

S B

348

SENATE COMMITTEE ON
FIRST COMMITTEE OF REFERRAL

DATE: January 8, 1990

FURTHER: State Affairs
Finance

Date of 5-Day Notice: 2/1/90
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: 2/13/90

HESS Committee considered SENATE BILL NO. 348

"An Act granting probation officers status as peace officers under the public employees' retirement system; and providing for an effective date."

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) _____

zero fiscal note(s) Administration

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING ~~DO PASS~~:

Tom Duncan

Roy Jones

OTHER RECOMMENDATIONS:

Paul Fische (Do Pass)

Chair: Signature and Recommendation

TABLE 3.3

State of Alaska
Ratio of Debt Service to Unrestricted Revenues
Fall 1989 Revenue Estimates of the Department of Revenue

Fiscal Year	Unrestricted Revenue (\$ Millions)			(1) State GOB's			(2) UA			(3) ASHA			(4) Lease-Purchase Obligations			(5) School Debt (Muni)			Total Debt Service		
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High
79	1133.0	1133.0	1133.0	5.3%	5.3%	5.3%	.2%	.2%	.2%	.9%	.9%	.9%	0%	0%	0%	2.0%	2.0%	2.0%	8.3%	8.3%	8.3%
80	2501.2	2501.2	2501.2	3.0	3.0	3.0	.1	.1	.1	.4	.4	.4	0	0	0	1.0	1.0	1.0	4.4	4.4	4.4
81	3718.2	3718.2	3718.2	2.6	2.6	2.6	.1	.1	.1	.3	.3	.3	0	0	0	1.0	1.0	1.0	4.0	4.0	4.0
82	4108.4	4108.4	4108.4	2.4	2.4	2.4	.1	.1	.1	.2	.2	.2	0	0	0	.9	.9	.9	3.6	3.6	3.6
83	3631.0	3631.0	3631.0	4.0	4.0	4.0	.1	.1	.1	.3	.3	.3	0	0	0	1.0	1.0	1.0	5.3	5.3	5.3
84	3390.1	3390.1	3390.1	4.9	4.9	4.9	.1	.1	.1	.3	.3	.3	0	0	0	2.7	2.7	2.7	7.9	7.9	7.9
85	3260.0	3260.0	3260.0	5.2	5.2	5.2	.1	.1	.1	.3	.3	.3	0	0	0	2.8	2.8	2.8	8.4	8.4	8.4
86	3075.5	3075.5	3075.5	5.3	5.3	5.3	.1	.1	.1	.3	.3	.3	0	0	0	3.4	3.4	3.4	9.1	9.1	9.1
87	1799.4	1799.4	1799.4	8.6	8.6	8.6	.1	.1	.1	.4	.4	.4	.3	.3	.3	7.4	7.4	7.4	16.7	16.7	16.7
88	2305.8	2305.8	2305.8	6.4	6.4	6.4	.1	.1	.1	.3	.3	.3	0	0	0	4.7	4.7	4.7	11.5	11.5	11.5
89	2186.2	2186.2	2186.2	6.2	6.2	6.2	.1	.1	.1	.3	.3	.3	.2	.2	.2	5.0	5.0	5.0	11.8	11.8	11.8
90	2005.5	2295.5	2645.0	6.0	5.2	4.5	.1	.1	.1	.3	.3	.2	.3	.2	.2	5.4	4.7	4.1	12.1	10.6	9.2
91	1743.4	2255.6	2765.7	5.5	4.2	3.5	.1	.1	.1	.3	.3	.2	.3	.2	.2	6.9	5.3	4.3	13.2	10.2	8.3
92	1860.1	2416.1	2993.5	3.7	2.8	2.3	.1	.1	.1	.3	.3	.2	.3	.2	.2	6.2	4.8	3.9	10.7	8.2	6.6
93	1813.2	2435.2	3243.0	3.3	2.5	1.8	.1	.1	.1	.3	.2	.2	.3	.2	.2	5.8	4.4	3.3	9.9	7.4	5.5
94	1813.3	2460.7	3655.0	1.9	1.4	.9	.1	.1	.1	.2	.1	.1	.3	.2	.2	5.2	3.8	2.6	7.6	5.6	3.8
95	1756.0	2375.8	4094.3	1.3	1.0	.6	.1	.1	0	.1	.1	0	.3	.2	.1	4.8	3.5	2.1	6.6	4.9	2.8
96	1586.7	2209.0	4310.7	1.4	1.0	.5	.1	.1	0	0	0	0	.3	.2	.1	4.5	3.2	1.6	6.3	4.5	2.3
97	1449.4	2031.4	4421.2	1.2	.8	.4	.1	.1	0	0	0	0	.4	.3	.1	3.4	2.4	1.1	5.0	3.6	1.6
98	1332.3	1896.6	4521.9	1.1	.8	.3	.1	.1	0	0	0	0	.4	.3	.1	3.4	2.4	1.0	5.1	3.6	1.5
99	1202.7	1752.8	4422.4	.7	.5	.2	.2	.1	0	0	0	0	.5	.3	.1	3.6	2.5	1.0	5.0	3.4	1.3
00	1081.2	1597.3	4218.4	.2	.2	.1	.2	.1	0	0	0	0	.4	.3	.1	3.2	2.2	.8	4.1	2.8	1.0
01	1009.3	1477.5	4039.5	0	0	0	.2	.1	0	0	0	0	.5	.3	.1	2.1	1.4	.5	2.7	1.9	.7
02	936.3	1353.6	3863.9	0	0	0	.1	.1	0	0	0	0	.5	.3	.1	1.0	.7	.2	1.6	1.1	.4
03	882.3	1225.4	3644.8	0	0	0	.1	.1	0	0	0	0	.5	.4	.1	.6	.4	.1	1.3	.9	.3
04	830.3	1148.5	3460.2	0	0	0	.1	.1	0	0	0	0	.6	.4	.1	.7	.5	.2	1.3	1.0	.3
05	755.9	1079.6	3223.4	0	0	0	.1	.1	0	0	0	0	.6	.4	.1	.7	.5	.2	1.5	1.0	.3

(1) State of Alaska general obligation bonds

(2) University of Alaska bonds

(3) Alaska State Housing Authority lease revenue bonds

(4) Debt issued to finance Seward Student Service Center, Spring Creek Correctional Center, and Palmer Courthouse

(5) State Reimbursement of municipal general obligation debt issued to finance school construction for debt issued through December 31, 1989

FISCAL NOTE

REQUEST:

Revision Date: 2/12/90 Agency Affected: Administration
 Title: An Act granting probation BRU: Retirement and Benefits
officers status of peace officers under PERS
 Sponsor: Duncan Components: Retirement and Benefits
 Requestor: Senate HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

THIS BILL IS ESTIMATED TO COST THE STATE OF ALASKA \$166.9 IN INCREASED PERSONAL SERVICES FOR FY 91 AND EACH YEAR THEREAFTER.

The attached sheet discusses the fiscal implications of this bill to the Public Employees' Retirement System.

Prepared by: Sally Smith *Sally Smith* Phone: 465-4470
 Division: Retirement and Benefits Date: 2/12/90

Approved by Commissioner: Frank S. Baxter *Frank S. Baxter* Date: 2/12/90
 Agency: Department of Administration

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Senate Bill 348
Analysis of Fiscal Implications to the Retirement Funds
Prepared by Division of Retirement & Benefits
Department of Administration
January 12, 1989

Analysis: This bill is intended to include Public Employees' Retirement System (PERS) members who serve as Probation Officers under "Peace Officer/Firefighter" coverage. They are currently covered under the "All Other" category. We have assumed that this bill will increase the "Peace Officer/Fireman" participation and decrease the "All Other" participation in PERS by 175 members.

