

NEWS

ARTICLES

Group to pick ombudsman

The Associated Press

Lawmakers are to meet Wednesday to select a new state ombudsman from a half-dozen semi-finalists.

Sen. Mitch Abood, R-Anchorage, is co-chairman of the six-member legislative committee that has been working since late May to find a successor to Acting Ombudsman Rob Walton. Investigator Bruce Aronson was appointed ombudsman last summer on an interim basis.

"We ran an ad for the job in Alaska papers and got 125 applicants," Abood said Monday. "We went through an initial screening and brought the list down to 20. Then we took those 20 and narrowed it to six."

The semi-finalists:

- Aronson, the acting ombudsman;

- Duncan Fowler, of Juneau, a former regional ombudsman;

- Stuart Hall, an Anchorage attorney;

- Pat Conheady, a Juneau lawyer;

- Glen Glenzer, a deputy commissioner with the Department of Transportation and Public Facilities in Fairbanks, and

- Wayne Mabry, another former ombudsman.

Budget cuts have reduced the size of the staff from 24 to nine. Investigators now work in Juneau and Anchorage. The Fairbanks office was closed June 30.

The job pays \$62,508 a year, officials said.

TUESDAY

April 22, 1986

Ombudsman a public service

The idea of the municipality contracting with the state ombudsman's office initially wasn't a particularly popular one with us. At the outset, it just seemed that assembly members were inserting another layer of insulation between them and the public whenever complaints about the municipal administration arose. With an ombudsman, the assembly members could shunt any public concerns or complaints to that office instead of dealing with them directly.

Considering the way the ombudsman office has operated, however, those concerns have been shown to be unfounded. In fact, it can be successfully argued that the existence of the ombudsman to field complaints has improved the operation of the local government and the way it serves the public. A prime example is the complaint about the new airport manager's personal effects being moved to Juneau at Alaska Airlines' expense. The complaint was investigated, all the facts were gathered and a report, complete with responses, was issued. Overall, it was a professional, thorough and, most of all, fair way to handle the case.

Without an ombudsman, who knows what would have transpired? Juneau's supercharged rumor mill probably would have kicked into high gear and by the time anything was done about it, the entire municipality would have faced a major crisis that would have taken months to recover from. Or, worse yet, nothing would have been done, and the entire matter would have been swept under the carpet. Either way, the public certainly would not have been served.

The state's experience with an ombudsman has been highly successful. That office now has a competent, professional staff that knows how to work with the state government to assure that the public continues to be well-served. The municipality's idea of contracting with that office for that service on the local level was a master stroke. For the \$30,000 cost of the contract, the municipality is receiving a top-flight service that would have cost much more had it independently hired an ombudsman.

There are arguments for and against governments having an ombudsman. The most obvious arguments against an ombudsman are it costs money, and it removes the pressure from elected officials to act on citizen complaints. But those arguments are far outweighed by the benefits to the public of having a responsive, professional and competent citizens' representative who can effectively deal with the bureaucracy to make sure it works as it should.

Any way you look at it, that is a worthwhile service for the citizens of Alaska and Juneau.

Ombudsman

By CHUCK KLEESCHULTE

THE JUNEAU EMPIRE

thing was missing, he said. They pretty much went through hole building," Geiston said. He while files had been rifled, there are to be little physical damage to equipment and furniture.

Searchers looking for missing Dillingham family: Officials at first today continued the search for Dillingham residents, including month old baby, missing on a beachcombing trip south of Dillingham.

Monte Olson, 33, and his wife, Susan, 28, took their baby, Sean, to go beachcombing on Friday. The Alaska State Troopers said. Along was family friend Maurine Wentz, Dillingham's assistant justice.

They took out an 18-foot skiff, intending to return Friday evening, but he last seen about 3 p.m., 40 miles south of Dillingham at Protection Point.

AHFC out of mortgage money: Alaska Housing Finance Corp. run out of money to fund conventional home loans, and agency officials say it may be several weeks before more money is available.

Meanwhile, recent interest rate increases probably will mean more costly mortgages, said Margaret Olson, an AHFC spokeswoman. The agency's conventional mortgage rate 9.125 percent is expected to increase to 10 percent for loans of \$1,000 or less. Larger loans will be slightly more expensive, depending on AHFC funding costs.

A panel looking for a new state ombudsman decided to delete a requirement that the person be based in Anchorage.

An aide to Sen. Mitch Abood, R-Anchorage, chairman of the selection committee, confirmed this morning that the panel will change its wording which had said the selected applicant must have to direct the complaint agency from Anchorage.

