

ALASKA STATE LEGISLATURE
SENATE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

March 28, 2023

1:32 p.m.

MEMBERS PRESENT

Senator Forrest Dunbar, Chair
Senator Donald Olson, Vice Chair
Senator Elvi Gray-Jackson
Senator Jesse Bjorkman
Senator Cathy Giessel

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 103

"An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

- HEARD & HELD

SENATE BILL NO. 77

"An Act relating to municipal property tax; and providing for an effective date."

- MOVED CSSB 77(CRA) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 103

SHORT TITLE: PEER SUPPORT COUNSELING PROGRAM

SPONSOR(s): SENATOR(s) DUNBAR

03/15/23	(S)	READ THE FIRST TIME - REFERRALS
03/15/23	(S)	CRA
03/28/23	(S)	CRA AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 77

SHORT TITLE: MUNI PROP TAX EXEMPTION/TAX BLIGHTED PROP

SPONSOR(s): SENATOR(s) DUNBAR

02/22/23 (S) READ THE FIRST TIME - REFERRALS
02/22/23 (S) CRA
03/16/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)
03/16/23 (S) Heard & Held
03/16/23 (S) MINUTE (CRA)
03/23/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)
03/23/23 (S) -- MEETING CANCELED --
03/28/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

ARIELLE WIGGIN, Staff
Senator Forrest Dunbar
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for SB 103.

KELLY HUSTON, Peer Support Coordinator
Anchorage Police Department
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony on SB 103.

ANGELINO SALVATO, Anchorage Police Officer
Anchorage Police Department Employees Association
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony on SB 103.

JAMES COCKRELL, Commissioner
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony on SB 103.

CORNELIUS SIMS, Captain
Alaska State Troopers
Department of Public Safety (DPS)

POSITION STATEMENT: Testified in support of SB 103.

ACTION NARRATIVE

1:32:28 PM

CHAIR FORREST DUNBAR called the Senate Community and Regional Affairs Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Gray-Jackson, Bjorkman, and Chair Dunbar. Senators Giessel and Olson joined the meeting immediately thereafter.

SB 103-PEER SUPPORT COUNSELING PROGRAM

[1:33:18 PM](#)

CHAIR DUNBAR announced the consideration of SENATE BILL NO. 103 "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

CHAIR DUNBAR stated this is the first hearing of this bill. The intention is to hear the introduction, sectional analysis, invited testimony, committee discussion, and public testimony.

[1:34:06 PM](#)

CHAIR DUNBAR, speaking as the sponsor, introduced SB 103, stating the bill gives law enforcement agencies and first responders the option to create a peer support counseling program and provide a level of confidentiality for those undergoing counseling. Through this bill, agencies can address the challenges first responders experience with mental illness and trauma. Mental health statistics for first responder professions are sobering. He said 30 percent of first responders experience depression and post-traumatic stress disorder (PTSD) compared to 20 percent in the general population. Sixty-nine percent of emergency medical service (EMS) providers report not having time to recover after a stressful event.

CHAIR DUNBAR said that SB 103 allows the department to designate employees as peer support counselors. Designated employees receive training that includes providing emotional and moral support to first responders who have been traumatized on the job. Illinois, Idaho, Indiana, South Dakota, and Texas have peer support programs for EMS and law enforcement with varying degrees of confidentiality provisions. He said the Department of Public Safety (DPS) and the Anchorage Police Department (APD) have already implemented peer support programs. However, confidentiality is not part of those programs; without it, participation in the program is low. SB 103 provides that peer support conversations would be confidential with these exceptions:

- threats of harm to self or others,
- admissions of criminal conduct, and
- information about children and vulnerable adults at risk.

SB 103 allows first responders to seek assistance with less stigma and more assurance that they can return to their jobs

after working through their experiences with someone who has been in their position.

CHAIR DUNBAR invited Ms. Wiggin to put herself on the record and present the sectional analysis for SB 103.

[1:35:47 PM](#)

Senators Giessel and Olson joined the meeting.

[1:35:58 PM](#)

ARIELLE WIGGIN, Staff, Senator Forrest Dunbar, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 103:

[Original punctuation provided.]

SECTIONAL ANALYSIS
SB 103: PEER SUPPORT COUNSELING PROGRAM

Section 1: Amends AS 18.95 *Miscellaneous Provisions* by adding the following sections:

18.95.020 Peer Support Counseling: Grants the ability to law enforcement agencies, emergency service providers, and the Department of Corrections to establish peer support counseling.

