

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

February 25, 2019

1:06 p.m.

MEMBERS PRESENT

Senator Shelley Hughes, Chair
Senator Lora Reinbold, Vice Chair
Senator Mike Shower
Senator Peter Micciche
Senator Jesse Kiehl

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

Alaska Police Standards Council

Jennifer Winkelman - Juneau
Rebecca Hamon - King Salmon
Stephen J. Dutra - North Pole
Joseph White - Ketchikan
Burke Waldron - Bethel

- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

JENNIFER WINKELMAN, Appointee
Alaska Police Standards Council
Department of Public Safety
Juneau, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Police Standards Council.

REBECCA HAMON, Appointee
Alaska Police Standards Council

Department of Public Safety (DPS)
King Salmon, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Police Standards Council.

STEPHEN DUTRA, Appointee
Alaska Police Standards Council
Department of Public Safety (DPS)
North Pole, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Police Standards Council.

JOSEPH WHITE, Appointee
Alaska Police Standards Council
Department of Public Safety (DPS)
Ketchikan, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Police Standards Council.

BURKE WALDRON, Chief of Police; Appointee
Alaska Police Standards Council
Department of Public Safety (DPS)
Bethel, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Police Standards Council.

ACTION NARRATIVE

[1:30:35 PM](#)

CHAIR SHELLEY HUGHES called the Senate Judiciary Standing Committee meeting to order at 1:06 p.m. Present at the call to order were Senators Micciche, Kiehl, Reinbold and Chair Hughes. Senator Shower arrived as the meeting was in progress.

^CONFIRMATION HEARING(S): **Alaska Police Standards Council**

[1:31:10 PM](#)

CHAIR HUGHES announced that the only order of business would be the confirmation hearings for Jennifer Winkelman, Rebecca Hamon, Stephen J. Dutra, Joseph White, and Burke Waldron to the Alaska Police Standards Council.

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CHAIR HUGHES reviewed the mission of the Alaska Police Standards Council: To produce and maintain a highly trained and positively motivated professional, capable of meeting contemporary law

enforcement standards of performance. She read the core services:

- Determine certification eligibility for all police, probation/parole, and correctional officers and issue appropriate level of certificate to qualified officers.
- In cases of misconduct by a certified officer, make a determination whether certification should be revoked.
- Monitor compliance with current regulations and legislation.
- Develop, monitor, and revise law enforcement training and training requirements.
- Assist academies and departments with funding for academy training.
- Fund specialized and advanced training for departments.
- Provide smaller agencies across Alaska with assistance in obtaining pre-employment polygraph and psychological testing for officers.

1:33:07 PM

JENNIFER WINKELMAN, Appointee, Alaska Police Standards Council, Department of Public Safety, stated that she is the director of the Division of Probation and Parole/ Pretrial Services in the Department of Corrections. She said that she was raised in Fairbanks. Her family relocated to Juneau in 2016. She graduated from University of Alaska Fairbanks with a degree in Justice and Paralegal Studies.

She has worked for the Department of Corrections (DOC) for 18 years, working in institutions and the field. Her husband worked for the DOC for 30 years. She would like to serve on the council because the Alaska Police Standards Council is very important in maintaining professionalism and integrity within the law enforcement community. As a probation and parole officer she has worked hard to make a difference. When she was appointed as director of Probation and Parole, she was given an opportunity to serve on the council. She said that she is steadfast that one cannot work in silos to combat public safety. The state has had difficulties with recruitment and retention in law enforcement. She would like to produce and maintain highly trained officers to protect Alaskans. She would also like to ensure that cases of

misconduct are handled to promote public trust. She said that she believes in the work of peace officers, but she also believes that it is imperative to have a check and balance system in place because of the latitude and authority that is given to officers.

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MS. WINKELMAN highlighted that she would bring to the council her background in corrections. She stated that she has managed probation and parole offices in many areas of the state, which has given her exposure and knowledge of the strengths and struggles that exist in terms of resources, staffing, and the unique nature of cases in Alaska and how they can vary from community to community. She has worked with law enforcement agencies in communities and said teamwork is imperative to accomplish the mission, especially in rural Alaska. Although she has not lived in a rural community in Alaska, she has family and friends in these communities.

