

Arming VPSOs Work Session/Stakeholder Meeting

Sept. 26, 2012

Anchorage Legislative Information Office

Meeting Chaired by Rep. Bryce Edgmon (HD36)

Other Legislators in Attendance:

Sen. Donny Olson (SD T)
Rep. Ben Nageak (HD 40) (via teleconference)
Rep. Bob Herron (HD 37)
Rep. Jonathan Kreiss-Tomkins (HD 34)
Rep. Andy Josephson (HD 15)

Testifiers:

Commissioner Joe Masters, Department of Public Safety
Walt Monegan, Alaska Native Justice Center
Luan Madole, widow to slain VPSO Thomas Madole
Ralph Andersen, President & CEO, Bristol Bay Native Association
Mayor Moses Toyukak Sr., Manokotak
Jason Wilson, VPSO Coordinator, Tlingit & Haida Central Council
Carol Brown, VPSO Program Administrator, Alaska Village Council Presidents
Gina Appolloni, Kawerak, Inc.
Christine Hess, Governmental Affairs, Northwest Arctic Borough
James Smith, VPSO, Thorne Bay
Zach West, VPSO, Prince of Wales Island
John Grady, VPSO, Chichikoff
Dan Decker, VPSO, Rover to Villages in Dillingham Region
Gusty Tunguing Jr., VPSO, Koliganek
Roger Wassillie, VPSO, Togiak
Carla Akelkok, BBNA VPSO Program Manager

Others in Attendance:

Greg Bringhurst, Governmental Relations, Tanana Chiefs Conference
Greta Schuerch, Public Policy Liaison, NANA Regional Corporation, Inc
Ken Selby, Community Services Director, Aleutian Pribilof Islands Association
Maridon Boario, Staff to Rep. Nageak (via teleconference)
Meredith Cameron, Staff to Rep. David Guttenberg (HD 38)

Rep. Edgmon opened the meeting at 10:00 a.m. with remarks to the effect of:

During the last legislative session I introduced HB 199—a bill that would allow properly trained Village Public Safety Officers to carry firearms.

I'm certain everyone at this meeting is aware of the event that prompted introduction of the bill—the tragic death of VPSO Thomas Madole in March as he carried out his duty in Manokotak.

But although it came in the wake of that tragedy, my decision to introduce HB 199 was carefully considered.

- *Working in remote locations often without backup and often with Troopers hours away, unarmed VPSOs too frequently face extreme dangers.*
- *Many of us remember that in 1986 in South Naknek VPSO Ronald Zimin also lost his life in the line of duty.*
- *And today the Department of Public Safety will discuss dozens of examples of attacks on VPSOs. Many are very recent and several of them were life threatening.*

In light of these facts, I feel that the option must exist in the VPSO program for officers to carry guns.

I would like to emphasize two important elements in HB 199:

1. *It does not require that VPSOs be armed. Ultimately, I want to make sure that individual communities and the Native associations that manage VPSOs for their regions have a choice in whether their officers are armed.*
2. *The bill also ensures that VPSOs who do carry firearms will be properly trained to do so.*

Many communities are in favor of the option for firearms, while a few have expressed misgivings. We're meeting today so that stakeholders can learn more about these issues and discuss their points of view.

One thing I am sure of—everyone here shares my goal to protect our VPSOs and to make our communities safer. In the end, that is why we have come together today.

Dept. of Public Safety Commissioner Joe Masters:

Noted that VPSO program developed in the late 1970s to help communities with public safety issues including firefighting, emergency medical care, and law enforcement. Over the years, communities have come to expect a greater law enforcement role for their VPSOs.

Noted that Governor Parnell wants to fund the posting of VPSOs in every community in rural Alaska that wants one.

Noted that VPSOs are not state employees. Regional Native associations employ and administer VPSOs in their area communities. Native associations also have a role in providing infrastructure.

