

**HB**

**16**

<TARGET><BILL>HB 16</BILL><SUBJECT>HB  
16</SUBJECT><COMM>HSTA30</COMM></TARGET>

# ALASKA STATE LEGISLATURE

## **Session:**

**State Capitol Building  
Juneau, Alaska 99801-2186  
Phone (907) 465-3004  
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## **Interim:**

**1292 Sadler Way  
Fairbanks, Alaska 99701  
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## REPRESENTATIVE STEVE THOMPSON

**Sponsor Statement HB 16 (30-LS0194A) - "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 HB16 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 16 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 16 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.

HOUSE COMMITTEE REPORT

1/27/17

(7)

Date Referred to Committee: January 18, 2017

FURTHER REFERRALS: Finance

Date of Committee Action: January 26, 2017

The STATE AFFAIRS Committee considered:

HB 16

HOUSE BILL NO. 16

"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 16 DRIV. LICENSE REQ;DISABILITY;ID & TRAINING

Recommends it be replaced with  HCS or  CS for \_\_\_\_\_ (\_\_\_\_\_) 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

3-622

NEW FISCAL NOTES				
*FN# is assigned by Chief Clerk's Office				
*FN#	List by Dept(s):	Fiscal	Indet.	Zero
1	ADM			✓
2	COR			✓
3	DPS			✓

PREVIOUS FISCAL NOTES				
FN#	List by Dept(s):	Fiscal	Indet.	Zero

7

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Johnson	✓			
	Wool	✓			
	LeDoux	✓			
	Knopp	✓			
	Birch	✓			
	Tuck	✓			
Chair:	Kreiss-Tompkins	X			
Chair:					

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## REPRESENTATIVE STEVE THOMPSON

### DISTRICT 2

### MEMORANDUM

To: Representative J. Kreiss-Tomkins, Chairman  
House State Affairs Committee

From: Representative Steve Thompson

A handwritten signature in blue ink, appearing to read "SMT".

Date: January 19, 2017

Re: Hearing Request for HB 16 – Driv. License Req; Disability: ID & Training

Please accept this memorandum as a request for HB 16 to be heard in the House State Affairs Committee. Attached are the following documents:

- HB 016- Sponsor Statement- 1-18-17
- HB 016- Bill ver A 30-LS0194
- HB 016- Sectional Analysis ver A 30-LS0194
- HB 016- Non-apparent disabilities symbol pdf.

Should you have any questions concerning this matter, please do not hesitate to contact Lynette Bergh at 465-3004.

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## REPRESENTATIVE STEVE THOMPSON

