

SENATE BILL NO. 42

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR GRAY-JACKSON

Introduced: 1/22/25

Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Alaska Police Standards Council; relating to**
2 **municipal correctional officers and municipal correctional employees; making**
3 **municipal police officers subject to police standards; relating to the duties of the**
4 **Department of Public Safety; relating to reports of incidents of use of force by state and**
5 **municipal police, probation, parole, pretrial services, and correctional officers and**
6 **municipal correctional facility employees; and providing for an effective date."**

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

8 * **Section 1.** AS 18.65.220 is amended by adding new subsections to read:

9 (b) The council shall make recommendations relating to and may adopt
10 regulations requiring a police officer, probation officer, parole officer, pretrial services
11 officer, municipal correctional officer, or correctional officer to report to a supervisor,
12 as soon as practicable, an incident in which an officer engaged in the use of force
13 against a person.

1 (c) The council shall maintain a central registry of the names of persons who
 2 have had a certificate denied and the names of police officers, probation officers,
 3 parole officers, pretrial services officers, municipal correctional officers, and
 4 correctional officers who have had a certificate revoked under AS 18.65.240(c) or
 5 18.65.245. The council may enter and maintain in the central registry information that
 6 the council obtains from the Department of Public Safety, the Department of
 7 Corrections, or a municipality about each officer who has had a certificate denied or
 8 revoked. The central registry information shall include the reason for which each
 9 officer's certificate was denied or revoked. The council shall adopt regulations to
 10 ensure the appropriate circulation to law enforcement agencies of information
 11 contained in the central registry.

12 (d) The council shall prepare a report detailing the central registry information
 13 updates that have been entered in the preceding year and, not later than December 1 of
 14 each year, submit the report to the senate secretary and the chief clerk of the house of
 15 representatives and notify the legislature that the report is available.

16 (e) Upon request, the council shall assist a department, an agency, or a
 17 municipality in developing rules based on recommendations or regulations adopted
 18 under (b) of this section.

19 * **Sec. 2.** AS 18.65.285 is amended to read:

20 **Sec. 18.65.285. Municipal correctional employees.** A municipality that
 21 employs persons in a municipal correctional facility shall [MAY, BY ORDINANCE,]
 22 require that those persons meet the requirements of AS 18.65.130 - 18.65.290 that are
 23 applicable to municipal correctional officers.

24 * **Sec. 3.** AS 18.65.290(6) is amended to read:

25 (6) "municipal correctional officer" means a person who is employed
 26 full-time in a municipal correctional facility whose primary duty is to provide custody,
 27 care, security, control, and discipline of persons charged or convicted of offenses or
 28 held under authority of law; [AND THE MUNICIPALITY HAS ADOPTED AN
 29 ORDINANCE UNDER AS 18.65.285 MAKING AS 18.65.130 - 18.65.290
 30 APPLICABLE;]

31 * **Sec. 4.** AS 18.65.290 is amended by adding new paragraphs to read:

1 (10) "pretrial services officer" means a person who performs the duties
2 assigned in AS 33.07;

3 (11) "serious physical injury" has the meaning given in
4 AS 11.81.900(b);

5 (12) "use of force" means force that causes a fatality or serious
6 physical injury or the discharge of a firearm at or in the direction of another person in
7 the course of an interaction between a police officer, probation officer, parole officer,
8 pretrial services officer, municipal correctional officer, or correctional officer and
9 another person.

10 * **Sec. 5.** AS 18.65.670(h) is amended to read:

11 (h) The commissioner may, in consultation with grant recipients, as provided
12 in (k) of this section, adopt regulations related to village public safety officers,
13 including establishing minimum standards and training, physical fitness requirements,
14 criteria for participation by a community, a municipality, an Alaska Native
15 organization, or a corporation, and the interaction between the department and village
16 public safety officers. If the commissioner adopts regulations regarding training for
17 village public safety officers, the training must be consistent with the standards in
18 AS 18.65.676 and disability training under **AS 18.65.220(a)(3)** [AS 18.65.220(3)].
19 The commissioner of corrections may, in consultation with grant recipients, adopt
20 regulations related to the functions of village public safety officers providing pretrial,
21 probation, and parole supervision.

