, males were more likely to receive a longer sentence than females, and males were more likely to have been convicted of a violent crime than females. Other factors that appeared to result in longer sentences included the level of violence of the offense, and prior felony convictions of the offender.

Dr. Brad Myrstol at the UAA Justice Center conducted the multivariate analysis of the data. He found that within each class of offense, A, B, and C, violent offenses received longer sentences, on average, than nonviolent offenses. Similarly, within each class of offense, offenders with prior felony convictions received longer active sentences on average than offenders with no prior convictions. The less serious the offense of which a person was convicted, the more likely it was that the sentence was associated with factors other than the nature of the offense or the offender's prior record. These factors included case-processing factors such as type of attorney, and whether a presentence report was filed, and whether a case went to trial, sometimes interacting with demographic characteristics.

**Table 1. Alaska Felony Sentencing: Variables Studied**

Dependent variables	
Sentence length	Imposed sentence length Active sentence length Active time: yes/no?
Independent variables	
Demographic characteristics of offenders	Age at time of offense Gender Ethnicity Criminal history
Offense characteristics (for the single most serious offense of conviction)	Class of offense Type of offense Number of felony and misdemeanor Court location Domestic violence flag
Characteristics of court cases	Type of disposition (plea vs. trial) Type of attorney
Factors related to sentencing	Presentence report filed Probation SIS (suspended imposition of sentence) sentence

Source: Alaska Judicial Council (2016), "Alaska Felony Sentencing Patterns 2012–2013"

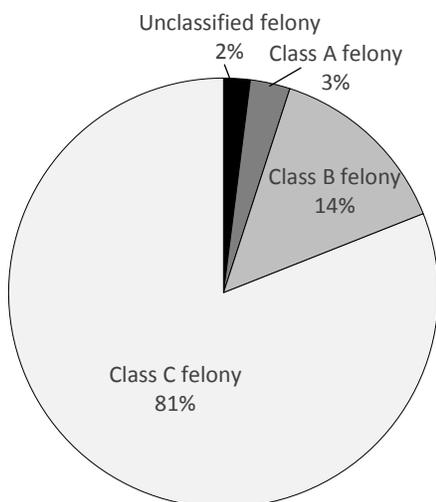
The report notes that the Alaska Criminal Justice Commission recommended to the Governor and Legislature in 2015 that non-sex felony presumptive ranges be aligned with prior presumptive terms, and that the state's prison beds be focused on "serious and violent offenders" and "higher-level drug offenders" (p. 85). The fact that the study's data showed that some types of sentences were already often below the presumptive ranges—e.g., Class A drug offenses, Class A and Class B nonsexual

offenses—suggested that current sentencing practices may already be in alignment to some degree with Commission recommendations.

A full copy of the report is available at the Alaska Judicial Council website ([http://www.ajc.state.ak.us/sites/default/files/reports/research/final\\_draft\\_alaska\\_sentencing\\_patterns\\_2012\\_-\\_2013.pdf](http://www.ajc.state.ak.us/sites/default/files/reports/research/final_draft_alaska_sentencing_patterns_2012_-_2013.pdf)). Appendices include mean active sentence length for each type of conviction noted in the publication, as well as a detailed history of the changes from 2000 to 2013 in felony offense definitions, classifications and sentencing statutes.

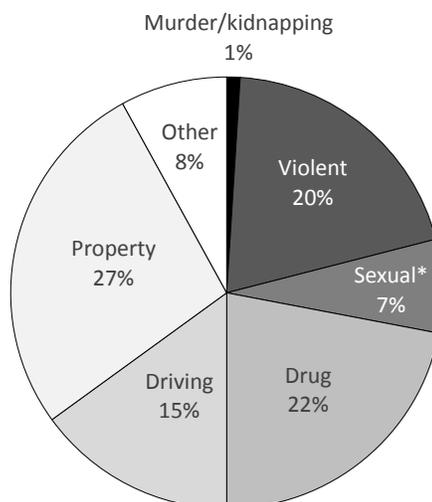
Teresa White Carns is with the Alaska Judicial Council in Anchorage and is responsible for special projects.

