

HB

77

<TARGET><BILL>HB 77</BILL><SUBJECT>HB
77</SUBJECT><COMM>HFIN29</COMM></TARGET>

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 7, 2015

FURTHER REFERRALS:

Date of Committee Action: 3.24.2016

The FINANCE Committee considered:

HB 77

HOUSE BILL NO. 77

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

HB 77-DISABILITY:ID/LICENSE AND TRAINING RQMTS.

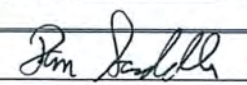
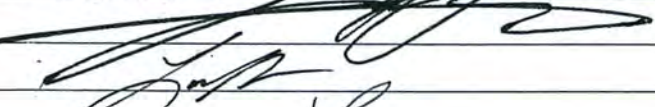
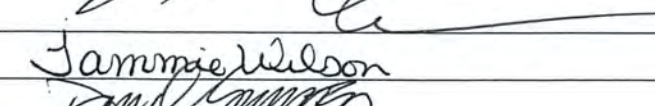
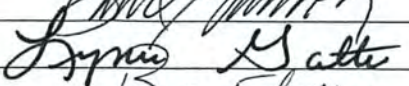
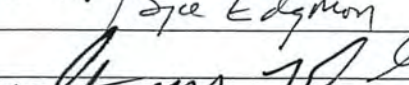
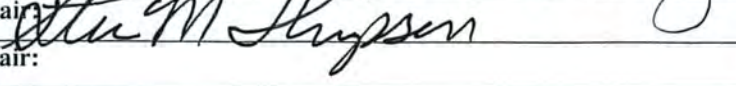

Recommends it be replaced with HCS or CS for HB 77 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:
 ADM
 AJS
 CED
 COR
 EED
 DEC
 DFG
 GOV
 DHS
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 UA

| <u>NEW FISCAL NOTES</u> | | | | |
|--|------------------|--------|--------|------|
| *FN# is assigned by Chief Clerk's Office | | | | |
| *FN# | List by Dept(s): | Fiscal | Indet. | Zero |
| | ADM | | | ✓ |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| <u>PREVIOUS FISCAL NOTES</u> | | | | |
|------------------------------|------------------|--------|--------|------|
| FN# | List by Dept(s): | Fiscal | Indet. | Zero |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| <u>Signing with recommendations</u> | Printed Last Name | DP | DNP | NR | AM |
|--|----------------------------|-------------------|-----|----|----|
|  | SADDLER | (10) X | | | |
|  | Kennedy | X | | | |
|  | Kennedy | X | | | |
|  | Gara Wilson | X X | | | |
|  | Edgmon Batts | X X | | | |
|  | Edgmon Munoz | ✓ — | | | |
| Chair:  | Thompson | X | | | |

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version: HB 77
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB077CS-DOA-DMV-03-11-16
Title: DISABILITY:ID/LICENSE AND TRAINING RQMTS.
Sponsor: THOMPSON
Requester: House Finance

Department: Department of Administration
Appropriation: Motor Vehicles
Allocation: Motor Vehicles
OMB Component Number: 2348

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2017 Appropriation Requested | Included in Governor's FY2017 Request | Out-Year Cost Estimates | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|----------------|----------------|----------------|----------------|
| | | | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| OPERATING EXPENDITURES | FY 2017 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| Personal Services | | | | | | | |
| Travel | | | | | | | |
| Services | | | | | | | |
| Commodities | | | | | | | |
| Capital Outlay | | | | | | | |
| Grants & Benefits | | | | | | | |
| Miscellaneous | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

| | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **No**
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

| |
|---|
| Updated to reflect committee substitute bill version. No other changes. |
|---|

Prepared By: Amy Erickson, Director
Division: Motor Vehicles
Approved By: Sheldon Fisher, Commissioner
Agency: Department of Administration

Phone: (907)269-5574 ✓
Date: 03/11/2016 01:00 PM
Date: 03/11/16

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. CSHB077

Analysis

This bill will require DMV to add a voluntary designator to an identification card or driver's license that will signify the person has a cognitive, mental, neurological, or physical disability. DMV may charge a \$5 fee, in addition to the standard duplicate identification card or driver's license fee, to add or remove the designator.

DMV will also need to update the driver manual to include the duties and responsibilities of drivers with an identified disability when they encounter a law enforcement agent.

DMV can provide these services for little additional resources. Therefore, a zero fiscal note is submitted.

CS FOR HOUSE BILL NO. 77(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES THOMPSON, Gara, Kawasaki, Kito, Saddler, Vazquez, Lynn, Stutes, Wilson, Wool, Keller, Millett, Neuman

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to training regarding disabilities for police officers, probation officers,
2 parole officers, correctional officers, and village public safety officers; relating to
3 guidelines for drivers when encountering or being stopped by a peace officer; relating to
4 driver's license examinations; and relating to a voluntary disability designation on a
5 state identification card and a driver's license."

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

7 * **Section 1.** AS 18.65.220 is amended to read:

8 **Sec. 18.65.220. Powers.** The council has the power to

9 (1) adopt regulations for the administration of AS 18.65.130 -
10 18.65.290;

11 (2) establish minimum standards for employment as a police officer,
12 probation officer, parole officer, municipal correctional officer, and correctional
13 officer in a permanent or probationary position and certify persons to be qualified as

1 police officers, probation officers, parole officers, municipal correctional officers, and
 2 correctional officers under AS 18.65.130 - 18.65.290;

3 (3) establish minimum criminal justice curriculum requirements for
 4 basic, specialized, and in-service courses and programs for schools operated by or for
 5 the state or a political subdivision of the state for the specific purpose of training
 6 police recruits, police officers, probation officers, parole officers, municipal
 7 correctional officers, and correctional officers; **the curriculum requirements**
 8 **established under this paragraph must include training in**

9 **(A) recognizing people with disabilities;**

10 **(B) appropriate interactions with persons with disabilities;**

11 **(C) resources available to persons with disabilities and to**
 12 **those interacting with persons with disabilities; and**

13 **(D) the requirements of Title II of the Americans with**
 14 **Disabilities Act, 42 U.S.C. 12131 - 12165;**

15 (4) consult and cooperate with municipalities, agencies of the state,
 16 other governmental agencies, universities, colleges, and other institutions concerning
 17 the development of police officer, probation officer, parole officer, municipal
 18 correctional officer, and correctional officer training schools and programs of criminal
 19 justice instruction;

20 (5) employ an administrator and other persons necessary to carry out
 21 its duties under AS 18.65.130 - 18.65.290;

22 (6) investigate when there is reason to believe that a police officer,
 23 probation officer, parole officer, municipal correctional officer, or correctional officer
 24 does not meet the minimum standards for employment; in connection with the
 25 investigation the council may subpoena persons, books, records, or documents related
 26 to the investigation and require answers in writing under oath to questions asked by
 27 the council or the administrator;

28 (7) charge and collect a fee of \$50 for processing applications for
 29 certification of police, probation, parole, municipal correctional, and correctional
 30 officers.

31 * **Sec. 2.** AS 18.65.310 is amended by adding a new subsection to read:

1 (m) The department shall provide a method for a person to designate
2 voluntarily on an identification card that the person has a disability, including a
3 cognitive, mental, neurological, or physical disability, or a combination of them. The
4 department shall create a discreet symbol to place on the identification card of a
5 person requesting the designation. The method must provide a means by which the
6 person may cancel the designation. The department may not charge a fee solely for the
7 designation. To receive the designation, the person shall provide proof of the disability
8 from a person licensed as a physician or physician assistant under AS 08.64, as an
9 advanced nurse practitioner under AS 08.68, or as a licensed psychologist under
10 AS 08.86. Notwithstanding (a) of this section, the department may charge a fee of \$5
11 for replacement of a valid identification card with a new identification card with a
12 disability designation and may charge a fee of \$5 for replacement of an identification
13 card with a disability designation with a new identification card without a disability
14 designation.

