

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

March 27, 2015

1:34 p.m.

MEMBERS PRESENT

Senator Lesil McGuire, Chair
Senator John Coghill, Vice Chair
Senator Mia Costello
Senator Peter Micciche
Senator Bill Wielechowski

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

LEGISLATIVE HEARING: CRIME RATES IN ANCHORAGE

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

DETECTIVE JEFF BELL, Vice President
Anchorage Police Department Employees Association (APDEA)
Anchorage, Alaska

POSITION STATEMENT: Participated in the discussion of crime rates in Anchorage.

GARY FOLGER, Commissioner
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Provided an overview of crime in Anchorage and discussed staffing cuts.

JAKE METCALFE, Executive Director
Public Safety Employees Association
Anchorage, Alaska

POSITION STATEMENT: Provided PSEA's perspective of the crime rates in Anchorage.

DAN SULLIVAN, Mayor
Municipality of Anchorage
Anchorage, Alaska

POSITION STATEMENT: Provided his perspective of crime rates in Anchorage.

CHRISTOPHER ALLRIDGE, Correctional Officer II
Anchorage Correctional Complex
Anchorage, Alaska

POSITION STATEMENT: Provided his perspective of the gang population in the Anchorage Correctional Complex.

OTHER LEGISLATORS PRESENT

Senator Johnny Ellis
Senator Berta Gardner

ACTION NARRATIVE

[1:34:56 PM](#)

CHAIR LESIL MCGUIRE called the Senate Judiciary Standing Committee meeting to order at 1:34 p.m. Present at the call to order were Senators Costello, Wielechowski, and Chair McGuire. Senators Ellis and Gardner also attended the meeting.

Legislative Hearing: Crime Rates in Anchorage

CHAIR MCGUIRE announced the business before the committee would be a discussion of the recent spike in crime rates in Anchorage. She reviewed the agenda.

[1:36:09 PM](#)

SENATOR JOHNNY ELLIS thanked the chair for holding the hearings. He clarified that legislators are concerned about crime in all areas of the state, but there has been an uptick in crime recently in Anchorage and they wanted an opportunity to talk with those who work with this every day. He opined that what comes out of this discussion could be instructive for the entire state.

CHAIR MCGUIRE agreed that it is unusual to focus on just one area, but it is deeply concerning that crime rates in Anchorage

are doubling. She advised that the focus will be to look at ways to partner and help the community lower these rates.

1:37:31 PM

DETECTIVE JEFF BELL, Vice President, Anchorage Police Department Employees Association (APDEA), shared that he's been in law enforcement for 19 years, all of which has been with the Anchorage Police Department. For the first 9-10 years he worked the swing shift, almost exclusively in the Spenard area. He saw a lot of activity related to drugs and prostitution related to drugs and became interested in those types of investigations. He was on the APD SWAT team for about 13 years and left about a year ago. Prior to becoming a detective, he worked in the special assignment unit investigating street-level drugs, high-risk search warrants, high-risk arrest warrants, and other problem-of-the-day activities. Officers in that unit are highly trained and skilled as SWAT officers and are moved around the city as needed to combat those crimes. Responding to a question, he said his duties did not cover sex trafficking.

DETECTIVE BELL related that for three of the years he was in the special assignment unit he also was a safe streets task force officer at the FBI working gang crime, violent crimes, and drug investigations. He is currently a crimes against children detective investigating sex and abuse crimes against children age 15 and under.

1:40:22 PM

SENATOR MICCICHE joined the committee.

DETECTIVE BELL stated that his goal today was to give the perspective of a person who worked in the trenches the last five or six years when APD experienced a fairly drastic change in policing philosophy. Responding to a request to elaborate, he explained that as the numbers at APD dwindled, people in the street-level drug unit, the special assignment unit, and the vice unit were moved to other areas. In 2010 the vice unit had 17 people, the special assignment/gang unit had 18 people. Today the vice unit has 5 people and the special assignment unit has 7 people. He summarized the responsibilities of the two units. The vice unit does high-level multi buys and the special assignment unit generally does one-time buy busts. Because of the staff reductions, they've gone from very proactive drug enforcement to a very reactive department that only responds to calls from the public.

1:43:43 PM

SENATOR WIELECHOWSKI asked what proactive drug enforcement means, why it's effective, and how it's been diminished by staff reductions.

