

AK LEGISLATURE SPECIAL COMMITTEE FILES SCOMM 157 3368

VPSO Task Force List of Concerns and Recommendations, as Expressed at Hearings

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- There is support for ***some type of elders' program***, in particular when dealing with youth. It could be an effective way of turning youth around and putting them on track, as well as keeping some out of the system.
- ***Tribal courts*** could also be an effective way of dealing with some crimes.

Many suggestions would require funding, or more funding:

- ***Better pay*** is needed to attract and retain VPSOs. They need to be able to support themselves and their families in the village where they live; and the cost of living in the villages is very high.
- ***Better benefits*** are needed so they have a future and can choose being a VPSO as a career. This includes health insurance and retirement, so they have something to look forward to.

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There is not always a place for them in the village and that makes it hard.
Provision for acceptable housing was often voiced as lacking.
- **Being able to take leave** is also necessary. They get sick. They want to be able to take time off for leisure.
- Yet just as important is having **backup when the VPSO cannot be there** for whatever reason. If they are gone for leave or even for training, there is no one there to do their job. The **backup could be provided by a traveling cadre, or by having a second position, or in some other way.**
- They need to **debrief and have counseling** available when incidents occur.
Some kind of CISM program: Critical Incident Stress Management. Troopers are required to take time off and have counseling when critical incidents occur; yet VPSOs may have to go right back out in very little time, even just a few hours, after having spent all day and night on a suicide or other tragedy. And this is done without counseling or other support.
- **Training** is critical, including for search and rescue and the other areas of responsibility, not just law enforcement. Training when they start, as well as periodically after that. Perhaps have someone come once a month to check in and

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Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

Kawerak testimony to the State VPSO Task Force on VPSO Issues – November 5, 2007.

The Alaska State Constitution states: "All persons have a natural right to life, liberty and are entitled to equal rights, opportunities and protection under the law." In the arena of Public Safety and "equal protection", this is not the case. Many, many communities in rural Alaska are without any law enforcement whatsoever. In these communities, residents call upon the Alaska State Troopers to respond when situations arise in their communities where law enforcement is needed. Unfortunately, because of weather, other priorities, and Trooper staffing levels, in many instances, the AST are not always able to respond promptly, with the net result that situations are not contained, lives are put at risk or lost, evidence is lost or destroyed, and people are victimized and live in fear. If a property crime occurs in Rural Alaska, you can wait months for Trooper response.

We encourage the Alaska State Legislature and the State DPS to make a commitment to support the VPSO program and rural Law Enforcement and budget accordingly. Certainly, over the past four years, the VPSO contractors have felt like the VPSO program has not been a priority of the State . . . and in fact have felt like the unwanted step children of the State. In an early meeting with the VPSO contractors, the previous DPS Commissioner stated very succinctly, that "when it came to asking the Legislature for a dollar for a VPSO or a dollar for a Trooper. . . . he would ask for a dollar for the Troopers every time."

We believe there is much room for improvement and welcome this opportunity to make recommendations on how the provision of public safety in rural Alaska can be improved.

There is a public interest in keeping our children, families and communities safe. The safety and security of citizens in our communities is a fundamental responsibility of government. If the State of Alaska cannot or is not going to diligently seek to fund and implement the protection of its citizens, we recommend that the State of Alaska support a recommendation that was presented to the Rural Justice and Law Enforcement Commission - to restore to Alaska's federally recognized Tribal Councils on a pilot basis, the ability to control alcohol and illegal substances within five miles of the village radius. The old saying: "Lead, Follow or Get out of the Way" comes to mind. The State of Alaska has opposed restoring the ability of the IRA and Traditional Councils to address alcohol and drug issues, asserting that the responsibility for law enforcement rests with the State, but the state has not adequately met that responsibility and has opposed efforts by village councils to regain control over their community.

Probably 95% of the crimes in rural Alaska occur when the individual is under the influence of alcohol or drugs. . . . and while the State DPS has done a much better job cutting down on the flow of alcohol and drugs to the villages. . . . anecdotal evidence suggests that people are increasingly "brewing their own." Given the current inability to control/address alcohol issues in rural Alaska, we are fearful what will happen once meth gets a foothold in the bush. It doesn't have a foothold yet, but people need tools at the local level to contain these issues before they gain a foothold. Currently the system is - call the VPSO (if your community has one -130 rural communities are without), call the

VPO (if your community has one – who has no training and may have alcohol, drug, domestic violence or other convictions on their record) or call the Alaska State Troopers – and hope they respond timely. There is room for improvement in the existing system.

The VPSO program has worked well in the past. Over the past seven or eight years, it has not worked as well, but the VPSO Program does have the potential to be very effective in providing public safety to those of us living in rural Alaska if it receives adequate fiscal, programmatic and structural support. Some background:

In the 1980's, even though wages were extremely low for the VPSO's (\$11.16/hour), there were at the time, approximately 100 individuals employed as VPSO's around the state. There is one major structural difference between the program today and how the program was operated 15 years ago. At that time, various troopers were assigned to serve as the oversight trooper to an average of 6 or 7 specific VPSO's. It was a very structured connection. The assigned trooper worked closely with his or her VPSO's and provided support, law enforcement supervision, an avenue to vent as it relates to situations encountered during the work day and guidance – on a daily or weekly basis. Troopers traveled regularly to the villages, not just to investigate felony crimes. Today, I'm sure the Troopers endeavor to keep in touch with the VPSO's, but it is a much less structured relationship, with the net result that VPSO's often feel like they are on the front line with little to no support. I think that re-structuring the Trooper support of the VPSO's in the field, to the model that was in place 15 years ago, would help greatly in improving VPSO retention in the field.

