

AlaskaDispatch

News and voices from the Last Frontier

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Bryce Edgmon

September 13, 2013

Main Image:

Memorial Service for Thomas Madole - officer salute ^[1]

Main Image Caption:

Memorial service for VPSO Thomas Madole in Anchorage

On April 4 during this year's legislative session I introduced a bill to authorize Village Public Safety Officers (VPSOs) to carry firearms. Less than three weeks before HB199 was read across the House, the VPSO in Manokotak, a village just 20 air miles from my hometown of Dillingham, was shot to death in the line of duty.

The officer's name was Thomas Madole. He was a 54-year-old former pastor who took the job in Manokotak in 2011 because he wanted to help Bush communities at the grassroots level. I've been told that because of his warmth and his obvious goodwill, many Manokotak residents considered Officer Madole family.

Along with many people across Alaska, I was deeply upset by his death. However, I thought very carefully before putting forward HB199. As chairman of Finance budget subcommittees for both the Department of Public Safety and the Department of Corrections, I have long understood that our best investments are in preventing crime rather than responding after the fact. I know guns will not solve the many problems that contribute to violence in our communities, but as I told friends and colleagues back in April, I don't think it's fair or reasonable to continue to ask these first responders to walk unarmed into situations that pose such obvious dangers, and if allowing VPSOs to carry firearms will result in a modest deterrent to behavior in our villages that leads to tragedy, it must be done.

Thomas Madole was not the first VPSO to lose his life in the line of duty. I've not forgotten the 1986 slaying of VPSO Ronald Zimin, who was shot as he responded to a domestic violence call in South Naknek, a village also not far

from my hometown on Bristol Bay. And the Department of Public Safety has records of dozens of physical attacks on village officers, some of them life-threatening. These officers work often without backup in remote locations where a call to the Alaska State Troopers can mean hours before help arrives.

I want to note that HB199 does not require VPSOs be armed. Instead, it gives the VPSO program that option by stating that officers who meet minimum training standards may not be prohibited from carrying firearms. In drafting the legislation, we consulted closely with Public Safety Commissioner Joe Masters [2], himself a former VPSO who cares deeply about the program.

The choice the bill provides is important. While the state funds the VPSO program and the Department of Public Safety provides officers training and administrative support, Alaska's regional Native associations actually hire the officers and work with the communities where they are posted. Many communities have welcomed the option for firearms, while a few have expressed reservations. The wishes of individual communities must be respected, and everyone involved must have a thorough understanding of the issues surrounding arming these officers.

On Sept. 26, the Legislative Information Office in Anchorage will conduct a hearing so major stakeholders can give these matters careful consideration. Officials from every regional Native association in the state have been invited, as have active VPSOs, officials from the Department of Public Safety, the Alaska Native Justice Commission, and other state legislators.

The 10:00 a.m. to 3:00 p.m. meeting will be streamed via the Web on <http://alaskalegislature.tv/> [3]. If your community has a local Legislative Information Office, you can also watch there.

Everyone who has been invited to attend shares my desire not only to better protect our VPSOs but also to make communities safer. Ultimately, this hearing is about improving the well being of all rural Alaskans. I'm confident there is widespread support for that goal.

Rep. Bryce Edgmon (D-Dillingham) is chairman of the House Bush Caucus and represents communities from the Yukon and Kuskokwim Rivers south across Bristol Bay and east to the shores of Cook Inlet.

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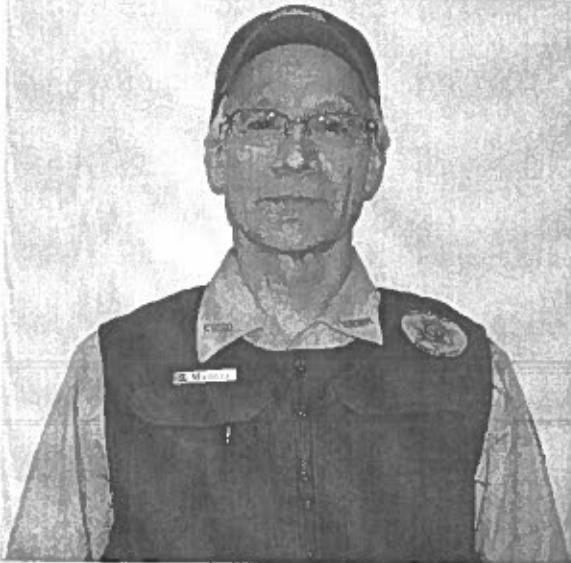
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Slain VPSO was trying to run when he was shot, troopers say

By KYLE HOPKINS

khopkins@adn.com March 20, 2013

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VPSO Thomas Madole

ALASKA STATE TROOPERS

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A Manokotak man told state troopers he shot and killed a village public safety officer moments after the officer knocked on his door. The VPSO, 54-year-old Thomas Madole, was about 20 paces from the man's porch and trying to run when the man opened fire, he said.