Commissioner Masters started his law enforcement career as a VPSO in Unalakleet many years ago. He then became a police officer and subsequently a state trooper.

He noted that in recent years there has been a dramatic increase in lethal attacks on not just VPSOs but law enforcement officers of all kinds in the state, both in rural and urban areas. The reasons for this are being studied. DPS is working with the UAA Justice Center to learn more about the violence increase. Study will be ongoing for the next couple of years.

There have been dozens of violent attacks on VPSOs in recent years and seven assaults involving firearms against VPSOs in the past year. VPSOs generally have good community support. The problems are usually with particular individuals within communities.

Commissioner Masters said he was offended by suggestions that the character and quality of VPSOs is such that they can't safely be allowed to carry firearms in the course of their duties.

Additional training is required in several different areas, including skills with the type of firearms VPSOs will be issued. This training will likely add three to five days to the current VPSO training regime.

Insurance requirements are estimated to increase relatively modestly, from about \$1500 per VPSO per year to around \$2000 per VPSO per year.

In Commissioner Masters's view, it is time for the arming of VPSOs to be allowed.

Walt Monegan, President & CEO, Alaska Native Justice Center:

Noted that the key to this issue is proper training. In all his years in law enforcement and threatening situations, only once was he forced to harm someone in order to take him into custody. With good training, one seldom needs to use a weapon. You learn not just firearms skills but also knowledge that gives you the confidence to deal successfully with dangerous situations.

Supports the arming of VPSOs: “We’ve been asking our VPSOs to go into a fight with one hand tied behind their back.”

Arming of VPSOs should be done cautiously and thoughtfully, taking all proper measures. In his view, this measure will help to empower communities, and the more that communities are empowered, the healthier they become.

Asked by Rep. Edgmon if arming VPSOs might have an effect on VPSO turnover rates, Mr. Monegan said that it may in fact attract more applicants to VPSO positions, since some applicants hesitate when they consider the risks of doing this work without being armed.

“I praise this bill [HB199]. I hope everyone supports it and that it will pass [the legislature].”

Asked by Rep. Josephson if arming VPSOs will create problems for officers who have family in the towns they serve, Mr. Monegan said that taking a family member into custody is always tough—arming officers will not change that.

Luan Madole, Widow to VPSO Thomas Madole, slain in the line of duty in Manokotak in March of 2013:

Mrs. Madole offered very moving testimony about her late husband’s dedication to his work and the community of Manokotak.

“I strongly stand behind the bill [HB199] to arm VPSOs. There has to be a change before this happens to another family. I hope no one else ever has to go through what my family is going through... I’m asking on Tom’s behalf that the right choice be made.”

Manokotak Mayor Moses Toyukak:

Voiced his condolences to Luan Madole and his appreciation for her late husband’s devotion to Manokotak. Affirmed his support for HB199 and arming VPSOs. Hopes

that it will help in the effort to prevent what happened to Tom Madole from ever happening again.

Bristol Bay Native Association President Ralph Andersen:

On behalf of BBNA and its board of directors, voiced strong support for HB199 and the arming of VPSOs. Recognized that arming should be done carefully, with sufficient training, etc.

BBNA polled its 14 VPSOs and they were unanimous in their support for carrying firearms.

“The view expressed by our board members is that it is unreasonable to expect peace officers to be unarmed in communities where virtually every household has firearms and the VPSOs themselves are likely to own weapons for hunting. Many people carry weapons outdoors just for bear protection. We also believe that the social environment of rural Alaska has changed in the last 30 years, and that increased use of alcohol and dangerous drugs such as methamphetamines and heroin makes the VPSO’s job more hazardous.”

Noted that BBNA has passed official resolutions in favor of the legislation. (See attached resolutions.)

Noted also that some communities may prefer that their VPSOs maintain a more general public safety role (firefighting, medical aid, etc.) and not be armed.

(See attached written testimony.)

Jason Wilson, VPSO Coordinator, Tlingit & Haida Central Council:

Noted that the Tlingit & Haida Central Council has passed an official resolution in support of HB199.

