

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

April 4, 2019

3:03 p.m.

MEMBERS PRESENT

Representative Zack Fields, Co-Chair
Representative Jonathan Kreiss-Tomkins, Co-Chair
Representative Andi Story
Representative Adam Wool
Representative Sarah Vance

MEMBERS ABSENT

Representative Gabrielle LeDoux
Representative Laddie Shaw

COMMITTEE CALENDAR

HOUSE BILL NO. 98

"An Act relating to aggregation of crimes under theft in the second degree; relating to fraudulent use of an access device; and relating to the crime of possession of motor vehicle theft tools."

- MOVED CSHB 98(STA) OUT OF COMMITTEE

CONFIRMATION HEARING(S)

- HEARD

HOUSE BILL NO. 115

"An Act relating to absentee voting; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 118

"An Act relating to the duties of the commissioner of corrections; and relating to planning for prisoner reentry."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 98

SHORT TITLE: PROPERTY CRIME; MOTOR VEHICLE THEFT TOOLS
SPONSOR(s): REPRESENTATIVE(s) CLAMAN

03/15/19 (H) READ THE FIRST TIME - REFERRALS
03/15/19 (H) STA, JUD
04/02/19 (H) STA AT 4:00 PM GRUENBERG 120
04/02/19 (H) Heard & Held
04/02/19 (H) MINUTE(STA)
04/04/19 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 115

SHORT TITLE: ABSENTEE VOTING
SPONSOR(s): REPRESENTATIVE(s) TUCK

03/27/19 (H) READ THE FIRST TIME - REFERRALS
03/27/19 (H) STA, JUD
04/02/19 (H) STA AT 4:00 PM GRUENBERG 120
04/02/19 (H) Scheduled but Not Heard
04/04/19 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 118

SHORT TITLE: OFFENDER REENTRY PLANNING BY CORRECTIONS
SPONSOR(s): REPRESENTATIVE(s) FIELDS

03/29/19 (H) READ THE FIRST TIME - REFERRALS
03/29/19 (H) STA, JUD
04/04/19 (H) STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

AMANDA PRICE, Commissioner Designee
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the Department of Public Safety (DPS).

JOEL JACKSON
Organized Village of Kake
Kake, Alaska

POSITION STATEMENT: Testified during the confirmation hearing on Commissioner Price.

KRIS PITTS
Maine

POSITION STATEMENT: Testified in support during the confirmation hearing on Commissioner Price.

ROBYN LANGLIE

Anchorage, Alaska

POSITION STATEMENT: Testified in support during the confirmation hearing on Commissioner Price.

BRENT JOHNSON

Public Safety Employees Association (PSEA)

Wasilla, Alaska

POSITION STATEMENT: Testified in support during the confirmation hearing on Commissioner Price.

MARK SPRINGER, Chairman

Marijuana Control Board (MCB)

Bethel, Alaska

POSITION STATEMENT: Testified during the confirmation hearing on Commissioner Price.

MARTHA MERRILL

Anchorage, Alaska

POSITION STATEMENT: Testified in support during the confirmation hearing on Commissioner Price.

SHAUN KUZAKIN

Public Safety Employee's Association (PSEA)

Juneau, Alaska

POSITION STATEMENT: Testified in support during the confirmation hearing on Commissioner Price.

REPRESENTATIVE CHRIS TUCK

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 115, as prime sponsor.

GAIL FENUMIAI, Director

Division of Elections (DOE)

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 115.

ACTION NARRATIVE

[3:03:44 PM](#)

CO-CHAIR ZACK FIELDS called the House State Affairs Standing Committee meeting to order at 3:03 p.m. Representatives Story, Wool, Vance, Kreiss-Tomkins, and Fields were present at the call to order.

HB 98-PROPERTY CRIME; MOTOR VEHICLE THEFT TOOLS

[3:04:37 PM](#)

CO-CHAIR FIELDS announced that the first order of business would be HOUSE BILL NO. 98, "An Act relating to aggregation of crimes under theft in the second degree; relating to fraudulent use of an access device; and relating to the crime of possession of motor vehicle theft tools."

[3:05:00 PM](#)

CO-CHAIR KREISS-TOMKINS moved to adopt the committee substitute (CS) for HB 98, Version 31-LS0626\U, Radford, 4/3/19, as the working document. There being no objection, Version U was before the committee.

[3:05:44 PM](#)

REPRESENTATIVE STORY commented that she supports the proposed legislation.

[3:06:20 PM](#)

CO-CHAIR FIELDS opened public testimony on HB 98, Version U. After ascertaining that no one wished to testify, he closed public testimony.

[3:06:38 PM](#)

CO-CHAIR KREISS-TOMKINS moved to report the CS for HB 98, Version 31-LS0626\U, Radford, 4/3/19, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 98(STA) was reported out of the House State Affairs Standing Committee.

[3:06:54 PM](#)

The committee took an at-ease from 3:07 p.m. to 3:09 p.m.

CONFIRMATION HEARING(S)

[3:08:36 PM](#)

CO-CHAIR FIELDS announced that the next order of business would be confirmation hearings.

Commissioner, Department of Public Safety

3:09:08 PM

AMANDA PRICE, Commissioner Designee, Department of Public Safety (DPS), in response to the request that she be sworn in for the committee hearing testimony, stated that she does not believe she should be subjected to any request or recommendations in which other commissioner designees [have not] been requested to participate; therefore, she declined taking an oath.

COMMISSIONER PRICE shared that Alaska has been awarded the opportunity to serve as host for the National Trooper Conference in the fall of 2020; it is a great opportunity to highlight the great work of the Alaska Wildlife Troopers (AWT), the Alaska State Troopers (AST), and the Public Safety Employees Association (PSEA) and will be used in a recruitment effort. Alaska also has been awarded the conference for the International Association of Women Police, which will take place in Anchorage in September 2019. She mentioned that she has received 47 recommendations from the retention specific work group; DPS is working to implement them; and employee engagement in that activity has increased morale. She relayed that April is Sexual Assault Awareness Month; DPS has joined the legislature's efforts in "lifting up" survivors of sexual violence.

3:11:49 PM

REPRESENTATIVE VANCE asked for a description of the duties of the commissioner of DPS.

COMMISSIONER PRICE stated that the commissioner of DPS provides overall policy and management to the department; the commissioner oversees the divisions, boards, and councils within the agency; the commissioner works with the legislature to ensure that the governor's and the department's goals and initiatives are being moved forward and to ensure that adequate resources are in place for all the divisions in the department to complete their missions.

REPRESENTATIVE VANCE asked if there are any additional duties of the commissioner.

COMMISSIONER PRICE relayed that what she stated is the summary provided by DPS. She continued by saying that she provides direct policy support and direction to division directors

including the colonels of both AWT and AST. The colonels' direct operations; her role is to ensure that there are adequate laws in place, strategic planning in place, and adequate and strategically placed law enforcement personnel. She added that she monitors timelines in the delivery of services, such as for the Division of Fire and Life Safety (DFLS). In summary, her role is strategic planning and administration.

REPRESENTATIVE VANCE asked to know the administration's current mandate specific to the needs of Alaska public safety.

COMMISSIONER PRICE answered that Governor [Michael J.] Dunleavy has not given her a mandate but has indicated areas of interest. He has identified public safety as a priority; he expects to see an increase in the number of law enforcement personnel, an improved response to rural public safety, and a strategic plan to address rural public safety.

REPRESENTATIVE VANCE stated that she is looking for more definition of the commissioner's role, what the administration hopes to achieve with the position, and the qualifications Commissioner Price brings to the position to fulfill those expectations.

COMMISSIONER PRICE offered that she and the governor have discussed the need in Alaska to address the obvious and unacceptable rates of sexual violence. She mentioned her experience as executive director of Standing Together Against Rape (STAR), working with the Special Victim's Unit (SVU) [Anchorage Police Department (APD)], the Crimes Against Children Unit (CACU) [APD], the Alaska Bureau of Investigation (ABI) [DPS], and statewide response to sexual assault. She stated that the governor did not give her a mandate but specifically asked that she develop and determine an appropriate response to the epidemic of sexual violence and the role of law enforcement in this response. She highlighted the following: partnering with other agencies to improve law enforcement; ensuring a victim-centered law enforcement response that allows DPS to respond quickly and that encourages survivors to maintain trust in their law enforcement personnel and their criminal justice system; improving all elements along the spectrum of sexual violence; supporting the investigative capacity, which will lead to more effective referrals to the Department of Law (DOL) and more opportunity to hold offenders accountable. She added that due to the sheer volume of sexual violence and offenses in the state, it is a priority.

REPRESENTATIVE VANCE asked whether Commissioner Price has prior experience in law enforcement.

COMMISSIONER PRICE responded that she is not a sworn law enforcement officer; however, she has worked laterally with law enforcement.

REPRESENTATIVE VANCE asked under what authority Commissioner Price is wearing the badge that she wears.

