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# University of Alaska

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## Statewide System

### SB 461 Establishment of UA Office of Public Safety

The University, with the support of the Commissioner of Public Safety, is seeking the authority to commission persons employed to maintain public safety on the property of the University. For many years the University has been dependent upon the issuance of special commissions by the Commissioner of Public Safety pursuant to AS 18.65.010. While such commissions have met the need of the University and the interests of the state in having readily available law enforcement personnel, the special commission as authorized in AS 18.65.010 is intended primarily to serve the function of providing direct assistance to the state troopers. Since the University public safety officers serve only in a capacity related to their employment at the University, it is both unnecessary and inappropriate that the Commissioner continue to be responsible for granting such commissions. Because the University public safety officers do not serve to assist the state troopers, the Commissioner of Public Safety, Richard Burton, has informed the University that it is his intention to cease granting commissions, and has encouraged the University to seek this authority.

In view of the significant concentration of people and property on the campuses of the University and the increasing obligations imposed by case law to protect persons on the property of colleges and universities, it is essential that a professional public safety office be established at the urban campuses of the University of Alaska. The University's desire to effectively protect its students, faculty and staff; and the national attention focused on campus safety which resulted in the passage of the Student Right to Know, and Campus Security Act, have led to the conclusion that full-time commissioned officers are essential to provide a secure environment for the

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**contact:** Wendy Redman  
UA Statewide System  
463-3086/474/7582

University communities. The officers as employed and commissioned by the University would, at a minimum, meet all standards governing police officers as adopted by the Alaska Police Standard Council pursuant to its authority under AS 18.65.130 et seq. It is further the intent of the University of Alaska that campus public safety officers receive training specific to their work in a university environment.

The situation has become particularly urgent in the Anchorage area following significant reductions in the Anchorage State Trooper post that have resulted in a loss of State Trooper coverage for the University area. At the same time, local police in Anchorage and Fairbanks are unable to extend regular service to the campus facilities. Therefore, in order to provide adequate public safety protection to the University communities, it is essential that the authority for commissioning public safety officers be extended to the University.

The students and staff of the University community will continue to be involved in the design and development of campus public safety programs. The commissioning of public safety officers does not mean that all officers will carry weapons, nor does it mean that all campus security personnel will be commissioned public safety officers. The campus programs will be designed to meet the specific needs of each campus, and will include a mix of professional and student employees to assure a sensitive and appropriate approach to campus security needs.



**UNIVERSITY OF ALASKA FAIRBANKS**

**Associated Students University of Alaska Fairbanks**

Fairbanks, Alaska 99775-0220 • (907) 474-7355

April 27, 1992

Senator Arliss Sturgulewski  
Alaska State Legislature  
State Capitol Room 427  
Juneau, AK 99801-1182

Dear Senator Sturgulewski,

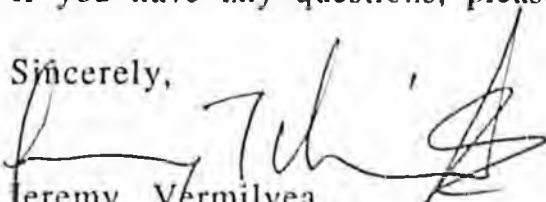
I am writing this letter in regards to a conversation I had with Melissa Fouse on April 7 about SB 461, "An act relating to the establishment of a University of Alaska Office of Public Safety." We discussed some concerns the students of UAF had with the bill in its present form, mainly the fact that the bill does not provide for input from the University community as to the implementation and operation of a new department of Public Safety.

Since that discussion I have spoken with Jean Sagan, Associate General Counsel for the university. Ms. Sagan has assured me that there will be student, faculty and staff input on the statewide and campus levels when implementing the new department. A copy of a letter written from Ms. Sagan to myself is attached.

