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Gary D. Copus

Scott Sterling, interviewer

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Scott Sterling said they will be discussing corrections. There is concern about the rising crime rates. He asked what the state structure of corrections in Alaska is. Gary Copus said Alaska differs significantly from most of the correctional structures on the Outside. In Alaska we have a statewide system or unified system. Anyone in Alaska who is accused of or found guilty of and sentenced for a crime is placed under the state operated facilities. This includes pre-trial detainees. There are misdemeanors as well as felons in the facilities. He talked about the distinction between misdemeanor and felon. Legislators determine how they are classified.

Sterling asked if the state runs all the facilities where criminal offenders are kept. Copus said they are responsible for handling all of the facilities in one of two ways. They are directly responsible for the administration of the facilities. He gave the Fairbanks Correctional Facility as an example. The employees who work there are employees of the state. They also have various programs which the state contracts out to private non-profit organizations. The work-release program is an example. The state would have the ultimate control through the contract conditions.

Sterling said the correctional facilities in the major urban areas are run by the state. Copus said they are and the major problem that faces the state is overcrowding. One document Copus read found increases in jail populations over the last four years. It is projected that by 1987 the jail population will double. Alaska is not unique in this problem. Other states are dealing with overcrowding by readjusting sentences to release inmates by the governor, making the state legislators aware of sentencing for crimes, and putting a ceiling in the number that can be housed in state facilities.

Sterling asked about presumptive sentencing in the state of Alaska. Copus said presumptive sentencing was adopted in 1980. It was a sentencing structure developed by the state legislature. It applies only to felonies. In Alaska there are three classes of felonies. There are class C, class B, and the most severe are class A. The state has also decided the severity of sentencing will increase with repeat offenders. As you go up in the severity of the criminal level the penalties are harsher. The state legislature presumes there are legitimate punishments in terms of years of incarceration that is appropriate for certain types of crimes. For example when a person commits a class B felony and it is discovered the offender is a second felon then the judge by law is required to pronounce a certain number of years. The judge can only change the sentence depending on aggravating or mitigating circumstances. They are clearly specified in the law. The judge can't deviate from the presumed penalty unless he is able to document the existence of the mitigating circumstance. The judge's discretion is severely curtailed. In the past the judge had alternatives such as probation. Under presumptive law there is a reduction in the judge's ability to use non-institutionalized alternatives. People are going to jail for prescribed periods of time and it increases the prison population. Nationwide sentencing is thought to be the prime reason for

prison overcrowding. The crime rate on the average has been going up in our country. There is not a necessary causal relationship between a rising crime rate and prison increases. There are other reasons the prison population is going up. One of the reasons is types of sentencing law which is being passed across the country.

Sterling asked if legislators are using sentencing laws as a deterrent. Copus said generally that is true. He said we are caught up in a law and order mentality. Beginning in 1960 the country went for massive efforts in rehabilitation with a great deal of funding. The research in the 1960-70s was very discouraging. It was not documented to show the rehabilitation efforts were working. It didn't make much difference. In 1976 the state of Maine adopted a mandatory structure of sentencing eliminating the possibility of parole. It was the first time there was a deviation from the rehabilitation philosophy. This was followed by other states. Alaska adopted this in 1981. There is a hope it will deter individuals from committing crimes. Copus said there is an adoption of harsher measures because there is frustration with other things not working.

Sterling asked what type of corrections philosophy will work for Alaska. Copus had some personal observations after working around prisons. He said people who become the criminal element tend to demonstrate these tendencies quite early. Most individuals thought of as a problem to society exhibit themselves very early. He recommends a philosophy of detecting potential problems and dealing with them at the beginning and that is going to be with the juveniles. He would like to see the state of Alaska emphasize rehabilitation when it can be most effective. He believes after an individual has been exposed to the prison culture and labeled it will be difficult to rehabilitate him. He said rehabilitation is not the sole responsibility of corrections. He thinks the prime purpose of adult corrections is to provide for the safety of community and to provide a safe and humane environment for the prisoner.

Sterling asked about the need for a cabinet level of corrections in the state. Copus said he agrees with that. Corrections as part of the criminal justice system is becoming one of the most important social problems of the day. Prisons are overcrowded and it is becoming an expensive part of state government. He thinks the recognition of this problem will go a long way towards the solution. One way to correct this is to elevate those who are working towards solutions to the highest level in the state government.

Sterling wonders if we should include the juvenile justice system into the adult Department of Corrections. Copus thinks the intent of the governor is to create a Department of Corrections for just the adult offenders to make it more manageable.

Sterling asked about the construction of new facilities as a solution. Copus said what bothers him about building new facilities is they always seem to fill up. He said they should examine the alternative of adjusting sentences. At this time they don't have any choice except building new facilities. He thinks they need some long-range planning. He concluded by saying crime in general is not just the responsibility of law enforcement, the executive branch of government, or the judicial branch of government, but the problem of us all. Some crimes are the result of the failure of socialization. How you deal with that is a problem beyond criminology.