15 * **Sec. 3.** AS 18.65.670(c) is amended to read:

16 (c) The commissioner of public safety may adopt regulations related to village
17 public safety officers, including minimum standards and training, criteria for
18 community, municipality, or corporation participation, and the interaction between the
19 Department of Public Safety and village public safety officers. Regulations adopted by
20 the commissioner **of public safety** under this subsection may not prohibit village
21 public safety officers who otherwise meet minimum standards and training from
22 carrying firearms. **If the commissioner of public safety adopts regulations**
23 **regarding training for village public safety officers, at a minimum, that training**
24 **must include disability training that provides training in the subjects set out in**
25 **AS 18.65.220(3).** The commissioner of corrections may adopt regulations related to
26 the functions of village public safety officers providing probation and parole
27 supervision.

28 * **Sec. 4.** AS 28.05.011 is amended by adding a new subsection to read:

29 (c) If the department publishes a manual related to the safe and lawful
30 operation of a motor vehicle, the manual must include the duties and responsibilities
31 of drivers when encountering or being stopped by a peace officer.

1 * **Sec. 5.** AS 28.15.081(a) is amended to read:

2 (a) The department shall examine every applicant for a driver's license. The
3 examination must include a test of the applicant's (1) eyesight, (2) ability to read and
4 understand official traffic control devices, (3) knowledge of safe driving practices, (4)
5 knowledge of the effects of alcohol and drugs on drivers and the dangers of driving
6 under the influence of alcohol or drugs, (5) knowledge of the laws on driving while
7 under the influence of an alcoholic beverage, inhalant, or controlled substance, (6)
8 knowledge of the laws on financial responsibility and mandatory motor vehicle
9 liability insurance, [AND] (7) knowledge of the traffic laws and regulations of the
10 state, **and (8) knowledge of the duties and responsibilities of drivers when**
11 **encountering or being stopped by a peace officer**. The examination may include a
12 demonstration of ability to exercise ordinary and reasonable control in the driving of a
13 motor vehicle of the type and general class of vehicles for which the applicant seeks a
14 license. However, an applicant who has not been previously issued a driver's license
15 by this or another jurisdiction shall demonstrate ability and shall present medical
16 information that the department reasonably requires to determine fitness to safely
17 drive a motor vehicle of the type and general class of vehicles for which the applicant
18 seeks a license.

19 * **Sec. 6.** AS 28.15.111 is amended by adding a new subsection to read:

20 (d) The department shall provide a method, at the time that a driver's license is
21 issued, by which the owner of a license may voluntarily designate on the license that
22 the owner has a disability, including a cognitive, mental, neurological, or physical
23 disability, or a combination of them. The department shall create a discreet symbol to
24 place on the driver's license of a person requesting the designation. The method must
25 provide a means by which the owner may cancel the designation. The department may
26 not charge a fee solely for the designation. To receive the designation, the person shall
27 provide proof of the disability from a person licensed as a physician or physician
28 assistant under AS 08.64, as an advanced nurse practitioner under AS 08.68, or as a
29 licensed psychologist under AS 08.86. The department may charge a fee of \$5 for
30 replacement of a valid driver's license with a new driver's license with a disability
31 designation and may charge a fee of \$5 for replacement of a driver's license with a

1

disability designation with a new driver's license without a disability designation.

*Adopted
3/15/16*

29-LS0072\N
Martin
12/2/15

CS FOR HOUSE BILL NO. 77()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

**Sponsor(s): REPRESENTATIVES THOMPSON, Gara, Kawasaki, Kito, Saddler, Vazquez, Lynn, Stutes,
Wilson, Wool, Keller**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to training regarding disabilities for police officers, probation officers,**
2 **parole officers, correctional officers, and village public safety officers; relating to**
3 **guidelines for drivers when encountering or being stopped by a peace officer; relating to**
4 **driver's license examinations; and relating to a voluntary disability designation on a**
5 **state identification card and a driver's license."**

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

7 *** Section 1.** AS 18.65.220 is amended to read:

8 **Sec. 18.65.220. Powers.** The council has the power to

9 (1) adopt regulations for the administration of AS 18.65.130 -
10 18.65.290;

11 (2) establish minimum standards for employment as a police officer,
12 probation officer, parole officer, municipal correctional officer, and correctional
13 officer in a permanent or probationary position and certify persons to be qualified as

1 police officers, probation officers, parole officers, municipal correctional officers, and
2 correctional officers under AS 18.65.130 - 18.65.290;

3 (3) establish minimum criminal justice curriculum requirements for
4 basic, specialized, and in-service courses and programs for schools operated by or for
5 the state or a political subdivision of the state for the specific purpose of training
6 police recruits, police officers, probation officers, parole officers, municipal
7 correctional officers, and correctional officers; **the curriculum requirements**
8 **established under this paragraph must include training in**

9 **(A) recognizing people with disabilities;**

10 **(B) appropriate interactions with persons with disabilities;**

11 **(C) resources available to persons with disabilities and to**
12 **those interacting with persons with disabilities; and**

13 **(D) the requirements of Title II of the Americans with**
14 **Disabilities Act, 42 U.S.C. 12131 - 12165;**

15 (4) consult and cooperate with municipalities, agencies of the state,
16 other governmental agencies, universities, colleges, and other institutions concerning
17 the development of police officer, probation officer, parole officer, municipal
18 correctional officer, and correctional officer training schools and programs of criminal
19 justice instruction;

20 (5) employ an administrator and other persons necessary to carry out
21 its duties under AS 18.65.130 - 18.65.290;

22 (6) investigate when there is reason to believe that a police officer,
23 probation officer, parole officer, municipal correctional officer, or correctional officer
24 does not meet the minimum standards for employment; in connection with the
25 investigation the council may subpoena persons, books, records, or documents related
26 to the investigation and require answers in writing under oath to questions asked by
27 the council or the administrator;

28 (7) charge and collect a fee of \$50 for processing applications for
29 certification of police, probation, parole, municipal correctional, and correctional
30 officers.

31 * **Sec. 2.** AS 18.65.310 is amended by adding a new subsection to read:

1 (m) The department shall provide a method for a person to designate
2 voluntarily on an identification card that the person has a disability, including a
3 cognitive, mental, neurological, or physical disability, or a combination of them. The
4 department shall create a discreet symbol to place on the identification card of a
5 person requesting the designation. The method must provide a means by which the
6 person may cancel the designation. The department may not charge a fee solely for the
7 designation. To receive the designation, the person shall provide proof of the disability
8 from a person licensed as a physician or physician assistant under AS 08.64, as an
9 advanced nurse practitioner under AS 08.68, or as a licensed psychologist under
10 AS 08.86. Notwithstanding (a) of this section, the department may charge a fee of \$5
11 for replacement of a valid identification card with a new identification card with a
12 disability designation and may charge a fee of \$5 for replacement of an identification
13 card with a disability designation with a new identification card without a disability
14 designation.