COMMISSIONER PRICE answered that the badge is from DFLS, and it is the commissioner's badge. She said that AS 18.65.280 provides that the commissioner of DPS is exempt from the statutory requirements that pertain to standards for certification of police officers; the DPS commissioner is considered a commissioned officer by virtue of the position; however, there is no requirement for her to be armed or to intervene in any activity. She stated that she has not received Alaska Law Enforcement Training (ALET) and does not elect to do so.

[3:17:36 PM](#)

REPRESENTATIVE STORY referred to Commissioner Price's previous testimony [2/26/19 House State Affairs Standing Committee meeting] in which she said she cannot commit to adding capacity to ABI to focus on missing and murdered indigenous women. She asked what the commissioner can commit to doing to address this serious injustice.

COMMISSIONER PRICE responded that she does not have the opportunity at this time to definitively commit to adding positions to ABI with the focus on Alaska's missing and murdered indigenous girls and women. She stated that she must assess the challenges, and with the state's limited number of officers, she must place them in the areas of greatest need. She shared that although she does not have the additional officers, she will commit to addressing the issue with ABI. She offered that there is a great deal of work underway, including a partnership with the University of Alaska Anchorage Justice Center (UAAJC) evaluating all homicides in the state from a descriptive and analytical perspective. She offered that this study is a precursor to identifying ways to strengthen and improve policies; the results may indicate a gap in service or areas of greater need and, therefore, prompt her to focus additional resources on these concerns.

REPRESENTATIVE STORY expressed her concern for families waiting for information. She asked about the commitment to those families.

COMMISSIONER PRICE stated that DPS has only one cold case investigator; she does not know what DPS will do in the next six months to support the cold case unit. She offered that DPS has the Missing Persons Clearinghouse (MPC) that is actively worked. She cited the recent solving of the 25-year-old homicide case - the murder of Sophie Sergie - as evidence that DPS never stops working on cold cases. She said that historically DPS has been committed to continuing to work every case in MPC to the best of its ability. It is a difficult decision to not be able to move more officers into ABI; however, she hopes to be able to do so as DPS builds up staff.

REPRESENTATIVE STORY stated that attention on this issue is critically important.

[3:21:42 PM](#)

REPRESENTATIVE WOOL asked Commissioner Price to state the Alaska Police Standards Council (APSC) requirements for certification as a police officer in Alaska.

COMMISSIONER PRICE replied that she would provide the committee with the certification requirements. She offered that there is a training requirement within 12 months; she would not meet those requirements, because she has not attended the ALET Academy.

REPRESENTATIVE WOOL asked whether she would be willing to attend some of the trainings required of officers.

COMMISSIONER PRICE said that she would love to do that.

REPRESENTATIVE WOOL asked Commissioner Price to state her last job in state government.

COMMISSIONER PRICE responded that her last job in state government was as a policy advisor for Governor Bill Walker.

REPRESENTATIVE WOOL asked her to discuss the job and the terms of departure.

COMMISSIONER PRICE answered that the governor and she had some great successes; it was a brand-new position; she and the

governor developed expectations for the position; and the expectations shifted. She said that the original premise of the position was to work across departments to improve law enforcement response and collect data on how the state was addressing incidences of domestic violence, sexual assault, stalking, harassment, and other challenges. She expressed that the position had no direct focus; the governor was very passionate about those issues and wanted to look for ways that the state could improve how it addressed those challenges. She relayed that her tenure in the position had ups and downs. She had tremendous successes working with Alaska Housing Finance Corporation (AHFC) and the Alaska Network on Domestic Violence and Assault (ANDVSA) to mediate a potential lawsuit regarding disparate treatment by landlords. This work led to a gold standard of policies and protections for domestic violence survivors living in rental facilities. She was involved in several similar but lower profile projects. She launched the statewide audit for sexual assault kits, which was the precipitating factor for the current Alaska Sexual Assault Kit Initiative (AK-SAKI). She has been told by Brad Myrstol [Ph.D., associate professor] with UAA Justice Center that next year the research project will bear fruit and be the single most important and critical research regarding sexual violence; it will be able to influence and inform policy in the state as never before.

COMMISSIONER PRICE stated that the challenges [for her position] came with Senate Bill 91 [passed during the Twenty-Ninth Alaska State Legislature, 2015-2016, and signed into law 7/11/16]. She was not a proponent of Senate Bill 91 and had grave concerns from the perspective of her partners - the Anchorage Police Department Employees Association (APDEA), Victims for Justice (VFJ), and many of the victim service agencies receiving state funding. These agencies expressed an overwhelming frustration that their concerns were not being heard by the governor. She stated that her role was to convey these concerns to the governor, which created internal dissent. She explained that when a senior policy advisor expresses concerns regarding a policy that the governor supports, it creates a challenging dynamic. She relayed that she and the governor "were not on the same page" regarding public safety, and several of his proposals she vehemently did not support; therefore, continuing in her position no longer made sense.

[3:27:26 PM](#)

REPRESENTATIVE WOOL asked whether there was something specific in Senate Bill 91 that she did not support.

COMMISSIONER PRICE replied that she was not the policy advisor for Senate Bill 91; however, her biggest concern was what she heard from individuals in her partner agencies that the governor was not responsive to their concerns.

REPRESENTATIVE WOOL offered that her departure from her position was before Senate Bill 91 was signed into law. He asked for confirmation that the concern was before the legislation was enacted based on anticipation of having problems with it.

COMMISSIONER PRICE answered that the concerns came about at the inception of the Alaska Criminal Justice Commission (ACJC) [created by the Alaska State Legislature in 2014] or shortly thereafter. She acknowledged that APD did not have a voice in the commission at that time; therefore, she did not have a significant role regarding Senate Bill 91; her role was to pass information on to the governor. She maintained that she and the governor did align on many issues: she gave the example of the Yukon-Kuskokwim Health Corporation (YKHC) hospital in Bethel that had discontinued seeing sexual assault survivors in the facility due to budgetary reasons and, therefore, were sending these individuals to Anchorage; she and the governor collaborated on a state response.

3:30:01 PM

REPRESENTATIVE WOOL offered that certain trends, such as a rash of murders in Fairbanks, have been attributed to Senate Bill 91; however, he was unable to make the connection. He asked whether some events have been misidentified as attributable to Senate Bill 91 or whether there were instances in which the passage of the bill had positive ramifications.

COMMISSIONER PRICE acknowledged that there was a negative characterization of the bill by the public based on the rise in crime and concern for safety. She stated that crime was on the rise prior to the implementation of the legislation; therefore, the legislature was not the only factor leading to an increase in crime in the state. She expressed that many people identify Senate Bill 91 as a contributing factor. She said that her perspective is that whether the legislature is or isn't effective, there is much concern from the public about the legislation; people have declared a multitude of ills as a result of Senate Bill 91, and there is a lack of trust with the

legislation. She asserted that the bills introduced by the [current] governor [SB 32, SB 33, SB 34, SB 35] will adequately provide the tools to rebuild trust among law enforcement personnel.

[3:32:01 PM](#)

CO-CHAIR FIELDS asked whether Commissioner Price left the Walker administration under her own volition.

COMMISSIONER PRICE answered, "I'm going to say, no. ... It was clear that it wasn't working." She said that she knew she would be leaving; she and the governor had many challenging conversations; she was not happy in her position; and administration personnel were not happy with her. She explained that she was frustrated; however, she was working on AK-SAKI and had every intention of completing that work. She stated that Scott Kendall, who was the governor's chief of staff for about three months during the time of her tenure, called her into his office, and together they decided it was time for her to leave her position. Mr. Kendall mentioned that his discussions with the governor supported this decision. She offered her continued support regarding a federal grant; he thanked her for being gracious; they shook hands; and after a couple of additional hours in her office, she left.

CO-CHAIR FIELDS relayed that the answer she just gave was inconsistent with previous testimony, which was that she left because of differences over Senate Bill 91.

COMMISSIONER PRICE expressed her belief that the two answers are not disparate; her involvement collecting adversarial comments regarding Senate Bill 91 was one of the reasons she failed to be influential within the Walker administration.

CO-CHAIR FIELDS related that her testimony before the Senate Finance Committee was that she left [her position] because she didn't share the governor's vision. He asked her whether she thought she was asked to resign because she didn't share the governor's vision or because of work ethic and other work performance issues.

COMMISSIONER PRICE responded that it is her belief that she was asked to leave for a variety of reasons. She said that the deputy chief of staff, who worked with her for two years, has testified in her support and identified a positive work ethic. She stated that the chief of staff for two years, Jim Whitaker,

has offered to testify. She maintained that no one in the administration, including Chief of Staff Whitaker and Chief of Staff Kendall, communicated to her any concerns about work performance or ethic.

3:35:52 PM

CO-CHAIR FIELDS asked Commissioner Price whether she had ever presented work as her own that not her own during her time as special advisor with the Walker administration.

