

HOUSE FINANCE COMMITTEE
April 5, 2022
1:32 p.m.

1:32:02 PM

CALL TO ORDER

Co-Chair Merrick called the House Finance Committee meeting to order at 1:32 p.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair
Representative Kelly Merrick, Co-Chair
Representative Dan Ortiz, Vice-Chair
Representative Ben Carpenter
Representative Bryce Edgmon
Representative Andy Josephson
Representative Bart LeBon
Representative Sara Rasmussen
Representative Steve Thompson
Representative Adam Wool

MEMBERS ABSENT

Representative DeLena Johnson

ALSO PRESENT

Representative Tiffany Zulkosky, Sponsor; Kelly Howell, Special Assistant to the Commissioner, Department of Public Safety.

PRESENT VIA TELECONFERENCE

Joel Hard, Director, Village Public Safety Officer Operations, Department of Public Safety, Anchorage; Richard Peterson, President, Central Council of Tlingit & Haida, Juneau; Brian Ridley, Chief/Chairman, Tanana Chiefs Conference, Tanana; Jackie Boyer, Native Peoples Action, Eagle River.

SUMMARY

HB 313 VILLAGE PUBLIC SAFETY OFFICER GRANTS

HB 313 was HEARD and HELD in committee for further consideration.

Co-Chair Merrick reviewed the agenda for the meeting.

#hb313

HOUSE BILL NO. 313

"An Act requiring background investigations of village public safety officer applicants by the Department of Public Safety; relating to the village public safety officer program; and providing for an effective date."

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REPRESENTATIVE TIFFANY ZULKOSKY, SPONSOR, introduced HB 313 and read the sponsor statement (copy on file):

This bill implements nine recommendations of the joint legislative VPSO Working Group's 2020 report. Created in the late 1970's, the Village Public Safety Officer (VPSO) program's stated purpose is to assist in the protection of "life and property" and coordinate probation and parole in rural communities.

Currently ten entities operate VPSO grants. Eight of the ten grantees are regionally based nonprofit corporations whose missions are to cultivate self-determination among local tribal citizens. One is a federally recognized tribe, and the Northwest Arctic Borough, a home rule regional government seated in Kotzebue, is the only grantee organization that is a municipal government.

While the VPSO program has provided valuable service to participating areas, the past decade has seen shrinking numbers of VPSOs, significant difficulty in recruitment and retention of officers, and community needs that surpass the current duties of VPSOs. There is undoubtedly a need to address the crisis in public safety infrastructure and service in rural Alaska.

On May 9th, 2019, Senate President Cathy Giessel and House Speaker Bryce Edgmon announced the creation of a Joint House/Senate Working Group to provide substantive policy recommendations related to the VPSO

program. Appointed to the working group were: Senator Donny Olson, Co-Chair; Representative Chuck Kopp, Co-Chair; Senator Click Bishop; Senator Mike Shower; Representative Bryce Edgmon; and Representative George Rauscher.

The working group was assigned to coordinate with stakeholders to examine the underlying causes of the recruitment and retention obstacle and provide proposals to turn around the epidemic rate of personnel turnover within the VPSO program.

The working group held meetings, attended community meetings, participated in listening sessions, and worked with stakeholders to arrive at the proposals outlined in this report. The proposals primarily address the core problem of increasing the number of VPSO's available to communities.

House Bill 313 incorporates eight of the nine Working Group's short-term recommendations.

Representative Zulkosky indicated she would be happy to review the sectional analysis but was aware the committee was short on time.

Co-Chair Merrick suggested that the committee hear from invited testifiers.

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JOEL HARD, DIRECTOR, VILLAGE PUBLIC SAFETY OFFICER OPERATIONS, DEPARTMENT OF PUBLIC SAFETY (DPS), ANCHORAGE (via teleconference), spoke in support of the HB 313 and discussed the flexibility that the bill provided. The statute that authorized VPSOs had been interpreted in a narrow manner, which he argued had contributed to the difficulty in VPSO retention. He explained that the lack of necessary infrastructure such as VPSO housing and office space had discouraged retention. The bill allowed the program to be interpreted more broadly and allowed more funding to be dedicated to support VPSOs.

Mr. Hard added that the bill also enabled more flexibility in staffing, such as the ability to assign more than one officer to a single village and to permit more officers to travel between village locations. He asserted that the

inclusion of language in the bill that specifically permitted more staffing flexibility contributed to more consistency for the program grantees and greater clarity for DPS. Additionally, the bill provided for more advanced VPSO training, which was a critical piece in ensuring that officers were trained for the duties asked of them. He thanked the committee.

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Co-Chair Foster appreciated Mr. Hard's perspective and his support.

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RICHARD PETERSON, PRESIDENT, CENTRAL COUNCIL OF TLINGIT & HAIDA, JUNEAU (via teleconference), spoke in favor of the legislation. He indicated that VPSOs were critical in Tlingit and Haida communities without direct access to public safety infrastructure such as the Alaska State Troopers. For this reason, VPSOs had been a vital partner for DPS and the Alaska State Troopers. The DPS contributed to the improvement of the VPSO program by implementing enhancements to the program, elevating the program in the commissioner's office, and improving the management of grants. He asserted that while the role of VPSOs had changed over the years, Alaska statutes had not evolved at the same rate.

