

Daniel George

From: Art Delaune <adelaune@accessalaska.org>
Sent: Wednesday, April 06, 2016 10:05 AM
To: Sen. Bill Stoltze
Subject: HB77

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Dear Senator Stoltz:

Access Alaska supports the passage of House Bill 77. Alaskans with disabilities, especially those disabilities that are not readily apparent, have the right to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize unintentional behavior that may not be viewed as “normal” and secondly, teach them ways to effectively and appropriately interact with people with non-apparent disabilities. Almost half of the police shootings in the United States involve individuals who experience non-apparent disabilities.

House Bill 77 has 3 components. First the bill requires a standardized disability awareness training for law enforcement and corrections officers. The bill also includes training for the general public so Alaskan citizens understand their responsibilities for appropriately interacting with law enforcement. Finally, the bill includes a voluntary and discrete method for people to disclose that they have a disability on an Alaskan drivers’ license or ID card. With the passage of HB 77 we hope to reduce potential conflicts between Alaskans with disabilities and law enforcement and make these encounters safer for all parties involved.

Title II of the Americans with Disabilities Act (ADA) (1990) protects individuals with disabilities from discrimination in services, programs and activities provided by State and local government. In 1992 Governor Wally Hickel issued Administrative Order 129, requiring all Alaska public entities comply with the ADA. Each time a law enforcement or corrections officer treats an individual with a disability inappropriately or unfairly, they are at risk of violating the ADA, thus placing the village, municipality or state in a precarious and potentially libelous situation.

This bill is about accommodation and inclusion. It is a bill that reinforces individual choice and individual rights. We are advocating for this bill because it is another tool for law enforcement to use to reach that goal. The purpose of HB77 is to protect, not only people with disabilities but also our valued public servants in law enforcement and corrections. This bill will help make interactions with the general public safer for everyone involved. We have seen that, time after time, when barriers are removed for people with disabilities, everyone in the community benefits.

We appreciate any support you can give to the passage of HB77; a bill whose goal is to make communications better between law enforcement and the public.

In this very difficult political climate, we are grateful for your hard work and service to Alaska and support your efforts to make Alaskan communities safer for everyone.

To demonstrate the need for HB77 we would like to point out an incident that occurred a few months ago in Kodiak. Nicholas Pletnikoff was checking the mail in September when members of the Kodiak Police Department responding to a 911 call that ended up with him on the ground, handcuffed and pepper sprayed.

The city of Kodiak reported that the man **didn't appear developmentally disabled, and he failed to obey police commands**, very common behaviors associated with autism. Nicholas was not charged, but his family is suing the Kodiak police department, the city and two law enforcement officials for \$100,000 because of that incident. Soldotna-based consultant Greg Russell later determined officers responded appropriately, **but also recommended further use-of-force training in the department.**

This incident could have been handles better, Nicholas was not seriously injured, although he was emotionally traumatized. It appears obvious that these officers did not used de-escalating techniques; techniques that are in the training required in House Bill 77

HB77 requires law enforcement and corrections officials be trained to treat EVERYONE with respect and dignity so that these incidents become a thing of the past.

Sincerely,

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