COMMISSIONER PRICE replied, "To the best of my ability to answer that question, no." She acknowledged that she forwards information to other people; therefore, there were times when she copied and pasted information from other agencies to pass on in an informational brief. She maintained that in these instances, she did not claim the work as her own.

CO-CHAIR FIELDS asked for a description of qualifying factors that are required of a police officer in Alaska.

COMMISSIONER PRICE replied that one must be 21 years of age, undergo a background check, and have a general educational development (GED) certificate or high school diploma.

3:37:40 PM

REPRESENTATIVE STORY stated that Representative Kopp proposed legislation providing an option for police officers to join a defined benefit retirement plan. She asked if DPS supports the proposed legislation.

COMMISSIONER PRICE replied that DPS has not taken a position on the proposed legislation.

REPRESENTATIVE STORY asked what Commissioner Price has done to improve the problem of recruitment and retention of law enforcement officers.

COMMISSIONER PRICE stated that the retention work group delivered its findings. She offered to share a copy of the findings with the committee. She said that she aggregated a list of the group's recommendations. Some of the recommendations are currently underway and some are long-term. One recommendation involves issuing a written list of expectations in the pathway to promotion to the position of sergeant and above; this helps to avoid the perception of

leadership being a "good old boys club"; and it affords the opportunity for officers to meet the requirements that would allow them to move through the pathway and have access to promotion opportunities. She stated that some of the other recommendations would be more difficult to implement. One such recommendation is the creation of an internal, in-house psychologist to address emotional and mental well-being fit-for-duty requirements in terms of trauma-informed response after a critical incident. She mentioned another recommendation - implementing command climate surveys - to determine from field personnel how a commander is performing and whether there is effective communication within the department. She offered that she has implemented a DPS quarterly to share information about the work being done throughout the department. She relayed that DPS has requested volunteer employees to review the operating procedures manual (OPM), to identify ways to improve psychological services, critical incident debriefing, and improve the employee recognition program.

REPRESENTATIVE STORY asked the commissioner how she is tracking the situation of untested rape kits.

COMMISSIONER PRICE answered that the AK-SAKI work group continues to meet. They have prioritized the effort, which involves ensuring there is adequate material to be tested through deoxyribonucleic acid (DNA) analysis and an anticipated result from the analysis. The kits continue to be sent out to the external lab as per the federal grant that was secured for the initiative. She expressed her concern that DPS address its internal policies to ensure that in 10 years it is not facing another [rape kit] backlog. She offered her understanding that legislation has been introduced regarding mandatory submission of kits; AST and AWT have voluntarily adopted a 30-day mandatory submission policy; and the UAAJC research component has the potential of providing lawmakers an opportunity to strengthen laws relating to sexual assault.

REPRESENTATIVE STORY asked the commissioner what her main priorities will be in her role.

COMMISSIONER PRICE responded that her main priority is an adequate, trained workforce to provide the mission critical services of law enforcement and life and safety preventive activities throughout the state. She maintained that DPS, outside of AST and AWT, has experienced a tremendous lapse in morale over previous years due to a variety of circumstances; an aggregate total of factors has negatively impacted the morale of

the department. She emphasized that she cannot improve how DPS provides public safety services without a healthy, trained workforce, and that is her number one priority initially.

[3:43:50 PM](#)

REPRESENTATIVE STORY asked for comment on Alaska's performance in providing adequate public safety to rural communities.

COMMISSIONER PRICE offered her belief that Alaska is failing in providing adequate public safety to rural communities. She said that she thinks there is a tremendous opportunity for DPS to improve how it provides services; there needs to be collaborative, collective conversations among DPS, lawmakers, and other partners throughout the state to develop and determine what the minimum standard of public safety and law enforcement response should look like in the rural communities and beyond. She maintained that there is no research, documentation, or support to inform DPS as to what adequate staffing levels should be in order to meet any standard in the state - urban, rural, or otherwise. She said that there is tremendous work to be done.

REPRESENTATIVE STORY asked how the commissioner sees the Village Public Safety Officer (VPSO) program working under her leadership.

COMMISSIONER PRICE expressed her belief that the VPSO program is a critical factor in addressing rural public safety; the mechanism by which the program is currently operating needs to be addressed to ensure it is efficient and effective. Currently DPS is experiencing the lowest number of VPSOs it has had in the past 10 years; the state needs to identify the expectation in terms of public safety for communities and work to meet those expectations. She offered that DPS has made great headway with the current grant agreements: allowing the [non-profit Native corporation] grantees more autonomy in hiring and spending funds; minimizing the challenging costs of regulation and administration; and reducing the amount of time VPSOs are away from their villages for ALET training from 15 weeks to 6 weeks. She maintained that DPS has made significant changes in an attempt to support the grantees and their ability to recruit and retain officers; however, with the short amount of time she has been in the position, she is unsure of the next steps beyond the improvements that she has made for fiscal year 2020 (FY 20).

REPRESENTATIVE STORY asked whether Commissioner Price has been able to meet with the VPSO program grantees.

COMMISSIONER PRICE answered that she has met with large groups of grantees but not individually. She participated in the Alaska Federation of Natives (AFN) legislative event and is available to attend other such events as requested. Her office is in regular communication with the grantees, program coordinators, and VPSOs.

3:47:22 PM

REPRESENTATIVE VANCE asked Commissioner Price to relate the scope of her authority as commissioner and as "top cop."

COMMISSIONER PRICE responded that technically the top cop in the state is the attorney general. She stated that the commissioner of DPS is a civilian administration position, although it has historically been filled by a law enforcement professional. She relayed that she is the ultimate signatory authority, such as for a waiver for a VPSO grantee to give someone with a misdemeanor conviction Criminal Justice Information Services (CJIS) security clearance. She stated that she is the signing authority on the decisions regarding day-to-day operational needs.

REPRESENTATIVE VANCE asked whether as a civilian, she gives credentials to law enforcement officers.

COMMISSIONER PRICE replied that under statute, she is no longer a civilian. She explained that it is the APSC that provides certification; the council is made up of a variety of police officers from throughout the state; it issues and revokes police officer certifications.

REPRESENTATIVE VANCE asked the commissioner what her role is in relation to the council.

COMMISSIONER PRICE answered that she does not have a seat on the council; Deputy Commissioner Michael Duxbury sits on the council.

REPRESENTATIVE VANCE acknowledged the commissioner's experience with sexual assault issues; however, she offered that the position entails so many more issues; Alaska is facing some of the steepest increases in crime in the nation. She asked the commissioner to relate her experiences regarding issues outside of sexual assault.

COMMISSIONER PRICE replied that DPS has division directors who are responsible for the operational components of law enforcement; Colonel Barry Wilson is the director of AST, and Colonel Doug Massie is director of AWT. She said that the two directors are assigned the authority for operational direction of funds and resources to address drugs, vehicle theft, property crimes, homicides, ABI, and more; they are part of her senior leadership team; they meet with her regularly; they brief her on a variety of issues; and they provide direction and feedback on how their activities fit into DPS's strategic plan.

COMMISSIONER PRICE relayed that as someone who has managed several organizations, she recognizes that being removed from day-to-day detailed conversations presents opportunities. She gave examples of her role supporting law enforcement operations: She conferred with a rapid DNA [analysis] company and approved a pilot project, which would train troopers to process DNA and identify a suspect in 90 minutes using in a machine that could be carried in a patrol car. The new executive director under the High Intensity Drug Trafficking Area (HIDTA) grant has been hired; the HIDTA executive board is an aggregate group of law enforcement professionals from around the state; with 20 years of experience with grant management and distribution, they will be awarding grants in an effort to meet strategic goals and planning; this work will directly relate to the drug interdiction forces currently in DPS. She concluded by saying that her role is managing at a high level all the components of DPS and ensuring the necessary communication to take advantage of opportunities.

[3:52:49 PM](#)

REPRESENTATIVE VANCE expressed her concern that a commissioner coming into the position as a civilian with no public safety experience and having much more experienced personnel as subordinates, could influence morale in the department.

COMMISSIONER PRICE responded that she disagrees that she has no experience in public safety at all; she has worked with SVU, CACU, ABI, and with thousands of response cases alongside of the men and women who serve in [public safety] and have a deep understanding of law enforcement. She suggested that the committee ask her supporters and review the letters of support and endorsements from PSEA. She stated that she has been humbled and honored by the tremendous outpouring of support from troopers, fire marshals, deputy fire marshals, shelter program personnel, the manager of the sex offender registry, and

information technology (IT) staff. She mentioned that she herself had doubts about being a civilian in the role of commissioner. She relayed that what she has heard from the department collectively and loudly is overwhelming support for her. She passed on a comment by AST Captain Ron Wall that she is the best commissioner that DPS has had. She offered that she has received support specifically because she is not a law enforcement personnel.

[3:55:15 PM](#)

CO-CHAIR FIELDS asked why commissioners obtain security clearances through the Federal Bureau of Investigation (FBI).