DETECTIVE BELL explained that drug reports generally are officer initiated (OI) activities, not from citizens. Drug investigations typically were done by police officers after stopping a car or using informants to purchase drugs or "jump outs." Officers would sit in undercover vehicles in a parking lot like Dimond Center or Fred Meyer and look for a drug deal. They're easy to spot. If the officers didn't see something in about 30 minutes they'd move to another location. Drug dealers quickly figure out there's enforcement if officers are there on a fairly regular basis. Right now, officers aren't engaging in OI activities enough to discourage the criminal behavior.

[1:46:57 PM](#)

SENATOR MICCICHE asked how the definition of rape has changed.

DETECTIVE BELL replied the new definition includes penetration, no matter how slight. The old definition didn't specifically mention penetration so the interpretation varied.

SENATOR MICCICHE asked if the 2012 numbers would increase if the new definition was used.

DETECTIVE BELL answered yes. The annual statistical report for 2013 has a slightly higher number of rapes under the new definition as opposed to the old one.

CHAIR MCGUIRE stated support for the new definition.

SENATOR MICCICHE observed that for 2009-2012 the average number of forcible rapes per year was 280 and for 2013 it was 408.

DETECTIVE BELL said that when he was asked to discuss the recent homicides in Anchorage, he visited the detective units to gather recent data on arrest numbers. This year Anchorage has had 33 shootings and 10 adult homicides. All 10 homicides are believed to be drug related and marijuana was the primary drug associated with the homicide. Four of the homicides occurred during a "drug rip." That is a term for a purchase or sale agreement that goes bad. Two of those were marijuana sales.

[1:50:52 PM](#)

SENATOR COSTELLO asked if he's followed other legal marijuana states and if there's a trend that can be expected.

DETECTIVE BELL replied he hasn't followed other states, but he believes the trend is fairly predictable.

CHAIR MCGUIRE said it would be interesting to look at how the crime rates have changed in states that have regulated marijuana. She asked if that was something he could help the committee with in the future.

DETECTIVE BELL commented on the different types of enforcement once it's legalized.

Continuing his testimony, he said APD's response to the recent shootings was to develop a taskforce. It consists of the remnants of the special assignment and vice units and some community action policing (CAP) members. He noted that he'd heard that the taskforce would be dismantled once the crime uptick falls, and warned that the only way to keep crime rates down is to keep the pressure on. He pointed out that there's no way to measure the number of crimes that are prevented by OI activities so those numbers don't appear in the Uniform Crime Report (UCR). He offered to share the data showing the number of arrests the drug units made, which is the only way to measure what they've done.

SENATOR MICCICHE reviewed the of UCR Index Crimes summary sheet in the packet and observed that the numbers are trending upward. He noted that the largest increases are in forcible rape, burglary, and larceny-theft. He asked Detective Bell what he attributes those increases to.

DETECTIVE BELL said that according to the APD property crimes supervisor, 85-90 percent of property crimes have a drug nexus. In 2014 APD disbanded the theft unit and shifted those responsibilities to the burglary unit. What he learned when he visited the unit was that if the value of the stolen property is less than \$10,000, it isn't assigned to a detective for investigation. The responding officer is obligated to do a follow up on the crime. Before the theft unit was disbanded, felony level thefts (\$750 and higher) were assigned to detectives in the theft unit to be investigated.

[1:59:24 PM](#)

SENATOR COGHILL joined the committee.

DETECTIVE BELL, responding to a comment, clarified that if somebody is arrested for the crime the matter is forwarded to

the district attorney and charges are filed if there is probable cause.

CHAIR MCGUIRE said the point of the hearing is to look at the areas that might be neglected so she appreciates the candor. She recapped that the special arrest unit has gone from 18 to 7; the gang unit has gone from 17 to 5; and there's no longer a theft investigation unit. Now there isn't an investigation unless the property is valued at more than \$10,000.

SENATOR MICCICHE observed that as funding is cut, trends that nobody likes to see can be expected.

[2:01:33 PM](#)

DETECTIVE BELL added that when staffing levels drop so drastically, the administration has to prioritize and make decisions about what crimes will be investigated because there are a lot of other crimes to consider. Responding to a question about a suspect report, he explained that even when there was a theft unit not all reports were investigated. Sometimes there was no suspect information or physical evidence to investigate. Right now, there aren't many investigators and theft crimes aren't assigned unless they meet the \$10,000 floor.

DETECTIVE BELL reviewed the data he gathered on APD drug arrests. In 2010, there were 914 drug arrests and 245 were for sales or manufacturing. In 2014, there were 397 arrests for drug-related crimes and 67 were for sales or manufacturing. He opined that this highlights the importance of having drug units investigate those crimes.