It is because of this assurance that the students of UAF will support SB 461, and any similar legislation that may come from the House of Representatives. The establishment of a University of Alaska Office of Public Safety will remove much of the red tape that exists within the system currently, and will provide for improved safety for all patrons of the campuses.

If you have any questions, please feel free to contact me.

Sincerely,

  
Jeremy Vermilyea  
ASUAF Legislative Coordinator

Josh Applebee  
Jeremy Vermilyea  
Legislative Coordinators



**UNIVERSITY OF ALASKA FAIRBANKS**

Associated Students University of Alaska Fairbanks  
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UNIVERSITY OF ALASKA

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Vice President and General Counsel  
J. Mark Neumayr  
Associate General Counsel  
Anchorage  
Jean S. Sagan  
Associate General Counsel

April 17, 1992

Mr. Jeremy Vermilyea  
Legislative Coordinator, AS UAF  
Wood Center  
Fairbanks, Alaska 99775

Dear Mr. Vermilyea:

This shall confirm our phone conversation of Tuesday, April 14, 1992, regarding Senate Bill 461. As I advised you when we spoke, I am currently in the process of drafting proposed policies to facilitate the University's implementation of the authority contained in the legislation, should it pass this session.

The policies will address the reporting lines and oversight authority for the Department of Public Safety within the University of Alaska, the establishment or identification of appropriate advisory bodies, the adoption and maintenance of official operating procedures manuals, and any other relevant considerations that come to my attention. As you already know, last semester both UAA's and UAF's Departments of Public Safety adopted comprehensive operating procedures manuals which are patterned on and consistent with that of the Alaska State Troopers.

I anticipate that the draft proposals will be considered by the Board at its June 11-12, 1992 meeting in Valdez, and that they will be circulated to the respective constituent bodies sufficiently in advance to allow meaningful review and input to the Board at that time.

I hope that this addresses the concerns you have expressed. Please feel free to contact me if I can provide further assistance on this topic.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jean S. Sagan".

Jean S. Sagan  
Associate General Counsel

# STATE OF ALASKA

## DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 111200  
JUNEAU, ALASKA 99811-1200  
PHONE: (907) 465-4322

April 17, 1992

GENERAL COUNSEL'S

APR 21 1992

UAA OFFICE

Mr. Robert Bachand, Director  
University of Alaska Anchorage  
3211 Providence Drive  
Anchorage, AK 99508

Dear Mr. Bachand:

Re: Special Police Commissions

Thank you for meeting with Colonel John R. Murphy, Director of the Division of Alaska State Troopers, to discuss the Special Police Commissions which are issued to employees of the University's Department of Public Safety under the authority vested in me under AS 18.65.010.

The standard under AS 18.65.010 for reviewing applications for a Special Police Commission is whether or not the special officer is "necessary to aid or assist the division of state troopers." At the time that commissions were first issued to security officers of the University of Alaska Anchorage, the Alaska State Troopers assumed the responsibility of providing law enforcement on the Anchorage campus.

Today, the Anchorage Police Department is the law enforcement agency responsible for providing primary law enforcement on the Anchorage Campus of the University of Alaska. As such, enforcement action taken by Officers of the University's Department of Public Safety primarily assists the Anchorage Police Department as opposed to the Division of Alaska State Troopers.

Therefore, as the Anchorage Police Department is the law enforcement agency primarily responsible for responding to requests for assistance at the Anchorage Campus because the campus is within their jurisdiction, it is my view that the Special Officer Commissions that have been issued to your employees under AS 18.65.010 should be revoked, as they no longer meet the primary purpose of the statute.

It is not my intent to question or diminish the amount of assistance that has been provided over the years to the Division of Alaska State Troopers by University security officers.

Mr. Robert Bachand  
April 17, 1992  
Page 2

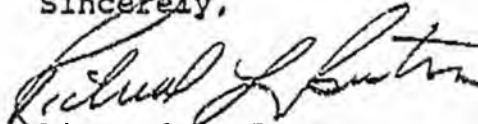
My purpose in initiating this review is to ensure that any Special Officer Commissions that are issued are done so properly and in accordance with the statute.

