

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

February 11, 2009

1:31 p.m.

MEMBERS PRESENT

Senator Hollis French, Chair
Senator Bill Wielechowski, Vice Chair
Senator Kim Elton
Senator Lesil McGuire
Senator Gene Therriault

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 3
Relating to carrying firearms in national parks.
MOVED SJR 3 OUT OF COMMITTEE

Overview: Department of Public Safety by Commissioner Joseph A. Masters
HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record.

WITNESS REGISTER

JOSEPH A. MASTERS, Commissioner
Department of Public Safety
Anchorage, AK

POSITION STATEMENT: Delivered an overview of the Department of Public Safety.

COLONEL AUDIE HOLLOWAY, Director
Division of Alaska State Troopers
Department of Public Safety
Anchorage, AK

POSITION STATEMENT: Responded to questions related to the overview of the Department of Public Safety.

DANIAL SPENCER, Director

Division of Administrative Services
Department of Public Safety
Anchorage, AK

POSITION STATEMENT: Responded to questions on the Department of Public Safety overview.

ACTION NARRATIVE

[1:31:09 PM](#)

CHAIR HOLLIS FRENCH called the Senate Judiciary Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Therriault, Wielechowski, Elton and French. Senator McGuire arrived soon thereafter.

SJR 3-FIREARMS IN NATIONAL PARK

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CHAIR FRENCH announced the consideration of SJR 3, which was held over from the last meeting to give members an opportunity to think over the policy it urges. Finding no questions, he asked for a motion.

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SENATOR THERRIAULT moved to report SJR 3 from committee with individual recommendations and attached fiscal note(s). There being no objection, it was so ordered.

1:32:05 PM at ease to sign papers.

Overview: Department of Public Safety

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CHAIR FRENCH announced the next order of business is to hear an overview of the Department of Public Safety by Commissioner Masters.

JOSEPH A. MASTERS, Commissioner, Department of Public Safety (DPS), described the PowerPoint as an informational brief that outlines aspects of the department. He provided the committee with copies of the Council on Domestic Violence & Sexual Assault (CDVSA) FY2009-2019 Strategic Plan along with several CDVSA data sheets.

COMMISSIONER MASTERS named the divisions within the DPS including the Division of Administrative Services, the Division of Statewide Services, the Division of Fire and Life Safety, the Division of Alaska State Troopers, and the Division of Alaska

Wildlife Troopers. Administratively housed within DPS are the Alcoholic Beverage Control Board ("ABC Board"), the Alaska Police Standards Council (APSC), and the Council on Domestic Violence and Sexual Assault (CDVSA). The format of the presentation is that primary functions of the divisions are in the left column and highlights are on the right.

CHAIR FRENCH said he found the format to be extremely useful.

COMMISSIONER MASTERS relayed that in 2008 the Division of Alaska State Troopers (AST) responded to more than 119,000 calls for service, about 10 percent of which were later referred to the justice system for prosecution. In 2008, 13 homicides were investigated, all of which have been solved. The bureau of investigations also assists other entities with investigations; currently about six are ongoing. There is a cold case unit with four homicide investigators working 72 cases. To date they have closed 29 cold cases and expect to close more in coming months.

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SENATOR ELTON asked if a closed cold case means that there was an arrest and referral for prosecution or that DPS closed the case because of diminishing returns.

COMMISSIONER MASTERS explained that DPS classifies a case as closed when it's solved, but that doesn't necessarily mean that a criminal case is brought. The suspect may be deceased, for example. Several, such as the Bonnie Craig homicide, have been high profile.

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CHAIR FRENCH noted that Senator McGuire had joined the committee.

COMMISSIONER MASTERS highlighted the declines in marijuana growing and meth [methamphetamine] lab cases and increases in heroin, OxyContin and other drug import cases. Fewer meth lab cases does not mean less drugs on the street, it's that there are other venues for importation. That could account for the increase in drug importation seizures.

CHAIR FRENCH said it makes sense with meth that the laws tightening access to the raw ingredients have made it more difficult to manufacture meth at home. To the extent that the amount of meth is steady, it just means that more is imported. With respect to marijuana he asked if he would contend that less

is grown statewide, that it's not being detected or that more is being imported.

