

HOUSE BILL NO. 234

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES MCCORMICK, Foster, Dibert, Groh, Armstrong, Gray, Mina, Himschoot, Schrage, Hannan, Galvin**Introduced: 1/16/24****Referred: Community and Regional Affairs, Finance****A BILL****FOR AN ACT ENTITLED**

1 **"An Act relating to police officer training; establishing the Missing and Murdered**
 2 **Indigenous Persons Review Commission; relating to missing and murdered indigenous**
 3 **persons; relating to the duties of the Department of Public Safety; and providing for an**
 4 **effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 18.65.240(a) is amended to read:

7 (a) A person may not be appointed as a police officer, except on a
 8 probationary basis, unless the person (1) has satisfactorily completed a basic program
 9 of police training approved by the council, which includes at least 12 hours of
 10 instruction regarding domestic violence and at least 12 hours of instruction regarding
 11 sexual assault, as those terms are defined in AS 18.66.990, [AND] (2) possesses other
 12 qualifications the council has established for the employment of police officers,
 13 including minimum age, education, physical and mental standards, citizenship, moral
 14 character, and experience, **and (3) has completed cultural training supervised by**

1 **an indigenous coordinator or indigenous entity in the state that is related to**
2 **addressing the rates of missing and murdered indigenous persons.** The council
3 shall prescribe the means of presenting evidence of fulfillment of these requirements.

4 * **Sec. 2.** AS 44.41 is amended by adding a new section to read:

5 **Sec. 44.41.023. Investigators for missing and murdered indigenous**
6 **persons.** The Department of Public Safety shall employ at least two persons in the
7 department to investigate cases involving missing and murdered indigenous persons
8 and act as liaisons between law enforcement agencies, communities in the state, and
9 federally recognized tribes.

10 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 MISSING AND MURDERED INDIGENOUS PERSONS REVIEW COMMISSION.

13 (a) The Missing and Murdered Indigenous Persons Review Commission is established in the
14 Department of Public Safety.

15 (b) The commission consists of nine members, including

16 (1) the commissioner of public safety, or the commissioner's designee;

17 (2) the commissioner of family and community services, or the
18 commissioner's designee;

19 (3) one member from a municipal police department, appointed by the
20 governor;

21 (4) one member who is a village public safety officer, village public officer, or
22 tribal police officer, appointed by the governor;

23 (5) one member from a victim advocacy organization or similar service
24 provider, appointed by the governor;

25 (6) one member from an Alaska Native tribal organization or entity, appointed
26 by the governor;

27 (7) two members from the legislature, serving as ex officio nonvoting
28 members, one of whom shall be appointed by the president of the senate and one of whom
29 shall be appointed by the speaker of the house of representatives; and

30 (8) one member who is a prosecutor with prosecutorial experience in homicide
31 cases, appointed by the attorney general.

1 (c) Vacancies on the commission shall be filled in the same manner as original
2 appointment.

3 (d) The commissioner of public safety or the commissioner's designee is the chair of
4 the commission.

5 (e) Members of the commission receive no compensation but are entitled to per diem
6 and travel expenses authorized for boards and commissions under AS 39.20.180.

7 (f) The commission shall review unresolved cases involving missing and murdered
8 indigenous persons from different state regions that are identified by the Department of Public
9 Safety to

10 (1) examine the trends and patterns related to missing and murdered
11 indigenous persons; and

12 (2) make policy, practice, and service recommendations to encourage
13 collaboration and reduce cases involving indigenous persons.

14 (g) The commission shall prepare a report of its findings and recommendations. Not
15 later than January 1, 2027, the commission shall submit the report to the senate secretary and
16 chief clerk of the house of representatives and notify the legislature that the report is
17 available. The commission shall make the report publicly available through the Department of
18 Public Safety.

19 (h) A person attending a meeting of the commission or a member or staff of the
20 commission may not disclose information obtained during the review of a case by the
21 commission.

22 (i) Documents, materials, and reports obtained or compiled by the commission or a
23 designated representative of the commission in the course of reviewing a case involving a
24 missing or murdered indigenous person under this section are confidential and are not public
25 records under AS 40.25.110 - 40.25.125 or admissible in a criminal or civil proceeding. A
26 person may not be compelled to disclose information relating to the documents, materials, and
27 reports through subpoena, discovery, or testimony in a criminal or civil proceeding.

28 (j) A member of the commission who knowingly uses documents, materials, reports,
29 or information for a purpose not authorized under (f) or (g) of this section or discloses
30 information in violation of this section is subject to a civil penalty of not more than \$500 for
31 each instance of unauthorized use or disclosure.

1 (k) Meetings of the commission are closed to the public and not subject to the
2 provisions of AS 44.62.310 - 44.62.319 (Open Meetings Act). Meetings shall take place not
3 less than four times each calendar year, at least one of which shall take place in person.

4 (l) The Department of Public Safety shall confer with the commission to establish
5 standardized methods for investigating missing person reports, including for investigating
6 missing persons reports and data collection for cases involving missing indigenous persons.

7 (m) In this section, "commission" means the Missing and Murdered Indigenous
8 Persons Review Commission.

9 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 **REPORT ON INVESTIGATIVE RESOURCES.** The Department of Public Safety
12 shall conduct a needs assessment to determine how to increase protective and investigative
13 resources for identifying and reporting cases of missing and murdered indigenous persons
14 within the state criminal justice system. The department shall work with the governor's office
15 to convene meetings with tribal and local law enforcement agencies, federally recognized
16 tribes, and Alaska Native organizations to determine the scope of the issue, identify barriers,
17 and determine methods for creating partnerships to increase reporting and investigation of
18 cases involving missing and murdered indigenous persons. The department shall conduct its
19 work with tribal entities based on the state's government-to-government relationship with
20 federally recognized tribes in the state. The department shall also work with federal law
21 enforcement agencies to identify ways to increase information sharing and coordinate
22 resources. Not later than January 1, 2026, the department shall submit a written report on the
23 needs assessment to the senate secretary and chief clerk of the house of representatives and
24 notify the legislature that the report is available.

25 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
26 read:

27 **TRANSITION: TRAINING.** Notwithstanding the requirements of AS 18.65.240(a), as
28 amended by sec. 1 of this Act, a person holding a certificate issued under AS 18.65.240 on or
29 before the effective date of sec. 1 of this Act has two years from the effective date of sec. 1 of
30 this Act to comply with the requirements of AS 18.65.240(a), as amended by sec. 1 of this
31 Act.

- 1 * **Sec. 6.** Section 4 of this Act is repealed January 1, 2026.
- 2 * **Sec. 7.** Section 3 of this Act is repealed January 1, 2027.
- 3 * **Sec. 8.** This Act takes effect January 1, 2025.