Mr. Peterson continued that the opportunity allotted by HB 313 to implement the recommendations of the VPSO working group would contribute toward improved village safety in rural Alaska. The VPSOs were committed to improved public safety and played an integral role in providing public safety services. He emphasized that updating the VPSO program to specifically allow expenditures for equipment, infrastructure, transportation, facility upkeep, and the maintenance of an increased geographic presence would contribute to the productivity and longevity of the program. He appreciated the opportunity to testify before the committee.

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BRIAN RIDLEY, CHIEF/CHAIRMAN, TANANA CHIEFS CONFERENCE (TCC), TANANA (via teleconference), spoke in support of HB 313. He provided detail about the TCC region that included

42 communities and 37 federally recognized tribes. He detailed that TCC provided VPSO services through an annual grant with DPS. He shared that TCC was united in its approval of the legislation. Additionally, he expressed support for the legislation on behalf of the Alaska Regional Coalition. Over the years, the expectations of VPSOs had changed beyond the original scope of the program, but these changes would be codified with the passage of the bill. He echoed that retention and recruitment of VPSOs would be aided by HB 313. The reform to the VPSO program was one of TCC's highest priorities in 2022, and he expressed TCC's appreciation to Representative Zulkosky and Representative Edgmon for working on the legislation.

Mr. Ridley explained that prior to the formation of the 2016 legislative working group, TCC identified a need for a VPSO contractor caucus. The caucus facilitated discussion between all VPSO grantees on proposed solutions to the VPSO contract. It was clear through the caucus discussions that the program needed to be standardized to allow for more flexibility, reflect the needs of rural Alaska, and ensure the safety of community members. He expressed his appreciation to the legislature for its willingness to work with the tribes and attend stakeholder meetings such as the Alaska Tribal Unity Gathering and the Alaska Federation of Natives' Annual Convention. It was exemplary of good reform work being done through tribal consultation.

Mr. Ridley furthered that although VPSO hires had already increased due to the work, there were still VPSOs in only 27 percent of communities that needed officers. He offered an example of a first responder who managed a public safety situation with "two men with their rifles" in lieu of law enforcement. He speculated that the presence of a VPSO in the community would have negated such measures. He urged members to support HB 313. He also asked members to keep the items related to the VPSO program in the FY 23 operating budget.

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Co-Chair Merrick OPENED public testimony.

[1:51:12 PM](#)

JACKIE BOYER, NATIVE PEOPLES ACTION (NPA), EAGLE RIVER (via teleconference), spoke in support of HB 313. She relayed

NPA's appreciation for the work done by Representative Zulkosky, Senator Olson, and DPS. The next step was to implement the recommendations of the VPSO working group, such as increased flexibility in the program, modified funding, and added clarification and codification in statute. She asserted that implementing these recommendations would strengthen public safety in rural Alaska as well as address VPSO retention and recruitment issues. The legislature had heard powerful stories of how VPSOs helped communities in Alaska, and she implored members to support community members by passing the legislation.

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Co-Chair Merrick CLOSED public testimony.

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AT EASE

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RECONVENED

Co-Chair Merrick invited DPS to review the fiscal notes.

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KELLY HOWELL, SPECIAL ASSISTANT TO THE COMMISSIONER, DEPARTMENT OF PUBLIC SAFETY, reviewed the fiscal note with the control code AxkeY. It required the Criminal Records and Identification Bureau within the DPS to audit the grantee organizations. She explained that the grantees would be recipients of background check information and would therefore be required to comply with the Federal Bureau of Investigation (FBI) criminal justice information security policies. She offered clarification that because there were only 10 grantee organizations, DPS was to absorb the audits that would be required for compliance.

Ms. Howell reviewed the second fiscal note with the control code zvsTO. The fiscal note required long-term non-permanent funding for one additional Alaska State Trooper who would be responsible for conducting the required background checks. It also required funding for psychological examinations for existing firearm carrying VPSOs as well as psychological examinations for future hires.

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Representative Thompson was curious about travel related to the new position.

Ms. Howell responded that generally the state hired retired state troopers to be background investigators and travel was not normally required. The troopers conducted the investigations through phone interviews and other online research. She emphasized that travel was not necessary for the position.

Representative Thompson asked how the process of obtaining a firearm certification worked without requiring officers to travel.

Ms. Howell responded that all VPSOs receive that training at the Public Safety Training Academy in Sitka, Alaska.

Co-Chair Merrick invited Representative Zulkosky to make closing comments.

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Representative Zulkosky appreciated the opportunity to present HB 313. She thanked several people who came together to negotiate the resources. She expressed that every Alaskan should feel safe where they lived.

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Representative LeBon thanked Representative Zulkosky for bringing the legislation forward. He hoped the bill moved quickly through the body.

Co-Chair Merrick reviewed the agenda for the following meeting.

HB 313 was HEARD and HELD in committee for further consideration.

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ADJOURNMENT

[2:00:01 PM](#)

The meeting was adjourned at 2:00 p.m.