This bill, if amended to clarify the covered group, will increase the state FY91 PERS contribution rate by .03%. The state payroll is estimated to be \$492,656,834 in FY90 and remain stable each year thereafter. The University of Alaska (U of A) PERS payroll is estimated to be \$63,654,027 in FY91 and remain stable each year thereafter.

The state cost of \$166.9 is calculated as follows:

State FY91 payroll	\$ 492,656,834
Increase in PERS rate	X <u>.03%</u>
Total FY91 state cost	\$147,797
U of A FY91 payroll	\$ 63,654,027
Increase in PERS rate	X <u>.03%</u>
Total FY91 U of A cost	<u>19.096</u>
TOTAL FY 91 STATE COST.....	<u>\$166.893</u>

This bill will not materially affect the accrued liabilities or the funding ratio of the PERS fund.

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Administration
 Title: An Act granting probation BRU: Retirement and Benefits
officers status of peace officers under PERS
 Sponsor: Duncan Components: Retirement and Benefits
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

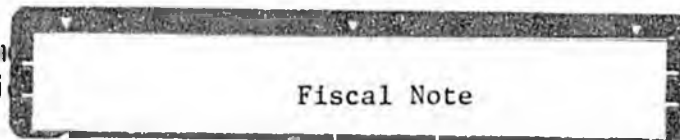
ANALYSIS: (Attach a separate page if necessary)

The attached sheet discusses the fiscal implications of this bill to the Public Employees' Retirement System.

Prepared by: Sally Smith *Sally Smith* Phone: 465-4470
 Division: Retirement and Benefits Date: 01/12/90
 Approved by Commissioner: Frank S. Baxter *Frank S. Baxter* Date: 1/16/90
 Agency: Department of Administration

Distribution (by preparer):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management
 Impacted Agency(i



Senate Bill 348
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 Prepared by Division of Retirement & Benefits
 Department of Administration
 January 12, 1989

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Increase in PERS rate	X	<u>.03%</u>	
			Total FY90 state cost \$147,797
U of A FY90 payroll	\$	63,654,027	
Increase in PERS rate	X	<u>.03%</u>	
			Total FY90 U of A cost <u>19,096</u>
TOTAL FY 90 STATE COST.....			<u>\$166,893</u>

Handwritten:
 166,893

 333,7860

This bill will not materially affect the accrued liabilities or the funding ratio of the PERS fund.

 * DELIVER TO: LIOCBL5 *
 * ORIGINAL *
 * SENT: 02/07/90 TIME: 16:01 *
 * FROM: LIOCTOM *
 * SUBJECT: 90-01-018;BL;SB348;2-07-90 *
 * PRINT DATE: 02/07/90 TIME: 16:01 *

TC NO: 90-02-018

DATE: 2-07-90
 SPONSOR: SENATE HESS
 SUBJECT: SB348
 MODERATOR: TOM PILLIFANT
 SITE: ANCHORAGE

SITES FOR TODAY'S TELECONFERENCE:

- 1. JUNEAU --**CHAIRING SITE**-- BARBARA LYNN
- 2. ANCHORAGE OFF-NET -- VIKI DEACON
- 3. FBX OFF-NET -- LOU REECE
- 4. KENAI OFF-NET -- DAN HICKLIN

Probate.

Wash.

Oregon

Bring In Time

*No Time
 + half.*

*47
 32
 15*

EMAIL ADDRESS: LIOCTOM

BLS: PLEASE SEND ME YOUR MOD SIGN-ON AGAIN - I HAVE MISLAID THE FIRST?

LIOCTOM

BACKUP NUMBER: 561-1199

Deanna Moore

DIANA MOORE

Disability
Sm to support 150-100

Balance
2P. - energy assistance

72 Hour Notice
210-74 13th

Defend Contract

Miss a Payment
Suggested

150:50
Mobile Home

P.O. Box 1431

Sold to a
cadets & skill

140

Special Div Refills
spend that

Review
140

Created
skill

Not ready
to address
page

Public
Utilities
Commission

Agnes
FD

4322

AK Peace Officers
Association

Certified AK Police Standards
Council

Glider Warren
Hudson
PDC

Important
Issue.

786-8500

Certified by APFC

with
a
sect

Police Chiefs

Mike Doughty.

238-8113

Homer
Informally

Next wk

Chiefs Good
Deal.

PERS

Closer to law Enforcement.

Chief

No Opposition

Contact Officers in the
Association

Incorporate
staff from
Feds.
fund the
same work

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: TIM A. RAUTEN, JR.
TITLE: CORRECTIONAL OFFICER
ADDRESS: BOX 1290
CITY: BARROW
PHONE: 852-2710
BILL NO: SB 348

ZIP: 99723

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A CITIZEN OF BARROW, I RECOGNIZE THAT PROBATION OFFICERS HAVE A DIFFICULT AND DANGEROUS ROLE IN PROTECTING PUBLIC SAFETY. FOR THIS REASON, I FEEL THAT THEY SHOULD BE COVERED UNDER THE 20 YEAR RETIREMENT SYSTEM. PLEASE SUPPORT SB 348.

POMID: 04145430

DATE: 02/06/90

TIME: 14:54:30

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAMS
JONES
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: REEVA PASKEWITZ
TITLE:
ADDRESS: BOX 1015
CITY: BARROW
PHONE: 852-2107
BILL NO: SB 348

ZIP: 99723

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS
MESSAGE: AS A CITIZEN OF BARROW I RECOGNIZE THAT PROBATION OFFICERS HAVE A
DIFFICULT AND DANGEROUS ROLE IN PROTECTING PUBLIC SAFETY. FOR THIS I FEEL THE
SHOULD BE COVERED UNDER THE 20 YEAR RETIREMENT SYSTEM. PLEASE SUPPORT SB 348.

POMID: 04144904
DATE: 02/06/90
TIME: 14:49:04
LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

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JONES
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JAMES WHITTINGTON

TITLE: PROBATION OFFICER III

ADDRESS: BOX 810

CITY: BARROW

ZIP: 99723

PHONE: 852-8700

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: REQUEST YOUR PASSAGE OF SB 348. CORRECTIONAL OFFICERS HAVE LONG BEEN COVERED UNDER PEACE OFFICER REYIREMENT, AND AS PROBATION OFFICERS WE DEAL WITH THE SAME PEOPLE, BUT PROBATION OFFICERS USUALLY WORK WITH THEM ON A ONE-TO-ONE BASIS AND IN THE FIELD, NOT IN A CONTROLLED ENVIRONMENT.

POMID: 04144218

DATE: 02/06/90

TIME: 14:42:18

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

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JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JIM AYERS

TITLE:

ADDRESS: BOX 21109

CITY: ANAKTUVUK PASS

ZIP: 99721

PHONE: 661-3911

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348.

POMID: 04145704

DATE: 02/06/90

TIME: 14:57:04

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

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JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: FRANK S. GERKING

TITLE: CORRECTIONS OFFICER III

ADDRESS: BOX 266

CITY: BARROW

ZIP: 99723

PHONE: 852-4970

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A CITIZEN OF BARROW, I RECOGNIZE THAT PROBATION OFFICERS HAVE A DIFFICULT AND DANGEROUS ROLE IN PROTECTING PUBLIC SAFETY. FOR THIS REASON I FEEL THAT THEY SHOULD BE COVERED UNDER THE 20 YEAR RETIREMENT SYSTEM. PLEASE SUPPORT SB 348.

POMID: 04145138

DATE: 02/06/90

TIME: 14:51:38

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

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JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JOHN BAIAMANTE

TITLE:

ADDRESS: BOX 810

CITY: BARROW

ZIP: 99723

PHONE: 852-8700

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: PLEASE SUPPORT SB 348.

POMID: 04144800

DATE: 02/06/90

TIME: 14:48:00

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

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ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: ROBERT MERCIER

TITLE:

ADDRESS: BOX 38

CITY: BARROW

ZIP: 99723

PHONE: 852-4319

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: I WOULD LIKE THIS COMMITTEE TO SUPPORT SB 348. I FEEL THAT PROBATION OFFICERS DESERVE TO BE INCLUDED IN THE 20 YEAR POLICE RETIREMENT SYSTEM.