Leroy B. Dick Jr., 42, described the shooting to troopers after surrendering Tuesday night, according to first-degree murder charges filed Wednesday in state court. The killing of the former Assembly of God pastor marks just the second time a village public safety officer has died in the line of duty, and the first since 1986.

"(Dick) didn't know how many times he fired his rifle," a trooper sergeant wrote in the criminal complaint. "(He) said he was angry, and he knew what he did was wrong."

Despite a detailed confession outlined in the charges, Dick's motives remained clouded a day after the shooting as Gov. Sean Parnell ordered state flags flown at half-mast Thursday.

Residents of the Bristol Bay village and Bethel churchgoers remembered the victim as a man drawn to law enforcement late in life. He wanted a challenge, said village city administrator Nancy George, to step out from behind the pulpit and help people hands-on.

"He thought being a VPSO would give him that chance to reach out to people. And he did," said George, who interviewed Madole before his hire as a village officer two years ago.

This is how he was killed, according to a trooper affidavit filed Wednesday in support of the murder charge.

"POSSIBLE SUICIDAL PERSON"

Trained by the state at a 10-week academy, VPSOs work for nonprofit agencies to keep the peace in villages. They are supervised by the state and generally prohibited from carrying guns.

At 3:24 p.m. Tuesday, Madole contacted a trooper sergeant in Dillingham to say he planned to investigate a report of a "possible suicidal person" in the old village of Manokotak, the trooper affidavit said.

It's customary for VPSOs to alert troopers to their plans, said trooper Col. Keith Mallard. About a half-hour after the first call, Madole contacted Dillingham troopers again to say he had learned Dick might have somehow hurt his stepfather, causing minor injuries.

Madole first spoke with Dick's mother, Olga Dick, the charges say. He talked about an accusation that Dick had slapped his stepfather in the face. In interviews with troopers, Leroy Dick later said he learned from his mother sometime that afternoon that "someone was going to be coming over to see him."

Dick retrieved his rifle and loaded it "because he thought police were coming over to his residence," he told troopers, according to the affidavit.

Leaving Olga Dick's house, Madole walked to the son's home. He knocked on Dick's door again and again. Dick told troopers

Dick said he told the VPSO he didn't want to talk. When the VPSO kept knocking, Dick said it made him angry. He grabbed his rifle and chambered a round, according to troopers.

Dick stood near the doorway and saw Madole about 20 paces away. "Leroy said he saw VPSO Madole look at him, and VPSO Madole ran, and then Leroy shot VPSO Madole," the affidavit says.

CALLS FOR HELP

Nancy George, the city administrator who once interviewed Madole for the public safety job, lives in the same neighborhood as the shooting. Her teenage children were fresh home from school and thumbing through text messages when they heard the racket, she said.

Bang! Bang! Bang! Bang!

They thought it was simply the sound of hammers, George said. A new house is being built next door to Dick's home.

Others knew something was wrong.

Olga Dick told troopers that the VPSO had been gone from her home just 10 to 15 minutes when she heard the gunfire. She called for help on the VHF radio, according to the affidavit.

A village health aide reported the sound of gunshots to troopers at about 4.15 p.m., the affidavit says. (Troopers initially said shots were reported around 5 p.m.) Normally a second VPSO works in the village, but was out of town on training at the time, Mallard said.

At least three troopers made the short flight from Dillingham to the village of about 440 people to investigate.

Dick remained in the home, where he spoke to a trooper sergeant on the phone, according to the charges. Dick told the trooper he had shot and killed Madole and agreed to leave his house, unarmed.

He later told troopers that he cleaned his .223 rifle after the shooting, placing it in his gun locker.

Madole's body was discovered about 60 feet from Dick's front door, according to troopers. Investigators found about six rifle shell casings near the doorway. Another casing lay beside the body, the affidavit says.

Madole's body was being flown to Anchorage Wednesday for an autopsy that will determine how many times he was shot, Mallard said. Citing the "facts of the case," Mallard said he did not believe the shooting would have been prevented had Madole been carrying a gun.