**Sectional HB 16 (30-LS0194A)** - "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.

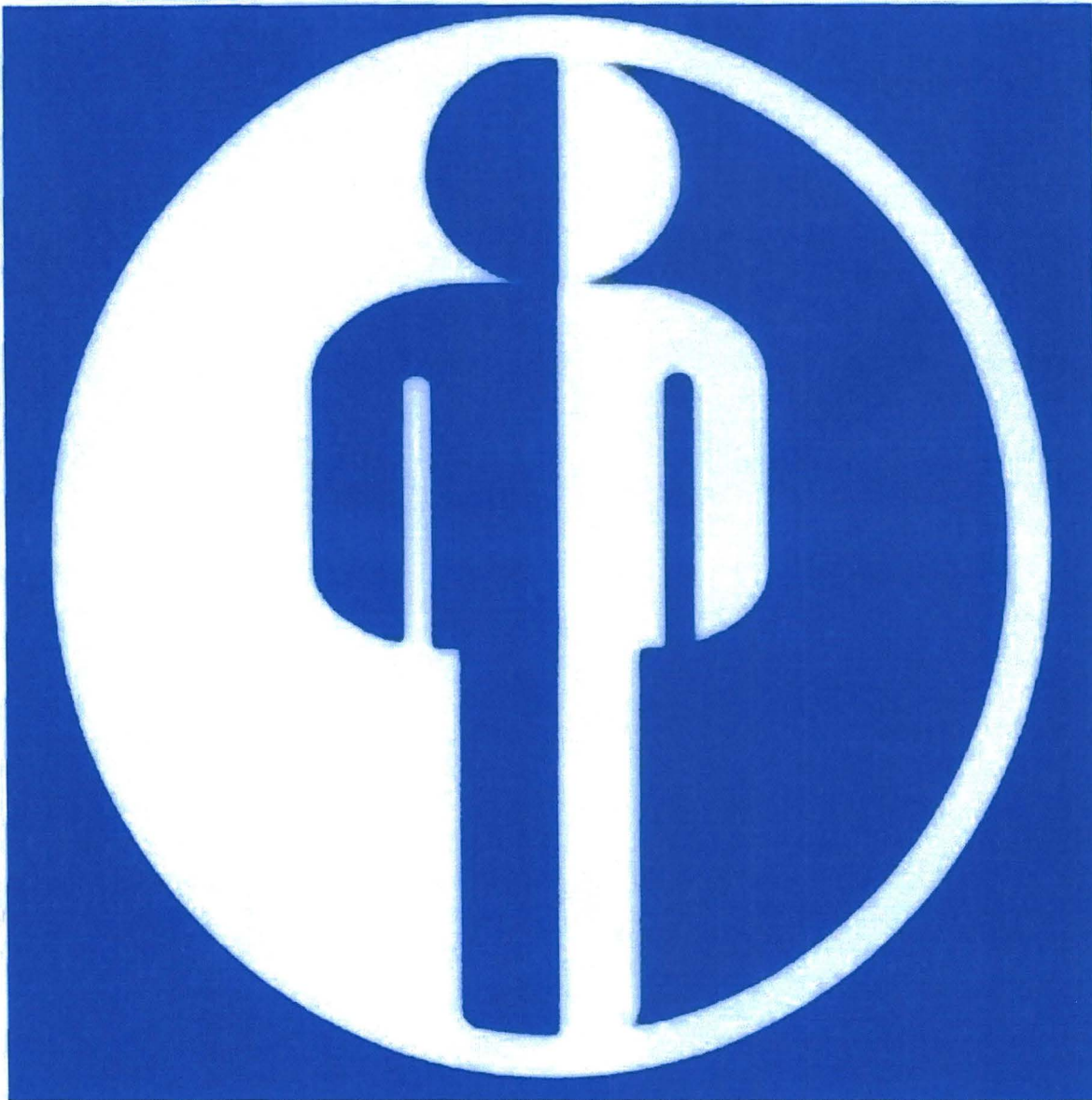
**Section 2.** Adds a new subsection to AS 18.65.310. Providing that a person may voluntarily designate on their state identification card that the person has a disability and the proof required for the designation.

**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 and that this information 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.





526 Gaffney Road  
Fairbanks, AK.99701  
January 24, 2017

The Honorable Steve Thompson  
State Capitol Room 500  
Juneau AK, 99801

Dear Representative Thompson,

WallBusters is an advocacy group for people with disabilities. Our mission is to educate and advocate for the removal of barriers to independence for people with disabilities. We also advocate for the rights of people who experience a disability because it is our social responsibility to ensure that a person with a disability is able to access the same social benefits as any other member of our community.

We strongly support House Bill 16, the Training and Disability ID Bill. We support this piece of legislation because the primary goal of this bill is targeted education. This bill will ensure that law enforcement and corrections officers at the academy level will be informed about what a physical disability is, what a hidden disability is and what barriers a person with a disability may encounter. These professionals will become better equipped to interact with people who experience either apparent or non-apparent disabilities regardless of whether people with disabilities encounter the "systems" as victims, witnesses, or alleged perpetrators.

We also support the ID component of the bill because it will enable people who experience a disability to voluntarily disclose their disability in a discreet manner on an Alaska Driver's License or ID card. This ID marker is completely voluntary and will be a discreet way to inform a law enforcement officer that the person in front of them has a disability even though it may not be initially apparent to the officer.