15 * **Sec. 3.** AS 18.65.670(c) is amended to read:

16 (c) The commissioner of public safety may adopt regulations related to village
17 public safety officers, including minimum standards and training, criteria for
18 community, municipality, or corporation participation, and the interaction between the
19 Department of Public Safety and village public safety officers. Regulations adopted by
20 the commissioner **of public safety** under this subsection may not prohibit village
21 public safety officers who otherwise meet minimum standards and training from
22 carrying firearms. **If the commissioner of public safety adopts regulations**
23 **regarding training for village public safety officers, at a minimum, that training**
24 **must include disability training that provides training in the subjects set out in**
25 **AS 18.65.220(3).** The commissioner of corrections may adopt regulations related to
26 the functions of village public safety officers providing probation and parole
27 supervision.

28 * **Sec. 4.** AS 28.05.011 is amended by adding a new subsection to read:

29 (c) If the department publishes a manual related to the safe and lawful
30 operation of a motor vehicle, the manual must include the duties and responsibilities
31 of drivers when encountering or being stopped by a peace officer.

1 * **Sec. 5.** AS 28.15.081(a) is amended to read:

2 (a) The department shall examine every applicant for a driver's license. The
3 examination must include a test of the applicant's (1) eyesight, (2) ability to read and
4 understand official traffic control devices, (3) knowledge of safe driving practices, (4)
5 knowledge of the effects of alcohol and drugs on drivers and the dangers of driving
6 under the influence of alcohol or drugs, (5) knowledge of the laws on driving while
7 under the influence of an alcoholic beverage, inhalant, or controlled substance, (6)
8 knowledge of the laws on financial responsibility and mandatory motor vehicle
9 liability insurance, [AND] (7) knowledge of the traffic laws and regulations of the
10 state, **and (8) knowledge of the duties and responsibilities of drivers when**
11 **encountering or being stopped by a peace officer.** The examination may include a
12 demonstration of ability to exercise ordinary and reasonable control in the driving of a
13 motor vehicle of the type and general class of vehicles for which the applicant seeks a
14 license. However, an applicant who has not been previously issued a driver's license
15 by this or another jurisdiction shall demonstrate ability and shall present medical
16 information that the department reasonably requires to determine fitness to safely
17 drive a motor vehicle of the type and general class of vehicles for which the applicant
18 seeks a license.

19 * **Sec. 6.** AS 28.15.111 is amended by adding a new subsection to read:

20 (d) The department shall provide a method, at the time that a driver's license is
21 issued, by which the owner of a license may voluntarily designate on the license that
22 the owner has a disability, including a cognitive, mental, neurological, or physical
23 disability, or a combination of them. The department shall create a discreet symbol to
24 place on the driver's license of a person requesting the designation. The method must
25 provide a means by which the owner may cancel the designation. The department may
26 not charge a fee solely for the designation. To receive the designation, the person shall
27 provide proof of the disability from a person licensed as a physician or physician
28 assistant under AS 08.64, as an advanced nurse practitioner under AS 08.68, or as a
29 licensed psychologist under AS 08.86. The department may charge a fee of \$5 for
30 replacement of a valid driver's license with a new driver's license with a disability
31 designation and may charge a fee of \$5 for replacement of a driver's license with a

1

disability designation with a new driver's license without a disability designation.

ALASKA STATE LEGISLATURE

Session:
State Capitol Building
Juneau, Alaska 99801-2186
Phone (907) 465-3004
Toll Free: (877) 465-3004



Interim:
1292 Sadler Way
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Toll Free: (877) 465-3004

REPRESENTATIVE STEVE THOMPSON

Sponsor Statement HB 77 (29-LS0072\N - "An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

When people with non-apparent disabilities interact with peace officers and corrections officers, elements of their disabilities often brush against officers' protocols and may result in serious misunderstanding or even tragedy. The goal of HB77 is to improve communications between law enforcement and corrections professionals who interact with people who have non-apparent disabilities, whether these disabled individuals encounter the "systems" as victims, witnesses, or alleged perpetrators.

The first part of HB 77 focuses on training regarding interactions with people with non-apparent disabilities. The bill requires the implementation of a non-apparent disability awareness training component for Alaska peace officers, corrections officers and parole/probation officers. The Alaska Police Standards Council, has established a basic course at the academy level. The training instructs officers how to engage in appropriate interactions with individuals who experience a non-apparent disability. The course instructs officers and the guidelines will stress understanding of the different manner in which people with non-apparent disabilities process sensory stimuli and language.

The bill also requires that the Department of Motor Vehicles (DMV) add a section to the Passenger Vehicle Driver Handbook that instructs drivers as to their responsibilities when interacting with a peace officer. Basic instruction will be added to the driver's manual and one or more questions will be added to the written driver's license test. Awareness training for both police officers and the public will aid in increasing the safety of most encounters.

Another component of HB 77 is to implement a statewide voluntary identification system where a discrete marker will be placed on an Alaska Driver's license or an Alaska ID card. The marker would indicate that the individual has a disability that may not be apparent. The police or corrections officer, having taken the disability awareness training, will be able to understand and more appropriately interact with the individual.

If a person's disability is not recognized during an encounter, it may affect the outcome of that encounter. This bill would push to improve communication between peace officers, corrections officers and parole/probation officers when interacting with people who have non-apparent disabilities. The hope of this bill is to reduce the potential for tragic encounters in our state.

ALASKA STATE LEGISLATURE

Session:

State Capitol Building
Juneau, Alaska 99801-2186
Phone (907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004



Interim:

1292 Sadler Way
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Fax: (907) 452-1146
Toll Free: (877) 465-3004

REPRESENTATIVE STEVE THOMPSON

Sectional HB 77 (29-LS0072\N) - "An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

Section 1. Amends AS 18.65.220 to include statutory language that expands the duties of the police standards council's training program to include training in recognizing and interacting with a person with disabilities, as well as familiarization with resources that are available to those with hidden disabilities.

Section 2. Adds a new subsection to AS 18.65.310. Providing that a person may voluntarily designate on their state identification card that the person has a disability and the proof required for the designation.

Section 3. Amends AS 18.65.670(c) to include disability training to village public safety officers.

Section 4. Amends AS 28.05.011 by adding a new subsection to include the duties and responsibilities of drivers when encountering or being stopped by a peace officer be included in the driver's manual.

Section 5. Amends AS 28.15.081(a) to include the duties and responsibilities of drivers when encountering or being stopped by a peace officer on the driver's test examination.

Section 6. AS 28.15.111 is amended by adding a new subsection (d), providing that a person may voluntarily designate on their Alaska Driver's License a disability designation, proof required for the designation and fees that may be charged.

ALASKA STATE LEGISLATURE

Session:
State Capitol Building,
Room 511
Juneau, Alaska 99801-2186
Phone (907) 465-3004
Toll Free: (877) 465-3004



Interim:
1292 Sadler Way
State Capitol Building
Fairbanks, Alaska 99701
Phone: (907) 452-1088

REPRESENTATIVE STEVE THOMPSON DISTRICT 2

Explanation of Changes HB 77 version E to version N

“An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to drivers’ license examinations; and relating to voluntary disability designation on a state identification card and driver’s license.”

Section 1 was added back into the bill, as it was in the original W version of the bill.

The Alaska Police Standards Council has now adopted regulations concerning the training component relating to people with disabilities. This disability training component is part of the required curriculum for Alaska police officers, correctional officers, and parole officers. The curriculum focuses on training officers to recognize and interact appropriately with persons with disabilities, as well as familiarize the officers with resources that are available to those with hidden disabilities.

