



ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

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MEMORANDUM

DATE: January 29, 2020

TO: Senator Bert Stedman, Senate Finance Co-Chair
Senator Natasha von Imhof, Senate Finance Co-Chair
Representative Neal Foster, House Finance Co-Chair
Representative Jennifer Johnston, House Finance Co-Chair
Representative Chris Tuck, Legislative Budget & Audit Chair

FROM: Pat Pitney
Director of Legislative Finance Division

SUBJECT: Agency responses to FY20 Legislative Intent Language

This memorandum restates FY20 legislative intent (*italics*) for each agency and provides agency responses (indented) to our request for status reports. Responses indicating non-compliance or partial compliance have been identified using bold font and yellow highlighting.

DEPARTMENT OF PUBLIC SAFETY

26. Department of Public Safety

Operating Budget (CCS SSHB 39) and Mental Health (CCS SSHB 40)

It is the intent of the legislature that the Department of Public Safety increase its efforts to combat internet child pornography in the state. Emphasis should be made to fill any vacant positions which will enhance the detection and arrest of those trafficking in child pornography. A report should be sent to the legislature by January 15, 2021 detailing the progress made in protecting Alaska from purveyors of child pornography.

The Department of Public Safety (DPS) currently has a Sergeant, four State Trooper investigator positions, and two civilian technical staff dedicated to combating the sexual exploitation of children. These positions are located within the Alaska State Troopers (AST), Alaska Bureau of Investigation (ABI), Technical Crimes Unit.

These staff participate with federal and local partners on the Alaska Internet Crimes Against Children (ICAC) Task Force led by the Anchorage Police Department (APD). The ICAC Program is a national network of 61 coordinated task forces representing over 3,000 federal, state, and local law enforcement and prosecutorial agencies that are engaged in proactive investigations, forensic investigations, and criminal prosecutions.

The Alaska ICAC Task Force helps federal, state and local law enforcement agencies enhance their investigative responses to offenders who use the internet, online communication systems, or computer technology to sexually exploit children. APD receives a grant through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention to support the Alaska ICAC Task Force.

Legislative Fiscal Analyst Comment: Compliance can be determined on January 15, 2021 when the Legislature receives a report detailing the progress made in protecting Alaska from purveyors of child pornography.

Intent language asks the department to increase its efforts to combat internet child pornography but the Department's current response describes the status quo. The response does not specifically address any efforts to fill vacant positions that could be used to enhance the detection and arrest of those trafficking in child pornography. A final compliance determination can be made upon receipt of the 2021 report.

27. Alaska State Troopers

Operating Budget (CCS SSHB 39)

NON-COMPLIANT

It is the intent of the legislature that the Department of Public Safety work to address the high rate of sex crimes in rural Alaska by making it a priority to hire sex crimes investigators stationed in rural Alaska along with any requisite support staff using existing Department resources.

As the primary law enforcement agency in most rural areas of the state, DPS Alaska State Troopers (AST) are uniquely aware of Alaska's extremely high rates of sexual assault, sexual abuse of minors, and other sex crimes. All AST respond to and investigate these crimes.

Filling all AST vacancies is a Department priority, with emphasis placed on filling vacancies in rural Alaska.

Legislative Fiscal Analyst Comment: The Department uses State Trooper PCNs for investigator positions, which are typically hired in at a more advanced step to reflect the experience and specialized service associated with an investigator. The intent language response does not state that any investigators were hired specifically to address sex crimes in rural Alaska, so the response is not compliant with intent.

28. Village Public Safety Officer Program

Operating Budget (CCS SSHB 39)

It is the intent of the legislature that the Department disburse funding meant for the VPSO Program to VPSO grant recipients. VPSO grantees are encouraged to use the funding for recruitment and retention of VPSOs, to include consideration of increases to the VPSO salary schedule. However, they may also use the funds for other purposes within their mission, such as operational costs to better utilize filled positions or housing multiple VPSOs in a single community, if judged to be more beneficial to public safety. It is also the intent of the legislature that the Department support VPSO contractors' efforts to provide public safety services to the maximum geographic area surrounding their duty station.

