

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: September 30, 2014

TO: Planning Commission

FROM: Beth McKibben, Planner *Bme*
Community Development Department

FILE NO.: USE2014 0008

PROPOSAL: Conditional Use permit for transitional housing for up to nine women coming out of prison.

GENERAL INFORMATION

Applicant: Haven House, Inc.

Property Owner: Grant Properties, LLC

Property Address: 3202 Malissa Drive

Legal Description: Tall Timbers 1 Block G Lot 3

Parcel Code Number: 5-B21-0-142-003-0

Site Size: 9,000 square feet

Comprehensive Plan Future Land Use Designation: Medium Density Residential (MDR) Map G

Zoning: D-5

Utilities: City Water & Sewer

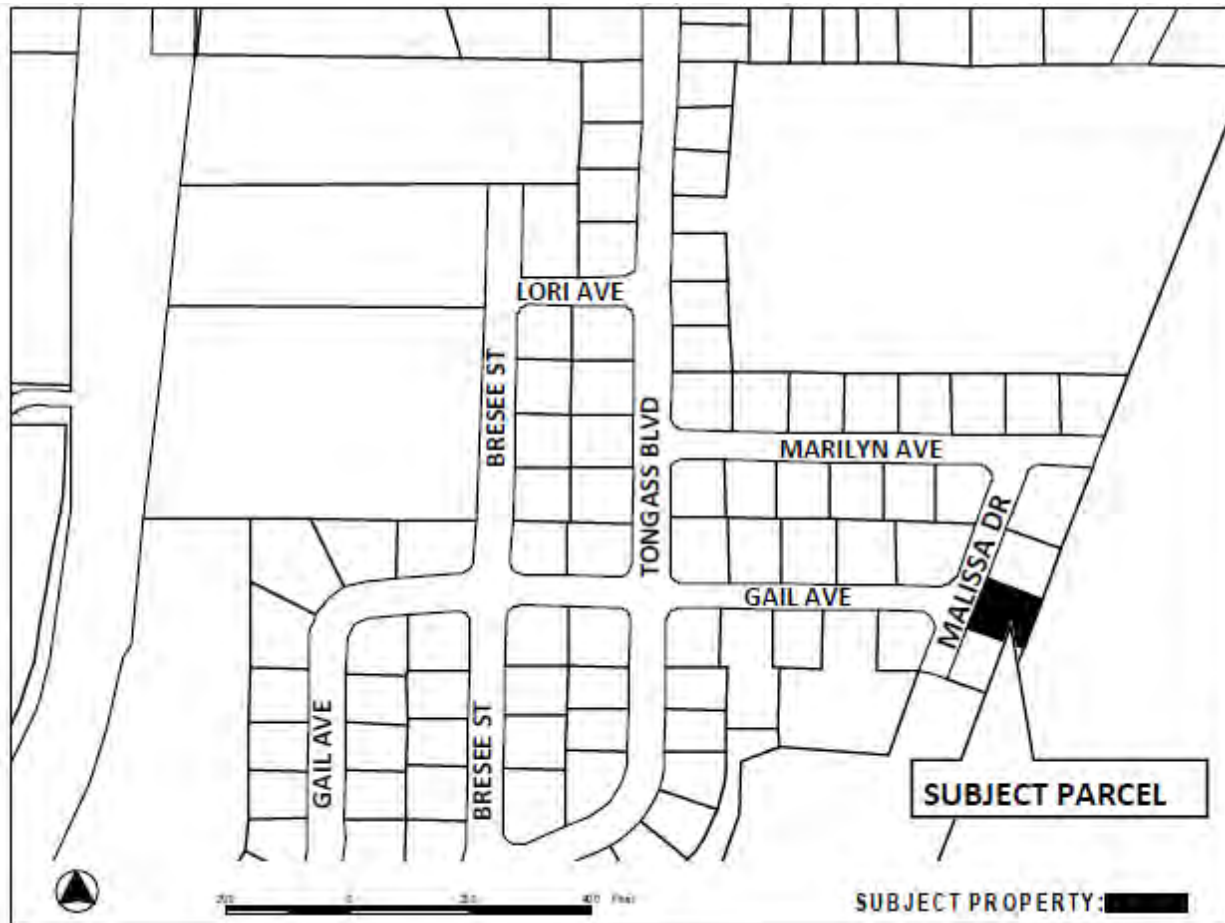
Access: Malissa Drive

Existing Land Use: Single-family Residential

Surrounding Land Use:

North	- D-5, single-family residential, duplex, Glacier Valley Elementary
South	- D-5, single-family residential, duplex
East	- RR, vacant
West	- D-5, D15, single-family/duplex

VICINITY MAP



ATTACHMENTS

- A – March 18, 2014 Director’s Decision (Decision #2)
- B – Planning Commission Notice of Decision – Tall Timber Neighborhood Association Appeal
- C – Planning Commission Notice of Decision – UNL2014 0001
- D – May 27, 2014 Neighborhood Meeting sign in sheet and invitational letter
- E – Meeting notes, May 27, 2014 Neighborhood Meeting
- F – CDD Power Point Presentation, May 27, 2014 Neighborhood Meeting
- G – Public comments received regarding May 27, 2014 Neighborhood Meeting
- H – Email from David Campbell – JPD
- I – Email from Robin Potter – CBJ Assessor

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to provide transitional housing for up to nine women coming out of prison in an existing single-family home.

Please note that Haven House, Inc. ("Haven House") has only proposed a transitional home for women, which is how we have evaluated this application.

BACKGROUND

Haven House is a not for profit organization that wants to use an existing house in a D-5 zone for transitional housing for women coming out of prison.

On December 23, 2013, Haven House applied for a change of use permit from a single-family to a transitional group home. A permit was not issued, but the application was assigned the following number, BLD20130767.

On January 24, 2014, the Director issued a decision (Decision #1). Decision #1 stated that in a D-5 zone, group homes are allowed outright but halfway houses are not generally permitted. Decision #1 concluded that "because operating a halfway house is not a permitted use in this zoning district; Haven House cannot operate as described in the business plan in this location."

On February 11, 2014, Haven House appealed Decision #1. It was assigned the following case number, APL2014 0001.

On March 10, 2014, Haven House presented supplemental information and legal argument to clarify and explain the proposed use and why it believed the Decision #1 was in error.

On March 18, 2014, the Director issued a second decision (Decision #2) (Attachment A). Decision #2 concluded, after receiving the supplemental information and upon legal guidance, the Title 49 provisions regarding halfway houses and group homes are likely unenforceable as applied to Haven House. The Director concluded the proposed use was not a single-family residence. The Director also concluded that the proposed use is a "Use Not Listed," and it is or is most similar to a boardinghouse and rooming house (1.610). A boardinghouse and rooming house is allowed in a D-5 zone pursuant to a Conditional Use permit. The Director recommended that Haven House file applications for a "Use Not Listed" permit. Haven House was also advised to submit a Conditional Use permit application because, based on the project description, the most similar uses would be ones that require a Conditional Use permit, according to the Table of Permissible Uses

On April 1, 2014, the Tall Timbers Neighborhood Association ("Tall Timbers") filed an appeal of Decision #2.

On April 4, 2014, Haven House withdrew its appeal of Decision #1 and filed an appeal of Decision #2. Haven House requested the appeals be continued until after the Use Not Listed/Conditional Use permit hearings.

On July 22, 2014, the Commission considered whether or not Tall Timbers has standing to appeal Decision #2. The Commission concluded that Tall Timbers was not an aggrieved party

and did not have standing. The Commission dismissed the Tall Timbers appeal. The Commission further directed the Community Development Department (CDD) staff to schedule the Haven House Use Not Listed public hearing as soon as possible, before August 25, 2014. (attachment B)

On August 21, 2014 the Planning Commission, sitting as the Board of Adjustment, held a public hearing and considered Haven House's request for a similar use determination. The Board decided that transitional housing for people coming out of prison is of the same general character as uses listed in category 1.610, Miscellaneous Rooms for Rent and that Haven House could apply for a Conditional Use permit to operate in this location (attachment C). This staff report addresses this Conditional Use permit application.

Public Comment

At the time of the writing of this staff report no public comments had been received in response to the public notification of the Conditional Use permit hearing.

Public Outreach

On May 27, 2014 CDD staff held a neighborhood meeting at Glacier Valley Elementary School. Invitations were mailed to owners of property within 500 feet of the project site and the meeting was noticed in the newspaper with 13-day, 6-day and 1-day advertisements. This meeting was facilitated by CDD Senior Planner Beth McKibben. Holly Kveum, Administrative Assistant II, also attended to help and take notes. The meeting was very well attended with 39 people signing in (attachment D). The meeting notes are found in attachment E. The purpose of the meeting was to provide information, respond to questions, and to get a sense of concerns that the neighborhood might have, so issues could be addressed in advance of the formal public hearing with the CBJ Planning Commission. CDD staff explained the Use Not Listed and Conditional Use process and the applicant presented their operating plan for Haven House. A copy of the staff PowerPoint presentation is found as attachment F. Comments were received following the neighborhood meeting and are found in attachment G.

Agency Review

Staff solicited review by various CBJ Departments, State Agencies and utility providers. None had any comments, including the Juneau Police Department (attachment H).

ANALYSIS

Project Site - The project site is an existing six bedroom, three bathroom single-family home on a 9,000 square foot lot. According to the Assessor's data base the house was built in 1976. According to the as-built submitted with the Conditional Use permit application the house meets all the required setbacks. The surrounding neighborhood consists of primarily single family homes and Glacier Valley Elementary school is located a few blocks away. The lot abuts a large undeveloped tract of land that is zoned Rural Reserve.

Project Design - The house, located at 3202 Malissa Drive, has six bedrooms and three bathrooms. No more than nine women would be housed at any time in addition to a resident

manager. Eight residents will share four bedrooms and one resident will have her own bedroom as will the resident manager. Housing would be provided for up to two years. There will be resident house manager who will live on site. Additionally, there will be program managers working out of the house during normal work hours. All nine residents will pay rent of \$550 a month. Haven House has developed “house rules” which all residents must agree to follow in order to maintain residency. The complete house rules are found in the application materials, but in summary:

- Establish guidelines and expectations
- Length of stay
- Visitor policy
- Absences from the house
- Dismissal from the house
- Resident eligibility requirements

The stated purpose of Haven House, in part, is to be a positive supportive living environment. Each resident will create an Individual Action Plan and will be required to meet weekly with Haven House staff. No drugs or alcohol are allowed on the premises.

Traffic - CBJ 49.40.300 states that a traffic impact analysis is NOT required when a development is projected to generate less than 250 average trips in a day. Traffic has been raised as a concern by area residents. A single-family home is estimated to generate 10 trips in a day. The ITE Trip Generation Manual does not include trip generation for rooming houses or boarding houses. Staff reviewed the Manual for similar uses and did not find any that seemed a good fit. The applicant states they expect few to none of the residents will have a vehicle. The residents will generally walk, bike or ride public transit. Staff anticipates that it is likely that residents nearing the end of their 24 month stay may have gathered the resources and will be able to obtain a vehicle. While the application states that one of the two co-directors has a vehicle, for planning purposes it is prudent to assume both co-directors have vehicles. Additionally, volunteers and other visitors will generate traffic. However, the greatest number of combined trips does not generate enough trips to require a traffic impact analysis. Public comments throughout this process have stated concern with existing traffic and residents have testified to area drivers not following traffic rules and speed limits. While this is a concern in a residential neighborhood it is outside the scope of this review. Traffic generated by Haven House is not expected to be greater than traffic generated by other permitted uses in the district.

Parking and Circulation - The existing house has a two car garage. It appears as if the driveway directly in front of the garage can accommodate four vehicles. There is also an area developed for parking additional vehicles to the left of the driveway. CBJ 49.40.210 establishes the minimum parking requirements. There are no established parking requirements for transitional housing. A single-family home requires two on-site parking spaces. Roominghouses, boarding houses, single-room occupancy with shared facilities, bed and

breakfasts, half-way houses and group homes require one parking space per bedroom. Because the Commission determined this proposed use to be most similar to these types of housing, staff recommends using this parking standard. When calculating the required number of spaces (one per bedroom) six parking spaces are required and there appears to be sufficient space to accommodate the required spaces. However, CBJ 49.40.230(b)(2) states that only single-family dwellings and duplexes located in residential districts can have back out parking. Furthermore, CBJ 49.40.230(b)(6) states that stacked parking can only be counted as required parking for single-family residences, duplexes and as otherwise specified for specific uses. Staff recommends a condition of approval there will be no back out or stacked parking. Reviewing the as-built and observing the site, staff identified three alternatives for meeting this condition. One is to develop “hammer head parking” on either side of the existing driveway so as to accommodate the parking of two cars on either side and to accommodate backing space for cars exiting the garage/driveway to avoid back out parking. The second is to apply for a variance to CBJ 49.40.230(b)(2) and CBJ 49.40.230(b)(6) to allow both stacked parking and back out parking or a reduced number of on-site parking spaces. The third is to limit occupancy of the number of bedrooms to the number of parking spaces (not backing out) that can be provided on-site. For example, if three parking spaces can be provided then up to three bedrooms can be occupied. The application suggests there is additional parking on the street in front of the house. Staff notes that on-street parking, while common in the valley area of Juneau, is prohibited and cannot be used to meet the parking requirement. Staff recommends that the occupancy of a specified number of bedrooms be limited to the number of on-site parking spaces available. Prior to issuance of an occupancy permit for the proposed transitional housing, the applicant must submit a revised site plan showing the number of parking spaces that comply with the requirements of CBJ 49.40. The maximum occupancy of nine residents and one resident manager will be allowed only when either six on-site parking spaces are provided or a variance to either (or both) parking design and number of spaces has been obtained.

Noise - Surrounding development is primarily single-family residential. The proposed development is not expected to create noise impacts to the neighborhood beyond those expected in D-5 area. Noise has been raised as a concern by area residents. According to the application materials Haven House residents have a curfew of 10 P.M. seven days a week unless a job schedule requires different hours or prior approval is obtained from staff. Furthermore, visitors to Haven House are required to leave at 10 P.M.

Landscaping – The two story, 2,368 square foot single-family residence is on a 9,000 square foot lot. For this site the 20% vegetative requirement equals 1,800 square feet (CBJ 49.50.300). This requirement is currently met. If changes are made to the front yard to accommodate parking requirements, the vegetative cover will still be met because of the vegetative cover in the rear yard. Staff recommends as condition of approval a minimum 1,800 square feet shall be maintained with live vegetative cover.

Exterior Lighting- Exterior lighting is existing and no new lighting is planned. If new lighting is proposed it shall be designed, located and installed to minimize offsite glare.

Signs - A separate permit process per CBJ 49.45 requires that all signs proposed by the development be submitted to CDD staff for review and approval.

Public Health or Safety - The structures meet all zoning requirements for height and setbacks and will meet all applicable building code requirements for fire safety. Fire vehicle access to the property is via Malissa Drive. On-site parking is required and back out parking has been addressed above.

Public health or safety concerns have been raised by this proposal. Numerous public comments identify concerns with traffic impacts and safety of residents, particularly children. The application indicates there will be a director on site during regular business hours. They may employ two part-time co-directors or one full-time director. A staff member will be on-call 24 hours, 7 days a week. The application states there will be either a resident house manager or a night-time house manager. Haven House has clarified their proposal with staff since the application was submitted and they will provide a resident manager. It should be noted that in the Table of Permissible Uses, CBJ 49.25.300.1.610, rooming/boarded houses, bed and breakfasts, single room occupancy with shared facilities and temporary residences, require an owner/operator live on site. Transitional housing for people coming out of prison was deemed to be of the same general character as these uses. These uses all require a Conditional Use permit in the D-5 zoning district. The intent of requiring an owner/operator to live on site is to provide oversight to the operation and a sense of safekeeping to the neighborhood. Therefore, staff recommends that Haven House be required to have a resident house manager live on site as a condition of approval.

Another concern raised by area residents is that the proposed use will bring up to nine women who just left prison in to the neighborhood. Haven House states that in order to become a resident, women will have to apply and be accepted into Haven House and agree to follow the rules. There is an expectation that women who agree to this and are able to follow the rules and maintain their residency are not likely to create a risk to the neighborhood. Haven House will not accept anyone who is required to register as a sex offender. Currently, women leaving prison, who would be eligible for residency at Haven House, are free to live anywhere in Juneau with approval from a probation/parole officer. Prior to leaving prison, each woman released on parole would be individually evaluated by the Parole Board. Women released on parole and supervised probation are subject to monitoring by a probation/parole officer. The parole officer who testified at the August 21, 2014 hearing for the Use Not Listed stated that it was her opinion that it will take time to fill all nine spaces, and she only expects a few residents in the first month or year of operation. Staff spoke with the operator of a similar transitional housing operation in Anchorage. The housing in Anchorage had only one resident for the first six months of operation and gradually, over years, filled all the available spaces. Juneau Police Department has no comments or concerns about the proposed transitional housing (attachment H)

Visitors to Haven House will be limited to legal family members and they must be scheduled 48 hours in advance of their visit and be approved. Background checks may be required. Visitors must leave by 10 P.M.

Habitat - Habitat – N/A, there are no sensitive habitats in this area.

Property Value or Neighborhood Harmony - The application addresses property value. Exhibit 20 is a statement from a former President of Alaska Association of Realtors and Southeast Board of Realtor's which indicates it his opinion there will not be an impact to property value. Assessor's photos of the house from 2011 show it to be in disrepair. Photos submitted with the application and staff observation show the home to be in better condition and the yard has been cleaned up. Haven House has indicated that the residents will be required to do chores which include keeping up the exterior of the home. Physical improvements to the house and yard are expected to improve the value of the house, and likely to have a positive impact to the neighborhood.

The neighborhood is made up primarily of single-family homes. Haven House proposes to operate in an existing single-family dwelling. The appearance of the building will not change from a single-family residence and will therefore continue to be in harmony with the neighborhood. Potential impacts from the residents of Haven House are addressed through the house rules established by Haven House, and residents will be required to agree to the house rules and abide by them or be evicted. The character, intensity and size of the use are in keeping with the surrounding neighborhood.

Furthermore, the CBJ Assessor has stated that she has researched reports of studies done to determine whether or not halfway houses or any other type of group/community service type housing impacts surrounding property values. She found no evidence to support this type of housing adversely affects surrounding property values (attachment I)

Conformity with Adopted Plans -

The 2013 CBJ Comprehensive Plan documents an on-going housing crisis. Juneau has a critical need for housing of all types for all segments of the community. However, the Housing chapter does not specifically address the housing needs of people coming out of prison.

Policy 4.1 To facilitate the provision and maintenance of safe, sanitary and affordable housing for CBJ residents.

Policy 4.2 To facilitate the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.

Policy 4.4 To facilitate the preservation and rehabilitation of existing housing, particularly housing affordable to low-moderate income residents.

Policy 4.6 To facilitate and assist in the development of affordable housing.

Chapter 13 addresses Community Services.

Policy 13.3 To promote quality medical and social services in the CBJ to ensure the safety, health, well-being and self-sufficiency of its residents.

Granting a Conditional Use permit for transitional housing for women coming out of prison in the D-5 district, with appropriate conditions, is consistent with the 2013 CBJ Comprehensive Plan.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ 49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. We find the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 1.610 for the D-5 zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 3, 2014 and October 13, 2014 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

4. Will the proposed development materially endanger the public health or safety?

No. Based on the above analysis the proposed development, with conditions, will not endanger the public health and safety.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

No. Based on the above analysis the use, with conditions, will maintain values and will be in harmony with the neighboring area.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. As discussed above, the proposed development is in general conformity with the land use plan, particularly Policies 4.1, 4.2, 4.6 and 10.3.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

N/A. This proposal will not impact habitat regulated by the Alaska Coastal Management Program.

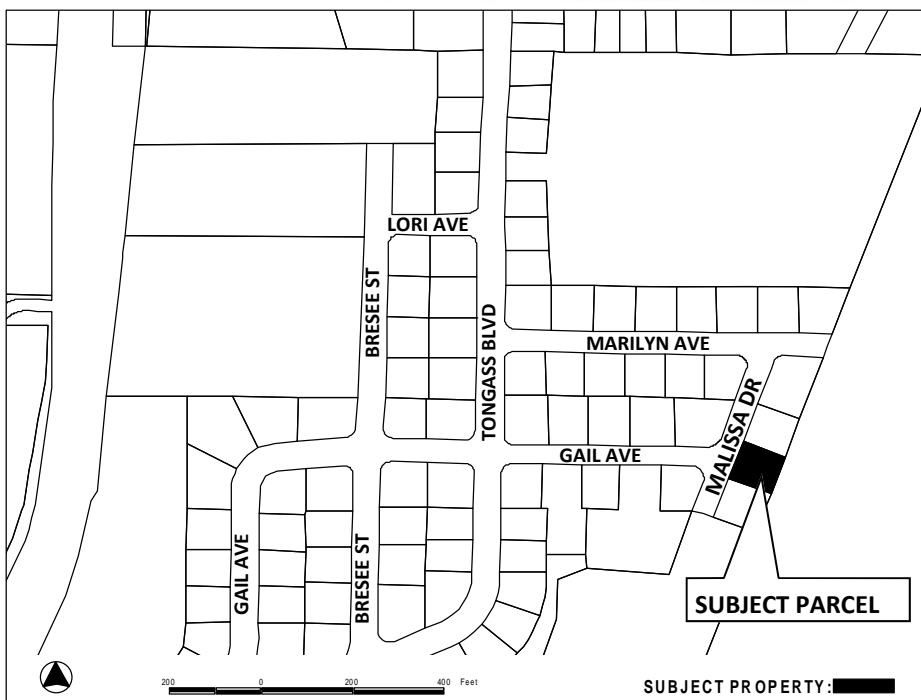
RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of transitional housing for up to nine women coming out of prison in an existing single-family home. The approval is subject to the following conditions:

1. There will be no back out or stacked parking unless a variance to these standards is approved.
2. Prior to issuance of an occupancy permit for the proposed transitional housing, the applicant must submit a revised site plan showing the number of parking spaces that comply with the requirements of CBJ 49.40. The number of occupied bedrooms will be limited to the number of on-site parking spaces provided unless a variance is received. The maximum occupancy of 9 residents and one resident manager will be allowed only when either six on-site parking spaces are provided or a variance to either (or both) parking design and number of spaces has been obtained.
3. A minimum 1,800 square feet shall be maintained with live vegetative cover.
4. If new lighting is proposed it shall be designed, located and installed to minimize offsite glare.
5. A resident house manager will live on site.



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: Conditional Use permit for transitional housing for up to nine women coming out of prison.

File No:	USE2014 0008	Applicant:	Haven House, Inc.
To:	Adjacent Property Owners	Property PCN:	5-B21-0-142-003-0
Hearing Date:	October 14, 2014	Owner:	Grant Properties, LLC
Hearing Time:	7:00 PM	Size:	9,000 Square Feet
Place:	Assembly Chambers	Zoned:	D-5
	Municipal Building	Site Address:	3202 Malissa Drive
	155 South Seward Street	Accessed Via:	Malissa Drive
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 10 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Beth McKibben at beth_mckibben@ci.juneau.ak.us or at 586-0465.



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Date notice was printed: September 8, 2014

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number USE20140008	Project Name (15 characters)	Case Number	Date Received 05/02/14	
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED				
<input type="checkbox"/> Accessory Apartment*** (AAP) <input type="checkbox"/> Driveway in Right-of-Way (ADW)				
<input checked="" type="checkbox"/> Use Listed in §49.25.300 (USE) (Table of Permissible Uses)				
Please list the Table of Permissible Uses Category: <u>New use pursuant to use not listed determination</u>				
***An Accessory Apartment Application will also be required.				
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED				
A re-entry home for women coming out of prison under CBJ 49.20.320.				
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES – Case # _____				
CURRENT USE OF LAND OR BUILDING(S): _____ Single family dwelling.				
PROPOSED USE OF LAND OR BUILDING(S): _____ A re-entry home for women coming out of prison under CBJ 49.20.320.				
UTILITIES PROPOSED: WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site				
SITE AND BUILDING SPECIFICS:				
Total Area of Lot <u>9,000</u> square feet Total Area of Existing Structure(s) <u>2,638</u> square feet				
Total Area of Proposed Structure(s) <u>0</u> square feet				
EXTERNAL LIGHTING:				
Existing to remain <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures				
Proposed <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures				
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:				
<input checked="" type="checkbox"/> Site Plan <input type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation				
<input checked="" type="checkbox"/> Floor Plan of proposed buildings <input type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)				
<input type="checkbox"/> Elevation view of existing and proposed buildings				
<input type="checkbox"/> Proposed Vegetative Cover				
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.	ALLOWABLE/CONDITIONAL USE FEES			
	Fees	Check No.	Receipt	Date
If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	Application Fees	\$ <u>350</u>		
	Admin. of Guarantee	\$ _____		
	Adjustment	\$ _____		
	Pub. Not. Sign Fee	\$ <u>50</u>		
	Pub. Not. Sign Deposit	\$ <u>100</u>		
	Total Fee	\$ <u>500</u>	<u>2078</u>	<u>CDD5137 05/02/14</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

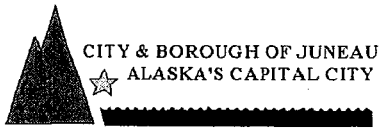
Project Number USE 20140008	CITY and BOROUGH of JUNEAU	Date Received: 05/02/14
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description A re-entry home for women coming out of prison.		
	PROPERTY LOCATION		
	Street Address 3202 Malissa Drive		City/Zip Juneau 99801
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Subdivision Tall Timbers 1, USS 1053, Block G, Lot 3		
	Assessor's Parcel Number(s) Parcel 5B210 142003D		
	LANDOWNER/LESSEE		
	Property Owner's Name Haven House, Inc. (lessee)		Contact Person: June Degnan
	Mailing Address P.O. Box 20875, Juneau, Alaska 99802		Work Phone: 907-988-7233
	E-mail Address havenhousejuneau@gmail.com		Home Phone: 907-752-0030
			Fax Number: n/a
LANDOWNER/LESSEE CONSENT			
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>June Degnan</u> Landowner/Lessee Signature		5/2/2014 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT (If the same as OWNER, write "SAME" and sign and date at X below)			
Applicant's Name Same		Contact Person:	
Mailing Address		Work Phone:	
E-mail Address		Home Phone:	
		Fax Number:	
		Other Contact Phone Number(s):	
X _____ Applicant's Signature		_____ Date of Application	

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	Date Received	Application Number(s)
		Building/Grading Permit		
		City/State Project Review and City Land Action		
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
		Mining Case (Small, Large, Rural, Extraction, Exploration)		
		Sign Approval (If more than one, fill in all applicable permit #'s)		
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
	✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	05/02/14	USE 20140008
		Variance Case (De Minimis and all other Variance case types)		
		Wetlands Permits		
		Zone Change Application		
	✓	Other (Describe) <u>USE NOT LISTED BWA 5/2/14</u>		
	Comments: <u>Fee for CUP maybe assessed after PL decision on use not listed</u>			
	Permit Intake Initials <u>BMC</u>			

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS



Public Notice Sign Lease Agreement

Community Development Department

Case # USE20140008 Sign # _____ Hearing Date: _____
Assessor's Parcel # 5B2101420030 Check # 2078 Receipt # CDD5137
Applicant: HAVEN HOUSE Phone #: 907-988-7233
(please print)
Application Received by: _____ Date: 05/02/14
(CDD staff initials/name)

I, June Degnan, in cooperation with the Community Development Department (CDD), have leased a Public Notice Sign and agree to the terms listed below:

CHARGE: \$50 Preparation Fee
\$100 Refundable Deposit

RETURN TIME: The sign **MUST** be returned to the Community Development Department **by 4:30 p.m. on the Monday** following the scheduled hearing date. If the sign is returned later than the Monday after the Planning Commission meeting, but within two weeks of the meeting, \$50.00 may be refunded.

PENALTIES: The sign **MUST** be returned to the Permit Center Staff in the same condition it was taken: clean, undamaged, and with no attachments. **If a sign is not returned on time, or has been damaged, the \$100 deposit fee will be forfeited.**

POSTING REQUIREMENTS:

- The sign must be posted by the applicant/developer on the site at least 14 days prior to the hearing date.
- The sign must be clearly visible and readable from a public Right-of-Way.