Thank you for sponsoring HB16. This bill will ensure that law enforcement professionals in Alaska are trained to respectfully and appropriately interact with people who experience a disability. This legislation will go a long way to avoid misunderstandings and protect the right of people with disabilities be treated fairly and appropriately. HB16 will help improve the lives of all Alaskans, especially those with apparent and non-apparent disabilities.

Sincerely,

Rebecca Traylor  
WallBusters

## Appendix A

### **SOME disabilities considered hidden disabilities:**

ADHD  
Epilepsy  
Major depression  
Anxiety disorders  
Fibromyalgia  
Metabolic syndrome  
Allergies  
Food allergies  
Migraines  
Arachnoiditis  
Fructose malabsorption  
Multiple Sclerosis  
Asperger Syndrome  
Hereditary Fructose Intolerance  
Multiple Chemical Sensitivity  
Asthma  
Hyperhidrosis  
Narcolepsy  
Autism  
Hypertension  
Personality disorders  
Bipolar disorder  
Inflammatory bowel disease  
Primary immunodeficiency  
Brain injuries  
Interstitial cystitis  
Psychiatric disabilities  
Irritable Bowel Syndrome  
Reflex Sympathetic Dystrophy  
Chronic fatigue syndrome  
Lactose Intolerance  
Repetitive stress injuries  
Chronic pain  
Lupus  
Rheumatoid arthritis  
Circadian rhythm sleep disorders  
Lyme Disease  
Schizophrenia  
Scleroderma  
Celiac Disease  
Ulcerative Colitis  
Sjögren's syndrome  
Crohn's disease  
Temporomandibular joint disorder  
Depression  
Transverse Myelitis  
Diabetes

*by phone, emailed after 1-24-17  
meeting*

From: Art Delaune  
Access Alaska / WallBusters  
Fairbanks, Alaska

Thank you Mr Chair and Committee Members,

I urge you to support and pass into law House Bill 16. The main focus of the bill is Education and Training. With regards to a person experiencing a disability, this is important because sometimes recognizing that a person has a non-apparent disability can be very challenging. HB16 calls for a minimum of an 8 hour disability awareness training at the law enforcement and corrections academy level. This training will first, make law enforcement and corrections officers aware that some individuals may present with a behavior that is not intentional or may be viewed as non-compliant. Secondly, the training will teach the officers ways to effectively and appropriately interact with people who experience an apparent or non-apparent disability.

The WallBusters and Representative Thompson's office have been working on this bill since it was introduced in 2014 as HB232. Over the past 3 years we've met with many community members, organizations, individuals and the 3 Alaska law enforcement academies to gather input and information to create a bill that is effective, no cost and improved the lives all Alaskans. Since 2014 all 3 academies have vastly improved their disability awareness training programs and understand the importance of effective communications and improved interactions with the public. All of the academies are now using varieties of crisis intervention training. Although all of the academies have a disability awareness training, they have not NOT standardized. The length and focus are different and some only address mental health issues. Hidden disabilities such as autism, FASD and Traumatic brain injuries are either not addresses or barely mentioned.

Another component of the bill is educating the general public. Alaskan citizens also need to understand their responsibilities for appropriately interacting with law enforcement officials. An educated and informed public, along with trained law enforcement officers will reduce potential conflicts between Alaskans with or without disabilities, making these encounters safer for all parties involved.

HB16 is about communication, accommodation and inclusion. It is a bill that reinforces individual choice, individual rights and individual responsibilities. This bill will help make interactions with the general public safer for everyone involved. We have seen that, time after time, when barriers are removed for people with disabilities, everyone in the community benefits. People with disabilities are best served when they are considered complete and full members of our communities.

Alaska can help make this happen by training police and corrections officials to be more aware of disabilities, their different presentations and behaviors. We believe that a standardized disability awareness training program will educate officers so that they are better informed to treat all people respectfully, regardless of perceived or actual differences.

House Bill 16 is written so that law enforcement and corrections officers will understand that a disability is just a difference, not necessarily a threat.

The most important aspect of the bill is safety, especially law enforcement officer safety. The intent of the bill is for the officer to open conversations about a disability only when the situation is safe for everyone. If the officer has to subdue and restrain the individual that is the judgement of the officer. We realize that, at times, things happen very quickly. The safety of the officer is the upmost priority and only after the situation is made safe for everyone should the officer ask about a disability.