"A MAN OF GOD"

Dick is a longtime Manokotak resident who held commercial Bristol Bay fishing permits from 1993 to 2004. His criminal record includes no-contest pleas for disorderly conduct and resisting arrest in 1995 and assault, drunken driving and fourth-degree escape in 1997, among other charges.

Dick showed no sign that he had been drinking or taking drugs the night of the shooting, the charges said.

George, the city administrator, said she went to school with the accused shooter.

"Of all the people, he had to pick Tom? Our cop?" she said. "He wasn't just a cop. He was more of a friend. More of a role model for many young kids that went to school."

Madole is the first VPSO killed in the line of duty since the death of Ronald Zimin in October 1986. Zimin was shot in the chest while responding to a report of a disturbance in South Naknek, also in the Bristol Bay region, according to reports at the time.

Madole had lived in Alaska since about 2000, Mallard said. He served as a pastor for the Assembly of God Church in Bethel for about six years before working as a security guard and, beginning in August 2011, as a VPSO in Manokotak, he said.

"Everybody I talked to ... (speaks) the world of him," Mallard said.

A Bethel Assembly of God church board member, Patricia Zulkosky, said Madole was well-liked during his tenure as a senior pastor. A non-drinker, non-smoker who seemed to practice what he preached.

"He was a man of God, he walked his talk," she said.

Madole is survived by two adult children and his wife, Luan. He seemed to be interested in becoming an Alaska State Trooper but was too old to start a career with the agency, Zulkosky said.

Dick was being held Wednesday at the Dillingham police department, according to an automatic inmate tracking service.

He made his first court appearance the murder charge Wednesday morning in Dillingham, according to radio station KDLG.

He initially refused legal help, the radio station reported. "To be honest, I could say I'm guilty of the crime," he told the magistrate.

Twitter updates: twitter.com/adn_kylehopkins. Call Kyle Hopkins at 257-4334 or email him at khopkins@adn.com.

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Letter: Give village safety officers a break — let them carry guns

March 22, 2013

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VPSOs are "First Responders — Last Frontier" and don't receive all of the training and tools necessary to accomplish their complicated jobs. A VPSO is usually the only person in a village trained to respond to crime reports, search and rescue, fire protection and, with health aides, assist in medical emergencies. In 2001 the state added probation and parole duties to VPSOs' long list of responsibilities.

Village public safety officers and convicted felons are the only adult citizens who cannot carry a firearm in Alaska. We need to seriously rethink unarmed VPSOs. No police officers in the state would go to work without a firearm, much less respond to any call for assistance without one.

If the problem is potential liability to the state and employing regional corporations, get over it. The VPSOs have a constitutional right to be armed. Pay for training and insurance. Unarmed law enforcement in any day and age is asinine and a guarantee of further tragedies. If VPSO Thomas Madola had been armed, maybe he could have survived; we'll never know. So many ifs.

— Patrick Hames

Nikiski

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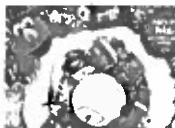
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Michael McCarthy
P.O. Box 957
Homer, AK 99603
907-235-5597

October 18, 2013

Representative Bryce Edgmon
Capitol Room 410
Juneau, AK 99801

Dear Representative Edgmon

RE: House Bill 199 "...allowing village public safety officers to carry firearms."

I am a retired Alaskan law enforcement officer with 25 years of combined experience in Oregon and Alaska and hold a Master's Degree in Administration of Criminal Justice. I retired from the Kodiak City Police Department in 1997. I was employed as a North Slope Borough Public Safety Officer from 1987 to 1989. During that time I was assigned to work in all but two of the North Slope Borough villages. I have seen first hand some of the worst things that one person can do to another human being.

Recently, I visited with retired Kodiak Police Chief T.C. Kamai, who just took on the job of Coordinator of Village Public Safety Officers for the Kodiak Area Native Association in Kodiak. We discussed House Bill 199 and the arming of VPSO's. He related to me that some Village Public Safety Officers do not want to be armed because it will change the relationship the individual officer has with his or her village population. I understand that reluctance to be armed, but as I see it, the Bill offers the option to be lawfully armed, provided the sponsoring Native Corporation agrees to certain training standards for its Village Public Safety Officers.

The mere presence of an armed Village Public Safety Officer is often enough to diffuse a situation without the tool of deadly force being deployed. Given that the presence of drugs and/or alcohol are usually the fuel for domestic violence and that assaults on law enforcement officers has increased in recent times it is only reasonable to allow the arming of Village Public Safety Officers. I fully support HB 199.