POHID: 04150324

DATE: 02/06/90

TIME: 15:03:24

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: KEVIN S. EARLY
TITLE:
ADDRESS: BOX 110
CITY: BARROW
PHONE: 763-2911
BILL NO: SB 348
SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS
MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348
ZIP: 99723

POMID: 04150528
DATE: 02/06/90
TIME: 15:05:28
LIGNAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAM
JONE
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: H.J.WEISS

TITLE:

ADDRESS: BOX 83

CITY: BARROW

ZIP: 99723

PHONE: 852-4542

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348

POMID: 04150812

DATE: 02/06/90

TIME: 15:08:12

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

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KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: MARK OWNBEY

TITLE:

ADDRESS: BOX 185

CITY: BARROW

ZIP: 99723

PHONE: 852-2912

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: PLEASE SUPPORT SB 348

POHID: 04151942

DATE: 02/06/90

TIME: 15:18:42

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

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ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: THOMAS A. CHIVERS
TITLE: CORPORAL
ADDRESS: BOX 1365
CITY: BARROW
PHONE: 852-2069
BILL NO: SB 348

ZIP: 99723

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME DANGERS AND HAZARDS AS OTHER POLICE OFFICERS. PLEASE SUPPORT SB348

POMID: 04152036
DATE: 02/06/90
TIME: 15:20:36
LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAMS
JONES
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JERI CLEVELAND

TITLE:

ADDRESS: BOX 886

CITY: BARROW

ZIP: 99723

PHONE: 852-4800

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A CITIZEN OF BARROW, I RECOGNIZE THAT PROBATION OFFICERS HAVE A DIFFICULT AND DANGEROUS ROLE IN PROTECTING PUBLIC SAFETY. FOR THIS REASON I FEEL THAT THEY SHOULD BE COVERED UNDER THE 20 YEAR RETIREMENT SYSTEM. PLEASE SUPPORT SB 348.

POMID: 04152553

DATE: 02/06/90

TIME: 15:25:53

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: LU CLARK

TITLE:

ADDRESS: BOX 763

CITY: BARROW

PHONE: 852-4800

ZIP: 99723

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: I WOULD LIKE THIS COMMITTEE TO SUPPORT SB 348. I FEEL THAT PROBATION OFFICERS DESERVE TO BE INCLUDED IN THE 20 YEAR POLICE RETIREMENT SYSTEM.

POMID: 04160008

DATE: 02/06/90

TIME: 16:00:08

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: MARY E. KUNKEL

TITLE:

ADDRESS: BOX 905

CITY: BARROW

ZIP: 99723

PHONE: 852-6496

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A CITIZEN OF BARROW, I RECOGNIZE THAT PROBATION OFFICERS HAVE A DIFFICULT AND DANGEROUS ROLE IN PROTECTING PUBLIC SAFETY. FOR THIS REASON, I FEEL THAT THEY SHOULD BE COVERED UNDER THE 20 YEAR RETIREMENT SYSTEM. PLEASE SUPPORT SB 348.

POMID: 04160211

DATE: 02/06/90

TIME: 16:02:11

LICNAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: DENNIS PACKER
TITLE: DIRECTOR, NSB PUBLIC SAFETY
ADDRESS: BOX 326
CITY: BARROW ZIP: 99723
PHONE: 852-6111
BILL NO: SB 348
SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS
MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348

POPID: 04160446
DATE: 02/06/90
TIME: 16:04:46
LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAMS
JONES
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: BILL BEATTY

TITLE:

ADDRESS: 415 MAIN ST., ROOM 202

CITY: KETCHIKAN, AK

ZIP: 99901

PHONE: 225-3178

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: PLEASE SUPPORT THIS BILL TO INCLUDE PROBATION OFFICERS IN THE PEACE OFFICERS RETIREMENT SYSTEM. IT WILL BENEFIT THE STATE BY REDUCING RECRUITMENT AND TRAINING COSTS AND INCREASE THE MORALE AND PROFESSIONALISM OF PROBATION OFFICERS. THE ANNUAL COST WILL BE ROUGHLY \$160,000, BUT OTHER SAVINGS SHOULD EXCEED THAT AMOUNT.

POMID: 08155936

DATE: 02/06/90

TIME: 15:59:36

LIONAME: KETCHIKAN LIO

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: MICHAEL B. DONOVAN

TITLE:

ADDRESS: BOX 470

CITY: BARROW

ZIP: 99723

PHONE: 852-5942

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348

POMID: 04160911

DATE: 02/06/90

TIME: 16:09:11

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: LORI LEE

TITLE:

ADDRESS: BOX 247

CITY: BARROW

ZIP: 99723

PHONE: 852-8315

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348

POHID: 04160700

DATE: 02/06/90

TIME: 16:07:00

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JAMES R. TRULL

TITLE:

ADDRESS: BOX 187

CITY: BARROW

ZIP: 99723

PHONE: N/R-

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME DANGERS AND HAZARDS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348

POMID: 04162404

DATE: 02/06/90

TIME: 16:24:04

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: A.J.BERRY

TITLE:

ADDRESS: BOX 275

CITY: BARROW

PHONE: 852-8776

ZIP: 99723

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: AS A POLICE OFFICER, I FEEL THAT THE OFFICERS OF PAROLE AND PROBATION SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME HAZARDS AND DANGERS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348

POMID: 04162200

DATE: 02/06/90

TIME: 16:22:00

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN

ADAMS

JONES

KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: RONALD C. SWIATOWY
TITLE: CORRECTIONAL OFFICER
ADDRESS: BOX 225
CITY: BARROW
PHONE: 852-3781

ZIP: . /23

BILL NO: SB 348
SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS
MESSAGE: AS A CITIZEN OF BARROW, I RECOGNIZE THAT PROBATION OFFICERS HAVE A DIFFICULT AND DANGEROUS ROLE IN PROTECTING PUBLIC SAFETY. FOR THIS REASON, I BELIEVE THAT THEY SHOULD BE COVERED UNDER THE 20 YEAR RETIREMENT SYSTEM.
PLEASE SUPPORT SB 348.

POMID: 04162626
DATE: 02/06/90
TIME: 16:26:26
LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAMS
JONES
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: FLORENCE E. CORWIN
TITLE: CORRECTIONAL OFFICER IV
ADDRESS: BOX 217
CITY: BARROW
PHONE: 852-4696

ZIP: 99723

BILL NO: SB 348

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS

MESSAGE: I WOULD LIKE THIS COMMITTEE TO SUPPORT SB 348. I BELIEVE THAT PROBATION OFFICERS DESERVE TO BE INCLUDED IN THE 20 YEAR POLICE RETIREMENT SYSTEM.

POMID: 04162932

DATE: 02/06/90

TIME: 16:29:32

LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAMS
JONES
KELLY

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JAMES E. CHRISTENSEN
TITLE: CAPTAIN, NSB PUBLIC SAFETY
ADDRESS: BOX 85
CITY: BARROW
PHONE: 852-4111
BILL NO: SB 348

ZIP: 99723

SUBJECT: PERS BENEFITS FOR PROBATION OFFICERS
MESSAGE: AS A POLICE OFFICER, I BELIEVE THAT THE OFFICERS OF PROBATION AND PAROLE SHOULD COME UNDER THE 20 YEAR POLICE RETIREMENT SYSTEM BECAUSE THEY ARE EXPOSED TO THE SAME DANGERS AND HAZARDS AS OTHER PEACE OFFICERS. PLEASE SUPPORT SB 348.

