



**UNIVERSITY OF ALASKA FAIRBANKS
POLICE DEPARTMENT**

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Subject: Letter of Opposition to SB176

To Whom It May Concern:

I am writing this letter in regards to my opposition to Senate Bill (SB) 176, relating to the regulations of firearms and knives by the University of Alaska Board of Regents on University of Alaska campuses.

SB176 is clearly intended to limit the Board of Regents' ability to govern the University as previously established by the State of Alaska Constitution. It is my belief that if this bill is passed in its current form, it raises the potential for a number of unforeseen consequences to include decreasing the level of safety currently recognized on the University of Alaska Fairbanks Campus. The current policies are fair, balanced and provide a reasonable expectation of safety for the students, faculty, staff and visitors that regularly attend the University of Alaska Fairbanks Campus.

Currently the Board of Regents' policy and University Regulations 02.09.020 regulates the possession of firearms on campus. This regulation prohibits the carrying of a concealed handgun on the University of Alaska (University) property, in a University classroom, office or building. It further prohibits the carrying of a concealed handgun at University sponsored activities, provided appropriate notice is posted in a manner provide by law.

It is my understanding that in part, the motivation behind SB176 is due to the belief, the University policies infringe on an individual's second amendment right to bear arms. It is true that the current University regulations restrict the possession of concealed handguns on University property. This in no way infringes on the individual's broader constitutional right to keep and bear arms. Whether a person owns a weapon is of no consequence, and is not affected by University policy. The restriction only applies to those that make the choice to come onto University property or attend University sponsored events. Once the individual makes the decision to come onto University property or attend a University sponsored event, they are making that independent decision knowing that the University regulations apply. This is no different than the person that decides to visit their child's elementary school.

University of Alaska Fairbanks Police Department Officers enforce the criminal code adopted by the legislature. In addition we are also tasked with ensuring that certain University regulations and policies are enforced. In cases in which individuals otherwise legally possess a firearm on University property, they are



asked to secure those weapons in their vehicle. The person's right to own the firearm is in no way infringed upon through this process. In a case in which someone refuses to comply with the policy they are asked to leave the University event or property. If they refuse to comply with the request to leave they may be charged with criminal trespass for failing to comply with a lawful order. On-campus incidents related to improper possession of weapons are rare and I believe this illustrates the success of the current policy.

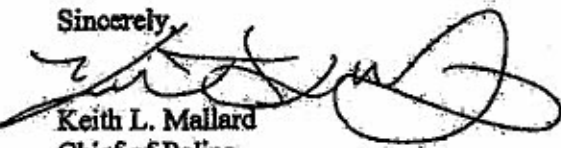
University of Alaska Fairbanks Police Department Officers (UAFPD) respond to allegations of misconduct of all kinds on or adjacent to University property. This misconduct is inclusive of any kind of weapon that may be prohibited by criminal law both state and federal. Under the current University regulations, UAFPD is able to proactively respond to circumstances that may appear suspicious or dangerous, and take reasonable actions to keep the campus safe. If SB176 were to become law this ability would be restricted, creating what I believe to be an increasingly unsecure and certainly less proactive environment.

The safety of students, faculty, staff and visitors is UAFPD's top concern. We encourage the campus community to report unauthorized weapons on campus. The UAFPD respond to every call to determine whether a safety threat exists and through this determination take appropriate action. The UAFPD is made up of dedicated law enforcement professionals, many of who have given the majority of their law enforcement careers to keeping the University of Alaska Fairbanks campus safe. The cumulative law enforcement experiences number more than a century and are essentially what is needed to making life and death decisions.

It has been argued that having armed citizens on campus during an incident such as an active shooter would somehow resolve the situation sooner and save lives. I have not seen any empirical data that would support this claim. I have read reports that identified there were individuals armed at the "Aurora Theater Shooting." Responding officers, not the armed individuals in the theater ultimately resolved that incident. The appropriate use of force is a complex decision making matrix that takes training and experience to properly navigate. Taking a human life is a difficult decision that even done for the appropriate reasons may haunt someone for the rest of their lives. To assume because someone is armed they will act to the appropriate level of force in a high stress environment is naïve.

I believe that SB176 does not make our University campuses safer. Nor does it aid in the application of law to enhance the work of the law enforcement professionals assigned to campuses. This is why, through this letter, I urge the Legislature to defer to the Board of Regents current statutory and constitutional duty to ensure the safety of the University environment and not allow SB176 to move forward into law.

Sincerely,



Keith L. Mallard
Chief of Police

University of Alaska Fairbanks Police Department