

SB

267



HOONAH DEPARTMENT OF PUBLIC SAFETY

P.O. BOX 450

HOONAH, ALASKA 99829-0450

PHONE: (907) 945-3656 or 945-3655

FAX: (907) 945-3658

MILTON J. HAKEN
Chief of Police

FEB 10 1994

February 07, 1994

Honorable Loren Lemman
State of Alaska, Senate
Juneau, Alaska 99801-1182

Ref: House Bill 319 -- Training of law enforcement and corrections officers.

Dear Senator Lemman,

This letter is presented for your consideration *in favor* of and *support for* House Bill 319, introduced by House Representative Gail Phillips. For over the past ten years, the Alaska Police Standards Council (APSC) has been unable to meet the increasing training demands for law enforcement and correctional officers in our state. The increasing demands are largely being driven by court decisions affecting the civil liability incurred by government bodies. A fact of life is: civil actions resulting from inadequate training are on the increase. Turnover and retirement in the ranks is another contributor.

Our society is changing, we all are seeing an increase in violence in our neighborhood. Drug abuse and the lack of jobs due to the economic conditions are facts of life. This department is small and has very limited resources for training. My officers have the bare bones basic training. Last year I solicited and received donations from businesses outside our community to raise money to send Officers to training outside the State of Alaska because the training was not available or slots for attendance were limited and filled by the larger agencies in the State. This training was in drug enforcement and investigation, Drug Abuse Resistance Education (D.A.R.E.) and Community Oriented Policing. There are several areas our department needs training in, but we just don't have the resources and/or the training isn't being offered or available in the State of Alaska.

This, I believe, is a sad commentary. Our neighboring State of Washington, is fast becoming recognized nationally as progressive and a leader in training it's law enforcement and corrections officers. Bill 319 is not an original idea, in most states in the lower forty-eight, laws similar to Bill 319 are already in place. Small law enforcement agencies in Alaska, like ours, need APSC to take a leadership role in delivering and meeting training needs, demands and opportunities. The costs of providing adequate training is a small fraction when equated to the price paid for associated costs of lawsuits and judgements.

Please support Bill 319. This Bill will put in place a "user fee assessment funding system" where the court imposes a fine or orders a bail forfeiture as a part of the penalty for an offense. This funding is in addition to the fine/bail system already in place. This source of funding can go a long way to enable APSC to provide professional training and education statewide.

Please feel free and do not hesitate to contact me if you have any questions. Thank you for your consideration in this matter.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Milton J. Haken".

Milton J. Haken
Chief of Police

Senate State Affairs Committee - Friday - 02-11-93 - 9:00 AM

Take up consideration of SB 237, Juvenile Weapons Possession Bill

**** Not Teleconferenced ****

Discuss particulars of bill - Sectional Analysis

Testimony by Departments: Law, Public Safety, H&SS

Departments may not be ready with all concerns, etc . . .

Public Testimony in Juneau

Questions and concerns

Discussion by Committee Members

Will need to make revisions and get a new CS

Hold over until Wednesday, February 16 at 9:00 AM

Take up SB 267, Alaska Police Standards Training Fund

Ask Laddie Shaw to testify first and give sponsor statement

Public Testimony in Juneau (not teleconferenced)

Department of Law, Public Safety and Police Standards Training Council are working on a possible "glitch" in the fee collection section of the bill, so we don't have a fiscal note yet.

Hold over SB 267 until Departments and Council can work out problem and will take this up at a later date.

Take up SB 216, Sexually Explicit Materials Near Minors at 10 AM

Senator Lincoln, prime sponsor of SB 216

Testimony in Juneau

Discussion by Committee Members

Waiting on fiscal notes

Hold over for consideration of amendments and for fiscal notes from Law, Public Safety, and Commerce

10 AM - Leigh Ann Barnes from Cordova - #424-5691
to testify on SB 216

1994 Legislative Proposal

From: Laddie Shaw, Executive Director
Alaska Police Standards Council

Proposal: For a user fee assessment on certain
traffic offenses

There is currently an existing problem in the ability to provide updated and professional training to the law enforcement and corrections community statewide.

Alaska Police Standards Council believes that by implementing this proposal the Legislature can generate the funding necessary to provide Alaska's law enforcement and corrections officers the level of training they need to adequately perform their roles in a changing contemporary society. The funding will be new revenue relieving the ongoing demand for additional funds from decreasing department revenues.

In-service, and specialized training requirements are being addressed in a fragmented fashion by taking advantage of training whenever and wherever it is offered. What is needed is a program designed to meet specific training needs, offered in regional areas with a continuing source of state funding through APSC.

The Council's weaknesses lie in the development and delivery of training. The Council needs sufficient staff and funding to enable them to take a leadership role in all phases of law enforcement and corrections training. Without the support of the legislature and law enforcement and correction's management, Alaska Police Standards Council cannot adequately improve delivery of training, nor increase the needed standards of professionalism for officers throughout the state.

Over the past ten years the Alaska Police Standards Council has suffered from a steady loss of funding and support.

Civil actions resulting from inadequate training are on the increase. The end costs of providing adequate training is negligible when compared to the cost associated with lawsuits and their resultant judgment.