[2:04:24 PM](#)

SENATOR COSTELLO mentioned an article she read about a program that some police departments are using that is a predicting crime algorithm. She asked if he was familiar with it.

DETECTIVE BELL said he didn't know much about it.

CHAIR MCGUIRE opined that it's an interesting concept to think about in the future.

[2:05:14 PM](#)

SENATOR GARDNER noted that the chart showing 2004-2008 vs. 2009-2014 historical crime trends in Anchorage didn't have a category for drug crimes. She asked if that category was omitted or if it's embedded in another category.

DETECTIVE BELL said he wasn't familiar with the chart. The numbers he gathered were intended to highlight what APD is doing based on outcomes.

CHAIR MCGUIRE distributed a copy of the chart and advised that it was issued by the mayor's task force.

SENATOR MICCICHE said he assumes that the increases in the UCR rates of forcible rape are likely drug related.

DETECTIVE BELL responded that the 2013 statistical report on the MOA website reports that 50 percent of the sex crimes are alcohol related, 10 percent to 12 percent are both drug and alcohol related, and a small percentage are drug related

SENATOR MICCICHE asked if he could single out one program that is underfunded that could make a serious dent in in the increasing trends for drug-related crimes.

DETECTIVE BELL answered no; his knowledge is from the beat perspective and the point he's making is that staffing levels have to be high enough to proactively make drug-related arrests.

CHAIR MCGUIRE noted that he was describing cuts to specific units that have a singular focus, which is what Senator Micciche was referencing. She asked if there is specialized training for singular focus areas like the gang unit.

DETECTIVE BELL explained that when there was a gang unit, an "intel" officer sat in the unit and gathered information on all the gangs. They had weekly meetings to share information with probations, the Department of Corrections, McLaughlin Youth Center, school resource officers, and the troopers. They knew the players and had a feel for what was happening. Homicide detectives today have to start from scratch on every investigation.

[2:11:44 PM](#)

SENATOR COSTELLO asked him to discuss the impact of losing trained police officers who take jobs elsewhere and not realizing a benefit from the money that was spent on their training.

DETECTIVE BELL said it's more and more difficult to recruit and retain qualified candidates. What would really help is to have a defined benefit program for public safety that would give new officers a reason to stay. Now they're taking their training and

experience and the money that's been spent on them and going somewhere else to work.

SENATOR COSTELLO asked if APD does exit interviews so it knows the reason that officers are leaving.

DETECTIVE BELL clarified that the union does exit interviews.

He shared arrest numbers for officer initiated (OI) activities to illustrate that when officers have time to be proactive, crime decreases.

- 2009 - 206 arrests for prostitution; 2014 - 29 arrests.
- 2009 - 2,216 DUI arrests; 2014 - 1,015 arrests.
- 2009 - 926 arrests for liquor law violations; 2014 - 197 arrests.
- 2009 - 459 arrests for minor consuming alcohol; 2014 - 96 arrests.
- 2009 - 45,361 traffic citations were issued; 2013 - 22,818 traffic citations were issued.
- 2009 - 296,636 calls for service; 2013 - 239,765 calls for service.

SENATOR WIELECHOWSKI opined that a big reason for the drop in calls for service is that people don't get a response when they call.

[2:17:16 PM](#)

DETECTIVE BELL advised that in 2010 MOA contracted with the Police Executive Research Forum (PERF) to evaluate APD's resource allocation. The administrative goal at that time was for officers to spend 40 percent of their unallocated time on community policing. He noted that the police officers he spoke with this last week indicated that they have essentially no unallocated time. They're writing reports and running call-to-call and don't have time to do traffic stops and officer initiated drug activities.

SENATOR COSTELLO asked when the reports have to be written and if the requirements have become more onerous.

DETECTIVE BELL replied it probably differs from shift to shift but the officers working from 11:00 pm to 8:00 am don't have time to write their reports right after an event takes place.

He reported that in 2009 APD had 414 sworn police officers and in 2010 there were 374 sworn officers. The PERF report recommended increasing staffing to 456 officers in order to reach the 40 percent goal of unallocated time for community policing. In June 2014 the APD sworn officer numbers dropped to 321, plus an academy of 17. He expressed hope that the foregoing information demonstrates the need for increasing staffing and bringing back the two special assignment units.