COMMISSIONER PRICE answered that the primary reason commissioners obtain a CJIS clearance is to have access to law enforcement sensitive information.

CO-CHAIR FIELDS asked if the CJIS clearance would relate to information about emergency response or terrorism incidents.

COMMISSIONER PRICE replied that there is a need for the commissioner to have clearance in order to engage in conversations involving law enforcement sensitive information.

CO-CHAIR FIELDS asked whether she thinks it would be helpful for a commissioner to be able to coordinate in the event of a terrorist attack or another emergency response situation in which one would need a secret security clearance to engage in those conversations.

COMMISSIONER PRICE responded that since the prior two commissioners did not have active security clearance - Top Secret (TS) or otherwise - her answer is no.

CO-CHAIR FIELDS asked Commissioner Price if she has a security clearance with the FBI.

COMMISSIONER PRICE answered that she does not have a TS or a Sensitive Compartmented Information (SCI) clearance. She added that she would not have it even if she applied, because it takes months to obtain. In response to Co-chair Fields, she confirmed that she did not apply for a TS/SCI clearance because it is not a necessary component for the position of commissioner of DPS.

CO-CHAIR FIELDS stated that members of the media have submitted Alaska Public Records Act (APRA) requests related to allegations

of plagiarism, absenteeism, and misleading testimony regarding the reason for her departure from the Walker administration. He asked whether she knew why the administration has not complied with the requirements of APRA.

COMMISSIONER PRICE responded that she was not aware of the request. She stated that she would be happy to answer any questions that the committee has.

CO-CHAIR FIELDS asked the commissioner if she was aware that the governor's staff had corresponded with at least one member of the media and repeatedly stonewalled an APRA request made over two months ago.

COMMISSIONER PRICE replied that she was aware of an APRA request but not of the list of allegations. She was aware of a request related to plagiarism but was not party to any conversations with the governor's staff about the release of information.

[3:58:43 PM](#)

REPRESENTATIVE WOOL asked how many VPSOs there were and how many live in the villages in which they work.

COMMISSIONER PRICE replied 43 and said that the majority live in villages and/or village hubs. She mentioned that Fairbanks is the only urban area with VPSOs and VPSO coordinators, and they serve the surrounding area.

REPRESENTATIVE WOOL asked her to comment on VPSO applicants who have misdemeanor convictions and her ability to waive the background check for them. He asked whether waiving the background check has been an issue with hiring VPSOs.

COMMISSIONER PRICE answered that through the grant agreement with the grantees, when there is a denial for CJIS clearance, the VPSO director will request a waiver, barring felony convictions and several other violation categories. She said that at the request of the grantee and if the grantee feels that there were extenuating circumstances, she can choose to waive the CJIS clearance decline.

REPRESENTATIVE WOOL asked her to comment on any policy changes recently making VPSO applicants ineligible.

COMMISSIONER PRICE explained that there was a significant shift in 2015, when there were conversations about potentially arming

VPSOs and doing so became a statutory opportunity. At that time DPS made the decision to require VPSOs undergo the stringent background check that troopers undergo and attend the full academy training in Sitka. She expressed her understanding that these two requirements were very prohibitive in the ability to recruit and retain individuals for the VPSO program, because the individuals were [then] well qualified to work for other police departments. They would attend the full ALET academy, serve as VPSOs, and receive VPSO certification, which made them eligible to transfer to a police department. She stated that the grantees indicated to her that adding an expansive background check and full ALET training was prohibitive.

REPRESENTATIVE WOOL asked her for her opinion on the issue.

COMMISSIONER PRICE opined that VPSOs don't have a need to attend the full ALET academy training; therefore, DPS is reducing the requirement to only include the statutorily mandated 240 hours of training - or 6 weeks in the academy. She stated that DPS is not creating a new academy but re-aligning the curricula so that the first 6 weeks provide the VPSOs with all that they need. She offered that the fall academy will be the first one to try this out.

COMMISSIONER PRICE continued by saying that with the introduction of the grant agreement for FY 20, DPS is returning to the grantees the background check authority. She said that AST and DPS will no longer be completing the background checks unless the grantee requests it. The grantees asked for this authority; they are still bound by statutes and regulations; however, they have indicated that this will help them be able to recruit.

[4:04:03 PM](#)

REPRESENTATIVE WOOL asked whether any issues were identified in her own background check.

COMMISSIONER PRICE replied, no. She underwent a fingerprint-based background check at the state level, completed by the Western Identification Network (WIN), which was automated by a metric identification system. She also was checked through the FBI's Next Generation Identification (NGI) system; the report from that system grants clearance based on criminal justice repository information submitted by criminal justice agencies and all information housed by the FBI. After these checks, she

was granted full and unrestricted access to all DPS criminal justice systems.

REPRESENTATIVE WOOL asked what the number one issue was for officer retention as revealed by the retention work group. He mentioned that legislators have heard a great deal about officers being trained at no small expense to the state, working five years, then leaving. He asked for her comments on that issue.

COMMISSIONER PRICE responded that when she directed the workgroup to complete the task, she asked them specifically to exclude salary or benefits in the conversations. She explained that the reason she did that was because she wanted recommendations for which she could affect change, acknowledging that salary and benefits were not under her authority to change. She stated that there was not one recommendation at the top of the list of recommendations; however, the consistent thread running through the report was the sense of not being valued, poor communication by leadership, inadequate training, inadequate tools and equipment, and command not understanding everyday work. She said, "It was sort of an overwhelming 'nobody cares.'" She maintained that fixing this issue was easy: mandating her command staff to do post visits; designating command visits as mission critical, thereby, lifting the travel restrictions; employing officer wellness in terms of psychological and mental health; and attending to secondary - or vicarious - trauma.

[4:07:56 PM](#)

REPRESENTATIVE WOOL asked whether "salary and benefits" is the most important issue, even though it isn't something she can affect directly.

COMMISSIONER PRICE answered that the decisions made by the legislature to increase pay 7.5 percent and an additional 7.5 percent pending approval during the current session has made a difference in encouraging troopers to stay. She stated that the results of the Commissioned Employee Engagement Survey (CEES) indicated that pay and/or benefits would neither cause the respondent to stay in the job nor cause them to leave his/her job. She stated that salary and benefits is an important prong in the ability to recruit and retain officers; however, it is not the only prong. She maintained that it doesn't matter how much you pay employees or what their benefits look like; if they

are miserable and they are not valued, they are unlikely to stay.

[4:09:51 PM](#)

CO-CHAIR FIELDS asked Commissioner Price if she has current or recent personal financial issues.

COMMISSIONER PRICE answered that she had a foreclosure a little over one year ago. As a result of her husband being in an accident and being relieved from duty as an Anchorage police officer, her family experienced a significant financial challenge.

CO-CHAIR FIELDS asked whether she understands why a significant financial problem could be a disqualifier for police officers.

COMMISSIONER PRICE replied that she understands that it could be a disqualifier potentially for TS/SCI clearance; however, it is not a prohibitive factor for receiving those clearances; it is one factor that is considered.

CO-CHAIR FIELDS asked whether she believes that she could be hired and certified as a trooper, and whether she has undergone a trooper background check.

COMMISSIONER PRICE responded that she does not know if there is a difference between her background check and one for a trooper. She offered that she has not been polygraphed, and troopers are polygraphed. She suspects that troopers are subject to checks that she has not undergone.

CO-CHAIR FIELDS asked for confirmation that she has not applied for a TS/SCI clearance.

COMMISSIONER PRICE answered, "Just like all of my troopers, correct, I have not."

[4:11:24 PM](#)

CO-CHAIR KREISS-TOMKINS stated that making the VPSO program more functional has been a subject of interest for everyone in the legislative and executive branches. He stated that his observation is that a great deal of attention has been directed toward the relationship between DPS and the grantees. He asked how many times Commissioner Price has met with the leadership of the non-profit grantees during her tenure as commissioner.

COMMISSIONER PRICE reiterated that she has met with large groups of grantee representatives - five or six at a time - multiple times. She has participated in the AFN legislative quarterly meeting. She committed to Will Mayo [Executive Director, Tribal Government and Client Services] that she would participate in any events upon request and has done so. She relayed that she plans to attend the next meeting between DPS and the VPSO commander and his staff of coordinators; she will be introducing the changes to the grant agreement recommended by DPS and solicit feedback. She acknowledged that she has not met one-on-one with every grant administrator or non-profit grantee CEO; she has met with them in group settings with their lobbyist.

CO-CHAIR KREISS-TOMKINS asked her to describe the relationship between DPS and the regional non-profit grantees from her perspective.