It is imperative that police and correctional officers be provided with professional training, which helps in the reduction of liable incidents.

Summary of Intent Relating to a Surcharge on Traffic Citations and Court Fines

In developing a user fee assessment funding system the violators pay for police and corrections training. With this funding APSC could insure continuing education and academy level training statewide.

Whenever a court imposes a fine or orders a bail forfeiture as a penalty for violation of a law of this state or an ordinance of a city or borough, except for ordinances relating to parking violations an assessment in addition to such fine or bail forfeiture shall be collected.

1/7/93

* Sec. 2. AS 12.55 is amended by adding a new section to read:

Sec. 12.55.039. SURCHARGE. (a) In addition to any fine or other penalty prescribed by law, a defendant who pleads guilty or nolo contendere to, forfeits bail for, or is convicted of a violation of a vehicle or traffic offense under AS 23, a regulation adopted under AS 28, or a municipal ordinance under AS 23.01.010 shall be assessed a surcharge of

(1) \$10 if the violation is for other than a violation of AS 23.15.291, AS 28.33.030, 23.33.031, AS 23.35.030, 23.35.032, 23.35.040, 23.35.060, or a comparable municipal ordinance; or

(2) \$25 if the violation is a violation of AS 23.15.291, AS 23.33.030, 23.33.031, AS 23.35.030, 23.35.032, 23.35.040, 23.35.060, or a comparable municipal ordinance.

MEMORANDUM

State of Alaska

TO: Alaska Association of
Chiefs of Police

DATE: December 2, 1993

FILE NO:

TELEPHONE NO: 465-4378

FROM: Laddie Shaw *LJS*
Executive Director
Alaska Police Standards Council

SUBJECT: Training

'Training is one of the most important activities in a law enforcement and correction's agency and is essential to support the special requirements of law enforcement and corrections.'

With this paper we would like to overview APSC's mission and emphasize a cooperative effort toward the sharing of the training resources available in Alaska's law enforcement and correction's community.

Collectively we can develop a set of goals that will maximize our training investment. From a general perspective, the goals of the law enforcement community share the same concerns and values and could be a key to the success of regional and statewide training.

Strategic thinking gives us a shared, practical vision for the effective performance within our respective departments. Effective performance is gained through quality training and education. In turn, effective performance reflects well on the department as well as to the success of the training itself. Training and education is only the process for officer development, performance is the outcome.

Our training and education mission should reflect the assurance of quality training that is performance based and appropriate to the job tasks. The goal of APSC is to provide the citizens of Alaska with officers who are competent, well educated, professionally trained, career oriented and sensitive to the needs of the public. Considering that this philosophy is in line with the objectives of the entire law enforcement community within Alaska, we see the opportunity to work together in bringing about positive and professional change to Alaska's law enforcement agencies as a whole.

In evaluating agency effectiveness we must ask, from a leadership perspective, how are we developing individual performance. Are we building on the progressive skills and knowledge for the effective performance of the officer? When we create that cooperative effort, the agency becomes

Alaska Association of Chiefs of Police

Page 2

December 2, 1993

more effective and we end up with a "win-win" situation. The officers benefit the agency benefits and above all, the citizens benefit.

By bringing together agency resources we can develop "strategic direction" for the benefit of individual departments. When we look at direction, the agency might be targeting specific, significant actions it needs to take for developing strength and vision.

We need to be positive about our visions and work collectively on action to be taken and challenges to be met.

APSC will share the leadership role of meeting the challenges of our training visions and professional growth.

We must be successful in bringing Alaska's law enforcement officers to the level of professional development we desire, and success comes about from active participation and teamwork. Departments need to be creative and research and analyze the most recent trends in law enforcement training and education.

Networking and cooperation is the key for maximizing our training investment.

We would like to re-emphasize the mission of Police Standards and put forth some objectives to be collectively overviewed.

Our re-newed mission is to enhance the ability of law enforcement and correction's to provide quality service to the public through:

- Prescribing essential training requirements and curriculum;
- Promoting advanced and executive level training;
- Implementing and enforcing perquisite standards for the selection and retention of officers;
- Maximizing the utilization of APSC's (proposed) training fund;
- Fostering a spirit of professional and community cooperation.

APSC Mission Objectives

- To produce a highly-trained and positively motivated professional, capable of meeting contemporary law enforcement standards of performance.
- To build on the foundation of skill and knowledge acquired at the basic academy, with continued education and training where the officer may enhance those skills and increase proficiency in all aspects of job performance.
- To cooperatively establish a career path within the respective agencies, by providing qualified members with advanced training and opportunities to develop leadership and supervisory skills.
- To ultimately increase the overall efficiency and effectiveness of the law enforcement and corrections community by assuring a climate of professionalism and conscientious standards of law enforcement and corrections.

APSC Responsibilities

The Council is appointed by the Governor, to represent state and municipal police and correction's administrators, individual officers, and the private sector.

Statutory requirements:

- (1) establish minimum employment, training and educational standards for all full-time state, municipal police, probation, parole and correctional officers in Alaska;
- (2) establish minimum curriculum requirements for all police, probation, parole and correctional officers training programs, courses and classes;
- (3) consult and cooperate with all agencies concerning the development of police, probation, parole and correctional officers training schools and programs of instruction;
- (4) establish and maintain police, probation, parole and correctional officers training programs;
- (5) issue certificates evidencing satisfaction of Council requirements.