CHAIR MCGUIRE thanked Detective Bell and recognized Commissioner Folger.

[2:22:29 PM](#)

GARY FOLGER, Commissioner, Department of Public Safety (DPS), discussed partnering with the APD Task Force and warned that the increase in violent crime in Anchorage can predictably spread to other communities.

CHAIR MCGUIRE asked him to elaborate.

COMMISSIONER FOLGER said that one of his largest challenges as commissioner is to provide rural law enforcement; the crimes that occur in urban areas inevitably spread and it takes specialized units to do the investigations. He mentioned drug crimes and sex trafficking and noted that the homicide rate in Alaska dropped in the last decade.

CHAIR MCGUIRE asked how he would characterize the uptick in crime between 2009 and 2015.

COMMISSIONER FOLGER replied it's based on societal norms.

CHAIR MCGUIRE asked what he recommends going forward.

COMMISSIONER FOLGER responded that it's a combination of intervention, prevention, and enforcement.

SENATOR MICCICHE asked what the state and municipalities can do together to make Alaska an unpleasant place for bad guys to live.

COMMISSIONER FOLGER cited interaction between police agencies, the exchange of information through the fusion center, partnering, and the Alaska Records Management System (ARMS).

CHAIR MCGUIRE asked if ARMS information is shared on the local police level.

COMMISSIONER FOLGER confirmed that DPS has shared with smaller departments.

CHAIR MCGUIRE thanked Commissioner Folger and recognized Jake Metcalfe.

[2:30:52 PM](#)

JAKE METCALFE, Executive Director, Public Safety Employees Association, (PSEA), advised that the union represents 700 to 800 sworn and unsworn public safety employees throughout the state. This includes Alaska State Troopers from trooper through sergeant level, court service officers, and various municipal police officers.

He stated concern that there hasn't been any growth in public safety employees since 2009 yet the state's population is increasing. He referenced the UAA statistics from August 2014 that show that Alaska is well below the national standard of 370 sworn officers for each 100,000 in population. Responding to a request from the chair, he agreed to forward the information to the committee.

MR. METCALFE also suggested the committee look at the Indian Law and Order Commission Report from 2013. It provides a statewide rural perspective of law enforcement. One statistic that's mentioned is that DPS provides 1 to 1.4 field officers per million acres, but the ratio of officers to territory is actually much lower because approximately 370 officers cannot serve on a 24/7 basis. DPS also reported that officers are often hampered by delayed notification, long response distance, and the uncertainties of weather and transportation. He agreed with Commissioner Folger that the problems in Anchorage spread to other parts of the state. There is a definite cause and effect, he said.

He shared that 30 public safety employees are eligible to retire between now and September 2016. That includes about 10 percent of the troopers in the state. It takes time and money to train people to take those positions and it's more difficult to recruit and retain employees than it used to be.

[2:37:48 PM](#)

SENATOR MICCICHE asked what the average length of service is for the 700 to 800 sworn and unsworn officers in the union.

MR. METCALFE offered to follow up with the information.

SENATOR MICCICHE asked if PSEA has considered surveying its membership to understand what might make the department more attractive.

MR. METCALFE said they've looked at Internet surveys and partnering with other organizations to do that because it's an important tool.

CHAIR MCGUIRE asked him to keep the committee abreast of any survey information.

MR. METCALFE commented on the different ways and reasons employers conduct surveys.

SENATOR MICCICHE encouraged him to pursue a membership wide survey.

SENATOR COSTELLO asked how serious the problem is that 10 percent of the trooper force is eligible to retire next year.

MR. METCALFE said employees don't all leave when they're eligible to retire, but it's definitely a concern. Another consideration is that as positions are cut the remaining employees are doing more work without additional compensation.

SENATOR COGHILL mentioned quality of live and asked if he could share information about grievances filed because it might be a useful indicator.

MR. METCALFE said he can't think of a grievance related to quality of life but issues for rural troopers are the cost of living, the isolation, and the expense to travel back and forth to work. He noted that flex scheduling has been helpful in some circumstances. He opined that the best thing for rural Alaska is to have police officers that are invested in the community. Modern technology solutions like the CompStat algorithm for staffing has worked in large communities and it might or might not work here.

CHAIR MCGUIRE thanked Mr. Metcalfe and recognized Mayor Sullivan.