18.95.030 Peer Support Counseling Confidentiality: Establishes that communications made between participants and counselors are confidential; provides exemptions including:

- Threats of harm to self or others
- Information covered by mandatory reporting laws.
- Admissions of criminal conduct
- Information on abuse of vulnerable adults or children
- Information acquired during the regular course of employment.

18.95.040 Definitions: Defines terms used in AS 18.95.020 and AS 18.95.030, to include department, emergency services personnel, emergency service provider, law enforcement agency, peace officer, peer support counseling, and peer support counseling program.

[1:37:22 PM](#)

KELLY HUSTON, Peer Support Coordinator, Anchorage Police Department, Anchorage, Alaska, gave invited testimony on SB 103 and indicated her involvement with the peer support team for the Anchorage Police Department (APD) since the program's inception. Thirty trained individuals are on the peer support team, including sworn officers, record clerks, dispatchers, supervisors, and detectives. She described the training required to become a peer support counselor. Selected peer support team members complete an intense 40-hour training course and sign a confidentiality agreement. The training program teaches team members how to do one-on-one care counseling and defusing. Defusing occurs right after a critical incident. She said that a fairly horrific event had just happened at the Anchorage Police Department, and within minutes, peer support arrived on the scene. The training program teaches team members how to defuse a situation while on scene, what to expect next, and how to follow up. They provide resources and information about seeking additional help, especially if an officer exhibits symptoms like nightmares and not eating.

MS. HUSTON said the team supported over 100 incidents in the previous couple of years, but not all were critical. Some incidents involved off-duty, personal issues, like divorce and family deaths. She explained that it is difficult for first responders to deal with the everyday trauma of the public and then go home and deal with significant family issues. The team provides support to officers on duty and off. The idea is to have healthy and resilient law enforcement officers on the job, which sometimes means providing personal support. She conveyed how near and dear the program is to her, how it saves lives and has prevented deaths by suicide.

[1:43:25 PM](#)

ANGELINO SALVATO, Anchorage Police Officer, Anchorage Police Department, Anchorage, Alaska, highlighted her 22-year career in law enforcement, noting that she worked with the Anchorage Police Department Employees Association (APDEA) and APD to help sponsor this bill. She recounted her involvement in an officer-involved shooting. The unfortunate reality of an officer-involved shooting or in-custody death is that the officer is immediately put in the position of criminal defendant. She conveyed that she attended almost every officer-involved shooting in the last five years as an employee association advocate and union member, and almost immediately, these officers met with their criminal defense attorneys and were advised not to talk to anybody.

MS. SALVATO said she was not allowed to participate in any stress management. Legally protected communication was permitted, like spousal, attorney, and clergy-privileged speech; however, speaking with an officer who had a similar experience was not. She did not talk to anyone for two years about her incident. SB 103 minimizes officer isolation by providing a mechanism to communicate with a trained peer counselor. She said SB 103 is a healthy alternative to alcohol or other coping mechanisms and does not protect "bad apples." Other states nationwide and Congress have passed similar laws.

[1:47:56 PM](#)

SENATOR BJORKMAN expressed concern about the confidentiality exceptions on page 2, line 31 through page 3, line 2 of the bill, stating they ostensibly defeat the purpose of the program. He asked her to speak to his concern.

MS. SALVATO responded that many criminal defense attorneys have said that, even with SB 103, they would not let their client communicate with a peer support counselor. She said this bill provides officers a protected way to talk about human factors, like self-doubt, tunnel vision, auditory exclusion, other aspects of an activated sympathetic nervous system, and other issues. A peer counselor can walk an officer through these issues.

SENATOR BJORKMAN stated his concern remains, indicating the confidentiality exemptions make it unclear whether or not conversations would be confidential. He indicated that he would rather the law either protect conversations or not to avoid ambiguity; otherwise, direct individuals to talk to their lawyer or clergy. He expressed concern that a middle course does not create a safe space to discuss issues without clear confidentiality.

MS. SALVATO responded that younger personnel do not feel comfortable speaking with clergy or attorneys. She said that she spoke with her attorney the night of her incident, and they did not speak to each other again. She testified that having a peer counselor is comforting. Officers often do not want to talk to anyone else about their fears. She conveyed that in her experience a peer counselor has never been called to testify against another officer or member. She said that SB 103 gives some protection but not all. This is a step in the right direction. She suggested that Ms. Huston might like to speak to the question.

CHAIR DUNBAR asked Ms. Huston if she would like to address the question.

1:53:53 PM

MS. HUSTON replied that the aim of a peer support program is not to trick officers into criminal admission under the guise of fully protected communication. Counselors need to emphasize the parameters of their role and that their communications are not fully protected when speaking to a peer who has been involved in an incident. She noted that, foremost, peers have a sworn duty to report if there are any admissions of criminal conduct. She said the program is a good option for officers who feel more comfortable opening up to peers. She expressed appreciation for clergy and attorney privilege, stating peer counselors should apprise officers of these fully protected options.