POHID: 04163142
DATE: 02/06/90
TIME: 16:31:42
LIONAME: BARROW INFO OFFICE

COPIES: SENATORS

DUNCAN
ADAMS
JONES
KELLY

STATE OF ALASKA

Raymond

DEPARTMENT OF CORRECTIONS

X

STEVE COWPER, GOVERNOR

REPLY TO:

- JUNEAU PROBATION OFFICE
P.O. BOX 021224
JUNEAU, ALASKA 99802-1224
PHONE: (907) 465-3180
- KETCHIKAN PROBATION OFFICE
ROOM 202, 415 MAIN STREET
KETCHIKAN, ALASKA 99901-6398
PHONE: (907) 225-3179
- SITKA PROBATION OFFICE
304 LAKE STREET, ROOM 210
SITKA, ALASKA 99835-7599
PHONE: (907) 747-6641

RECEIVED October 12, 1989

Senator Jim Duncan
P.O. Box V
Juneau, Alaska 99811

Dear Jim:

Chief Probation Officer Keith Stell tells me that you are filing a bill which would place probation officers under the peace officers retirement system. Thank you very much for supporting these efforts. We have been trying, without much success, to get under the peace officers retirement system for years.

Probation officers deal only with felons (no misdemeanants). The felons we deal with every day are often violent, emotionally disturbed people. We are required to go out into the community, sometimes at night, and arrest these people when they violate probation or parole. Likewise, our very heavy workloads, danger, and deadlines imposed by the Court, cause a high level of stress in this job.

Although I am no actuary, there are so few probation officers I cannot believe that the cost of including us in the peace officers retirement system is going to be more than a "drop in the bucket." Furthermore, it is my understanding that probation officers (myself included) are certainly willing to shoulder a share of any financial burden that our entry into the peace officers retirement system might occasion.

Once again, I wish to thank you very much for all the help you have given us and other public employees over the years.

Best regards,

Robert K. Collins

Robert K. Collins
District Probation Supervisor
Juneau

RKC/cm

Letters of Support from
Probation Officers Statewide

RECEIVED
Parham

November 2, 1989

Senator Jim Duncan
Alaska Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Duncan:

I thought that a few examples of danger and stress faced by probation officers might help you justify your Bill putting probation officers under the Peace Officers Retirement System.

Some examples from my own experience include threats made on my life by dangerous psychopaths like Wallace Creer in 1984. My life was threatened by Gary Nolt in 1986 and 1987. My family has been threatened by probationer Randy Rodriques in 1987. These are only a few examples. In actuality, my life has been threatened many times by probationers and parolees but, unfortunately, I do not always make notes and so when relying on my memory, I can't always remember names and dates from long ago.

I was assaulted at Lemon Creek Correctional Center when I was booking probationer Laberne Ebona in 1988. I was assaulted by probationer Gary Nolt in 1982. Probationer Ken Lancaster drove by the probation office and shot at our windows with a 12 gauge shotgun in 1986 or 1987. He hit the windows of the law library one floor above us; however, at an adjudication hearing the Court found that Mr. Lancaster was attempting to hit the windows in the probation office.

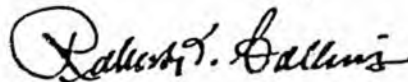
We routinely arrest probationers and parolees and are empowered to do so by statute (AS 33.05.070 and 33.16.240). In July, 1987 I accompanied several Juneau police officers and Alaska State Troopers to the residence of Daniel Trapp, a probation absconder. Mr. Trapp refused to answer our instructions to come out and surrender. The door was kicked down and we entered with guns drawn. Mr. Trapp was inside, extremely intoxicated, with a rifle not far away. In 1986 I searched the residence of probationer Scott McGonegal where I found substantial quantities of cocaine and a 9 mm sub-machine gun. I could cite a number of other examples.

Senator Jim Duncan
November 2, 1989
Page Two

I am enclosing a copy of Department of Corrections Policy and Procedure 902.16 which describes the Department's gun policy. It is currently being revised to allow probation officers more independent discretion.

Jim, I have called a number of other probation officers around the State and have asked them to give you a few examples from their own personal experience, hopefully the equivalent of the information I have provided above. If I can be of further assistance, please do not hesitate to call on me.

Very Truly Yours,



Robert K. Collins
Probation Officer III
Juneau

RKC/cm
Enclosure

Susan J. Ford
P.O. Box 2748
Sitka, AK 99835

Senator Jim Duncan
P.O. Box 1
Juneau, AK 99811-3100

November 21, 1989

Dear Senator Duncan:

I thought it would be helpful to share with you some "real life" experiences I have had in my role as a probation officer over the past 8 years. I believe you will agree that a probation officer is most definitely a peace officer and subject to the same stresses and hazards as law enforcement officers etc.

Approximately three years ago I was supervising a man with a history of misdemeanor assaultive conduct as well as felony level property crimes. This individual had a serious alcohol problem which further increased his potential for violence. While residing in Sitka this man violated his probation by committing a new, misdemeanor offense, consuming alcohol and failing to report to his probation officer. He was arrested and a bail review hearing was held. The judge released this man back to the community under the condition he not consume alcohol at frequent establishments that serve alcohol. Less than 6 hours later, while having dinner at a local

restaurant, I observed this man staggering through the restaurant. Consequently I enlisted the assistance of our local police department and contacted this man on his fishing vessel. He was extremely intoxicated. I arrested him for violating probation and his conditions of release. This man proceeded to threaten me over the course of the booking process and for several days thereafter. He threatened to shoot me, sink my boat when my family was on it, blow me up, and harm my family. Following his court arraignment he whispered to me that I would be sorry if he got out of jail. Fortunately this man did not follow through on his threats but he did cause a good deal of anxiety and concern for my family and myself.

Approximately 4 years ago I was involved in the search of one of my probationers' houses. This individual had 2 prior felonies and an assaultive background. The search turned up several handguns and ammunition stolen in a burglary several weeks previously. Fortunately I was able to arrest this man without incident but the potential for

Charm is always there. The very nature of our jobs places probation officers in a touchy position; we enforce the orders of the Court which often means violating a persons probation and threatening their freedom.

On one occasion following a sentencing hearing 2 1/2 years ago in which I recommended a stiff sentence for a child abuser, the dependants wife became extremely angry. Not only did she verbally assault me in the courtroom but she attempted to physically confront me. The dependant (her husband) was able to grab her and hold her down while I left the Court Room.

Finally I wanted to share with you an incident that involved a fellow probation officer in the Anchorage /Kenai area. This man had his home fire bombed and was seriously burned as a result. Although the police investigation was never able to determine who was responsible, this man was very certain one of his probationers was to blame based on past supervision problems.

In conclusion, there is always the potential

you violence with this position. There is certainly ongoing stress and the underlying knowledge that many of our day to day duties place us in dangerous situations.

Thank you once again Senator Duncan for your sponsorship of the bill relating to placing probation officers under Peace Officer Retirement.

Sincerely,

Susan J. Ford

P.O. Box 2748

SITKA, ALASKA 99835

cc Representative Ben BRUSSENDORF
Senator Richard ELIASON

November 21, 1989

Sen. Jim Duncan
P.O. Box V
Juneau, Alaska 99811-3100

RECEIVED NOV 27 1989

*Raymond
H. Kelly*

Dear Jim,

I am writing this letter to add my support to the bill you will be submitting this legislative session that would place Probation Officers under the 20 years retirement plan.

I have been with the Department of Corrections for approximately 21 years now. Four of those years has been as a Probation Officer assigned to the Lemon Creek Correctional Center. During my time at this facility as a Probation Officer I was exposed to the same dangers that Correctional Officers faced. As an institutional Probation Officer I have prepared many many reports that have resulted in inmates not getting out on parole. I have been required to qualify with weapons. I have had to pick up inmates on work furlough that had violated rules.

It should be noted that Probation Officers do have some power of arrest. It should be understood that Probation Officers face physical injury or death when attempting to arrest Parole/Probation violators that do not want to return to jail. Passage of this bill will of course make me eligible to retire. It will, I believe, save the State money down the road. There are many employees that would take advantage of the retirement that have lots of years in and are well up on the pay scale. The State of Alaska could hire replacements for those people for I would think one third the cost.

