

ALASKA STATE LEGISLATURE



SENATOR ELVI GRAY-JACKSON
SENATE DISTRICT G

SB 53: Law Enforcement Agency Accreditation

Sectional Analysis – Version A

Section 1- Adds a subsection to AS 09.50.250 *Actionable claims against the state.*

(6) is for damages based on a law enforcement agency's

(A) exercise, performance, or adoption of, or failure to exercise, perform, or adopt, the minimum standards and practices required to obtain and maintain the first tier of accreditation under AS 44.41.020(l) or required under a higher accreditation tier as established in AS 18.65.228(c); or

(B) failure to obtain and maintain accreditation as required under AS 44.41.020(l).

Section 2- Adds a new subsection to AS 09.65.070(d) *Suits against incorporated units of local government.*

(d) An action for damages may not be brought against a municipality or any of its agents, officers, or employees if the claim

(7) is based on a municipal police department's

(A) exercise, performance, or adoption of, or failure to exercise, perform, or adopt, the minimum standards and practices required to obtain and maintain the first tier of accreditation under AS 29.71.070 or required under a higher accreditation tier established in AS 18.65.228(c); or

(B) failure to obtain and maintain accreditation as required under AS 29.71.070.

Section 3- Adds a new subsection to AS 18.65.220. *Powers.*

The council has the power to

(9) establish minimum standards and practices for the accreditation of law enforcement agencies in the state.

Section 4- Adds two new sections to AS 18.65. *Police Protection.*

Establishes a new section AS 18.65.227. *Law enforcement agency standards and practices.*

(a) The council shall establish minimum standards and practices for the accreditation of law enforcement agencies, including standards and practices relating to

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- (1) the administration, management, and operation of law enforcement agencies;
- (2) bias-based policing;
- (3) the use of force;
- (4) an agency's response to crimes involving family violence;
- (5) the use of body-worn recording equipment;
- (6) complaints of alleged misconduct by a law enforcement officer;
- (7) the use of electronic control weapons;
- (8) eyewitness identification procedures;
- (9) notification of death and death-related events; and
- (10) pursuits conducted by police officers.

(b) The council shall base the standards and practices on standards established by the International Association of Chiefs of Police and the Commission of Accreditation for Law Enforcement Agencies, Inc.

(c) The council shall establish three accreditation tiers. The standards and practices for the

(1) first tier must be designed to protect a law enforcement agency from liability, enhance delivery of services, and improve public confidence in policing;

(2) second tier must relate to the administration, management, and operation of a law enforcement agency; and

(3) third tier must consist of standards higher than the standards outlined in the second tier for the administration, management, and operation of a law enforcement agency.

Establishes a new section AS 18.65.229. *Law enforcement agency accreditation.*

(a) The council shall review a law enforcement agency's compliance with the minimum standards and practices adopted under AS 18.65.227 and issue a certificate of accreditation to the law enforcement agency at the appropriate accreditation tier.

(b) The council shall work with a law enforcement agency that has failed to obtain or maintain accreditation under this section until the law enforcement agency achieves accreditation.

(c) The council shall assist a rural law enforcement agency in securing funding for the purposes of obtaining and maintaining accreditation. In this subsection, "rural agency" means a law enforcement agency in a community with a population of 7,000 or less that is not connected by road or rail to Anchorage or Fairbanks.

(d) The Department of Public Safety may not award a grant to a law enforcement agency that is not accredited.

Section 5- Adds a new subsection to AS 18.65.290. *Definitions.*

(10) “law enforcement agency” means a municipal police department, Alaska state trooper post, village public safety officer post, or regional public safety officer post.

Section 6- Adds a new section to AS 29.71. *General Provisions.*

Establishes a new section AS 29.71.070. *Municipal police department accreditation.*

(a) A municipality with a municipal police department shall obtain and maintain accreditation to indicate the police department’s compliance with the standards and practices established in AS 18.65.227.

Section 7- Adds a new subsection to AS 44.41.020 *Duties of department.*

(l) The Department of Public Safety shall obtain and maintain accreditation for each Alaska state trooper post, village public safety officer post, or regional public safety officer post to indicate compliance with the standards and practices established in AS 18.65.227.

Section 8- The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: ACCREDITATION. A law enforcement agency that, on the effective date of this Act, is required to obtain and maintain accreditation under AS 29.71.070, enacted by sec. 6 of this Act, or AS 44.41.020(l), enacted by sec. 7 of this Act, has until January 1, 2027, to obtain the first tier of accreditation. In this section, “law enforcement agency” has the meaning given in AS 18.65.290.