1:57:01 PM

JAMES COCKRELL, Commissioner, Department of Public Safety (DPS), Anchorage, Alaska, stated the department supports SB 103. DPS started a wellness committee that includes peer support in 2013. Twenty-three trained commissioned and noncommissioned personnel and spouses are on the peer support team. The law enforcement community and emergency personnel see a host of tragedies throughout their careers. When he started in 1983, officers were told to suck it up, get back in the car, and carry on. He said that mindset no longer exists today, and for good reason. Crisis and response teams respond to horrific and unpleasant crashes, and the peer support team contacts them immediately. He said that dialogue should be protected, whether it is a crash, officer-involved shooting, or deadly use of force in the line of duty. He said officers who seek help need protection to speak honestly and forthrightly; SB 103 offers those protections. He described the DPS peer support program structure, stating these programs need structure. He talked about the importance of supporting officers involved in a traumatic incident and that DPS will always provide peer support to other law enforcement agencies wherever they are. The DPS program model is based on the U.S. Marshals Service, which has the highest level of peer support in the federal government. He garnered a lot of information and support from the U.S. Marshals Service when two troopers were killed in Fairbanks and Tanana. He said the U.S. Marshals Service supported DPS while the department set up its program. He said the department supports all types of professional law enforcement personnel, including dispatchers.

2:02:49 PM

CHAIR DUNBAR opened public testimony on SB 103.

[2:03:30 PM](#)

CORNELIUS SIMS, Captain, Alaska State Troopers, Department of Public Safety (DPS), Anchorage, Alaska, testified in support of SB 103 and agreed with Commissioner Cockrell's comments on the importance of peer support programs.

[2:04:02 PM](#)

CHAIR DUNBAR closed public testimony on SB 103.

[2:04:11 PM](#)

SENATOR GRAY-JACKSON affirmed her long-standing support and appreciation for the work of the public safety community.

[2:04:48 PM](#)

CHAIR DUNBAR held SB 103 in committee and announced that written testimony can be emailed to:
senate.community.and.regional.affairs@akleg.gov.

SB 77-MUNI PROP TAX EXEMPTION/TAX BLIGHTED PROP

[2:05:31 PM](#)

CHAIR DUNBAR announced the consideration of SENATE BILL NO. 77 "An Act relating to municipal property tax; and providing for an effective date."

He stated that this is the second hearing of this bill, and the intention is to consider amendments today.

[2:05:57 PM](#)

CHAIR DUNBAR moved to adopt Amendment 1B, work order 33-LS0416\B.3, for SB 77.

33-LS0416\B.3
Dunmire
3/28/23

AMENDMENT 1B

OFFERED IN THE SENATE

BY SENATOR DUNBAR

TO: SB 77

Page 2, line 17, following "rate":

Insert ", not to exceed 50 percent of the annual property tax assessed on a property,"

[2:05:58 PM](#)

SENATOR OLSON objected for purposes of discussion.

CHAIR DUNBAR spoke to the amendment, stating there was concern that local governments might abuse the process by unduly raising taxes on different properties and then foreclose on them. He opined that this possibility is relatively unlikely based on his experience serving in local government. However, he recognized that, as written, a "blight tax" upper limit is not defined. In some places, in Georgia for example, the "blight tax" is used more aggressively and can be two or three times the assessed property tax. Alaska has no sales or income tax, so the state property taxes are often a larger percentage of the total tax burden. He said that Amendment 1B proposes a tighter cap on the amount a local government can increase property taxes.

[2:07:40 PM](#)

SENATOR OLSON asked whether there is any history of property tax abuse in Alaska.

CHAIR DUNBAR replied his research found no evidence of that. He expressed some confidence that local governments would not abuse the "blight tax," and Amendment 1B ensures a tax cap. He said a future legislature could amend the cap upwards if local governments find this tool needs more power to be effective.

SENATOR OLSON removed his objection to Amendment 1B.

[2:08:43 PM](#)

CHAIR DUNBAR found no further objection and Amendment 1B was adopted. He solicited the will of the committee.

[2:09:07 PM](#)

SENATOR OLSON moved to report SB 77, 33-LS0416\B, as amended, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNBAR found no objection and CSSB 77(CRA) was reported from the Senate Community and Regional Affairs Standing Committee.

[2:09:48 PM](#)

There being no further business to come before the committee, Chair Dunbar adjourned the Senate Community and Regional Affairs Standing Committee meeting at 2:09 p.m.