Section 3 was also added back into HB 77 to include training for village public safety officers.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

ALASKA COMMISSION ON AGING

P.O. Box 110693
Juneau, Alaska 99811-0693
Main: 907.465.3250
Fax: 907.465.1398

March 22, 2016

Representative Steve Thompson
Alaska Capitol, Room 515
Juneau, Alaska 99801-1182

Regarding: Support CSHB 77, Training Regarding Non-Apparent Disabilities & Voluntary Disability Designations on State Identification Cards and Driver's License

Dear Representative Thompson:

The Alaska Commission on Aging (ACoA) is pleased to renew our support for CSHB 77, as authored by you and co-sponsored by Representatives Gara, Kawasaki, Kito, Saddler, Vazquez, Lynn, Stutes, Wilson, Wool, Keller, Millett, and Neuman. Although this legislation addresses the needs of all Alaskans with disabilities, the ACoA will focus on the "safety" benefits we perceive for older Alaskans from this legislation, particularly those with concealed impairments that may result from physical or cognitive sources.

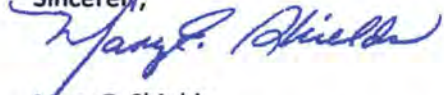
Older people who experience concealed disabilities are often impacted by the manner in which they respond to sensory stimuli and process information. This behavior can sometimes be misunderstood as resulting from being under the influence of an intoxicant or as purposefully disruptive. For example, hearing loss can result in problems understanding the spoken language and performing complex tasks. Those with anxiety disorders have a tendency to selectively focus and interpret even ambiguous events in a highly threatening way – which can be observed as disruptive behavior. Wandering outside unattended and unprotected is a significant personal safety risk for persons living with Alzheimer's disease and related dementias. Drivers with early stage memory changes are especially likely to minimize the complexity of driving and overestimate their abilities that can lead to unsafe driving. They may also find themselves lost even in familiar surroundings due to diminished short-term memory. Not only do these disabling conditions affect personal safety and the safety of others nearby, but may also impact the outcome of an encounter between a person with a disability and a public safety officer.

The Commission strongly agrees that preserving personal safety and dignity of individuals with disabilities would be greatly improved by having trained public safety officials able to recognize the signs of a person with a disability and have the skills to respond appropriately to them. We greatly appreciate the new requirement as proposed by CSHB 77 for the Alaska Police Standards Council to amend its training curriculum requirements to include training that will enable Alaska police officers, correctional officers, probation officers, and parole officers to recognize people with disabilities, including disabilities that are hidden, to know how to respond appropriately, and possess knowledge about relevant resources that can provide assistance. Disability awareness training will advance use of the "Silver Alert"

system and promote greater awareness among public safety officers about the needs of Alaskans with Alzheimer's disease and other cognitive impairments who have a tendency to wander and become lost, sometimes finding themselves in life-threatening situations. Public safety officers trained in disability awareness will be better able to recognize the signs of a person with dementia in the community and respond appropriately to bring that person to safety.

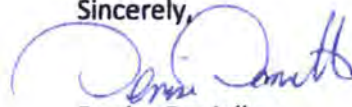
We thank you for your leadership on CSHB 77 to enhance public safety awareness, improve communication, and increase protection for Alaskans with disabilities.

Sincerely,



Mary E. Shields
Chair, Alaska Commission on Aging

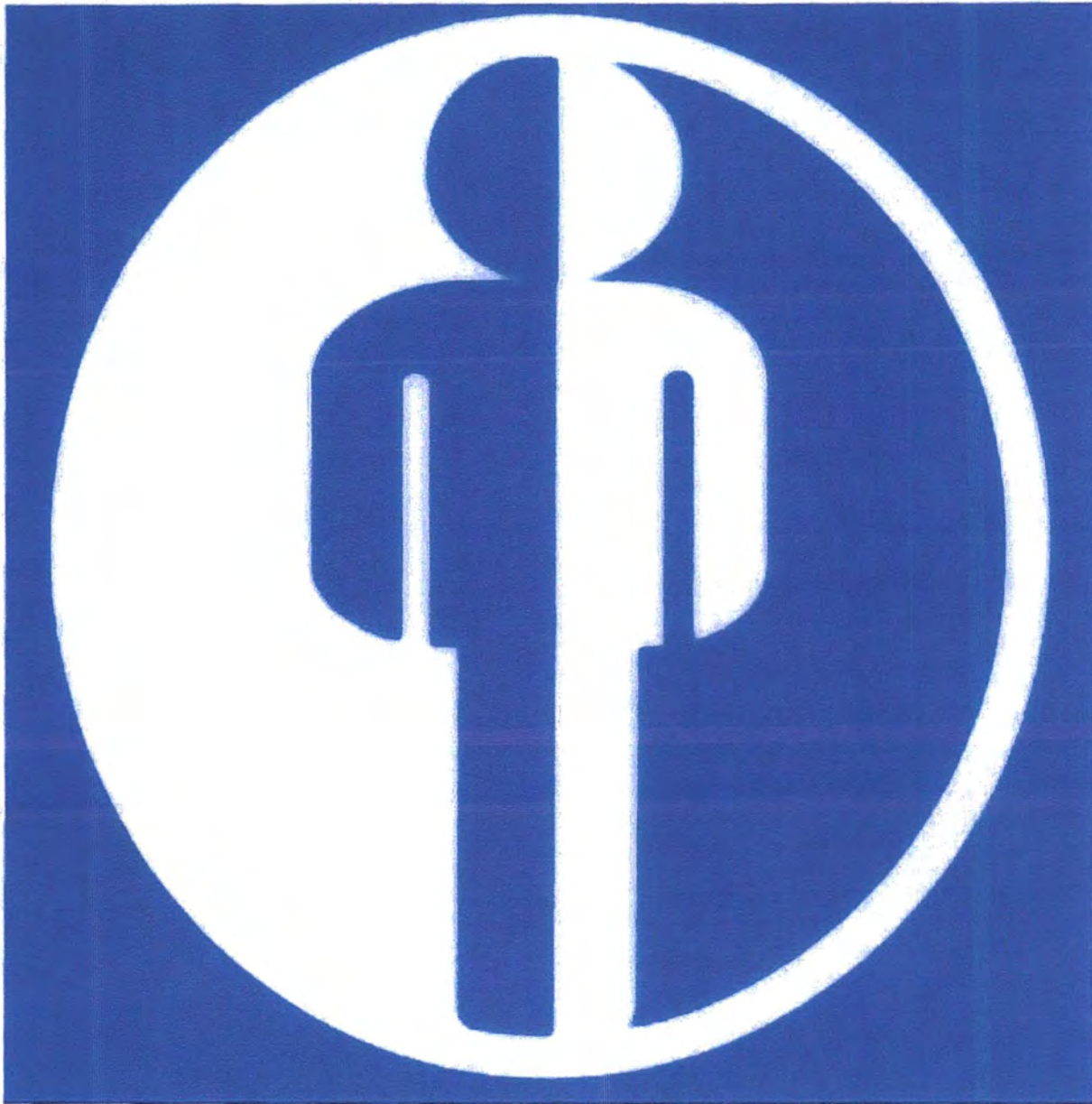
Sincerely,



Denise Daniello
ACoA Executive Director

Cc: Representative Les Gara
Representative Scott Kawasaki
Representative Sam Kito
Representative Dan Saddler
Representative Liz Vazquez
Representative Charisse Millett

Representative Bob Lynn
Representative Louise Stutes
Representative Tammie Wilson
Representative Adam Wool
Representative Wes Keller
Representative Mark Neuman



Submitted by Sponsor

How Misunderstanding Disability Leads to Police Violence

Americans with disabilities are victims of violent crimes at nearly three times the rate of their peers.