She said that she views herself as a problem solver. She looks forward to serving on the council. She has managed a caseload of felons for many years, which means that she is not afraid to tackle tough, sensitive situations. As a supervisor, she has listened and empathized to challenges staff face and she believes that she has been fair and impartial in her decisions. She emphasized the necessity to ensure that the state produces highly skilled, trained law enforcement agencies with morals and integrity. She hopes to bring value to the council and the state.

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SENATOR MICCICHE asked when she became the director of probation.

MS. WINKELMAN answered that she became the director in December 2018.

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CHAIR HUGHES asked whether she has been involved in the Department of Corrections with any misconduct cases and if so, how she handled the cases.

MS. WINKELMAN said that as a supervisor she has handled cases of misconduct, primarily with personnel issues. She indicated that personnel matters would first go through the department's human resources agency, and when necessary, cases are referred to the Alaska Police Standards Council (APSC) for consideration. She

said in some instances performance improvement plans have resulted, in some cases, to non-retention of staff for behaviors of dishonesty. However, once the matter is before the APSC, it has been out of her jurisdiction.

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CHAIR HUGHES said it was good to know she has some experience and awareness of these issues.

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SENATOR SHOWER joined the meeting.

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SENATOR REINBOLD asked whether she has any knowledge of morale in law enforcement agencies and if the organizations have the necessary tools.

MS. WINKELMAN answered that she has not. She said that she is interested in it. She said she has good relationships with people who have shared their struggles. She recalled people in some villages express concern they experienced in hiring and training. She said she has collaborated on ideas for improvements, but not in this capacity or role.

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SENATOR REINBOLD pointed out that law enforcement agencies and the public are frustrated. She said that law enforcement wants its tools back.

MS. WINKELMAN said she has heard the frustration with laws being implemented and tools not being available. She said that she can make a commitment to doing what she can.

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CHAIR HUGHES turned to training and the effort to change laws to make Alaskans safer. She asked whether the Alaska Police Standards Council (APSC) will incorporate the changes in law enforcement training. She wanted law enforcement to know the tools that will be available to them. She asked whether that will be part of the training or if each local police department is responsible to advise its officers on changes to the criminal statutes.

MS. WINKELMAN responded that each department is responsible for training their own officers. However, the APSC provides officers with certifications for training so it is globally responsible.

MS. WINKELMAN, speaking from the Department of Corrections perspective, she said the APSC has been phenomenal in communicating information on new laws and training opportunities. She was uncertain how quickly the department could respond and if funding will be available for training.

CHAIR HUGHES acknowledged the importance of disseminating information and hoped it would be an ongoing mission for her.

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SENATOR SHOWER said the power of government flows from the people according to the U.S. Constitution. He related his understanding that law enforcement does not get much constitutional training, including citizens' rights. His office is looking at ensuring that officers are given more training during their initial academy training and throughout their career. He asked whether she would support that type of training.

MS. WINKELMAN answered absolutely. She said that training on laws and the constitution is imperative. She said she would fully support it.

[1:48:00 PM](#)

REBECCA HAMON, Appointee, Alaska Police Standards Council, Department of Public Safety (DPS), King Salmon, said that she has served two prior terms on the Alaska Police Standards Council. She said that she is a public member but often works with police officers. She said that she is an advocate for victims of domestic violence and sexual assault. She stated that she works in the courts, with individuals, and with agencies that assist victims. She lives in King Salmon in Bristol Bay. Her main organization is in Dillingham about 100 miles away. She covers approximately 17 villages in the Lake and Peninsula Borough. Most of the villages do not have specific law enforcement nearby. Typically, it is 24 hours before law enforcement can arrive to assess or arrest. She emphasized that her community must be very creative to provide safety and it helps people help themselves.

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MS. HAMON said that she began serving on the council without really understanding the role of the Alaska Police Standards Council. Serving on the APSC has helped her understand the pressures and challenges of police officers in the state. It has helped her to be a better team player with law enforcement. She said she brings the small community viewpoint to the council.

She helps the council understand staffing and training challenges due to remoteness and access. She said Alaskans in villages have experienced a loss of trust with law enforcement. She would like to restore confidence in law enforcement, she said. She advocates for better training for law enforcement, as well as providing behavioral health and mental health support because the law enforcement jobs are demanding and taxing from a personal standpoint. She emphasized the well-being of law enforcement since it enhances their ability to do their jobs.