COMMISSIONER PRICE explained that it is a very troubled relationship; it is not troubled because of who the commissioner is or because of who sits in the legislature. There have been multiple attempts by DPS commissioners and the legislature over the past 20 years to address challenges within the VPSO program. She said that the fact that she is a direct speaker has created a new dynamic of discomfort; her hope is that when she explains the recommended changes with the grantees, her direct communication style and clear desire to improve the program will mitigate that stress. She pointed out that she has a supportive administration; [former] Commissioner [Walt] Monegan tried very diligently to restructure the VPSO program; however, the administration did not support moving in that direction. She reiterated that it is a challenged program; she is not responsible for the challenges; and the legislative body and different commissioners have requested audits. She expressed her desire to address the challenges and figure out a way to mitigate and minimize them - not necessarily to strengthen the program but to ensure that the state is responding to its rural communities in the most responsible way possible.

[4:16:21 PM](#)

CO-CHAIR KREISS-TOMKINS asked for the commissioner to relay the changes to the VPSO program.

COMMISSIONER PRICE reviewed the changes as follows: 1) reducing training time from the full ALET [16-week] training to 6 weeks by realigning the curricula; VPSOs can attend, generate

relationships with other trainees, receive the statutorily required 240 hours, then return to their communities; 2) returning the authority for completing background checks for hire to the grantees; and 3) returning some of the responsibility, authority, and determination to make decisions about allocation of funds to the grantees, but still maintaining state oversight. She added that these changes will be presented as recommendations, and DPS will discuss them with the grantees collaboratively.

COMMISSIONER PRICE reiterated that there would be a meeting in late April [2019], at which DPS will be meeting with the non-profit grantee staff, VPSO coordinators, and AST program staff to collaborate on the FY 20 grant agreements. She confirmed that the meeting will be the first with all the mentioned participants since she became commissioner.

4:19:24 PM

REPRESENTATIVE VANCE asked Commissioner Price about the scope of her authority, specifically as a civilian taking the position of the commissioner and assuming the duties of an officer.

COMMISSIONER PRICE answered that statutorily she is now identified as a commissioned officer; however, she has not assumed the duties of an officer, since she has not received officer training.

REPRESENTATIVE VANCE asked the commissioner whether she could waive a misdemeanor upon grantee request.

COMMISSIONER PRICE responded that she cannot waive a misdemeanor, as that is a criminal justice system matter. She can waive the decline that DPS has placed on hiring the individual [with a misdemeanor].

REPRESENTATIVE VANCE asked if her understanding is correct that Commissioner Price is statutorily a law enforcement officer.

COMMISSIONER PRICE responded that she has not attended the academy training to be an AST, because the position of commissioner is a civilian administration position. She added that DPS is much more than just AST. She listed the divisions of DPS.

REPRESENTATIVE VANCE asked for confirmation that the Commissioner's experience is in domestic violence and sexual assault advocacy.

COMMISSIONER PRICE replied that she has more than 20 years of experience in managing a variety of organizations, which included fiscal responsibility, operational administrative strategic development, personnel development and growth, and anything to do with securing successful resources and directing day-to-day operations.

REPRESENTATIVE VANCE asked for the number of officers that the state needs.

COMMISSIONER PRICE replied that the number is unknown because the state has never adequately reviewed, researched, or provided data on how many officers Alaska should have to provide an adequate law enforcement presence. She relayed that there are 40 authorized vacant position control numbers (PCNs); DPS has filled 18 of those positions with the academy that is currently in session; and the remaining 20 will be filled by the fall academy. She stated that after all the PCNs are filled, she will seek supplemental funding to hire additional troopers; having all the authorized PCNs filled does not mean that DPS has adequate staffing.

[4:23:02 PM](#)

REPRESENTATIVE VANCE expressed her appreciation for the ideas and changes that the commissioner is implementing. She maintained that it is the job of legislators to determine if the commissioner is qualified to fulfill that role and respond to anything that might occur in the future. She asked Commissioner Price to tell the committee how she is qualified, given she has no law enforcement training or direct experience.

COMMISSIONER PRICE maintained that she is exceptionally qualified for the position of commissioner, and law enforcement is not required. She stated that DPS has hundreds of years of law enforcement experience collectively through the law enforcement personnel who make up about half of DPS employees. She explained that DPS needs a leader who understands how to grow the department into an effective highly performing law enforcement and prevention component for the state in order to address crime. It needs someone who understands budget and finances and can ensure that appropriated funds are being adequately utilized to carry out the mission. She relayed that

she has a very strong recruitment unit under the direction of an excellent lieutenant and sergeant who report to a talented 30-year colonel with AST. She asserted that DPS has adequate law enforcement; what it doesn't have are troopers who can manage a department; troopers make great troopers but not great managers, because it is not what they are trained to do.

REPRESENTATIVE VANCE asked whether, as the leader of the department, she should be held to the same standards as her subordinates. She clarified by saying that Alaska public safety officers have a strict set of guidelines for conduct that the public and the academy expect them to follow; she asked if the commissioner was projecting those expectations in her management and recruitment process.

COMMISSIONER PRICE answered, no, she does not need to qualify with a firearm like a trooper or climb a rope or over a fence like a trooper must be able to do at the academy; commissioner is a civilian position. She emphasized that, of course, she needs to reflect the standards that DPS has for all employees and those which all state employees should reflect.

REPRESENTATIVE VANCE asked the commissioner to relate the code by which the troopers live.

COMMISSIONER PRICE answered that on the badge is loyalty, integrity, courage.

[4:26:40 PM](#)

REPRESENTATIVE WOOL asked for the average length of stay of a state trooper.

COMMISSIONER PRICE answered that DPS has a tremendously high number of senior staff who have served 20-plus years. She said that this is concerning for the state because they will be eligible for retirement within a few years. She mentioned mid-range employees who have served between 10-20 years. She said that she didn't know the average tenure; however, DPS is losing those with 0-10 years from the department at a much more rapid pace.

REPRESENTATIVE WOOL referred to her testimony regarding the survey in which only 20 percent listed salary and benefits as the top concern. He asked how many of the respondents were under [Public Employees' Retirement System (PERS)] Tier IV and how many have been around for 10-20 years. He offered his

understanding that there are many experienced employees about to retire, and employees just coming in are not staying very long. He asked whether the survey separated the Tier IV responses from Tiers I, II, and III.

COMMISSIONER PRICE acknowledged that being a challenge with the survey; someone under Tier II with 20 years might not consider benefits as impactful. She maintained that she supports troopers and, anecdotally, AST and all Alaska peace officers indicate that a return to defined benefits would be beneficial to them. She said that she has yet to see an analysis of a return to defined benefits that meets the needs of troopers and the needs of the state in this fiscally challenged time.

REPRESENTATIVE WOOL relayed that legislators have heard about the [retirement benefits] issue in the context of troopers, firefighters, and many other state employees. He said he was surprised to hear one commissioner mention that it was an issue for his/her department. He asked how many of the troopers who entered the academy in the last ten years [have left]. He suggested that if that number is high, and they are all Tier IV hires, then that may identify the problem. He stated that he, too, is concerned about the finances of the state; however, if it costs \$200,000 to train a trooper and five years later the trooper leaves and the state must pay another \$200,000 to train another trooper, then fiscally it might be worth the investment.

COMMISSIONER PRICE answered that she does not have that information; however, DPS has done an analysis and she can provide the data. She stated that the common goal is a strong, healthy, well-supported law enforcement force for the state.

REPRESENTATIVE WOOL maintained that although management and "rank-and-file" do not always agree, everyone should agree on this issue, in order to fulfill the goals of retention and keeping employees happy and wanting to stay.

[4:31:32 PM](#)

CO-CHAIR FIELDS referred to Commissioner Price's resume, which states as follows: "Proven leadership success both statewide and nationally in non-profit management" and asked her to describe her experience in national non-profit management.

COMMISSIONER PRICE answered that she managed multiple national non-profit organizations. She highlighted one - the American Heart Association (AMA) - for which she received the national

"newcomer of the year" award at a national conference for improving the scope of services provided to rural Alaska communities.

CO-CHAIR FIELDS asked whether historically DPS has carried funded, unfilled positions on its balance sheet.

COMMISSIONER PRICE responded that her understanding is that every year there has been approved PCNs in the budget that DPS has not had the opportunity to fill.

CO-CHAIR FIELDS asked whether she agrees with the characterization that the funding for 77 unfilled positions constitutes a "slush fund."

COMMISSIONER PRICE replied that she finds the term "slush fund" wildly offensive - both to the legislative body and to DPS. She stated that to her, slush fund means misuse of funds, and she is certain that such a fund would be detected by the legislature. The funds from the unfilled PCN positions are being used to fund necessary and critical personal services for overtime. She maintained that DPS could do a better job of providing the legislature information about where and how funds are being spent.

CO-CHAIR FIELDS stated that it is his understanding that it takes up to eight months to perform new hire background checks. He asked whether she thought it would be difficult to ask someone to stay unemployed for half a year while he/she waits for a possible job.

COMMISSIONER PRICE agreed and answered that it is difficult for AST and AWT as well.

CO-CHAIR FIELDS asked for the number of VPSO applications with pending background checks.

COMMISSIONER PRICE replied, "It's four."

CO-CHAIR FIELDS expressed his understanding that the number is several times that number.