VPSO's need support and an avenue to vent. VPSO's often have to secure suicide, homicide or accidental death scenes. After the fact, they are sometimes called upon to "clean up" the scene after the body has been removed. (So the family doesn't have to.) They are the first responder to serious gun shots and other accidents in the village. The Health Aides do not respond to a scene until they have informed by the VPSO that the scene is secure. (We don't know how these situations are handled in communities without law enforcement.) Because of their position, the VPSO's are exposed to severe trauma scenes. They know who in the village are experiencing or perpetrating: domestic violence; assaults; theft; violating the local alcohol ordinance; and who may be neglecting their child or sexually abusing children. They know pretty much everything unpleasant about their neighbors. In many instances they are not able to do much about the activity, because the individual has to be apprehended in accordance with State statutes and convicted in a State court of law. If they arrest or detain members of the community, they and their family can experience hostility, threats of retribution, harassment and other negativity. All of these situations create stress on the VPSO. They need an avenue to discuss confidential issues and they need support in a structured, organized way.

At our 2006 joint Norton Sound Health Corporation/Kawerak full board meeting, staff were directed to seek funds to pay individuals to clean up after major trauma situations in the villages. Because we have so many suicides in our villages (many of which are teenagers or young adults under the influence of alcohol), clean up of suicide scenes

occurs frequently – and both the health aides and the VPSO's don't want to do it. Who can blame them? No one wants the responsibility of cleaning up a scene after a traumatic death! Over the last ten years, we have had 62 suicides in the Bering Straits Region. Every single one of these suicides had to be responded to . . . and cleaned up after. These are the very real issues that are discussed at our board meetings. . . . because there is a need and because alcohol and drugs, and the resulting impacts on our families and children are not adequately controlled within our communities.

The VPSO program in the Bering Strait Region and in other regions in the State is having a hard time with recruiting applicants. Kawerak does not receive any funds for recruiting. I recommend that the State start an ad campaign to recruit for the VPSO positions as they do for other State programs, particularly as this was an activity that the state stated they would undertake (and was funded to do) in the 2005 IHS grant's scope of work the State received. For example, during the Alaska Federation of Natives convention in October 2006, the Alaska State Troopers had a nice recruitment display for AST, current color photos, brochures to hand out and small items to pass out, for example: pens, cups and breath mints. Next to the display was the VPSO recruitment poster board with outdated photos and no other advertisement materials.

Although there has been an improvement in the starting wages of the VPSO, the VPSO salary is still not at market. Currently, the VPSO starting salary is \$16.55 an hour, there are also a parole and probation funds that can bring up to an additional \$2.50 an hour to the VPSO salary. This is up from \$15.05/hour 1 year ago. Another positive change is the addition of retention incentive bonuses added to the salary schedule. Currently there is no cost of living allowance (COLA) in the program; we recommend the State add a COLA to the program. VPSO's, once they reach Step M in the pay scale, (which is at 8.5 years of service) stop receiving pay raises. We would like to see the VPSO program continue to provide raises to help with retention. Kawerak annually adjusts our corporate wide salary schedule to adjust for the previous year's rate of inflation per the Anchorage Consumer Price Index – with the exception of the VPSO program. We take the Anchorage CPI rates for the two previous six month periods, add them together, divide them by two – and adjust our salary schedule up effective January 1 of each year to correct for the previous year's inflation. For 2007, for example, our corporate wide salary schedule was increased by 3.97% - which brought our salary schedule current to the rate of inflation for Anchorage. We do this annually to keep our schedule current with inflation – since if we didn't, the 3% merit increases that we provide for above average performance would not even keep current with inflation. The State contract prohibits us from annually adjusting the VPSO salaries to keep current with inflation.

Most of the cities' holding cells and office spaces are in dire need of repair or upgrades. Most cities in rural Alaska are financially hurting due to the cut of revenue sharing and higher costs of operating (i.e., high fuel, insurance, PERS). Some communities in the Bering Strait Region have only one holding cell that is not suitable for holding both adults and juveniles together. Some buildings do not have running water and use a bucket in the corner of the holding cell (not even a honey bucket!) for human waste. Kawerak recommends that the State assist with upgrading the holding facilities and office

space including maintenance and operational funding based on the needs of the community. The cities are incurring tremendous liability by holding detainees in substandard facilities – and they are probably not even aware they are exposing themselves to this liability, nor do they have insurance. We're fortunate that more people have not died while being held in substandard holding cells in the villages. We also recommend that the State allow the contractors to provide an office rental fee to the local city or other entity housing the VPSO Office. Electrical, heating, janitorial and other facility expenses have increased tremendously, and with no revenue sharing, the expense has fallen solely on the City offices to provide free office space and other utilities to the VPSO. This is another state imposed contractual requirement. The State has consistently refused to make funds available for VPSO office lease; rather they require the city to donate free office space to the VPSO. This is particularly hard to understand when DPS consistently returns funding to the State General Fund. We speculate that the state takes this position to have the cities make an in-kind contribution to the program. . . . but when the city has no financial resources whatsoever coming in . . . it's like trying to squeeze blood out of a turnip. The State certainly does not make the same demand to cities where Trooper outposts are located. Why then, does DPS impose this requirement on Cities with VPSO's? Cities are finding it difficult to heat and maintain City facilities. We're amazed that more city offices haven't completely shut their doors over the past four years.