June Degnan
(Applicant Signature)

5/2/2014
(Date)

Sign Received by: _____ Date: _____ Staff Initials: _____

Sign Returned by: _____ Date: _____ Staff Initials: _____

REFUND INFORMATION: Receipt Number: _____
Amount Refunded: _____ Method: _____ Date: _____ Staff Initials: _____
Refund Received by: _____ /mailed to: _____

LEASE

THIS AGREEMENT of lease is made and entered into this 13th day of January, 2014, by and between Grant Properties, LLC, of 5165 Glacier Highway, Juneau, Alaska 99801, hereinafter referred to as "Landlord," and Haven House Inc., of 5920 Sunset St Juneau, Alaska 99801-9725, hereinafter referred to as "Tenant."

W I T N E S S E T H:

1. **Leased Premises.** In accordance with the provisions hereafter contained, Landlord hereby leases to Tenant the following described business premises, situated in the Juneau Recording District, First Judicial District, State of Alaska, and more particularly described as follows, to-wit:

Approximately 2,638 square feet of usable space, located at 3202 Malissa Drive, Juneau, Alaska LEGAL: Lot 3, Block G, Tall Timbers Sub. No.1, Juneau Recording District, First Judicial District.

hereafter the "premises".

2. **Term.** The term of this lease shall be for a term commencing, January 1, 2014, and terminating January 1st, 2016.

3. **Rent.** Subject to rent adjustments specified in Paragraph 6 hereof, Tenant agrees to pay to Landlord rent at the rate of Two Thousand Five Hundred; AND 00/100 DOLLARS (\$2,500.00) per month, on or before the first day of each calendar month, payable to Landlord and mailed to 5165 Glacier Highway, Juneau, Alaska 99801, or such change of address provided by Landlord. Payments received after the 10th day of the month will be subject to a \$250.00 late charge.

4. **Security Deposit.** Landlord is waiving the security deposit at this time.

Upon termination of this lease, Tenant shall be responsible for surrendering the premises to Landlord in the same condition as when this lease commenced, normal wear and tear excepted. In the event the premise is not in acceptable condition, Tenant agrees to be liable for all clean up and repair costs. Tenant shall be responsible for all damages beyond normal wear and tear. Landlord shall provide an itemization of costs incurred in clean-up and/or repairs to the premises.

5. **Option to Purchase or to Renew Lease.** Landlord's intention is to give 1st right of refusal to Haven House Inc. to Purchase this property at a Fair Price within Two years of date of this document, after which time Landlord will be free to sell to any buyer and request that the property be vacated. All costs, not limited to but including Escrow Documents, Attorneys, Title Company fees, Title Insurance Policy, CBJ-property taxes are to be paid by Purchaser.

Provided Tenant is not in default of any of the terms of this Lease, Tenant shall have and is hereby granted the option to renew and extend this Lease for two (2) additional two (2) year terms after the expiration of the term hereby demised, upon the same terms and conditions provided herein for the original term. Each renewal is contingent upon mutual agreement of the rental rate.

6. **Annual Rent Adjustment.** The parties agree that beginning January 1st, 2016 and every year thereafter on January 1st, during the term hereof, that the monthly rent shall be subject to adjustment. The parties agree that the monthly rent will increase by four percentage points (4.0%) on each adjustment period.

7. **Leasehold Improvements.** The parties acknowledge that Landlord shall be responsible for providing no tenant improvements.

8. **Termination of Lease.** If Tenant vacates the leased premises prior to the end of the lease term, Tenant shall be responsible for continuation of lease payments until such time as Tenant finds a comparable replacement tenant acceptable to Landlord or Landlord and Tenant mutually agree to terminate Tenant's lease obligation.

9. **Destruction of Premises.** In the event of partial destruction of the premises by fire, earthquake, war or any other casualty, Landlord shall forthwith repair such portions of the building containing the premises as are necessary to the use of the premises, provided such repairs can, with ordinary efforts, be made within sixty (60) days after such partial destruction; and, provided such partial destruction is not caused by Tenant's willful or negligent act or omission, there shall be a proportionate rent deduction, based on the extent the premises are not tenantable, while such repairs are being made. In the event that the premises are partially destroyed and cannot be repaired with ordinary efforts within such period, Landlord, if he so elects, shall forthwith repair the same and there shall be a proportionate rent deduction as above provided. If Landlord does not so elect, this lease agreement shall terminate.

10. **Compliance with Laws.** Both the Landlord and the Tenant shall comply with all valid federal, state and municipal laws, ordinances, regulations or orders, whether the same are of legislative, administrative or judicial origin.

11. **Assignments and Subleases.** Tenant shall neither assign the leasehold created hereby or any interest hereunder for any purpose, nor sublet the premises or any

part thereof, nor permit any person to occupy or use the premises except upon Landlord's written consent. Any other unapproved assignment or sublease shall be void. Landlord reserves the right to withhold said consent.

12. **Liens.** Tenant shall not do or permit anything causing the premises to be encumbered by any lien and shall, whenever and as often as such lien is claimed against the premises purporting to be for labor or materials furnished to Tenant or otherwise being based on a claim against Tenant, discharge the same within ten (10) days or Tenant shall post with Landlord a bond in an amount and with sureties which are satisfactory to Landlord guaranteeing that said lien will be removed. Notice is hereby given that Landlord shall not be liable for any labor or materials furnished to Tenant upon credit and that no mechanic's lien for such labor or material or other lien shall be attached to the interest of Landlord in the premises.

13. **Entry of Landlord.** Landlord, together with brokers and prospective tenants, shall be privileged to inspect the premises at any time. Landlord will attempt, but is not required, to inspect the premises during reasonable hours and with Tenant's consent. Landlord may, but is not obligated to, enter the premises by means of a master key or other peaceable manner.

14. **Indemnity.** Tenant agrees to indemnify, defend and hold Landlord harmless from any and all claims for injury to person or damage to property arising out of the intentional or negligent acts of Tenant or Tenant's use of the leased premises. Landlord agrees to indemnify, defend and hold Tenant harmless from any and all claims

for injury to person or damage to property arising out of the Landlord's intentional or negligent acts pertaining to the leased premises.

15. **Building Containing Premises.** Landlord shall keep the building which contains the premises in good repair, performing all required maintenance and repair only on the building as it presently exists, including roof repairs, heating plant repairs, leaks in structures, and painting those exterior portions of structures presently exposed to weather. Landlord shall be privileged to perform construction work on said building, and in connection therewith make reasonable use of the premises.

16. **Use and Care of the Premises.** With respect to the use and care of the premises, Tenant shall use the premises only for the following purpose: (a) transitional residential housing; (b) shall conduct its activities upon and generally maintain the premises in such a manner and with such care that injury to persons and damage to property does not result therefrom; (c) shall not make any use of the premises that will increase the rate of liability and fire extended coverage insurance carried by Landlord beyond the rate available transitional residential housing, or will cause the cancellation of such insurance or will make such coverage unavailable; (d) shall not make any alterations or improvements to the exterior walls of the premises, including but not limited to installation of signs, holes in sheetrock, exterior wall panels, etc., without Landlord's prior written approval. All such alterations or improvements shall become a part of said building and the property of Landlord unless such consent provides otherwise; (e) shall not damage the building while moving equipment to and from the premises; (f) shall keep the premises in a clean and sanitary condition; (g) shall dispose of all rubbish, garbage,

and waste in a clean and sanitary manner; (h) shall properly use and operate all electrical, gas and plumbing fixtures and keep the same in a clean condition; (i) shall notify the Landlord of any damage to the premises, or areas requiring maintenance and any potential hazard or danger on the property; (j) shall occupy and use the premises in the manner in which they were designated and intended to be occupied and used; (k) shall comply with the proper disposal of waste, and if the system is plugged or backed up because of improper disposal of sewage, the Tenant will be charged accordingly; and (l) shall remove from the premises all movable personal property owned by Tenant at the expiration of the lease. Upon the Tenant's failure to comply with these conditions, the Tenant agrees that the Landlord may bring the premises into compliance and charge the Tenant the reasonable cost thereof. Any such expense incurred by the Landlord is payable by the Tenant to the landlord upon presentment of the charges to the Tenant. When the Tenant vacates the premises at the conclusion of the rental term, the Tenant will be charged rent for each day required by the Landlord to clean or repair the premises in order to bring the premises back to its condition at the time of renting.

17. **Default.** Any of the following shall constitute a default hereunder by Tenant:

- a. Failure to perform the covenants contained herein for the payment of rent.
- b. Failure to perform or fulfill any other covenant or condition contained herein.
- c. Dissolution, other termination of existence, or insolvency, in any sense, of Tenant.

Failure to perform a covenant or fulfill a condition contained herein shall constitute a default for purposes of this paragraph, regardless of whether other consequences of such

failure are provided for herein, as in the case where an assignment without consent is void.

18. **Insurance.** Tenant shall be required to obtain, purchase and maintain liability insurance during the term of this lease in a minimum amount of ONE MILLION DOLLARS (\$1,000,000.00) per occurrence of bodily injury, death or property damage. Landlord agrees to purchase and maintain fire insurance on the building, excluding Tenant's contents and liability insurance. Tenant shall provide a certificate of insurance listing Landlord as an additional insured party. Tenant acknowledges that Landlord's insurance coverage does not include Tenant's contents. Tenant is recommended to obtain its own insurance coverage for its contents.

19. **Hazardous Substances.** Tenant shall not use the leased Premises in a manner that violates any applicable federal, state or local law, regulation or ordinance, including, but not limited to, any such law, regulation or ordinance pertaining to air and water quality, the handling, transportation, storage, treatment, usage or disposal of Hazardous Substances. "Hazardous Substances" shall be interpreted broadly and include, but not be limited to, any material or substance that is defined or classified under federal, state or local laws.

Tenant agrees to immediately notify Landlord if Tenant becomes aware of (i) any Hazardous Substances or other environmental problem or liability with respect to the Premises or real property, or (ii) any lien, action or notice resulting from violation of any of the laws, regulations, ordinances or other environmental laws.

20. **Landlord's Remedies.** In the event of default hereunder by Tenant, Landlord shall have all the rights and remedies afforded by law, which shall be cumulative and may be exercised separately or concurrently.

21. **Utilities.** Tenant shall be responsible for all utilities including but not limited to; refuse disposal, water and sewer, electricity, heat, and telephone. Tenant is responsible for snow removal and lawn care as needed.

22. **Key to Leased Premises.** Landlord agrees to provide Tenant with a key to said premises. Tenant, at Tenant's sole cost and expense, is authorized to install such lock(s) on all doors, grates over windows or motion security systems as are deemed necessary by Tenant, provided Tenant agrees to provide a key for each lock to Landlord.

23. **Signs.** Tenant will have no signs without prior permission of Landlord.

24. **Taxes and Assessments.** Tenant shall be responsible to pay any and all sales and personal property taxes assessed with regard to the leasehold premises. Landlord agrees to pay the real property taxes assessed for the land and building.

25. **Subordination and Attornment; Mortgagee Protection.** At the request of Landlord, Tenant shall promptly execute, acknowledge and deliver within ten (10) days all instruments which may be required to subordinate this lease to any existing or future mortgages, deeds of trust and/or other security documents on or encumbering the leasehold interest held by Landlord, and to any extensions, renewals or replacements thereof; provided that the mortgagee or beneficiary, as the case may be, shall agree to recognize this lease in the event of foreclosure if Tenant is not in default at such time. Tenant shall at any time and, from time to time upon prior written notice from Landlord,

execute, acknowledge and deliver to Landlord a statement in writing (a) certifying that this lease is unmodified and in full force and effect (or, if modified, stating the nature of such modification and certifying that this lease as so modified is in full force and effect), and the date to which the rental and other charges are paid in advance, if any; and (b) acknowledging that there are not, to Tenant's knowledge, any uncured defaults on the part of the Landlord or Tenant hereunder, or specifying such defaults if any are claimed; and (c) setting forth the date of commencement of rents and expiration of the lease term hereof. Any such statement may be relied upon by any prospective purchaser or encumbrancer of the premises. Tenant agrees to give any mortgagees and/or trust deed holders, by registered mail, a copy of any notice of default served upon the Landlord, provided that prior to such notice Tenant has been notified in writing (by way of Notice of Assignment or Rents and Leases, or otherwise) of the addresses of such mortgagees and/or deed of trust holders. Tenant further agrees that the mortgagees and/or deed of trust holders have thirty (30) days from the date of the notice within which to cure such default or if such default cannot be cured within that time, then such additional time as may be necessary if within such thirty (30) days any mortgagee and or deed of trust holder has commenced and is diligently pursuing the remedies necessary to cure such default (including but not limited to commencement of foreclosure proceedings if necessary to affect such cure), in which event this lease shall not be terminated if such remedies are being so diligently pursued.

26. **General.**

a. **Binding Nature.** The provisions herein shall bind and inure to the benefit of the devisees, legatees, heirs, distributees, representatives and assigns of the parties.

b. **Entire Agreement/Amendments in Writing.** This lease, including any exhibits and riders, if any, attached hereto and forming a part hereof, are all of the covenants, promises, agreements, conditions and understanding, either oral or written, between the parties. No subsequent alteration, change or amendment to this lease shall be binding upon the parties unless reduced to writing and signed by them.

c. **Time of Essence.** Time is of the essence in this lease agreement.

d. **Governing Law.** This lease shall be construed and interpreted in accordance with, and governed and enforced in all respects by, the laws of the State of Alaska.

e. **Attorneys' Fees.** If an action or proceeding is brought in connection with this lease, the successful or prevailing party shall be entitled to recover reasonable attorney's fees, court costs and other reasonable fees and costs incurred in that action or proceeding (whether at trial, on appeal, and/or in a bankruptcy or similar proceeding) and in enforcing any judgment rendered thereon, in addition to any other relief to which it may otherwise be entitled. For purposes of this agreement, the prevailing party means the party who succeeds either affirmatively or defensively under claims having the greater value or importance, as decided by the court.

f. **Sale or Transfer During Lease Term.** If the property is sold or transferred, voluntarily or involuntarily, Landlord's lease obligations and liabilities accruing after the transfer shall be the sole responsibility of the new owner if: (a) the new owner expressly agrees in writing to assume Landlord's obligations; and (b) the Tenant's funds that Landlord is holding, such as the last month's rent, are given to the new owner.

g. **Holding Over.** Any holding over after the expiration of the term of this lease, with or without the consent of Landlord, shall constitute a tenancy from month to month for one hundred fifty percent (150%) of the rents herein specified and on the other terms and conditions contained herein.

h. **Smoking.** No smoking shall be allowed in or around the premises by Tenant, Tenant's customers or any other guests or invitees of Tenant.

i. **Notices.** Any notice or demand which either party hereto is required or desires to give to or make upon the other shall be in writing and shall be given or made by certified mail of the United States Postal Service, return receipt requested, addressed in the case of Landlord to:

Grant Properties, LLC
5165 Glacier Highway
Juneau, Alaska 99801

and addressed in the case of Tenant to:

Haven House Inc.
5920 Sunset St
Juneau, Alaska 99801-9725

subject to the right of either party to designate a different address by notice similarly given. Any notice or demand so sent shall be deemed to have been given or made on the

date the same was deposited with the United States Postal Service as certified matter with postage thereon fully prepaid.

Counterparts. This agreement may be executed in counterparts, each of which shall be deemed an original and which, taken together, shall constitute a single agreement. This agreement shall not become binding upon any Party unless and until at least one counterpart of this agreement shall have been fully executed by each party hereto.

DATED this ____ day of _____, 2014.

LANDLORD:

Grant Properties, LLC

By: _____
Title: Hugh N. Grant Trustee

TENANT:

Haven House Inc.

By: _____
Title _____

STATE OF ALASKA

)

: ss.

FIRST JUDICIAL DISTRICT

)

THIS CERTIFIES that on this ____ day of _____, 2014, before me, the undersigned, a notary public in and for the State of Alaska, personally appeared **Jeff. Grant**, to me known and known to me to be the person named in and who executed within and foregoing document, and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year first above written.

Notary Public, State of Alaska
My commission expires: _____

STATE OF ALASKA

)

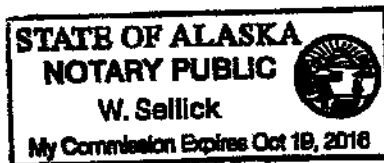
: ss.

THIRD JUDICIAL DISTRICT

)

THIS IS TO CERTIFY that on this 13 day of January, 2014, before me, the undersigned, a notary public in and for the State of Alaska, duly commissioned and sworn, personally appeared _____, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and after being first duly sworn according to law acknowledged to me under oath that they have been authorized by Haven House Inc. to execute the foregoing instrument on its behalf and they executed the same freely and voluntarily as the free act and deed of said Corporation.

WITNESS my hand and official seal the day and year in this certificate first above written.




Notary Public, State of Alaska

My commission expires: 10/19/16

date the same was deposited with the United States Postal Service as certified matter with postage thereon fully prepaid.

Counterparts. This agreement may be executed in counterparts, each of which shall be deemed an original and which, taken together, shall constitute a single agreement. This agreement shall not become binding upon any Party unless and until at least one counterpart of this agreement shall have been fully executed by each party hereto.

DATED this 13 day of January, 2014.

LANDLORD:

Grant Properties, LLC

By: Hugh N Grant By: Jeffrey N Grant
Title: Hugh N. Grant Trustee AS Attorney In Fact

TENANT:

Haven House Inc.

By: June J Leggett
Title: PRESIDENT Haven House Inc.

STATE OF ALASKA

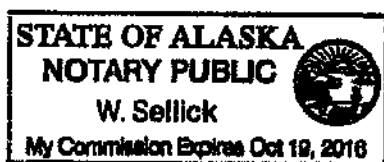
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: ss.

FIRST JUDICIAL DISTRICT

)

THIS CERTIFIES that on this 13 day of January, 2014, before me, the undersigned, a notary public in and for the State of Alaska, personally appeared Jeff. Grant, to me known and known to me to be the person named in and who executed within and foregoing document, and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year first above written.



W. Sellick
Notary Public, State of Alaska
My commission expires: 10/12/16

**HAVEN HOUSE'S MEMORANDUM IN SUPORT OF ITS APPLICATION FOR A
PERMIT UNDER CBJ 49.20.320 – USE NOT LIMITED (SIMILAR USE
DETERMINATION)**

- I. Introduction/Overview**
- II. Exhibits**
- III. Chronology**
- IV. Description of Haven House**
- V. Haven House meets the requirements to receive a permit under the Use Not Listed provision of CBJ 49.20.320**
- VI. Haven House meets the provisions of ^{C&J} AS 49.15.330(d)(5)**
 - A. Haven House will not materially endanger the public health or safety**
 - B. Haven House will not substantially decrease the value of or be out of harmony with property in the neighboring area**
 - 1. Property Value**
 - 2. Harmony**
 - C. Haven House promotes Juneau's Comprehensive Plan**
 - D. Conditions**

I. Introduction/Overview

Haven House, Inc. (Haven House), is a 501(c)(3) nonprofit corporation that wishes to establish a reentry home in Juneau for women coming out of prison. The home will provide transitional housing in a faith-based and supportive setting to women coming out of prison. The specialized service that Haven House has designed is based on the conviction that women coming out of prison are a low-income population in Juneau that is particularly in need of safe, sober, stable, structured, affordable housing.

Haven House is also based on evidence nationally and in Alaska that persons in supportive housing are less likely to reoffend. See, in particular, these exhibits: Exhibit 11 - Alaska Prisoner Reentry Task Force Five-Year Prisoner Reentry Strategic Plan, 2011-2016; Exhibit 12 – Resolution Number 13-16 Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp; Exhibit 15 – Statement from Brent Wilson, Juneau District Supervisor, Juneau Adult Probation Office; Exhibit 18 – Statement of Chaplain Brenda Nagunst, Executive Director, Alaska Correctional Ministries, Inc.; Exhibit 25 – Statement from Mariya Lovishchuk, Executive Director of The Glory Hole; Exhibit 26 – Statement from Mike Pellersin, Executive Director, Gastineau Human Services; Exhibit 27 – Statement from Ann Lockhart, Executive Director, Love INC; Exhibit 32 – Report from the Housing Law Bulletin; Exhibit 33 - Studies on Effectiveness of Housing Former Offenders.

Juneau does not have a reentry home for women coming out of prison. The City and Borough of Juneau Community Development Department (CDD) has determined that Haven House does not fit within the Table of Permissible Uses.¹ CDD recommended that Haven House apply for a use not listed permit pursuant to CBJ 49.20.320. Under this procedure, an applicant asks the Planning Commission for permission to operate under a use that is not listed as permissible in a residential (D-5) district but is of the same general character as a use that is listed in a residential district.

Therefore, Haven House is making a request to the Planning Commission that Haven House should be allowed to operate a reentry home for women coming out of prison. Haven House should be authorized to operate in D-5 residential zoning districts because it is a positive and desirable addition to the Juneau community and because, although unique, Haven House is of the same general character as uses that are permitted in D-5 residential zoning districts.

II. Haven House Exhibits

Haven House submits a separate packet of documents in support of this application. These documents show that many in the community—persons in the corrections field, persons who work to help those seeking to reenter society after being incarcerated, persons committed to supporting recovery from substance abuse, persons who work to support low-income housing in Juneau, some persons living close to the proposed site of Haven House, a legislator who supported funding from the State of Alaska for Haven House, former offenders—recognize that Haven House will be a step to making Juneau a better and safer community.

Exhibit 1 – One-page summary of Haven House

Exhibit 1A – Haven House – Description of Board Members

Exhibit 2 – Letter from Hal Hart, AICP, Director, CBJ Community Development Department (CDD), to Attorney for Haven House (March 18, 2014)

Exhibit 3 – As Built Survey, Floor Plan, MLS listing of 3202 Malissa Drive

Exhibit 4 – Map of Group Home and Boarding Houses in Juneau, 2014

Exhibit 5 – Map of walking routes to bus stops closest to 3202 Malissa Drive

Exhibit 6 – Map of CBJ sidewalk snow removal routes near 3202 Malissa Drive

Exhibit 7 – Photos of 3202 Malissa Drive, current

Exhibit 8 – Haven House Application

Exhibit 9 – House Rules of Haven House

Exhibit 10 – Rankings of SSAB Block Grants, Tier 1

Exhibit 11 – Selections from The Alaska Prisoner Reentry Task Force's Five Year Strategic Plan, 2011 - 2016

Exhibit 12 – Resolution Number 13-16 Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp (October 2013)

Exhibit 13 – Statement from Ron Taylor, Deputy Commissioner, Department of Corrections (April 11, 2014)

¹ Haven House has appealed that determination. Haven House does not waive the arguments it made in its Notice of Points on Appeal by filing this application.

Exhibit 14 – Statement from Carmen Gutierrez, former Deputy Commissioner, Department of Corrections (January 22, 2014)

Exhibit 15 – Statement and Email from Brent A. Wilson, Juneau District Supervisor, Juneau Adult Probation Office (April 17, 2014)

Exhibit 16 – Statement from Senator Lesil McGuire (February 19, 2014)

Exhibit 17 – Statement from Kathryn Chapman, MSW, Chair, Juneau Reentry Coalition (April 16, 2014)

Exhibit 18 – Statement from Chaplain Brenda Nagunst, Executive Director, Alaska Correctional Ministries, Inc. (April 8, 2014)

Exhibit 19 – Statement from John Shinholser, President, McShin Foundation (April 17, 2014)

Exhibit 20 – Statement of James Wakefield, former President, Alaska Ass'n of Realtors (April 10, 2014)

Exhibit 21 – Statement from Mary M. Tracey, Development Director, Transitions (February 25, 2014)

Exhibit 22 – Statement from Billie Moreland, PhD, Neighbor to Transitions

Exhibit 23 – Statement of Scott Ciambor, Steering Committee, Juneau Coalition on Housing and Homelessness (February 7, 2014)

Exhibit 24 – Statement from Dan Austin, General Manager, St. Vincent de Paul Society (April 21, 2014)

Exhibit 25 – Statement from Mariya Lovishchuk, Executive Director, The Glory Hole (March 3, 2014)

Exhibit 26 – Statement from Mike Pellerin, Executive Director, Gastineau Human Services (Nov. 27, 2013)

Exhibit 27 – Statement from Ann Lockhart, Executive Director, Love INC (November 25, 2013)

Exhibit 28 – Statement from Elaine M. Dahlgren, President/CEO, Volunteers of America (Nov. 14, 2013)

Exhibit 29 – Statement from Kathryn Chapman, MSW, Executive Director, National Council on Alcoholism and Drug Dependence (April 16, 2014)

Exhibit 30 – Letter of Support from Samantha Dye, Executive Coach (April 18, 2014)

Exhibit 31 – Brochure from Juneau Reentry Coalition (2014)

Exhibit 32 – Report from the Housing Law Bulletin (June 2010)

Exhibit 33 – Studies on Effectiveness of Housing Former Offenders

Exhibit 34 – Dear Neighbor Letter (April 8, 2014)

Exhibit 35 – Estimated Cost of Fencing for 3202 Malissa Drive (April 14, 2014)

Exhibit 36 – Email from Michael Matthews, Research Analyst IV at the Department of Corrections (May 23, 2012)

Exhibit 37 – Letter of Support from Reverend Susan Boegli, Aldersgate United Methodist Church and resident of Tall Timbers Subdivision

Exhibit 38 – Letter of Support from Christina Wigg, former offender

Exhibit 39 – Letter of Support from Amber Scroggins, former offender

Exhibit 40 – Letter of Support from Heather Schimanski, former offender

Exhibit 41 – Letter of Support from Larry Olsen, LPC, MAC

Exhibit 42 – Letter from Sr. Delia Sizler, SC, Haven House Board Member and Program Committee Chair

Exhibit 43 – Letter from Joselyn Peterson, Realtor, resident of the Tall Timbers Subdivision

III. Chronology

Below are the key dates in Haven House’s efforts to open a reentry home or transitional residence in Juneau for women coming out of prison.

- | | |
|---------------|--|
| 2008 | Ellen Campbell and other community members begin discussing the need for transitional housing in Juneau for women coming out of prison. |
| 2010 | Haven House, Inc. is formed as a non-profit corporation and receives tax-exempt status as a 501(c)(3) corporation. |
| 2012 | Through the efforts of our local delegation, Haven House receives a \$30,000 CAPSIS grant from the State of Alaska. |
| 2013 | Through the efforts of our local delegation, Haven House receives a \$50,000 CAPSIS grant from the State of Alaska. |
| December 2013 | Haven House reaches agreement with owner of 3202 Malissa Drive that Haven House may rent the home to provide reentry housing for women coming out of prison. |
| 12-23-13 | Haven House files an application for an allowable use permit for a group home. |
| 1-24-14 | CDD denies application: [1] Haven House is not a group home because the residents will not have a disability. [2] Haven House is a halfway house. |
| 2-14-14 | Haven House files notice of appeal. |
| 2-21-14 | Haven House holds an informational meeting for neighbors in Tall Timbers Subdivision. |
| 3-10-14 | Haven House provides additional information to CBJ and files a legal brief:
[1] Haven House’s intended use of 3202 Malissa Drive is as a single family residence as defined by CBJ 49.80.120.
[2] In the alternative, Haven House is a group home, as defined by CBJ 49.80.120 |
| 3-18-14 | CDD rescinds its decision of 1-24-14 and issues a new decision:
[1] CBJ Title 49 regarding halfway houses is likely unenforceable.
[2] CBJ Title 49 regarding group homes is likely unenforceable.
[3] Haven House is not a single family residence.
[4] Haven House is a “use not listed” (similar use) under CBJ 49.20.320.
[5] Haven House is most similar to a boardinghouse and rooming house. |

IV. Description of Project – Background

With over 725,000 persons released from federal and state prisons every year, the need for housing assistance for the formerly incarcerated is immense.² A person coming out of prison faces significant barriers to success including atrophied life skills; low earning potential; potentially destructive habits and relationships; and limited access to successful role models, supportive relationships, housing, and employment.

Nationwide, two-thirds of those released from prisons and jails are rearrested for a new offense within three years and 54% are re-incarcerated.³ The National Housing Law Project stated that finding housing is the greatest challenge faced by those coming out of prison: “Formerly incarcerated individuals struggle to secure employment, obtain medical care and avoid substance abuse. According to criminal justice officials, however, finding housing is the biggest challenge faced by individuals returning to the community.”⁴

The situation in Alaska is the same as the national situation. The Alaska Department of Corrections established the Alaska Prisoner Reentry Task Force. The Task Force produced a landmark document, a “Five-Year Prisoner Reentry Strategic Plan, 2011 – 2016,” which Governor Sean Parnell has endorsed. Exhibit 11 has excerpts of this important document. The Task Force stated two out of three prisoners in Alaska return to prison within three years.⁵

The Task Force also documented that the present system is expensive. In Alaska, spending on the state justice system has almost doubled since 1981.⁶ Indeed, to house one inmate in prison for one year, it costs the people of Alaska \$49,800.⁷ Alaska has one of the fastest growing prison populations in the nation and if new approaches are not adopted, the Alaska Department of Corrections projects that the number of prisoners in our state is likely to double by 2030.⁸

The Task Force identified in the Strategic Plan effective strategies, partners, and organizations that are capable of making Alaskan communities safer by establishing “a seamless set of best

² “In Our Backyard: Overcoming Community Resistance to Reentry Housing (A NIMBY Toolkit),” by John Jay College and The Fortunate Society (2011) at page 1. An additional 230,000 come out of county jails each week. *Id.* Report available at http://www.jjay.cuny.edu/TOOL_KIT_1-NIMBY_FINAL.pdf.