**Figure 1. Distribution of Most Serious Convicted Offenses by Class of Offense**



Source of data: Alaska Judicial Council (2016), "Alaska Felony Sentencing Patterns 2012–2013"

**Figure 2. Distribution of Most Serious Convicted Offenses by Type of Offense**



\* All sexual offenses were included in the sexual category.

Source of data: Alaska Judicial Council (2016), "Alaska Felony Sentencing Patterns 2012–2013"

# Teens Acting Against Violence (TAAV) and the 40 Developmental Assets

Christy Parker

Teens Acting Against Violence (TAAV) is a student-led anti-violence education group that was formed in 1996 by Tundra Women's Coalition (TWC) in Bethel, Alaska, with an original grant from the Alaska Division of Juvenile Justice (DJJ). Bethel is a remote city in rural Alaska, accessible only by air or boat, with a population in 2015 of 6,080 people. Over half of the population (65%) is American Indian or Alaska Native, according to the U.S. Census Bureau.

TWC and TAAV partnered with the University of Alaska Anchorage (UAA) Justice Center in 2013 to conduct an evaluation of the TAAV program through a one-time survey of former and current adult TAAV members (over 18 years of age). Overall, data from the evaluation showed that TAAV was a positive experience for the majority of the current and former TAAV members. TAAV also had a positive impact on developing life skills necessary for healthy relationships and lives.

This article looks at the program in light of the 40 developmental assets defined by the Search Institute, a nonprofit research program whose framework of strengths and supports for youth development has become an international benchmark. The developmental assets were not intentionally incorporated in the design of the TAAV program, but are reflected in its outcomes.

## TAAV Background

The initial goals of the TAAV program were to recruit youth who were already peer leaders and have them promote messages aimed at reducing teen dating violence and promoting healthy relationships to their peers. This was accomplished through skits performed for peer education, public service announcements, and video/commercial spots. As TWC grew, experience with the needs of youth increased. In addition, gaps in services to youth became more apparent. This led to the development of TAAV's key strategies of working with youth. These key strategies include leadership development, work experience, skill building, healthy activities, teen empowerment, cultural relevance, outdoor education, peer education, crisis and family work, and community awareness. Over time, TAAV naturally evolved to include any teen who voluntarily selected to be part of the group. It is no longer a group

of youth leaders specifically identified and recruited by TWC staff.

Currently, TAAV is primarily member-driven, open to any youth in middle and high school. TAAV has a yearly membership of approximately 60 to 100 youth participating in education and outreach activities. Although the program is open to all youth, program administrators report that nearly all participants are Alaska Native youth. The central focus of TAAV is for youth to engage in community and regional outreach activities meant to discourage interpersonal violence and to promote healthy relationships, healthy choices, and healthy lifestyles. Outreach efforts reach up to 1,000 Alaska youth annually.

## TAAV Survey Goals

The survey was distributed online to 86 former or current TAAV members over the age of 18 years as a convenience sample of potential respondents. These individuals were identified by TAAV staffers (several of whom were TAAV alumni) as having been *regular attendees*. The majority of TAAV members identified for this evaluation were alumni, rather than current program members. TAAV staff used Facebook and email to invite these 86 individuals to complete the survey. Eighty-five members of the sample participated in the survey, for an overall response rate of 98.8 percent.

Pursuant to TAAV objectives, the focus of the evaluation was placed on examining efforts in the areas of domestic violence and sexual assault prevention, building healthy relationships, encouraging sobriety, and suicide prevention. This evaluation was two-pronged, focusing on the program effectiveness and the benefits experienced by participants up to 10 years post-participation.