Frequently, we hear that if rural people want services, they should tax themselves more. . . or do without. Currently, every city in the Bering Straits Region imposes a sale tax ranging anywhere from 3-6% on the cost of already expensive goods. This is the only reason the cities have survived the last four years. This when the majority of people living in the villages exist on very low household incomes. It's not possible to tax ourselves to fund a police department in every village. In many communities, the cities are using some of their very limited tax revenues to fund Village Police Officers, which in 99.9% of the cases, are untrained individuals, who, because they are a municipal employee, are eligible to carry guns. The State constitution outlines some very specific government services that the State of Alaska is responsible for providing to every state citizen. We encourage the administration and state legislature to meet these obligations fully . . . or as stated earlier, support Tribal Councils efforts to regain the authority to police at the local level.

As quoted in the interim report of the Alaska Rural Justice and Law Enforcement Commission (ARJLEC), Kawerak supports the idea "to develop a statewide, uniform and tiered system of certification and training for police and public safety officers with a reasonable opportunity for advancement that could culminate in full APOC police officer certification. The first tier of certification would require a reasonable minimum level of certification and training, including non-police function training, to ensure professional competency and service delivery, with tribally-employed officers encouraged to participate. Over the years, 4 or 5 of Kawerak's former VPSO's, went on to become Alaska State Troopers. We support this and think this is wonderful. However, in order to become Troopers, these individuals had to attend and complete a trooper academy, which is basically the same as a VPSO academy, (except Troopers receive training in guns and

vehicle control.) A career track would promote retention of VPSO's and help ease DPS's recruitment difficulties for Troopers.

Kawerak requests that the Commissioner "develop a template cross-deputization agreement between the State and tribes that can be used as a basis for individually negotiated agreements." State policy makers question the existence of tribes in Alaska . . . but in the field, we have found that the Troopers have been willing to work with Tribal Peace Officers. In one of our communities, we were unable to hire a VPSO for five years, since it was a larger community with many social problems, and residents were unwilling to put their lives on the line for the \$12-13 an hour. The Tribal Council in desperation funded two Tribal Peace Officers out of their Bureau of Indian Affairs funding, to maintain law and order. The Tribal Peace Officers would arrest individuals and call the Troopers. In this instance, the Troopers had no problem working with the Tribal Peace Officers. Somehow the State policy and legal people need to move beyond the rhetoric and to set in place solutions and systems that work collaboratively and effectively in rural Alaska. We were fortunate in eventually hiring an individual to work in this community, who did a wonderful job for three years. He resigned to become a Security Guard because he could make \$22 an hour, with considerably less stress.

There is a perception perhaps, that VPSO's don't receive much training. In fact they do. Currently, VPSO's receive 602 hours of training at the Sitka Academy in order to become a certified VPSO. Municipal Police Officers and Alaska State Troopers each receive 900 (?) hours of training. Pretty much the only difference between the training provided to VPSO's and AST & Municipal Police Officers is that AST and Municipal Police Officers receive training on handling guns and cars. Certified VPSO's have undergone significant training (for which we are very thankful), but it's our perception that the VPSO's are not adequately recognized (or compensated) for their training and the work they do. The VPSO's are truly the "First Responders in the Last Frontier" and they need to be afforded the respect, support and pay, their very difficult position is due.

Kawerak has not had a grant awarded on time since 2003. In 2004, Kawerak was prepared to send letters of termination to the VPSO's due to the fact we still did not have a grant in place. Our grant awards have been consistently awarded well after the start of the state fiscal year. By not receiving grant awards on time, Kawerak is placed in the position of funding the VPSO program out of our own fund balance (which would otherwise be earning interest) or laying off the VPSO's. We have kept the VPSO's on staff - and footed the bill out of our own pockets. We recommend that the State award the grants in a timely manner.

DPS needs to allow contractors more flexibility with the VPSO budget. I would recommend that if there is lapsed money in the VPSO personnel line item that the Non-profits (in consultation with DPS) could spend the money on much needed equipment or supplies, for example, gas, snow machines, ATV, VHF radios or computers. This will provide the tools and equipment required for the VPSO's to aid in Search and Rescue, community patrol, and basic communications. Guidelines could be set up during the contract negotiations.

On a positive note, budget modifications are now turned around in a timely manner compared to previous years.

The VPSO contract places significant liability burdens on the regional non-profits and allows the State to exercise close control over the VPSO program while escaping any responsibility for the program. Currently the State negotiates and purchases liability insurance for all the VPSO contractors in the State. The contractors budget for the insurance in our budgets, but we never actually receive the money. The State takes the money from the contracts and purchases the insurance on behalf of all the VPSO contractors in the State. We don't mind never seeing the money, since by "bulk purchasing" on behalf of all the contractors, the state is able to get a better deal in terms of cost. The problem is the State is negotiating and purchasing the insurance levels without consulting with the VPSO contractors. A State Trooper is not necessarily versed in insurance and liability issues and could benefit from consulting with the various regional non-profit staff that deal with this issue on a regular basis.