³ “The Importance of Stable Housing for Formerly Incarcerated Individuals,” National Housing Law Project, Housing Law Bulletin (June 2010), Exhibit 32 at page 1.

⁴ Exhibit 32 at page 1 (footnote omitted).

⁵ Exhibit 11 at page 6.

⁶ <http://www.correct.state.ak.us/TskForce/documents/ISERResearchSummary.pdf>

⁷ Exhibit 11 at page 6.

⁸ <http://www.correct.state.ak.us/TskForce/documents/ISERResearchSummary.pdf>

practices aimed at reducing the number of adult offenders who return to custody.” The Strategic Plan lauds the faith community for its role in creating safer communities because “citizens from the faith community provide much of the mentorship required to help released prisoners turn away from the negative influences that lead back to prison. Without the stabilization that comes from access to housing, employment, sober/mental health and positive peer supports, individuals . . . revert back to old patterns.”⁹

The Task Force made eleven recommendations to decrease recidivism in the Strategic Plan. Recommendation # 6 was: “Improve former prisoners’ access to affordable housing.”¹⁰ The Task Force cites state and local faith-based organizations, such as Haven House, as “partners to turn the curve” on spending for prison. The Strategic Plan specifically concludes that more transitional community residences like Haven House are needed because “far too many people coming back to their home communities are . . . need of the kind of support and care that these residences provide.”¹¹

The Task Force specifically cited the New Hope Safe Living House, a home for women coming out of prison in Anchorage, that is run by the Anchorage-based Alaska Correctional Ministries, Inc. (ACM). The Task Force stated that ACM uses “best practices in mentoring, case management and transitional services programs.”¹² Haven House is modeled after the ACM program. Brenda Nagunst, Executive Director of ACM, stated: “Alaska Correctional Ministries strongly supports the work of Haven House, Inc. in Juneau. We believe the successful practices of New Hop Safe Living House and Alaska Correctional Ministries, Inc. can be replicated by Haven House. This is our opportunity to show that all members of the Juneau community deserve to be shown acceptance and forgiveness as we strive to create an Alaska that is safer for and supportive of all of our residents.” [Exhibit 18]

Properly supporting our returning neighbors, therefore, can be the difference between a successful reentry into our community and reoffending. The Alaska Task Force concluded:

As rightly observed by the 2010 Council of State Governments Justice Center, ‘[w]ithout a stable residence, it is nearly impossible for newly released individuals to reconnect positively to a community.’

When individuals are released from prison or jail, the ability to access safe and secure housing within the community is crucial to their successful reentry. Studies have shown that the first month after release is a vulnerable period “during which the risk of becoming homeless and/or returning to criminal justice involvement is high.” Yet, in most communities to which individuals return after incarceration, accessible and affordable housing is in exceedingly short supply. The additional challenges unique to people with criminal histories make it even more difficult for them to obtain stable housing.

⁹ Exhibit 11 at page 7.

¹⁰ Exhibit 11 at page 10.

¹¹ Exhibit 11 at page 33.

¹² Exhibit 11 at page 30.

It is very significant that the Alaska State Legislature, and our local delegation, took steps to implement the Task Force's strategy through two CAPSIS grants to Haven House: \$30,000 in 2012 and \$50,000 in 2013. These grants have provided start-up funds for Haven House to open a residence to provide transitional housing for women coming out of prison. The purpose of this application is to accomplish that goal and open Haven House in Juneau.

How Haven House Will Operate

Haven House seeks to provide transitional housing in the single family residence at 3202 Malissa Drive for up to nine women who have been recently released from prison.

1. Description of residence and neighborhood location.

The residence is a single family residence near the end of a street adjacent to a forest. It has six bedrooms and three bathrooms. Four residents will each share a bedroom. One resident will have her own bedroom. The residence at 3202 Malissa Drive is particularly suited for communal living, which is an essential component of the program at Haven House. Sister Delia Sizler, Haven House Board Member and Chair of the Program Committee, thoughtfully explains how the house will operate:

I write this because I have considerable personal experience in creating and in living in intentional community. The house the Haven House board is proposing for the Haven House on Malissa Drive has all the elements that will aid in the creation of community living. It has ample common space, bedroom space, bathrooms, kitchen and dining area and a floor plan that provides for relational living. And most importantly, the house is constructed in a way that encourages the coming together for family type living of adult women.

As a member of the board of Haven House I was thrilled when we discovered 3202 Malissa because it resonates with what I have experienced in community living. It is unlike any other place the board could find in Juneau as it has all those features that women needing a nurturing place to live require in order to be safe and peaceful together. The home is affordable and has been purchased by a generous donor for our sole use. We hope that the neighbors will be respectful to the community of women who will live there. [Exhibit 19]

John Shinholser, a national expert on addiction and recovery, has helped start over 30 recovery homes. While in Juneau recently, he visited the proposed site of Haven House with Kara Nelson, a co-director. He said, "The residence at 3202 Malissa Drive seemed quite suitable for a recovery home. The home had nice, fairly large, common areas. The bedrooms were small but adequate for two persons. The neighborhood seemed quiet."¹³

¹³ Exhibit 19 at 3.

2. House Rules of Haven House.

The House Rules state the mission and purpose of Haven House:

MISSION

Haven House is a faith-based organization providing supported and structured living opportunities to foster healing and self-sufficiency for women coming out of prison.

PURPOSE

Haven House is designed to be a positive, supportive living environment which will stimulate personal and spiritual growth, encourage accountability and financial responsibility, and provide referrals to essential reentry services during the participant's re-adjustment into the community. Haven House staff and volunteers will assist participants as they navigate their reentry by providing support and referrals to other community services for assistance with food, treatment, counseling, clothing, transportation, employment, and career development, among other services. Additionally, Haven House participants will be expected to participate fully in community activities, including house meetings, meals, and chores.

Haven House will provide up to two years of transitional housing, a faith-based community with successful role models and opportunities for positive relationships, life skills training, and an opportunity for participants to support one another. Haven House is unique in that it is a faith-based home providing natural supports to its residents based on the presumption that women in safe, stable housing situations are less likely to reoffend.

The Haven House Program Elements are described at page 2 of the House Rules: [1] Individual Action Plan by each resident and weekly meeting with Haven House staff to review progress toward the goals identified by the resident; [2] Referrals to Community Services; [3] Communal Living; [4] Faith-sharing; and [5] Performing Household Responsibilities.¹⁴

The House Rules speak for themselves on subjects such as drug and alcohol use, visitor policy, and absences from the home:

HOUSE RULES

Haven House staff will explain each rule to the participant and the participant must follow the guidelines and expectations of each rule in order to continue residing in Haven House. All interpretations of the following rules,

¹⁴ Exhibit 9 at 2.

assessments of violation, and assignment of discipline shall be at the discretion of Haven House staff. **Any violation of any federal, state, borough, or city law on the property is a violation of these rules and may result in dismissal and/or notifying the participant's probation/parole officer. Participants must comply with all their conditions of parole/probation while living in Haven House and any violation of said conditions may result in immediate dismissal from Haven House.** [page 4]

GUIDELINES AND EXPECTATIONS

Staff will ensure a safe, sober, and stable home environment and will meet weekly with each participant to discuss her Individual Action Plan, refer participants to resources provided by other agencies, provide discipleship and faith guidance, facilitate house meetings, and administer UAs or breathalyzer tests when appropriate. [page 4]

LENGTH OF STAY

A participant may reside at Haven House for up to two years (1 month adjustment period + 23 additional months) and is required to commit to stay for at least 6 months (1 month adjustment period + 5 additional months). [page 5]¹⁵

VISITOR POLICY

Only legal family members may visit participants. Legal family members include: spouse, mother, father, brothers, sisters, children, grandchildren, grandparents, and cousins. Visitors must be scheduled at least 48 hours in advance and approved (background checks may be required) by staff. Visiting will occur in the main living room and visitors must leave by 10:00 pm. The visitors must complete a confidentiality form on their first visit. [page 5]

ABSENCES FROM THE HOUSE

All participants must return each evening to Haven House by curfew at 10:00 p.m., unless at a scheduled job or with the prior permission of the staff. Each participant is required to obtain pre-approval from staff if she will be away from the house for more than 24 hours. Any participant absent from the house for more than 24 hours without notifying Haven House staff and obtaining approval will be subject to disciplinary action and her probation/parole officer may be notified. Any participant absent for more than 48 hours will be dismissed. Participants must provide a copy of all travel passes, if applicable to their parole/probation conditions. [page 6]

DISMISSAL FROM HAVEN HOUSE

Haven House or the participant may voluntarily terminate this agreement, with or without any reason. Haven House requests that the participant give a

¹⁵ When Haven House Board approved these policies, it added this provision that a resident make a six-month commitment after the one-month adjustment period.

seven day written notice before leaving and Haven House may terminate this agreement by giving a seven day written notice to the participant. Failure to pay any contributions to household expenses or fees when due may result in a seven-day dismissal notice. **Haven House staff may dismiss a participant immediately if deemed appropriate. Anyone absent from the house for more than 48 hours without giving prior notice to Haven House staff or anyone who uses alcohol and/or substances in Haven House or on Haven House property will be dismissed.** [pages 6 – 7]

A participant may be dismissed immediately from Haven House if she does not abide by the following:

HAVEN HOUSE REQUIRES THAT:

- Participants do not use, possess, manufacture, distribute, share, sell, or store illicit drugs, mind-altering substances, tobacco, alcohol, controlled substances, or drug equipment off Haven House property or in any vehicle parked off Haven House property.
 - Participants submit to inspection and/or testing when requested by Haven House staff, the participant's probation/parole officer, or any other authority.
 - Participants keep all prescribed medication in its original, labeled container in the staff office.
 - Participants do not use tobacco within sight of Haven House property.
- [page 8]

HOUSE RULES AGREEMENT

Please read all of the House Rules carefully. By signing this agreement, the participant acknowledges:

- She has received a copy of Haven House, Inc.'s House Rules
- She understands that a breach of any part of the House Rules is a breach of this written agreement and may result in either immediate dismissal or a seven day dismissal notice
- She has read the House Rules and agrees to abide by all said rules, policies, and procedures
- She understands that any changes to the House Rules will be delivered in writing and will become effective immediately upon receipt by the participant.

I have read and understand all of the provisions contained in the House Rules, and I agree to abide by them. [page 9]

3. Application process.

To reside at Haven House, an applicant must complete a detailed 13-page application, which is Exhibit 8. The application asks for information in the following areas: basic background

information, why the individual is interested in residing at Haven House, faith background, family information, military history, finances, education, medical, vehicle information, criminal history, substance abuse history, and employment history. The applicant is also required to write her life story so that Haven House staff has a better understanding of who she is. Finally, she must submit a recommendation from her chaplain, pastor, counselor, or probation/parole officer.

Once a full application has been received, Haven House staff will contact the applicant to arrange an interview to better understand her background and past experiences and to assess her ability to abide by the House Rules of Haven House. The interview will usually be in person although, if that is not feasible, the interview may be telephonic. Staff will then contact her probation/parole officer to verify that Haven House is the proper environment for her. Each participant of Haven House will be admitted based on her openness to participate fully in a faith community; her sincere desire for change; and the recommendation from her chaplain, pastor, counselor, or probation/parole officer.

While Haven House staff desires the best outcome for every woman exiting prison, we recognize that the Haven House program may not be the best fit for every applicant. Our intake process will attempt to assess sincere desire for change and readiness for community participation.

4. Will Haven House accept as a resident a woman who is required to register as a sex offender?

No. Haven House will not allow anyone who is required to register on a state registry of sex offenders to reside at Haven House. Some neighbors voiced concerns in the February informational meeting over the possibility of sex offenders living at Haven House. In response to these concerns, we added into our House Rules that any woman required to register on a state sex offender registry will be unable to reside at Haven House.

The following is the link to the Alaska Department of Public Safety's sex offender registry: <http://dps.alaska.gov/sorweb/sorweb.aspx>. Although Haven House will not permit anyone on a registry to become a resident, it is very rare for a woman to commit a sex offense. In 2012, only 1.4% of all women held in state custody were convicted of offenses which require registering as a sex offender. In 2012, merely 8 women out of 546 held in State custody were convicted of offenses which require registration as a sex offender.¹⁶

5. What is Haven House's plan of operation?

The Haven House Board of Directors has established House Rules, which describe the elements of the Haven House Program and establish the rules for residents of Haven House [Exhibit 9]. Haven House will have a director or, as currently two co-directors, to implement the Haven House Program and oversee adherence to the Haven House Rules. Haven House will have a staff member on call 24/7 and will provide that number to the residents. The co-directors will work out of the residence and, during normal work hours, one or the co-directors will usually be at the residence.

¹⁶ Page 17, http://www.correct.state.ak.us/admin/docs/2012Profile07_FINAL.pdf

In addition to the program staff, Haven House will either have a resident house manager or a nighttime house manager. If we have a nighttime house manager or managers, we will establish regular hours for that person. Our current plan is that a nighttime manager will be there every evening from 10:00 p.m. until 8:00 a.m. The house manager's duties include being in the house every evening from 10:00 p.m. until 8:00 a.m., unless the house manager informs one of the co-directors that she will be absent from the house. If the regular house manager is not present, Haven House will provide an alternate who will be present from 10:00 p.m. until 8:00 a.m.

Haven House may have a resident manager but that should not be a requirement for Haven House to operate. Haven House thinks it is quite possible that, after the House is open and is operating at full capacity, it will, at times, have a resident manager. A likely source for a resident manager is a graduate of the Haven House program. The Haven House Board does not, however, believe that it can guarantee it will find a suitable person to be resident manager and does not believe a resident manager is an appropriate requirement for the new use category.

The residents of Haven House are not like residents at a group home who suffer from a physical or intellectual disability that makes them unable to physically care for themselves. The residents of Haven House are adults that do not need constant staff presence for their physical safety. The residents will be carefully selected. Based on a model of peer support, the other residents will very likely be a force to help each other move towards recovery and self-sufficiency. If a resident was considering violating a house rule, she would not be able to count on any prolonged absence of, collectively, the house manager, staff, volunteers, visitors and the other residents. It also bears repeating that these women can reside anywhere in Juneau and that the oversight at Haven House is likely more stringent than any other place they could choose to live.

Haven House will also provide the public with a number that they can call to report a problem with the house or to discuss any issue related to the house. This may or may not be the same number for the residents to call but it will be answered 24/7.

6. Cooperation with Probation/Parole officers.

After a person gets out of prison, they are usually on probation or parole. If a person on probation or parole does not abide by their conditions of probation/parole, they may have to go back to prison and serve an additional part of their sentence. A person who was convicted of a felony and is released from prison either on parole or probation will be supervised. That means that the person will have a probation officer and the person has to regularly report to their probation/parole officer. A person on probation from a misdemeanor is generally on unsupervised probation, which means they do not have an assigned probation officer and do not have to regularly report to an assigned probation officer.

For our purposes, the key point concerns housing for a person on probation or parole. With respect to their housing, Alaska Statutes require that a person on supervised probation/parole "shall reside at a stated place and not change that residence without notifying, and receiving permission from, the parole officer assigned to the parolee." AS 33.16.150. The same condition applies to a person on supervised probation.

A unique feature of Haven House is that Haven House staff will cooperate and share information with a resident's probation officer. Haven House has consulted with the Juneau District Probation Office in developing its program. Brent Wilson, Juneau District Supervisor, stated:

A critical component, from my perspective, is the promise of open and timely communication between Haven House staff and the probation and parole officers. Keeping the probation and parole office apprised of positive progress, as well as concerns, increases the ability for officers to play a comprehensive role in supporting transitional progress and swiftly reacting to issues inhibiting rehabilitation. Further, I know Haven House is well aware that at any point the probation and parole office believes continuing residence there is not healthy and/or safe a resident would be required to move. This relationship and level of communication is lacking with other approved residences often preventing timely interventions. [Exhibit 15]

The Deputy Commissioner of the Department of Corrections has expressed the Department's support for Haven House and the program it will offer [Exhibit 13]. This relationship with the probation officers ties in with the question of who will reside at Haven House.

7. From where will the majority of residents at Haven House come?

The applicants will be women who want to live in Juneau and participate in the Haven House program. We expect that most will be women who have lived in Juneau before they were incarcerated or want to move here because they have family, friends or some element of a good support network, such as the ability to go to school or a connection to a particular church.

The Juneau District Probation Office is currently supervising 61 women on probation; 59 of them reside in Juneau.[Exhibit 15 at page 3] Mr. Wilson thought that eight of the woman currently being supervised would benefit from living at Haven House and would likely agree they need a better housing option than where they are currently residing. That would just about fill up Haven House! Mr. Wilson thinks that 12 additional women would benefit but would likely not agree to live there.

Mr. Wilson supervises persons who are on probation/parole from a felony. Haven House would also be open to women who are coming out of prison because they committed a misdemeanor. Mariya Lovishchuk, Executive Director of the Glory Hole, has contact with that population. Ms. Lovishchuk vividly describes what she sees with women coming out of prison, temporarily staying at the Glory Hole, going back to prison or to unhealthy living situations: "Haven House creates the possibility to break the cycle, to provide these women with a fighting chance of a good life, a normal life, a life in wholesome space, instead of an emergency shelter, the gutter, the bed of an abuser. If Haven House is able to operate, it will assume a very important place in the Juneau continuum of care." [Exhibit 25]

According to Alaska Department of Corrections statistics from 2011, 51 women were released from Lemon Creek Correction Center in Juneau and 60 were released from Ketchikan

Correctional Center. We also anticipate that some women exiting Hiland Mountain Correctional Center near Anchorage that have strong ties to Juneau will want to settle here; 1,047 women were released from Hiland in 2011. [Exhibit 37] As Haven House will be the only housing provider in Southeast providing housing specifically for women leaving prison, we expect to operate at capacity while still serving only a small percentage of women needing housing upon their release.

8. What is the policy on length of stay of the residents?

After the application process, Haven House staff will evaluate whether to accept the applicant for a one-month adjustment period.¹⁷ If she is accepted, she will be subject to a one-month adjustment period. If after this one month, both the resident and Haven House staff agree that she may continue residing at Haven House, she will be asked to make a commitment to residing at Haven House for a minimum of five additional months (for a total of a six month minimum stay, 1 month adjustment period + 5 additional months). A resident may stay no longer than two years (6 month minimum stay + 18 additional months).

Haven House Staff and Board responded to the concerns voiced during the February meeting, including the concern in the questions submitted by Tall Timbers neighbors, that residents would be too transient. We considered this concern and added to our House Rules a requirement for a six-month commitment. Six months is longer than many persons reside in Juneau for summer work, the Legislative session, or a winter job at Eaglecrest.

A six-month commitment is beneficial to the residents. Before adopting it in our House Rules, Haven House staff consulted with Brenda Nagunst, the Executive Director of the New Hope Safe Living House, the women's safe living home by the Anchorage-based Alaska Correctional Ministries, Inc. (ACM). Ms. Nagunst stated that residents who stay for six months do better after they leave New Hope than residents who stay a shorter time.

The requirement for a six-month commitment communicates to the resident that this is a program for reentry, not merely a short-term affordable place to stay. Having said that, a resident is, of course, not legally required to live at Haven House. She may leave. It is not a jail. A person cannot be required to live anywhere except when they are in the custody of the Department of Corrections.

9. Will Haven House create a noise impact on the surrounding area?

The surrounding developments are single family homes and Haven House is not expected to create noise impacts to the neighborhood greater than those expected in a D5 residential district. The House Rules include a curfew of 10:00pm and visitors must leave by 10:00pm.

10. Will Haven House create a lighting impact on the surrounding area?

¹⁷ Exhibit 9 at page 5.

The surrounding developments are single family homes and Haven House is not expected to create lighting impacts to the neighborhood greater than those reasonably expected in a D5 residential district. During the February informational meeting and in the questions submitted to Haven House from various Tall Timbers residents, no one expressed concerns over lighting.

11. Where will staff, visitors, and residents park? How will Haven House impact traffic in the Tall Timbers neighborhood?

Because the majority of individuals exiting prison have very few resources, it is our expectation that few to none of our residents will own a vehicle. Haven House staff therefore will connect its residents to public transit. Residents should be able to access all of their services and activities via public transit from the two bus stops within walking distance of Haven House.

After our residents are more financially stable, it is possible that one or more of them will purchase a car. Additionally, one of the Co-Directors has a car and it is our presumption that volunteers and mentors will also own vehicles. Haven House has parking for six vehicles: two in the garage and four in the driveway. An additional two cars can park in front of Haven House on the street. It is our expectation that the parking needs of Haven House staff, volunteers, mentors, and residents will usually easily be met by the two spaces in the garage, the four spaces in the driveway, and the two in the street.

The parking spaces presently available at Haven House, too, fulfill the CBJ 49.40.210 requirement that rooming/boarding houses provide 1 parking space per 2 bedrooms and that according to CBJ 49.40.230(b)(6) stacked parking is not permissible for a rooming/boarding house. As Haven House has 5 bedrooms, it fulfills the required parking stipulation with two cars in the driveway and one car on the street, providing 3 spaces for its 6 bedrooms.

That being said, we do not expect that the presence of Haven House in the Tall Timbers neighborhood will noticeably increase the traffic flow in the area. CBJ 49.40.300 stipulates that a traffic impact analysis is not required if the project will generate fewer than 250 average daily trips. We do not expect that the combination of staff, volunteers, and residents will generate 250 trips, nor do we expect that Haven House will generate any more traffic than the other permitted uses, including the daycares, in the area.

12. Will the residents have access to public transportation and streets that are ploughed in the winter?

Some have questioned the location of Haven House saying that residents would have difficulty getting to services, appointments, and jobs because they would have to use public transportation. A newspaper article mentioned the residents would have difficulty in the winter if the streets were not ploughed.¹⁸

As for public transportation, many residents in Juneau, and many residents in the Valley, do not have cars. Many take public transportation throughout the year, including the winter, to jobs,

¹⁸ Hubert, Dan, "Haven House: Right Idea, Wrong Place," Juneau Empire (Feb. 24, 2014).

school, and appointments. The short walk from Malissa Drive to Tongass Boulevard is not regularly ploughed, although from Tongass Boulevard to Mendenhall Loop Road is. [Exhibit 6]

The walking distance from Haven House to the nearest bus stops is 10 and 15 minutes. [Exhibit 5] This amounts, round trip, to 20 to 30 minutes per day. If a Haven House resident made this trip five days a week, that is 150 minutes of physical exercise per week; if seven days, that is 225 minutes of physical exercise per week. That length of time, 150 minutes, is the minimum amount of exercise recommended by the Centers for Disease Control and Prevention (CDC) to promote health. CDC recommends 300 minutes per week for even greater health benefits.

Walking Distance HH to/from bus stops¹⁹ recommendation²⁰	5 days/ weekly total	7 days/ weekly total	CDC minimum recommendation	CDC healthier
30 minutes	150 minutes	225 minutes	150 minutes	300 minutes

Finally, this is stated as a concern for the residents of Haven House. If the location of the home makes it unappealing for women to live there, the home will not have nine residents, or will have less than nine residents, and the home may not succeed. That is a risk that Haven House is willing to bear.

However, for several reasons, Haven House believes that a number of women getting out of prison will chose this option for housing: the crisis shortage of affordable housing in Juneau for any person of limited income; the particular difficulty that ex-felons have in finding housing; the program at Haven House that will assist the residents with reentry into society; and the success of a similar house in Anchorage.²¹ The statements of the Glory Hole Director [Exhibit 25] and the Juneau District Supervisor, Juneau Adult Probation Office [Exhibit 15] provide further support for the conclusion that the location of Haven House will not prevent women from choosing to live there.

V. Haven House meets the requirements to receive a permit under the Use Not Listed provision of CBJ 49.20.320.

CBJ 49.20.320 provides:

Use not listed. After public notice and a hearing, the board may permit in any district any use which is not specifically listed in the table of permissible uses but which is determined to be **of the same general character as those which are listed as permitted in such district.** Once such determination is

¹⁹ Exhibit 5 - Google Maps, Maps of walking routes to bus stops closest to 3202 Malissa Drive.

²⁰ "How much physical activity do adults need", Center for Disease Control and Prevention (CDC), <http://www.cdc.gov/physicalactivity/everyone/guidelines/adults> <<visited April 18, 2014>>

²¹ Exhibit 18 – Statement from Chaplain Brenda Nagunst, Executive Director, Alaska Correctional Ministries, Inc. (April 8, 2014). It is the New Hope Safe Living House.

made, the use will be deemed as listed in the table of permissible uses.
[emphasis added]

The CDD application calls this application “Use Not Listed (Similar Use Determination).”

The residence at 3202 Malissa Drive is located in a D-5 zoning district. The purpose of the D-5 zoning district is stated in CBJ 49.25.210(c):

The D-5, residential district, is intended to accommodate primarily single-family and duplex residential development at a density of five dwelling units per acre. D-5 zoned lands are located in the urban service boundary and are served or can be served by public water and sewer.

CDD concluded that Haven House was a use not listed and was of the same general character as a boardinghouse/rooming house, which is a conditional, or Category 3, use. A Category 3 use requires the owner or lessee to obtain a conditional use permit issued by the Planning Commission for every single use in the category.

Haven House asks CDD to consider the additional material submitted with this application and evaluate whether Haven House is of the same general character as allowable, or Category 1 uses, which may be approved by CDD. Category 1 uses in a D-5 district are as follows: Single-family detached, one dwelling per lot; a single-family detached, one accessory apartment, in certain circumstances; a duplex; a group home (now a defunct category); a day care home for 8 or fewer children under the age of 12; an adult day care home for 8 or fewer people, 12 years and older; home occupations; a common wall development with two dwelling units; a common wall development with accessory apartments in certain circumstances.

Haven House believes that it is of the same general character as a single family dwelling unit and would have less, or comparable, impact on the neighborhood as a duplex, a day care home for 8 or fewer children, an adult day care home for 8 or fewer persons, home occupations, and accessory apartments.

Haven House makes four observations. First, a family “means one or more persons living as a single housekeeping unit, as distinguished from a group occupying a group home.”²² Haven House is of the same general character as a family because its residents will function as a single housekeeping unit. The Program for Haven House has five elements. Two of those elements are “Communal Living” and “Household Responsibilities.”²³

The residents will maintain an orderly living space together. They will eat together. They will live together. With explicit house rules, assigned chores, a curfew, and regular group dinners, Haven House will function as a fairly strict or structured family, but clearly as a single housekeeping unit. The residents of Haven House are nine women joining in a single

²² CBJ 49.80.120

²³ Exhibit 9 at page 2.

housekeeping unit for a shared purpose, namely a successful re-entry into society and addressing the problems that led them to their incarceration in the first place.

Second, the factors mentioned in CDD's determination of March 18, 2014, do not mean that CDD may not determine that Haven House is most similar to a single family residence. CDD has substantially more information now about Haven House than it did on March 18.

CDD's letter of March 18, 2014 mentions six factors: the presence of a resident house manager or nighttime house manager; the presence of co-directors at the house; the payment of rent by the residents; the residents will be recently released from prison and most will be on probation or parole; most will have probation/parole officers; and there are no minimum stay requirements.

The category is "single-family." None of the factors cited in the March 18 CDD letter suggests that there are two families or two housekeeping units at Haven House. And even if they did, duplexes are allowed and accessory apartments are generally allowed.

The fact that most, if not all, of the residents will be on probation or parole, and will have a probation officer, does not mean that this group of women will not live as a single housekeeping unit. The probation officers have legal supervision and must approve the residence of a person on probation. The probation officers do not live with the people they supervise. The probation officers will not be living in the neighborhood.

Third, CDD thought that Haven House was most similar to a boardinghouse/rooming house, which "means a dwelling in which more than two bedrooms are used for commercial lodging provided by the owner or operator who lives on site."²⁴ It is true that a resident of Haven House must pay to live there and will be asked to leave if they do not make the required payments. But that is true of many living arrangements that are demonstrably "single housekeeping units," such as any group of friends living together.