COMMISSIONER MASTERS replied it can be difficult to determine, but one factor could be that huge resources are being diverted to take care of meth labs leaving fewer officers to handle drug and other offenses. He doesn't suspect that less marijuana is being grown in Alaska.

CHAIR FRENCH speculated on the difficulty of measuring effort.

COMMISSIONER MASTERS responded they've tried to judge that by looking at the value of the seizures. Last year, the value of illegal drugs taken off the street is estimated at \$19 million.

CHAIR FRENCH asked for an email follow up on how that compares to other years.

COMMISSIONER MASTERS noted that there were 291 alcohol importation arrests last year - an increase of over 30 percent from 2007. He's cautious about attaching numbers but it appears that in Alaska State Trooper areas, sexual assault and sexual abuse of a minor cases decreased by a noticeable margin between 2007 and 2008. It's not clear whether crimes have been displaced to other areas such as Anchorage and Fairbanks. "We don't have numbers that we can report to you regarding how many cases or what kind of trends Anchorage or Fairbanks has been experiencing over this past year."

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CHAIR FRENCH said from his perspective this is just the beginning of what he intends to be a long dialog between this committee, DPS, STAR, and others. "It galls me that we still have a horrible sex assault and sex abuse of a minor rate in this state." He intends to work on this until there's nothing more to be done or his time in office is over. "I hope that we can work together on that and learn as much as we can and figure out what we're doing wrong. ... I want to figure out what we can do better."

COMMISSIONER MASTERS continued with the presentation. Prisoner transports increased to over 67,000 in 2008. Recently the department identified seven trooper positions that were primarily dedicated to doing court service officer (CSO) functions such as transports, serving writs and protecting courtrooms. Seven CSOs were reallocated to those positions thereby freeing seven troopers to provide law enforcement

services. There were two conversions in Bethel, two in Nome/Kotzebue, one in Dillingham, one in Kenai and one in Anchor Point.

CHAIR FRENCH asked if those were new positions or if personnel were moved from one place to another.

COMMISSIONER MASTERS explained that the original thought was to convert vacant trooper positions to CSOs and potentially put the troopers back on the street more quickly.

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SENATOR ELTON asked if the judiciary RSAs (Reimbursable Services Agreement) money back to DPS for the services it provides or if it's an item in the DPS budget.

COMMISSIONER MASTERS replied it's a budget item because DPS is statutorily responsible for prisoner transports and courtroom security.

SENATOR ELTON said he'd be interested in the history because it seems that there would be some sort of arrangement if one branch of government is providing security to another. He suggested Mr. Spencer might send a response to the committee.

CHAIR FRENCH agreed it would be fine to send the information through his office.

COMMISSIONER MASTERS explained that in 2008 the division conducted about 740 search and rescue (SAR) operations, resulting in 289 saved lives. A new plan in 2009 is the creation of the Bureau of Highway Patrol. It will focus highway safety efforts, collaborate with other agencies in regions with high traffic fatality rates and collaborate with the Alaska Highway Safety Office.

CHAIR FRENCH reemphasized that 2009 is first year there is a specific and separate Bureau of Highway Patrol.

COMMISSIONER MASTERS said yes. It's always been a core function within the department and the trooper division, but early on when the department's name was changed from the highway patrol it lost that part of its identity. The responsibilities were placed on individual detachments and the idea here is to coordinate the efforts and carry the highway safety plan and other safety initiatives forward.

CHAIR FRENCH asked him to follow up with data to tell whether or not the increased safety efforts on the road between Anchorage and Girdwood have made a difference. The only evidence he has is anecdotal.

COMMISSIONER MASTERS replied he can say from experience and studies that increased law enforcement presence does change driving behavior.

CHAIR FRENCH commented that there's something about seeing another person getting pulled over that makes you mind your manners.

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COMMISSIONER MASTERS highlighted the highway safety corridors awaiting implementation and emphasized that they don't make sense without an enforcement component. Continuing with the PowerPoint, he reported that in 2008 there were 62 highway fatalities, 19 of which were alcohol-related. Currently AST has 22 vacancies and the Alaska Wildlife Troopers (AWT) has 5. DPS anticipates those positions will be filled from the academy and from lateral hires.