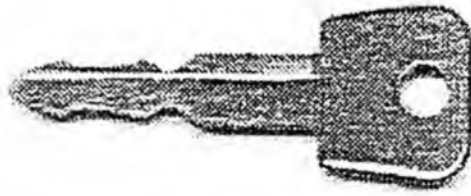


SOCIETY AND CRIME

THE MESSAGE

- **Law Enforcement– the line between order and lawlessness in society**
- **We can do more with APSC training funds**
- **Law enforcement needs APSC to be independently and sufficiently funded**
- **The State has an interest in consistent standards for selection and training, statewide**
- **Penalty assessment method of funding POTF works– need reaffirmation**

PRACTICALLY AND ETHICALLY



Training is the Key

1
2 BILL NO: SB267

DATE:

3
4 TITLE: "An Act relating to the training of law enforcement and corrections officers... creating the Alaska Police Standards Training Fund"
5
6 CONTACT: Laddie Shaw
Executive Director
Alaska Police
Standards Council
465-4378
7

8 This bill addresses the ongoing problem of fulfilling the in-service and specialized training requirements of law enforcement and corrections statewide.
9

10 SB267 would generate the funding necessary to provide Alaska law enforcement and corrections officers the level of training they need to adequately perform their roles in an ever-changing contemporary society.
11
12

13 SB267 would allow for sufficient staff and funding to allow the Alaska Police Standards Council to fulfill their obligation under AS 18.65.230 by making available criminal justice education and training to peace officers, and corrections, probation, and parole officers.
14
15

16 This bill would allow the Alaska Police Standards council to re-emphasize its mission in providing quality service to the public by maximizing the training investment in our law enforcement and corrections personnel.
17
18

19 The goals of the Alaska Police Standards Council is to enhance the ability of its peace officers to provide that level of service desired by the citizens of Alaska through:
20

- 21 - Prescribing essential training requirements and curriculum;
- 22 - Promoting advanced and executive level training;
- 23 - Implementing and enforcing prerequisite standards for the selection and retention of officers;
- 24 - Maximizing the utilization of the training fund;
- 25 - Fostering a spirit of professional and community cooperation.
26
27

28 Civil actions resulting from inadequate training are on the increase. The end costs of providing adequate training is negligible when compared to the cost associated with lawsuits and their resultant judgement.
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31 In developing a user fee assessment funding system the violators pay for police and corrections training.

32 This bill is supported by the Alaska Police Standards Council.

State of Alaska
Alaska Police Standards Council
P.O. Box 1100 Anchorage, Alaska 99510

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APSC Mission Objectives

To produce a highly-trained and positively motivated professional, capable of meeting contemporary law enforcement standards of performance.

- To build on the foundation of skill and knowledge acquired at the basic academy, with continued education and training where the officer may enhance those skills and increase proficiency in all aspects of job performance.
- To cooperatively establish a career path within the respective agencies, by providing qualified members with advanced training and opportunities to develop leadership and supervisory skills.
- To ultimately increase the overall efficiency and effectiveness of the law enforcement and corrections community by assuring a climate of professionalism and conscientious standards of law enforcement and corrections.

APSC Responsibilities

The Council is appointed by the Governor, to represent state and municipal police and correction's administrators, individual officers, and the private sector.

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- (1) establish minimum employment, training and educational standards for all full-time state, municipal police, probation, parole and correctional officers in Alaska;
- (2) establish minimum curriculum requirements for all police, probation, parole and correctional officers training programs, courses and classes;
- (3) consult and cooperate with all agencies concerning the development of police, probation, parole and correctional officers training schools and programs of instruction;
- (4) establish and maintain police, probation, parole and correctional officers training programs;
- (5) issue certificates evidencing satisfaction of Council requirements.

Jack McDonald, Chairman
Alaska Police Standards Council

Laddie Shaw, Executive Director
Alaska Police Standards Council

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSSB 267STA

Revision Date: _____ Dept. Affected: Public Safety
 Title: Peace Officers Training Fund BRU: Alaska Police Standards Council
 Component: Alaska Police Standards Council

Sponsor: Senate State Affairs

Requestor: S. STA COMPONENT SERIAL NO. 519

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	105.2	105.2	105.2	105.2	105.2	105.2
TRAVEL	12.0	12.0	12.0	12.0	12.0	12.0
CONTRACTUAL	180.7	580.7	580.7	580.7	580.7	580.7
SUPPLIES	.7	.7	.7	.7	.7	.7
EQUIPMENT	400.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	698.6	698.6	698.6	698.6	698.6	698.6
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES (1005)	698.6	698.6	698.6	698.6	698.6	698.6
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	698.6	698.6	698.6	698.6	698.6	698.6
1006 GF/MHTIA						
Other						
TOTAL	698.6	698.6	698.6	698.6	698.6	698.6

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME	2	2	2	2	2	2
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.) APSC's Basic Operating Budget provides funding for staff, travel for council members and contractual services for basic police training. SB267 would supplement training for 2200 officers statewide and increase funding for training of additional peace officers.

