

House Bill 351 Background Information

	Current Practice	HB 351
Licensure Impacts for Misconduct	Revocation and refusal to issue a permit are at the discretion of the Alaska Police Standards Commission based on the Administrative Procedures Act and regulations.	Suspension allowed without a hearing; Revocation/refusal to issue a permit allowed after a hearing and decision if allegations are proven by clear and convincing evidence. Prohibits suspension, revocation or refusal to issue a certificate for a based on a disciplinary action that has been reversed or removed based on an official proceeding outlined by a collective bargaining agreement, personnel rules or the Administrative Procedure Act.
Definition of Police Officer	Includes state and municipal police officers, DOTPF employees who have general police powers and UA public safety officers.	Adds court services officers to the definition of police officer.
Administration of Lie Detector Tests	Under AS 23.10.037, employers are currently prohibited from administering lie detector tests to employees and job applicants, with one exception: police officers.	Repeals the section of law that exempts police officers from the current prohibition on lie detector tests.** Authorizes a police officer to refuse a request to take a lie detector test and provides that the request and refusal to take a lie detector test are confidential and may not be part of the officer's personnel records. Prohibits discharging or disciplining a police officer who refuses a lie detector test.
Confidentiality of Personal Information	No statute regarding confidentiality of personal information.	Personal information possessed by the agency, including photos and home address, is confidential unless the officer voluntarily authorizes its release in writing. Exceptions include the following information about an officer who has been lawfully arrested: A photograph; Information included in a 911 call, a police or investigative report, a complained made to a law enforcement agency, or a witness statement.

**The repeal of this section was a drafting error – the intent was to apply this exemption to current officers only, not job applicants.