COMMISSIONER PRICE answered, "I can definitively say it's not several time more than that."

CO-CHAIR FIELDS mentioned that the commissioner has stated on record that the VPSO program is not following statute and asked

her if she is aware of the legislative intent language supporting more flexibility for funds in order to address unfunded mandates, recruitment, and retention.

COMMISSIONER PRICE answered, "Yes, I was."

CO-CHAIR FIELDS asked the commissioner to comment on special projects that were denied by the department related to recruitment and retention of VPSOs and how those decisions aligned with the legislative intent language.

COMMISSIONER PRICE replied that since Governor Dunleavy has taken office, there have been zero declined special projects related to the VPSO program.

CO-CHAIR FIELDS asked whether she know how long the intent language has been in place for grantees to use these funds.

COMMISSIONER PRICE expressed her belief that the intent language was put forth by the legislature during the [Thirtieth Alaska State Legislature, 2017-2018]; the VPSO commander made changes in the way funding was allocated and forward funded the grantees at the beginning of the grant cycle in FY 19.

[4:35:55 PM](#)

CO-CHAIR KREISS-TOMKINS referred to her testimony that someone in the department had characterized her as the best commissioner he had seen. He asked her to relate the accomplishments that have occurred through her leadership in her four to five months in the position to warrant the characterization.

COMMISSIONER PRICE responded that she is sure that Representative Kreiss-Tomkins could find a trooper who called her the worst commissioner also. She offered a few non-tangible accomplishments: telling the recruitment unit that they are a priority and whatever they need they will get; calling command staff into the office to tell them that they don't need to concern themselves with the budget, as it is her job. She said that historically they have been trying to manage the budget; it is not their job; and she wants them [free] to do their jobs of operating their divisions. She mentioned specific accomplishments: She commissioned a staffing assessment for C Detachment in Western Alaska and a staffing assessment for B Detachment in the Matanuska-Susitna (Mat-Su) Borough. Staffing assessments provide DPS with a clear picture of the staffing levels appropriate for a borough based on its challenges. She

stated that the assessments have not been utilized and expressed her belief that the data needs to be reviewed to inform where DPS places troopers and to grow the force. She relayed that she now has commissioned a C detachment staffing assessment for Western Alaska, which she said is going to look much different than the previous one because Western Alaska struggles with the highest rates of sexual violence in the state. The number of troopers and suggested training hours will be different and adding in allocated trooper time will also change the staffing assessment.

CO-CHAIR KREISS-TOMKINS asked whether in summary, the commissioner would say that the primary outcome of change in the department in the past four to five months has been a "cultural shift."

COMMISSIONER PRICE responded, "I serve the men and women who serve this department, and we all serve the citizens of Alaska." She expressed her belief that it is that attitude that has been the primary pivot for change.

[4:39:28 PM](#)

REPRESENTATIVE VANCE expressed a need to address some of the concerns that the public has brought forward. She offered that the many rumors that have been passed around should be addressed head-on. She asked the commissioner to comment on her involvement with the Dunleavy [gubernatorial] campaign and her transfer to the [Edie] Grunwald campaign [for lieutenant governor].

COMMISSIONER PRICE answered that she was a deputy campaign manager for the Dunleavy campaign. She left that campaign twice - once when her father passed away - and the second time in March or April [of 2018] when she felt she was not contributing; however, she was clear when she left that she continued to be a Dunleavy supporter. She relayed that her dear friend Edie Grunwald was running for lieutenant governor and requested that Commissioner Price provide support, which she did.

REPRESENTATIVE VANCE mentioned that the use of Dunleavy photographs (photos) in the Grunwald campaign gave the appearance that he endorsed her candidacy, when in fact he had not. She asked the commissioner to comment.

COMMISSIONER PRICE responded that she could not comment because she had never heard the rumor, seen the photos, or seen

correspondence from candidate Dunleavy to candidate Grunwald about it. She said that it was the first time she heard of the accusation.

REPRESENTATIVE VANCE offered that the reason for her exit from the Walker administration - coming to an agreement that it just wasn't working - sounds similar in nature to her exit from the Dunleavy campaign. She suggested that the commitment to be present and involved with whatever administration with which she is working is in question. She asked for a comment on that point.

COMMISSIONER PRICE asked who was questioning - Representative Vance or a broader scope. She stated that serving in an at-will, appointed position for an administration has a specific set of challenges. As an administration moves forward it is not unusual for that administration to experience a change in high-level officials, including the chief of staff, deputy chief of staff, herself, and multiple other members who left Governor Walker's administration during the time frame that she left. She said that it does not make sense to continue working for someone, with whom you believed you could affect change, as priorities change. She stated that she is not a politician; her specific passion is public safety and improving the conditions of vulnerable populations; and she didn't feel that she had the opportunity to continue that work under Governor Walker. She emphasized that they had different priorities; and she considers him a kind and wonderful man.

COMMISSIONER PRICE offered that regarding Governor Dunleavy, the fact that he appointed her as commissioner designee of DPS reflects that they maintained a strong and supportive relationship during the transition, and he was supportive of that transition. She said that she tends to be conservative when speaking about these types of decisions that have been made because she doesn't see the benefit in saying anything negative about prior employers.

[4:44:22 PM](#)

REPRESENTATIVE VANCE mentioned that questions have surfaced about travel duties under the Walker administration.

COMMISSIONER PRICE replied that some of her duties included travel through rural Alaska as needed; for example, [to Bethel] at the governor's request to address the situation she mentioned previously regarding YKHC. She attended many community council

meetings on the governor's behalf; she traveled to Washington, D.C. to provide support for his senior advisor on intergovernmental affairs, who was to testify at the [U.S.] Senate Committee on Indian Affairs; she attended the National Criminal Justice Association (NCJA) conference. She offered that she did not do much out-of-state travel, because of travel restrictions; her travel was mainly in-state travel to Western Alaska.

REPRESENTATIVE VANCE asked the commissioner about the expectations for her to attend all the workshops at a conference.

COMMISSIONER PRICE replied that it depended on the conference: at some conferences she was a presenter; some conferences had a variety of tracks for selection. She selected those presentations that were most relevant to her work and briefed the chief of staff, governor, or deputy chief of staff.

REPRESENTATIVE VANCE stated that her intent in asking the questions was to give her the opportunity to speak to her integrity and to the propaganda that has been put forth.

COMMISSIONER PRICE stated that she has had a tremendous and humbling amount of support for her confirmation as commissioner. She relayed that the supporters include a multitude of active and retired law enforcement professionals who have known her for a decade, and not people who participate in innuendo, accusations, and rumors. They include Governor Walker's chief of staff and deputy chief of staff, forensic child interviewers, the president of the Alaska Chapter of Child Advocacy Centers (CACs), the former executive director of VFJ, the former colonel of AST, the PSEA, and her current staff. She reminded the committee that DPS staff is not a group who is given to offering endorsements. She stated that she is not surprised by the accusations and inuendo; none to date have been validated; the mainstream media has not offered such comments. She said, "It's certainly ... feels like it's in this bubble here of Juneau."

[4:49:31 PM](#)

CO-CHAIR FIELDS mentioned that he would like the administration to forward on to the committee the APRA response to one or more members of the media that has been submitted regarding her prior work issues. He referred to her testimony regarding the chief of staff's support for her confirmation. He stated that in order to avoid breaching confidentiality of personnel matters he

forwarded the request [letter dated 4/3/19 included in the committee packet] from the former chief of staff, [Scott Kendall, under the Governor Bill Walker administration, from December 2016 to December 2018] that she voluntarily waive her personnel privacy to the extent that her job may have been covered by the Alaska State Personnel Act (ASPA [AS 39.25] and the Alaska Executive Branch Ethics Act [AS 39.52]; he has not received a response. He asked whether she would voluntarily waive any privacy obligations under the Alaska State Personnel Act to testify and hear testimony from previous administration officials in this hearing or in subsequent public hearings.

COMMISSIONER PRICE answered that she does not believe that accepting an appointment to a position within an administration requires her to waive any rights or protections that any citizen is afforded. She relayed that the individual that Representative Fields referenced has the full authority to call in on his own behalf and engage in the public and transparent process if he wishes; he does not need her waiver.

[4:51:33 PM](#)

CO-CHAIR FIELDS opened public testimony on the confirmation hearing on the commissioner of DPS.

[4:51:41 PM](#)

JOEL JACKSON, Organized Village of Kake, testified that he was a former Village Police Officer. He offered his support for the VPSO program and relayed concerns with Alaska's 911 system. He also mentioned the limitations with the VPSO program as it currently is and the delay in AST response to an incident in the village.

[4:57:37 PM](#)

KRIS PITTS testified that she was a longtime resident of Anchorage and has known Commissioner Price for a decade. She stated that she worked in the professional world with the commissioner providing education to statewide multidisciplinary personnel, including public safety professionals, and providing advocacy for sexual assault victims. She described Commissioner Price as a community leader, proponent for the entire public safety community, and an advocate for all Alaskans. She referenced the high rate of crime and sexual assault in Alaska. She relayed that Commissioner Price's practical and operational experience and dedication will bring about much needed long-

lasting and positive change that Alaska's public safety professionals deserve. She maintained that Commissioner Price will provide confident, informed, and forward-thinking oversight and policy direction.