That decision was made Monday afternoon after several lawmakers complained about the Anchorage requirement, said Darla Schnell, aide to Abood. Legislators were concerned that the limitation limited applicants to those who live in Southcentral and thus could harm the quality of the applicant pool, she said.

Juneau Sen. Jim Duncan, a Democrat, last week called all six members of the panel object to any conditions that would disadvantage residents from outside of Anchorage from applying for the \$62,500-a-year job.

Duncan also consulted legislative affairs attorney Tamara Brandt Cook asking for an opinion on the legality of the requirement. In an opinion,

Man charged w

By ED SCHOENFELD

THE JUNEAU EMPIRE

Juneau police Monday afternoon arrested an 18-year-old man and charged him with the Thursday armed robbery of a Mendenhall Valley gas station.

Graylen M. Franson was arrested at police headquarters about 4:30 p.m. Monday and charged with first-degree robbery, a Class A felony, and resisting arrest, a misdemeanor.

Franson had come to the building

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Patrick M. Anderson
for Sealaska
Board of Directors

won't have to live in Anchorage

sued Monday morning Cook said state law allows the ombudsman to be headquartered anywhere the person chooses.

The opinion said the selection panel didn't have the authority to "actually control location."

"It was just a bad precedent. We in the legislature have never interfered in the day-to-day operations of the ombudsman's office and where the ombudsman is located is clearly an administrative decision that the agency's director should make," said Duncan Monday.

He said he wants the committee to have the opportunity to pick the best possible person to run the agency. "I suspect some really competent and highly qualified people who live in Juneau might not have applied if they knew they would have to try to sell their homes now and move to Anchorage if they were picked. Now that bias has been removed from the selection process," said Duncan.

As a practical matter the selection committee, which is composed of five legislators from Southcentral and one from Southeast, might still pick an Anchorage candidate for the post, he said. As long as the person is highly qualified that would be acceptable to him, he said.

"My concern was the precedent that it could have set, and that precedent has now been alleviated," said Duncan.

Abood still believes that the next ombudsman should live in Anchorage, said Schnell. Because of budget cuts that resulted in the closing of the Fairbanks office, eight of the agency's 13 employees live in Anchorage and the bulk of the complaints are studied by Anchorage workers, she said.

"He thinks the office should be directed out of Anchorage, but given the qualifications of the applicants he might not have any real strong objections to picking a Juneau person," said Schnell.

The six-member panel, led by Abood and Rep. Pat Pourchot, D-Anchorage, is seeking applicants to take a five-term as head of the agency that has the authority to investigate citizen complaints against the executive branch of government. The permanent ombudsman's position has been vacant for nearly two years since the state's second ombudsman, Jack Chenoweth, quit.

The deadline for applications is Oct. 10. The panel wants to pick a nominee by early November. That person will still need confirmation by the full legislature.

th armed robbery of valley gas station

interviewed by police investigator Chief Mike Gelston. "He did fairly well" and it took several officers to subdue him, Gelston

Franson was jailed at the Lemon Correctional Center without a trial. He was scheduled to appear in court this afternoon.

robbery Franson is charged with taking place shortly before 12:45 p.m. Thursday at Valley Chevron. Franson told police he had been

robbed by a man wearing a white ski mask and carrying a handgun that may have been a .22-caliber automatic, police reports said.

Police have not released the amount of money stolen. But they did say the gas station worker said the robber took a handful of \$10 and \$20 bills.

Franson has lived in Juneau most or all of his life and is currently unemployed, Gelston said.

Police are not looking for any other suspects in the case, he said.

"The investigation is probably about wound down. There appears to be no indication of other active participants in the incident, he said.

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Lawmakers name Fowler ombudsman

The Associated Press

JUNEAU — Legislators have chosen Duncan Fowler, a former regional ombudsman, to head the state's trouble-shooting agency.

Fowler, 48, is director of parks and recreation for the Juneau City-Borough.

"The reason that he was chosen was because he's a program manager with 19 years of experience in rural and also urban state government (and) a long record of managing staff," said Sen. Mitch Abood, R-Anchorage. "He has a working knowledge of most agencies of the state government, and he's a listener."

Abood was co-chair of a six-member legislative committee that chose Fowler over five other finalists. They were interviewed Wednesday in Anchorage.

"It was very difficult for the committee to reach a decision. Any of the six finalists would have made a fine state ombudsman," Abood said.

Bruce Aronson, acting ombudsman and one of the finalists, will continue to direct the office until January, Abood said.

Fowler's appointment must be voted on during a joint session of the state House and

Senate, which is expected soon after the session starts Jan. 11, Abood said.