Shaw
2/17/94

Prepared By: Laddie Shaw Phone: 465-4378

Division: Alaska Police Standards Council Date: 2-14-94

Approved by Commissioner: *[Signature]* Date: 2-14-94

Agency: _____

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

The Alaska Police Standards Council is responsible by legislation (AS 18.65.230) to establish and maintain training programs for law enforcement agencies and correctional institutions. In-service training is essential to support the special requirements of peace officers throughout the state.

CSSSB267 STA establishes a training fund that would allow for a much needed continuing education and training support of the law enforcement and corrections community throughout Alaska.

Presently the Alaska Police Standards council is funded to support the basic level training of 15 officers. No additional funds are available for any in-service training from the Alaska Police Standards Council.

In-service and specialized training are being addressed in a fragmented fashion by taking advantage of training whenever and wherever it is offered.

The establishment of this fund will come about in the development of a user fee assessment, as where violators will pay for police and corrections training.

In charging a \$10 assessment on all uniformed traffic citations and court judgements, projected revenue to the fund will be \$539.3.

A \$25 assessment on operating a motor vehicle or aircraft while intoxicated, reckless driving, refusal to submit to a chemical test, driving while license canceled, suspended or revoked, and failure to stop and give aid when a motor vehicle accident occurs, equate to a projected revenue of \$159.3.

To deal with the additional tasks necessary to implement this legislation, two full-time positions will be needed. One position is a Training Coordinator, who will be a point of contact for all information in regards to training. A Training Coordinator will provide a cost savings as training currently offered will be maximized and be more cost effective. The position will coordinate activities of training programs with all law enforcement agencies and correctional institutions throughout the state. Duties will

also include the development and coordination of in-service, instructor and recertification training programs. Travel is required of this position to insure the training and educational needs of the law enforcement and corrections are being carried out.

The position of a Data Processing Clerk is needed to set up and maintain files of correspondence and records for the ongoing training reports submitted by the peace officer network, and assist in processing the 2200 officer certification updates, new certificates, and decertification processes.

Initial equipment cost will be in setting up advanced technology (interactive video systems) throughout the state with satellite capabilities. This will allow the law enforcement and corrections community the down link capability to interact with training available in other states. The computer based capability would allow training to be done on site as well as providing for adaptability to a full classroom setting. Driving simulators and firearms training systems are also needed to update statewide training.

Basic level training and in-service training will encompass the additional portion of the funds.

CSSB267 STA will supplement the existing Police Standards budget to allow for the much needed growth of recruits in the basic level academies.

In-service training would be relevant to continuing enforcement education in areas of investigation, community relations, multi-cultural diversity, officer safety, use of force, etc. Training is also needed for recertification, i.e.: first aid, intoximeter, defensive tactics, firearms, etc.

The following is a summary of the costs that are anticipated to be incurred the first year of operations under this legislation.

Personal Services	105.2
Travel	12.0
Contractual	180.7
Supplies	.7
Equipment	400.0
TOTAL	698.6

Costs not included after the first year are the equipment costs (400.0) which will be moved to contractual for basic and in-service training needs following years.

Personal Services

Training Coordinator Range 18 Step A	
Salary	\$48,876
Benefits	<u>19,654</u>
(includes 200 hours overtime)	\$ 68,530
Data Processing Clerk II Range 9 Step A	
Salary	\$24,288
Benefits	<u>12,366</u>
	\$ <u>36,654</u>
Total Personal Services	\$ 105,184

Contractual

Basic Level Training 10 Students @ 10 Weeks	\$ 53,000
In-Service/Field Training and Executive Level Training	\$ 125,700
Long Distance Phone Costs	\$ 2,000
Total Contractual Costs	\$ 180,700

Supplies

Stationary, copy machine paper, Calculator, etc.	\$ 700
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Equipment

Two Desks	\$ 1500	
Credenza	500	
Two Chairs	1000	
Two Side Chairs	600	
Work Station (Technical)	2500	
Work Station (Support)	2500	
Two Bookcases	400	
Four File Cabinets	2100	
Two PC Systems	7000	
PC Hookup Charge	500	
Work Table	500	
Cellular Phone	500	
Two Telephone & Installation	<u>400</u>	
	SUBTOTAL	\$ 20,000

Technical Training Interface		
Satellite Dish X 10	\$30,000	
Inter Active Video System X 10		
Large Screen TV, CD-Rom (PC)		
Software, Hardware (Set-up)	40,000	
Driving Simulators X 4	150,000	
Firearms Training System X 2	160,000	
	SUBTOTAL	<u>\$ 380,000</u>

TOTAL		\$ 400,000
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1993 TOTAL VEHICLE AND TRAFFIC OFFENSES

AS 12.55.039(a) (1) includes violations under AS 18, 13 AAC, 17 AAC and comparable municipal ordinances:

53,934 - Uniform Traffic Citations Issued

** 53,934 - Total \$10 Violations = \$539,340 projected Revenue

AS 12.55.039(a) (2) includes the following:

4,618 - DWI/Refusals (Under AS 28.33.030, 28.33.031, AS 28.35.030, 28.35.032)