5:00:22 PM

ROBYN LANGLIE testified that she worked closely with the commissioner as an employee of VFJ. She maintained that under the commissioner's leadership, STAR grew, made better connections with law enforcement, and expanded services. She said that when she, Ms. Langlie, became the executive director of VFJ, Commissioner Price was working for Governor Walker on crime and policy; the commissioner was respectful and professional; Commissioner Price tried to have Ms. Langlie's concerns about Senate Bill 91 heard by the governor.

MS. LANGLIE described the commissioner as someone who is not afraid of conflict or to tackle controversial or broad scale issues. She said that she is impressed with the commissioner's leadership skills and thinks that having someone in the position of commissioner, who is not a law enforcement professional who has come up through the ranks, is refreshing. She maintained that Commissioner Price has more of the victim's perspective.

5:03:16 PM

BRENT JOHNSON, Public Safety Employees Association (PSEA), testified that he is impressed with her motivation, drive, abilities, and ideas in forward thinking. He stated that he has been involved with public safety for almost 20 years; change is very difficult for people in law enforcement; however, with Commissioner Price there is an opportunity for positive change. He mentioned that he was appointed to her employee retention work group; many of his suggestions were put forward and are in the list of recommendations. He emphasized the speed at which Commissioner Price organized the group; the group put together the recommendations in less than two months; and the recommendations are already being implemented out in the field. He relayed that this effort immediately caused a boost in morale among DPS officers.

MR. JOHNSON offered that Alaska leads the nation in domestic violence, sexual assault, and violence against women. He stated that having someone from the advocacy side of those issues is a great opportunity for officers to learn, see a different perspective, and take a different path. He mentioned that his

organization is enthusiastic about having a commissioner who is not from the law enforcement field. He expressed a common belief among officers - that Alaska's DPS is about 20 years behind other such departments in the country in policy, tactics, and equipment. He stated that in the commissioner's short tenure, she has addressed all three areas, and is pushing the department forward rapidly to catch up with the rest of the nation. He maintained that law enforcement throughout the country uses education and research to drive their policing practices; these tools are being utilized in Alaska for the first time by Commissioner Price. He said, "And we as an organization and as members of this department are highly excited for that opportunity to join the twenty-first century of law enforcement."

[5:07:06 PM](#)

MARK SPRINGER, Chairman, Marijuana Control Board (MCB), explained that MCB is charged with protecting the health and safety of Alaskans through AS 17.38 and [3] AAC 306. He stated that the board has encountered issues, of which Commissioner Price is aware. The commissioner has the authority to authorize what is needed by the Alcohol & Marijuana Control Office (AMCO) investigators to perform their jobs. There are seven investigators - in Fairbanks, Anchorage, and Juneau - to enforce marijuana statutes and regulations. The investigators are sworn officers who, until recently, have been considered by the State of Alaska to be peace officers. They all have extensive law enforcement and criminal investigation experience; four are APSC certified; two have out-of-state law enforcement certification with Alaska recertification; and one is a certified federal law enforcement officer. He stated that AMCO inspectors are not boiler investigators. Last year AMCO received an audit by FBI on CJIS, which includes Alaska Public Safety Information Network (APSIN), National Crime Information Center (NCIC), and Atlantic Research Marketing Systems (A.R.M.S.), and passed without issues.

MR. SPRINGER relayed that on 12/1/18, AMCO had its access to APSIN and A.R.M.S. cut off by DPS. The commissioner is aware of this issue and has not taken any action to reverse it. It is problematic for the investigators to do their jobs and raises officer safety issues. He stated that all the investigators are special commissioned officers at the request of the Alcohol Beverage Control (ABC) Board and MCO under statute; the commissions are from DPS; three of the investigators requested that their commissions be renewed, which has not happened. He

mentioned other issues critical to [AMCO} officer safety as follows: officers across the state are not permitted to use the DPS Alaska Land Mobile Radio (ALMR) System talk groups to communicate with AST; officers requested to be allowed to use emergency lights on their vehicles, which DPS has not authorized. He concluded by saying that the AMCO investigators do a very important job for the people of the State of Alaska, and the issues are worthy of the committee's attention.

[5:12:02 PM](#)

REPRESENTATIVE WOOL asked Mr. Springer if he holds the law enforcement seat on the board.

MR. SPRINGER responded that his seat is the "rural seat," however, he is the chairman of the board.

REPRESENTATIVE WOOL asked for the reason AMCO investigators would need to be armed or use emergency lights when inspecting alcohol and marijuana businesses. He said that in his 25-plus years of experience in such a business, he has never had an incident in which an investigator needed to be armed or arrive with emergency lights.

MR. SPRINGER answered that the emergency lights are not the light bars like on a state-owned public safety response vehicle. For an inspector who does a "shoulder tap" at a liquor store and a bad situation develops, he/she might want to use emergency lights; it would not be for a routine license inspection. He stated that the investigators are law enforcement officers, and these are common law enforcement tools. He maintained that the larger issue is DPS not considering the investigators as peace officers and commissioned law enforcement officers, and the effect that has on officer safety.

[5:15:04 PM](#)

MARTHA MERRILL testified that her husband, Andrew Merrill, is a 17-year AST, currently a captain and commander of the VPSO program, and acting commander of C detachment, which is Western Alaska. Her husband has described to her the changes at work since Commissioner Price became commissioner: when he speaks to Commissioner Price he feels "his voice is heard"; she has committed to being responsible for her own decisions; she is attentive to and overwhelmingly supportive of the VPSO program and of Mr. Merrill's goals for the program; and she has taken the time to listen to Mr. Merrill explain the program. She

offered that her husband has said that Commissioner Price is not superficial; she is thoughtful and decisive. She maintained that bringing someone into the position of commissioner of DPS without direct "boots on the ground" experience can increase morale in all the divisions. She said that she has not seen her husband this excited about going to work and attending meetings. She asserted that Commissioner Price routinely speaks eloquently and respectfully in her professional life.

[5:20:27 PM](#)

SHAUN KUZAKIN, Public Safety Employee's Association (PSEA), testified that he has been an AST for 19 years. He reiterated that Commissioner Price, immediately upon appointment by the governor, approached PSEA and began working to improve morale. She is approachable, intelligent, does her homework, understands DPS thoroughly, and is a good leader.

[5:22:21 PM](#)

CO-CHAIR FIELDS closed public testimony on the confirmation hearing on the commissioner of DPS. He stated that the nomination would be held over.

[5:23:20 PM](#)

The committee took an at-ease from 5:23 p.m. to 5:25 p.m.

HB 115-ABSENTEE VOTING

[5:25:29 PM](#)

CO-CHAIR FIELDS announced that the next order of business would be HOUSE BILL NO. 115, "An Act relating to absentee voting; and providing for an effective date."

[5:25:49 PM](#)

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, as prime sponsor of HB 115, paraphrased from the sponsor statement as follows:

House Bill 115 would give Alaskans the option to receive absentee ballots by mail for future state elections.

Currently, the Permanent Absentee Voter List is limited to Alaskans that reside in remote areas without reasonable access to an in-person polling place, disabled voters who ask to be designated a permanent absentee voter, and voters whose permanent residence is an institution serving the aged or persons with a disability.

House Bill 115 would preclude the Division of Elections from requiring a voter who chooses to receive an absentee ballot for all future elections to reapply for an absentee ballot unless the voter has not voted an absentee ballot for a period of four years or the voter's previous absentee ballot was returned to the division as undeliverable.

Since the 1960s, absentee voting has been legal in most states as a way for eligible voters to cast a ballot without being at their normal designated polling place on Election Day. The federal Voting Rights Act of 1970 included protections for absentee voters. Currently, eight states and the District of Columbia allow permanent absentee voting.

House Bill 115 would give voters the option to always receive an absentee ballot without having to fill out an application. This simple change to Alaska's absentee voting system would make absentee voting in Alaska more convenient for those who prefer the ease of casting a ballot through the mail.

Please join me in support of House Bill 115, which will strengthen our representative democracy by making it easier for Alaskans to cast a vote.

REPRESENTATIVE TUCK referred to Hawaii's voter registration application, which allows the applicant to choose to always vote by mail, unless terminated by missing an election or the ballot is returned to Hawaii's Office of Elections.

[5:29:07 PM](#)

REPRESENTATIVE WOOL asked about the mechanics of voting under the proposed legislation - whether a voter's name would be at a polling place if they received and returned a ballot to the Division of Elections (DOE) by mail. He asked whether the proposed legislation represents a precursor to "vote by mail."

