

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

March 21, 2013

9:01 a.m.

**MEMBERS PRESENT**

Senator Fred Dyson, Chair  
Senator Cathy Giessel, Vice Chair  
Senator John Coghill

**MEMBERS ABSENT**

Senator Bert Stedman  
Senator Bill Wielechowski

**COMMITTEE CALENDAR**

CONFIRMATION HEARINGS

**Alaska State Commission for Human Rights**

Christa Bruce-Kotrc  
Grace Merkes

- CONFIRMATIONS ADVANCED

**Alaska Board of Parole**

Sarah Possenti

- CONFIRMATION ADVANCED

**Alaska Violent Crimes Compensation Board**

Gerad Godfrey

- CONFIRMATION ADVANCED

**Alaska Police Standards Council**

Mark Mew

- CONFIRMATION ADVANCED

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

GRACE MERKES, Appointee  
Alaska State Commission for Human Rights  
Sterling, Alaska

**POSITION STATEMENT:** Presented information about herself as part of the confirmation hearing.

Christa Bruce-Kotrc, Appointee  
Alaska State Commission for Human Rights  
Ketchikan, Alaska

**POSITION STATEMENT:** Presented information about herself as part of the confirmation hearing.

Sarah Possenti, Appointee  
Alaska Board of Parole  
Fairbanks, Alaska

**POSITION STATEMENT:** Presented information about herself as part of the confirmation hearing.

Gerad Godfrey, Appointee  
Alaska Violent Crimes Compensation Board  
Eagle River, Alaska

**POSITION STATEMENT:** Presented information about himself as part of the confirmation hearing.

MARK MEW, Chief of Police and Appointee  
Alaska Police Standards Council  
Anchorage, Alaska

**POSITION STATEMENT:** Presented information about himself as part of the confirmation hearing.

JEFF EDWARDS, Executive Director  
Alaska Board of Parole  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of Sarah Possenti's nomination to the Board of Parole.

#### **ACTION NARRATIVE**

[9:01:52 AM](#)

**CHAIR FRED DYSON** called the Senate State Affairs Standing Committee meeting to order at 9:01 a.m. Present at the call to order were Senators Coghill and Giessel and Chair Dyson.

#### **CONFIRMATION HEARINGS**

[9:02:37 AM](#)

CHAIR DYSON announced that the only order of business would be a hearing on the Governor's appointees for the Alaska State Commission for Human Rights, Board of Parole, Violent Crimes Compensation Board, and Alaska Police Standards Council.

**Alaska State Commission for Human Rights**

[9:03:09 AM](#)

CHAIR DYSON announced the business before the committee was confirmation hearings. He requested information from Ms. Merkes, a nominee for the Alaska State Commission for Human Rights.

GRACE MERKES, nominee, Alaska State Commission for Human Rights, said she hopes for reconfirmation to the State Commission for Human Rights. She shared her personal history and listed her qualifications to be on the Commission. She said she has had many years' experience working with discrimination cases. She reported that she was involved with changes made to the discrimination law. She believes all people are created equally and should not be discriminated against.

MS. MERKES related that she has been on the Kenai Peninsula Borough Assembly for 17 years and she feels qualified to be on the Commission, which has similar structure. She explained that she is familiar with the process the Commission uses, the staff, mediations, and case review hearings. She requested confirmation.

Ms. Merkes shared statistics about the Commission. In 2012, there were over 2,000 investigative calls, an increase of 31 cases. She noted the Commission appreciates the funding for two new human rights investigators, which helped to reduce the case load.

SENATOR COGHILL thanked Ms. Merkes for serving on the Commission.

[9:07:23 AM](#)

SENATOR GIESSEL also thanked Ms. Merkes for her work and for re-applying to serve again.

MS. MERKES thanked the committee.

CHAIR DYSON noted that he served on the Commission for four or five years. He asked who the executive director is now.

MS. MERKES said Paula Haley.

CHAIR DYSON recalled that when he worked at the Commission, most of the complaints had to do with discrimination in employment. He asked if that was still true.

MS. MERKES reported that it was the same now. She thought about 95 percent of the cases were work-related discrimination issues.

CHAIR DYSON asked about possible statute changes.

MS. MERKES clarified that effective changes were made several years ago. She said the best changes involved including administrative law judges in human rights hearings.

[9:09:44 AM](#)

CHAIR DYSON spoke for the committee in offering to assist with anything that needs to be done to help the Commission be more effective. He asked if there were any objections to forwarding Ms. Merkes' name. There were no objections.

CHAIR DYSON asked if Christa Bruce-Kotrc was present. He said Ms. Kotrc's personal information is included in members' packets.

[9:11:21 AM](#)

At ease.

[9:14:55 AM](#)

CHAIR DYSON asked why Ms. Bruce-Kotrc chose to serve on the Alaska State Commission on Human Rights.

CHRISTA BRUCE-KOTRC, nominee, Alaska State Commission on Human Rights, shared her personal story. She said she has been on the Commission for a year and cares deeply about serving everyone equally. She stated that the Commission gives hope to people who feel disenfranchised and she appreciates being a part of that.

CHAIR DYSON asked if she heard the conversation with Grace Merkes.

MS. BRUCE-KOTRC said she did not.

CHAIR DYSON related that he asked Ms. Merkes if discrimination in the work place made up the majority of cases the Commission deals with and she reported that it was true. He asked if Ms. Bruce-Kotrc found the same thing to be true.

MS. BRUCE-KOTRC said definitely. She said, "It is wonderful to have this venue to address those issues."

CHAIR DYSON asked if there is any pattern or common denominators.