1,752 - All other at court suspensions, revocations, limitations (Under AS 28.15.291, AS 28.35.040, 28.35.060)

** 6,370 - Total \$25 violations = \$159,250 Projected Revenue

*** \$ 698,590 Combined Total Projected Revenue

02/14/1994 13:16:33 =====

02/14/94 Position Information Inquiry/Update 13:17:18

Position: 12-12#138	Project: 0	Salary Costs: 48,876.00
Component: 12-62-04-01-01-01		Benefits Costs: 19,653.54
Scenario: 8 FY: 95	COLA %= 0.00	Total Costs: 68,529.54

 Actuals not available (Status: UNKNOWN) ° Retirement Code: A

 ° Step: A for 12.0 months & Step: B for 0.0 months (total: 12.00)
 00/00/00 ° Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
 0 ° Class/Sched Prefix: 1 Schedule: 1A (actual:)
 ° Bargaining Unit: GG Range: 18 (actual:)
 ° Location Code: AWA Place: JUNEAU
 ° Job Class Code: P7790 Title: TRNG COORD PS _____
 ° Seasonal Indic.: F Type: -

 Optional Override Salary Rates:
 Monthly Rate: 0.00 _____ for 0.0 months & rate of 0.00 _____ for 0.0 months
 Hourly Rate: 0.00 _____ for 0.0 months Frozen at this rate? (Y/N): N

Position Premium Pay Inquiry/Update

PROJECT NUMBER: 0	
PCN: 12-12#138	Salary Costs: 48,876.00
Component: 12-62-04-01-01-01	Benefits Costs: 19,653.54
Scenario: 8	Total Costs: 68,529.54

Premium Pay Items/Amounts Budgeted	Item Cost	----- Actual Costs ----- Y.T.D.	Prior Year
Overtime Hours: 200.0	6,516.00	0	0
Graveyard Shift Diff. (months): 0.00	0.00	0	0
Swing Shift Diff. (months): 0.00	0.00	0	0
Hazard Pay (\$): 0.00	0.00	0	0
Sea Duty Pay (\$): 0.00	0.00	0	0
Standby Pay (\$): 0.00	0.00	0	0
Higher Class Work Pay (\$): 0.00	0.00		
Area Subsistence Pay (\$): 0.00	0.00	0	0
Additional Salary (\$): 0.00	0.00		
PLUS 0.00000 PERCENT C.O.L.A.	0.00		
Total Premium Pay Costs:	6,516.00	0	0

Press ENTER to update record; enter # or use PF key to go another screen:
 1=Position Inquiry/Update 2=Funding info 12=Exit w/o update Selection: 0_

02/14/1994 13:19:00 =====
 POSITION INFORMATION HAS BEEN UPDATED AND FUNDING HAS BEEN UPDATED.
 02/14/94 Position Information Inquiry/Update 13:20:03

Position: 12-12#139 Project: 0 Salary Costs: 24,288.00
 Component: 12-.2-04-01-01-01 Benefits Costs: 12,365.66
 Scenario: 8 FY: 95 COLA %= 0.00 Total Costs: 36,653.66

 Actuals not available (Status: UNKNOWN) ° Retirement Code: A

 ° Step: B for 12.0 months & Step: C for 0.0 months (total: 12.00)
 00/00/00 ° Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
 0 ° Class/Sched Prefix: 1 Schedule: 1A (actual:)
 ° Bargaining Unit: GG Range: 09 (actual:)
 ° Location Code: AWA Place: JUNEAU
 ° Job Class Code: P1192 Title: DATA PROC CLERK II _____
 ° Seasonal Indic.: F Type: -

Optional Override Salary Rates:
 Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Position Premium Pay Inquiry/Update

PROJECT NUMBER: 0
 PCN: 12-12#139 Salary Costs: 24,238.00
 Component: 12-62-04-01-01-01 Benefits Costs: 12,365.66
 Scenario: 8 Total Costs: 36,653.66

Premium Pay Items/Amounts Budgeted	Item Cost	---- Actual Costs ----	
		Y.T.D.	Prior Year
Overtime Hours: 0.0	0.00	0	0
Graveyard Shift Diff. (months): 0.00	0.00	0	0
Swing Shift Diff. (months): 0.00	0.00	0	0
Hazard Pay (\$): 0.00	0.00	0	0
Sea Duty Pay (\$): 0.00	0.00	0	0
Standby Pay (\$): 0.00	0.00	0	0
Higher Class Work Pay (\$): 0.00	0.00	0	0
Area Subsistence Pay (\$): 0.00	0.00	0	0
Additional Salary (\$): 0.00	0.00	0	0
PLUS 0.00000 PERCENT C.O.L.A.	0.00		
Total Premium Pay Costs:	0.00	0	0

Press ENTER to update record; enter # or use PF key to go another screen:
 1=Position Inquiry/Update 2=Funding info 12=Exit w/o update Selection: 0

8-LS1587E
Luckhaupt
2/16/94

CS FOR SENATE BILL NO. 267(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the training of law enforcement and corrections officers; to
2 the establishment of surcharges to be assessed for violations of certain traffic
3 offenses; creating the Alaska police standards training fund; and providing for an
4 effective date."