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MS. HAMON said she has lived in King Salmon for about 20 years. She said that her husband is a biologist and pilot. Her 18-year-old son is a pilot. Her daughter also works for PenAir. She said that her family is very connected to the community. She serves on the school board and has served on other boards. In small communities, people wear a lot of hats. She offered her belief that she brings a small-town perspective to the council. She said that she also brings the perspective of people who have been harmed by others and she wants to help victims find satisfaction in how the law supports them.

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SENATOR REINBOLD said her community is fortunate to have someone with her accomplishments to serve and work on domestic violence and sexual assault issues.

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SENATOR MICCICHE asked whether she feels at a disadvantage in dealing with career law enforcement and correctional professionals. He asked whether she can relate to the technical aspects.

MS. HAMON answered that she had some difficulties initially in understanding their perspective. However, she eventually found her voice on the council. She said that overlap exists because she often works with the same people and types of cases. She has discovered that police officers have the same struggle she has, such that they do everything they can for victims, but must then trust the courts and help people navigate the system. She said she has found many allies on the board and they are able to see the perspective of advocates and those in social services.

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MS. HAMON said that during her time serving on the Alaska Police Standards Council, four officers have had their certifications revoked. She said that it was complex, with a lot of public

emotion, but it has brought to light the struggle small departments have in recruiting and retaining quality law enforcement officers. She said it has helped her community to have higher standards for law enforcement care. She offered her belief that she was able to be unbiased, even though she knew the law enforcement officers.

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SENATOR SHOWER asked whether she supported law enforcement officers receiving training on the constitution during the initial law enforcement academy and for recurrent training. His goal is for law enforcement officers to understand citizens' rights so they can protect those rights, he said. He asked for her thoughts on the Village Public Safety Officer (VPSO) program, whether it is working or if it needs changes.

MS. HAMON responded that she is a huge advocate of training. She said that law enforcement officers work in complex communities. She suggested that many young officers begin their jobs with minimal training and must learn many things the hard way. She has worked with the village public safety officers (VPSOs) program and has found their presence to be very valuable. She said that the troopers are stretched thin and it can take up to 36 hours for them to arrive. She said that 36 hours is important in sexual assault cases. She emphasized that it is helpful to have VPSOs in rural communities to provide some limited help prior to the trooper's arrival. She would like to see them receive additional training to reach a "highly-trained" level.

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CHAIR HUGHES said that the committee has been working on sexual crime bills and have reviewed some of the statistics. Nationally 63 percent of sexual assaults are not reported, and these rates could be much higher in Alaska for various reasons, including cultural ones, she said. She recalled her mentioning she would like to rebuild trust between the community and law enforcement officers. She asked whether she has seen any progress in her eight years serving on the council. She welcomed suggestions on how to increase reporting and ways to make victims feel more comfortable in doing so.

MS. HAMON said she enthusiastically supports a team approach. She would like to see officers, advocates, and social services staff attend programs together to provide services in a more streamlined and coordinated way. She acknowledged communities have a lack of trust in law enforcement officers and a lack of reporting. She said that victims have come forward with sexual

assaults, that often the officers do everything they can, but the district attorneys do not proceed with the case. She has heard one reason is because cases are so expensive to try. She acknowledged that other reasons exist, but victims do not feel closure happens. She said that even with DNA evidence many cases are not pursued. People watch crime shows and see how DNA is used to solve cases, which confuses them because that does not happen in their cases. She suggested education and teamwork could help build trust. Sexual assault is a huge problem in her community, including generational trauma. In some instances, the mother, the grandmother, and the aunts have all had similar experiences. She said that it is a complex, many-layered issue. Any support for officers can only help her community.

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CHAIR HUGHES thanked her for having her sights on rebuilding trust, improving reporting, and breaking down silos.

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SENATOR REINBOLD related a scenario that illustrated the problems teenage sexual assault victims experience when police disregard their assaults due to the lack of evidence. She said she welcomes hearing from her ways to help stop this epidemic.