David M. Perry and Lawrence Carter-Long May 6 2014, 11:03 AM ET

Ethan Saylor died of asphyxia on Jan. 12, 2013, after three sheriff's deputies tried to forcibly remove him from a movie theater. (Saylor Family/AP)

On April 29, the Senate Judiciary Committee met to discuss law-enforcement responses to disabled Americans. The committee, chaired by democratic Senator Dick Durbin from Illinois, met against the backdrop of the death of James Boyd, a homeless man who had been in and out of psychiatric hospitals, shot to death by police in Albuquerque, and Ethan Saylor, a man with Down syndrome who suffocated to death while handcuffed by off-duty deputies working as security guards in a Maryland movie theater. They are just two of many people with psychiatric or intellectual disabilities killed by law enforcement.

In the face of these deaths and many others, the senators and witnesses all argued that something must be done. Suggested solutions included increased funding and support for Crisis Intervention Teams (CIT) training and the Justice and Mental Health Collaboration Act, which would improve access to mental health services for people who come into contact with the criminal justice system and provide law enforcement officers tools to identify and respond to mental-health issues.

While the hearing focused on troubling, high profile, and tragic cases such as those of Boyd and Saylor, the scope of the problem extends to virtually every kind of disability. Encounters with police have also taken an unnecessarily violent turn for people with disabilities that are not psychiatric or intellectual, including conditions that are physical or sensory:

- In 2008, Ernest Griglen was removed from his car by police who thought he was intoxicated. He was subsequently beaten. Griglen was, in fact, quite sober, but he is diabetic and was in insulin shock. Judging by media reports alone, people who are diabetic are often mistaken as threatening or drunk.
- In 2009, Antonio Love felt sick and went into a Dollar General store to use the bathroom. Time passed and he didn't come out, so the store manager called the police. The officers knocked on the bathroom door, ordered him to come out, but got no response. They sprayed pepper spray under the door, opened it with a tire iron, then tasered Love repeatedly. Love is deaf. He couldn't hear the police. Again, if news reports are any indication, deaf people are too frequently treated as non-compliant and tasered or beaten by police.
- In 2010, Garry Palmer was driving home from visiting his wife's grave when a dog darted in front of his truck and was hit. Palmer reported the accident as he should have, but because he was slurring his words and shaking, he was arrested for drunk driving. Palmer has cerebral palsy.

- In January 2014, Robert Marzullo filed a lawsuit citing battery, excessive force, false imprisonment, unlawful seizure and supervisory liability against the town of Hamden, Connecticut and its police department. News reports reveal that Marzullo was tasered by two police officers while having an epileptic seizure in his car.

While specific details vary by case, the common threads that link these stories together are often disconcerting. Law enforcement officials expect and demand compliance, but when they don't recognize a person's disability in the course of an interaction, the consequences can be tragic. Misconceptions or assumptions can lead to overreactions that culminate in unnecessary arrest, use of pepper spray, or individuals being tasered.

Sadly, while incidences of this sort aren't necessarily new, for many of us, learning about them is. The Internet, social media, and ubiquitous cell phones have helped catapult stories that were once easily restricted to local police blotters to unprecedented national prominence.

As National Council on Disability (NCD) Executive Director Rebecca Cokley wrote in her testimony to the Senate Judiciary subcommittee, "misunderstandings, fears, and stereotypes about disability have led to tragic outcomes throughout U.S. history. During the American Eugenics movement, pseudo-scientific 'evidence' gave way to popular myths linking disability and criminality, and the inheritability of both." As a result, people with disabilities were devalued, isolated from the rest of society, prevented from attending school, getting married or becoming active and engaged in their communities.

"It doesn't take an act of Congress to make you realize that relationships are everything."

Fortunately people with disabilities now enjoy far greater civil rights that have come hard fought in the least 50 years. However, harmful attitudes and assumptions, once established, can be difficult to replace even in the face of evidence to the contrary.

In the latest data released by the U.S. Department of Justice's Bureau of Justice Statistics, Americans with disabilities are victims of violent crimes at nearly three times the rate of their peers without disabilities. In 2012 alone, 1.3 million nonfatal violent crimes were perpetrated against people with disabilities aged 12 or older. Statistics bear out that people with disabilities are far more likely to be the victims of crimes than the perpetrators of them, and therefore are arguably in greater need of supportive relationships with and understanding from law enforcement.

Disability is varied and complex. Sometimes disability is visibly apparent, making it easier for law enforcement, to see—if not misinterpret. For others, disability is invisible. Whether it is written in the genetic code and is a companion since birth, or becomes a part of one's experience later because of age, accident, or public service during the course of our natural lifespan many of us will move in and out of states of disability, whether it is due to breaking a limb, becoming diabetic, or conditions related to aging.

The disabled community relies on law enforcement as the first line of defense and protection in countless situations of varying complexity. Strengthening this important relationship could be a step toward preventing the sort of misunderstandings that can result in tragedy.

As Patti Saylor, Ethan's mother, testified at Tuesday's hearing:

"When you know someone with a disability and have a relationship with that person, it changes your whole being and perspective. At the local level, we have a real opportunity to build relationships with our local law enforcement and public sector officials, the ones that are on the frontlines serving our communities... Local disability advocacy organizations and providers should build lasting relationships with their local law enforcement and public sector officials. It doesn't take an act of Congress, federal or state mandate, or even money to make you realize that relationships are everything."

The recent hearing by the Senate Judiciary Committee is an important first sentence in an ongoing dialogue about how law enforcement officials relate to people with psychiatric, developmental, and physical disabilities. Non-compliance isn't automatically criminal, and if more police understood that, it could minimize the violence.

At the end of the hearing, Senator Al Franken remarked, "I think we need CIT training for every law enforcement official." CIT training is one component, along with increased community support, public engagement, and funding. These are all steps we can take to try to decrease the likelihood of more mistreatment of those like Saylor and Boyd.

But as long as disability is misunderstood and criminalized, even unintentionally, nearly everyone will be at increased risk.

Training in recognizing non-apparent disabilities.

Provide training that instructs peace officers in the recognition of a person with a non-apparent disability and appropriate interaction with a person with a non-apparent disability.

Stress positive responses to such individuals, de-escalating potentially dangerous situations, and understanding of the different manner in which such individuals' process sensory stimuli and language, and appropriate methods of interrogation. **Where appropriate, the training presenters shall include experts on non-apparent disabilities.**

Techniques for differentiating between an individual with a non-apparent disability from an individual who is belligerent, uncooperative, or otherwise displaying traits similar to the characteristics of an individual with a non-apparent disability.

Some Non Apparent disabilities:

Cognitive:

Autism, FASD, Intellectual Disability, Aspergers, etc.

