

## **Lynne Smith**

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**From:** Mike Coons <mcoons@mtaonline.net>  
**Sent:** Sunday, February 09, 2014 1:14 PM  
**To:** Sen. Click Bishop; Sen. Dennis Egan; Sen. Cathy Giessel; Sen. Lyman Hoffman; Sen. Peter Micciche  
**Subject:** SB 98

The following is my testimony to HB 199, House companion bill to VPSO arming. Please place both letters in the bills document packet.

I will be testifying on this bill on Tuesday and will incorporate the two letters or based on what happens at the committee may respond to comments and issues raised by the members or other testimony.

Thank you for your consideration.

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My name is Mike Coons from Lazy Mountain, Palmer area.

I am former Alaska State Defense Force Constable, a retired Paramedic and former armed Security Officer with the USAF Security Forces at JBER. I have seen and worked with a VPSO and the Hooper Bay police. I worked in Allakaket as a Paramedic for the better part of a year and a half. As a Constable, I was at Hooper Bay for 3 months working with the Hooper Bay Police Department.

The concept of VPSO's and police in small villages like Hooper Bay has definite pro's and con's. While at Allakaket we had several cases of domestic violence situations with the criminal subject armed, mainly with a rifle, shooting up girl friends homes. In one occasion we had several people shooting up the village and specifically destroying HC Price equipment and property. In all cases the Alaska State Troopers were called in to stop the criminal activity and make the arrest. The VPSO at the time was unable to do much since he was unarmed and not allowed to use deadly force. Fortunately, nobody was seriously injured or died. Of a greater problem though was that the Fairbanks Judges kept letting these people out on bail, returned to the village and the same problem happened over and over again. We need to address criminal behavior and lenient Judges who put others in remote villages at increasing risk over that of just arming VPSO's. This same situation with the judges was the same at Hooper Bay as well.

At Hooper Bay, although we as Constables were armed when we went, we seldom carried at the request of the Police Chief. Good verbal skills defused all but one situation and the State Troopers were called in for a barricaded person with a firearm, resolved without injury. The Police Chief had an excellent department and with the proper training of this officers I believe those Officers would have done well being armed, mainly because of the excellent supervisory aspects of the Police Chief. This situation is different from single VPSO's without direct supervision like at Hooper Bay.

From what I saw and experienced of the culture, most of the issues were alcohol related with people wanting to fight occasionally. Anytime an Officer carries a firearm, it just isn't training, but a mindset and judgment that must come into play. Of paramount importance is the mindset that if the occasion were to arise that deadly force was necessary, does that Officer have the mental ability to do so. Some may, some may not. I agree that there are times where a VPSO needs to be armed to protect others as well as himself. However, the arming of VPSO's should be based on a host of

factors and judgment by those State Troopers over-seeing the VPSO's. Those factors range from the village culture, size and past criminal problems to a solid subjective and objective review of each VPSO.

This should not be a blanket decision and the DPS Commissioner must have the ability to determine on a case by case basis if and whom the VPSO's are to be armed and under what guidelines and circumstances. There should be cross talk with City or tribal entity and corporations, but final decision should rest with Commissioner. I do belief that HB 199 is taking this to a better level due to a need for the public and VPSO safety.

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My name is Mike Coons from Lazy Mountain, Palmer area.

Although I agreed with many of the State Troopers who testified at the last committee hearing about training and accountability, I had two concerns.

First concern was the push for VPSO's to be full fledged Police Officers.  
There are two problems with that:

One is that it could be construed as an attempt by the Police Union to increase their size at the expense of the State, villages and the taxpayers.

Two, is if that were so, who would pay them? I'm sure the native corporations would be hard pressed to meet the unions demands for pay and benefits.

Both the two concerns would have the unintended problems of less law enforcement in the villages, not more, much less the same.

My final concern is that with arming and added responsibilities, and being employed by the corporations, who will make the determination to continue employment, give reprimands or to fire the VPSO in the event of a weapons use? Understand that "use" can be drawing the weapon to stop an act, to firing the weapon.

The native corporations administrative staff do not have the knowledge nor training to make valued decisions when it comes to the VPSO doing his job. I have seen that first hand while at Hooper Bay where a "complaint" was lodged against us and our support came only from the Commander of the Alaska State Defense Force, Gen Westall. So, whom will support the VPSO and whom can that VPSO turn to if fired for doing their job?

In closing, I fully agree that the cost of the VPSO program, since it directly impacts the Alaska native community should be born by the Native Corporations vs the State. As it is now, the State is spending funds for the training and with the funding situation as is, the State cannot afford to take on a major expense. However, there must be a mechanism to not only train, certify the VPSO but to protect them in their job from wrongful employment actions by non-law enforcement, while protecting the population from a potential "good old boy" situation.

Thank you

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