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

6 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

7 (1) the Alaska Police Standards Council is an essential part of the law
8 enforcement training support network of the state and it warrants continued and predictable
9 support;

10 (2) rural and urban communities rely on dependable public safety protection;
11 (3) the law enforcement and corrections community of the state is greatly
12 strengthened by having a professionally trained network; and

13 (4) the safety of the public will be greatly improved by the establishment and
14 maintenance of an efficient training network for law enforcement and corrections officers.

1 (b) It is the purpose of this Act to

2 (1) enable the Alaska Police Standards Council to function in a manner that
3 enhances the performance and accountability of the council and the law enforcement and
4 corrections communities it serves;

5 (2) provide a stable funding source for law enforcement and corrections officer
6 training by establishing a surcharge to be assessed against violators of the traffic and motor
7 vehicle laws of the state.

8 * Sec. 2. AS 12.55 is amended by adding a new section to read:

9 Sec. 12.55.039. SURCHARGE. (a) In addition to any fine or other penalty
10 prescribed by law, a defendant who pleads guilty or nolo contendere to, forfeits bail
11 for, or is convicted of a violation of a vehicle or traffic offense under AS 28, a
12 regulation adopted under AS 28, or a municipal ordinance under AS 28.01.010 shall
13 be assessed a surcharge of

14 (1) \$10 if the violation is for other than a violation of AS 28.15.291,
15 AS 28.33.030, 28.33.031, AS 28.35.030, 28.35.032, 28.35.040, 28.35.060, or a
16 comparable municipal ordinance; or

17 (2) \$25 if the violation is a violation of AS 28.15.291, AS 28.33.030,
18 28.33.031, AS 28.35.030, 28.35.032, 28.35.040, 28.35.060, or a comparable municipal
19 ordinance.

20 (b) A court may not fail to impose the surcharge required under this section.
21 The surcharge may not be waived, deferred, or suspended.

22 (c) The surcharge shall be paid within 10 days of imposition or such shorter
23 period of time as ordered by the court. Failure to pay the surcharge is punishable as
24 contempt of court. Proceedings to collect the surcharge may be instituted by the state,
25 the municipality, or by the court on its own motion.

26 (d) Money collected under this section shall be deposited into the general fund
27 and accounted for under AS 37.05.142.

28 * Sec. 3. AS 18.65 is amended by adding a new section to read:

29 Sec. 18.65.225. ALASKA POLICE TRAINING FUND. The Alaska police
30 training fund is created in the general fund. The fund consists of appropriations made
31 by the legislature to the fund. The legislature may appropriate to the fund the annual

1 estimated balance in the account maintained under AS 37.05.142 for money collected
2 under AS 12.55.039 and AS 28.05.151. The legislature may make appropriations from
3 the fund to the Alaska Police Standards Council to provide training for the law
4 enforcement and corrections community of the state under AS 18.65.230. Nothing in
5 this section creates a dedicated fund.

6 * Sec. 4. AS 28.05.151 is amended by adding a new subsection to read:

7 (c) The supreme court shall require as a condition of the disposition of an
8 offense without appearance that a person charged with any offense for which a bail
9 forfeiture amount has been adopted shall pay a surcharge of \$10 in addition to the bail
10 forfeiture amount established by the supreme court. The surcharge required to be paid
11 under this subsection shall be deposited into the general fund and accounted for under
12 AS 37.05.142.

13 * Sec. 5. APPLICABILITY. The surcharge required to be assessed and collected under
14 AS 12.55.039 and AS 28.05.151 applies only to offenses and violations occurring after
15 June 30, 1994.

16 * Sec. 6. This Act takes effect July 1, 1994.

WHEN COPS HAVE TO KILL

Quiet trauma haunts police

By DAN RALEY
SEATTLE POST-INTELLIGENCER

S EATTLE — The nightmare awakened Rick Day with a jolt. In his dream, a man fell 25 feet off a cement bulkhead. Day, a Seattle police officer, called for help. Without warning the man jumped up, miraculously unharmed, and struck Day with a pipe. Day fired his gun, and the man fell.

At that point, the shaken officer sat up in bed. He realized he was reliving, not imagining, the conclusion of the violent struggle Oct. 6 in which he shot and killed a wrench-wielding bank robber under the Alaskan Way Viaduct near Pioneer Square.

The man, a transient named Dennis Bowerman, was the 54th person shot to death by a Seattle officer since 1969, police records show. While nearly all the shootings were reported in the newspaper, interviews with several officers who have killed in the line of duty revealed deep emotional scars.

The experience is so traumatic that few officers talk about it publicly. Some don't even discuss it with colleagues or spouses.

At first reluctant to speak with a reporter, Day told the Post-Intelligencer that discussing the incident has helped him cope, but he feels vulnerable.

"Some guys have told me the real problems might not start for a few months," he said. "I still don't know what's ahead for me."