Mayhave/be:

- Limited vocabulary
- Difficulty understanding/answering questions
- Mimics answers/responses
- Unable to communicate events clearly in his/her own words
- Unable to understand complicated instructions or abstract concepts
- Not understand consequences of situations
- Unaware of seriousness of situations
- Easily led or persuaded by others
- Naïve eagerness to confess or please authority figures
- Unaware of social norms and appropriate social behavior
- Acts younger than actual age, may display childlike behavior
- Displays low frustration tolerance and/or poor impulse control
- "Act out", become emotional, or try to leave if under pressure
- Difficulty performing tasks
- Inability to read or write
- Inability to tell time
- Difficulty staying focused and easily distracted
- Awkward/poor motor coordination
- Difficulty recalling facts/details
- Impulsive actions (try to run, fight, etc.)
- Over-willing to confess
- Hides disability
- Says what others want to hear
- Frustration

HB 77

Provided by Wallbusters

Submitted by Sponsor

- Not make eye contact. Don't misinterpret limited eye contact as deceit.
- Not talk (nonverbal).
- Communicate with sign language, picture cards or gestures
- Have a delayed response to your question.
- May be prone to seizures.
- Exhibit odd behaviors such as flapping hands or pacing. Don't try to stop these behaviors which may be the person's way of calming him/her

Traumatic or Acquired Brain Injury (TABI)

- Caused by external forces or internal events that impair physical, neurological, psychological, intellectual, emotional, and behavioral functioning.
- Changes following a brain injury can affect how the person experiences life, interprets events and responds behaviorally.
- Has trouble processing or remembering information, may not follow instructions and may be perceived as belligerent or unmotivated.
- Experiences headaches and fatigue, level of frustration tolerance may be low causing them to act out in anger.
- Has difficulty perceiving how their behavior affects others, important relationships can become strained.
- Has difficulty with impulsivity, he may do or say things that are not always socially appropriate (e.g. sexual acting out).
- Experiences emotional volatility, he may have outbursts of anger, aggression, or crying.

Mental Health

POSSIBLE INDICATORS OF MENTAL ILLNESS

Verbal Cues

Illogical thoughts
 Sharing a combination of unrelated or abstract topics
 Expressing thoughts of greatness
 Indicating ideas of being harassed or threatened
 Exhibiting a preoccupation with death, germs, guilt, or other similar ideas
 Unusual speech patterns
 Nonsensical speech or chatter
 Word repetition
 Pressured speech
 Extremely slow speaking
 Verbal hostility or excitement
 Talking excitedly or loudly
 Being argumentative, belligerent, or unreasonably hostile
 Threatening harm to self or others

Behavioral Cues

- Physical appearance
- Inappropriate to environment
- Bizarre clothing or makeup (taking into account current trends)
- Bodily movements
- Strange postures or mannerisms
- Lethargic, sluggish movements
- Pacing, agitation
- Repetitive, ritualistic movements
- Seeing, smelling, or hearing things that cannot be confirmed
- Confusion about or unawareness of surroundings
- Lack of emotional response
- Causing injury to self
- Nonverbal expressions of sadness or grief
- Inappropriate emotional reactions
- Overreacting to situations in an overly angry or frightening way
- Reacting with the opposite of expected emotion

Environmental Cues

- Decorations-Strange trimmings, misuse of household items
- Waste matter/trash
- “Packratting” – accumulation of trash
- Presence of feces or urine on the floor or walls
- Childish objects

Posttraumatic stress disorder, or PTSD, can occur after someone goes through, sees, or learns about a traumatic event:

- feel tense or afraid
- be agitated and jumpy
- feel on alert
- overreact to small misunderstandings
- drink, use drugs, or smoke too much
- drive aggressively
- avoid certain people or situations
- hyper vigilance, or a heightened awareness of external stimuli like police lights or sirens

People with disabilities half of people killed by cops; disability rights groups protest

By [Joyce Chediak](#) January 24, 2015

Disabled-rights groups are among the most energetic advocates of solidarity with African-American victims of police murder.

Some 34 disability activist groups across the country have signed a statement protesting the police murders of Michael Brown and Eric Garner, expressing solidarity with their families and communities, and urging all to do so. (tinyurl.com/qabbdn8, Aug. 15)

This statement's signers are both national and local groups, including organizations from Kansas, Minnesota, Montana, California, New York State and New England. They include the National Council on Independent Living and four local independent living centers; several autistic groups, including Autism Women's Network; Little People of America; Queerability and other LGBTQ disability groups; several student groups; Help Educate to Advance the Rights of the Deaf; the Peoples With Disabilities Caucus of the Peoples Power Assembly; and Parents to Improve School Transportation.

The statement calls upon everyone to oppose "the criminalization and dehumanization of our citizens" especially of "communities viewed as 'other' to the American majority — young men of color, people with disabilities, LGBT individuals." For these communities, "statements such as 'they didn't comply,' they were 'bad kids,' 'they were being belligerent,' 'they looked suspicious' often warrant a death sentence."

Half of people killed by police have disabilities

People with disabilities are themselves dramatically more likely to be killed by police. According to a 2013 report by the Treatment Advocacy Center and National Sheriffs' Association, between 1980 and 2008 "at least half of the people shot and killed by police each year in this country have mental health problems." (tinyurl.com/mjs67oa)

In many cases police were responding to requests for assistance from family or neighbors to get mental health care for the person.

People who, for example, are hearing impaired, autistic, have difficulty processing verbal information, or for other reasons of disability react atypically when approached by police are much more likely to be tasered, beaten and arrested.

The Lead On Network statement cites such several such cases:

- **Keith Vidal, 18 years old, who had been diagnosed with schizophrenia, was tasered, then shot and killed in North Carolina when his family called for the police to help calm him down.**

- **Gilberto Powell, 22, who has Down Syndrome, was severely beaten by Florida police outside his home when a cop suspected he had a weapon and tried to pat him down. Powell did not understand and ran. The “suspicious” bulge in his pants was a colostomy bag.**
- **Barry Montgomery, 29, diagnosed with schizophrenia and Tourette’s syndrome, and who is nonverbal, was beaten and tasered by California sheriff’s officers for 25 minutes when he was confronted about the smell of marijuana in his general area and did not respond. Montgomery sustained massive permanent injuries.**

In capitalist society there are many forms of bigotry. There is often an intersection of racism and discrimination against people with disabilities. Disabled activists also cite the racist strangulation of Eric Garner, who told police 11 times that he couldn’t breathe. Police supporters are now blaming Garner for his own death because he was obese, asthmatic and had a heart condition.

Disabled activists note the similarities between the police murder of Garner and of Ethan Saylor, a white man with Down Syndrome, asphyxiated by police in Frederick, Md.

On Jan. 12, 2013, Saylor, who was 26 years old, weighed 350 lbs, and was reported to have an IQ of 40, was at theatre with a caretaker watching the movie “Zero Dark Thirty.” He was so taken with the movie that he wanted to stay and watch it again. Saylor did not understand that he would have to purchase more tickets, and neither he nor the caretaker had the money to do so.

Police called to remove Saylor from the theatre were told by the caretaker of Saylor’s condition, and advised not to remove Saylor by force. The caretaker pleaded with the police to just “wait it out,” and informed them that Saylor could not handle being touched and would “freak out.”

The caretaker wrote in her statement to the Sheriff’s Department, “Next thing I know there are I think three or four cops holding Ethan, trying to put him in handcuffs.”

According to witnesses, three deputies fell on top of Saylor on an inclined ramp. They placed three sets of handcuffs on him, and he was laid face down for several minutes, then suddenly grew quiet and unresponsive. His last words before he died were, “Mommy! It hurt!”

Saylor’s throat cartilage had been fractured while his heart was still beating, and the death was ruled a homicide, as it could have been caused only by a direct blow or manual strangulation. Despite this ruling, just as with the police killings of Eric Garner and Michael Brown, local law enforcement called all the shots at the grand jury investigation, which cleared the deputies who killed Saylor of any wrongdoing.