CHAIR FRENCH asked if he's saying he expects to have all positions filled by the end of 2009.

COMMISSIONER MASTERS said yes; the commendation goes to Colonel Holloway, his recruitment team and the troopers who are doing recruitments.

CHAIR FRENCH extended congratulations.

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SENATOR ELTON asked where the recruits are coming from.

COMMISSIONER MASTERS said it's a combination of in-state and out-of-state applicants. "We have several in-state lateral hire applicants that are already certified police officers, but several from out-of-state as well."

SENATOR ELTON noted that DPS hiring success has sometimes been difficult for community police departments.

SENATOR WIELECHOWSKI asked how AST per capita numbers compare to those recommended by national organizations.

COMMISSIONER MASTERS replied there isn't consensus and it can vary depending on whether you're talking about a municipality or a rural county. The range is from 1 per 1,000 to 3 per 1,000. Some of the difficulty DPS deals with is geography and the time it takes to respond. They also consider the impact of other officers in the area whether they're VPSOs, tribal police officers or village police officers. Colonel Holloway has done work internally, but we could also use some help from outside the agency to come up with accurate numbers, he said.

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SENATOR WIELECHOWSKI said he'd be interested in the data DPS has compiled because he's heard the state is hundreds of officers short. He then asked how many people are coming in to fill positions from out of state.

COMMISSIONER MASTERS offered to supply the information.

SENATOR WIELECHOWSKI asked what it costs to train a state trooper.

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DANIAL SPENCER, Director, Division of Administrative Services, Department of Public Safety, said it costs about \$9,500 to send a trooper through the academy, not including equipment costs. He offered to get exact figures.

SENATOR WIELECHOWSKI said he'd also like to know what the retention rate is for out-of-state recruits, particularly those assigned to Bush posts.

COMMISSIONER MASTERS suggested that Colonel Holloway could offer his observations if not numbers.

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COLONEL AUDIE HOLLOWAY, Director, Division of Alaska State Troopers, Department of Public Safety, said he doesn't know exactly how many out-of-state recruits "make it" particularly when they're assigned to rural posts. The completion rate thru the academy is 74 percent and the completion rate through field training is 83 percent.

SENATOR WIELECHOWSKI asked if the salaries and wage packets are sufficient to attract and retain troopers, particularly when compared to the Anchorage and Fairbanks police departments.

COMMISSIONER MASTERS acknowledged that making more money is a consideration and the Anchorage Police Department (APD) does pay more. He offered to provide numbers on how many troopers have gone to other agencies and the APD for a higher salary.

SENATOR WIELECHOWSKI said he would like to see that data.

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SENATOR MCGUIRE asked him to expand on efforts in rural Alaska to address sexual assault and sexual abuse of minors.

COMMISSIONER MASTERS said a number of things are occurring, some are new. A key to providing better service is to have all positions filled. That is happening but it will take awhile for it to filter into rural Alaska. The AST/CSO conversions he mentioned will have a more immediate effect because that will put seven people into position to do investigations. In areas like Bethel and Nome the two extra people primarily will be doing felony investigations, which will be significant. They are also continuing sexual assault and domestic violence training of officers, advocates and judges to better coordinate investigations. As a result of collaboration the quality of investigations and the service to victims is getting better.

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CHAIR FRENCH informed the committee that there will be a hearing soon to talk about what happens between the 1,000 cases that are investigated and the 200 convictions that result - where cases fall out of prosecution and conviction.

SENATOR MCGUIRE observed that prevention or intervention at the right time makes the difference. Often, troopers are the only lifeline in rural areas and she believes that they might play a broader role than just the traditional response and investigation. It's something to think on because this is an epidemic, she said.

COMMISSIONER MASTERS replied something DPS could do better is to collaborate with entities that are involved in prevention, victimization and prosecutions. Investigating and gathering evidence for prosecution is the primary focus but they can and do work outside those confines. The Council on Domestic Violence & Sexual Assault (CDVSA) strategic plan outlines the entities that are working together to do just what you're talking about, he said. It talks about prevention, providing shelters and services to victims, where to get immediate assistance, and holding perpetrators accountable. It involves the advocates,

police entities, courts and prosecutors to figure out how to move forward on a broad scale and attack the problem.