It seems to Haven House that the distinguishing characteristic of a boardinghouse/rooming house is that it is a transient structure and transient structures "means all forms of short term residence, including hotels, motels, boardinghouses, bed and breakfasts, **roominghouses**, or any other residential use *where capacity is measured by rooms rather than dwelling units.*"²⁵ The capacity of the new category will be measured by it being a single dwelling unit. Haven House is not renting out rooms. Most of the residents will share a bedroom anyway. The residents will have full use of the house in much the same way that a family operates.

Fourth, as Haven House understands the process, a boardinghouse/rooming house is only allowed with a conditional use permit because the permit must specify as a condition how many rooms will be permitted. It will make a big difference in terms of impact on the neighborhood if an applicant wants to have a boardinghouse with two rooms versus ten rooms. The permit for a two-room boardinghouse would look very different from a permit for a ten-room boardinghouse.

²⁴ CBJ 49.80.120.

²⁵ CBJ 49.80.120[emphasis added]

With Haven House, the category is fixed and the category controls the impact on the neighborhood. It is a *single* housekeeping unit. If CDD puts a number of residents in the category, the category will have up to nine residents and possibly a resident manager.

Haven House believes that its intended use of the property is of the same general character as uses in Category 1. However, it is clear that if the Planning Commission does not conclude that Haven House is of the same general character as a Category 1 use, it will conclude that Haven House's intended use is of the same general character as a Category 3 use.

Otherwise, CBJ would be saying that these nine women could individually, or even as a group, live in a residential district and even live in this very house but that the very same group of women could not live together in the very same house to participate in a structured program to promote their re-entry into society. Haven House is confident that CBJ will not do that.

Haven House suggests that the elements of the new use of a reentry home should be something like the following: [1] a dwelling in a residential neighborhood; [2] up to nine persons if it is an allowable use, a higher number if it is a conditional use; [3] residents living as a single housekeeping unit; [4] residents have been formerly incarcerated; [5] residents participate in a program to foster self-sufficiency and to help them successfully reenter society; [6] operator will provide a written plan of operation of the house. Haven House residents will be women. CDD can evaluate whether the new category should have a requirement that the residents will be women or will be of the same gender.

VI. Haven House meets the provisions of AS 49.15.330(d)(5).

CBJ 49.15.330(d)(5) provides:

Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:

- (A) Will materially endanger the public health or safety;
- (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
- (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.

This section applies to findings that CDD must make before it can issue a conditional use permit. Haven House is not certain whether CDD must make the findings in CBJ 49.15.330(d)(5) if CDD determines that the new use is an allowable use. Even if Haven House is not legally required to meet these requirements, these factors are matters of concern to the public generally and to persons who live in the neighborhood. Haven House therefore wants to address them.

A. Haven House will promote public health and safety by providing housing specifically oriented to the needs of former offenders.

Haven House's intended use of the property will promote public health and safety. The residents of Haven House will be recently released from prison. If a woman lives at Haven House, she will have safe, stable, structured, affordable housing. The first six months after a woman (or a man) leaves prison is critical. If, during that time, a woman has safe, stable, structured, affordable housing, this decreases the chances that the woman will reoffend during that period.

Haven House's intended use of the property also decreases the chances that a woman will reoffend after leaving Haven House because the community at Haven House will help her develop a sober, recovery-oriented lifestyle; will help her develop improved life skills; and will help her connect with employment and longer-term stable housing.

Haven House's intended use of the property is a positive addition to the Table of Permissible Uses for land in Juneau. Juneau has people living here now who have been released from prison and who are on probation and parole. This new use is a specific type of group living that is specifically oriented to the needs of former offenders to help them lead a better life. Without this new use, these persons will still live in Juneau but at housing that is less conducive to them staying out of prison.

The exhibits submitted with this application strongly support the conclusion that this type of group housing will promote public safety, in particular Exhibit 11 - Alaska Prisoner Reentry Task Force Five-Year Prisoner Reentry Strategic Plan, 2011-2016; Exhibit 12 - Resolution Number 13-16 Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp; Exhibit 15 - Statement from Brent Wilson, Juneau District Supervisor, Juneau Adult Probation Office; Exhibit 18 - Statement of Chaplain Brenda Nagunst, Executive Director, Alaska Correctional Ministries, Inc.; Exhibit 25 - Statement from Mariya Lovishchuk, Executive Director of The Glory Hole; Exhibit 26 - Statement from Mike Pellersin, Executive Director, Gastineau Human Services; Exhibit 27 - Statement from Ann Lockhart, Executive Director, Love INC; Exhibit 33 - Studies on Effectiveness of Housing Former Offenders.

B. Haven House will not substantially decrease the value of or be out of harmony with property in the neighboring area.

1. Will Haven House substantially decrease the value of property in the neighboring area?

The operation of Haven House will not substantially decrease the value of property in the surrounding area. As long as Haven House is well-maintained and its neighbors do not create a disturbance, it will not decrease the value of neighboring property. This was the conclusion of James Wakefield, former President of the Alaska Association of Realtors and former President of the Southeast Board of Realtors.²⁶

This is the conclusion of John Shinholser, a nationwide expert on addiction and recovery, who was recently in Juneau to conduct a variety of outreach and educational activities. Mr.

²⁶ Statement of James Wakefield, April 10, 2014, Exhibit 20.

Shinholser has started 60 recovery homes over the past thirty years and is currently President of the McShin Foundation, which operates five recovery homes. He visited the proposed site of Haven House and met with one of our co-directors, Kara Nelson. Mr. Shinholser's conclusion: "Based on this experience, I can say with confidence that a well-maintained and well-run recovery home does not decrease property values in a neighborhood. In fact, these homes increase property values. They are value-added to the community because they make the community safer."²⁷

The evidence generally does not bear out that a single house will decrease property values in a neighborhood and certainly not a single house that is well-maintained and in keeping with the character of the neighborhood. That is the conclusion of numerous studies that were summarized on the Habitat for Humanity website:

It is a common assumption that property values will go down in areas where affordable housing is located. Contrary to popular beliefs, studies indicate conclusively that affordable housing has little or no effect on neighboring property values. No one really know what determines property values – they are a complex phenomenon, and seem to be most closely related to the condition of the particular property for sale and broad trends in neighborhood prosperity, urban and suburban expansion, road and highway construction and nearby large-scale commercial and industrial developments.

The assumption that property values will decline with the location of affordable housing is based on the idea that one facility can affect a whole neighborhood, and that such facilities will be conspicuous, unattractive, poorly maintained and poorly managed. The studies cited on the following sample bibliography as well as others show that these assumptions are incorrect."²⁸

The Furman Center for Real Estate and Urban Policy at New York University looked at property values in New York City over a twenty-year period and reached a similar conclusion:

Our findings show that the values of properties within 500 feet of supportive housing show steady growth relative to other properties in the neighborhood in the years after supportive housing opens. Properties somewhat further away (between 500 and 1,000 feet) show a decline in value when supportive housing first opens, but prices then increase steadily, perhaps as the market realizes that fears about the supportive housing turned out to be wrong.

The city, state, and providers of supportive housing must continue to maximize the positive effects of supportive housing and ensure that supportive housing residences remain good neighbors. But the evidence refutes the

²⁷ Statement of John Shinholser, President, McShin Foundation, April 17, 2014, Exhibit 19.

²⁸ Habitat for Humanity, "Why Affordable Housing Does Not Lower Property Values," <http://www.habitat.org/how/propertyvalues.aspx>

frequent assertions by opponents of proposed developments that supportive housing has a sustained negative impact on neighboring property values.²⁹

In evaluating a claim in 2013 that permits for two multi-family housing projects in Douglas would lower property values, the City and Borough Assessor concluded the project would not have a negative impact on neighboring property values:

The surrounding neighborhood is primarily made up of multi-family housing of similar size and density to the proposed development. Concerns have been raised by the public about impacts to property values because 60% of the units will be income based rental units, where the rents will be established based on income. The CBJ Assessor reviewed the application materials, contacted assessors in Ketchikan and Anchorage as well as the State Assessor. She also reviewed several studies that evaluated the impacts of “low income housing” on neighboring property values. She has indicated that she does not foresee a negative impact to neighboring property values from the proposed development (attachment O).³⁰

Further, there are specific factors to Haven House’s intended use of the property that support the conclusion that the house will be well-maintained. The entire focus of Haven House is creating a community of women that will learn to work together and that will learn life skills. One of those skills is maintaining the property. Haven House Rules include “Household Responsibilities,” which provides: “All participants are responsible for maintaining an orderly living space. Each participant is expected to complete assigned responsibilities in a timely manner. We believe that the basic discipline of performing household chores will help prepare our participants for a structured, independent life.” [Exhibit 9 at page 2] The rules go on to be more specific about this aspect of life at Haven House:

HOUSEHOLD RESPONSIBILITIES

Each participant must follow a weekly cleaning and cooking schedule assigned by Haven House staff. Responsibilities include but are not limited to: yardwork, sweeping, raking, shoveling walkways/driveway, mowing lawns, cleaning common areas, and cooking communal meals.

- All participants are responsible for keeping Haven House clean, safe, and sanitary. Participants will dispose of all garbage and other waste in a sanitary manner in the container provided and garbage must be taken outside the morning of trash day.
- The kitchen and dishes will be cleaned each time after cooking is done and the meal has been eaten. **If you use it, you clean it immediately.**

²⁹ “The Impact of Supportive Housing on Surrounding Neighborhoods: Evidence from York City,” Furman Center for Real Estate and Public Policy, http://furmancenter.org/files/FurmanCenterPolicyBriefonSupportiveHousing_LowRes.pdf

³⁰ Memorandum to Planning Commission from Beth McKibben, Planner, CDD, File No. USE 2013 0032, USE 2013 0033 (Oct. 17, 2013), available on CDD website.

- No participant may install, change, or remove any door lock without approval from staff.
- Participants must notify Haven House staff when any equipment or appliance is not working properly and/or needs repair. [Exhibit 9 at page 5]

Through the application process, Haven House will make sure that prospective residents understand the rules, including communal responsibility for home maintenance and the assignment of regular chores.

2. Will Haven House's intended use of the property be out of harmony with property in the neighboring area?

Haven House understands this question to be whether its use of the property is out of harmony with the other uses of the property in the neighboring area. As the ordinance establishing the conditional use permit process states, a conditional use "is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses." CBJ 49.15.330. The D-5 zoning district is intended to accommodate primarily single-family and duplex residential development at a density of five dwelling units per acre.³¹

Haven House's use of the property is by a group of people living together as a single housekeeping unit or, at least, of the same general character as a group of people living together as a single housekeeping unit. The residents will be participating in a program to support successful reentry into society and that will involve the presence of Haven House staff during the day and also volunteers and mentors. This will not have impacts on the neighborhood different from a traditional family with children that receives visitors or from other allowable uses such as day care for eight children or eight adults.

Haven House's intended use of the subject property is in keeping with the character, intensity, and size of the uses of property in this neighborhood.

Haven House would strenuously object if CDD evaluated whether its use would be "out of harmony with property in the neighboring area" as meaning whether the neighbors wanted Haven House in their neighborhood. If "harmony" meant what the neighbors want, or did not want, the government could very well deny a requested use of land based on prejudices and unfounded fears of persons living near the subject property. The test is whether the proposed use is in harmony with the land use of the neighbors, not with the personal opinions of the neighbors.

Haven House notes that the use not listed process is giving the public the opportunity to comment on this new proposed permissible use and to object to it. But the mere fact of opposition by some persons in the neighborhood to a proposed use cannot and should not be a factor in either creating a new category or in granting an allowable or conditional use permit

³¹ CBJ 49.25.210(c).

under the new category. The City can and should consider the reasons for the opposition, but not the mere fact of opposition.

If “harmony” meant what the neighbors wanted, or did not want, a proposed use of land could be permanently prevented and the neighbors, and indeed the community, would never get to see whether the proposed use was beneficial. This is not speculation. This is the experience with supportive housing for the formerly incarcerated. The opposition is based on fear that the proposed use will decrease property values or jeopardize the safety of the neighborhood. When the municipality does the right thing, and allows the project, these things do not happen; the neighbors come to value the home, especially when a neighbor needs it for a loved one who gets in trouble with the law; and the community is overall safer.³²

This is not to say that Haven House does not want good relations with its neighbors. When we realized that some neighbors were upset about Haven House seeking to be in their neighborhood, we delivered invitations to the houses in the neighborhood and held an informational meeting at the house. We responded to written questions [Exhibit 34].

We promptly looked at a large house in downtown Juneau that some neighbors thought would be more suitable. It was a big red house in Downtown Juneau known as the Shattuck House. The owner had rented it for two years to a tourist-oriented business for its employees.³³ We made changes in our policies in response to their concerns: exclusion of sex offenders, a requirement for a six-month commitment, dismissal of resident who has alcohol or drugs on the premises, and a telephone number for the public to call if they wanted to report a problem. We would participate in a CDD-led neighborhood meeting.

It is important to recognize that some residents in the Tall Timbers Subdivision already welcome Haven House [Exhibit 37, Exhibit 43].

C. Haven House is in general conformity with and actually clearly promotes Juneau’s Comprehensive Plan.

The 2013 Comprehensive Plan Update, Chapter 4, addresses housing. This chapter strongly states the need for more housing in Juneau and states that Juneau is suffering a housing crisis. Chapter 4 begins by stating:

The purpose of this section is to recommend policies that encourage adequate housing *for all Juneau residents* and to protect the character and livability of its neighborhoods.

As housing choice is influenced both by lifestyle and income, the CBJ government should encourage and facilitate the provision of a variety of affordable housing opportunities to its residents . . . *Ensuring an adequate*

³² Statement of John Shinholser, President of McShin Foundation (April 17, 2014), Exhibit 19. See also the results of the Furman Center study on pages 21-22 of this document.

³³ Answer to Question 6, Exhibit 34. The house also would have required work.

supply of rental housing, particularly for low-income residents, is also an important priority.³⁴ [emphasis added]

Policy 4.1 It is the policy of the CBJ to facilitate the provision and maintenance of safe sanitary and affordable housing for its residents.

This may be obvious but a person who lives in Juneau and was formerly incarcerated is part of the category of “all Juneau residents.” A person coming out of prison is a low-income resident and therefore is included within the category of persons for whom CBJ should “particularly” strive to provide with housing. The fact that a person made mistakes and went to prison does not mean that CBJ should not support rental housing tailored to help them recover and reenter society.

Policy 4.1 – SOP1 - Fund, or assist in securing funding for, emergency shelters, transitional housing, permanent supportive housing, and appropriate supportive services for people who are homeless or near homeless or rent overburdened, particularly families and unaccompanied youth, and an increasing aging population. [emphasis added]

The average monthly rent for an apartment in Juneau is \$1,179.³⁵ The definition of “rent overburdened” is that rent accounts for more than 30% of the person’s monthly income. Virtually no one coming out of prison can afford to rent an apartment by themselves. Many go back to living with the same persons that were part of the reason they went to jail in the first place. Further, many people who were formerly incarcerated are homeless or near homeless.³⁶ Haven House would help a category of persons that largely fall within one or more of these three categories: homeless, near homeless, and rent overburdened.

Policy 4.1 – SOP 1 - IA1 – Develop a housing plan in order to further develop and facilitate affordable housing that encourages a diversity of housing types and densities.

Juneau does not have a sober living home devoted to women coming out of prison. This project furthers the diversity of housing types in Juneau.

Policy 4.2 – To Facility the Provision of an Adequate Supply of Various Housing Types and Sites to Accommodate present and Future Housing Needs for all Economic Groups.

³⁴ 2013 CBJ Comprehensive Plan Update, chapter 4, page 36.

³⁵ <http://www.jedc.org/sites/default/files/Part%204.%20Cost%20of%20Living%20and%20Housing.pdf>

³⁶ Alaska Task Force Report at page 50,
<http://www.correct.state.ak.us/TskForce/documents/Five-Year%20Prisoner%20Reentry%20Plan.pdf>, page 50

People coming out of prison are a unique economic group with distinct housing needs. Haven House would provide housing for up to nine women in this economic group who sincerely desire to change and are willing to accept the restrictions (and hopefully the benefits) of living at Haven House. The restrictions include a sign-in/sign-out sheet, a curfew, a restrictive visitation policy, weekly chores, weekly house meetings, development of an individual action plan, a consent for Haven House staff to share information with probation/parole officers, submission to drug testing (UA or breathalyzer) if requested by the staff, and dismissal from Haven House if the women uses, possesses or stores any alcohol or drugs on the premises.³⁷

Haven House would like to comment on Policy 4.1 – SOP 1 – IA 7:

Policy 4.1 – SOP 1- IA 7 – Facilitate the provision of special needs and adaptive housing and supportive services in residential neighborhoods that are readily accessible to public transit, shopping, public amenities and supportive services.

Haven House does not believe that this provision makes this project out of general conformity with the Comprehensive Plan for several reasons. First, as explained above, Haven House believes that its residents will have adequate access to public transit which will enable them to get to shopping, amenities, and supportive services.

Second, the term “special needs” conveys to Haven House persons that are physically handicapped. Haven House residents will not generally have “special needs,” within the meaning of that term. The term “adaptive housing” also suggests housing that must be physically altered to adapt to the need of its residents. Haven House is not that type of adaptive housing.

Third, assume, for the sake of argument, that Haven House is not “readily accessible” to public transit, shopping, public amenities and supportive services and that this is one way in which Haven House’s intended use of the property is not in conformity with the Comprehensive Plan. This one factor, by itself, would not make the project out of “general” conformity with the plan because that one factor is completely outweighed by the ways that the project conforms with , and carries out, the general housing policy of the Comprehensive Plan in Policy 4.1; Policy 4.1-SOP 1; Policy 4.1 SOP 1 – IA1; and Policy 4-2.

Given the housing crisis for low income persons in Juneau and the “important priority” that Juneau’s Comprehensive Plan places on ensuring an adequate supply of rental property for low income people, it is clear that this use promotes the Comprehensive Plan.

D. Conditions.

If the Planning Commission determines that Haven House’s use is a conditional use, CBJ 49.15.330(a) states the purpose of conditions:

³⁷ Haven House Rules for Haven House, Exhibit 9.

The commission may attach to the permit such conditions listed in subsection (g) of this section as well as any further conditions **necessary to mitigate external adverse impacts**. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.” [emphasis added]

If the Planning Commission approves a new use, and the use is conditional, Haven House examines four possible conditions: number of residents; exclusion of persons required to register as sex offenders; a performance bond; and screening. If CDD wishes Haven House to address any other specific conditions, Haven House would be happy to do so.

First, Haven House would accept a condition that it may have up to nine residents plus a resident house manager or nighttime house manager.

Second, Haven House would accept a condition that a woman may not reside at Haven House if she is required to register as a sex offender under Alaska Law.³⁸ If the new use is conditional, CDD and the Planning Commission should carefully consider whether such a limitation should be a required element of the new use.

Third, the neighbors’ questions asked whether Haven House would post a surety bond. [Exhibit 34, Question 15] The only reference to a bond in the conditions is in CBJ 49.15.330(g)(5):

Performance bonds. The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.

Haven House does not anticipate that the Planning Commission will require improvements on the house and, in the unlikely event that it did, the improvements would certainly not be on the scale or the character for the Planning Commission to require a bond.

Fourth, Haven House understands that a possible condition might be to construct fencing or plantings between its property and the adjacent properties. As Haven House understands this possible condition, it does not seem proper. CBJ 49.15.330(g)(14) states:

Screening. The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.

Haven House does not believe that is an appropriate condition for several reasons. First, the purpose of fencing or plantings is “to screen the development or portions thereof from public view.” The development here is a house that was constructed in 1976. The property does not now have, and to Haven House’s knowledge has never had, a fence or plantings demarcating this property from 3200 Malissa Drive on one side and 3204 on the other side.

³⁸ AS 12.63.

Haven House is unaware of any reason why this development—the residence at 3202 Malissa Drive development—should be screened from public view. Haven House thinks that fencing “to screen the development . . . from public view” is probably a condition imposed when the development is a building site and a fence is required to protect an unsightly or possibly unsafe construction site from public view.

Second, if the purpose of fencing or plantings is to screen *the residents* of Haven House from public view, that is not a legitimate purpose for the government to further or to pursue in any way. The women who live there are persons and should be treated as people. It is true that they have committed a crime and spent time in jail but it is deeply hurtful to these women to suggest that they should be screened from public view. And, of course, no matter what the fencing or plantings, the women will be seen coming and going from the house and, of course, walking in the neighborhood.

It bears repeating that Haven House is not a jail. These women are free to live anywhere in this neighborhood and in any residential district. Seeing the residents of Haven House is not an “external adverse impact” that CBJ can, or even should want to, mitigate through a condition in a CUP.

Third, CBJ does not have an ordinance that requires the owners of residential homes in D-5 districts to build fences or make plantings that demarcate one lot from another lot. A visual inspection of the neighborhood suggests that some houses have fencing between adjacent properties and some do not. Haven House believes that a six-foot privacy fence on both sides of the property is unusual in this neighborhood and would set this residence apart from the other residences, not make it conform to the general character of the neighborhood.

Fourth, Haven House did investigate the cost of a privacy fence on both sides of the residence at 3202 Malissa Drive. The estimated cost is between \$6,000 and \$9,800. [Exhibit 35] Tall trees that are the equivalent of fences would no doubt be fairly expensive also. Haven House prefers to spend its limited funds on necessary operating expenses, such as rent, utilities, possible home improvements, insurance and salaries.

After Haven House opens, Haven House expects that staff and residents and volunteers may very well plant a garden. Haven House would like to improve the landscaping in the front yard and may put in plants on the sides of the residence. But that is an entirely different matter from requiring Haven House to “screen the development or portions therefore from public view.” If any landowner in the neighborhood wants to construct a fence or plantings on their property, they are free to do so.

Haven House is unaware of other conditions “necessary to mitigate external adverse impacts.” CBJ 49.15.330(a). If, however, CDD staff believes that conditions are appropriate, Haven House anticipates that CDD staff would inform Haven House what those conditions are as part of the

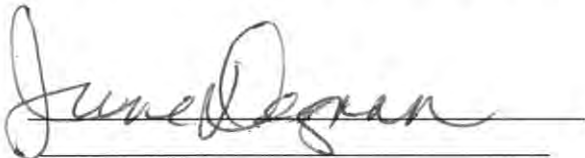
Director's Review.³⁹ Haven House will give full and serious consideration to any feedback from CDD as to what corrective action it considers appropriate.

Conclusion

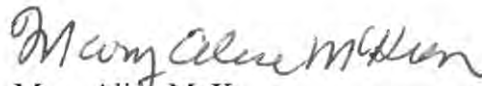
Dan Austin, General Manager of the St. Vincent de Paul Society, has tremendous knowledge and expertise about the problem of affordable housing in Juneau. His thoughtful conclusion sums up much of our application:

The St. Vincent de Paul Society strongly supports the Haven House project, as does the Juneau Coalition on Housing and Homelessness. As the traditional sources of low-income rental assistance dry up, and as the number of households in need of that assistance continues to grow, we must find a wider variety of housing options for those in need. Haven House offers an alternative that can make a significant contribution to a specific segment of the low-income housing market. We support it, first because it expressed the larger community's commitment to our sisters in need. Second, because it diversifies the low-income affordable housing market and that increases opportunity for everyone. [Ex. 24]

Respectfully submitted on May 2, 2014:



June Degnan
President, Board of Directors, Haven House



Mary Alice McKeen
Attorney for Haven House

³⁹ The Director's Review Procedure in CBJ 49.15.330(d)(1) provides: "The director shall endeavor to determine whether the application accurately reflects the developer's intentions, shall advise the applicant whether or not the application is acceptable and, **if it is not, what corrective action may be taken.**" (emphasis added)

Haven House Exhibits

- Exhibit 1 – One-page summary of Haven House
- Exhibit 1A – Haven House – Description of Board Members
- Exhibit 2 – Letter from Hal Hart, AICP, Director, CBJ Community Development Department (CDD), to Attorney for Haven House (March 18, 2014)
- Exhibit 3 – As Built Survey, Floor Plan, MLS listing of 3202 Malissa Drive
- Exhibit 4 – Map of Group Home and Boarding Houses in Juneau, 2014
- Exhibit 5 – Map of walking routes to bus stops closest to 3202 Malissa Drive
- Exhibit 6 – Map of CBJ sidewalk snow removal routes near 3202 Malissa Drive
- Exhibit 7 – Photos of 3202 Malissa Drive, current
- Exhibit 8 – Haven House Application
- Exhibit 9 – House Rules of Haven House
- Exhibit 10 – Rankings of SSAB Block Grants, Tier 1
- Exhibit 11 – Selections from The Alaska Prisoner Reentry Task Force’s Five Year Strategic Plan, 2011 - 2016
- Exhibit 12 – Resolution Number 13-16 Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp (October 2013)
- Exhibit 13 – Statement from Ron Taylor, Deputy Commissioner, Department of Corrections (April 11, 2014)
- Exhibit 14 – Statement from Carmen Gutierrez, former Deputy Commissioner, Department of Corrections (January 22, 2014)
- Exhibit 15 – Statement and Email from Brent A. Wilson, Juneau District Supervisor, Juneau Adult Probation Office (April 17, 2014)
- Exhibit 16 – Statement from Senator Lesil McGuire (February 19, 2014)
- Exhibit 17 – Statement from Kathryn Chapman, MSW, Chair, Juneau Reentry Coalition (April 16, 2014)
- Exhibit 18 – Statement from Chaplain Brenda Nagunst, Executive Director, Alaska Correctional Ministries, Inc. (April 8, 2014)
- Exhibit 19 – Statement from John Shinholser, President, McShin Foundation (April 17, 2014)
- Exhibit 20 – Statement of James Wakefield, former President, Alaska Ass’n of Realtors (April 10, 2014)
- Exhibit 21 – Statement from Mary M. Tracey, Development Director, Transitions (February 25, 2014)
- Exhibit 22 – Statement from Billie Moreland, PhD, Neighbor to Transitions
- Exhibit 23 – Statement of Scott Ciambor, Steering Committee, Juneau Coalition on Housing and Homelessness (February 7, 2014)
- Exhibit 24 – Statement from Dan Austin, General Manager, St. Vincent de Paul Society (April 21, 2014)
- Exhibit 25 – Statement from Mariya Lovishchuk, Executive Director, The Glory Hole (March 3, 2014)
- Exhibit 26 – Statement from Mike Pellerin, Executive Director, Gastineau Human Services (Nov. 27, 2013)
- Exhibit 27 – Statement from Ann Lockhart, Executive Director, Love INC (November 25, 2013)

Exhibit 28 – Statement from Elaine M. Dahlgren, President/CEO, Volunteers of America (Nov. 14, 2013)

Exhibit 29 – Statement from Kathryn Chapman, MSW, Executive Director, National Council on Alcoholism and Drug Dependence (April 16, 2014)

Exhibit 30 – Letter of Support from Samantha Dye, Executive Coach (April 18, 2014)

Exhibit 31 – Brochure from Juneau Reentry Coalition (2014)

Exhibit 32 – Report from the Housing Law Bulletin (June 2010)

Exhibit 33 – Studies on Effectiveness of Housing Former Offenders

Exhibit 34 – Dear Neighbor Letter (April 8, 2014)

Exhibit 35 – Estimated Cost of Fencing for 3202 Malissa Drive (April 14, 2014)

Exhibit 36 – Email from Michael Matthews, Research Analyst IV at the Department of Corrections (May 23, 2012)

Exhibit 37 – Letter of Support from Reverend Susan Boegli, Aldersgate United Methodist Church and resident of Tall Timbers Subdivision

Exhibit 38 – Letter of Support from Christina Wigg, former offender

Exhibit 39 – Letter of Support from Amber Scroggins, former offender

Exhibit 40 – Letter of Support from Heather Schimanski, former offender

Exhibit 41 – Letter of Support from Larry Olsen, LPC, MAC

Exhibit 42 – Letter from Sr. Delia Sizler, SC, Haven House Board Member and Program Committee Chair

Exhibit 43 – Letter from Joselyn Peterson, Realtor, resident of the Tall Timbers Subdivision

Exhibit 44 – Statement from Criminal Law attorneys on the common understanding of “serving a sentence” (April 2014)



“A Home for Recovery and Reentry for Women Coming out of Prison”

Haven House, Inc. is a 501(c)(3) nonprofit corporation providing transitional housing in Juneau in a faith-based and supportive setting to women who have recently exited the correctional system.

Women in safe, sober, stable, and structured housing are less likely to reoffend. Haven House will make our community safer.

Haven House will provide:

- successful role models and mentors
- daily opportunities for residents to support one another
- safe, sober, and supportive transitional housing for up to 2 years in a faith-based community setting

Residents may be on probation and parole. To live at Haven House, the applicant must submit a detailed application and, if applicable, a recommendation from her probation/parole officer. All residents will contribute each month towards household expenses.