## Essential Elements of Positive Youth Development

According to the Search Institute, there are 40 assets that lay the groundwork for positive youth development and transition from adolescence to adulthood. These 40 assets are grouped into four external assets (support, empowerment, boundaries and expectations, and constructive use of time) and four internal assets (commitment to learning, positive values, social competencies, and positive identity). (See The Search Institute's 40 De-

velopment Assets, pages 9 and 10.) Research by the Search Institute has shown that having a greater number of these developmental assets—essentially “building blocks of healthy development”—reduces a young person's tendency toward alcohol use, tobacco use, illicit drug use, antisocial behavior, violence, school failure, sexual activity, attempted suicide, and gambling. Beyond simple prevention, developmental assets have also been shown to help youth “thrive”—to overcome adversity, delay gratification, succeed in school, value diversity, help others, demonstrate leadership, and be physically healthy. This particular list of assets is intended for adolescents between the ages of 12 and 18—the key demographic served by TAAV.

In our original survey, respondents were asked a series of questions about their experiences in TAAV. By matching the questions and responses to the developmental assets list, we can gauge how well TAAV assisted youth in achieving a foundation for success.

## External Assets

### Support

The support asset includes family support, positive family communication, other adult relationships, caring neighborhood, caring school climate, and parent involvement in schooling. The TAAV program provides young people with staff who offer support and guidance to TAAV participants. This is evidenced by the very favorable opinions about the TAAV staff as reported by TAAV participants—97 percent felt that staff really cared about them and 91 percent felt that TAAV staff members were available to help solve problems. Additional results showed that 96 percent of respondents reported satisfaction with the job performance of TAAV staff—particularly how staff facilitated a positive experience within the group. Ninety-eight percent of TAAV members felt that TAAV staff were a good support system, providing a trustworthy adult to offer advice or assistance with questions or problems—someone that youth could turn to for help or guidance in times of stress. Overall, TAAV effectively provides its participants with support from nonparent adults.

### Empowerment

The asset of empowerment includes factors such as a community that values youth, youth being recognized as resources, youth providing service to others, and youth feeling safe. The TAAV program empowers each TAAV participant. TAAV staff encourage TAAV members to participate in many different types of activities within their community and neighboring villages. Through outreach

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**Table 1. The Search Institute's 40 Developmental Assets: External Assets****Support**

1. Family support — Family life provides high levels of love and support.
2. Positive family communication — Young person and her or his parent(s) communicate positively, and young person is willing to seek parent(s) advice and counsel.
3. Other adult relationships — Young person receives support from three or more nonparent adults.
4. Caring neighborhood — Young person experiences caring neighbors.
5. Caring school climate — School provides a caring, encouraging environment.
6. Parent involvement in schooling — Parent(s) are actively involved in helping young person succeed in school.

**Empowerment**

7. Community values youth — Young person perceives that adults in the community value youth.
8. Youth as resources — Young people are given useful roles in the community.
9. Service to others — Young person serves in the community one hour or more per week.
10. Safety — Young person feels safe at home, school, and in the neighborhood.

**Boundaries and Expectations**

11. Family boundaries — Family has clear rules and consequences, and monitors the young person's whereabouts.
12. School boundaries — School provides clear rules and consequences.
13. Neighborhood boundaries — Neighbors take responsibility for monitoring young people's behavior.
14. Adult role models — Parent(s) and other adults model positive, responsible behavior.
15. Positive peer influence — Young person's best friends model responsible behavior.
16. High expectations — Both parent(s) and teachers encourage the young person to do well.

**Constructive Use of Time**

17. Creative activities — Young person spends three or more hours per week in lessons or practice in music, theater, or other arts.
18. Youth programs — Young person spends three or more hours per week in sports, clubs, or organizations at school and/or in community organizations.
19. Religious community — Young person spends one or more hours per week in activities in religious institution.
20. Time at home — Young person is out with friends "with nothing special to do," two or fewer nights.

*Source:* Copyright © 1997, 2007 by Search Institute

and education programs, TAAV members are given a positive role in the community and provide a service to others. Overall, 90 percent of respondents reported that they felt people look to them for guidance and that they are valuable members of their community—97 percent felt that they are role models to some extent in their community. Further, 97 percent of respondents reported that they felt safe in the program. Almost 96 percent of respondents reported that TAAV staff provided leadership opportunities to TAAV participants by giving them chances to lead the group, help make decisions for the group, help solve problems, and share their ideas with the group. These survey results suggest that the TAAV program successfully instills a sense of empowerment in TAAV members.