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SENATOR ELTON said it's important to note that particularly with sexual assault and sexual abuse cases, the reports represent just a small percentage of the incidents. Thanks also go to Deputy Commissioner Glass who was instrumental in getting the various groups together to talk about the spectrum rather than just the investigation at the end. "I just really appreciated his work," he said.

COMMISSIONER MASTERS acknowledged Colonel Holloway's good work as well and noted that wildlife troopers also attended the training. "The department is fully involved and fully engaged."

SENATOR MCGUIRE commented that Alaska is the premier in so many areas and she would very much like it to have the best strategic plan for preventing sexual abuse and assault. She looks forward to more dialog.

CHAIR FRENCH added that it's a long-term effort.

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COMMISSIONER MASTERS said DPS has 10 contracts with nonprofit corporations to administer the VPSO program filling 51 positions statewide. Initially 59 were hired to attend the VPSO academy but seven resigned; high attrition out of the academy is a continual problem. The FY09 budget authorizes 60 VPSO hires.

CHAIR FRENCH asked if that's 60 new positions or to bring the total to 60.

COMMISSIONER MASTERS clarified that it's to bring the total number to 60. The VPSO program is a little different than the trooper program in that the number of VPSO positions rise and fall according to the available money. Significant things within the program include increasing pay from \$17 per hour to \$21 per hour. Coupled with continued funding for probation and parole responsibilities, individual VPSOs can start out making about \$23 per hour. The increased wage has brought increased interest.

CHAIR FRENCH suggested that with the current economic conditions DPS could recruit in the Lower-48.

COMMISSIONER MASTERS said that VPSOs that understand the communities and life in rural Alaska stay longer. They continue

to take advantage of federal grants to assist with equipment, supplies and VPO (village police officer) training in villages. Last year there were 2,340 village oversight visits to support VPSOs and they'll continue to strive for more.

SENATOR ELTON asked if that number is up or down over the last five or six years.

COMMISSIONER MASTERS replied it's up a bit.

CHAIR FRENCH asked if the visits are to show a presence and not to investigate or make an arrest.

COMMISSIONER MASTERS clarified that they're for both. If a VPSO has a problem that required a trooper response, that would be counted as an oversight visit. If a trooper were to provide one-on-one training or mentoring, that too would count.

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CHAIR FRENCH recalled that during the VPSO task force there was a recurring cry from four rural villages for more trooper visits.

COMMISSIONER MASTERS highlighted a study by the UAA Justice Center from the early 1990s that talked about VPSO retention issues. It outlined different factors that contributed to VPSO retention including: wages, support from the nonprofit employer, support from AST and support from the community.

Over the past several years, VPSOs have received increased training in DUI [driving under the influence], domestic violence, and sexual assault enforcement. Last year, VPSOs conducted 238 domestic violence and assault arrests, which is up 51 percent from the previous year, and 57 DUI arrests, which is up 63 percent from previous years. VPSOs are becoming more effective and it's taking the burden off of troopers.

CHAIR FRENCH asked who pays for the D.A.R.E. program and questioned whether it really works.

COMMISSIONER MASTERS conceded that there is controversy over how effective it is, but it does have the benefit of getting positive interaction between officers and kids. If that interaction reduces criminal acts later on or if it sparks interest in law enforcement as a profession, that's a huge benefit.

CHAIR FRENCH applauded the efforts to go to the schools and make friends with the kids, but he just doesn't know if the D.A.R.E. program makes a difference. "Maybe you could do exactly what you're doing now as far as community integration and familiarity without the program and be money ahead."

COMMISSIONER MASTERS reported that most of the program is funded with federal grant money.

CHAIR FRENCH suggested that it's something for further conversation.

MR. SPENCER added that a lot of the funding for D.A.R.E. comes from the nonprofit via private donations.