Ellen Campbell, 45-year prison volunteer, wife of a former Commissioner of the Alaska Department of Corrections, and founder of Haven House, wrote,

“Women released from prison need help. To successfully mainstream into society, women need a safe haven where they can focus on healing their lives ... begin to change their lifestyles ... address the drug and alcohol abuse that initially sent them into prison. The safe haven we construct will address those issues while providing safe shelter.”

2 out of 3 prisoners return to custody within 3 years of their release.

- Spending on our state justice system has almost doubled since 1981, but crime has only decreased by 30%.
- Alaska has one of the fastest growing prison populations in the nation.
- The Alaska Department of Corrections projects that the number of prisoners in our state is likely to double by 2030 if new approaches, like Haven House, are not supported.
- 96% of inmates experience either mental health disorders and/or substance abuse issues.

Properly supporting our returning neighbors is the difference between a successful reentry into our Juneau community and reoffending.

Haven House will support up to nine women as they successfully reintegrate into Juneau by:

- maintaining house rules that prohibit substance and alcohol use
- supporting residents in their acquisition and retention of employment and/or education
- increasing life skills through communal living and household responsibilities
- developing and/or deepening one's faith through communal activities and groups
- increasing positive social support networks through relationships with supportive peers, healthy mentors, and positive role models
- advocating for them to attain permanent housing

Currently, Haven House is applying to CBJ for permission to operate at 3202 Malissa Drive.

Join us! Haven House is a community effort and we need your support. We invite you or your agency to be involved. Please contact us at (907) 988-7233, havenhousejuneau@gmail.com, or P.O. Box 20875, Juneau, AK 99802.

Haven House, Inc. board members as of April 26, 2014

Emma-Lily Schmitz grew up in Juneau, Alaska before attending Trinity Western University in Langley, British Columbia, where she studied Psychology and completed her degree requirements. While a student at Trinity Western, Emma-Lily volunteered at Rahab Ministry, whose purpose was to provide support to a local ministry's outreach to sex workers in the Lower Eastside section of Vancouver. Emma-Lily began working for Aiding Women in Abuse and Rape Emergencies (AWARE) Inc. in 2009 and for the last three years as the lead facilitator the Juneau Choice & Accountability Program (JCAP is a state certified batterer intervention program whose primary goal is increase victim safety by holding offenders of domestic violence accountable for their actions and the impact their violence has on their victim, community and themselves; this program is offered both in the community and in Lemon Creek Correctional Center.) Emma-Lily has been a member of AWARE's sexual assault response team; in her role as SART member she's advocated for victims of sexual assault as they navigate the legal system. Emma-Lily's other interests include volunteering for both the WORD and ACTS retreats. Emma Lily is the daughter of Richard Schmitz and Brian and Linda Sylvester.

Theresa Harris is a fifth-generation Alaskan, and works as a CPA for Elgee Rehfeld Mertz, LLC. Theresa graduated co-valedictorian with a bachelor of science degree in accounting from St. Catherine University. She is a fifth-generation Alaskan, and works as a CPA for Elgee Rehfeld Mertz, LLC. Theresa has served on the board of directors of St. Vincent de Paul for four years, and has been a member of the Diocese of Juneau Finance Council for two years.

June Degnan has a Master of Arts in Library and Information Science with Phi Kappa Phi Honors from the University of South Florida and a Bachelor of Science in Psychology-cum-laude. She has held professional positions as land manager, planner, teacher, archivist, librarian, and historian. She co-founded a women's shelter in Florida and worked with healthy relationships/violence prevention and youth activities for AWARE.

Chris Nelson owns and operates a residential appraisal business, Nelson Appraisals/Ketchikan Appraisals. He has volunteered in halfway houses and Lemon Creek Correctional Center for the past three years. Prior to entering the appraisal profession in 1998, he held a variety of positions in the Southeast Alaska timber industry starting in 1991.

Cheryl Shakespeare has an associates degree in Biblical Education from Alaska Bible College. She is a supervisor in the State's Division of Finance and owns rental real estate within a few blocks of Haven House. She and her husband of 22 years (who served 2.5 years of a 5 year sentence before his conviction was overturned by the Alaska Supreme Court) are committed Christians and routinely volunteer in multiple lay ministries.

Larry Talley is a software developer for National Marine Fisheries Service. He retired from the State of Alaska after 25 years as a programmer and data processing manager. His non-profit experience includes serving as board president and fundraising committee member for Holy

Trinity Episcopal Church during reconstruction after it's total loss to fire in 2006. His experience with prisons and prisoners includes an appointment as a third party custodian to help a nephew in trouble.

Delia Sizler, SC, M.Ed., holds a professional counselors license with supervisor credentials in Ohio. She owns the Pastoral Family Service in Juneau where she sees pastoral counseling clients. She works part-time at AWARE as a shelter advocate and does debriefing for the shelter staff. Delia was the founding director of Bethany House in Cincinnati, Ohio, a shelter for homeless women and children. Later she started NewSpring Center where for 17 years she provided counseling to families and individuals including those who had been incarcerated or had incarcerated family members. She has been a Sister of Charity for 49 years.

Talitha Lukshin has a Bachelor of Business Administration in Management from the University of Alaska, Fairbanks and worked for a number of years for the State of Alaska as a Labor Economist. She left that work over ten years ago to be a full-time mother of three daughters. In recent years, she has found great enjoyment encouraging discouraged readers as a part-time employee with the Juneau School District. She has participated in a Christian volunteer ministry at Gastineau Human Services for over ten years. Meeting women in that ministry has lead her to see the desperate need of women transitioning back to the community from prison.



March 18, 2014

Pamela Finley, Attorney for
Haven House, Inc.
P.O. Box 22977
Juneau, AK 99802

RE: Haven House Transitional Housing located at 3202 Malissa Drive

Dear Ms. Finley:

Thank you for providing the requested additional information. That additional information allowed the Community Development Department ("CDD") to fully review the Haven House proposal and better understand how Haven House intends to operate at 3202 Malissa Drive. I have reached the following decision.

Upon reviewing the additional information provided by Haven House and upon legal guidance, I conclude the Title 49 provisions regarding Halfway Houses and Group Homes are likely unenforceable as applied to Haven House. Except the provisions specifically addressed below, Title 49 is presumed valid and enforceable.

I conclude Title 49 is likely unenforceable regarding Halfway Houses because of the following: (1) large halfway houses (10+ people) are allowed in residential zones but small Halfway House (less than 10) are not, and neither Title 49 nor the legislative history provide justification for the distinction; (2) neither Title 49 nor the legislative history provide justification for the change in prohibiting small Halfway Houses in residential areas; (3) neither Title 49 nor the legislative history provide justification for distinguishing Halfway Houses from other uses in which people are not serving a sentence; and (4) the Table of Permissive uses lists Halfway Houses in two different sections (1.450 and 7.400), table CBJ 49.25.300, which creates an arbitrary effect if CBJ 49.25.300(a)(3) is applied.

Similarly, I conclude Title 49 is likely unenforceable regarding Group Homes as applied to Haven House because of the following: (1) neither Title 49 nor the legislative history provide justification for distinguishing Group Homes from other uses in which people are not serving a sentence; and (2) neither Title 49 nor the legislative history provide justification for differentiating Group Homes with more than six residents and those with less than six residents.

For those reasons, I conclude that I cannot apply the Title 49 provisions regarding Group Homes and Halfway Houses to Haven House. Thus, I conclude Haven House cannot be classified as a Group Home or Halfway House.

Previously, I concluded that Haven House best fit the definition of a halfway house because the proposed use involved people, living together, who would be serving a sentence. However, based on the additional information, the reasoning provided above, and considering the proposed use does not now fit within one of the uses specifically listed in the Table of Permissive uses, I conclude the proposed use of

Haven House is a "use not listed." CBJ 49.20.320. In order to be considered for a "use not listed," Haven House will need to make an application to the CDD consistent with CBJ 49.20.320. This request would be evaluated by the Planning Commission sitting as the Board of Adjustment. This "use not listed" process requires public hearing and the associated public notice.

I conclude the proposed use of Haven House is currently boardinghouse and rooming house or is currently most similar to a boardinghouse and rooming house. CBJ 49.80.120 defines boardinghouse and rooming house as follows:

Boarding and rooming house mean a dwelling in which more than two bedrooms are used for commercial lodging provided by the owner or operator who lives on site. The term "boarding house and rooming house" includes houses offering bed and breakfast.

I conclude that Haven House is not a single family residence per CBJ 49.80.120 because the use is a boardinghouse and rooming house or is more characteristic of a boardinghouse and rooming house. I find the following factors distinguish Haven House from a single family residence: (1) a house manager lives onsite and provides services in exchange for rent; (2) two part-time co-directors live offsite and come onsite daily to provide services in the home; (3) all nine of the clients pay rent of \$550/month; (4) the clients will be recently released from prison and most will be on probation or parole; (5) most, if not all, of the clients will be under the supervision of probation or parole officers; and (6) despite allowing the clients to stay up to two years, Haven House may actually be a transient structure because there are no minimum stay requirements and clients will be evicted for violating the client agreement. At no point has CDD adversely distinguished Haven House based on the actual or potential likelihood of any of its clients having a disability or handicap as protected by 42 U.S.C. 3602 (Fair Housing Act) or by 42 U.S.C. 12101 (Americans with Disability Act).

If the Board of Adjustment decides Haven House is similar to a boardinghouse and rooming house, an application for a conditional use permit can then be applied for and processed. The conditional use permit will be considered by the Planning Commission, after a public hearing. Alternatively, if the Board of Adjustment decides Haven House is more similar to a use that does not require a conditional use permit, then the underlying building permit application could be processed accordingly.

The CDD often hosts neighborhood meetings early in the conditional use permit process so that interested neighbors and other members of the public have an opportunity to learn about the project and the conditional use permit process. Both the "use not listed" and the conditional use decisions are appealable decisions.

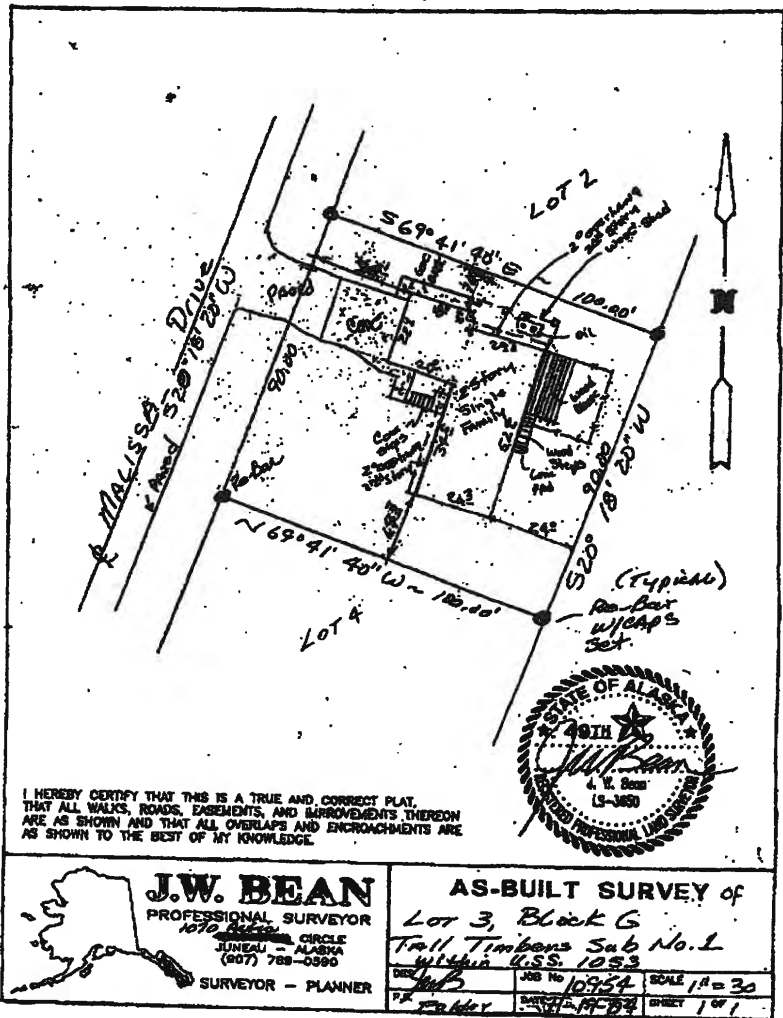
The Director's Decision issued January 24, 2014, is rescinded. This Director's Decision is appealable pursuant to CBJ 49.20.110.

Please contact me at 586-0757 if you have any questions or would like to discuss this further.

Sincerely,



Hal Hart, AICP
Director



Kasberg Appraisal Services
SKETCH ADDENDUM

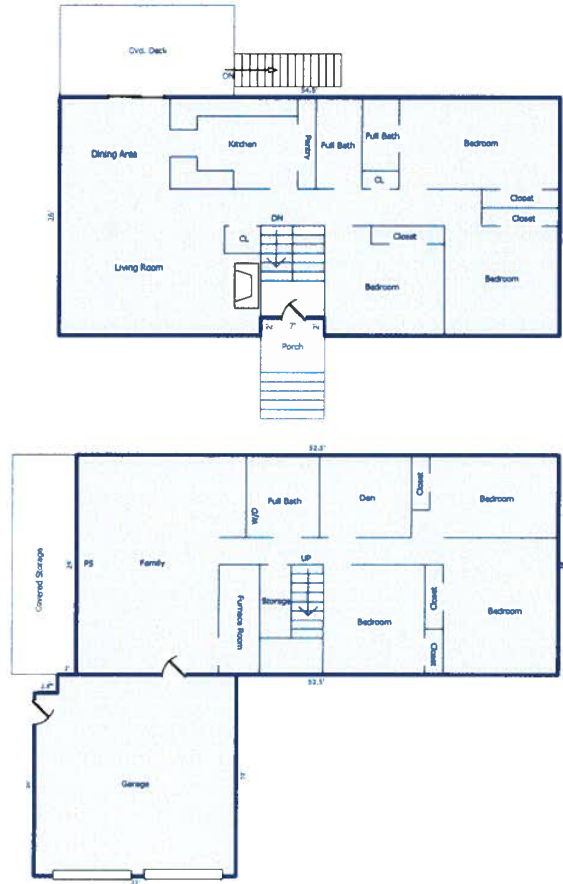
File No. 2348
Case No.

Borrower Haven House

Property Address 3202 Malissa Drive

City Juneau County City and Borough of Juneau State AK Zip Code 99801-9017

Lender/Client Alaska Housing Finance Corporation Address P.O. Box 101020, Anchorage, AK 99510



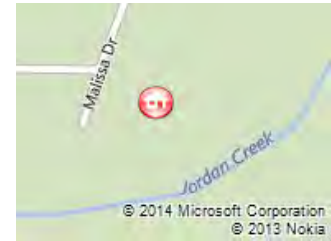
Sketch by Apex Sketch v5 Standard™

Comments: This sketch is not drawn to scale.

AREA CALCULATIONS SUMMARY				LIVING AREA BREAKDOWN			
Code	Description	Net Size	Net Totals	Breakdown		Subtotals	
GLA2	Second Level	1403.00	1403.00	Second Level			
BSMT	Finished	1260.00	1260.00	2.0	x 25.5		51.00
GAR	Garage	479.00	479.00	2.0	x 22.0		44.00
				54.5	x 24.0		1308.00
Net LIVABLE Area		(rounded)	1403	3 Items	(rounded)		1403

ALL FIELDS DETAIL

MLS #	12840	# of Bedrooms	6
Class	RESIDENTIAL	Baths	3
Type	Single Family	Levels	2 Story
Area	MENDENHAL VL	Covered Parking	2
Asking Price	\$385,000	Capacity	
Address	3202 Malissa Drive	Parking Type	Garage
City	Juneau	Heated	No
State	AK	Waterfront	No
Zip	99801	Construction Status	Existing
Status	Sold & Closed		
Sale/Rent	For Sale		
IDX Include	Yes		

**GENERAL**

VOW Include	Yes	VOW Address	Yes
VOW Comment	Yes	VOW AVM	Yes
Licensee	Deborah Lewis - CELL: (907) 321-3076	Listing Office 1	RE/MAX of Juneau - Office: (907) 789-4794
Licensee Mobile Phone	321-3076	Licensee Fax	789-1619
Licensee E-Mail Address	debbielewis@gci.net	URL	www.alaskajuneauhomes.com
Comp. to Selling Office	2%	Owner Name	Tow, William W.
Listing Date	8/21/2013	Expiration Date	2/19/2014
Sub/Condo/MHP	Tall Timbers	Property Zoning	D5-Sngl Fam&Dup
Site Disclosure	on file	Legal Description	TALL TIMBERS BL G L3
Borough Parcel Number	5B2101420030	Elementary School	Glacier Valley
Middle School	Floyd Dryden	High School	Juneau- Open Enrollment
Year Built	1976	Year Remodeled	2013
Approx. SQFT	2,638	SQFT Source	Public Records
Approx. Lot SQFT	9,000	Lot SQFT Source	Public Records
Approx. Garage SQFT	436	Garage SQFT Source	Public Records
Off Market Date	10/2/2013	Update Date	1/13/2014
Status Date	1/13/2014	HotSheet Date	1/13/2014
Price Date	1/13/2014	Input Date	8/22/2013 9:45:00 PM
Associated Document Count	4	Original Price	\$385,000
Client Hit Count	24	Agent Hit Count	48
Cumulative DOM	7	Days On Market	7
Days On MLS	6	Picture	21

FEATURES

EXTERIOR	APPLIANCES	WATER SUPPLY	VIEW
Wood Siding	Dishwasher	Public Water	Mountain
STYLE	Garbage Disposal	SEWER	Forest/Meadow
Contemporary	Refrigerator	Public Sewer	TERMS
ROOF	Elec. Range/Oven	INTERIOR AMENITIES	Cash
Shingle	Microwave	Tile Floors	Conventional
EXTERIOR AMENITIES	Rng Hood-Vent	Carpet	FHA
Concrete Driveway	Washer	Smoke Detector	POSSESSION
Paved Street	Dryer	ACCESS	Closing
PORCH/PATIO	FIREPLACE	Paved	BASEMENT/FOUNDATION
Covered Deck	Two	Maintained	Slab
LANDSCAPING	In Living Room	Public	SHOWING INSTRUCTIONS
Trees	In Family Room	LAUNDRY	Call Listing Agent
	OIL HEATING	Lower Level	Lock Box
	Baseboard	Room	Vacant
	WINDOWS	LOT DESCRIPTION	Sign
	Double Pane	Mapped Floodplain	DOCUMENTS ON FILE
	WATER HEATER	Borders Public Land	Home Inspection
	Electric		Lead Based Paint
			Prop. Disclosure

FINANCIAL

Assessed Value: Land	\$100,200	Assessed Value: Buildings	\$277,300
Total Assessed Value	\$377,500	Short Sale	No
Foreclosure	No		

SOLD STATUS

How Sold Cash
Closing Date 1/10/2014
Buyers Name Grant Properties LLC
Selling Office 1 RE/MAX of Juneau - Office: (907) 789-4794
Appraisers Name Kasberg

Contract Date 10/2/2013
Sold Price \$380,000
Selling Licensee 1 Deborah Lewis - CELL: (907) 321-3076
Appraised Value \$385,000

REMARKS

Need space? Don't pass up the opportunity to own this 6 bedroom, 3 bath home located in the Mendenhall Valley. Many updates throughout including new carpet, doors, hot water heater, front porch, fresh interior pain and more.

AGENT ONLY REMARKS

Per the owner, all items on the Engineer report have been completed.

ADDITIONAL PICTURES



Entry



Entry



Kitchen



Kitchen



Kitchen



Dining



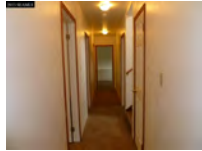
Sliding Door to Deck



Deck



Living Room



Hallway



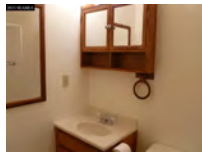
Master Bedroom



Main Bath



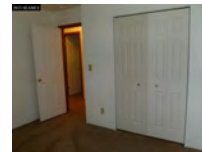
Master Bath



Master Bath



Bath and Laundry Room



Bedroom



Family Room



Family Room



Boiler



Hot Water Heater

DISCLAIMER

This information is deemed reliable, but not guaranteed.

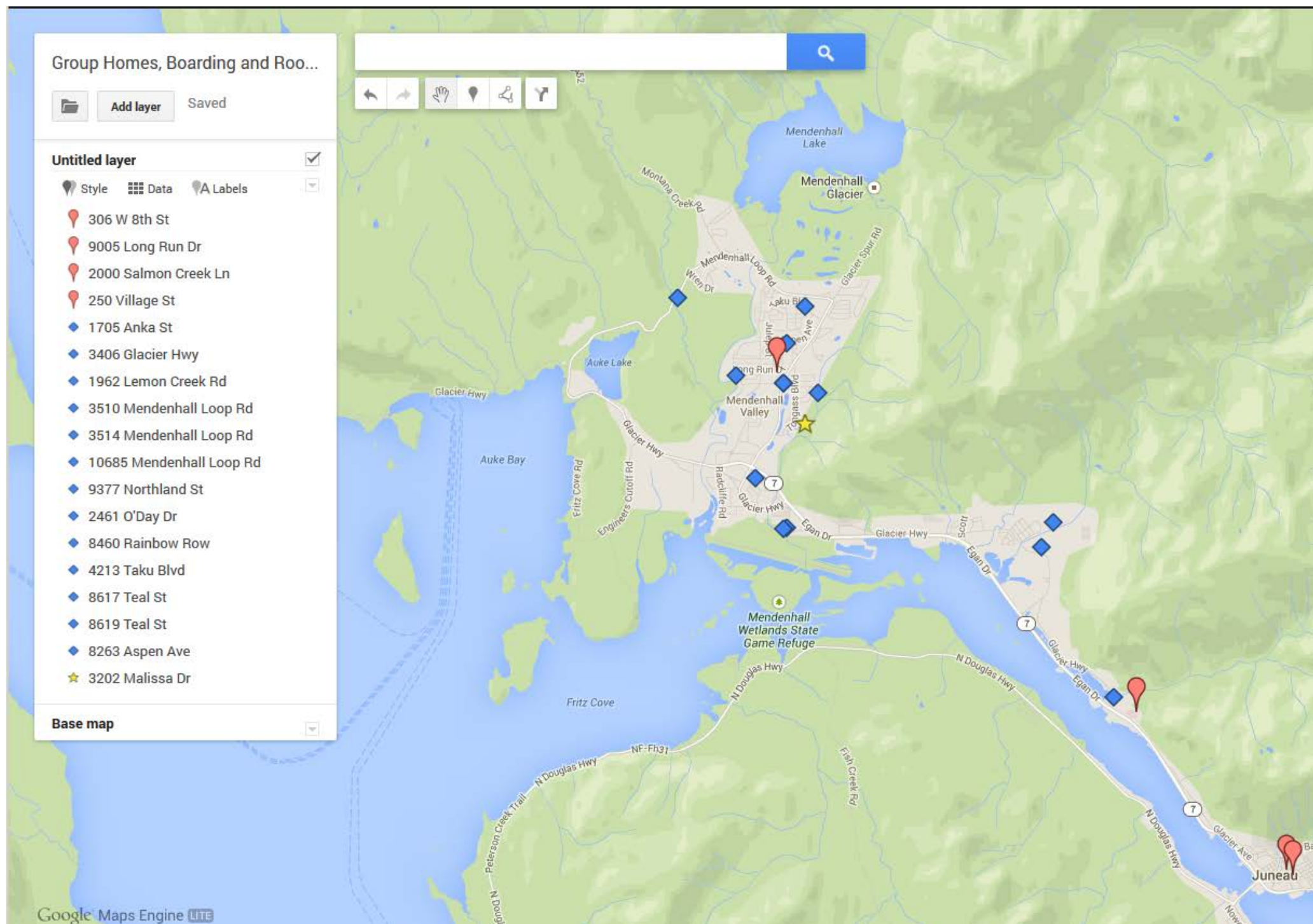
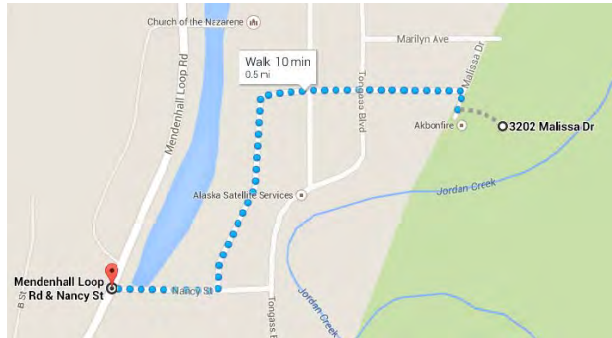


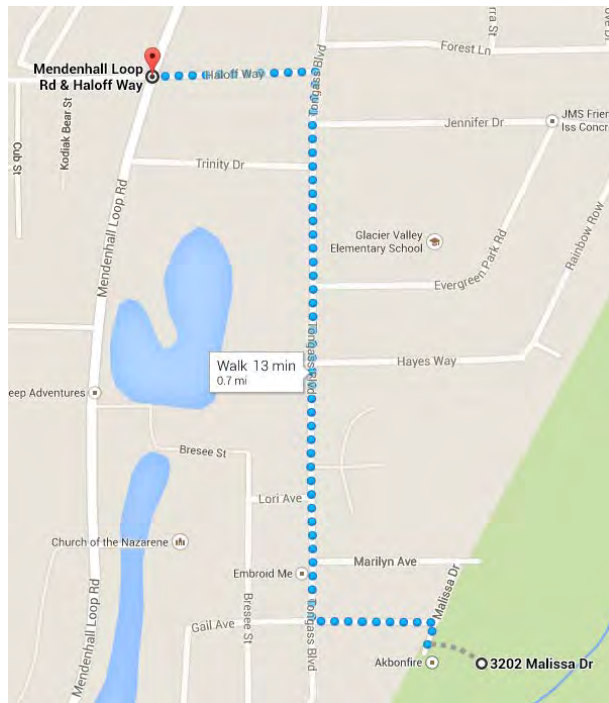
Exhibit 4

Information from Google Maps (<https://www.google.com/maps>)

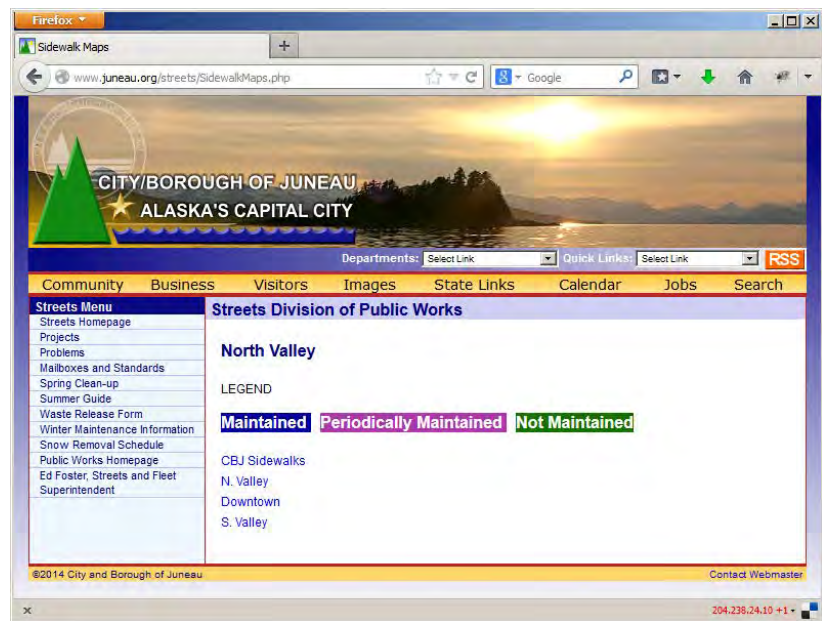
Bus stop at corner of Mendenhall Loop Road and Nancy Street, walking time 10 minutes, 0.5 miles.



Bus stop at corner of Mendenhall Loop Road and Haloff Way, walking time 13 minutes, 0.7 miles.