Thank you for your support in this matter

Yours Truly,

Brice H. Pearson

*Parsons
File*

December 8, 1989

Senator Jim Duncan
Alaska Legislature
Pouch "V"
Juneau, AK 99811

RE: Peace Officer Retirement for
Probation Officers

Dear Senator Duncan:

As requested, this letter is submitted with a few examples of incidents which have occurred in the Kenai area during the last few years. These incidents are indicative of the types of assaults and threats directed at probation officers. There are more and I will attempt to document them for submission at a later date.

In September 1986, a Molotov cocktail was found to be burning on the front steps of a probation officer's residence in Kenai. It burned itself out and did not explode. Approximately ten days later, at 2:00 a.m., the same officer was asleep in his bed. He suddenly awoke to the sounds of breaking glass. Within seconds, his apartment was engulfed in fire and he barely had time to put on his pants and run outside. In the process, he suffered second degree burns on his feet, arms, and upper back. His hair and eyebrows were singed and he spent several weeks in the hospital undergoing treatment for his burns. To this day, he bears terrible scars which were left by the burns. Physically and psychologically he will be affected for a lifetime.

Police investigated the above incident. Evidence indicated that someone had thrown a Molotov cocktail through the P.O.'s window. The incendiary device exploded and engulfed the inside of the residence. The interior of his apartment and its contents were completely destroyed. If he had not escaped within seconds there is a good chance he would be dead. Although the above arson (attempted murder?) was never solved, no one in the community, including the police, have any doubt that the assault was committed by an individual on the probation officer's caseload. The officer had received several threats by offenders during the years he was a probation officer. Police investigation revealed that an individual on the officer's caseload had admitted to "getting him" and acknowledged an earlier attempt had failed. However, there was not enough evidence to indict the alleged assailant.

In addition to the above, another probation officer in Kenai was involved in an incident where his personal vehicle was stolen and set ablaze. According to the police investigation, the same offender who was reportedly involved in the first arson had knowledge of the theft and arson of the probation officer's vehicle.

The above two examples involved people who were supervised by probation officers and who may have been angered by the officer's actions, i.e.,

Senator Duncan
12/8/89
Page Two.

filing to revoke probation or parole due to violating their conditions. The offender who was believed to be involved in the above incidents had reportedly indicated that the probation officer was "getting too close to his drug dealings" and he was not going to go back to jail.

A third example involves what can happen when probation officers recommend that an offender be incarcerated for a substantial period of time. Approximately one year ago, I had recommended a maximum five year sentence for an offender with a substantial prior record in the state of Washington. His record included burglary, theft, sale of cocaine, assault and numerous violations of probation and parole. His crimes in Kenai involved burglary of a dwelling as well as several misdemeanor convictions. While detained in a side cell following sentencing, the offender stated, "Hey you punk, how can you recommend five years for me, you don't even know me. You're a f..... punk, remember this face you f..... punk, remember this face." The offender is very capable of following through with his veiled threats and will be released to the Kenai area (to my caseload) during the next year or so.

In addition to the above, an offender's parole was recently revoked and he was ordered to serve the balance of his sentence, which was several years. He had violated his parole for assaulting his wife as well as a friend, numerous thefts, using drugs and consuming alcohol. It was my testimony and documentation of his violations that resulted in the revocation of his parole. He placed the blame for his loss of freedom and his additional prison sentence directly on me. According to other inmates, he has talked of revenge upon release.

The above incidents are but a few. Probation officers are frequently threatened and many assaults have occurred. The potential for danger or death is always present, as is concern for the safety of the employee's family. A probation officer's job is inherently dangerous. However, due to the drug epidemic sweeping the country and the increasingly violent offender we are encountering, probation and parole officers are facing many of the dangers and stresses as experienced by other peace officers. We are the only peace officers included under the Police Standards Act that are not included under law enforcement retirement. For reasons as noted above, we feel we are justified in our desire for peace officer retirement.

Thank you for allowing me to share my perspective concerning this topic. If you have questions, please do not hesitate to contact me.

Sincerely,



Curt Geoffrion
District Supervisor
Adult Probation & Parole - Kenai

110 Trading Bay Rd. #190
Kenai, AK 99611

cc: Rep. Swackhammer

RECEIVED NOV 13 1989

Rayan

November 8, 1989

Senator Jim Duncan
ATTN: Roxanne
PO Box V
Juneau, Alaska 99811

Dear Roxanne:

Lew Reece indicated to me the other day that Senator Duncan would be interested in some of the day to day activities of probation officers in terms of the Peace Officers Retirement. Let me give you some examples of things that have happened recently. In my own case, just a few days ago I assisted Bob Collins in arresting a murderer we have on parole. It was a fairly routine arrest except for the fact that the guy was a dangerous person who gets real dangerous when he has been drinking and that is basically why we arrested him. It is always a touchy situation when you go to arrest one of these fellows who has violently taken someone's life in the past (he stabbed his wife to death with a letter opener during one of his drinking bouts). At any rate, you don't know when you go to arrest one of these guys if they are armed or not. In this case he went along with us without any problems and we were relieved that that was the situation.

I just got a call from Sue Ford in our Sitka Probation Office. She notifies me that the probation office car has had the tires slashed. She doesn't know who did it but it could be any one of a number of people that she has supervised. Sue, by the way, has had several threats to her over the past years she has worked in Sitka and will be forwarding a copy to Senator Duncan detailing those threats.

Enclosed with this letter is a threatening letter to Patty Barnes, our probation officer in Ketchikan. The letter is postmarked from Seattle on 23 October 1989. The contents of the letter you can read for yourself and interpret for yourself what it might mean. Again, we don't know who sent the letter but assume it is someone she has been supervising, either on probation or parole.

Finally, attached is a sheet of photographs of guns recovered from the Fairbanks Probation District in the past year. This does not include all of the guns that have been recovered but for graphic purposes does include many automatic weapons which are not, of course, used for hunting purposes.

Senator Jim Duncan
November 8, 1989
Page Two

I have encouraged the probation officers to contact your office with information concerning their daily activities with reference to the stress level and the hazardous duty that we really are engaged in. This is peace officer work, no two ways about it and the probation officers should be accorded the benefit of Peace Officer Retirement.

Again, Roxanne, thanks to you and Senator Duncan for your help with this.

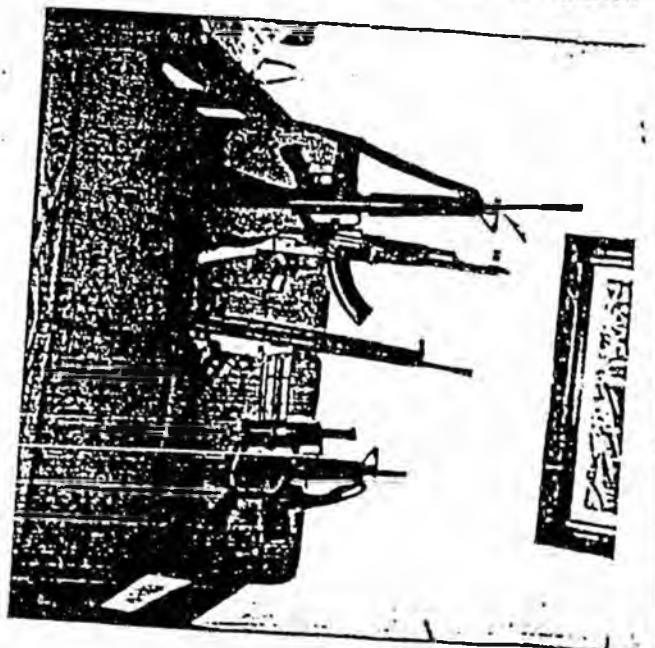
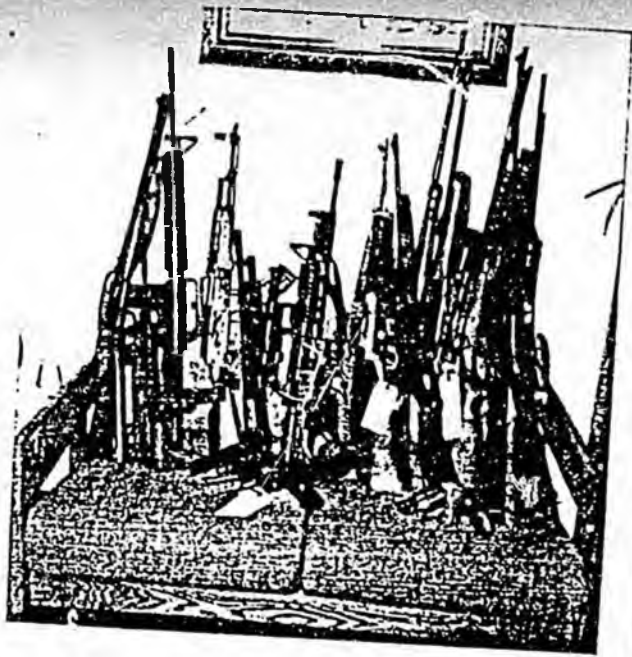
Sincerely,