*Boundaries and Expectations*

The asset of boundaries and expectations includes factors such as family boundaries, school boundaries, neighborhood boundaries, adult role models, positive peer influence, and high expectations. The TAAV program helped create healthy boundaries and expectations for TAAV participants. As evidenced by survey responses, the TAAV program provided TAAV staff who were positive and responsible adult role models. Ninety-six percent of respondents approved of TAAV staff job performance, which included setting clear goals and expectations for the group, making good decisions, and communicating clearly. Ninety-eight percent

of TAAV members felt that TAAV staff were conscientious and kind—modeling positive, responsible behavior by making decisions in the best interest of the group; treating others fairly and with respect; and respecting different cultures and backgrounds.

Ninety-seven percent of respondents made new friends in the TAAV program and developed relationships which fostered peer reinforcement of the responsible behaviors and lessons taught in TAAV programs. Respondents overwhelmingly agreed (93.6%) that their peers were engaged and respectful of each other and the program—modeling responsible behavior. These survey results suggest that the TAAV program is successful in helping TAAV members respect boundaries and meet expectations.

*Constructive Use of Time*

The asset of constructive use of time includes factors such as participating in creative activities, youth programs, and religious activities, as well as spending time at home. The TAAV program offers many activities which serve as constructive uses of time. At least one-third of respondents reported participating at least once in one of the following favorite seven activities: attending TAAV meetings (62.4%), participating in fundraising activities (62.4%), assisting with TWC events (52.9%), traveling on an Outward Bound trip (50.6%), performing in skits (48.2%), traveling to neighboring villages (47.1%), and giving com-

munity presentations (37.6%). Over 94 percent of respondents reported that they enjoyed participating in fundraising events because it made them feel good to be part of a group effort—nearly 73 percent felt proud to contribute to a common goal. Further, 86 percent of TAAV respondents agreed that the TAAV program provided culturally appropriate activities that were both relevant and important to the mostly Yup'ik members. These survey results suggest that TAAV is successful at channeling group energies into constructive uses of time.

**Internal Assets***Commitment to Learning*

The asset of commitment to learning includes factors such as achievement motivation, school engagement, homework completion, bonding to school, and reading for pleasure. The TAAV program includes educational components directly related to reducing teen violence and promoting healthy relationships. Respondents reported that they had increased their knowledge about domestic violence (81.8%), healthy relationships (77.3%), and sexual assault/abuse (71.2%) as a result of participating in TAAV activities. Additionally, more than 60 percent of respondents reported increases in listening skills and ways to relate to peers, and knowledge about suicide prevention and substance abuse.

*Positive Values*

The asset of positive values includes caring, equality and social justice, integrity, honesty, responsibility, and restraint. The TAAV program instills positive values in TAAV participants. As a central tenet of the TAAV program, TAAV members develop new skills in order to perform tasks that help others. Eighty-eight percent of TAAV respondents reported that their experience at TAAV taught them that they could make a difference in their own community.

The TAAV program actively engages in education stressing the importance of equality and social justice, as well as personal integrity, honesty, and responsibility. Eighty-seven percent of respondents said that the TAAV program resulted in changes to the way they live their lives. Specifically, 97 percent of TAAV members reported gains in knowledge about avoiding and ending unhealthy relationships and making healthy life choices. Further, 94 percent of respondents reported a high likelihood of intervening in a situation where they see that someone is at risk of harm. Eighty percent of respondents reported that they are more likely to speak out publicly on issues related to interpersonal violence.

From 98 to 100 percent of respondents reported that they had not used prescription medications, over-the-counter medications, inhalants or other household items, or methamphetamines, LSD, cocaine, or heroin, to

*Please see TAAV, page 10*



## Recover Alaska

(continued from page 1)

### Working with the Media

Recover Alaska has partnered with television, radio, print, and online media to increase coverage of alcohol-related issues in Alaska, and has also utilized social media to engage and inform Alaskans. This strategy involved moving from passive monitoring and reactive media stories on alcohol-related issues to a targeted effort designed specifically to influence social, political, and media environments around alcohol. As part of this partnership, reporters developed investigative journalism pieces on the impact of alcohol in Alaska in a 2013–2014 series of *Anchorage Daily News* articles entitled “State of Intoxication.” In 2015, the *Fairbanks Daily News-Miner* began a year-long project entitled “Paths to Recovery,” which focused on finding solutions to Alaska’s alcohol problem.