The contracts should provide for equal allocation of liability risk between the State and non-profit corporations instead of a one-sided approach. The State should purchase liability insurance for the non-profits with adequate scope of coverage and coverage amounts. The insurance the non-profits are required to purchase should be closely reviewed and revised to assure that it is affordable and adequate.

The previous administration attempted to force consolidation of the VPSO Program to one – three contractors for the last four years. The contractors spent a large amount of energy fending off that attempt. We believe that State DPS was pursuing this approach as a cost saving measure – thinking that by decreasing the nine-contractors to 1 or 3, it would save in non-profit administrative costs, with additional dollars being spent on VPSO salaries. While it would have saved on administrative costs, Alaska is a huge state . . . and local knowledge and the ability to work closely with the city and tribal governments and village residents in support of the VPSO program and law enforcement, is a critical component of the program. You can't have an effective working relationship if the Director of a program is 750 miles away, has never and will never travel to a majority of remote communities, interact with very diverse councils, or meet with VPSO's and Troopers at a local or regional level. We encourage you to seek input from the Manillaq Corporation as to how they perceive the VPSO program working in their region. . . . given that it is/was administered by the Kodiak Area Native Corporation, whose main offices are located in Kodiak.

The other major area which directly affects our ability to recruit and retain VPSO's, is the lack of housing at the village level. A number of our villages have indicated a preference for outside individuals to be hired as VPSO's. That way, the VPSO doesn't have the added stress or perceived nepotism issues that arise from having to arrest (or not arresting) close family, friends and relatives. The problem is, when we hire a VPSO from outside the village, the individual needs to be able to rent a place to stay in the village. Decent housing and rental units in our villages are in very short supply, with every

housing unit filled to capacity with two or three generations . . . because there is no housing available. When VPSO's come from outside, they are often shocked at the quality of the housing that is available to them and soon resign because of the housing conditions. The housing units available in most communities are likely old, with mold issues, poorly insulated and therefore very expensive to heat, small, lack water and sewer, and generally dilapidated. VPSO's (particularly those with families) don't stick around when faced with this kind of housing.

Bering Straits Regional Housing Authority, our regional housing authority has indicated that a BSRHA housing unit can be set aside for rent/use by a VPSO in each community, if the Tribal Council passes a resolution approving that action. We have sent a letter to each council encouraging them to do this. However, the Council may or may not take this step. The tribal council has to consider setting aside one unit for the VPSO, versus trying to meet the needs of 10-20-30 families in need of housing within the community, who have been on a list, waiting to purchase a home for the last five-ten years.

We know that the DPS has taken steps to provide for Trooper Housing in rural areas and have expressed interest in building trooper outstations in some of the sub regional centers around the state. We support constructing trooper housing and facilities in those communities where housing and facilities are not available. But we also encourage the State to help address the need for VPSO housing in our very remote, over crowded communities by designing and perhaps helping to construct modular housing units for VPSO's. We understand that upon construction of the Trooper housing in Bethel, troopers in Bethel who owned their own homes, relocated to the Trooper housing and subsequently rented their own homes out for income.

On a positive note, I wanted to announce that the Kawerak's Board of Directors recently established a VPSO work group to examine ways that people and councils at the local level can help recruit, support, recognize and encourage retention of VPSO's.

We recommend that the new administration look at the current policies and procedures and work with the contractors to make changes that pertain to the VPSO program. We encourage this Task Force to consider making funds available to:

- fund indirect as negotiated in Indirect Cost Agreements;
- adequately fund VPSO's and Director's salaries,
- fund office space and holding cells leases for VPSO's;
- develop recruiting and retention materials;
- station VPSO's in on road communities; and
- place more than 1 VPSO in large communities.

We also recommend that the Department of Law be included when negotiating changes to the VPSO contractual agreements. We also recommend that the State consider moving management of VPSO contracts to DCCED but retain the tri-party agreement between the regional non-profit, AST and the city or tribe.

Thank you for your time and consideration and we believe with these changes, law enforcement and the VPSO program can be greatly improved in Rural Alaska.



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Several concerns were consistently voiced by many:

- There is a ***feeling of inequity*** whether perceived or real. Public safety is a State responsibility and they want to be treated fairly. Rural Alaskans deserve protection and are as entitled to peace and dignity as the residents of this state who happen to live in an urban area.
- There is also a ***disparity when you look at the area/number of miles covered*** by VPSOs compared to what is asked of a Trooper; it is not just about the population, other factors need to be considered.
- VPSOs really need the ***support and respect of their community***. And they need to ***understand the culture and village***. Which is a lot of why they ***need to come from the rural parts of the State***, not an urban community, no matter who hires them and how they are hired.
- There ***needs to be regional control and input***, including hiring, into their safety issues. Perhaps ***recruiting several VPSOs from larger villages*** to go to other villages; with those from smaller villages going to other villages rather than their own village. ***No one wants to arrest their family or friends***, so this would be one way around that, while still having someone who could adjust and fit in to the culture of the village in which they will reside.

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- Yet just as important is having **backup when the VPSO cannot be there** for whatever reason. If they are gone for leave or even for training, there is no one there to do their job. The **backup could be provided by a traveling cadre, or by having a second position, or in some other way.**

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answer questions, or assist in knowing how to handle something differently, or to confirm the handling of a particular incident was correctly done. It should not just be something that is done when they are hired; it needs to be continuous if they are to be effective and capable in performing their jobs.