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COMMISSIONER MASTERS said Alaska Wildlife Troopers (AWT) no longer operate under the Alaska State Troopers. In 2008, the wildlife troopers conducted over 58,000 resource-user contacts, which are up from the previous year. The violation to contact ratio is 8.5 percent for 2008, which is a decrease from the previous year. It appears that contacts reduce violations. Another fairly new area for wildlife troopers is recreational boater safety. In 2008 they had about 8,200 contacts. The number of recreational boating deaths in 2007 was 17, and in 2008 it was 12. The decline has been steady and can be attributed to the combined efforts of the U.S. Coast Guard, Department of Natural Resources, and the Boating Safety Program.

COMMISSIONER MASTERS said the AWT continues its cooperative efforts with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). A joint enforcement agreement protects fisheries primarily in areas of joint jurisdiction and funds public safety technicians. AWT this year wants to focus more on wild fish stock protection as opposed to hatchery fish. For example, less focus on Ship Creek hatchery fish and more focus on the protection of wild streams. There's an increase in the computer forensics component of wildlife investigations. As wildlife violators use more technology, more of that technology can be used as evidence of the violation.

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SENATOR ELTON compared the 119,000 AST calls for service and the 58,000 AWT resource-user contacts and assumed that the difference is that the state troopers are reacting to reports while the wildlife troopers may, for example, be contacting 500 people on the Kenai River in the course of a day.

COMMISSIONER MASTERS replied all AWT contacts, whether they generate a case or not, are tabulated as a contact.

CHAIR FRENCH suggested he skip ahead to page 7, Statewide Services.

COMMISSIONER MASTERS described the Division of Statewide Services as the backbone of the department. It provides the network for information, data storage, and implementation of new technologies that affect trooper efficiency. The Alaska Public Safety Information Network (APSIN) re-design is almost complete. Mr. Schade the director of statewide services could provide further information.

CHAIR FRENCH said he's interested in knowing if this is the final year in which an appropriation is being sought to complete the work to re-design APSIN and if the funding is enough.

MR. SPENCER relayed that the capital budget has a \$2 million final funding general fund request for the project, which is sufficient to finish the design.

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COMMISSIONER MASTERS said the Division of Statewide Services is continuing to phase in mobile data terminals in vehicles and to hand carry on rural service calls. Also they are continuing with in-car video (iCOP) and the records management system to tie in to the information sharing system known as ALEISS [Alaska Law Enforcement Information Sharing System]. There is a budget request item for that, he said.

CHAIR FRENCH said he received an overview of the history of the project in Anchorage before the session started. He was told of the plan to try and replace federal funds with state funds this year to keep the project going.

COMMISSIONER MASTERS said they've also applied for other federal funding grants. It's an important program that DPS relies on heavily.

CHAIR FRENCH emphasized the need to have people talk to each other through computer networks. Returning to the discussion about APSIN, he referenced a recent case in Anchorage where a man was arrested and charged with sex assault in what turned out to be an unquestionably false charge. He said he wants to start a dialog about what you do about that innocent person who now

has an arrest record for sex assault. He understands that records are not expunged and wonders how you make it right with that person. He asked if some states have methods of expunging records, if Alaska has ever done so.

COMMISSIONER MASTERS explained that there is a mechanism for people to have their records sealed in APSIN under specific circumstances so that their name would not come up on a records check. One of those circumstances is where the allegations were patently false. If the person is unquestionably innocent, the record is removed from APSIN. However, DPS does not have the authority to remove those records from other systems. The court system or APD , for example, may still have the name in their records system.

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CHAIR FRENCH asked if his authority to remove a name is placed in regulation or statute.

COMMISSIONER MASTERS replied it's in statute. He offered to provide specifics and added that DPS did send a packet [to expunge] through in the case he cited.

CHAIR FRENCH said he's happy to hear that, and if someone would point him to the specific statute he'd like to take a look.

COMMISSIONER MASTERS continued. The noncompliance rate of registered sex offenders is about 5 percent. There are 2,458 registered sex offenders and 7,802 concealed handgun permittees. The Automated Fingerprint Identification System processed over 60,000 fingerprint cards last year; 26,000 were for criminals. The remainder are applicant cards for background investigations for things like teachers, bus drivers and security guards.