It gets worse. With the police let off the hook, Saylor’s disability and weight are now being cited as having caused his death. The sheriff reportedly said that Saylor died because of a “medical emergency.” The coroner also blamed Down Syndrome and size for the death. (CNN, Dec. 4)

In the police murders of Saylor in 2013 and of Eric Garner in 2014, both victims were obese and were strangled by police who lay on top of them while applying pressure to their throats. Grand

juries refused to indict police in both cases. Part of the social exoneration of the police in both cases was to blame both victims for their own deaths by citing their disabilities.

Garner: Killed, then sneered at for his disabilities

Rampant racism and ableism have been especially vicious in the high-profile case of Garner, who has been ridiculed and blamed for his own death because he was obese and had asthma and a heart condition. Representative Peter King (R-New York), speaking on CNN, thanked the grand jury for not indicting policeman Daniel Pantaleo, saying, "You had a 350-pound person who was resisting arrest. The police were trying to bring him down as quickly as possible." King claimed, "If he had not had asthma and a heart condition and was so obese, almost definitely he would not have died."

Pantaleo's attorney and police union officials made the same argument.

This view was expressed more crudely on PoliceOne.com. Comments on the site about the deceased Garner include, "This guy would have died going up a flight of stairs," "He died because of his preexisting medical conditions," and "His family should sue Papa Johns, Dominos, Pizza Hut, Burger King, McDonalds."

Call issued to transform the system

The disabled community has responded in its Aug. 15 statement mentioned above by holding the system as a whole responsible, and calling for everyone to unite to fight for justice for all:

"When a system that is designed to protect and serve is fueled by fear and anger, that is not merely a surmountable problem. It is a catastrophic failure of the system, and it demands transformation. Such a failure represent a lack of leadership, a corruption of institutions, and a distressing willingness to purposely and violently silence the voices of entire communities marked as different, non-compliant, and suspicious. ...

"We have allowed problems of marginalization, exclusion, inaccessibility, dissemination, sexism and bigotry, problems that affect us all — to instead be addressed by a few, and have been content that it is a disability problem or a race problem or a gender problem or sexuality problem rather than admit that it is a problem for all of us.

"As members of a community that supports justice and inclusion, we do not have the luxury to stand by when injustice is blatantly taking place in any form, nor should we be satisfied to wait for other communities to ask for our help. Civil rights, respect and justice are due to all. We will not remain silent." (tinyurl.com/qabbdn8)

Dear Representative Thompson,

Thank you for sponsoring HB77, the Disability Training and ID Bill. I strongly support HB77 because this bill will make sure that law enforcement professionals will be educated about disabilities and how a disability affects a person's everyday life. These professionals will become better equipped to interact with people who experience either an apparent or non-apparent disability.

I also support HB77 because it will enable people who experience a disability to voluntarily have a discreet marker placed on an Alaska Driver's License or ID card. This marker will help a professional recognize that the person in front of them has a disability, even though it may not be initially apparent to the professional.

I am a Wallbuster and have been working with other Wallbuster's and your office from the beginning on this legislation. I have always believed in its importance and need but in 2014 had a personal experience that really brought the reality of the changes that needed to be made to my own doorstep. It became very apparent to me the need for additional training for law enforcement and how they interact with people with disabilities, especially non apparent disabilities. Because of a domestic issues state troopers were called to our home in 2014 in the middle of the night. I told the 911 operator that my husband was legally blind and repeated the same thing to the two troopers that responded to the call and came to our home. At no time did the officers acknowledge my information or ask or act in any way to show they understood how this disability would affect the way they communicated with my husband during the event that took place. I believe the interaction had a potential to become explosive due to this lack of understanding/action.

I believe this bill legislation will go a long way toward safer encounters between people with disabilities and law enforcement. The training will help officers better understand and safeguard the right of people with disabilities. HB77 will help improve the lives of Alaskans with both apparent and non-apparent disabilities and improve the quality of law enforcement officers throughout the state.

Again, thank you for your support,

Juanita Webb

To: The Honorable Representative Steve Thompson

Dear Representative Thompson,

Alaskans with disabilities, especially those disabilities that cannot be easily recognized, deserve to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize a disability and train them in ways to effectively and appropriately interact with people with non-apparent disabilities.

I support HB 77 because it requires a standardized disability awareness training for police officers, corrections officers, parole/probation officers and includes training for the public to be responsible for appropriately interacting with law enforcement. The bill also includes voluntary participation in an identification program. I feel that HB 77 will help to reduce potential conflicts between Alaskans with disabilities and public law enforcement and make these encounters safer for all parties involved.

Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities. Each time a law enforcement or corrections officer treats an individual with a disability inappropriately or unfairly, they are at risk of violating the ADA, placing the village, municipality or state in a precarious and possibly discriminatory situation.

I appreciate any support you can give to the passage of HB77, a bill whose goal is to erase law enforcement discrimination, intended or unintended, against people with disabilities.

I am grateful for your hard work and service to Alaska and support your efforts to help Alaskans with disabilities.

Sincerely,



To: The Honorable Representative Steve Thompson

Dear Representative Thompson,

Alaskans with disabilities, especially those disabilities that cannot be easily recognized, deserve to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize a disability and train them in ways to effectively and appropriately interact with people with non-apparent disabilities.

I support HB 77 because it requires a standardized disability awareness training for police officers, corrections officers, parole/probation officers and includes training for the public to be responsible for appropriately interacting with law enforcement. The bill also includes voluntary participation in an identification program. I feel that HB 77 will help to reduce potential conflicts between Alaskans with disabilities and public law enforcement and make these encounters safer for all parties involved.

Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities. Each time a law enforcement or corrections officer treats an individual with a disability inappropriately or unfairly, they are at risk of violating the ADA, placing the village, municipality or state in a precarious and possibly discriminatory situation.

I appreciate any support you can give to the passage of HB77, a bill whose goal is to erase law enforcement discrimination, intended or unintended, against people with disabilities.

I am grateful for your hard work and service to Alaska and support your efforts to help Alaskans with disabilities.

Sincerely,

"Bunnie" B. D. Boykin

To: The Honorable Representative Steve Thompson

Dear Representative Thompson,

Alaskans with disabilities, especially those disabilities that cannot be easily recognized, deserve to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize a disability and train them in ways to effectively and appropriately interact with people with non-apparent disabilities.

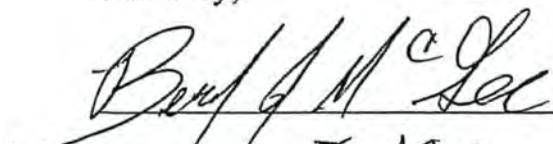
I support HB 77 because it requires a standardized disability awareness training for police officers, corrections officers, parole/probation officers and includes training for the public to be responsible for appropriately interacting with law enforcement. The bill also includes voluntary participation in an identification program. I feel that HB 77 will help to reduce potential conflicts between Alaskans with disabilities and public law enforcement and make these encounters safer for all parties involved.

Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities. Each time a law enforcement or corrections officer treats an individual with a disability inappropriately or unfairly, they are at risk of violating the ADA, placing the village, municipality or state in a precarious and possibly discriminatory situation.

I appreciate any support you can give to the passage of HB77, a bill whose goal is to erase law enforcement discrimination, intended or unintended, against people with disabilities.

I am grateful for your hard work and service to Alaska and support your efforts to help Alaskans with disabilities.

