

SUPREME COURT OF THE STATE OF ALASKA

Billy Dean Smith and Jacob Lee Anagick v. State of Alaska, Department of Corrections

447 P.3d 769 (Alaska 2019) · No. S-16711 · Decided August 30, 2019

SUMMARY

The Alaska Supreme Court affirmed summary judgment for the Alaska Department of Corrections and its officials in claims brought by two prisoners who lost prison-industry jobs after being placed in administrative segregation during an escape investigation. The court held that, even assuming the prisoners had a protected interest in their jobs under Alaska's constitutional rehabilitation provision, the administrative-segregation hearings satisfied applicable due process requirements. The court also upheld the superior court's procedural rulings and its conclusions concerning the prisoners' other constitutional claims and qualified immunity.

CASE DETAILS

COURT	Supreme Court of the State of Alaska
WRITING FOR THE COURT	Carney, Justice; Bolger, Chief Justice; Stowers, Justice; Maassen, Justice
JURISDICTION	Alaska
DECIDED	August 30, 2019
DOCKET	S-16711
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the superior court's grant of summary judgment to the Department of Corrections and its officers in a prisoner's civil action alleging constitutional due process, First Amendment, Sixth Amendment, property-loss, and related claims.
STANDARD OF REVIEW	Summary judgment is reviewed de novo, viewing facts and reasonable inferences in favor of the nonmoving party. Constitutional-rights and procedural-due-process issues, as well as state and federal immunity, are reviewed de novo. Denials of motions to amend pleadings, motions to consolidate, and rulings concerning guidance to a pro se litigant are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published precedential opinion of the Alaska Supreme Court

PARTIES

Billy Dean Smith, Jacob Lee Anagick v. State of Alaska, Department of Corrections, Nancy Dahlstrom, Commissioner, Alaska Department of Corrections, in her official capacity, Unknown Department of Corrections employees, in their official capacities

TOPICS

procedural due process

prisoners rights

constitutional law

standard of review

appellate procedure

PRACTICE AREAS

constitutional law

prisoner civil rights

administrative law

appellate procedure

summary judgment

QUESTIONS PRESENTED

1. Whether the prisoners received constitutionally adequate procedural due process before losing their Prison Industries laundry jobs as a consequence of administrative segregation.
2. Whether the prisoners' Sixth Amendment confrontation claim applied to the administrative-segregation and job-termination proceedings.
3. Whether the superior court abused its discretion by failing to instruct or permit the pro se prisoners to amend their complaint to add negligent-training, breach-of-contract, and spoliation claims.
4. Whether the superior court abused its discretion by denying the prisoners' motion to consolidate this case with Smith v. Busby.

HOLDINGS

1. Even assuming the prisoners had a protected liberty or property interest in their laundry jobs under *Ferguson v. State, Department of Corrections*, the administrative-segregation classification hearings provided all process constitutionally required before the prisoners were removed from those jobs.
2. The Sixth Amendment confrontation right does not apply to civil administrative-segregation or job-termination proceedings.
3. The superior court did not abuse its discretion by declining to instruct or permit amendment to add negligent-training, breach-of-contract, or spoliation claims because the proposed claims were unsupported, legally insufficient, or moot.
4. The superior court did not abuse its discretion by denying the motion to consolidate this case with Smith v. Busby.

KEY QUOTATIONS

“We conclude that Smith and Anagick received adequate process prior to their termination from the laundry jobs via the administrative segregation classification hearings.” (-17-)

“Because Smith and Anagick received adequate process to protect any constitutional rights arising from their laundry jobs, and because we find no abuse of discretion in any of the superior court’s procedural rulings, we

FACTUAL BACKGROUND

Smith and Anagick, Alaska prisoners working in a Prison Industries laundry program, were placed in administrative segregation after a search of their workplace uncovered rope, a tarp, unissued clothing, and other items viewed as potential escape implements. A classification hearing occurred within days, and the classification committee and superintendent approved their continued segregation pending investigation; the prisoners consequently lost their laundry jobs. Their related disciplinary decisions were later overturned because the officer who allegedly found the implements did not testify at the disciplinary hearings. The prisoners claimed that the administrative-segregation proceedings did not provide adequate process before termination of their jobs.

PROCEDURAL HISTORY

Smith and Anagick were placed in administrative segregation after a prison search uncovered alleged escape implements, and they consequently lost Prison Industries laundry jobs. Their disciplinary decisions were later overturned by the superior court for procedural defects. They filed a federal civil-rights action, in which the federal district court granted summary judgment to the DOC officers and concluded that the prisoners lacked a protected interest and that the officers were entitled to qualified immunity; the Ninth Circuit affirmed. While that federal case was pending, they filed this state action. The Alaska superior court concluded that res judicata did not bar the claims but granted summary judgment for the defendants on the merits and on immunity grounds. The Alaska Supreme Court affirmed, holding that the administrative-segregation hearings provided adequate process and finding no abuse of discretion in the superior court's procedural rulings.

DISPOSITION

affirmed

CASES CITED

- *Ferguson v. State, Department of Corrections*, 816 P.2d 134 (Alaska 1991)
- *Mathews v. Eldridge*, 424 U.S. 319 (1976)
- *James v. State, Department of Corrections*, 260 P.3d 1046 (Alaska 2011)
- *Patterson v. GEICO General Insurance Co.*, 347 P.3d 562 (Alaska 2015)
- *Thorne v. Department of Public Safety*, 774 P.2d 1326 (Alaska 1989)
- *Lingley v. Alaska Airlines, Inc.*, 373 P.3d 506 (Alaska 2016)
- *Baseden v. State*, 174 P.3d 233 (Alaska 2008)
- *Smith v. Corcoran*, 716 F. App'x 656 (9th Cir. 2018) (mem.)
- *Wilkinson v. Austin*, 545 U.S. 209 (2005)
- *Hewitt v. Helms*, 459 U.S. 460 (1983)
- *Sandin v. Connor*, 515 U.S. 472 (1995)
- *Pearson v. Callahan*, 555 U.S. 223 (2009)

- Harlow v. Fitzgerald, 457 U.S. 800 (1982)
- Saucier v. Katz, 533 U.S. 194 (2001)
- Anderson v. Creighton, 483 U.S. 635 (1987)
- Conitz v. Alaska State Commission for Human Rights, 325 P.3d 501 (Alaska 2014)
- Angleton v. Cox, 238 P.3d 610 (Alaska 2010)
- Bauman v. State, Division of Family & Youth Services, 768 P.2d 1097 (Alaska 1989)
- Perotti v. Corrections Corporation of America, 290 P.3d 403 (Alaska 2012)
- Diaz v. State, Department of Corrections, 239 P.3d 723 (Alaska 2010)

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