Noted that Tlingit & Haida region has nine VPSOs and all are in favor of being armed.

Would like to know what specific certifications, background checks, and other qualifications will become necessary for his organization’s officers.

Carol Brown, VPSO Program Administrator, Alaska Village Council Presidents:

Stated that “the bill is a long time coming.”

Endorsed the arming of VPSOs, but cautioned that it should be done in stages, with a careful and thoughtful approach.

Noted that VPSOs’ salaries are lower than other public safety officers’ and wondered if their salaries would rise after they become qualified to carry firearms.

Stated, on a personal note, that she is the mother of a former VPSO and knows firsthand that they are qualified to responsibly carry firearms.

Gina Appolloni, VPSO Director, Kawerak, Inc.:

Stated that of Kawerak’s 12 VPSOs, the majority want to be armed.

Was concerned that the bill itself doesn’t address “what it means” for VPSOs to be armed. Said that it was difficult to imagine the decision being left up to communities when the communities don’t know what all the implications are.

Rep. Edgmon pointed out that all such considerations are being worked out in detail by the Department of Public Safety. The bill exists to allow this to be set in motion and to make the will of the legislature clear.

Christine Hess, Governmental Affairs, Northwest Arctic Borough:

Reported that the Northwest Arctic Borough holds the region’s contract for administering VPSOs and noted that all NWAB VPSOs are in favor of being allowed to carry firearms.

Wondered if armed VPSOs would warrant higher pay.

James Smith, VPSO, Thorne Bay:

Supports HB199. Said that risks of VPSOs not being armed have become greater than risks associated with arming them.

Believes that arming VPSOs will attract more applicants for open positions, since people now hesitate to take the jobs unarmed.

Zach West, VPSO, Prince of Wales Island:

Voiced support for the arming of VPSOs.

John Grady, VPSO, Chichikoff:

Voiced support for the arming of VPSOs. Said it is foolish to go unarmed into situations where you don't know people. Times have changed, violence has increased.

"I'm the only person in the entire region I serve who is specifically prohibited from carrying a gun."

Dan Decker, VPSO, Rover to Villages in Dillingham Region:

Twenty years on the job. Supports HB199 and arming.

The nature of the job has changed. The influx of drugs and alcohol has made it more dangerous.

"VPSOs are getting attacked on a regular basis because people know we can't defend ourselves [with firearms]."

Gusty Tunguing Jr., VPSO, Koliganek:

Supports arming VPSOs. Nineteen years on the job.

Echoed observations that influx of more drugs to rural towns is making the people VPSOs deal with more and more unpredictable.

Roger Wassillie, VPSO, Togiak:

Supports arming VPSOs.

Seven years as a police officer; 19 months as a VPSO.

Noted that he has often worried about responding to calls because you never know if weapons will be involved.

Carla Akelkok, BBNA VPSO Program Manager:

Echoed BBNA CEO Ralph Andersen's support for HB199 on behalf of the association.

Rep. Edgmon asked if she believes the communities in the BBNA region support arming.

She replied yes. The issue has been a subject brought up in BBNA board meetings and all board members—who represent the communities BBNA serves—support arming.

Commissioner Joe Masters, Department of Public Safety, Additional Remarks:

Noted that already in regulation there is a provision for a VPSO to carry a gun “in case of emergency.” But the provision is very limited and unrealistically restrictive.

Noted that the Department of Public Safety has already drawn up draft regulations addressing the many details associated with arming VPSOs. The draft regulations are now being reviewed by the Department of Law.

In other words, the work is already underway to ensure a careful, methodical plan for implementation.

Mr. Masters said that despite the ability of the department to carry out many of these provisions in new regulations, HB199 is still necessary in order to make the intent of the legislature clear to future Departments of Public Safety that they are to allow and regulate the arming of VPSOs.

Meeting adjourned at about 2:30 p.m.