MS. BRUCE-KOTRC could not answer that question because she said she has not been on the Commission long enough to see a pattern. She related that she has seen, first hand, diligent and well-researched work by the staff. She said she is proud of the work Commission members do.

[9:18:09 AM](#)

CHAIR DYSON requested that the Commission report any statute change requests.

[9:18:26 AM](#)

**Alaska Board of Parole**

CHAIR DYSON asked Sara Possenti to tell the committee about her background, qualifications, and experience.

SARAH POSSENTI, nominee, Alaska Board of Parole, shared her personal history, education, and work history. She recalled her career with the Fairbanks Youth Court and as an adult probation officer for about 12 years. She said she has supervised sex offenders in the field and worked to prevent recidivism with prisoners. She said she also worked with a substance abuse program for prisoners.

She spoke of her work on the Alaska Board of Parole for the past two years, reviewing files, attending hearings, and visiting prisons.

SENATOR COGHILL thanked Ms. Possenti for her work.

CHAIR DYSON asked if she is retired.

MS. POSSENTI said she was working for the probation system.

CHAIR DYSON asked if she is working for the state now.

MS. POSSENTI said no.

CHAIR DYSON said he appreciates her service. He said he wished to discuss sentencing reform issues further with Ms. Possenti.

MS. POSSENTI said she wished to do so. The Board has a lot of ideas about various release plans. She explained parole decisions are based on risk to community. She said the Board makes discretionary parole plans and has had good success.

CHAIR DYSON suggested they meet in Anchorage for further conversation.

[9:25:27 AM](#)

### **Alaska Violent Crimes Compensation Board**

CHAIR DYSON introduced Mr. Godfrey as a re-appointment to the Alaska Violent Crimes Compensation Board. He noted Mr. Godfrey is a friend of his. He asked Mr. Godfrey why he has chosen to serve on the Board.

GERAD GODFREY, nominee, Alaska Violent Crimes Compensation Board, shared how he was asked to be on the Board. He said he was appointed by then-Governor Murkowski in 2003. He shared that he had experienced violent crime within his own family. He stated that it has been a gratifying and cathartic experience to serve on the Board. He said his goal is to leave the Board in a better position than when he came on. He noted this would be his last time on the Board as they help to revise the statutes and bring them up to date. He voiced appreciation for legislative support for the Board.

[9:28:11 AM](#)

### **Alaska Police Standards Council**

CHAIR DYSON inquired if Chief Mew was being re-appointed. He congratulated Chief Mew for his excellent work in the Anchorage Police Department (APD). He asked Chief Mew to share his reasons for serving on the Alaska Police Standards Council and his work experience.

CHIEF MARK MEW, nominee, Alaska Police Standards Council said he was being reappointed to the Council. He shared his work history which began in law enforcement in the area of corrections in Oregon. He related that he has been with APD since 1983, retired in 2003, and worked in the school district as Director of Security and Emergency Preparedness. In 2010, he said he began as Chief of APD. He added that he has also attended FBI academies for police chiefs.

He explained that the Council sets hiring and training standards, as well as decides when certificates should be revoked, a very important function of the Council because it maintains standards of performance and behavior. He said he has a vested interest in having high police standards upheld. He mentioned a recent case which had a tremendous negative impact on the Anchorage area. He noted a high priority in maintaining high police standards. He stressed the importance of the APD and the Troopers' involvement in the Council.

CHAIR DYSON noted he has watched Chief Mew deal honorably with some very tough situations. He asked if the issue of "not ratting out a buddy" is prevalent in the APD.

CHIEF MEW maintained that his officers are forthcoming with information and the APD does not have that problem. He stated that a high mark has been set within the APD. He said the Council uses decertification as a punishment when there is dishonesty.

CHAIR DYSON said it seems difficult to believe that the other officers did not know what was going on in the aforementioned case. He mentioned another situation fifteen years ago related to bargaining over decertification.

[9:36:33 AM](#)

CHIEF MEW could not recall a time at the APD when someone should have been fired and they were allowed to stay on and retain certification. He said sometimes a person is terminated and they are still able to collect their retirement; most of the time the Council moves for decertification when an employee is fired. He explained the process if an officer quits first. The Council still does the decertification paperwork.

[9:38:33 AM](#)

CHAIR DYSON assumed that future potential employers have access to the decertification record.

CHIEF MEW said yes. The next department will do a background check and discover that information. Also, the Council will get word of the person's application for a new position and prevent a certificate from being issued.

CHAIR DYSON thanked Chief Mew for his work.

[9:40:15 AM](#)

JEFF EDWARDS, Executive Director, Alaska Board of Parole, noted he was just there for questions and to support Ms. Possenti's reappointment on the Alaska Board of Parole.

CHAIR DYSON requested further discussion about felony records when possible. He asked Mr. Edwards if he is in Anchorage.

MR. EDWARDS agreed to meet some time. He said his office in downtown Anchorage has parole, executive clemency, and pardon functions.

CHAIR DYSON moved to forward the following appointments to a joint legislative session for consideration:

Alaska State Commission for Human Rights  
Christa Bruce-Kotrc  
Grace Merkes

Alaska Board of Parole  
Sarah Possenti

Alaska Violent Crimes Compensation Board  
Gerad Godfrey

Alaska Police Standards Council  
Mark Mew

There being no objection, it was so ordered.

CHAIR DYSON clarified that the motion does not reflect an intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

[9:42:17 AM](#)

There being no further business to come before the committee, Chair Dyson adjourned the Senate State Affairs Standing Committee at 8:42 a.m.