[2:49:34 PM](#)

DAN SULLIVAN, Mayor, Municipality of Anchorage, referenced the UCR index crime statistics for 2009-2013 that Detective Bell provided and pointed out that five of the seven categories are

flat or show a decline. He also referenced APD's historical crime trends for 2004-2008 versus 2009-2014 and pointed out that the combined incident rate per 100,000 population was down for the previous five years. It's also a good trend that five of the seven crime categories are down for the previous five years compared to 2004-2008.

He explained that in response to the spike in violent crime in January, APD implemented a multiagency task force that accomplished what it was supposed to. The statistics so far show that APD has made 26 arrests, searched 7 vehicles, seized 40 guns, seized \$41,500 in cash, issued 3 citations for public consumption of marijuana, and 5 warrants for MICS. He described the January spike as an anomaly and highlighted that in 2014 Anchorage had the lowest number of murders in 20 years.

MAYOR SULLIVAN said it's important to realize that fewer crimes are reported in Anchorage today than 30 years ago when the population was 120,000 smaller. That shows that, overall, Anchorage is a safe city, he said.

Addressing the issue of staffing, he said that as soon as MOA was financially capable it began to add back to the police department. There was an academy in 2011 and 2013 and two academies in 2014. A new academy starts in May and another in November. He expressed confidence that this will put the sworn officer level at about 400, which is on track for the community policing goals. He said the PERF Report made some suggestions that have been implemented. Patrol officers are on regular beats getting to know the business people, the troublemakers, and who gives good information.

He highlighted that in 2003 the APD budget was \$45 million and in 2014 it more than doubled to \$95 million. Inflation grew at about 30 percent over that period so there's been no lack of commitment monetarily. The challenge has been that the cost per employee has risen dramatically.

CHAIR MCGUIRE asked if the taskforce has decided to recommend increasing the number of police officers in the vice unit, the gang unit, and the special investigations unit.

MAYOR SULLIVAN explained that those sorts of recommendations come from the professionals in the police department. He clarified that there never was a gang unit per se, but growing the department will ensure that areas of deficiency are addressed.

3:00:32 PM

SENATOR ELLIS noted that he and former Senator Fred Dyson talked for more than a decade about the coming epidemic of heroin and opioid addiction. He asked Mayor Sullivan if he had heard from other local officials about increases in the use of black tar heroin that's coming in from the Mexican cartels.

MAYOR SULLIVAN answered yes and it's a shared concern statewide. He highlighted that as of 3/25/2015 the Street Crimes Task Force seized [284.95 grams of methamphetamine, 53.27 grams of heroin, .7 grams of cocaine, 16.35 grams of marijuana, 1457.2 grams of marijuana edibles, .52 grams of morphine, and 1 Fentanyl patch.]

SENATOR MICCICHE asked if he had any ideas on how to make it unpleasant for the people who deal and import drugs into Alaskan communities.

MAYOR SULLIVAN replied it's a combination of factors. There has to be good intel that leads to arrests and a criminal justice system has to provide penalties that are sufficiently stiff to either remove the people from the street for long periods or deter them all together.

SENATOR COSTELLO asked what the taskforce is tasked with doing.

MAYOR SULLIVAN replied it's an information sharing organization that is designed to break down interagency silos to ensure that communication takes place.

SENATOR WIELECHOWSKI asked how the legislature can help.

MAYOR SULLIVAN said it would be helpful to have grant monies for specific things like overtime to work drug crimes or adding specialists.

CHAIR MCGUIRE thanked Mayor Sullivan asked him to forward any further information that comes out of the taskforce. She welcomed Mr. Allridge.

3:07:08 PM

CHRISTOPHER ALLRIDGE, Correctional Officer II, Anchorage Correctional Complex, related that when he first started working corrections in 2006, prisoners of all races and ethnicity lived, ate, and worked together without many problems. However, as time went by inmates started to self-segregate and gang recruitment and activity cropped up "within the walls." There was a rise in

assaults among inmates and on staff and they started to see rapes and more extortion. Staff was threatened and harassed. The inmates that returned from Colorado brought back different habits and there's been a rise in gang recruitments, particularly among the young and easily influenced inmates.

MR. ALLRIDGE reasoned that the inmates started to segregate into groups as they felt less safe and secure within the facility. They have to depend on each other because there are no longer enough corrections officers to provide that type of security.

CHAIR MCGUIRE thanked Mr. Allridge for his work and perspective.

[3:11:52 PM](#)

There being no further business to come before the committee, Chair McGuire adjourned the Senate Judiciary Standing Committee meeting at 3:11 p.m.