- They need a decent ***public safety building*** where prisoners can be housed, and ***things like blankets and pillows are provided***. VPSOs often use their own homes and/or their own pillows and blankets.
- They have many, many ***equipment needs*** that are not being met. Often VPSOs use their own equipment at their own expense. Here is a list of some of the things mentioned:
 - o Transportation like ATVs, snowmobiles, boats, etc and the gas to run them.
 - o Phone and fax, including sat phones and radios.
 - o Oil and electricity for the public safety building
 - o Stamps and other supplies
- Although uniforms are provided, due to various weather considerations, they are not always satisfactory. Having ***uniforms to reflect weather issues*** for the seasons is needed.

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- Perhaps some money could be put toward *prevention*. Ideas mentioned were: *education programs, street lights, and teen centers* or other activities that would provide something to do.
- Also mentioned was the need to *promote VPSOs* through some type of campaign similar to what is done for the troopers. Something to improve how they are viewed, *show them as being respected* and respectable.

Some things came up that may require changes to law:

- There is a need to have *a way of pardoning past crimes in some cases* so that capable people who are now on the right path can qualify. Too often, people do things when they are young that they regret and that they would not do as an adult. But having done something stupid when they were young can take them out of consideration for a VPSO position. People do change, especially if the mistake was made when they were young, and/or it was an isolated occurrence rather than a pattern of behavior. With the difficulty in finding VPSOs and with the high rate of suicide among youth especially, this change if done carefully could make a big difference.
- Could the *money from forfeitures* in rural Alaska be used to pay for rural public safety? How much money is involved?

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- Could some kind of ***rural public safety fund be established*** to pay for some of what is needed? Perhaps the forfeiture dollars could go into such a fund if one could be established.

- Would it be possible for ***VPSOs to be able to confiscate drugs and alcohol***, including home brew, when it is discovered; and especially if the community is dry or damp? Often people can be seen walking with it openly, but because they have not broken a law, nothing can be done.

The report of findings and recommendations is due February 15, 2008.

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Sen. French biggest concerns - focus on

Size of village

Concessions to location proximity to other
villages

Salary

Advancement opportunities

Housing

11/20/07

VPSO Task Force -

- DARE Training for all VPSO's to work w/ children in schools -

are expected in villages to be

- VPSO's (as) Supervisors of VPO's/TPO's
This creates liability possibilities - need to address this w/ village where we place VPSO's and Trooper oversight

- Insurance limitations on VPSO's coverage - \$10 million - no commentary by Contractors State DPS - determines - When and with whom -

- VPSO's are limited to funding for one year - contracts that are signed are changed that causes decreases to existing contracts and need for VPSO's in villages continue to exist - no coordinated background checks - VPSO's to be at fault when they are not making reports due to lack of crime or other activity -

(2)

Grant Administration % VPSO's are being paid annual leave that they have accrued during the year @ the end of grant year - due to lack of monies that is not funded for benefits - annual leave health benefits - Vehicle purchases are done w/ other grants & funding unrelated to VPSO contract - Expect villages to provide insurance coverage -

i.e.
Wellness #ing

Vehicles include:

ATV's
Trucks
Snowmachines

VPSO's pay for their own fuel, repairs and parts.

VPSO's are expected to report, investigate crimes, deal w/ misdemeanors - Recent State VPSO handbook - deal w/ felonies when requested to do so by Troopers - VPSO's are expected to turn in reports to oversight Troopers for Troopers to build cases that are dealt w/ in court -

Tribal courts - should be considered part of rotation to prevent crimes or other problems in a village - Not do "sovereignty concerns", need more partnership programs between all entities -

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

Salary or pay scale

(3)

Pay determinations should be left up to regional contractors - ~~not~~ pre-determined by State - DPS -
shows that it is a restrictive program keeps VPSO's at lowest level of pay for a lot of work that they do -
recognizes cost of living differences -

Need for better communications between VPSO and oversight troopers, especially after hours - VPSO's deal w/ life or death situations all the times w/out back-ups -
- Need another VPSO in village -

State Troopers stationed in regional hubs or subregional locations - Need to respond to reports of crimes or threats of crime - They may be only law enforcement in the villages - What is expected of a VPSO's should also apply State Troopers at these villages - i.e. reporting crimes, responding to disturbance of peace per State Constitution -

State Court -

"Review Judge Gleeson's ruling on 'equal law enforcement access' lawsuit by villages how it impacts VPSO's and law enforcement in villages" -

Senator F Dyson

ACTION ITEMS FOR THE VPSO TASK FORCE

VPSO use of Guard facilities- In the 50 villages with Guard Armories, decide which have inadequate VPSO offices, storage, and holding cells that could utilize the unused portion of the Armory. Get a copy of the Kotzebue agreement and recommend joint occupancy of the Armory where that concept is justified. Ask local leaders for agreement to proceed.
Walt and Craig

VPSO & National Guard joint recruitment and/or personnel being members of both with benefits and training from both.
Walt and Craig

Funds from seized equipment and goods- Find out what needs to change to be able to use the sale of seized good to fund VPSO equipment or training or....
Walt and Talus

Expanded training and responsibilities for VPSOs
Decide how we can train VPSOs to; do some probation work, investigate some crimes, teach Dare/first aid/fire fighting/search and rescue/drug interdiction etc/obtain higher level of police certification and then get higher salaries based upon higher qualifications and utilization.
Walt

Standardized duty and reporting responsibilities- Decide how proactive and how much the VPSO needs to be actively on the job each day/week. Decide the standard reporting responsibilities ie; daily reports, check in by radio or phone twice a day or....
Walt

Solve liability issues -Talus

Prepare for the State Wide Conference on Public Safety in reference to the VPSO issues
Walt.