Thank You

*By phone, emailed after  
1-24-17 meeting*

Testimony

1/24/2017

3:52 PM

My name is Juanita Webb and I live in fox, Alaska, 10 miles north of Fairbanks. I would like to thank you Rep Kress-Tomkins and the state affairs committee for hearing my testimony on HB16. I would also like to thank rep. Thompson for sponsoring the bill and going on this journey with the WallBusters. Although this bill has been a long process I and my fellow WallBusters have learned so much about the process. We have such a great appreciation for the job you have all accepted. You each should have received a personal letter of support from me so I wont repeat that letter. For me HB16 has always been about safety and education. Giving new incoming officers at the academy level a more complete understanding of disabilities, both visible and hidden, will give the officers one more added tool to help resolve potential issues. Having a discrete, voluntary icon on a DL or ID gives this additional information to alert the officers to potential further needs. As the bill came to life we realized the added need to educate others as well. WallBusters realized that not only people with disabilities were unsure of their responsibilities when approached by an officer but many people in general were unsure of what to do. Adding the additional information in the DMV manual helps support this need. Through this process we have built a relationship with officer Gideon from the police academy and the DMV. We appreciate their support of HB16. I respect and support police officers and am proud to be part of a bill that will help educate them in their approach to our Alaskan citizens and at the same time help their jobs to become safer so they can return to their families safe each day. This bill is not only for people with disabilities but all Alaskans. Through training and education our lives will be safer and more informed. Thank you for giving me this opportunity to speak and I ask you to support and pass HB16. (I also added a comment about the danger of adding an indicator on the outside of a vehicle to let the police/general public know someone driving or inside the car was disabled. It is my belief that this could potentially make that person a target by those that are looking for an "easy mark")



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

January 20<sup>th</sup>, 2017

Representative Steve Thompson  
Alaska State Legislature  
Capitol Building, Room 500  
Juneau, Alaska 99801

RE: HB16: Disability Training and Identification Bill

Dear Representative Steve Thompson,

The Governor's Council on Disabilities and Special Education (the Council) would like to extend its support for HB16. 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 HB16 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 HB16 will greatly decrease accidents that could have been prevented in the past by increasing hidden disability awareness throughout Alaska. Passing HB16 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, appearing to read "Patrick Reinhart".

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

1841 Chelton Lane  
Fairbanks, Alaska 99709  
January 17, 2017 2015

Representative Steve Thompson  
State Capitol Room 515  
Juneau AK, 99801

Dear Representative Thompson,

I wholly support House Bill 16, the Disability Training and ID bill. HB16 will help police officers, corrections officers and parole/probation officers to better interact with people who experience non-apparent or hidden disabilities. Without the appropriate amount of disability awareness training for police, an officer might misinterpret actions or intentions a person with a disability. This misinterpretation may result in an error that could ultimately make the difference between life and death. Even lacking a life threatening situation, a person with a disability may be treated inappropriately and his or her American with Disability (ADA) rights may be violated.

Communicating reasonable and effectively with a person experiencing a disability is the law. Title II of the (ADA) affects the core activities of law enforcement. Nothing in Title II, its regulations, or its legislative history suggests that any police activities are excluded from Title II coverage. Every time a law enforcement or corrections officer violates a person's rights under the ADA, the local or state government is liable and may be subject to litigation.

HB16 targets Title II of the ADA; specifically communication access rights. People with disabilities have the right to understand what is being said them, be able to ask for clarification, have their information understood by the other person and be treated with respect. Training law enforcement officers is not only the law it is the right thing to do. A trained officer makes the situation safer for both the officer and the individual with whom they are interacting.

I support this bill because one of the goals of the bill is to provide training that helps law enforcement and corrections officers to intervene in a way that is helpful, respectful and more sensitive to an individual's disability. Thank you for your hard work and your efforts to sponsor and promote the passage of House Bill 16.

Very Sincerely



Art Delaune.  
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Adelaune555@gmail.com