<http://www.juneau.org/streets/SidewalkMaps.php>

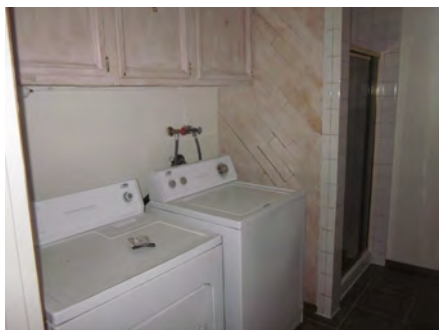
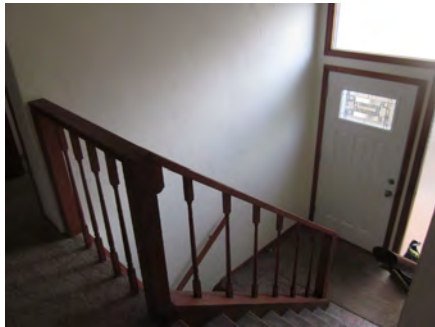
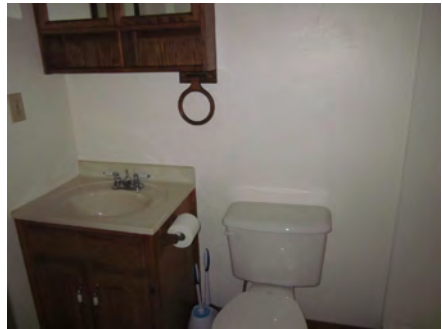


<http://www.juneau.org/streets/images/nvalleysidewalks.jpg>



Photos of 3202 Malissa Drive
photographed in April 2014







Haven House, Inc. Application

Thank you for your interest in living at Haven House! Please thoroughly read through the House Rules before submitting this application so that you are fully aware of the guidelines and expectations for living at Haven House.

Please note that participants of Haven House will not be pressured to claim a particular faith or be required to worship or accept religious doctrine. Christians, non-Christians, and those with uncertain faith will be respectfully welcomed if they are open to seeking healing and renewal in the context of a faith community. Haven House participants will also be expected to participate fully in community activities, including house meetings, meals, and chores. We accept individuals on probation and parole, but cannot accept individuals on Electronic Monitoring at this time.

Please answer the questions in this application completely and honestly and then submit your complete application to Haven House via email at havenhousejuneau@gmail.com or by mail to P.O. Box 20875, Juneau, AK 99802. A complete application consists of:

- the application
- your life story
- a recommendation from your pastor, chaplain, counselor, or probation/parole officer

Once your full application has been received by Haven House staff, staff will contact you to arrange either an in person or telephonic interview to better understand your background and past experiences and to assess your ability to successfully abide by all Haven House Rules. Each participant of Haven House will be admitted based on her openness to participating fully in a faith community, her sincere desire for change, and her recommendation from her chaplain, pastor, counselor, or probation/parole officer.

While Haven House staff desires the best outcome for every woman exiting prison, we recognize that the Haven House program may not be the best fit for every applicant. Our intake process will attempt to assess sincere desire for change and readiness for community participation.

If you have any questions, please contact Haven House staff by phone at (907) 988-7233 or via email at havenhousejuneau@gmail.com.

With gratitude,
Haven House, Inc. Board and staff

THE BASICS

Date of Application: _____

Full Legal Name: _____

Do you go by any names other than what is on your birth certificate? Yes ☐ No ☐

If yes, please list all other names used, including aliases:

Date of birth: _____

Do you have your Social Security Card? Yes ☐ No ☐ Do you have your birth certificate? Yes ☐ No ☐

Social Security Number: _____ - _____ - _____

Do you have a valid State of Alaska ID or Drivers License? Yes ☐ No ☐

Current ID/Drivers License Number: _____

Are you a resident of Alaska? Yes ☐ No ☐ If no, what is your state of residence? _____

If you are not a resident of Alaska, do you wish to return to another state? Yes ☐ No ☐

Current address (if in prison, please list prison address): _____

Current Phone Number: (____) _____

Expected Release Date: _____

Probation/Parole Officer's Name: _____

OBSCIS Number: _____

Upon release, how can we contact you?

Phone Number: (____) _____ Address: _____

WHY ARE YOU INTERESTED IN HAVEN HOUSE?

Why do you want to live at Haven House? Please check all that apply.

_____ I need a place to live.

_____ I need a job.

_____ I can't go back to my family and/or friends anymore.

_____ My family and/or friends say that I need help.

_____ I want to be held accountable for my actions.

_____ I want to live in a sober place.

_____ I want to live with others who are trying to make a fresh start, too.

_____ I need a plan and community-based support to make a new start.

_____ Other: _____

What do you hope to accomplish while living at Haven House? Please check all that apply.

_____ I want to improve certain relationships.

_____ I want to end certain relationships.

_____ I want to stop using alcohol and/or drugs.

_____ I want to address the reasons why I use alcohol and/or drugs.

_____ I want to improve my self-esteem.

_____ I want to find and keep a job.

Created: 10/2013

Revised: 3/2014

_____ I want support as I avoid certain places.
 _____ I want support as I avoid certain people.
 _____ Other: _____

FAITH BACKGROUND

☐ Protestant/Christian ☐ Muslim ☐ Other: _____
☐ Catholic ☐ Jewish ☐ None
 Name of home worship community: _____

FAMILY INFORMATION

Mother's name and address: Living ☐ Deceased ☐ Father's name and address: Living ☐ Deceased ☐

Sibling's Full Name	Address and Phone Number	Age	Alive (Y/N)	Do you have contact with him/her? (Y/N)

Current Marital Status:
☐ Married/Date: _____ ☐ Separated/Date: _____ ☐ Single
☐ Widowed/Date: _____ ☐ Divorced/Date: _____
 Spouse's full name and address: Living ☐ Deceased ☐

Other than a spouse, do you have a relationship with anyone of the opposite sex at this time?

Yes ☐ No ☐ Full Legal Name: _____

Please describe the nature of the relationship:

If you have children, please fill out the following:

Child's Full Name	Address	Who has custody?	Gender	Age	Alive (Y/N)	Contact (Y/N)

MILITARY HISTORY

Are you a veteran of the United States military? Yes ☐ No ☐

If yes, in which branch of the service did you serve? _____

What were your dates of service? _____

Were you honorably discharged? Yes ☐ No ☐

Do you receive any veteran benefits? Yes ☐ No ☐ If yes, please list: _____

FINANCES

List all forms of income you presently receive (DOC, pensions, disability, social security, welfare, etc.):

Do you currently have your own checking account? Yes ☐ No ☐ Savings account? Yes ☐ No ☐

If accepted, are you able to pay upfront the \$250 portion of your first month's contribution towards household expenses? Yes ☐ No ☐

Do you owe child support? Yes ☐ No ☐ If yes, how much? _____

What do you owe for costs and fines? _____

Do you owe restitution? Yes ☐ No ☐ If yes, how much? _____

Do you have substantial debts (\$1,000.00 or more)? If yes, to whom do you owe these debts? Be sure to include credit cards, collection agencies, bad checks, etc.:

EDUCATION

	Name, location, and years attended	Degree Earned	Subject of Study
High School		<input type="checkbox"/> High School Diploma <input type="checkbox"/> GED <input type="checkbox"/> Did not graduate	
College		<input type="checkbox"/> Bachelors <input type="checkbox"/> Associates <input type="checkbox"/> Did not graduate	
Trade or Vocational School		<input type="checkbox"/> Certified <input type="checkbox"/> License <input type="checkbox"/> Did not graduate	

Do you have any plans to attend school in the future? _____

MEDICAL

Do you have any medical conditions? Yes ☐ No ☐ If yes, please explain: _____

Do you have any medical, dental, or mental health concerns? Yes ☐ No ☐ If yes, please explain: _____

Are you physically and mentally able to work full-time? Yes ☐ No ☐ If no, please explain: _____

Do you have a disability that has been recognized by a doctor? Yes ☐ No ☐ If yes, please explain: _____

Do you have a physician? Yes ☐ No ☐ If yes, please list name, address, and phone number: _____

Do you currently see a therapist or psychiatrist? Yes ☐ No ☐ If yes, please list name, address, phone number: _____

List all medications that you are currently taking, along with the prescribing physician:

Medication Name	Prescribing Doctor	Reason for taking medication	Dose	Date Prescribed

VEHICLE INFORMATION

Do you have a vehicle? Yes ☐ No ☐ If yes, please provide the following:

License plate number: _____ Color of vehicle: _____

Make and model of vehicle: _____

Do you currently carry the legal minimum amount of auto insurance? Yes ☐ No ☐ If yes, amount: _____

If yes, please list the insurance company, agent, phone number and policy number: _____

CRIMINAL HISTORY

Do you have any open charges in Alaska or any state? Yes ☐ No ☐ If yes, please list: _____

If these charges are in a state other than Alaska, please list the state(s): _____

Have you ever been charged with any type of sexual crime? Yes ☐ No ☐

Do you have any outstanding warrants? Yes ☐ No ☐ If yes, please list: _____

In which state(s) was/were the warrant issued? _____

How many times have you been in prison? _____

When released, will you be on probation? Yes ☐ No ☐ If yes, for how long? _____

When released, will you be on parole? Yes ☐ No ☐ If yes, for how long? _____

Do you have any upcoming court dates? Yes ☐ No ☐ If yes, please list where, when, and for what? _____

Please list all current and past charges:

Charge	State of Charge	Date of Arrest	Date of Release	Currently serving or previously served?	Do you have a co-defendant? If yes, please list their name(s).

Did you have any infractions while in prison? Yes ☐ No ☐ If yes, please list:

Infraction	Date

Please list the programs that you have been involved with during incarceration:

Program	Dates in program	Did you complete the program?
		Yes <input type="checkbox"/> If yes, please list your graduation date: _____ No <input type="checkbox"/>
		Yes <input type="checkbox"/> If yes, please list your graduation date: _____ No <input type="checkbox"/>
		Yes <input type="checkbox"/> If yes, please list your graduation date: _____ No <input type="checkbox"/>
		Yes <input type="checkbox"/> If yes, please list your graduation date: _____ No <input type="checkbox"/>
		Yes <input type="checkbox"/> If yes, please list your graduation date: _____ No <input type="checkbox"/>

SUBSTANCE ABUSE HISTORY

Do you have a history of substance abuse? Yes ☐ No ☐

Please fill out the following:

Substance	Amounts Used	Frequency of Use	First Date of Use	Last Date of Use
Alcohol				
Prescription Medication				
Marijuana				
Heroin				
Cocaine, Crack				
Methamphetamines				

Created: 10/2013

Revised: 3/2014

Ecstasy				
Inhalants				
Spice				
Other				

EMPLOYMENT HISTORY

Please list all current and/or past employers, including employment while incarcerated.

Company Name and Location	Position/Title	Dates Employed
		Starting: Ending:
		Starting: Ending:
		Starting: Ending:
		Starting: Ending:
		Starting: Ending:

What goals do you have for future employment? _____

What wages are you willing to accept to start a new job? _____

Please share with us who you are. Tell us the story of how you became the woman you are today, all of the good and all of the bad, and how you hope to grow. What choices led you to prison? To addiction? To your faith? Tell us about your childhood, your parents, your partners. Please share why you want to come to Haven House.

This image shows a full page of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page, providing a template for handwriting practice or general writing. There are no margins, text, or other markings on the page.

Created: 10/2013
Revised: 3/2014

Chaplain, Pastor, Counselor or P.O. Recommendation

The applicant has applied to be a participant of Haven House, Inc. Please return this recommendation to the applicant or mail it to P.O. Box 20875, Juneau, AK 99802 or email it to Haven House, Inc. at havenhousejuneau@gmail.com.

Applicant's Name _____ Date _____

What is your relationship to this applicant? _____

How long have you known this applicant? _____

What has been the extent of your involvement with this applicant? _____

What programs has this applicant been involved in during her incarceration? Include spiritual programs, church services, secular programs, treatment, etc.: _____

What changes have you seen in the applicant during the time in which you have known her? _____

Do you feel that this applicant genuinely desires to create a healthier lifestyle? _____

How would you describe the applicant's relationship with God? _____

The applicant is applying to be a participant of a faith-based, sober and structured transitional living home that will connect each participant with outside services for substance abuse treatment, counseling, etc. Do you feel she is a good candidate for this type of setting? Why or why not? _____

[illegible]

Chaplain, Pastor, Counselor or P.O. Signature

Printed Name _____

Date _____

Welcome to Haven House!

Haven House was founded on the belief that given a safe and sober home, women exiting prison can successfully reenter the Juneau community. By living in a structured, stable home, women can address the root causes of their incarceration, such as substance abuse, mental health issues, unhealthy relationships and family dynamics, low self-esteem, or a lack of life skills.

At Haven House, we will not ask you to accomplish anything that has not already been achieved by others coming before you. We will hold you compassionately accountable for your actions, encourage you as you navigate your reentry, and challenge you to nurture your whole self as you strive to create a healthier lifestyle. Haven House will be a self-sustaining home and our hope is that you will bond with staff and volunteers as a community within a community, care for one other, and hold each other accountable for all Haven House rules, parole and probation requirements, and the laws of our city and state. We at Haven House believe that when all members of our house, neighborhood, and Juneau community are welcomed, accepted, and supported, we create a Juneau in which we can all flourish.

We ask that you give us the opportunity to hold you accountable, to support you, and to challenge you as you reenter our Juneau community, and we will help you acquire the tools and boundaries you will need to create a healthier lifestyle here in Juneau. We believe that you can succeed by wanting it, planning for it, and working hard to make your new life a reality.

Welcome to Haven House. Thank you for giving us the opportunity to witness you develop in all areas of your life.

With gratitude,
Haven House, Inc. Board and Staff

HAVEN HOUSE PROGRAM ELEMENTS

Individual Action Plan: Each participant will develop an Individual Action Plan based on her conditions of release and personal goals upon moving into Haven House and each participant will meet weekly with staff for support as she progresses towards her goals. We believe that those who plan for and work hard to create a positive future will be able to live their way into one.

Referrals to Community Services: Each participant will work with staff to seek out the services needed to successfully reenter the Juneau community, and staff will provide referrals to community partners for services such as substance abuse treatment, mental health counseling, employment readiness and job search activities, educational opportunities, permanent housing, etc. Staff, volunteers, and mentors will compassionately hold each participant accountable for her actions by partnering with these community stakeholders, including the Department of Corrections. At Haven House, we believe that participants can overcome obstacles to reentry by creating a network of support in the Juneau community.

Communal Living: All participants are expected to participate in shared meals, household responsibilities, and meetings in order to both provide feedback to and support for one another as all strive to build healthier lives. Our supportive, structured home environment will nurture the development of life skills in participants and positive role models and mentors will encourage participants to develop healthier lifestyles as an alternative to the lifestyles that may have previously led to incarceration. At Haven House, we believe in empowering women to self-determination.

Faith-sharing: Participants of Haven House will not be pressured to claim a particular faith, to worship, or to accept religious doctrine. Christians, non-Christians, and those with uncertain faith will be respectfully welcomed if they are open to seeking healing and renewal in the context of a faith community, sincerely express a desire to change, and are ready to participate fully in communal living. Faith will be discussed at Haven House. Staff, mentors, and volunteers will express their faith and activities may include Christian scripture and/or prayer in the sincere belief that faith in Christ offers the best path to healing and change. We believe that by encouraging a holistic approach to healing, one that includes the spiritual dimension, that the whole person is nurtured and allowed a second chance at thriving in our community.

Household Responsibilities: All participants are responsible for maintaining an orderly living space. Each participant is expected to complete assigned responsibilities in a timely manner. We believe that the basic discipline of performing household chores will help prepare our participants for a structured, independent life.

MISSION

Haven House is a faith-based organization providing supported and structured living opportunities to foster healing and self-sufficiency for women coming out of prison.

PURPOSE

Haven House is designed to be a positive, supportive living environment which will stimulate personal and spiritual growth, encourage accountability and financial responsibility, and provide referrals to essential re-entry services during the participant's re-adjustment into the community. Haven House staff and volunteers will assist participants as they navigate their reentry by providing support and referrals to other community services for assistance with food, treatment, counseling, clothing, transportation, employment, and career development, among other services. Additionally, Haven House participants will be expected to participate fully in community activities, including house meetings, meals, and chores.

Haven House will provide up to two years of transitional housing, a faith-based community with successful role models and opportunities for positive relationships, life skills training, and an opportunity for participants to support one another. Haven House is unique in that it is a faith-based home providing natural supports to its residents based on the presumption that women in safe, stable housing situations are less likely to reoffend.

FAITH SHARING AND COMMUNITY

Participants of Haven House will not be pressured to claim a particular faith, to worship, or to accept religious doctrine. Christians, non-Christians, and those with uncertain faith will be respectfully welcomed if they are open to seeking healing and renewal in the context of a faith community, sincerely express a desire to change, and are ready to participate fully in communal living. Faith will be discussed at Haven House. Staff and volunteers will express their faith, and activities may include Christian scripture and/or prayer in the sincere belief that faith in Christ offers the best path to healing and change.

PARTICIPANTS

Each participant of Haven House will be admitted based on her openness to participating fully in a faith community, her sincere desire for change, and her recommendation from her chaplain, pastor, counselor, or probation/parole officer. Prior to acceptance into the facility, each potential participant must interview (preferably in person, otherwise telephonically) with Haven House staff in order for staff to better understand the individual's background and past experiences and to assess the individual's ability to successfully abide by all Haven House Rules. While Haven House staff sincerely desires the best outcome for every woman reentering our community, we understand that Haven House may not meet every potential participant's needs.

Participants may be on probation or parole, but those either on Electronic Monitoring or who are required to register on the sex offender registry are unable to reside at Haven House.

Because 96% of individuals exiting prison experience a disability, Haven House reserves 7 of its 9 beds for women with a history of substance abuse.

HOUSE RULES

Haven House staff will explain each rule to the participant and the participant must follow the guidelines and expectations of each rule in order to continue residing in Haven House. All interpretations of the following rules, assessments of violation, and assignment of discipline shall be at the discretion of Haven House staff. **Any violation of any federal, state, borough, or city law on the property is a violation of these rules and may result in dismissal and/or notifying the participant's probation/parole officer. Participants must comply with all their conditions of parole/probation while living in Haven House and any violation of said conditions may result in immediate dismissal from Haven House.**

GUIDELINES AND EXPECTATIONS

Staff will ensure a safe, sober, and stable home environment and will meet weekly with each participant to discuss her Individual Action Plan, refer participants to resources provided by other agencies, provide discipleship and faith guidance, facilitate house meetings, and administer UAs or breathalyzer tests when appropriate.

ADJUSTMENT PERIOD

After the participant arrives at Haven House, she is subject to a one month adjustment period.

- If during the one month adjustment period the new participant honors all of the House Rules of Haven House, with staff approval, she may stay for a period of up to 24 months (1 month adjustment period + 23 additional months).
- If the new participant has violated any of Haven House's House Rules, her probation/parole officer will be notified and she will be asked to find other housing. If the violation is deemed serious by staff, the participant may be required to depart within 24 hours.

INDIVIDUAL ACTION PLAN

After a participant has been accepted into the facility, staff and the participant will develop an Individual Action Plan (IAP). Based on the participant's conditions of release and her personal goals, the IAP will identify the services needed and specific goals to work toward. Each participant must actively take part in both developing and following her plan. Progress updates on goals and any compliance issues will be reviewed on a weekly basis. Participants are encouraged to include an advocate, sponsor, or mentor in their weekly plan reviews.

HOUSING

All furniture, kitchen appliances and utensils, bed linens, and towels are provided by Haven House. Although participants may bring clothing and small personal items of low value with them into the house, **Haven House accepts no responsibility for lost or stolen personal items.**

- Checks: Random checks of all Haven House property will be conducted to ensure compliance with the House Rules and health and safety standards. **Participants who refuse a check will be dismissed from Haven House.** Any evidence of illegal activity found during a check will be turned over to the local police and/or participant's probation/parole officer for investigation.
- Most bedrooms will have two female occupants and participants must keep their space clean and livable. No dishes, cups, glasses, perishable foods, TVs, cooking/warming devices, or candles are allowed in the bedrooms. Each participant must have permission before entering another participant's bedroom. No participant may give her right to occupy a bedroom to anyone else and no participant may sub-lease a room to another person for any period of time.
- Participants must be respectful of others' belongings. Obtain permission before wearing or using other participants' property. A participant found stealing will be dismissed from Haven House and may be subject to legal action. Each participant is responsible for her own property and if anything is lost or stolen, Haven House is not responsible for replacement.
- Participants may not have pets.

- Participants must abide by quiet hours, meaning that the volume of TV, voices, radios, etc. must be kept low.
- Participants are responsible for their own transportation. Haven House staff will assist you in locating public transportation.
- Participants should dress modestly. Women must wear a top and pants at all times while in common areas of Haven House.

CONTRIBUTION TO HOUSEHOLD EXPENSES

Household expenses are \$550/month and covers a shared bedroom; the common use of a living room, kitchen, bathrooms, and dining room; utilities; and internet. Each participant is required to pay her monthly contribution to household expenses and any other fees in the form of a money order made out to Haven House, Inc. **All payments must be delivered in person to the Co-Directors and if payments are not made on time, a seven day dismissal notice may be given to the participant.**

- \$275.00 is due on or before the 1st day of each month and \$275.00 is due on or before the 16th day of each month, for a monthly total of \$550.
- Upon initial admission into Haven House, each new participant is required to pay \$250, which will be applied towards her first month's contributions to household expenses.
- Each participant will be charged a \$50 key deposit, which is refundable once the participant has returned her key to Haven House staff. Any participant who loses her key must inform staff immediately and the participant will be charged for the replacement key.
- Haven House will provide laundry machines. Each participant will be assigned one day per week that she can do her laundry. Staff may assess a fee if it is determined that a participant is doing an excessive amount of laundry.
- The participant is responsible for buying all personal items such as toiletries and personal food.

LENGTH OF STAY

A participant may reside at Haven House for up to two years (1 month adjustment period + 23 additional months) and is required to commit to stay for at least 6 months (1 month adjustment period + 5 additional months).

VISITOR POLICY

Only legal family members may visit participants. Legal family members include: spouse, mother, father, brothers, sisters, children, grandchildren, grandparents, and cousins. Visitors must be scheduled at least 48 hours in advance and approved (background checks may be required) by staff. Visiting will occur in the main living room and visitors must leave by 10:00pm. The visitors must complete a confidentiality form on their first visit.

HOUSEHOLD RESPONSIBILITIES

Each participant must follow a weekly cleaning and cooking schedule assigned by Haven House staff. Responsibilities include but are not limited to: yardwork, sweeping, raking, shoveling walkways/driveway, mowing lawns, cleaning common areas, and cooking communal meals.

- All participants are responsible for keeping Haven House clean, safe, and sanitary. Participants will dispose of all garbage and other waste in a sanitary manner in the container provided and garbage must be taken outside the morning of trash day.
- The kitchen and dishes will be cleaned each time after cooking is done and the meal has been eaten. **If you use it, you clean it immediately.**
- No participant may install, change, or remove any door lock without approval from staff.
- Participants must notify Haven House staff when any equipment or appliance is not working properly and/or needs repair.

REQUIRED EMPLOYMENT

All participants are required to obtain and maintain employment that enables them to make monthly contributions to household expenses and pay any fees while at Haven House. Participants must submit a job search log to staff that details their efforts to secure employment.

- Any participant who has not acquired employment within 60 days of moving in will be required to meet with Haven House staff to discuss her situation and her probation/parole officer may be notified.

ABSENCES FROM THE HOUSE

All participants must return each evening to Haven House by curfew at 10:00 p.m., unless at a scheduled job or with the prior permission of the staff. Each participant is required to obtain pre-approval from staff if she will be away from the house for more than 24 hours. Any participant absent from the house for more than 24 hours without notifying Haven House staff and obtaining approval will be subject to disciplinary action and her probation/parole officer may be notified. Any participant absent for more than 48 hours will be dismissed. Participants must provide a copy of all travel passes, if applicable to their parole/probation conditions.

FOOD

Each participant's personal food must be clearly marked with her name and placed in her assigned storage area. All participants will respect these items as the property of the indicated participant. Food items provided by Haven House are intended to be shared.

LAUNDRY

Participants should wash and dry only full loads of laundry to save time and money. Clean the lint trap after each use and make sure no clothing is left in the laundry area. Do not use dyes in the washer. The participant must wash and dry all laundry items in the provided washing and drying machines. Participants who have laundry going must remain at Haven House until they remove their items from the machines and return their loads to their bedrooms.

- Staff may prohibit certain hours of use to avoid noise conflicts.

UTILITIES

Electricity, fuel, sewer, water, and garbage pickup will be paid by Haven House. Internet will be available for use in common areas. Each participant may possess her own cell phone, but all cell phones are subject to staff monitoring. Participants must be responsible in their use of all utilities, as increased utility usage will increase monthly contributions to household expenses.

- One phone line is provided for participants' personal and business contacts in the common area of Haven House and all participants must practice phone courtesy. Be aware of others who are in need of the phone and yield it to them. All phone messages are to be written down.

DAMAGES

The participant will be held responsible for any damages due to her intentional act or negligence, including cleaning fees. Participants are not responsible for wear resulting from ordinary use. Haven House retains the right to sue and to use all other rights and remedies for the collection of damages and fees.

DISMISSAL FROM HAVEN HOUSE

Haven House or the participant may voluntarily terminate this agreement, with or without any reason. Haven House requests that the participant give a seven day written notice before leaving and Haven House may terminate this agreement by giving a seven day written notice to the participant. Failure to pay any contributions to household expenses or fees when due may result in a seven-day dismissal notice. **Haven House staff may dismiss a participant immediately if deemed appropriate. Anyone absent from the house for more than 48 hours without giving prior**

notice to Haven House staff or anyone who uses alcohol and/or substances in Haven House or on Haven House property will be dismissed.

PRIVILEGES AND REQUESTS

Participants of Haven House are expected to work toward self-sufficiency. Requests for special privileges, such as a later curfew or using a personal computer in a bedroom, are at the discretion of staff and will be earned based on the participant's progress towards her Individual Action Plan and participation in the Haven House community.

GRIEVANCE POLICY

Haven House encourages participants to express their complaints and dissatisfactions without fear of reprisal and stipulates that the participant talk directly with the staff against whom she is filing a grievance in order to encourage healthy and direct communication during conflict. This grievance policy establishes the procedure that a participant must follow in order to file a grievance against Haven House, Inc. or Haven House staff:

- The participant has the right to explain her grievance, and must do so both in writing and orally, during a meeting with the person with whom she has a grievance.
- If talking directly with the person against whom the participant is filing a grievance does not resolve the issue, the participant and the individual will then have a meeting with one of the Co-Directors. In this meeting, too, she must explain her grievance both orally and in writing.
- If the participant is filing a grievance against either one of the Co-Directors and talking directly with the Co-Director does not resolve the issue, the participant will then have a meeting with a member of the Haven House Board and the Co-Director. She must again explain her grievance both in writing and orally.
- After filing the grievance, the Co-Directors or a Board member will have up to 15 days to review it and to respond.

Haven House, Inc. will not take retaliatory action against a participant for filing a grievance.

TOBACCO, ALCOHOL, DRUG, GAMBLING, SMOKING, AND PORNOGRAPHY POLICY

Participants recovering from substance and/or sexual abuse and those experiencing mental health issues need safe housing to help in their recovery. To ensure that Haven House remains a safe and sober home for all, Haven House has a zero tolerance policy for tobacco, alcohol, illicit drugs, gambling, smoking, or pornography. If Haven House staff has reason to suspect that a participant is under the influence of any substance including alcohol, the participant's probation/parole officer will be immediately notified and the participant will be required to submit to testing. **Failure or refusal of the participant to cooperate fully, sign any required document, or submit to any testing or inspection by Haven House staff, the participant's probation/parole officer, or any other authority may be grounds for dismissal from Haven House.**

- Participants may not use, possess, manufacture, distribute, share, sell, or store tobacco, alcohol, illicit drugs, gambling, smoking, and pornography in Haven House or on Haven House property. Violation of this will result in dismissal.
- Authorized Use of Prescribed Medicine: Participants must report any prescribed drug to staff. Participants must keep all prescribed medicine in their original containers and the container must identify the drug, the date of the prescription, and the prescribing doctor. All prescription drugs kept in the house must be kept in a secured location in the staff office.

A participant may be dismissed immediately from Haven House if she does not abide by the following:

HAVEN HOUSE REQUIRES THAT:

- Participants do not use, possess, manufacture, distribute, share, sell, or store illicit drugs, mind-altering substances, tobacco, alcohol, controlled substances, or drug equipment off Haven House property or in any vehicle parked off Haven House property.
- Participants submit to inspection and/or testing when requested by Haven House staff, the participant's probation/parole officer, or any other authority.
- Participants keep all prescribed medication in its original, labeled container in the staff office.
- Participants do not use tobacco within sight of Haven House property.