RECOMMENDATIONS

MORE VALUE FOR VPSO STAFF

- PAY
- BENEFITS
- TRAINING
- CAREER PATH
- SUPPORT / RELIEF / COUNSELING /
- HOUSING / EQUIPMENT
- LOCAL SUPPORT
- STATE SUPPORT - COMPUTERS / BACK-UP - / VEHICLE FUEL
- CRITERIA FOR VILLAGES TO GET VPSO
 - VIABLE (BY DENALI CAN STDS)
 - DISTANCE FROM TROOPER POST
 - LOCAL SUPPORT & COOPERATION / DIVISION AND ACCEPTANCE

ADVANCE LEVELS FOR VPSO ADVANCEMENT

- PERSO OFFICIAL CERTIFICATION
- REGIONAL SUPERVISOR RANK
- COM. PILOTS LICENSE

VPSO - ALASKA NATIONAL GUARD RELATIONSHIP

- SHARED FACILITIES
- SHARED EQUIPMENT
- SHARED PERSONNEL - VPSO IN GUARD

EXPANDED Role For VPSO

- PROBATION SUPERVISION
- DARE INSTRUCTOR
- SOME CRIME INVESTIGATION
-

RELATED ISSUES

- LIABILITY
- CUSTODY OF SEIZED GOODS
- ACCESS TO FUNDS FROM SEIZED STUFF
- MORE TROOPERS - HOW MANY - WHERE
- VPSO - TPO - ISSUES
- LOCAL CONTRIBUTIONS
- CORPORATION CONTRIBUTIONS

THE ALASKA GUARD – HOPE AND HELP FOR RURAL ALASKA

The presence of an effective, well trained and equipped Alaska Guard detachment in each Alaska community could be a huge benefit in at least the following reasons:

- VPSO officers concurrently being members of the ALASKA GUARD could mean increased benefits, shared equipment and facilities, training, and mutual aide support.

- Military training, both basic training and specialist training should be very helpful to most of Alaska's rural teenagers. The discipline, physical fitness, team building, patriotism, and skills accumulated have been very helpful to Americans for generations and should continue to be helpful for rural Alaska youth.

- Rural Guardsman can and should form the trained and equipped core of local search and rescue (SAR) and fire fighting efforts as well as flood control and back up for the VPSO and Trooper personnel.

- Being a Guardsman should increase health benefits for the rural participants and reduce the welfare type payments flowing into the communities.

General Campbell - 9:30am 428-6006

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have him



Part 8
Village Public Safety Officer Program

Chapter

96. Village Public Safety Officer Program. (13 AAC 96.010 - 13 AAC 96.900)

Chapter 96
Village Public Safety Officer Program

Article

1. Powers and Duties of the Department. (13 AAC 96.010)
 2. Corporation and Village Participation. (13 AAC 96.020 - 13 AAC 96.060)
 3. Minimum Standards, Training, and Certification. (13 AAC 96.080 - 13 AAC 96.120)
 4. Definitions. (13 AAC 96.900)
-

Article 1
Powers and Duties of the Department

Section

10. Powers and duties of the department.

13 AAC 96.010. Powers and duties of the department

(a) The provisions of 13 AAC 96.010 - 13 AAC 96.900 apply to the award of grants to nonprofit regional corporations to provide villages with village public safety officers.

(b) The department

- (1) will review proposals for grants to provide village public safety officers;
- (2) will monitor compliance with the terms of the grants and agreements of the village public safety officer program and with the regulations in this chapter;
- (3) will consult with nonprofit regional corporations and villages regarding their village public safety officer programs and mediate disputes between corporations and villages, if mediation is feasible;
- (4) will consult with village public safety officers and provide technical assistance and advice on matters relating to public safety and law enforcement;

(5) will, in its discretion, conduct background investigations into the qualifications and personal history of applicants for village public safety officer positions; and

(6) will, in its discretion, provide training and equipment to village public safety officers.

History: Eff. 8/18/95, Register 135

Authority: AS 18.65.670

Article 2

Corporation and Village Participation

Section

20. Grant applications.

30. Department agreements with corporations.

40. Administration by corporations and villages.

50. Corporation agreements with villages.

60. Termination of grants.

13 AAC 96.020. Grant applications

A nonprofit regional corporation may apply to participate in the village public safety officer program by submitting to the department a written application to provide village public safety officers to participating villages that are located within the region that the corporation serves. The corporation shall submit a grant application annually and shall

- (1) include a projected budget, including costs of administration;
- (2) include, a list of the villages to which a village public safety officer may be assigned; and
- (3) at the request of the department, other information related to the village public safety officer program.