Keith Stell
17025 Glacier Highway
Juneau, Alaska 99801

KS:cm

cc Representative Fran Ulmer
Representative Bill Hudson
Representative Swackhammer





Patty Barnes
415 main st rm 202
Ketchikan, Alaska
99901

BITCH,
HELL
IS
COMING
TO
GET
YOU!

RECEIVED DEC 26 1989

Parole + P.O.

December 21, 1989
P.O. Box 917
Douglas, AK 99824

The Honorable James Duncan
Alaska State Senate
Pouch "V"
Juneau, Alaska 99811

RE: PEACE OFFICER RETIREMENT FOR PROBATION OFFICERS

Dear Senator Duncan:

It is my understanding that you will be attempting to pass a bill during this legislative session which will give Alaskan Probation/Parole Officers 20 year retirement.

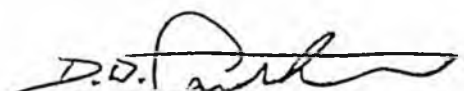
I wish to express my support of this bill and any actions you feel appropriate to have it passed into law.

I am presently the Superintendent of the Lemon Creek Correctional Center and have worked for the Alaskan Corrections system for approximately 14 years. I have had the privilege of being an institutional probation/parole officer at Lemon Creek for several years and a field probation/parole officer in Bethel Alaska for several years. It is a dangerous job and in my opinion, deserving of the 20 year retirement. I personally have been in numerous situations where I was stranded, due to weather, in small, isolated western Alaskan villages for days and had to deal with intoxicated felonious probationers shooting firearms or assaulting family members.

Additionally, institutional probation/parole officers deal one hundred percent of their time with some of Alaska's most dangerous prisoners. If a list were developed outlining several of the prisoners presently incarcerated and their offenses, I believe it would underscore the difficult and dangerous job these professional officers have.

Again, I appreciate your efforts in obtaining 20 years retirement for probation/parole officers and recognizing the important role they play in our Criminal Justice System. Thank you.

Sincerely,


D. W. Carothers

DWC/jmg
cc: Representative Swackhammer

STATE OF ALASKA

DEPARTMENT OF CORRECTIONS

SOUTHCENTRAL REGION OFFICE

STEVE COWPER, GOVERNOR

2200 EAST 42ND AVENUE
ANCHORAGE, ALASKA 99508-5202
PHONE: (907) 561-4426

RECEIVED DEC 14 1989

December 11, 1989

The Honorable Jim Duncan
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811-3100

Dear Senator Duncan:

Thank you for your letters regarding Probation Officers in the Peace Officers' Retirement Program.

Our Probation Officers often ask about the logic that includes Correctional Officers in the twenty-year retirement, but not Probation Officers. I have to admit that I do not see the logic. Probation Officers supervise offenders alongside Correctional Officers in the institutions and in every imaginable circumstance outside the institutions. When a Probation Officer finds an offender in violation of the conditions of their probation or parole, they make arrests and return the offender to the institution. It is stressful, hazardous, dangerous duty.

Having Correctional Officers in Peace Officers' Retirement but not Probation Officers puts a chill on our efforts to promote Correctional Officers to Probation Officers because they are slow to leave their twenty-year retirement.

I discussed all of this in the Governor's Office during my first year as Commissioner. Because Governor Cowper is intent on holding down the State operating budget, we decided not to introduce the legislation. The Division of Retirement and Benefits estimates that including Probation Officers would cost \$560,000 per year.

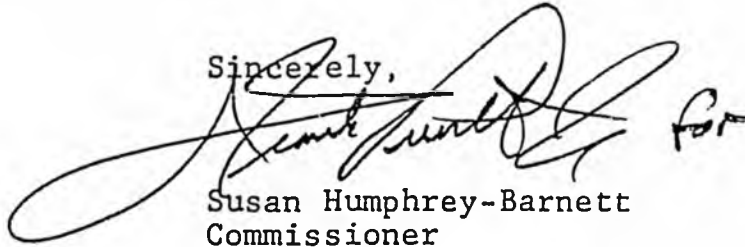
Because of this budget consideration and because Probation Officers are the next logical series to include, I would think Probation Officers would come before other personnel who have direct contact with inmates.

Department of Corrections
Letter

The Honorable Jim Duncan
December 11, 1989
Page Two

I continue to appreciate your interest in the Department of Corrections and thank you for the opportunity to comment on this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Humphrey-Barnett for". The signature is written in black ink and is positioned above the typed name.

Susan Humphrey-Barnett
Commissioner

SHB:dlh

Alaska State Legislature



SENATOR JIM DUNCAN

P. O. Box V JUNEAU, ALASKA 99811-3100
(907) 465-4766

COMMITTEES:
FINANCE
VICE CHAIR —
HEALTH EDUCATION
& SOCIAL SERVICES
BUDGET & AUDIT
BANKING &
ECONOMIC
DEVELOPMENT

MEMORANDUM

DATE: January 11, 1990
TO: Senator Paul Fischer, Chair
Senate Health, Education & Social Services Committee
FROM: Senator Jim Duncan
SUBJECT: Senate Bill 348, granting probation officers peace officer status.

I request that you schedule Senate Bill 348, which will grant probation officers peace officer status in the Public Employees' Retirement System. I believe the nature of the duties and responsibilities of probation officers are such that they should be included in the 20 year and out system.

Field probation officers deal directly with felons in an uncontrolled environment while institutional probation officers perform evaluation and counseling in prison settings. Correctional officers who work side-by-side with institutional probation officers are classified as peace officers. When a correctional officer is promoted to a probation officer position, they must move from peace officer classification into the regular Public Employees' Retirement System. I feel in the interest of equity, we should act promptly to place probation officers in the 20 and out system.

Your favorable consideration of this request will be appreciated.

Attachments

October 17, 1989

ALASKA PROBATION/PAROLE ASSOCIATION POSITION PAPER

The Alaska Probation/Parole Association supports the passage of Senator Duncan's proposed legislation. This bill would make probation officers members of the Peace Officers Retirement System. Current employees would have the option of buying into the Peace Officers Retirement System. New employees hired after the effective date of the bill would automatically be members of the Peace Officers Retirement System. Requiring current employees to "buy in" will maintain the integrity of the retirement fund.

It is the position of the Association that, in order to attract and retain qualified probation officers, encourage career advancement, and fairly compensate probation officers for the physical and mental stress of their job duties, probation officers should be placed in the Peace Officers Retirement System. The Association offers the following commentary in support of this position.