HAVEN HOUSE PROHIBITS:

- Theft or storing stolen items on Haven House property.
- Possessing, storing, or using any weapon on the property. Weapons include but are not limited to: all firearms; knives; spears; or any device designed to cause injury or death.
- Possession by any participant of pornography in any form (books, magazines, photos, videos, movies, sex toys, sound tapes, or equipment) on or off Haven House property. No video games rated T or M or movies rated R or PG-13 for nudity, sexual content, or language are permitted on Haven House property.
- Participant participation in any gambling, betting, or game of chance while on or off Haven House property.
- The participant may not inflict any physical, mental, or verbal abuse on oneself, other participants, or Haven House staff. This includes but is not limited to: any physical force or threat of physical force, the use of vulgar or obscene language, fist fighting, fighting using weapons of any sort, or bullying. Haven House staff will report this behavior to the appropriate authorities.
- Tampering with smoke detectors to allow for smoking tobacco or drugs, starting fires, or to endanger anyone, including the participant herself.
- Engaging in sexual relations with anyone anywhere on the premises.
- Intentionally damaging the Haven House property or the property of other participants.

HOUSE RULES AGREEMENT

Please read all of the House Rules carefully. By signing this agreement, the participant acknowledges:

- She has received a copy of Haven House, Inc.'s House Rules
- She understands that a breach of any part of the House Rules is a breach of this written agreement and may result in either immediate dismissal or a seven day dismissal notice
- She has read the House Rules and agrees to abide by all said rules, policies, and procedures
- She understands that any changes to the House Rules will be delivered in writing and will become effective immediately upon receipt by the participant.

I have read and understand all of the provisions contained in the House Rules, and I agree to abide by them.

Participant Signature: _____ Date: _____

Haven House Staff: _____ Date: _____

FY15-16 Cycle

Organization/Project/Program Title		<u>Averaged Scores</u>
TIER I:		
(AWARE) Juneau Choice & Accountability Program	\$ 25,000	231.71
(AWARE) Domestic Violence/Sexual Assault Prevention Education	\$ 25,000	230.86
(SERRC) Adult ESL, Citizenship, and Employment Program	\$ 25,000	229.86
(CCS) Young Parent Healthy Teen Center	\$ 25,000	229.83
(SAIL) Adult Orca	\$ 25,000	228.71
(CCS) Bridge Adult Day Program of Southeast Senior Services (SESS)	\$ 25,000	227.67
(JFHBC) Donated Healthcare:Empowering Individuals, Strengthening Families	\$ 25,000	221.71
(JYS) Teen Intervene (Substance Use Screening and Early Intervention	\$ 25,000	217.86
(NCADD) School Prevention - SADD/TATU Peer Modeling	\$ 25,000	217.57
(NCADD) School Prevention - CHOICE ATI Retreats	\$ 25,000	214.57
(HAVEN HOUSE) Transitional Housing Program	\$ 24,999	212.43
(DCUMC) Feed the Hungry	\$ 25,000	181.14
(ADC) Juneau Homeless Medical Respite Program	\$ 18,000	166.43
(HUB) After School Program	\$ 25,000	165.29
(Juneau Symphony) Symphony Sundays	\$ 870	130.86
TIER II:		
(SERRC) The Learning Connection - Family Literacy Center	\$ 50,000	237.86
(JYS) Cornerstone Emergency Shelter	\$ 50,000	236.71
(JYS) Transitional Living Program	\$ 50,000	233.86
(The Glory Hole) Emergency Shelter, Soup Kitchen, Care Center	\$ 50,000	233.71
(SAIL) Aging and Disability Empowerment	\$ 50,000	233.00
(AWARE) Domestic Violence Children's Program Services	\$ 50,000	232.00
(CCS) Senior Wrap-Around Services	\$ 50,000	232.00
(CCS) Hospice and Homecare of Juneau (HHCJ)	\$ 50,000	230.33
(SERRC) The Learning Connection - Computer Literacy Center	\$ 50,000	229.29
(NCADD) Formal Intervention Services for Juneau	\$ 50,000	229.00
(AEYC) Juneau Parents as Teachers for Infant Toddler Classrooms (PARTIAL)	\$ 26,331	225.14
<hr/>		
(AEYC) Juneau Parents as Teachers for Infant Toddler Classrooms (PARTIAL)	\$ 23,669	225.14
(ALSC) Juneau Families at Risk Project	\$ 50,000	222.71
(NCADD) Senior Outreach & Intervention	\$ 50,000	220.43
(REACH) Project Now	\$ 50,000	217.14
(CIS) JUMPP: Connecting Our Medical and Mental Health Prevention Efforts	\$ 50,000	216.17
(GHS) Healthy Relationships & Family Recovery	\$ 44,050	214.43
(NAMI Juneau) Mental Health Initiative	\$ 50,000	214.29
(CIS) Dropout Prevention	\$ 50,000	198.43
(HAVEN HOUSE) Intermin Staffing Pattern	\$ 49,999	187.71
	<u>\$ 1,287,918</u>	
Total Requested for FY15-FY16 Cycle:	\$ 1,287,918	
Same level as FY13-FY14 cycle:	\$ 870,200	
Under Funded/(Missing \$\$) to fund ALL grants:	\$ (417,718)	

Alaska Prisoner Reentry Task Force

Five-Year Prisoner Reentry Strategic Plan, 2011 - 2016

"The country was built on the belief that each human being has limitless potential and worth. Everybody matters. We believe that even those who have struggled with a dark past can find brighter days ahead. One way we act on that belief is by helping former prisoners who've paid for their crimes -- we help them build new lives as productive members of our society. . . . the work of redemption reflects our values.

**The bill I'm signing today, the Second Chance Act of 2007, will build on work to help prisoners reclaim their lives. In other words, it basically says:
We're standing with you, not against you."**

President George W. Bush's remarks on signing the
Second Chance Act, April 9, 2008

"Given the importance of prisoner re-entry to the overall well being of our communities, I will be watching with great interest the work of the Alaska Prisoner Re-entry Task Force. I look forward to receiving the Task Force's recommendations regarding Alaska's five-year strategic re-entry plan."

Governor Sean Parnell, March 25, 2010
Letter to Chief Justice Walter Carpeneti and Attorney General Dan Sullivan

March 2011



**Female inmates at Hiland Mountain Correction Center
caring for Iditarod dogs that had been dropped during the race.**

Contact:

**Carmen Gutierrez
Deputy Commissioner for Rehabilitation and Reentry
Alaska Department of Corrections
550 West 7th Avenue Suite 601
Anchorage, Alaska 99501**

Chair, Alaska Prisoner Reentry Task Force

Phone: (907) 269-7397

Web site: <http://www.correct.state.ak.us/corrections/TskForce/tskforce.jsf>

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Executive Summary

Alaska's Five-Year Prisoner Reentry Strategic Plan, 2011-2016, (5-Year Plan) sets forth a plan for new and more effective strategies to reduce recidivism and make our communities safer. The first of its kind, this 5-Year Plan is the culmination of the work undertaken by the Alaska Prisoner Reentry Task Force, created by the Criminal Justice Work Group in February 2010 and endorsed by Governor Sean Parnell. It sets forth a seamless set of best practices aimed at reducing the number of adult offenders who return to custody, whether for a new crime or for a violation of probation or parole.

It was prompted in large measure by unsettling criminal justice data: 95 percent of prisoners are eventually released from prison in Alaska; more than 289 convicted felons were released into Alaska's communities each month in 2009 and subsequently, two out of three prisoners returned to custody within three years of their release. Alaska's recidivism rate is far too high, both in terms of the human and financial costs. It further reflects that Alaskans' criminal justice dollars could be better spent.

Over the last decade, Alaska has experienced rapid growth in its prison population. Until quite recently, Alaska's prison growth tracked with other states. By 2009, however, other states had begun to examine what was driving this growth and had begun to adopt new policies and practices that were more cost-effective and produced better outcomes. In 2009, for the first time in 38 years, the U.S. prison population contracted rather than grew; 26 states *reduced* their prison populations. Alaska was not among them. Instead, it was one of eight states with the highest increase in the rate of growth. Alaska has the 11th fastest growing prison population in the United States. Since 2005, Alaska's prison population has grown by approximately 200 inmates per year. From 1982 through 2007, Alaska has experienced a 152 percent increase in its prison population. In 2009, 1 out of 36 Alaskans was under the jurisdiction of the Alaska Department of Corrections (ADOC), up from 1 out of 90 in 1982.

Incarceration is expensive. As of January 2011, it costs the state \$49,800 per year (or \$136.00 per day) to incarcerate one prisoner. In the Spring of 2012, the new Goose Creek Correctional Center will open with 1,536 beds. This prison is costing the state approximately \$250 million to build and will cost approximately \$50 million per year to operate. If Alaska fails to change its current criminal justice practices, given its current rate of prison growth, the state will be required to build new prisons at ever increasing costs both to construct and operate.

This 5-Year Plan identifies the strategies currently in place to help former prisoners successfully integrate back into their communities. The most successful efforts

currently in place, although with very limited capacity, work with the mentally ill leaving prison. Today, the ADOC also provides substance abuse treatment to approximately 1000 prisoners per year of the 5600 who are currently incarcerated. ADOC is working to expand its educational and vocational education programs making them available to an increasing number of prisoners. It recently developed a reentry program for prisoners with one year or less to serve, with the goal of encouraging them to start thinking about safe housing, employment and continued community support for their behavioral health needs.

The reality, however, is much more needs to be done. In Alaska there is a paucity of affordable housing and when such housing is available, individuals with criminal convictions are not eligible. Additionally, many felons are precluded from employment by virtue of statutes, regulation and policies that make it impossible for people with felony convictions to work. The extent of these barriers to employment is unknown at this time without a full inventory being conducted.

Alaska currently does not have the capacity to provide substance abuse treatment to the many Alaskans who require such treatment both within and without the criminal justice system. This is because there is both insufficient funding for these programs throughout the state and insufficient trained and qualified providers. The faith-based mentor programs would benefit from additional state support. Citizens from the faith community provide much of the mentorship required to help newly released prisoners turn away from the negative influences that lead back to prison. Without the stabilization that comes from access to housing, employment, sober/mental health and positive peer supports, individuals do what they do best -- revert back to old patterns.

Too many individuals charged with misdemeanor crimes cycle in and out jail and prison. When underlying problems are left unaddressed, the criminal behavior can escalate from petty offenses to felony offenses. Many of these individuals have behavioral health needs that are not being addressed under our current approach. The state should consider new approaches that divert non-violent offenders from jail and prison to, where appropriate, making treatment as much a focus as punishment.

The courts and the ADOC have determined that the containment model for managing sex offenders is appropriate in virtually every sex offender crime. That being the case, and assuming this model does indeed reduce recidivism, more certified state providers are required to manage this population both in the prisons and in Alaska's communities. Far too many sex offenders upon release from custody are on a long waiting list for this treatment. Furthermore, these offenders have the most difficult time finding housing and employment. The result is that sex offenders end up in homeless shelters or camps making it very difficult for them to comply with state registration laws and making it difficult for probation and parole officers to supervise them in the community.

Recent national public polling clearly demonstrates the public's willingness to entertain new approaches that address the underlying causes of crime to reduce the

rate of incarceration and lower recidivism. The public's embrace of rehabilitation and successful reentry has helped the efforts of policymakers, even in "tough on crime" states such as Texas. These states are beginning to move away from a strict focus on incarceration and toward alternatives that will actually reduce crime and recidivism and promote successful offender reintegration .

Alaska has the capacity to turn the curve and reduce its rate of prison growth and recidivism by exploring alternatives to prison for individuals who have committed non-violent offenses primarily because of substance abuse and/or mental health issues. There are less expensive means to reaffirm societal norms and show community condemnation than prison sentences that cost the state \$136.00 per day or \$49,800 per year per prisoner.

Alaska must first identify the factors that have contributed to its rapid rate of prison growth. Once those factors have been identified, policymakers should then identify proven best practices approaches to address those factors in a more cost-effective manner that does not compromise public safety. As shown in other states, such an approach is Alaska's best chance for reducing its prison rate growth. At the same time, the ADOC should continue to expand its substance abuse, educational and vocational education programs with the goal of changing the hearts and minds of those incarcerated in its institutions. With this tandem approach, the state has the best chance to improve public safety, create healthier communities and divert criminal justice dollars to more proactive statewide endeavors.

Alaska's commitment to addressing the challenges presented by its prison growth and high recidivism rate is evidenced by the significant collaborative efforts that have gone into developing policy and practice solutions to criminal justice issues in Alaska. It is beyond the mandate of the ADOC to provide housing, employment, sober/mental health and positive peer supports to newly released prisoners. With the ADOC's decision to implement rehabilitative programming in its institutions and its commitment along with many other state and local agencies, tribal organizations, non-profits and concerned citizens to work collaboratively to improve prisoner reentry outcomes, Alaska is demonstrating its commitment to reduce recidivism and thereby improve public safety and the health of Alaska's communities.

Five-Year Strategic Plan Recommendations (2011-2016)

1. Continue the collaborative process.

State and local agencies, non-profits, local partners and concerned citizens are involved in a number of collaborative processes that address the shared goal of reducing criminal recidivism. These efforts should be encouraged by the Executive Branch, Legislature, Courts and other policymakers whenever possible. Collaboration increases accountability and the ability of state and local governments and community organizations to deploy resources effectively on the same population.

As part of this continued collaborative process, an existing workgroup should be charged with ongoing tracking and identification of the specific factors contributing to recidivism, and Alaska's rapid prison population growth. Without identification of these factors, policymakers will be less successful in selecting the best practices to reduce recidivism and slow Alaska's prison growth.

2. Expand the ADOC's institutional substance abuse treatment programs.

The ADOC currently operates the Residential Substance Abuse Treatment (RSAT) and Living Substance Success Substance Abuse Treatment (LSSAT) substance abuse treatment programs in its institutions. These programs have the capacity to provide treatment to approximately 1,000 prisoners per year of the more than 5,600 prisoners incarcerated. The ADOC is in the process of evaluating these programs. Those programs, or program elements, shown to be effective should be expanded. Those shown to be less effective should be modified to increase effectiveness or replaced with more promising programming.

3. Expand Probationer Accountability with Certain Enforcement (PACE).

Implemented by a collaborative team, (probation, courts, law, defense and local police and state troopers), the Anchorage PACE pilot project has demonstrated sufficient success to warrant expansion to other judicial districts where core team members are committed to following the model with fidelity, and are able to implement an initial pilot project without additional state resources. Further, this model should be implemented with parolees immediately upon their release from custody.

4. Expand the Electronic Monitoring Program (EMP) in the Mat-Su Valley.

Operating in seven communities statewide, the EMP has proven to be a cost-effective system of monitoring offenders in the community without

compromising public safety. Information on EMP participant outcomes in Alaska indicates significant reductions in recidivism, as well as immediate savings in incarceration costs.

The Mat-Su Valley EMP cannot be expanded beyond its current capacity without additional state resources: one probation officer, a criminal justice technician and other infrastructure supports. With this expansion, the Mat-Su Valley could accommodate 60 more qualified offenders who would otherwise occupy a prison bed and not be supporting themselves and their families.

5. Improve the state's ability to collect, analyze and disseminate criminal justice data.

- a) Alaska should continue to work with the National Governors' Association to obtain technical assistance to help the state to identify and fill in gaps in its data collection systems and improve training and supervision of state employees responsible for data collection, entry and analysis.
- b) The ADOC should seek technical assistance to improve its ability to collect and report on a more comprehensive set of data elements.
- c) The state should investigate establishing an entity that would aggregate criminal justice data across agency lines. This entity would be responsible for producing reports that would provide the context and foundation for policy decisions throughout the state.

6. Improve former prisoners' access to affordable housing.

- a) Address the blanket presumption of guilt often used by public and private landlords to automatically preclude individuals with criminal records from being considered as tenants.
- b) As suggested by AHFC CEO/Executive Director Dan Fauske at the last Alaska Council on the Homeless meeting (12/1/10), convene a high level workgroup with a member from AHFC, The Trust, the ADOC, DHSS, and real estate owners and developers to discuss how Alaska may increase the statewide stock of available and affordable housing.
- c) Improve housing information available in the state's 211 system.
- d) Increase the use of subsidized housing programs, recognizing that these programs cost substantially less than incarcerating a recidivist at \$136.00 per day or \$49,800 per year.

7. Promote, where appropriate, the employment of newly released prisoners and facilitate the creation of job opportunities that will benefit communities.

- a) Better educate employers about financial incentives for hiring felons such as the Federal Bonding Program and Work Opportunity Tax Credit program.
- b) Determine which industries and employers are willing to hire people with criminal records and encourage job development and placement in those sectors.
- c) Use probation and parole officer or third-party intermediaries to assist employers with the supervision and management of employees.
- d) The ADOC should ensure that its institutional educational and training programs are consistent with those offered by state Job Centers.
- e) The ADOC and the Department of Labor and Workforce Development should work together to provide apprenticeship programs both within and without ADOC institutions.

8. Improve the ADOC's ability to identify and provide for the behavioral health needs of its inmates.

- a) Implement a statewide, on-line health record database system that is standardized and would allow entry of specific types of information pertaining to an offender's health, mental health, and substance abuse screening and treatment.
- b) Assess the ability for the ADOC and DHSS to electronically share specifically identified and pertinent information from individual databases (i.e. AK AIMS)
- c) Increase the staff capacity of ADOC to manage the APIC and IDP⁺ programs for offenders reentering Alaskan communities.
- d) Work with APIC community providers to enhance their workforce and program capacity to treat and support offenders reentering communities (i.e. peer supports/mentoring).

9. Reduce the number of misdemeanor offenders cycling in and out of jails.

- a) Identify the laws, rules, policies and practices that lead to the incarceration of individuals who pose no substantial risk to public safety.
- b) Expand prosecutorial diversion programs for misdemeanor offenses.
- c) Expand the ADOC Electronic Monitoring Program for misdemeanants.
- d) Make good use of halfway house stays by assessing sentenced misdemeanants for behavioral health and criminogenic risks and needs.

- e) Make good use of halfway house placements by screening sentenced misdemeanants for behavioral health and criminogenic risks and needs and assessing and referring for services as appropriate.
- f) Expand therapeutic courts and other problem-solving courts for misdemeanants such as the Mental Health and Addiction Therapeutic Courts, Operating Without License (OWL) Courts, and Anchorage adjudication/disposition courts.

10. Expand Treatment Services and Housing Options for Sex Offenders.

- a) Determine the effectiveness of the sex offender treatment programs offered by the ADOC with appropriate performance measures.
- b) Upon substantiation of their effectiveness, increase the ADOC institutional sex offender treatment program capacity.
- c) Increase the number of state approved community sex offender treatment providers.
- d) Create a sex offender treatment program for women.
- e) Expand the Y-K Delta sex offender treatment model to other communities that need and will embrace the program.
- f) Remove counterproductive residential restrictions on housing.

11. By order of the Governor, require all state agencies to:

- a) Inventory state employment restrictions related to criminal offenders. Consolidate this information in a unified document specifying restricted occupations and the substance and nature of the restrictions making relevant information readily accessible to the public.
- b) Analyze the necessity of these restrictions to public safety, identify possible mechanisms to provide relief from the restrictions (time limitations/waivers), and amend and simplify as appropriate.
- c) Compile baseline data on:
 - i. The number of people affected by restrictions,
 - ii. The number of jobs that are restricted,
 - iii. The impact of relief mechanisms.

12. Expand state support for the ADOC chaplaincy program.

- a) Expand the mentoring program including the number of volunteer-mentors, recognize the need for better screening, training and supervision of mentors.
- b) Support the efforts of the State Chaplain and Alaska Correctional Ministries (ACM) to develop the Healing Communities model in Alaska.

Building this model will bring more support and mentors to those in prison and coming home.

- c) Support the hiring of state-paid chaplains for the prisons. The volunteer chaplaincy efforts are laudable, but the role is too important and carrying too many responsibilities to be left to under-paid staff hired by ACM and volunteers.
- d) Support the continued expansion of programs such as prison Transformational Living Communities and the transitional community residences.

Part I

Introduction

The 5-Year Plan of the Alaska Prisoner Reentry Task Force focuses on the goal of reducing recidivism. For each prisoner who successfully returns home, fewer Alaskans are victimized, the former prisoner becomes a productive citizen and healthier families and communities result. Equally important, this individual is not occupying an expensive prison bed.

The plan is designed to provide policymakers, people working in the criminal justice system and interested citizens with a single resource that provides a baseline overview of the ADOC's current outcomes and the ADOC's new framework intended to promote successful prisoner reentry. It also describes ADOC's institutional and community based rehabilitative programs and the collaborative work it is performing with its state and community partners to improve prisoner reentry outcomes.

Part I of the 5-Year Plan explains the reasons the ADOC and other state and community partners are working to reduce criminal recidivism and what's at stake for Alaska should policy makers choose to ignore this issue. Chapters 1 through 5 discuss the ADOC's constitutional and statutory role in the state's criminal justice system, the rate of Alaskan prison growth, and the impact prison growth has had on our families, communities and the state at large. Basic information about the ADOC operations and its plan for inmate management, reentry and community transition is also included as is the work of the many entities seeking the same improved prisoner reentry outcomes. As a whole, Part I describes the ADOC, the other stakeholders in reentry efforts and in the context of current prisoner reentry efforts, lays the foundation for the 5-Year Plan described in Part II.

Part II discusses some of the most pressing hurdles facing prisoners upon reentry: housing, employment and access to behavioral health services. Chapters 7 through 9 discuss each of these issues and each chapter outlines a goal, the history of the problem and the specific best practice strategies for achieving the stated goal. Chapter 10 discusses the rehabilitation and reentry challenges imposed by the large number of misdemeanor offenders cycling in and out of Alaska's prisons. Solutions are proposed on how to intervene with this offender population. Chapter 11 discusses the challenges facing sex offenders in obtaining court ordered treatment, the need to expand the availability of treatment and how the lack of stable housing impacts the ability of probation officers to supervise these offenders. Chapter 12 discusses the collateral consequences of criminal convictions. There are numerous state and local laws, regulations, policies and practices that make it all but impossible for many people with criminal convictions to find a living wage job, housing and obtain safety-net benefits. Lastly, Chapter 13 discusses the important work being done by our faith-

based communities both within and without the state prison system and the developing evidence that shows these efforts result in improved reentry outcomes.

This 5-Year Plan does not contemplate handouts for those who choose not to abide by State law, but rather supports policy decisions that offer a hand-up and an opportunity for a second chance. By doing so, the State will improve its prospects for successful prisoner reentry and thereby promote healthier Alaskan families and communities.

This 5-Year Plan is not a static document, but rather one that outlines a set of goals with measureable strategies to be accomplished within the next five years. With the achievement of the goals outlined herein, new goals and strategies will be built on the successes and lessons learned through the implementation of this 5-Year plan.

Chapter One

Prisoner Rehabilitation and Reentry: Why Should We Care?

A. The Purpose of Alaska's Five-Year Prisoner Reentry Strategic Plan

The ADOC's approach to successful prisoner reentry is not a single program, but rather a philosophy central to its culture and its way of doing business. This approach is aimed at turning former prisoners into productive and law-abiding community members. The strategy is built on documented evidence shown to improve reintegration-related outcomes. It begins upon admission to prison and continues through incarceration, release, community supervision and ultimately the unsupervised and successful reintegration into the community.

The State of Alaska recognizes that the successful reentry of prisoners is a critical component of the State's public safety and corrections mission. Failure—which often means homelessness, unemployment, returning to or falling into addiction, often a new crime and a new victim, and ultimately re-incarceration—results in a costly waste of public resources and diminished public goodwill. The burden of this failure has a significant impact on our State's budget, Alaska communities and those former prisoners and their families struggling to succeed in society.

Incarceration impacts the state's economy in a number of ways: the diversion of state funds from other public projects, the social and financial costs to children of incarcerated parents and the impact to the economy when wage earners are no longer financially productive. Recent research shows that the growing number of male offenders convicted of felony crimes has greatly impacted the national GDP (gross domestic product). Using Bureau of Justice Statistics data, researchers estimated that in 2008, the United States had between 12 and 14 million ex-offenders of working age. As will be discussed in Chapter Twelve, because a prison record or felony conviction greatly lowers an ex-offender's prospects in the labor market, researchers estimated that this large population lowered the total male employment rate in 2008 by 1.5 to 1.7 percentage points. In GDP terms, these reductions in employment cost the U.S. economy between \$57 and \$65 billion in lost output.¹ In 2009, the number of Alaskan prisoners, both men and women, between the ages of 20 and 54 was 4,089.²

The ADOC cannot by itself fulfill its reentry mission. Acknowledging this, it recognizes and accepts its critical leadership role in improving prisoner reentry outcomes and reducing recidivism. Successful reintegration requires a collaborative strategy developed out of a partnership among the state criminal justice agencies from the

¹ Ex-offenders and the Labor Market, John Schmitt and Kris Warner, November 2010. found at: <http://www.cepr.net/documents/publications/ex-offenders-2010-11.pdf>

² The ADOC 2009 Offender Profile, <http://www.correct.state.ak.us/corrections/index.jsf>

ADOC, state and local police, courts, prosecutors, defense attorneys, to other state agencies such as the departments of Health and Social Services, Labor, Education, the Alaska Mental Health Trust Authority, the Alaska Housing Finance Corporation, and the Alaska State Legislature. Equally important to this effort is the ability of these state agencies to coordinate with local governments, tribal councils, and community partners such as the Alaska Native Justice Center, Partners for Progress, Akeela, Inc., Nine Star, and United Way to name a few of the many that offer resources and services needed for successful prisoner reentry.

Alaska's commitment to collaboration is evidenced by collaborations already put in place. This plan reflects the coordinated efforts of state and local agencies, community organizations and committed individuals working together toward the common goal of creating a statewide prisoner reentry strategy that addresses Alaska's unique reentry challenges caused by its geographical vastness and cultural diversity.

Alaska is not the first state to develop a coordinated recidivism reduction strategy, nor the first to have its state corrections agency adopt recidivism reduction as part of its mission. Given the country's high rates of recidivism and the ever-growing costs of incarceration, criminal justice policymakers nationwide have embarked on a major reexamination of their criminal justice systems with the goal of improving prisoner reentry outcomes. During the past decade, and in spite of a cynical and unproductive "nothing works" attitude that developed in 1976 by Dr. Martinson,³ an array of community-based, state, and federal efforts were launched specifically designed to provide effective and innovative responses to the myriad challenges presented by prisoners being released from incarceration. Research related to, and evaluation of these efforts resulted in a much better understanding of what does, and does not work. As a result, today we know far more about effectively preparing prisoners for release. We have new evidence of what works to reduce recidivism, the importance of correctional systems adopting evidence-based practices and an understanding that corrections alone cannot provide the desired results or solve the numerous challenges facing newly released prisoners. It is on this evidence that our strategies are based.

B. Cost-Effective Justice: What's at Stake for Alaska?

Operating a prison system is a costly proposition, not just for Alaska, but for all 50 states and the federal government. The ADOC FY 2011 operating budget is estimated to be \$258 million. Alaska is currently in the midst of constructing a \$250 million, 1536 bed, minimum to medium custody facility with an estimated annual operating budget of \$50 million—offset by the \$20 million currently spent to house 1000 prisoners in

³ The Psychology of Criminal Conduct, D.A. Andrews & James Bonta, The Martinson "Nothing Works" Debate, pgs 319-324 (4th Ed. 2006).

Hudson, Colorado— in the Mat-Su Valley. Given the growth in the State's prison population, there is uniform agreement that the state requires this new facility. Proof of the need is housing prisoners in an out-of-state private prison due to insufficient bed space in Alaska. One purpose of this plan is to advance new approaches that, if embraced by the state's policymakers, may avoid the need to construct additional new prisons within the next ten years.

This is an opportune time for Alaska to reevaluate current criminal justice practices to determine if it is receiving good value for the dollar spent. As measured by the state's recidivism rate—two out of three prisoners return to custody within the first three years of their arrest—good value is not being achieved. Thus, the state is now beginning to examine its current practices, learn from what other states have done to achieve more cost-effective results and determine if proven best practices would improve outcomes, reduce recidivism and build strong families and healthier communities.

Other states have performed a cost-benefit analysis of their criminal justice systems and found their citizens were receiving a poor return on the dollar spent. Given the rapidly increasing costs of their prison systems and their high rates of recidivism, these states set out to employ more cost-effective and smarter approaches to criminal justice.⁴ Texas is an excellent success story that is instructive on the cost-effective changes that can be made while at the same time improving public safety.