The other finalists were Anchorage attorney Stuart Hall; Juneau attorney Pat Conheady; former ombudsman Wayne Mabry; and Glen Glenzer, deputy commissioner with the Department of Transportation and Public Facilities in Fairbanks.

The committee received 125 applications for the job, Abood said. It pays \$62,508 a year. Lawmakers narrowed the field to 20, then to the six who were interviewed.

Fowler said he was thrilled to get the committee's "vote of confidence."

"I think ombudsman is a very important job for the citizens of the state," he said.

Fowler plans to keep the agency's headquarters in Juneau, where he was the regional ombudsman until taking the borough job 18 months ago.

Budget cuts have reduced the size of the ombudsman's staff from 24 to nine. Investigators work in Juneau and Anchorage. The Fairbanks office was closed June 30.

Fowler previously was a probation officer in Petersburg, Juneau and Anchorage, and was a state corrections planner.

Ombudsman's office has proven its value to Alaskans

By JOHN B. CHENOWETH

Established in the legislative branch in 1975, the Office of the Ombudsman receives and investigates complaints about state agencies and, when appropriate, recommends corrective action or policy change. The act establishing the office defines its jurisdiction and the appropriate subjects for its investigations.

Inquiries and complaints come by phone, visit or letter to offices in Anchorage, Fairbanks or Juneau. Complaints and inquiries may be brought to the office's attention on an "800" number (1-800-478-4970). Field travel for investigation is a regular part of the office's schedule.

Who needs the ombudsman? The question is prompted by lawmakers' concerns about the state's operating budget. They perceive that the ombudsman's office duplicates constituent services their staffs could and should be doing; some are urging elimination of funding for the office.

Let me suggest why the office ought to be maintained.

The public has indicated that it wants an ombudsman. In the past fiscal year, more than 5,000 Alaskans contacted the office with complaints. The rural complaint rate



increased substantially. The 1-to-100 case-to-population ratio exceeds the complaint rate of any other ombudsman's office and reflects the confidence Alaskans have in the office as a place to take their problems.

Secondly, despite a long tradition of legislators undertaking constituent complaint-handling services, many legislators have endorsed continuing the ombudsman's office. One veteran legislator recently wrote to his colleagues, "... a lot of the casework that the Ombudsman does is done with greater efficiency and certainly greater expertise than could be performed by the Legislature acting through individual offices of legislators. A lot of the work would be performed by us on a redundant basis with temporary personnel lacking the requisite background, experience and skills to peruse constituent complaints in a

professional manner."

In addition:

- In contrast to the efforts undertaken by 60 legislators, the office's approach is uniformly administered; the Ombudsman's Act mandates a consistently neutral, impartial, and independent approach to its handling of citizens' complaints.

- The office concerns itself only with complaints: Its work does not conflict at any given time with a legislator's other duties and interests — fashioning and adopting legislation, overseeing state programs, and communicating with constituents.

- The office's efforts yield thorough and impartial investigations: Many agencies welcome the review this office provides, and citizens generally appreciate the "second look" at the actions and decisions of state agencies.

- The office can review, and, within limits prescribed by law, report information from sources made confidential by law, especially as to some fairly sensitive and potentially controversial programs and decisions.

Finally, the office's work supplements the legislative process. Its investigative reports and its annual

In the past fiscal year, more than 5,000 Alaskans contacted the office with complaints.

report can indicate matters deserving attention and correction by legislation. Just as the legislature's Legal Services Division annually reports on the legal effect of judicial decisions and opinions of the attorney general, and the legislative auditor regularly evaluates and reports on program performance, the ombudsman can relate information based on the office's investigations of complaints raising common problems.

The legislators who debated the establishment of an ombudsman's office for Alaska more than a decade ago did so at a time when the range of state programs and services was narrower and annual budgets were smaller, steadier, and more predictable. Even then, they saw the merit of the institution.

By any measure, their willingness

to establish and support the office has been justified. In the intervening decade, despite legislative staff increases, the public has looked to the office for information and service. The contention that the ombudsman's office should now be eliminated is a short-term expedient inconsistent with demonstrated public interest in the office, inconsiderate of the help the office can provide to the legislative process, and ill-advised if the Alaska Legislature is at all interested in the general improvement of state public administration.

The ombudsman's office should be kept. By accepting and processing complaints and conducting investigations, the office:

- Provides an effective system for redress of valid citizen grievances.

- Promotes accountability of government programs.

- Serves as an element of quality control by monitoring agency performance and by recommending changes in agency policies and procedures.

Who knows, maybe someday you'll need an ombudsman.

□ John B. Chenoweth is ombudsman for the State of Alaska.