Alaska Statute 01.10.060(6) defines "peace officer" as follows: "Peace officer" means any officer of the State Troopers, members of the police force of any incorporated city or borough, United States marshals, and their deputies, and other officers whose duty it is to enforce and preserve the public peace;." Alaska Statute 11.81.900(38) defines peace officer as "... a public servant vested by law with a duty to maintain public order or to make arrests whether

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the duty extends to all offenses or is limited to a specific class of offenses or offenders." In addition to the counseling and rehabilitative aspects of probation and parole work the State of Alaska class specifications for probation officer provide: "Probation Officers investigate cases of parole or probation violators, compile evidence required to effect the suspension of parolee or probationer, and apprehend violators for return to custody." Furthermore, the class specifications require that the probation officer "Cooperate with local and state police, institutional and judicial officials in the supervision of parolees and probationers," and "maintains personal contacts at office and periodically visits with parolees and probationers to assist them with problems of social readjustment." In simpler language, probation officers arrest suspected probation and parole violators, take them to the jail and book them into jail in exactly the same manner as any other peace officer. Likewise, probation officers are required to meet probationers and parolees in the field, often at the probationer's or parolee's residence under tense and hostile situations. Probation officers are required to search probationers and parolees and their residences and automobiles for the presence of drugs, stolen property, weapons, etc. Sometimes arrests and searches are accomplished with the assistance of other peace officers.

When the safety of the probation officer and society require it, probation officers are authorized to carry weapons when making arrests, home visits, and searches. In addition to the traditional law enforcement aspects of the probation officer job the nature of their service in overseeing the rehabilitation and

readjustment to society of felony offenders certainly constitutes the maintenance of public order. Probation officers are also authorized to execute judge-issued arrest warrants per A.S.33.05.070 and A.S.22.15.210. Probation officers are designated officers of the Court under A.S.33.05.030.

Probation officers also work in institutions counseling prisoners, classifying prisoners for custody and treatment, and otherwise supervising prisoners. They work directly beside correction officers and are exposed to exactly the same risk of physical harm and the same mental stress as correction officers. 7AAC60.195(e) includes institutional probation officers in the definition of "professional correctional personnel" along with correctional officers, assistant superintendent, etc. and requires that they complete similar training and meet the same rigorous physical standards. At the present time, correction officers are already members of the Peace Officers Retirement System as described in A.S.39.35.680(27)(C). It seems particularly unfair that probation officers who work in the institutional setting should be denied the same coverage in the retirement system as the other employees who work in exactly the same area and encounter the same risk and stress.

and probation officers can transfer into institutional probation officer
institutional probation officers can transfer into field probation
jobs institutional correctional officers have the opportunity to
seek promotion to the position of probation officer. It would

greatly facilitate effective personnel management in the probation/parole field if institutional staff and field staff could make lateral transfers and seek promotions without having to fear loss of retirement status. In short, a correctional officer has it, a probation officer does not.

Federal probation officers in Alaska are members of the Federal Peace Officers Retirement System. A number of other state and local probation offices throughout the United States provide that their probation and parole officers be members of the Peace Officers Retirement System or have the option to join the Peace Officers Retirement System. A recent study conducted by the Anchorage Probation Office revealed that twenty-six other states define their probation officers as "peace officers" and that thirty-six states require probation officers to make their own arrests.


There is no question that probation officers render service to the state that of necessity places them in hazardous situations. Physical confrontation is to be expected. The fact that people lose their physical vigor and strength with age is a self-evident proposition. The state should encourage the retirement of person with jobs that have these demands before they pass the age where they may become a more likely target for assault by an offender. Likewise, the stress occasioned by the ever-present possibility for violence to the probation officer and threats to his family are quite similar to those experienced by police officers and should be treated in the same way.

Finally, Adult Probation Officers are under the Police Standards Council by virtue of recent legislation. They are the only employee class of peace officers who are not under the Police Standards Council. This legislation is consistent with the goals and objectives of the Department of Corrections, and hopefully the Governor. So long as probation officers are expected to discharge peace officer functions, their retirement benefits should reflect that fact.

ALASKA PROBATION and PAROLE ASSOCIATION

FACT SHEET

1. PROBATION OFFICERS are PEACE OFFICERS as defined by AS 11.81.900 (3B).
2. Probation Officers have the authority to transport felons in custody, conduct searches and make arrests without warrants.
3. Probation Officers duties require that they deal exclusively with felons in community placement.
4. Probation Officers are the only employee class of Peace Officer under the Police Standards Council who are not included in Peace Officer retirement.
5. Probation Officers are routinely subjected to the same stress and danger that other Peace Officers are .
6. Probation Officers are tasked to enforce court orders, Alaska statutes for a special class of offenders- Felons.
7. In a sense of fairness and recognition of contributions to public safety Probation Officers should be included in Peace Officer Retirement.

State of Alaska Department of Corrections Policies and Procedures		Index #: 902.16	Page 1 of 7
		Effective Date: 86-8-15	
Approved by: Roger V. Endell		Related ACA Standards: 2-3169, 2-3172, 2-3178	
Supersedes:		Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE	
Chapter: INTAKE, CLASSIFICATION AND SUPERVISION			

I. AUTHORITY:

In accordance with AS 44.28.030, AS 33.05.010, AS 33.16.180, and AS 33.30.020, the Department of Corrections shall develop and adopt policies and procedures that are consistent with laws for the guidance, government and administration of correctional facilities, programs and field services.

II. PURPOSE:

To establish procedures regarding the carrying of firearms, restraints and the use of force by probation officers.

III. APPLICATION:

To all employees.

IV. DEFINITIONS:

As used in this document, the following definitions shall apply:

A. Authorized Ammunition:

Handgun/Revolver: .357 Magnum Caliber, 158 grain, half-jacketed hollow point bullet, factory load service ammunition; or .38 Special Caliber, 148 grain wad-cutter, practice ammunition meeting SAAMI specifications.

B. Authorized Firearm:

Handgun/Revolver: Smith and Wesson, Model 19 or Model 66, two and one-half inch barrel (round-butt) for probation officers, .357 Magnum Caliber.

C. Certified Officer:

A Correction's employee who has received certified training in the use of firearms, chemical agents, and/or other security equipment and has met standards set for their proper and lawful use; and has met annual and otherwise required requalification for certification.

D. Deadly Weapon:

As defined as AS 11.81.900(b)(13); "means any firearm, or anything designed for and capable of causing death or serious physical injury

Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE

including a knife, an axe, a club, metal knuckles, or an explosive"; and, in the case of prisoners, any tool, implement or apparatus that if wielded as a weapon could inflict serious physical injury.

E. Excessive Force:

An act of force in excess of what a reasonable person in similar circumstances would exert to subdue a resisting offender and/or to move a resisting offender to a secure location.

F. Force:

As defined as AS 11.81.900(b)(22); "means any bodily impact, restraint, or confinement or the threat of imminent bodily impact, restraint, or confinement; force includes both deadly and non-deadly force."

1. Deadly Force: As defined as AS 11.81.900(b)(12); "force which the person uses with the intent of causing, or uses under circumstances which he knows create a substantial risk of causing, death or serious physical injury; deadly force includes intentionally discharging or pointing a firearm in the direction of another person or in the direction in which another person is believed to be and intentionally placing another person in fear of imminent serious physical injury by means of a dangerous instrument."

2. Non-Deadly Force: As defined as AS 11.81.900(b)(32); "force other than deadly force."

G. Offender:

Person brought under the jurisdiction of the Department by Court or Parole Board Order or Conditional Commutation of Sentence by the Governor for purposes of probation, parole or other supervision or as the subject of a presentence investigation report.

H. Parolee:

An adult serving a sentence for violation of a state law who has been granted parole by the Alaska Board of Parole as defined and applied in 818.09, Parole, who has been released from incarceration by operation of law to parole supervision under AS 33.20.040(a); or a parolee from another jurisdiction under AS 33.10.010.