History: Eff. 8/18/95, Register 135

Authority: AS 18.65.670

13 AAC 96.030. Department agreements with corporations

The department will not provide grant money to a nonprofit regional corporation until the corporation makes a written agreement with the department. The agreement must include the following terms:

- (1) a requirement that the corporation comply with this chapter and with state and federal law;
- (2) a salary-and-benefit schedule for village public safety officers, with a provision that the corporation may provide salaries and benefits no greater than those established under that schedule;
- (3) a provision that names the corporation as the employer, for all purposes, of a village public safety officer;
- (4) a provision by which the corporation agrees to indemnify and hold harmless the State of Alaska, and officers, employees, and agents of the State of Alaska, for an act or omission in the administration of the village public safety officer program or in the monitoring, assisting, or training of a village public safety officer;
- (5) a requirement that the corporation maintain insurance as follows, without reimbursement from the department for a deductible amount that the corporation might owe:
 - (A) worker's compensation insurance as required under AS 23.30;
 - (B) comprehensive general liability insurance, including police professional practices, with
 - (i) limits of no less than \$1,000,000; and
 - (ii) the State of Alaska, and officers, employees, and agents of the State of Alaska, named as additional named insureds;
- (6) a requirement that the corporation comply with AS 18.80.220.

History: Eff. 8/18/95, Register 135

Authority: AS 18.65.670

13 AAC 96.040. Administration by corporations and villages

- (a) A nonprofit regional corporation that receives a grant under this chapter shall provide
 - (1) a village public safety officer to a village only if the village provides the officer
 - (A) office space;
 - (B) a telephone with long distance service; and
 - (C) a place to temporarily hold individuals under arrest; and
 - (2) no more than one village public safety officer to a village, unless an
 - (A) additional position is provided for a period of 30 days or less for training, orientation, or a special circumstance as authorized by the department; or

(B) application as set out in 13 AAC 96.020 for a full-time second position has been submitted to and approved by the department.

(b) A nonprofit regional corporation that receives a grant under this chapter, or a village participating in the village public safety officer program,

(1) shall keep financial, personnel, and other records relating to village public safety officers and, upon request, shall provide that information to the department;

(2) shall provide, for the department's review, annual financial audits that satisfy the requirements of 2 AAC 45.010, regardless of whether the amount of the grant is below the minimum for which 2 AAC 45.010 requires an audit;

(3) shall help the department conduct periodic and unannounced site visits to monitor

(A) the performance of a village public safety officer; and

(B) compliance with this chapter or with an agreement made under this chapter;

(4) shall promptly notify the department if the corporation or village fails to comply with

(A) this chapter or with state or federal law; or

(B) an agreement relating to the village public safety officer program between the

(i) department and the corporation; or

(ii) corporation and a village;

(5) shall promptly notify the department if a village public safety officer resigns or vacates a position;

(6) shall promptly notify the department and submit a written report about an incident in which a village public safety officer carries a handgun or fires any firearm while on duty;

(7) may not, directly or indirectly, allocate grant money to

(A) the purchase or lease of firearms equipment; or

(B) lobbying activity before a federal, state, or local government body; and

(8) may not, except in an emergency, permit a village public safety officer to

(A) carry a handgun in the performance of the officer's duties; or

(B) supervise or direct an individual who carries a handgun.

History: Eff. 8/18/95, Register 135

Authority: AS 18.65.670

SCOMM

157:15

Denise

Tradition

DIVERSAFILE 
EVERETT

www.diversafile.com

Shar 2295

French -

Dyson - 952-8200

Loretta - 980-5610

Myron - 952-5621 (544-4457)

Monegan -

Colberg -

Call AK Lab -

Lorie APRN

Jff 3803

550 - 8452

Alex - CH11

Dustin - AK newspapers

Rec 1 - #21 + CPI

2 - increase 60, 15 per year over 4 years

3 - 5 & 10 year Plan & status of VPSO program
and recommendations by the Task Force
by 2/1/09

4 - ~~Provide~~ Develop organized trauma debriefing program.

5 - \$1,000 stipend for facilities

~~letters to congressional delegation~~

6 - provide housing

letters to congressional delegation

" If TF Recommendations are implemented, relief is coming to
provide public safety in rural Alaska,
~~to strengthen public safety for all Alaskans~~

The VPSO TF did a remarkable job coming
up with Succinct (sp) recommendations
to improve public safety in rural Alaska.
Public protection is the highest priority of
any government and wasn't happening
in rural Alaska. Our attempt at was to
guarantee this for all Alaskans. "

TRANSACTION REPORT

JAN-28-2008 MON 12:00 PM

FOR: SENATOR OLSON

9072692031

SEND (M)

DATE	START	RECEIVER	PAGES	TIME	NOTE	M#
JAN-28	12:00 PM	919075433369	0	12"	COM. E-7	15

*in another bldg.*

ALASKA STATE SENATE VPSO TASK FORCE

SENATOR DONALD C. OLSON

CHAIR

EMAIL:

Senator_Donny_Olson@legis.state.ak.us

(907)465-3707

(907)465-4821, FAX



ALASKA
STATE CAPITOL
ROOM 514
JUNEAU, ALASKA
99801-1182

MEMBERS: SENATOR FRENCH, SENATOR DYSON, COMMISSIONER MONEGAN, ATTORNEY GENERAL COLBERG, LORETTA BULLARD, MYRON NANENG

For Immediate Release: January xx, 2008

VPSO Task Force Releases Report to the Senate

The VPSO Task Force has completed its report to the Senate, after holding many hearings throughout rural Alaska on how to improve public safety in the state's most remote communities. The Task Force is chaired by Senator Donny Olson (D-Nome).