C. The Texas Experience

In 2007, the famously “tough on crime” Texas legislature took dramatic, bipartisan action to control crime and corrections costs. This initiative was led by Republican Jerry Madden who was appointed by the majority leader as Chairman of the Corrections Committee. The then speaker of the house instructed Rep. Madden to develop new approaches to slow Texas' rapid prison growth. “Don't build new prisons. They cost too much”.⁵ With that directive in mind, Rep. Madden, an engineer, gathered the data and the facts to develop a systematic approach to breaking the cycle of crime.

At the start of 2007, the state's corrections department projected a shortfall of 17,000 prison beds over the next five years and recommended the construction of 4,000 new beds at a cost of more than \$900 million. Texas legislators requested assistance from the Pew Center on the States' Public Safety Performance Project and its partner, the Council of State Governments Justice Center (CSG), to identify options to avert prison growth while protecting public safety.

⁴ Among these states are Kansas, Arizona, Alabama, Nebraska, North Carolina, and Texas.

⁵ Anchorage Daily News editorial, *Be tough, be smart*, September 19, 2010.

Based on their nonpartisan research and the menu of policy options they prepared, the 2007 legislature approved a plan that provided an historic investment of over \$241 million in treatment and diversion facilities and substance abuse treatment services, both behind prison walls and in community-based programs.⁶ With these and other measures, the legislative package successfully averted all of the previously planned prison beds through 2012.⁷ While the legislation authorized funding for three of the eight prisons originally requested, the dollars for them may be tapped only if the community corrections plan fails to erase the bed shortfall.

To date, tapping these dollars has not been necessary. According to Rep. Madden, who spoke at the Cost-Effective Justice Forum held in Anchorage in September 2010, the Texas prison population completely leveled off as a result of these initiatives. No shortfall in capacity is predicted until 2013, when the system may need a relatively small number of prison beds compared to the previously predicted need for eight prisons. Moreover, following the adoption of these reforms, Texas' crime rate did not increase, but continued to fall.

D. The Alaska Prisoner Reentry Task Force

Alaska's commitment to addressing the challenges presented by its prison growth and high recidivism rate is evidenced by the significant collaborative effort that has gone into developing recent policy and practice solutions to criminal justice issues.

In 2007, the legislature funded the Alaska Judicial Council to staff the Criminal Justice Work Group (CJWG) to collaborate on ways to improve Alaska's criminal justice system.⁸ The CJWG is currently co-chaired by the Chief Justice of the Alaska Supreme Court and the state's Attorney General. The CJWG membership includes state commissioners from the state Departments of Corrections, Health and Social Services, Public Safety, Education, and the Alaska Mental Health Trust Authority, Alaska Court System and other high level representation from a broad range of state agencies that either directly participate in or are impacted by the state's criminal justice system.⁹

⁶ The Texas plan focused on five areas: parole, probation, diversion for drunken driving offenders, school programs to cut the prison pipeline for young offenders, and preschool programs that have a proven success record for keeping children in school and away from delinquent behavior.

⁷ The Texas "justice reinvestment" approach was a dramatic turn in Texas' criminal justice policies. The state legislature committed to ensuring accountability and the continued success of these new measures. Accordingly, the Texas legislature established the Criminal Justice Legislative Oversight Committee to monitor and evaluate the implementation of the new policies and programs and to evaluate their impact on state prison populations.

⁸ The AJC is mandated by the Alaska State Constitution to, among other things, conduct studies for the improvement of the administration of justice and report those findings and recommendations to the Supreme Court and to the legislature at least every two years.

⁹ A roster of CJWG members is attached as Appendix A.

The CJWG has two committees, one of which is the Prevention and Recidivism Committee, chaired by the Commissioner of the ADOC. The second is the Efficiencies Committee chair by the Alaska Court System Administrator. The Prevention and Recidivism Committee is focused on identifying and monitoring cost-effective, evidence-based ways to prevent crime and reduce recidivism.

In February 2010, the CJWG with Governor Sean Parnell's approval, created the Alaska Prisoner Reentry Task Force (Task Force). The CJWG recognized that reducing Alaska's rate of recidivism would require the collaborative efforts of a broad range of state, local and community organizations as the challenges facing releasing prisoners were beyond the purview of the ADOC alone.

The mission of the Task Force is to reduce Alaska's recidivism rate and thereby improve public safety and the overall health of Alaska's communities. This will be accomplished by developing a coordinated and seamless set of policies and programming, from admission to prison through release from prison, that support the successful reintegration of prisoners into Alaska's communities.¹⁰

The Task Force membership includes a broad range of state, local and citizen members who are either stakeholders in developing solutions to reentry challenges or who represent a constituency impacted by the state's criminal justice system. The Task Force members have demonstrated a clear commitment to working collaboratively to reduce Alaska's recidivism rate.¹¹

E. Developing Alaska's Five-Year Strategic Reentry Plan

Since February 2010, the Task Force has worked to develop Alaska's 5-Year Plan. The purpose of the 5-Year Plan is to create a system of best practices aimed at reducing the number of adult offenders who return to custody. The task force identified eight key strategies for achieving this result:

1. Organizational/Cultural Change: Create an ADOC organizational and cultural environment that supports risk reduction and reentry work with offenders.
2. Employment: Increase the ability of former prisoners to obtain and sustain employment.
3. Housing: Increase the ability of former prisoners to be safely housed upon release.

¹⁰ The Task Force Charter is attached as Appendix B.

¹¹ A list of Task Force members is attached as Appendix C.

4. Substance Abuse & Mental Health services: Increase the identification of those who need substance abuse treatment or other behavioral supportive services and improve access thereto.
5. Collateral consequences: Ensure that laws, regulations, policies and practices are rationally related to public safety and do not unduly hinder the successful reintegration and opportunities of people with criminal histories.
6. Community Corrections: Continue to enlist and engage the participation of other state agencies and stakeholders in the risk reduction and reentry plan.
7. Faith-Based Programs: Expand faith-based programs inside ADOC institutions and in the community.
8. Data and Evaluation: Develop a comprehensive system for the collection and evaluation of Alaska criminal justice data that will permit ongoing monitoring and evaluation of the risk reduction and reentry initiatives.

The ADOC, along with its state and community partners, is committed, through the adoption of cost-effective, evidence-based measures, to embrace its constitutional and statutory mandate to protect public safety and provide reformatory programs to Alaska's prisoners.

F. Alaska State Prisoner's Constitutional and Statutory Right to Rehabilitation

Article I, Section 12 of the Alaska State Constitution provides: "Criminal administration shall be based upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of crime, restitution from the offender, and *the principle of reformation.*"

The Alaska Supreme Court has interpreted "the principle of reformation" to mean that state prisoners in Alaska have a constitutional right to rehabilitation services. *Rust v. State*, 584 P.2d 38 (Alaska 1978). This right was clarified in the *Abraham v. State*, where court held that the defendant had a constitutional right, while in prison, to rehabilitative treatment for his alcoholism, as such treatment was the key to reforming his criminal behavior. *Abraham v. State*, 585 P.2d 526 (Alaska 1978).

Alaska state statute AS 33.30.011 (3) provides that the commissioner [for the ADOC] shall, for persons committed to his custody, establish programs, . . . that are reasonably calculated to

- (A) protect the public and the victims of crimes committed by prisoners;
 - i. create or improve occupational skills;
 - ii. enhance education qualifications;

- iii. support court-ordered restitution; and
- iv. otherwise provide for the rehabilitation and reformation of prisoners, facilitating their reintegration into society.

The ADOC mission statement, rewritten in early 2007, embodies the department's constitutional and statutory responsibilities: "The Alaska Department of Corrections enhances the safety of our communities. We provide secure confinement, reformatory programs, and a process of supervised community reintegration."

Under the leadership of Governor Parnell and with the collaborative efforts of the ADOC and its state and community partners, the State of Alaska affirms its constitutional and statutory directives. High recidivism rates, growing prison populations and concomitantly growing criminal justice costs demonstrate the need to provide cost-effective rehabilitative and reentry programs to change the hearts and minds of offenders. To do otherwise will only perpetuate an unsustainably expensive cycle that does not promote public safety.

G. Polling Data Shows Strong Public Support for Rehabilitation

Alaska's constitutional promotion of the principle of reformation is consistent with the public's embrace of community-based rehabilitation over incarceration in the case of nonviolent offenses, and of prison-based rehabilitation over idleness.

A poll by Peter D. Hart Research Associates in 2002 found that Americans believed government should be addressing the underlying causes of crime rather than the symptoms of crime; that prevention should be the top priority for fighting crime, far ahead of punishment or enforcement; and that the wisdom of harsh prison sentences as the centerpiece of the nation's crime strategy should be reconsidered, especially for nonviolent offenders.

Some thought this poll was an outlier, but Zogby polling in 2006 and 2009 replicated these findings. And in the Harris poll that asks Americans every year to name their top ten issues that the government should address, crime and violence had been named among the top ten by 19 percent of those polled in 1994, but dropped to less than one percent by 2010. Consequently, in neither the 2004 or 2008 presidential election cycles did any candidates have anti-crime platforms. Nor was crime the centerpiece (or even mentioned) in most of the mid-term campaigns.

The public's embrace of rehabilitation and successful reentry has helped the efforts of policymakers, even in the toughest of "tough on crime" states such as Texas, move away from a strict focus on incarceration and toward alternatives that will actually reduce crime and recidivism and promote successful reintegration for those sentenced to and released from prison.

This embrace is also reflected in the introduction and passage of the Second Chance Act. This federal legislation, first introduced in 2004, was designed to encourage and fund collaborative strategies at the state and local levels to provide a continuum of services and supports for people from the point of entering prison to the point of successful reintegration into the community.

Public support of state and local efforts to promote successful prisoner reentry is so strong, so nonpartisan and untouched by ideological differences, that prisoner reentry may be the first policy issue to bring people from all political persuasions to agreement.

With the Republican Party leading the House in 2004, the original sponsor of the House bill was Congressman Rob Portman, a conservative from Ohio on the House Republican leadership team who went on to be Bush's Trade Ambassador, then his Director of the Office of Management and Budget and is now the Senator from Ohio. In the Senate, Senator Sam Brownback, a conservative Republican from Kansas, who was just elected Governor, led the legislation. Later, Joe Biden became the lead Senate sponsor when the Democrats won the majority in the Senate. Conservative Republicans stayed on board and were joined by Democrats such as Barack Obama and Hillary Clinton in the Senate, and Charles Rangel of New York City and Chicago's Danny Davis in the House. Davis went on to be the final bill's chief sponsor after the Democrats took control of the House.

The bill's many co-sponsors included members who score 100 percent in the Christian Coalition's ratings and members who score 100 percent in the diametrically opposite People for the American Way's ratings. They included Planned Parenthood's 100-percenters, who score zero by the National Right to Life Committee, and the Right to Life's 100-percenters, who get zeros from Planned Parenthood.

Significantly, many of those now pressing for passage of the Act had once been *making* the "tough on crime" laws that subsequently contributed to filling the prisons, and which are now necessitating new strategic thinking about rehabilitation, reentry and reintegration. Pat Nolan was once the Republican leader of the California Assembly but is now the head of Justice Fellowship, the advocacy arm of Prison Fellowship. "One of the mistakes I made as a legislator," he said, "was that I thought we could put them in prison and forget about them. But I forgot that 95 percent come back. What kind of neighbors will they be?"¹²

Mark Earley, formerly a GOP Virginia legislator and attorney general, has regrets as well. In 2006, the *New York Times* reported on his speech to a Congressional Black Caucus conference, where he said, "I spent most of my time in the Legislature

¹² Mills, Linda, "Smart Justice: Findings and Recommendations for Florida Criminal Justice Reform, Collins Center for Public Policy, February, 2009, at 5, available at CollinsCenter.org.

working on how to put more people in jail and keeping them there longer.” Earley now heads up Prison Fellowship, works in support of more reentry strategies and says of his years passing crime laws, “I was wrong. I repent!”

The efforts of Pat Nolan and Mark Earley, various advocacy organizations spanning the political spectrum, tens of thousands of people sharing in this work across the country, along with the focused efforts of Alaska’s criminal justice, political and community leaders working collaboratively to develop this plan all exemplify the importance of reentry and rehabilitation.

Chapter Thirteen

Faith-Based Prison and Reentry Support

A. The Goal

The state recognizes the value of chaplaincy and religious programming in its prisons and reentry programming; prisons welcome religious volunteers and programs; and local communities show support for faith-based reentry work by volunteering and mentoring prisoners, former prisoners and their families.

1. Introduction

The faith community has been visiting and ministering to prisons for hundreds of years. For many people of faith, this is part of their core values and they consider it their duty.

The faith community brings to the corrections mission of reducing recidivism and improving reentry outcomes an absence of cynicism and rejection of the notion that certain people, as evidenced by the crimes they have committed, are utterly irredeemable. The faith community believes in acceptance, forgiveness, reconciliation, restoration, redemption and *reformation*, the last of which is embedded in Alaska's Constitution. These core principles guide their encounters with inmates and returning prisoners. Rather than judgment and stigmatization, they offer compassion.

As the states and the federal government began focusing greater efforts on improving reentry outcomes, the faith community redoubled its efforts and moved from models that relied on preaching in the prisons to developing mentoring relationships that would sustain the prisoner while incarcerated and after release and to developing new program models. Some states and municipalities were so impressed by these efforts that they offered to pay faith-based organizations to do such work in their prisons and jails. They also allowed faith-based groups to provide the *only* rehabilitation programs in some facilities and made a confession of faith a prerequisite to participation in those programs. Those states and municipalities had crossed the line of the Establishment Clause of the First Amendment and such arrangements were repudiated by the courts and found unconstitutional.

The vast majority of the faith-community's efforts have not crossed the line and have successfully developed programs and practices that respect the First Amendment and have grown increasingly evidence-based. Nor has the faith community's work in Alaska's prisons crossed the line. The provision of chaplaincy services has a long tradition in America's prisons – as well as in the military. No one is required to accept such services or attend services. The faith component of faith-based programs is not

paid for with state funds. Moreover, the faith community facilitates government respecting the other religion prong of the First Amendment – the Free Exercise Clause. It is hard to exercise one's faith if faith leaders and volunteers are not welcome in the prisons.

The federal government and private foundations recognize the unique strengths that the faith community brings to the work of rehabilitation and successful reentry. When the Department of Labor and the nonprofit Public/Private Ventures, with the support of the Annie E. Casey Foundation and the Ford Foundation, developed the reentry Ready4Work pilot program, its design included mentoring.

What the Ready4Work program grantees quickly found is that the mentors came from the faith community. Most were recruited through churches. The program designers had guessed, based on other mentoring models such as Big Brothers and Big Sisters that this might be the case, but they had not realized what an untapped resource the faith community was and how much they had to offer in the pursuit of successful reentry outcomes. The mentors' job was not to proselytize (they were forbidden to do that) but to build a healthy relationship with the mentee and support his or her reentry. The program's outcomes were extremely promising in terms of education, employment and program retention, with recidivism rates among Ready4Work participants 34 to 50 percent below the national average.¹³⁰ Indeed, it was these successful outcomes that contributed to Congress providing funds under the Second Chance Act to organizations that provide mentoring services to inmates and returning prisoners.

B. The Baseline

One way to establish a baseline measuring support for chaplaincy is to count the number of chaplains employed by the State. At one time there were two state-employed chaplains and one chaplaincy services administrator, but as of 2008, the only chaplain in the employ of the State is the administrator. Alaska is one of only seven states that do not employ one or more chaplains in each of its prisons. Instead, chaplains are made available to prisons through a nonprofit that raises money to provide chaplaincy services in the prisons.

Another way to establish a baseline is to measure the number of approved faith-based volunteers working in Alaska's prisons. It is an indicator of the extent of both the prisons' welcome of volunteers and of the faith community's engagement in this work. In 1989, when the current chaplaincy services administrator began his work

¹³⁰ Farley, C. and McClanahan, W., Ready4Work In Brief: Update on Outcomes; Reentry May Be Critical for States, Cities, Public/Private Ventures, May 2007.

with the ADOC, there were about 200 approved volunteers. Today, there are approximately 1,700.

A third way to establish a baseline is to look at the number of faith-based programs operating in the prisons and supporting former prisoners during reentry. In 1989, there were no such programs, only a bare bones chaplaincy service that provided counseling to inmates and organized worship services.

Today, prisoners are supported by a much wider array of the following in-prison faith-based efforts:

- Worship Services
- Bible Teaching and Discipleship
- Spiritual Counseling
- Mentoring prisoners and ex-offenders
- Transformational Living Community (TLC)
- Christ-centered recovery groups
- Intercessory prayer groups
- Music and drama
- Kairos ministry
- Alpha Ministries Reentry Program

Faith-based aftercare includes two residential programs:

- New Horizons in Wasilla
- New Hope in Anchorage

C. The Back-Story: Alaska's support of faith-based efforts in prison and upon Reentry

Alaska's prisons started off small and were few in number; and they never had a formalized chaplaincy structure. Instead, it was an all-volunteer effort. In 1980, a group of pastors approached the legislature asking for a statewide coordinator of chaplaincy services. They succeeded and one fulltime position was approved to be hired under a competitively bid contract. Later one assistant position was created, as well. In 1995, these two contract positions were converted to state employees. Later, two chaplains were hired but the positions were eliminated in 2008.

Given that the state was not employing chaplains in the prisons, this same group of pastors also formed a nonprofit in 1980, Alaska Correctional Ministries (ACM), which raises funds to hire minimally paid chaplains for the prisons. In all U.S. states but six, including Alaska, the state funds chaplaincy services. The federal government funds chaplaincy at its prisons and for all branches of the U.S. armed forces, the latter of which have had chaplains since the Continental Congress.

In Alaska, the chaplains are not paid by the state and don't even have health insurance, yet they provide traditional chaplaincy services at all twelve of Alaska's prisons. Most of the chaplains are paid directly through ACM's fundraising but others are deployed to various prisons through prison ministry organizations such as Rock of Ages Prison Ministry.

The office of the DOC Chaplaincy program is managed by a full-time Chaplaincy Coordinator Services Administrator and a full-time Criminal Justice Technician II and is responsible for addressing the religious and spiritual interests of prisoners and ex-offenders statewide and at the Hudson, Colorado facility.

The Chaplaincy Services Administrator provides general services for the department such as: managing all aspects of the ADOC's chaplaincy services, religious programs, and religious volunteers; training for departmental staff and volunteers; monitoring to ensure adequate and essential religious coverage throughout all the ADOC's facilities as resources permit; representing the ADOC in all religious matters affecting prisoners; formulating and implementing effective departmental policies and procedures for religious programming; providing conflict resolution in chaplaincy issues and religious dispute resolution in religious programming; coordinating Critical Incidents Stress Management and other pastoral care services for the ADOC staff as requested; and facilitating the development of private funds and materials for use in chaplaincy programs.

Currently there are no ADOC-paid institutional chaplains. There are, however, nine privately paid chaplains, and seven part-time volunteer chaplains serving in various facilities around the state providing chaplaincy services and programs in the institutions. A strong volunteer program is a vital component in the delivery of chaplaincy services and activities. Augmenting the chaplains' efforts is a valuable cadre of over 1,700 clergy and lay volunteers involved in various program/ministry services. All religious volunteers are under the general supervision and direction of the Chaplaincy Services Administrator.

ACM's thirty-year partnership with the ADOC Chaplaincy Program has developed unique and solid working relationships at state and local levels with institutional superintendents, security personnel, program managers and probation/parole personnel. Over time, ACM's programming has grown more evidence-based and directly related to reducing recidivism and achieving improved reentry outcomes.

The following are ACM's key services and programs:

Chaplaincy core services:

The Chaplaincy Program provides opportunities for prisoner reformation through religious programs, spiritual counseling, and pastoral care. All religious activities and

programs are provided on a volunteer participation basis. Specific services include worship services, pastoral care and counseling, crisis intervention, death notifications, hospital/medical visitation, segregation visitation, religious literature distribution, and critical incidents stress management. – Located in all the institutions.

Transformational Living Community (TLC):

This is a multi-phase, intensive 12-18 month program that is designed to provide a spiritually based approach to correctional rehabilitation. The inmates live together in a supportive highly structured community environment and are expected to embrace personal accountability, responsibility, and commitment to change in all aspects of their life. All inmates volunteer for the program and may volunteer to leave at any time. The costs for the operations of the program are 100 percent paid for by private sector donations. – Located at Palmer Correctional Center (PCC), Hiland Mountain Correctional Center (HMCC), and Hudson, Colorado.

MentorNet:

This program utilizes community volunteers as mentors working on a one-to-one basis with inmates who have volunteered for the program. It is designed to be an intensive level of mentoring in which the mentors meet once per week with the inmate they are assigned to and commit for no less than one year. Men are matched with men and women with women. The focus is on spiritual formation and nurture, guidance, role modeling, encouragement, and accountability. It is expected that the mentoring relationship will be a spiritual-based care-net providing support from incarceration to the community when the prisoner is released. ACM staff and volunteers currently mentor 60-100 prisoners and former prisoners. This program is offered in the TLC programs at PCC, HMCC, and Hudson and in the Alpha Reentry program at the Wildwood Correctional Center (WCC).

Faith wing:

This is a short-term 6-month faith-based residential program that provides inmates an opportunity to live in a positive, supportive, spiritual-based community environment with an emphasis on spiritual growth, personal responsibility, and accountability. – Located at HMCC

Kairos:

The Kairos Prison Ministry is an international program that conducts a highly structured lay-program designed specifically for correctional institutions. Their mission is to bring Christ's love to incarcerated individuals and their families, and to assist the incarcerated in their reentry transition in becoming productive citizens. – Located at HMCC, Hudson, and WCC

Community-based residential programs:

ACM has opened two reentry residential homes, New Hope, for women in Anchorage, and New Horizons, for men in Wasilla and is approved for ex-prisoners on electronic monitoring and under supervision by the ADOC. Services in the homes include case management, food, clothing, transportation, mentor match, counseling, group mentoring and relapse prevention. Additionally, life skills classes including financial budgeting and resume preparation, interview and job search assistance are provided. Volunteer mentors are an integral part of this program, providing encouragement and healthy role models for pro-social living and accountability. ACM uses best practices in mentoring, case management and transitional service programs.¹³¹

Alpha Reentry Program:

Started in January 2011, Alpha Prison Ministries established a new reentry pilot program, focusing on men at WCC returning to their homes in the Kenai Peninsula. The program will test this faith-based model with a small target population returning to a rural area of the state.

In partnership with Alpha Reentry USA, this program will provide a six to twelve month pre-release program for 18 incarcerated men who plan on returning to a community on the Kenai Peninsula. The men will live together in a residential dorm setting and will be enrolled in various classes designed to foster spiritual growth, accountability and personal responsibility as well as moral and character development. Additionally, these courses focus on the issues of preparing for release and are designed to better equip them for their return to community life. Releasing prisoners are matched with a mentor from the community who will mentor them once per week during the pre-release phase serving as a role model and a source of support and encouragement during incarceration and upon release to the community.

Chaplaincy for Native Alaskans:

The ethnic make-up of the population within the State of Alaska includes 16percentwho are Alaska Native. However, within the ADOC 36 percent of the prisoners are Alaska Natives.

Chaplaincy provides programs and services that are culturally and spiritually relevant to the needs of this population which holds customs, spiritual traditions and practices that are very diverse and often quite different from Native American people groups in the rest of the country. Over many years, a large percentage of Alaska Native people have embraced and practiced both their traditional cultural practices and

¹³¹Bauldry, Shawn, Danijela Korom-Djakovic, Wendy McClanahan, Jennifer McMaken, Lauren Kotloff, Mentoring Formerly Incarcerated Adults, Insights from the Ready4Work Initiative, Public/Private Ventures, January 2009.

spirituality and have also embraced Christianity. This is due to the missionary efforts of many Christian denominations and churches from many parts of the world over much of Alaska's pre- and post-statehood history.

In most institutions, ADOC Native prisoners have opportunities to engage in cultural, traditional, and spiritual practices including Sweat Lodge, Sacred Pipe Ceremony, Smudging, Potlatch, Talking Circle, and sacred herbs. Additionally, they have access to any and all Christian and non-Christian religious services, religious studies and pastoral care services provided by Chaplains and volunteers. As resources permit, Bibles are provided which are written in their native languages. Effort is made to recruit native community volunteers who can assist in providing religious services as well as mentoring.

Impact:

Chaplaincy estimates that about 40 percent of the state prison population participates in various religious services and programs around the state. Generally, there are two areas of impact that corrections officials focus on with respect to Chaplaincy. One has to do with the institutional population management benefit. Most institutional superintendents who run ADOC facilities believe that inmates who participate in the various Chaplaincy programs and services are generally better behaved with fewer disciplinary problems, which makes the facilities safer. Chaplaincy connects prisoners with many outside volunteers who are positive role models and who express genuine concern and care for their futures.

The second is recidivism reduction. Using raw ADOC data, a recent recidivism evaluation of graduates of the TLC program at the Palmer Correctional Center reveals that of those graduates who have been released from prison only 38 percent had been rearrested within three years for either a new crime or a parole/probation violation. By contrast, the overall re-arrest after three years of release for Alaskans is 66 percent. The total number of graduates tracked was 63, and the program had been operating for six and a half years at the time of the evaluation.

D. What would turn the curve so that the state increases its recognition of the value of chaplaincy and religious programming in its prisons and reentry programming; so that all prisons welcome religious volunteers and programs; and that all local communities show support for faith-based reentry work by volunteering and mentoring prisoners, former prisoners and their families?

While Alaska has allowed the faith-based community to work with prisoners, it has not shown a strong embrace of their contributions. And the faith community has not sung its own praises.

The *Healing Communities* model created by the Annie E. Casey Foundation is an initiative that could increase the recognition of the value that the faith community brings to prisoners and to reentry and could increase local support for faith-based prisoner and reentry work.

Programs such as Ready4Work had proven very successful, but they were not being replicated to any great extent by the federal government, states, localities, or the philanthropic community. In response to this challenge, Casey considered tapping the rich resources of the faith community to help fill the tremendous gap between the needs of returning citizens and the scant resources available. The original idea of just addressing prisoner reentry soon expanded to embrace a ministry to all parties affected by crime and the criminal justice system --perpetrators, victims, and their families--from the point of arrest through incarceration to reentry. Instead of churches reaching out to the community at large, the Healing Communities model starts at home--in the very congregation of the individuals and families affected by crime. Casey developed a guide for congregations and made it available in a variety of denominational versions.¹³²

Once a congregation agrees to welcome and support the families of prisoners and crime victims as well as criminal defendants, prisoners and returning prisoners, it becomes “A Station of Hope.” Frequently, the ministry of supporting members of the congregation affected by crime leads to a deeper engagement – from mentoring prisoners and reentering prisoners not associated with the congregation to getting involved in criminal justice reform. The congregation does not need to set up a program, establish a nonprofit, seek funds or even know very much at all about the criminal justice system. Instead, it just does the same thing for those in the congregation who fall ill by reaching out the hand of care and compassion.

The model has been adopted by scores of congregations throughout the country, extending its reach far beyond its initial three pilot sites in 2008. The designers of the model, gathering feedback from its adopters have learned that its popularity and effectiveness is due to a variety of factors. First, congregations are relieved and excited that they can do so much without creating a formal program. Second, what they are doing aligns precisely with their core principles of faith: acceptance, forgiveness, reconciliation, restoration and redemption. Third, they realize the enormous impact acting on those principles has on the people affected by crime and criminal justice system and the congregation itself.

If congregations in Alaska adopted the model, there would be greater engagement in prison ministries, more people would volunteer to be mentors and the contribution of the faith community would be more explicit and thus more noticed.

¹³² These may be downloaded from the new Healing Communities website at: <http://healingcommunitiesusa.org/aboutus.aspx>.

E. What do we propose to do to turn the curve?

1. The Task Force strongly supports expanding the mentoring program – the number of volunteer mentors, the ways and vehicles through which mentoring relationships are established, and recognizing the need for better screening, training and supervision of mentors.
2. The Task Force supports the efforts of the state chaplain now being made by Chaplain Enschede and ACM to develop the Healing Communities model in Alaska. They have already reached out and engaged the three largest congregations and will be working with the coordinating group called the Churches of Anchorage to introduce the model to them, as well. Building this model will bring more support and mentors to those in prison and coming home.
3. The Task Force supports the hiring of state-paid chaplains for the prisons. The volunteer chaplaincy efforts are laudable, but the role is too important, carrying too many responsibilities, to be left to under-paid staff hired by ACM and volunteers alone.
4. The Task Force supports the continued expansion of programs such as TLC and the transitional new community residences. Far too many people coming back to their home communities are homeless and in need of the kind of support and care these residences provide. More are needed.

F. Partners to Turn the Curve

1. The ADOC
2. ACM
3. State and local faith-based organizations