It is the intent of the legislature that the Department of Public Safety collaborate with the Village Public Safety Officer (VPSO) grantees to develop a recruitment and retention plan to reverse the trend of high turnover and recruitment challenges; and report to the Finance Committee Co-Chairs on January 31, 2020 as to the status of the development of this plan and any steps taken to address this issue.

All funding allocated to the grants line in the FY 2020 Village Public Safety Officer (VPSO) Program appropriation has been awarded to the VPSO grant recipients. Three significant changes in the program for FY 2020 have removed barriers for the hiring and retention of VPSOs.

First, in the hiring of VPSO positions, DPS now only conducts a fingerprint-based background check on the prospective applicant and submits results back to the grantees for

review and consideration. Each VPSO grant recipient is responsible for conducting their own internal background check and selecting appropriate applicants for the VPSO positions within the terms of the grants. This new process removes significant barriers and delays to the hiring of VPSOs and removes DPS from making final determinations of which applicants are removed from the hiring process.

Second, is the return to an 8-week VPSO certification training program. This has significantly streamlined the hiring process and reduced the amount of paperwork for the prospective applicant. It has also removed the mandatory physical fitness requirement for the VPSOs to attend the training academy. VPSO grant recipients now can decide if and/or what physical fitness standard they would like their VPSOs to adhere to.

Third, is the addition of a four-week field training for VPSOs. This training is conducted by Alaska State Troopers and offers on-the-job training activities designed to better prepare the VPSO to serve their communities. VPSOs receive training from their Oversight Trooper in their community in addition to spending time patrolling with a Trooper.

The VPSO grant recipients developed a strategic plan that they began working on during FY 2019. Part of this strategic plan was the development of a marketing plan to specifically address the recruitment of VPSOs. The VPSO grant recipients reset their strategic priorities during the October 1-4, 2019 VPSO Coordinator meeting and established a marketing message. They will continue to work on the marketing plan at the next VPSO Coordinator meeting to be held January 13-17, 2020.

Finally, in FY 2019 the salary schedule was reviewed in consultation with the grantees to address recruitment and retention related issues. As a result, appropriate increases were built into the salary schedule for FY 2020.

Legislative Fiscal Analyst Comment: Compliance can be determined on January 31, 2021 when the Legislature receives a report describing the status of a collaborative plan developed by the Department and the VPSO grantees to address recruitment and retention issues.

29. Statewide Support/ Alaska Wing Civil Air Patrol

Operating Budget (CCS SSHB 39)

NON-COMPLIANT

It is the intent of the legislature that the Department of Public Safety, in accordance with AS 18.60.146, strengthen the liaison between the state and the Civil Air Patrol's capabilities in partnership with the Department's mission.

DPS continues to maintain liaison with the Alaska Wing Civil Air Patrol (CAP) as it relates to the joint mission of search and rescue operations within Alaska. Meetings between DPS and CAP staff have occurred as recently as October 11, 2019, in an effort to strengthen the liaison.

DPS is authorized to conduct search and rescue operations under AS 44.41.020 and AS 18.60.120 and to organize, direct, and guide search and rescue parties to assist in the rescue or recovery of lost or injured persons. DPS must contact the United States Air Force Alaska Rescue Coordination Center (AKRCC) to request activation of the Alaska Wing CAP when

their assistance is desired. The Alaska Wing CAP conducts missions only as directed by the AKRCC.

The Alaska Wing CAP is the civilian arm of the United States Air Force – the US Air Force Auxiliary – and has three primary missions: emergency services (i.e., search and rescue), cadet programs, and aerospace education.

Legislative Fiscal Analyst Comment: The Department reports maintaining liaison with the Civil Air Patrol, and mentions one meeting that has occurred in FY20, but does not report any steps taken to strengthen this relationship, as requested in the intent language.

The Legislature provided \$250.0 UGF to the Civil Air Patrol in the FY20 budget, but this funding was vetoed by the Governor, eliminating all State funds provided to the agency.