Recover Alaska has also provided financial and other support for a “Be [You]” social norms media campaign launched by the Alaska Wellness Coalition in 2015. One of the prominent media messages included “78% of Alaska teens do not drink.” This statewide media campaign sought to use positive messaging presented in television commercials, radio ads, and social media sites to challenge the misconception that most teens drink alcohol—such misconceptions can actually increase unhealthy behaviors. Data from the Youth Risk Behavior Survey (YRBS) show that youth use of alcohol in Alaska has actually declined over the period 2009–2015. Nonetheless, a number of youth still use alcohol, and

prevention and education strategies need to be directed to this group.

Another Recover Alaska social norms project, created in partnership with the FM radio station KNBA 90.3, is the “Day 001—Voices of Recovery” series. This campaign features a website and an eight-part video and radio series celebrating true stories of Alaskans overcoming alcohol addiction. The project launched in early 2016. The videos aired on broadcast TV throughout Alaska, as well as on social media across the state and around the world. A diverse range of Alaskans including professionals, artists, and students tell their personal stories of recovery in the form of mini-documentaries, reflecting on where their recovery journeys have taken them. The video series aims to show other Alaskans struggling with alcohol addiction that recovery is possible and that living a sober life is achievable.

### Alcohol Treatment Resources

There is substantial unmet demand for alcohol use treatment in Alaska. Between 2010 and 2014 an average of about 48,000 Alaskans aged 12 or older (7.3%) abused or were dependent on alcohol according to estimates from the National Survey on Drug Use and Health. Among the roughly 48,000 Alaskans who abused or were dependent on alcohol only about 11 percent reported that they received treatment for alcohol use in the past year while 89 percent did not receive treatment. To address the dearth of information about treatment options and to connect Alaskans in need of alcohol treatment with treatment services, Recover Alaska launched a one-stop referral source for alcohol abuse prevention and treatment services. The

Recover Alaska Resource Center (RARC) is a specialized resource navigation system that consists of a full-time information and referral specialist at the statewide phone line 2-1-1 administered by United Way of Anchorage, as well as a dedicated website at [www.recoveralaska.org](http://www.recoveralaska.org). RARC provides confidential referral information for assessment and appropriate treatment options. On the RARC website visitors can find information and FAQs about alcohol, personal stories of recovery, news and events, and a self-administered alcohol use screening tool.

RARC will be collecting data on the extent of treatment services needed and the ability of Alaskans to access alcohol abuse assessment and appropriate treatment services. This data will be used to improve RARC resources and ultimately to increase the number of Alaskans who receive appropriate levels of alcohol abuse treatment services based on their need. The hope is to connect Alaskans with the various treatment and support resources currently available to them. Through this project Recover Alaska hopes to better understand the services needed in order to advocate for increased treatment resources such as early intervention, outpatient, and residential/inpatient services.