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STEPHEN DUTRA, Appointee, Alaska Police Standards Council, Department of Public Safety (DPS), stated that he came to Alaska about 25 years ago from California. He started his law enforcement career in Juneau, completed the State Trooper Academy in Sitka and worked as a police officer for the City and Borough of Yakutat. He had a wide range of duties, including conducting arraignments, jail guard, and prisoner transports. He met his wife and they moved to Fairbanks. He attended the University of Alaska Fairbanks and obtained a Bachelor of Arts Degree in Criminal Justice in 2007. During that time, he worked for the City of North Pole, Police Department, first as an officer and going up through the ranks. He has served as the Chief of Police for seven years. He said he is proud of the improvements made at the department. He expressed pride for the professionalism and that people respect his department and offices demonstrate. He remarked that he earned the Alaska Police Officers Association (APOC) police chief of the year award.

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MR. DUTRA said he participates in many activities in his community. He said that he reads to fourth grade boys twice a

year in the "Guys Read" program. He has also been a Cub Scout leader and baseball coach. He stated that he currently serves as secretary for the Alaska Association of Chiefs of Police, Inc. During that service, he discovered that giving back to the law enforcement community is pretty important to him. He stated that he recently became an ethics instructor at the University of Fairbanks. He offered his belief that what law enforcement stands for is critical and the importance of holding the standard high.

He said that he would bring value to the council because he has learned how to be understanding yet firm, a team player, and a good listener. He said he values and facilitates teamwork and he would like to give back to law enforcement. Thus far he has attended two council meetings and believes that the core services that the council provides is something that has similarities to his current work. He said that he is motivated to keep police standards high.

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SENATOR MICCICHE asked whether he attended the academy in 1996. He said that some costs were shifted to municipalities for training. He asked whether shifting costs has helped improve the quality of the academy.

MR. DUTRA responded that the cost shifting has impacted his budget. He said he would like the Alaska Police Standards Council to find other ways to help some of the smaller agencies fund the academy since it is costly. He pointed out that the police officers in his agency work and then move on to other departments, which is expensive.

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SENATOR MICCICHE responded that typically municipalities did not have any influence in training content at the academies. Now that municipalities are covering their own costs, he asked whether he had more interest in the academy curriculum.

MR. DUTRA stated that his department has direct contact with the academy. He said that the academy is very good about reaching out to police chiefs. He offered his belief that the academy does a good job.

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SENATOR REINBOLD remarked that she re-read the Chiefs of Police, Inc.'s adamant letter against Senate Bill 91. She recalled that

the letter had indicated that at the core of its policy, that Senate Bill 91 was dangerous for victims and all those in law enforcement who strive every day to protect Alaskans. She said that letter resonated with her. She solicited his help on upcoming crime bills.

MR. DUTRA said he was one of the only police chiefs who signed their name to one of the letters in opposition to Senate Bill 91. He said he serves on the legislative committee for the Alaska Chiefs of Police, Inc. and the committee has been reviewing the crime bills. He said they will be sending letters of support for the bills.

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SENATOR SHOWER asked if he would support a changed policy to increase the constitutional training at the academy and recurrent training to help officers more fully understand the rights of citizens. He said it is not that law enforcement in Alaska has been doing things wrong, but the legislature finds it important that officers always remember it starts with the [U.S.] Constitution and we protect those rights because they are critical rights.

MR. DUTRA agreed it is important to have constitutional training at the academy and recurring training every four years to reinforce the knowledge. He agreed that it is important to keep law enforcement officers sharp.

[2:16:50 PM](#)

JOSEPH WHITE, Appointee, Alaska Police Standards Council, Department of Public Safety (DPS), gave a brief work history. He is currently the Chief of Police for the Ketchikan Police Department. He began working for the department in 1996, worked up the ranks, and became Chief of Police about two years ago.

He said one of his big goals in his current role is to improve community involvement. Under his leadership, the department has started a citizens' academy and he instituted "Coffee with Cops" to solicit citizen input. They are currently recreating a team with the hospital, troopers, and Women in Safe Home (WISH) advocates to provide the best quality of service. He has attended two Alaska Police Standards Council meetings. He characterized the council as being an important aspect for Alaska law enforcement. The state gives police, probation, and correctional officers so much power and control over citizens, that it is important to ensure that it has oversight and abuse does not occur. One of the biggest functions of the council is

to ensure that disciplinary action occurs and revoke certification. If a law enforcement officer is having problems and loses their certification, they should not work in a position of authority in any other law enforcement agency.