SENATOR WIELECHOWSKI noted that some people are concerned about creating databases of personal biometric information and asked what happens to the fingerprints of non-criminals.

COMMISSIONER MASTERS said he would have Director Schade provide an answer as to what happens after the record check is completed.

CHAIR FRENCH told him to direct the information to his office.

COMMISSIONER MASTERS said a significant challenge in the area of information technology is data storage capacity, particularly

for digital video and photography. That issue will be reflected in the DPS capital budget request.

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COMMISSIONER MASTERS highlighted the new Office of Professional Standards under the commissioner's office that will focus on administrative investigations as well as tracking and monitoring complaints from all sources. Also DPS is looking at software to track trends, identify training issues and to use as an early warning tool to identify potential problem employees.

CHAIR FRENCH suggested they meet and talk about getting SB 19 to mesh with the new office.

COMMISSIONER MASTERS agreed.

The Alaska Police Standards Council (APSC) was legislatively expanded last year to include two line officers. APSC also has accepted VPSO training toward basic police certification. The Alaska Fire Standards Council is offering training and certification to 6,100 career firefighters and volunteers. The Council on Domestic Violence and Sexual Assault (CDVSA) provided funding to 24 victim service programs across the state, servicing over 8,000 victims. There's more detail in the CDVSA Strategic Plan handout. 77 domestic violence/sexual assault training sessions were conducted in partnership with DCVSA. Many were conducted out of Colonel Holloways AST office for law enforcement advocates, prosecutors and first responders.

The Alcohol Beverage Control (ABC) Board has a new director and the investigative position has been changed to full-time.

SENATOR ELTON asked if the ABC Board also has contract employees who do investigations.

COMMISSIONER MASTERS said no, but some people who are not DPS employees are used undercover to do sting operations.

In 2008 4,500 cases were submitted to the crime lab, and 78 percent were turned around within 30 days. Currently there is a case backlog, but over the last year it's been reduced by more than 24 percent. In large part that's because the lab has filled all its vacant positions.

CHAIR FRENCH asked if forensic data is being sent Outside because the Alaska crime lab is congested.

COMMISSIONER MASTERS replied DPS has an agreement with a Washington state lab to do toxicology and blood screening. It's about 300 cases a year.

CHAIR FRENCH mentioned an email and asked if the Washington lab analyzes blood samples from accidents or DWIs.

COMMISSIONER MASTERS deferred to the lab director; he doesn't have the specific answer.

CHAIR FRENCH said it's more a curiosity and he learned what he needs to know, which is that the email is true. He assumes that it's just a function of the lab being overwhelmed with work.

COMMISSIONER MASTERS replied it all comes down to capability if you don't have the space or location.

The CODIS (Combined DNA Index System) sample backlog was 8,000 several months ago and now it's 6,000. Because the lab positions have been filled, the expectation is that the backlog will be eliminated by July of this year.

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CHAIR FRENCH noted that some informed observers have said that the new crime lab is too large to be achievable. He asked if there is any thought about scaling back from \$100 million.

COMMISSIONER MASTERS said there is an ongoing validation study to answer that sort of question. He conceded that some call the current plan the Taj Mahal of labs while others say that it will be at capacity in a few years. The opinions range widely. The reality is that there is need for a new lab, but in these economic times it might not need to be quite so big. The validation study will look at the assumptions that were made on need and if those are correct it will look to see if the size of the lab is also correct. It makes sense to build out for the future, but the size must be correct. We're waiting on the review, he said.

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CHAIR FRENCH asked when he expects the study to be finished.

COMMISSIONER MASTERS replied it was supposed to be ready by the end of January, but they're still waiting on the executive summary of the review. That could be finished this week or next.

An emerging trend is the advancements in DNA testing. "Low-copy" and mitochondrial DNA testing are new and much more effective, but the existing lab doesn't have the space to support these procedures. DNA testing is also used more frequently to solve cold cases and post conviction. Future DNA testing is discussed in many regards including property crimes.

CHAIR FRENCH expressed interest in the outcome of the Osborne case with respect to new requirements for holding evidence for potential retesting.