### Alcohol Policy Advocacy

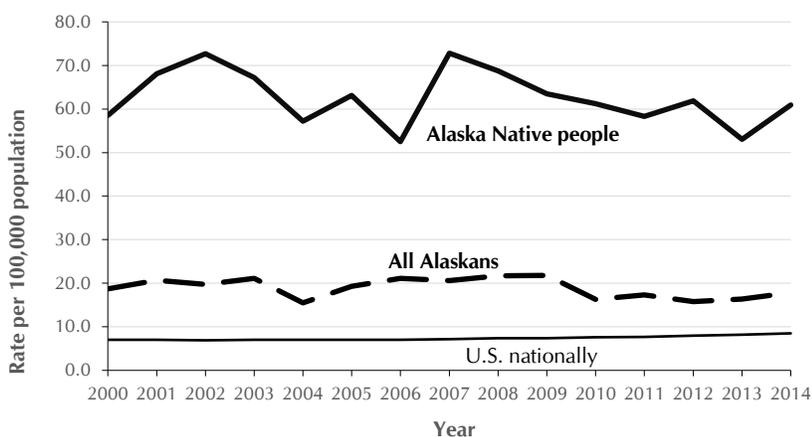
Recover Alaska is working to coordinate local and statewide coalitions to mobilize and advocate for the passage of local and state laws and regulations involving key alcohol-related issues. The goal is to inform local policymakers and state legislators about alcohol-related problems and proven policy solutions such as increasing alcohol tax rates, enforcing age-related restrictions on purchase, and allocating resources to appropriately fund prevention efforts and enhance substance abuse treatment capacity. During the 2016 legislative session, Recover Alaska worked with other health and safety representatives and alcohol industry members in support of Senate Bill 165—Alcohol: Board; Minors; Marijuana Checks. The bill was passed, changing the penalties for minors consuming alcohol offenses and the composition of the Alcoholic Beverage Control Board.

### Evaluation and Measuring Impact

The agencies and staff involved with the Recover Alaska initiative realize that changing social norms and behavior regarding alcohol use in Alaska will take time, but Recover Alaska has already begun

**Figure 1. Alcohol-Induced Mortality Rate in Alaska and U.S., 2000–2014**

Rate per 100,000 population (age-adjusted).



Source of data: Alaska Department of Health and Social Services' Indicator-Based Information System for Public Health (AK-IBIS), <http://ibis.dhss.alaska.gov/indicator/view/AlcInducedDth.HAR.html> (as published 26 Oct 2016)



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## **Recover Alaska** (continued from page 12)

documenting the initiative's successes and planning strategies to measure its impacts. Early in the process Recover Alaska contracted with an evaluation team that is compiling data on social norms and perceptions, alcohol consumption, and consequences of alcohol use in Alaska. This alcohol-related data will be presented in a dashboard format. The dashboard will describe alcohol-related problems in Alaska and serve as a baseline from which to measure the short- and long-term impacts of Recover Alaska's efforts. The evaluation team is led by Dr. David Tarcy of Alaska Research and Evaluation Services. Other team members include Dr. Marny Rivera, faculty in the UAA Justice Center, and Dr.

Dale Cope in the Center for Assessment and Accountability Research and Design in Kansas.

### **Conclusion**

Recover Alaska's multi-agency, multi-pronged approach actively involving the media is one of the first efforts of this type in Alaska. This initiative—focused on alcohol-related problems—is unique nationwide because of its committed partners including state agency commissioners, Native corporations, legislators, judges, health organizations, and private foundations. The evaluation project will focus on a multi-year period and will provide constructive, ongoing information, and assess both the process and outcomes of Recover Alaska at the state level.

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## **Resources**

*If you are interested in learning more or would like to get involved, please visit [RecoverAlaska.org](http://RecoverAlaska.org) or contact executive director Tiffany Hall at [thall@recoveralaska.org](mailto:thall@recoveralaska.org).*

Alaska Behavioral Risk Factor Surveillance System (BRFSS)  
(<http://dhss.alaska.gov/dph/Chronic/Pages/brfss/default.aspx>)

Alaska Department of Health and Social Services  
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Alaska Mental Health Trust Authority (<http://mhtrust.org/>)

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Mat-Su Health Foundation (<http://www.healthymatsu.org/>)

National Council on Alcoholism and Drug Dependence  
(<https://www.ncadd.org/>)

Providence Health and Services

(<http://www2.providence.org/Pages/default.aspx>)

Rasmuson Foundation (<http://www.rasmuson.org/>)

Recover Alaska (<http://recoveralaska.org/>)

Recover Alaska Facebook page

(<https://www.facebook.com/recoveralaska/>)

Recover Alaska Resource Center

(<http://recoveralaska.org/gethelp/>)

Southcentral Foundation (<https://www.southcentralfoundation.com/>)