I recognize that the revocation of these commissions may be disruptive to your agency. Additionally, given the fact that a bill has been introduced by the Legislature relating to the establishment of a University of Alaska Office of Public Safety, and further delineating that the officers have general police powers to enforce state and local laws, I will delay the cancellation of these commissions until after the Legislature has had an opportunity to review this legislation, thereby reducing the impact on the University.

There is currently one application for a commission pending in my office (Thomas H. Chivers). I am delaying any action on this application--I believe it would be best to see if the Legislature passes the above-referenced legislation.

Thank you for support of the Department of Public Safety, Division of Alaska State Troopers, and for your understanding as we review these special police commissions.

Sincerely,

  
Richard L. Burton  
Commissioner

cc: Colonel John R. Murphy, Director  
Division of Alaska State Troopers

SB461

UNIVERSITY OF ALASKA

March 27, 1992

Representative Dave Donley, Chairman  
Representative Max Gruenberg, Jr., Vice Chairman  
House Judiciary Committee  
P. O. Box V  
Juneau, Alaska 99811

RE:            Legislation granting authority for University of Alaska  
                 to commission public safety officers

Dear Representatives Donley and Gruenberg:

Attached is draft legislation that the University is requesting be submitted by the House Judiciary Committee.

The University is not in the habit of asking that legislation be introduced in this fashion, but events have transpired that make it a priority issue that legislation be secured this session to allow the University the authority to commission public safety officers. This authority is being sought with the concurrence and support of the Department of Public Safety.

For many years, the University has been dependent upon the issuance of special commissions by the Commissioner of Public Safety pursuant to AS 18.65.010. While such commissions have met the need of the University and the interests of the state in having readily available law enforcement personnel, the special commission as authorized in AS 18.65.010 is intended primarily to serve the function of providing direct assistance to the state troopers. Since the University public safety officers serve only in a capacity related to their employment at the University, it is both unnecessary and inappropriate that the Commissioner continue to be responsible for granting such commissions. At the same time, it is essential to the University that the public safety officers be fully qualified professionals, and that they be properly commissioned in accordance with accepted standards.

In view of the significant concentration of people and property on the campuses of the University; the increasing obligations imposed by case law to protect persons on the property of colleges and universities; the University's desire to effectively protect its students, faculty and staff; and the national attention focused on campus safety which resulted in the passage of the Student Right to Know and Campus Security Act, it is the judgement of the University that full-time commissioned officers are essential to provide a secure environment for the University community. The officers as employed and commissioned by the University would, at a minimum, meet all standards governing police officers as adopted by the Alaska Police Standard Council pursuant to its authority under AS 18.65.130 et seq. It is further our intent that campus public safety officers receive training specific to their work in a university environment.

The situation has become particularly urgent in the Anchorage area following significant reductions in the Anchorage state trooper post. The reduction in Anchorage services means that the troopers are no longer able to provide coverage for the UAA campus. Similarly, local police in Anchorage and Fairbanks are unable to extend regular service to the campus facilities. The University is committed to maintaining a professional campus security staff, and is seeking the authority to commission these officers according to the standards adopted by the Alaska Police Standard Council.

The attached proposed legislation was drafted by Dean Guaneli at the request of Commissioner Burton and the University. We are very eager to get this legislation introduced, and I ask that you bring it to the Judiciary Committee for consideration at the earliest possible time. Thank you for your consideration, if you have any questions, I can be reached at 463-3086 or 474-7582.

Sincerely,

Wendy Redman, Vice President  
University Relations  
University of Alaska Statewide System

cc: Richard Burton, Commissioner  
Department of Public Safety

Jerome Komisar, President  
University of Alaska Statewide System

Robert Williams, President  
University of Alaska Board of Regents

William Kauffman, General Counsel  
University of Alaska Statewide System