Sincerely,


Beverly J McGee
750-3455

3570 DATE Rd
99709

To: The Honorable Representative Steve Thompson

Dear Representative Thompson,

Alaskans with disabilities, especially those disabilities that cannot be easily recognized, deserve to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize a disability and train them in ways to effectively and appropriately interact with people with non-apparent disabilities.

I support HB 77 because it requires a standardized disability awareness training for police officers, corrections officers, parole/probation officers and includes training for the public to be responsible for appropriately interacting with law enforcement. The bill also includes voluntary participation in an identification program. I feel that HB 77 which will help to reduce potential conflicts between Alaskans with disabilities and public law enforcement and make these encounters safer for all parties involved.

Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities. Each time a law enforcement or corrects officer treats an individual with a disability inappropriately or unfairly, they are violating ADA, Title II, placing the village, municipality or state in a libelous situation.

I appreciate any support you can give to the passage of HB77, a bill whose goal is to erase law enforcement discrimination, intended or unintended, against people with disabilities. It's not only a Federal law, it's the right thing to do.

I appreciate your hard work and service and support your efforts to help Alaskans with disabilities.

Sincerely,

Webb Phillips

1989 TBI Survivor
1991 - Present Literacy Council Tutor for TBI Survivors
& English as a Second Language.
2005-2015 Denali Grade School Recess Teacher's Duty Aid, &
First Student Management Traffic Guard.

To: The Honorable Representative Steve Thompson

Dear Representative Thompson,

Alaskans with disabilities, especially those disabilities that cannot be easily recognized, deserve to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize a disability and train them in ways to effectively and appropriately interact with people with non-apparent disabilities.

I support HB 77 because it requires a standardized disability awareness training for police officers, corrections officers, parole/probation officers and includes training for the public to be responsible for appropriately interacting with law enforcement. The bill also includes voluntary participation in an identification program. I feel that HB 77 which will help to reduce potential conflicts between Alaskans with disabilities and public law enforcement and make these encounters safer for all parties involved.

Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities. Each time a law enforcement or corrects officer treats an individual with a disability inappropriately or unfairly, they are violating ADA, Title II, placing the village, municipality or state in a libelous situation.

I appreciate any support you can give to the passage of HB77, a bill whose goal is to erase law enforcement discrimination, intended or unintended, against people with disabilities. It's not only a Federal law, it's the right thing to do.

I appreciate your hard work and service and support your efforts to help Alaskans with disabilities.

Sincerely,

M.K. TBI & A.T.B.E. could be you.

Most people never see it coming.
It's nice to be treated with respect no matter who you are

Guilty Until Proven Innocent

To the editor,

As a child I had cancer for which I had surgery, followed by radiation and chemotherapy. To this day, I have side effects which include knee and ankle problems also coordination deficits.

October 2014, Officer Merrion arrested me for a D.U.I. Initially when stopped, Merrion said I hit the curb twice and then it changed to three times. Neither was true. He accused me of drinking. I hadn't been. I was asked to perform some sobriety tests. I explained radiation and chemotherapy had left me with some physical issues and I wouldn't do very well. I was to stand on one foot, arms at my sides. No way could I do this with my knee problems. Merrion stated, "Knees don't give you bad balance." Long story short, I was unable to satisfactorily perform the physical sobriety test.

After registering a 0.000, NO ALCOHOL, on the breathalyzer test, I'm accused of "being on something." I don't use drugs. Nearly 20 years as an airline employee, I'm under United States D.O.T. mandated drug testing, and always passed.

I was transported to the police station and again registered a 0.000 on the Datamaster Breathalyzer test. I consented to have my blood tested for illegal drugs. Officer Dupee (Certified Drug Recognition Expert)

concluded I was under the influence of spice (synthetic marijuana.) I didn't know what spice was. I was transported to jail.

At my expense, my lawyer obtained and sent my blood samples drawn at the time of my arrest to an out of state lab, capable of performing a more thorough toxicology report. Unsurprisingly, results showed I had NO DRUGS in my system, including spice.

The State of Alaska refuses to test for synthetic marijuana. I cannot comprehend how in Officer Dupee's opinion, I was under the influence of spice.

October 2014 the News-Miner reported my arrest. These charges were dismissed February 11, 2015. Aren't dismissed charges worthy of being reported?

I know an apology or any financial reimbursement isn't forthcoming. This was an expensive, stressful and embarrassing experience. I now question our legal system. Why was I guilty until I proved my innocence?

Lance Ostnes

Dear Representative Thompson,

Thank you for sponsoring HB77, the Disability Training and ID Bill. I strongly support HB77 because this bill will make sure that law enforcement professionals will be educated about disabilities and how a disability affects a person's everyday life. These professionals will become better equipped to interact with people who experience either an apparent or non-apparent disability.

I also support HB77 because it will enable people who experience a disability to voluntarily have a discreet marker placed on an Alaska Driver's License or ID card. This marker will help a professional recognize that the person in front of them has a disability, even though it may not be initially apparent to the professional.

I also support Hb77 because

I believe this bill legislation will go a long way toward safer encounters between people with disabilities and law enforcement. The training will help officers better understand and safeguard the right of people with disabilities. HB77 will help improve the lives of Alaskans with both apparent and non-apparent disabilities and improve the quality of law enforcement officers throughout the state.

Again, thank you for your support,

I support the creation of this legislation in defense of citizens afflicted with a variety of hidden disabilities. I hope it will also increase awareness and understanding of the occasional special circumstance those with disabilities, obvious or not, must contend. Thank you for supporting HB77.

Franky Rwin 2-19-15



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

Governor's Council on Disabilities
& Special Education

3601 C Street, Suite 740
Anchorage, Alaska 99503
Main: 907.269.8990
Fax: 907.269.8995

March 14th, 2016

Representative Steve Thompson
Alaska State Legislature
Capitol Building, Room 515
Juneau, Alaska 99801

RE: HB77: Disability Training and Identification Bill

Dear Representative Thompson,

The Governor's Council on Disabilities and Special Education (the Council) would like to extend its support for HB 77. Your sponsorship of this bill is greatly appreciated as we feel that it will positively impact Alaska's most vulnerable populations, including individuals with disabilities.

Individuals with a hidden Intellectual or Developmental Disability who find themselves in a situation where it is necessary to effectively communicate with an authority figure may be at a disadvantage because of communication barriers, situational unawareness, and preconceptions authority figures may hold. Sadly, there have been instances in the past where Officers of the Law were unaware of an individual's disability and consequently misinterpreted the individual's actions as suspect and/or criminal, resulting in either injury or imprisonment for the individual. The Council feels that a training program is needed to improve communication skills between police officers, corrections officers and parole/probation officers who interact with people who experience non-apparent disabilities, whether these disabled individuals encounter the "systems" as victims, witnesses, or alleged perpetrators.

The Council strongly supports HB77 and the awareness that could potentially be fostered by providing law enforcement officials with the proper information and sensitivity training regarding individuals who experience a disability. By implementing a training course for law enforcement officials and having the option for an individual to include a discreet marker on their state identification card that conveys their disability to an Officer, the Council believes that HB77 will greatly decrease accidents that could have been prevented in the past by increasing hidden disability awareness throughout Alaska. Passing HB 77 will provide a framework for a future in which a person's hidden disability will not be interpreted as uncooperative or unlawful and will prevent needless misunderstandings that can lead to violence and arrest. Thank you for working to ensure that Alaskans with disabilities are safe and understood by the people that work hard to protect them.

Sincerely,

A handwritten signature in cursive script that reads "Patrick Reinhart".

Patrick Reinhart
Executive Director
Governor's Council on Disabilities and Special Education