Sincerely,

Michael McCarthy

Kathie Wasserman

February 3, 2014

Representative Gabrielle LeDoux
Representative Ben Nageak
House C&RA Committee

Dear Committee Members,

RE: HB 199

I am writing this letter as a private citizen and NOT as the Executive Director of the Alaska Municipal League. My organization has not taken a formal stand on this bill, as of yet. However, it is something I feel very strongly about.

I have served a number of terms as Mayor in two different remote, small communities which were active in the VPSO program. While serving in the first community, my husband worked with the VPSO program, which included working at the Alaska Law Enforcement Academy in Sitka and training VPSOs.

There has been a certain reluctance to spend the extra training time and insurance money to see that VPSOs are armed. However, there has not been a reluctance to send these people to a gun fight armed with a stick.

Public safety is one of the unarguable tenets of government. To think that we would attempt to save money by requiring VPSOs, serving alone and far from back-up help, into dangerous situations, is deplorable.

I have heard the argument that VPSOs don't have the proper training. Then, we need to give them the proper training.

VPSOs are expected to respond to state felonies. They should, therefore, expect the State to do as much as possible to see that they do not become one of the victims.

The VPSO program is a wonderful concept. But, it has been broken for many years as VPSOs have been required to do their job with less and less equipment and training. It is time for us to change that.

I would ask that you pass HB 199 out of committee. Thank you.

Sincerely,

Kathie Wasserman

Kathie Wasserman

Timothy Clark

From: Timothy Clark
Sent: Thursday, November 21, 2013 10:30 AM
To: Timothy Clark
Subject: FW: Arming VPSOs

----- Forwarded message -----

From: Robert Claus <bobclaus@me.com>
Date: Tue, Sep 17, 2013 at 5:27 PM
Subject: Arming VPSOs
To: Jonathan Kreiss-tomkins <jonathan.s.kt@gmail.com>

I have strong reservations about this bill and proposal based on my Trooper career and 18 years of being a VPSO oversight trooper.

1. VPSOs are not subject to the same type of background investigations or selective interviews that other law enforcement officers are. Frankly, most of the VPSOs I worked with were not hireable as police officers in the State of Alaska-intelligence, literacy, physical condition, education, background problems are the issues. These flaws(350 pound man who cannot get in and out of a car quickly or wear a gun belt) are overlooked for other qualities they bring to the job. The arming of VPSOs will not make them more highly qualified or give them better judgement. They were hired with the understanding that they were not to have full police powers, and the quality of person hired is not up to snuff. Highly selectively recruited troopers have had serious criminal problems in the villages as they dealt with being the lone man with a badge and a gun-we want to put folks out there with weaker backgrounds and qualifications?
2. The three headed management structure of the VPSO program means that each VPSO has three bosses-the State Trooper overseeing his law enforcement duties, the City or tribal entity setting his work schedule and providing day to day input, and the Native Corporation signing his checks. A smart VPSO figures out quickly how to play one off the other, and essentially is responsible to no one. This is not a good situation to put an armed individual in. Who would set the rules for armed action: the experts at DPS? the risk managers for the city or tribe? The out of touch Native Corporation bosses? The bill does not address that.
3. The VPSO program is trying to do law enforcement on the cheap in the villages, providing a level of service that would be unacceptable anywhere else in Alaska by people who are unqualified to work anywhere else in Alaska. Arming them adds to the discrimination problem of disparate services by race and region; it does not resolve that problem. If people want professional level police services in rural AK, hire more Troopers. If not, we end up with a race to the bottom-creating a sub-class of police officers for the villages alone.
4. The arming of VPSOs will turn every conflict they are in to an armed one. Every fight becomes a gunfight because they brought the gun. I believe that will increase the numbers of shootings in the villages, not decrease them.

Contact PSEA in Anchorage for more details if interested.



TANANA CHIEFS CONFERENCE
Executive Board of Directors
Resolution No. 2014 - 01

VILLAGE PUBLIC SAFETY OFFICER FIREARMS LEGISLATION

WHEREAS, Tanana Chiefs Conference (TCC) represents the 42 federally recognized tribes of the interior region; and

WHEREAS, TCC serves our tribes through the Village Public Safety Officer (VPSO) Program; and,

WHEREAS, TCC employs VPSOs who respond to some of the most dangerous and violent situations in Alaska, are on call 24 hours a day in remote villages without backup and are the "First Responders of the Last Frontier"; and,

WHEREAS, We recognize that our VPSOs are providing a valued and growing public safety need with emergency response to the increasing level of violent crime in the state, with a steady increase of assaults on officers and the risks associated with the VPSO mission; and

