

FY19 RESPONSES TO LEGISLATIVE INTENT

DEPARTMENT OF PUBLIC SAFETY

Not in Compliance (with Reasons for Noncompliance)

Village Public Safety Officer Program/ Village Public Safety Officer Program
Operating Budget (CCS HB 286)

It is the intent of the legislature that the VPSO Rural Firefighter Specialist Training remain in Sitka.

The DPS VPSO Program works in close partnership with the DPS Division of Fire and Life Safety's Office of Rural Fire Protection to provide required Rural Fire Protection Specialist training to VPSOs. This training is conducted once has been held in various locations to include Sitka and Bethel. With decreased funding and a desire to provide increased training opportunities the VPSO Program and Office of Rural Fire Protection implemented a pilot project to move the training to Palmer for the FY2018 training.

The Office of Rural Fire Protection (ORFP) facilitated the Rural Fire Protection Specialist (RFPS) Training held in June 2018 in Palmer. The following statistics relate to the course demographics:

- 21 participants attended from 17 different communities
- 8 Civilians completed the Basic Fire Fighter training, which is one component of the RFPS training
- 11 Village Public Safety Officer's (VPSO's) completed the full RFPS training
- 2 Civilian Fire Chiefs completed the full RFPS training (Which has never been offered to non-VPSOs in the past)

Feedback from the VPSO's and civilian firefighters consistently indicated that the benefits of training together far outweighed the challenges of this pilot program. For instance, the civilian participants felt they had a better understanding of what work and limitations the VPSO's face in their communities. The VPSO's reported the training allowed them to have a better understanding of the role they share with their local firefighters. The combined training offered unique opportunities for the VPSO's to work side-by-side with fire fighters living in the same communities that they also serve.

With the completion of the FY2018 training, it is now possible to do a cost benefit analysis. After a debrief with the VPSO office and the ORFP staff and instructors involved in the pilot training, the consensus was to continue to pursue opportunities for a blended RFPS training program. Future considerations include the use of cost effective locations that provide the essential infrastructure, equipment, facilities, and accommodations for students and instructors as well as meeting the mission of providing required training for VPSOs and training rural firefighters. A final determination on that location will be made in late 2018 or early 2019.

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Legislative Fiscal Analyst Comment: Although DPS has not definitively stated that the rural firefighter specialist training will not occur in Sitka, LFD has categorized this intent as non-compliant for the following reasons:

- 1) The RFPS training was held in Palmer in June 2018.
- 2) After debriefing, the consensus was to continue to pursue opportunities for a blended RFPS training program that would not necessarily be located in Sitka.

However, DPS does indicate that a final determination of the location will be made in late 2018 or early 2019.

In Compliance

Statewide Support/ Alaska Wing Civil Air Patrol
Operating Budget (CCS HB 286)

It is the intent of the legislature that the Alaska Wing Civil Air Patrol actively search for non-state funding to support its operations.

AS 18.60.146 states that the Department of Public Safety shall make the necessary administrative arrangements for maintaining liaison between the state and the Civil Air Patrol and the expenditure of money appropriated to the department for the state contribution toward the support of the authorized activities of the Alaska Wing, Civil Air Patrol, under its charter.

DPS has functioned as a pass-through agency for these funds since 1985 when the state's responsibility for the Alaska Wing Civil Air Patrol (CAP) was transferred from the Alaska Department of Military and Veterans' Affairs to DPS under Executive Order 059. The Alaska Wing CAP uses these funds to pay for operating the Lake Hood Aircraft Maintenance Facility and maintaining 14 existing hangars.

In August 2018, DPS and Alaska Wing CAP senior staff met with staff from Representative Dan Saddler's office to explain what the legislative intent language meant for the CAP. During that meeting, it was made clear to CAP staff by Representative Saddler's office that they should not anticipate receiving any further state funding beginning in FY2020.

Based on the legislative intent, DPS is proposing that the Alaska Wing Civil Air Patrol budget component and all associated funding be deleted in the Governor's FY2020 Budget.

Legislative Fiscal Analyst Comment: LFD considers the response **non-compliant** because

- 1) there wasn't an active search for non-state funding to support its operations and
- 2) funding for the Alaska Wing CAP was requested in the Governor's FY20 budget submission.

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Department of Public Safety/ Sexual Assault Kits Backlog Analysis and Storage Equipment Capital Budget (CCS SB 142)

It is the intent of the legislature that the Department of Public Safety process untested sexual assault kits and purchase high-density shelving for the crime lab to store the kits. The Department shall work to prioritize the processing of the untested kits based on local and state needs and geographical considerations.

The Department of Public Safety (DPS) was appropriated \$2.75 million for sexual assault kit backlog analysis and storage equipment in the FY2019 capital budget (§ 4 ch 19 SLA 18 page 19 lines 20-25).

Funds are being used to have the previously untested sexual assault kits (SAKs) analyzed by a private lab and to hire a forensic scientist to manage the project and provide the technical reviews required before DNA profiles can be entered in the Combined DNA Index System (CODIS) database. The state procurement process is complete and submission of SAKs to the private lab will begin in November 2018. It is estimated that it will take 3-4 years for all previously untested SAKs to be submitted and analyzed due to the limited number of private labs and the nationwide high demand for this service.

Prioritizing the timeline and order of the untested SAKs will be made with local and state needs in mind and in consideration of department size and access to resources. With those needs in mind, the full SAK inventory of smaller police agencies will be tested. The budget will be reevaluated at regular intervals to determine the quantity of SAKs to be submitted from the Anchorage Police Department (APD), which will be done in batches. This will ensure the largest number of departments to have their entire inventory tested as well as alleviate some burden on APD's resources. APD possesses about 62 percent of the state's unsubmitted SAKs and will therefore require more planning to absorb the increase in follow up investigative and prosecutorial workloads.

Additionally, the DPS Scientific Crime Detection Laboratory (SCDL) budgeted \$300,000 of the \$2.75 million to purchase the high-density shelving and supplies needed to increase the capacity for storing and maintaining all SAKs in the state. The state procurement process is complete and the SCDL is moving forward with the awarded contract.

Village Public Safety Officer Program Operating Budget (CCS HB 286)

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.

DPS VPSO Program staff have worked closely with VPSO grant recipients to develop a grant application and award process that ensures appropriate allocation of grant funds while allowing flexibility for grantees to use the funds for other purposes that will increase the recruitment and retention of Village Public Safety Officers.

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VPSO grant recipients were awarded their full funding requests in FY2019 except for a few special projects that required additional information or justification for approval. Over 98 percent of the amount appropriated in the grants line was awarded to the ten grantees. The remaining two percent will be used for unanticipated amendments and to fund additional VPSO positions if all currently budgeted positions become filled.

It is the intent of the legislature that the amount of \$500,000 be used only for travel to rural communities by VPSOs or Alaska State Troopers. 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.

This funding is being used to facilitate trooper travel to rural communities to increase presence and proactive law enforcement engagement with community members, and for trooper and VPSO travel to rural communities for special events and community activities as requested.

Statewide Support/ Laboratory Services Operating Budget (CCS HB 286)

It is the intent of the legislature that the Department of Public Safety actively seek arrangements to rent space in the Alaska Scientific Crime Detection Laboratory to municipalities, federal agencies, and other state agencies.

All space within the Alaska Scientific Crime Detection Laboratory (SCDL) is being actively used as either office space, laboratory space, or storage space for sensitive items such as sexual assault kits. The SCDL will actively seek arrangements to rent space in its facility if vacant space becomes available.