REPRESENTATIVE TUCK responded, "It can be." He added that under HB 115, voting by mail would be an elective for the individual and not enforced on everyone. He mentioned that he likes to go to the polling place to vote; however, the proposed legislation offers a convenience for voters.

REPRESENTATIVE VANCE asked about the process for applying for an absentee ballot - by paper, online, or both.

5:30:47 PM

GAIL FENUMIAI, Director, Division of Elections (DOE), answered that currently DOE allows people to vote absentee by applying by mail, by facsimile (fax), or through its on-line ballot delivery system.

REPRESENTATIVE VANCE referred to the zero-fiscal note (FN) and asked whether under HB 115, there would be increased costs for automatically mailing out ballots for four years.

MS. FENUMIAI replied that DOE anticipates that under HB 115, the increase would be gradual. It is possible that the number of people choosing to vote by mail would become great enough to cause DOE to reevaluate and possibly request a budgetary increase; however, at this time there is much uncertainty.

REPRESENTATIVE VANCE asked for the number of absentee voters currently [participating] in statewide elections.

MS. FENUMIAI responded that it fluctuates from year to year - from a primary election to a general election.

REPRESENTATIVE VANCE asked for a general estimate to project the fiscal impact. She pointed out that when the Municipality of Anchorage implemented its Vote By Mail, the cost was more than \$1 million - substantially more than in-person voting.

MS. FENUMIAI replied that in the 2018 general election, there were 25,807 people requesting a ballot by mail; in the 2016 general election, there were 31,499; in the 2014 general elections, there were 31,282; in the 2012 general election, there were 33,940; in the 2010 general election, there were 30,400; and the 2008 general election had 45,769.

5:33:46 PM

REPRESENTATIVE STORY asked for clarification: if a person requested an absentee ballot, it would automatically be sent to them for the next four years.

REPRESENTATIVE TUCK responded by saying that the preference would be a check box for someone to opt to have a permanent absentee ballot.

REPRESENTATIVE WOOL asked whether for someone applying for an absentee ballot, his/her name would be taken off the voter list in the polling place or the name on the mailed ballot would be cross-referenced against the names at the polling place.

MS. FENUMIAI answered that there are mechanisms for marking the precinct register, if someone has voted already. She expressed her belief that currently DOE does not have the capability of marking "requested an absentee by mail ballot." She said DOE has checks and balances in place to check whether someone voted a by-mail ballot and at the polling place on Election Day. She maintained that the person's name would not be removed from the register; the register contains every eligible voter in the precinct. A person requesting a by-mail ballot may change his/her mind and go to a polling place instead.

REPRESENTATIVE VANCE commented that she highly values the integrity of elections, and she expressed that having an automatic mail out for four years by checking a box is concerning. She offered her belief that this removes the accountability to make a concerted effort to be involved in the voting process. She suggested that having such a check box for receiving the permanent fund dividend (PFD) for four years is abhorrent to her, because she believes that the process for applying for the PFD should be intentional and should ensure residency and identification. She offered that over-convenience may encourage disengagement. She stated that she likes the idea of reminding people that it is time to vote; just because the ballot comes by mail does not ensure engagement; and the cost of printing and mailing is a concern to her.

REPRESENTATIVE TUCK stated that the intent of HB 115 is to make voting more convenient; because of that convenience, the Anchorage municipal elections received much greater participation. He added that it provides convenience to people in hospitals, people who are bed-ridden, people who are disabled, and people in rural Alaska, who can only vote by mail. He reiterated the conditions under which the permanent absentee voting would be discontinued.

REPRESENTATIVE TUCK agreed to invite testimony from the Municipality of Anchorage Elections to provide more information on any election integrity issues as a result of its Vote By Mail system.

REPRESENTATIVE WOOL, in response to Representative Vance's concern, commented that one still must receive the ballot, open it up, fill it out, and mail it back, therefore, putting some thought and time into voting.

CO-CHAIR FIELDS mentioned that the mailed ballot is quite challenging.

CO-CHAIR FIELDS stated that HB 115 would be held over.

[5:41:38 PM](#)

The committee took an at-ease from 5:41 p.m. to 5:42 p.m.

CO-CHAIR FIELDS passed the gavel to Co-Chair Kreiss-Tomkins.

HB 118-OFFENDER REENTRY PLANNING BY CORRECTIONS

[5:42:50 PM](#)

CO-CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 118, "An Act relating to the duties of the commissioner of corrections; and relating to planning for prisoner reentry."

[5:42:59 PM](#)

CO-CHAIR FIELDS, as prime sponsor, presented HB 118 with the use of a PowerPoint presentation, entitled "House Bill 118." He turned to slide 2, entitled "Background," which graphically illustrates the decline in Alaska recidivism rates by calendar year [CY2011 - CY2015]. He reviewed the bullet points on the slide, which read:

- Reentry provides resources for citizens to successfully transition back in to our communities by utilizing individualized case management, programming, and support services
- Alaska has begun to see a steady decline in recidivism
- Reentry push began in 2010 and has spanned multiple administrations

CO-CHAIR FIELDS referred to slide 3, entitled "Offender Management Plans (OMPs)," and described them using the bullet points on the slide, which read:

- Used as a Case Plan for coordination between the Department of Corrections and Reentrant and Community Providers
- Case Plans are live documents developed after prisoner intake and are updated prior to transition and release into the community
- Prioritizes needs for citizens to have successful transition out of incarceration
- Based off of risk treatment assessment
- Addresses
 - Medical treatment
 - Mental health
 - Housing needs
 - Financial issues
 - Job skills
 - Life skills
 - Education
 - And more

CO-CHAIR FIELDS pointed out that the more effective an OPM is the fewer people reenter incarceration through recidivism.

CO-CHAIR FIELDS moved to slide 4, entitled "Reentry Coalitions Across the State," and relayed the developments listed on the slide, which read:

- Reentry Service: any service provided by a community or state organization that serves individuals released from the criminal justice system back into the community
- Reentry coalitions:
 - Facilitate community assessment of assets, barriers, and gaps for returning citizens
 - Develop solutions for case coordination challenges using evidence based approaches
 - Design and implement a Comprehensive Community Reentry Plan
 - Coordinate Offender Management Plans

- Participants in Reentry Coalitions include Alaska Division of Public Health, Alaska House Finance Corporation, The Salvation Army, Alaska Native Justice Center, The Alaska Labor Exchange System, Chanlyut, Nine Start Education & Employment Services, Alaska Mental Health Trust Authority, Southcentral Foundation, Partners for Progress, and Cook Inlet Tribal Council.

[5:46:38 PM](#)

CO-CHAIR FIELDS referred to slide 5, entitled "Reentry Coalitions in Alaska," which shows the locations of reentry coalitions on the Alaska map and lists them as follows:

- Coalitions in Anchorage, Matsu, Fairbanks, Juneau, Kenai, Dillingham, Nome, Ketchikan

CO-CHAIR FIELDS moved on to slide 6, entitled "What is currently in law?" and reviewed the legal requirements, which read:

- Reentry planning
 - DOC must establish an institutional case plan for every individual serving a term of 30 days or more
 - DOC must establish a reentry plan for every individual serving a term of 30 days or more
 - DOC is required to work with prisoners within 90 days of their release date in order to establish a written reentry plan
 - We hope to build on long term planning for success after release with this bill

CO-CHAIR FIELDS turned to slide 7, entitled "House Bill 118," to summarize HB 118, which read in part:

- HB 118 requires that a written case plan take effect within 90 days after a prisoner's sentencing
- HB 118 ensures that the DOC collaborates with community reentry coalitions and other providers of reentry services when developing a written case plan

[5:48:45 PM](#)

CO-CHAIR KREISS-TOMKINS asked about the growth of reentry coalitions over the past 10 years.

CO-CHAIR FIELDS replied that his recollection is that several years ago when he worked for the Department of Labor & Workforce Development (DOLWD), the only active community reentry coalitions were in Southcentral Alaska; now they are all over the state. There were individuals and groups working on reentry issues; however, they weren't organized as reentry coalitions comprehensively looking at wraparound services, housing, substance abuse treatment, and employment in a community.

CO-CHAIR FIELDS continued to review slide 7, which read in part:

- HB 118 establishes new metrics tracking the results of the program that conducts assessments of the risks and needs of offenders and a report presented to the legislature that includes
 - Number of prisoners provided written case plans, percentage of target population that number represents
 - Number of written case plans initiated within the preceding year
 - Number of written case plans updated in the preceding year

CO-CHAIR FIELDS added that data will assist in measuring the success of reentry programs - giving the state an opportunity to strengthen programs or make changes. He also added that the number of updated case plans speaks to how active the plans are.

[5:51:30 PM](#)

REPRESENTATIVE WOOL moved to adopt the committee substitute (CS) for HB 118, Version 31-LS0724\S, Radford, 4/3/19, as the working document. There being no objection, Version S was before the committee.

CO-CHAIR KREISS-TOMKINS stated that HB 118, Version S, would be held over.

[5:52:25 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:52 p.m.