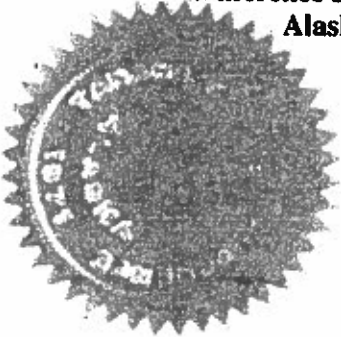
WHEREAS, TCC supports our officer's safety and the evolution of the VPSO program to better to serve the public's safety needs of our State, communities, employees and families; and

WHEREAS, TCC supports increasing the safety of VPSOs and commends the State of Alaska for recognizing the need for improved safety measures through legislation to arm VPSOs for their safety and the safety of our communities; and

NOW THEREFORE BE IT RESOLVED TCC urges the State of Alaska, Department of Public Safety to advance public safety services through increased VPSO standards by requiring all armed VPSOs meet a physical and mental fitness standard pre-hire through a standardized screening process and receive a high level of training to best serve all Alaskans.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference Executive Board of Directors on 2/7, 2014 at Fairbanks Alaska and a quorum was duly established.



Pat M. McCarty

Pat McCarty, Secretary/Treasurer

Nancy Manly

From: Mike Coons <mcoons@mtaonline.net>
Sent: Sunday, February 09, 2014 11:34 AM
To: Nancy Manly
Subject: My first letter pertaining to HB 199.

Nancy, my latest letter on HB 199 is in the basis documents. My first letter and thus my verbal testimony is not however. Please add this to the Basis Documents so all my views are respresented. I will be testifying using the second letter on Tuesday morning. It would be nice for the representatives to know how my concerns have evolved prior to testimony.

Thanks so much.

Mike Coons
745-6779

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 Allekaket 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 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. I do belief that HB

199 is taking this to a better level due to a need for the public and VPSO safety.

Mike Coons
Lazy Mountain, Palmer Alaska
745-6779

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KODIAK
AREA
NATIVE
ASSOCIATION

3449 Rezanof Drive East
Kodiak, Alaska 99615
Phone 907.486.9800
www.kanaweb.org

February 3, 2014

The Honorable Gabrielle LeDoux
State Capitol Room 416
Juneau AK, 99801

Dear Representative LeDoux:

The Kodiak Area Native Association [hereinafter "KANA"] supports in principal the proposal to change regulations related to arming Village Public Safety Officers [hereinafter "VPSO"].

But arming our VPSO's is only one aspect of protecting the public safety. We must ensure that we have only the most qualified and competent individuals charged with protecting our rural communities.

For example, the basic standards for a VPSO requires them to be free from a mental or emotional condition that would adversely affect their performance of an essential job function. In truth, no non-profit corporation is funded to conduct psychological assessments of any VPSO candidate at the present time.

We believe that performing psychological assessments on VPSOs, who are to be armed, is the only way to guarantee that they will meet the basic standards for mental and emotional fitness.

The rural community members on and around Kodiak Island, as well as elsewhere in the State, deserve well-trained, well-equipped and well-supported officers who are able to effectively perform their duties.

While we support the principal proposed in this legislation, we respectfully requests that you provide appropriate funding to effectuate the goals and intent of this legislation.

Respectfully submitted,

KODIAK AREA NATIVE ASSOCIATION


Charles T.C. Kamai, Program Coordinator



February 25, 2014

The Honorable Bryce Edgmon
Alaska House of Representatives
120 4th Street
State Capitol Rm 410
Juneau, AK 99801

Dear Representative Edgmon:

On behalf of the Alaska Peace Officers Association (APOA), I am writing to express a "no action" decision from our organization regarding HB 199, "An Act relating to Department of Public Safety regulations allowing village public safety officers to carry firearms."

The APOA Board of Directors recently reviewed this proposed legislation along with SB 98 and evaluated a survey from which over 100 of our members who are actively engaged in law enforcement responded with a wide range of diverse views and opinions. Safety of the VPSO while on duty is of major concern however appropriate training and standards are at the forefront. While conceptually, there is broad support from our organization to authorize the arming of VPSO, there is also strong sentiment that any such measure must include significant screening, training and qualification standards. Since those elements are not present, we cannot support this measure in its current form.

Please contact the APOA office in Anchorage at 277-0515, if there is anything our organization can do to assist you in your work for our state.

Sincerely,

Brad Johnson
State President