COMMISSIONER MASTERS highlighted the two pages of data on sexual assault and sexual abuse of a minor cases that DPS investigated between 2000 and 2008 that's broken out by census areas. Overall there is a decrease over the years.

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SENATOR ELTON noted the imbalance in the numbers for Anchorage, Fairbanks North Star and Juneau in particular, and asked if troopers are investigating cases in Fairbanks that are also being investigated by a municipal police department.

COMMISSIONER MASTERS explained that the numbers only include reports and investigations within AST's jurisdiction.

SENATOR ELTON observed that the Fairbanks North Star census area isn't the borough so the numbers are driven by things that are happening outside the borough.

COMMISSIONER MASTERS said that's correct; the data reflects cases that are within the AST jurisdiction and responsibility.

CHAIR FRENCH asked where he could get aggregated statewide numbers that include all municipal and DPS investigations.

COMMISSIONER MASTERS replied the FBI Uniform Crime Report (UCR) statistics is one area, but that information might be up to 18 months old. DPS prefers to use more current numbers to get a better picture of what's happening today.

CHAIR FRENCH recapped that APD reports crimes to the FBI and that data sits for 18 months before the public or policy makers can look at them.

COMMISSIONER MASTERS said he isn't sure if the 2007 FBI UCR statistics are available but he knows that 2008 data isn't available.

COLONEL HOLLOWAY confirmed that the UCR statistics are delayed because it takes time to report and compile the data. Small agencies in particular take a lot of time to report.

COMMISSIONER MASTERS cautioned that the numbers on the data sheets are only for the AST. The numbers show what's happening in the jurisdictional areas in the cases AST is investigating, but it doesn't show trends for the Anchorage Police Department (APD), for example. APD may be experiencing an increase in cases while AST is seeing a decrease.

CHAIR FRENCH observed that DPS also reports to the FBI so once all the reports are compiled, it gives an integrated statewide look.

COLONEL HOLLOWAY highlighted the difference in the way the FBI classifies the information. The UCR counts forcible rape of a woman in the statistics but there is no parallel tracking for many of the other sexual assault charges that AST investigates.

CHAIR FRENCH said he appreciates the highlight.

COMMISSIONER MASTERS noted that 9 of the 13 homicide investigations last year were domestic violence related. In another coordination effort, investigators are sometimes located in child advocacy centers (CAC), which makes it more effective for prosecutions and evidence gathering and it's much easier on victims.

CHAIR FRENCH asked if there's a new CAC in Fairbanks; he attended the opening of the new Anchorage CAC about a year ago.

COLONEL HOLLOWAY explained that AST began co-locating investigators in the Fairbanks CAC in the middle of last year.

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COMMISSIONER MASTERS described the successful relationship between DPS and UAA, utilizing the UAA Justice Center to analyze crime trends. One study looked at all 2003-2004 trooper cases for domestic violence/sexual assault. Now discussions are underway to expand to a running real-time study to look at emerging trends so that the information can be used immediately.

CHAIR FRENCH referenced the final bullet point and asked what he hopes will come of the UAA Justice Center Study on sexual assault and sexual abuse of a minor cases.

COMMISSIONER MASTERS replied they'll be able to see who the victims are by cohort groups; they can see who the suspects/assailants are by group; they can see where the investigations and prosecutions may be breaking down; they can see the number that are accepted for prosecution and how many continue on to prosecution and conviction. The information will be used to make improvements in the entire system.

CHAIR FRENCH asked who at UAA is heading the study.

COMMISSIONER MASTERS replied if they're able to pull it together the participants will include AST, DPS, CDVSA, and probably Dr. Rosay and Dr. Wood from the UAA Justice Center.

CHAIR FRENCH asked if it's still on the drawing board.

COMMISSIONER MASTERS said yes; they're putting the building blocks together and exploring funding avenues.

CHAIR FRENCH asked if it's in this year's budget request.

COMMISSIONER MASTERS replied it's not that far along.

SENATOR ELTON asked what overhead the university charges for this kind of study; he's heard it's about 40 percent.

MR. SPENCER replied he doesn't know.

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CHAIR FRENCH thanked the participants and adjourned the Senate Judiciary Standing Committee meeting.