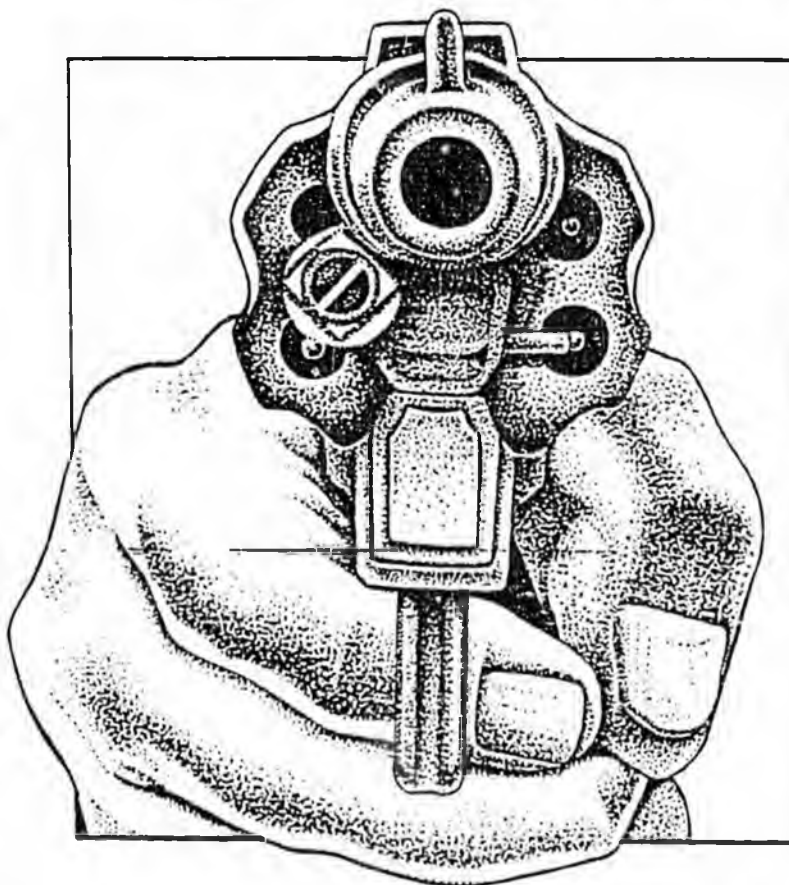
Day is not alone in his anguish. Four other officers have been involved in fatal shootings in King County since Bowerman's death. It's the largest rash of such cases in the county since 1988, when police from various agencies shot and killed four people in the space of one month.

King officers Jon Straus and Todd Durham shot and killed a 24-year-old man who was pointing what turned out to be pellet guns at them on Oct. 17. King County officer Gary Yetter fatally shot a gun-toting teen-ager on Nov. 1. Bellevue officer Greg Lum recorded that department's first shooting death when he returned fire and killed a 17-year-old boy on Dec. 19.

Norm Stamper, Seattle's newly appointed police chief, has been there, too. He was a San Diego police lieutenant in 1972 when he fatally shot a father threatening to kill his 3-year-old son. Stamper's scars were long-term.

"I was kind of oblivious to the effect it had on my life. I think we call that denial," he said in an interview last week. "I'd say for a good eight or 10 years I sort of behaved as if the event never happened."

Stamper finally came to terms with the shooting



after becoming a civilian ombudsman for the San Diego Police Department. One of his duties was to counsel officers involved in similar events. His work became his therapy.

"It's a major event and it cries out to be discussed and understood by officers and their families," he said. "For years, we sort of labored under the illusion it was just another day's work in the life of a police officer and an occupational hazard."

"It was. Let's see how tough you are," Norman Mar, Seattle police psychologist, said that in his department, nearly half of the officers involved in fatal shootings feel an acute sense of failure afterward and 14 percent quit their jobs. He said many face alcoholism, divorce and nervous breakdowns.

Most fatal shootings involve officers who have been on the force for five years or less, he said, because they are less experienced and more likely to be working in high-crime areas.

The profile fit Eric Besel, who shot and killed a man who had wounded him in a 1991 Christmas-morning disturbance at Stan Sayers Park near Luke Washington. Besel, an Aberdeen native, was in his third year with the Seattle police, working in an area known for drug trafficking.

Still traumatized, Besel is seeking another job outside the department.

Al Earlwine was in his fifth year as a Seattle officer in 1975 when he shot and killed a man who had threatened him and another officer with a

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The road back is a long one

By DAN RALEY
SEATTLE POST-INTELLIGENCER

S EATTLE — For Seattle policeman Rick Day, the road back has been a long one since the violent struggle Oct. 6 in which he shot and killed a wrench-wielding bank robber.

Day, 47, has been a Seattle officer for 25 years and works a morning shift in the International District. Most calls are for burglaries or drunks. It takes it that way.

No Rambo figure, he is an opera lover who holds season tickets. He served in the Navy for four years during the Vietnam war as a jet mechanic and never carried a gun. He is staunchly against the hunting of wildlife.

"I never thought I'd be the guy who had to kill somebody," Day said.

He had never fired his police weapon at anyone until he shot Dennis Bowerman twice in the chest that October day. The 50-year-old transient lunged at the officer swinging a foot-long wrench wrapped in black electrical tape. He was less than six feet away when Day fired.

He remembers standing over the fallen man, another officer confiscated his weapon for evidence. A rush of emotions swept over him.

"They give you another gun at the scene, but you feel stripped," he said. "You feel punished. You don't feel like a policeman anymore."

He was driven back to police headquarters and told to sit in the front seat.