I. Physical Injury:

As defined as AS 11.81.900(b)(4); "means a physical pain or an impairment of physical condition."

Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE

J. Probationer:

An adult who has been convicted of a felony crime and ordered to a term of probation; may occasionally include misdemeanants from the District Court.

K. Restraint:

Security device designed for and applied to prevent the commission of violent or destructive acts including metal shackles such as handcuffs, leg irons, belly chains, and the like.

L. Risk:

A significant possibility as contrasted with a remote possibility that a certain result may occur or that certain circumstances may exist.

M. Serious Physical Injury: As defined as AS 11.81.900(b)(49):

1. "Physical injury caused by an act performed under circumstances that create a substantial risk of death; or"
2. "Physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy."

N. Show of Force:

A demonstration of the present ability to apply force such as a shouted warning by an armed officer, display of a firearm, or the firing of a warning shot.

O. Substantial Risk:

Condition wherein it is substantially certain that a given result may occur or that given circumstances may exist.

V. POLICY:

- A. A Probation Officer employed by this Department may, pursuant to the procedures contained herein, carry a firearm and use non-deadly and deadly force, when justified, in the discharge of official duties.
- B. The identity of an employee involved in a shooting incident in the performance of duty will not be provided to the public. The Department will cooperate fully with any official investigation. It has been demonstrated that once the staff members identity becomes public knowledge, the potential for harrassment and possible retaliation substantially increases. If the employee's name has been made known through public records or through disclosure at public proceedings, the Regional Director or designee may verify the individual's identity in response to inquiries by news media representatives or other officials.

Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE

VI. PROCEDURES:

- A. Probation Officers may be authorized to carry a firearm on duty under the following circumstances:
1. Upon approval of the Regional Administrator, a Probation Officer may carry a firearm only when he or she is a certified officer and his or her immediate supervisor believes the use of deadly force may be necessary to prevent the officers death or serious physical injury. When the Regional Administrator is not readily available, the District Supervisor may authorize the carrying of a firearm;
 2. The carrying of firearms on duty for purposes other than training and/or qualification is prohibited except in accordance with this policy;
 3. The authorization to carry a firearm will be specific as to time and circumstance and will terminate upon reasonable belief that death or serious physical injury is no longer imminent;
 4. When a first line supervisor is not readily available, a Probation Officer may make the decision to carry independently if:
 - a. he or she believes that under the guidelines of this policy he or she would be permitted to carry;
 - b. if the need to conduct a necessary contact or supervision step is urgent and cannot reasonably await a supervisor's authorization; and
 - c. the action is immediately reported through a supervisor to the Regional Administrator, as circumstances allow; and
 5. This Policy does not require a Probation Officer to carry a firearm in the discharge of official duties.
- B. Documentation is required each and every time a Probation Officer is armed in accordance with this policy, as follows:
1. A Report of Carrying a Firearm (form 20-902.16A) will be completed by the requesting Probation Officer prior to each authorized carrying of a firearm other than for practice or qualification. Each officer shall file the report with his or her immediate supervisor;
 2. A line entry must be made in the Weapons and Ammunition Log (form 20-902.16B) each time a firearm and/or ammunition is issued;
 3. The Regional Administrator shall periodically review the records retained by the District Supervisors in accordance with 1. and 2. above;

Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE

4. The officer who draws or discharges a firearm for any reason in the line of duty, other than during practice or qualification, shall immediately submit a written Report of Firearm Discharge in memorandum format describing the circumstances of the discharge or show of force; and shall prepare the Special Incident Report (form 20-104.01) in accordance with 104.01, Special Incident Reporting. The Reports must be routed through the officer's immediate supervisor to the Regional Administrator;
5. In the event of firearm display or discharge per 4. above, the Regional Director in coordination with the Regional Administrator shall appoint a three member panel to review the circumstances of the incident. This panel will include the Regional Administrator acting as chairperson; and
6. The officer who discharges a firearm under the circumstances described under 4. above may be granted administrative leave as is appropriate to the circumstances at the discretion of the Regional Administrator.

C. Use of Firearms:

1. Issued firearms will be carried under the officer's control and out of sight at all times, except when in use;
2. Firearms carried by officers will be loaded at all times. All customary firearms safety precautions will be continuously practiced;
3. A Probation Officer is not authorized to carry a firearm while traceable quantities of any behavior altering substance is in the bloodstream;
4. The use of firearms is justified only when the Probation Officer reasonably believes the use or show of deadly force is necessary for defense of self or others against death or serious physical injury during the lawful discharge of official duties;
5. Warning shots are only justified under the deadly force circumstances outlined under D. below. Warning shots pose a hazard to innocent parties and when and where they are applied as a show of force should be aimed to minimize the threat to persons;
6. Firing at a fleeing person is not permissible except as outlined under D.1. below; and
7. The authority to carry firearms carries with it an obligation and responsibility to exercise discipline, restraint and good judgment in their use.

Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE

D. Use of Force and/or Restraints:

1. Deadly force may be used as a last resort to prevent the loss of life and may be applied only upon a reasonable belief that death or serious physical injury is imminent. Deadly force may be used as a last resort to apprehend a fleeing felon only if the Probation Officer has a reasonable belief, based upon circumstances at the time, that the felon's escape will endanger life or inflict serious physical injury unless arrested without delay;
2. Non-deadly force may be applied under circumstances of self defense, arrest and to prevent injury to the Probation Officer or others and to stop a fleeing felon and may include the application of restraints;
3. Excessive force is never justified in the application of force by Probation Officers; and
4. Restraint Application:
 - a. Restraint equipment will be applied under all circumstances of arrest;
 - b. Restraints may be used as a precautionary measure against escape of an offender under escort for any purpose;
 - c. Restraints may be used to prevent self-mutilation, injury to others or property damage when other reasonable methods of control have been tried and have failed; and
 - d. Restraints may be used to immediately gain control of a violent or dangerous situation.

E. Firearms, Equipment and Ammunition:

1. The Department will provide authorized firearms, ammunition and equipment for all officers authorized to use them in accordance with this policy as outlined under A. above;
2. Firearms holsters and ammunition carriers will be provided by the Department. Officers may not provide nor utilize personal firearms, holsters or other weapons in the conduct of official business; and
3. Only authorized ammunition will be used in Department firearms.

F. Firearms Security:

1. Firearms and ammunition which are not in the possession of a qualified officer are to be secured in either a safe or file cabinet with a secure lock. A desk with a lock is not sufficient security;

Subject: USE OF FIREARMS, RESTRAINTS AND OTHER FORCE

2. The District Supervisor in each office having firearms assigned shall maintain the arms not in use in a secure container with controlled access; and
3. The Regional Administrator may authorize suitable firearms and ammunition storage for District Offices requiring such to be in conformance with this policy.

G. Inventory:

An inventory of firearms and ammunition will be conducted annually by the District Supervisor in accordance with 302.06, Inventory Control.

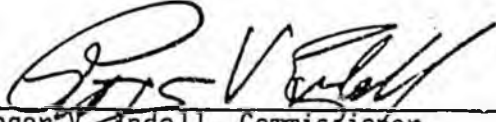
H. Training and Certification:

Training and certification in the use of firearms, restraints and other force will be accomplished in accordance with 401.04, Training For Specialized Groups of Employees, and 401.08, Firearms and Arrest Training For Probation Officers.

VII. IMPLEMENTATION:

This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into local policy and procedure with 14 days. All local policies and procedures must conform to the contents of this document and any deviation from the contents of this document must be approved in writing by the Commissioner or designee.

DATE

August 15, 1986

Roger V. Endell, Commissioner
Department of Corrections

Forms applicable to this Policy.

INDEX #: 902.16A & B and 104.01

FORMS/A - Report of Carrying Firearm

B - Weapons and Ammunition Log

.01 - Special Incident Report