22 * **Sec. 6.** AS 18.65.676(a) is amended to read:

23 (a) A village public safety officer basic training program must provide

24 (1) a physical training program that includes instruction in physical
25 methods of arrest, use of batons, use of chemical defensive weapons, and electronic
26 control weapons;

27 (2) instruction in

28 (A) the state's criminal and procedural law;

29 (B) the state's criminal justice system;

30 (C) police procedures;

31 (D) disabilities training described under **AS 18.65.220(a)(3)**

1 [AS 18.65.220(3)];

2 (E) domestic violence and sexual assault prevention and
3 response procedures;

4 (F) emergency trauma technician training;

5 (G) search and rescue training;

6 (H) rural fire protection specialist training.

7 * **Sec. 7.** AS 29.71 is amended by adding a new section to read:

8 **Sec. 29.71.070. Reporting requirement for use of force.** A municipality that
9 employs a person as a municipal police officer or in a municipal correctional facility
10 shall report to the Department of Public Safety, on a form prescribed by the
11 Department of Public Safety, each incident in which a municipal police officer or
12 municipal correctional facility employee engages in use of force as defined in
13 AS 18.65.290.

14 * **Sec. 8.** AS 44.28.020 is amended by adding new subsections to read:

15 (d) The department shall submit to the Department of Public Safety, on a form
16 prescribed by the Department of Public Safety, a report of each incident in which a
17 probation officer, parole officer, pretrial services officer, or correctional officer
18 engages in use of force as defined in AS 18.65.290.

19 (e) In this section, "department" means the Department of Corrections.

20 * **Sec. 9.** AS 44.41.020 is amended by adding a new subsection to read:

21 (l) The Department of Public Safety shall submit to the Federal Bureau of
22 Investigation a report of each incident in which a state trooper, village public safety
23 officer, or regional public safety officer engages in use of force as defined in
24 AS 18.65.290.

25 * **Sec. 10.** AS 44.41 is amended by adding a new section to read:

26 **Sec. 44.41.055. Statewide reporting of use of force.** (a) The Department of
27 Public Safety shall maintain a central repository of incidents of use of force in the
28 state.

29 (b) The Department of Public Safety shall report all incidents of use of force,
30 including qualifying incidents reported to the department by municipalities, to the
31 Federal Bureau of Investigation for inclusion in the Federal Bureau of Investigation's

1 data collection program for the use of force.

2 (c) The Department of Public Safety shall prepare a report that summarizes the
3 information contained in the reports of use of force submitted by the Department of
4 Public Safety, the Department of Corrections, and municipalities during the preceding
5 fiscal year and, not later than December 1 of each year, submit the report to the senate
6 secretary and the chief clerk of the house of representatives and notify the legislature
7 that the report is available.

8 (d) In this section, "use of force" has the meaning given in AS 18.65.290.

9 * **Sec. 11.** AS 18.65.280(b) is repealed.

10 * **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 APPLICABILITY. AS 18.65.285, as amended by sec. 2 of this Act, applies to
13 employment contracts entered into on or after the effective date of sec. 2 of this Act.

14 * **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 TRANSITION: EMPLOYMENT. Each person who, on the effective date of sec. 11 of
17 this Act, is employed as a municipal correctional officer or municipal police officer by a
18 political subdivision with an established police training program that met the requirements for
19 exemption under former AS 18.65.280(b), repealed by sec. 11 of this Act, has one year from
20 the effective date of sec. 11 of this Act to comply with the requirements of AS 18.65.240.

21 * **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 TRANSITION: REGULATIONS. The Department of Corrections, the Department of
24 Public Safety, and a municipality that employs a person as a municipal police officer or in a
25 municipal correctional facility shall, by January 1, 2026, adopt regulations necessary to
26 implement secs. 7 - 10 of this Act.

27 * **Sec. 15.** Section 14 of this Act takes effect immediately under AS 01.10.070(c).