MR. WHITE advocated for the need for highly trained officer. He referred to constitutional training. "If we don't do it right and its wrong, everybody loses," he said. This training helps ensure that the department does not have internal issues and to ensure that it does not impact communities when the department loses cases.

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MR. WHITE said he believes in working collaboratively. He said throughout his career he has observed multiple internal issues for officers that resulted in verbal counseling to termination. He said they always ask recruits if law enforcement needs to be held to a higher standard and everyone agrees it should. He offered his belief that the Alaska Police Standards Council members must be fair and impartial when considering cases, but if action is needed, it is important for them to act.

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SENATOR REINBOLD asked whether he was interested in speaking on the record about Senate Bill 91. She asked whether he was interested in getting tools back for law enforcement. She asked whether he could provide any assistance with the crime bills, including SB 12 and SB 32, 33, 34, and 35.

MR. WHITE answered yes. He acknowledged that significant frustration has occurred. He offered his belief that some reform in Senate Bill 91 was needed, but overall it has caused some serious restrictions on public safety. He acknowledged that providing additional tools to law enforcement would be positive for communities.

SENATOR REINBOLD said that she welcomed letters of support on the crime bills.

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BURKE WALDRON, Appointee, Alaska Police Standards Council, Department of Public Safety (DPS), provided a brief work history that includes 25-year history in public safety. He worked in the Division of Wildlife Troopers and the Alaska State Troopers. He retired in 2015 and moved to Bethel about a year and a half ago. He currently works as the Chief of Police for the Bethel Police Department. He said he would like to serve on the Alaska Police

Standards Council because there has been a paradigm shift nationwide on how people view law enforcement. He said that ethics and integrity are very important to him. He said law enforcement does a lot of good every day. However, a single misstep or misdeed by a law enforcement officer can have nationwide implications. He would like to help maintain ethics and integrity for law enforcement.

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MR. WALDRON said that troopers do receive substantial constitutional training at the academy and recurring training. This includes training on use of force, search and seizure, use of taser or pepper spray. He said this training usually has a constitutional component. He related that two states have had legislation introduced to change police standards. As those standards change, and because court rulings interpret the constitution, law enforcement must stay on top of it. He said changes happen at the local, state, circuit court, and sometimes even the U.S. Supreme Court.

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SENATOR REINBOLD referred to the high impact of sexual assault and domestic violence in the Bethel region. She said his resume indicates he was the deputy commander of the Alaska Bureau of Investigations from 2005-2007, focusing on major criminal investigations, including homicides and sexual assaults. She said that she is alarmed over the epidemic of sexual assault and domestic violence in Alaska. She asked that he help the legislature figure out a strategy to prevent cases from being dismissed and to ensure that their voices are heard. She acknowledged that generational issues happen. She asked for his help in generating support to help get the crime bills through the legislature and deal with this crime epidemic in Alaska.

MR. WALDRON said he supports all of it. He was almost shocked to see the level of abuse and the struggles victims have in the Bethel region and offered to help.

SENATOR REINBOLD said she hoped to get letters of support for SB 12 and SB 35.

MR. WALDRON responded that he certainly would be willing to do so.

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SENATOR KIEHL said he has the most experience of all the candidates. He asked if there were gaps or specific things the Alaska Police Standards Council should address.

MR. WALDRON answered that he has not specifically identified anything yet.

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SENATOR SHOWER recalled he served as the operations commander for the Alaska Wildlife Troopers from 2007-2013, which had a fleet of helicopters and vessels. He asked whether that size fleet is necessary or if the state could divest of some of the assets. He expressed an interest in focusing funding on the core responsibilities

MR. WALDRON said he has been absent for over five years, so he no longer has the detailed knowledge. He said as fisheries, law enforcement missions and budget constraints occur, these things must evolve together. He thinks that some changes have been made to the fleet.

[2:34:12 PM](#)

CHAIR HUGHES stated that in accordance with AS 39.05.080, the Senate Judiciary Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Alaska Police Standards Council

Jennifer Winkelman - Juneau
Rebecca Hannon - King Salmon
Stephen Dutra - North Pole
Joseph White - Ketchikan
Burke Waldron - Bethel

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

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CHAIR HUGHES stated upcoming committee announcements.

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There being no further business to come before the committee, Chair Hughes adjourned the Senate Judiciary Standing Committee meeting at 2:35 p.m.