"That's so you don't feel like a suspect," he said.

At the station, Day called his wife, had a mandatory half-hour meeting with police psychologist Norman Mar and wrote a statement. Police Chief Patrick Fitzsimons and Assistant Chief Ed Jones were among those who stopped by to offer support and find out how he was faring.

"It wasn't a high five. 'Good job, you got one on the street,'" Day said. "I don't want people to think anything like that."

Day drove himself home. Emotionally drained, he took calls from a few friends but didn't watch TV news accounts of the shooting. He suffered through the first of several sleepless nights.

"I just kept seeing it happen over and over again," he said. "I kept lying there seeing his face."

Day was told to take two days off, then work a desk job for a month writing letters to citizens.

Within a week, he met with an eight-person shooting review board. He was interviewed by

Please see Road, Page D

linking skins and taps experience dating to 1912, when students used Crisco oil lessons to learn cooking.

that some concerns may stem from outdated information, though there are no immediate plans to

assistant director of the Pacific Environmental Educational Center in Dingmans Ferry, Pa. "I

curriculum consultant in Ma City, said she had told passage was inaccurate.

Road...

Continued from Page D-1
nomicide detectives. He sat through a two-day inquest.

He was cleared each step of the way.

Day went to see the police psychologist a second time, voluntarily. He still wasn't sleeping. Mar told him to watch TV and keep his mind off the shooting.

He kept everything bottled inside until three weeks after the incident when he went to the opera with his wife, Liz. Walking into the Opera House, he had words with a man who was heckling his wife.

Driving home, he rolled down his window and yelled at a driver who cut in front of him. Both incidents were foreign to the normally unflappable Day.

Next came an emotional, hour-long conversation with his wife in the parking lot of a SeaTac restaurant. It helped ease the tension.

"I was intense," he said. "I told her everything about it, graphically, what I had seen, how unpleasant it was. I cried. I didn't sob, but I had tears coming down. When I got done, I felt real good."

"I think we both look at life a little more seriously now," Liz Day said. "It was kind of a reality

check for him."

Day is back on the street. He visited the shooting scene for the first time two weeks ago, but stayed only a few minutes. He got his own gun back.

He intends to work a few more years, but is wary of a repeat experience. He has pulled his gun once since the shooting, as a backup to other officers who had stopped a drive-by shooting suspect. He kept his weapon pointed at the ground. He could fire it again if pressed, he says, but he shudders at the thought.

"I don't want to go through this again," Day said.

"I was surprised when that in there, and I put a in there saying this was sarily believed by many Maton said.

A science teacher who P&G kit, Kathy Lynch Este High School in C said she found sections posting and other topics t

But Joan Borovatz, teacher at Santa Cruz Hi fornia, said she wouldn't kit, partly because of called its emphasis on ism.

"They leave out and clude statements I would would be included in a program I ever did," she Lance King of C.

Trauma...

Continued from Page D-1
knife on Capitol Hill. Earlywine fatally shot another man six months later and critically wounded a third in 1979.

He quit the force in 1981, retiring with a stress disability.

"I still think about it. I just don't think about it as often," said Earlywine, who owns a small construction company. "It was a very, very hard thing to cope with.

"And when I was involved in my shootings, there wasn't a lot of support."

Mar became the Seattle police psychologist the year after Earlywine resigned. Department policy now requires that an officer involved in a shooting talk with Mar immediately afterward.

The psychologist does a follow-up interview six months later. He talks to the officer's partner and supervisor and looks for signs of unusual behavior. Or no reaction.

"I think we're fairly accurate at identifying a problem officer," said Maj. Michael O'Mahony, head of the patrol division. "If it doesn't bother him, we know we've got a problem."

Arnett...

Continued from Page D-1
a victory.

• In 1968, in the Tet Offensive, he finds the town of Ben Tre devastated by American air power. Hundreds of friendly civilians have been killed. His AP story quoting a U.S. major as saying, "It became necessary to destroy the town to save it," ignites a furor over U.S. conduct of the war.

This reporter doesn't philosophize, but "Live From the Battlefield" does deliver a message: Newswriting and warmaking are not harmonious occupations.

Arnett, who won a Pulitzer Prize for his AP work, specialized in reporting on small-unit actions in Vietnam, on the heroism and despair of ordinary soldiers, on the failures of military planners. Prigs in high command take unkindly to those who report so closely.

"We want you on our side!" an angry American general once snapped at Arnett, a trustworthy journalist who took nobody's side.

Arnett's reporting made plain

on civilian casualties from American bombing raids

For dedicated journalists, the queasiness about reporting "from the enemy camp" comes in the stomach. Arnett is frank about the fear that's never far away.

In Baghdad, after hours of on-the-air reporting under U.S. bombardment, he notices bumps on his arms and legs - a nervous rash. "At least I didn't faint," he writes gratefully.

But whatever the fears, he tells a nervous CNN colleague, "We just can't walk out on the news."

It's the credo of a man who lucked onto the right road 42 years ago, when his father cajoled an editor into hiring him as a cub reporter on New Zealand's Southland Times, and the 16-year-old found, as he now writes, "my note pad and pencil fit me like a glove."

seventeen
COVER

We're Against

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