The Task Force issued a list of findings and recommendations in its report that focused predominately around making improvements that would address the difficulty with recruitment and retention of VPSOs and the resulting impact on public safety in rural Alaska. The main recommendations from the report are to:

- Increase the pay by approximately \$5.50 per hour (starting pay would go from \$16.55 per hour to \$22 per hour),
- Increase the number of authorized VPSOs by 60 over a four year period, and
- Provide a small stipend of \$1,000 per VPSO to each community with a VPSO, to mitigate the cost of maintaining the public safety building and equipment used for public safety purposes in the community.

Other recommendations direct the Department of Public Safety and the regional Non-profits that manage the VPSO contracts to work in collaboration to develop a long range plan, a trauma debriefing program to support and assist VPSOs after traumatic incidents, to improve the public safety facilities and equipment, and to pursue alternative solutions to the problem of providing acceptable housing for the VPSOs.

" quote from Donny "

VPTF remarkable job coming up w/ excellent rec. to improve PS in rural Ak. Pub. Prot best prior of any Govt I know & happen rural Ak - our attempt to guarantee this for all Alaskans.

Sen. Hollis French (D-Anchorage), Sen. Fred Dyson (R-Eagle River), Commissioner of Public Safety Walt Monegan, Attorney General Talis Colberg, Loretta Bullard, President of Kawerak, Inc., and Myron Naneng, President of the Association of Village Council Presidents are also members of the Task Force.

The report, testimony from the hearings and other information used by the Task Force to conclude its report can be found on Senator Olson's website: olson.aksenate.org. For more information, contact Senator Olson at (907)465-3707.

###

11/19/07

10:15-19ish start

Sen Olson
French

Dyson
Loretta Bullard
Gordon Monegan
AG Colberg
Myron Nanery

Lauren
Alison
John + Darla
James

Sen Dyson - suggests use of Guard -

Comm - looked it while at MOA 6 or 7 yrs ago - spec.
likes the concept to encourage native life
increased opp for training + support, facilities

negative - subject to deployment

Myron - has reservations due to deployment.

Hooper Bay fire - all gone + had to hire military
+ also when they go to annual training,
also insurance for using the facilities + the military.

Comm - asked troopers to knock on door of returning
Guardsmen + thank them for their service.

Gen Campbell on line

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11/19 via phone

have armories across rural Ak
members in most cases are just weekend members
allow them to be VPSOs as VPSO not as guardsmen -
still be weekend guardsman.

Myron - many current VPSOs are former military
+ try to hire as many as we can

Armories + HS gyms are the most underutilized
facilities in the communities
has concern about insurance + liability issues

Gen - facilities are fed armories + can be utilized as
jail or VPSO facility w/o contract/negotiation" w/ fed
advocate encourage current guard like we do retired military

might be able to work out backup from other members during absences.

cannot commit facilities since they are federal

Rural AK guard - is increasing but not as quickly as would have liked.

Some equip owned by Fed & very protective about not allowing use outside Fed purposes.

Convinced NB members good role models to kids in the community.

74 armories - about 75% are in rural, small

* San French - need assessment of public safety buildings around the State. So could watch up those areas that are lacking adequate to what might be available thru NB in those areas.

* Myron - done in last couple years will provide a copy to task force.

* Louetta - did within her region but doesn't know that it was done in every region. Brought hers to Kodiak & was supposed to be sent to us but I didn't get anything.

State inters of supplementing was had to spend State fully first. IHS said not so, can spend both as we go. Fed \$ primarily base for VISO, training & some equipment

Lt. Laughlin - Trooper recruiter

* Do we have VPSOs who are also NG + pull them as to how it is working.

AVCP - none currently

Kawerak - 18 guardsman are deployed & coming back

Gen Campbell off now

? to Comm Sm Myron - Some who were chg'd w/a crime can't be VPSO.

resp: both Troopers + VPSOs have to go thru extensive Criminal background check. Are some allowances - if mistakes are small + shown to be an anomaly.

Include recom - regarding unusual Structure of VPSO pgm - operate as Sub-employees of non-profits

Capt. Arlow is State VPSO Coordinator

Would send to the regions, who would send to the VPSOs.

11:06 John from Elim, no VPSO

been VPSO + mayor of Elim + patrolman for City of Nome

no police on payroll to city or Kawerak.

So law enf is pretty lax

lo

late Mar/early April 2007, young people
got liquor + big party all night. 8 or so
young people arrested. Contacted city +
LRA, no response.

Trooper Abercrombie finally responded for Nome

As a result found out that poor or no response
due to many firms listed in recommendations

Prevention is really key - include other
agencies to develop good prevention
programs for kids.

Had a youth affiliate to the like drug dealer
had 2 trucks 2 snowmach 2 boats pure buddies
does what he wants whenever he wants

SRK in villages - everyone wants to respond

Sen Dy-Q - when kids out partying how come
parents didn't require them home + in bed

A - Some fall thru cracks, some have/allow drugs in home

* Loulla perhaps form Public Safety Committees
in villages or regions

Myron - had VPSOs request all become
DANE certified, have only a couple that are

A B C D E F G I K L M N

N

2/1/05
06
07

+ 3 9/16
+ 3 7/8

VPSD Wage Scale

get ANC CPI to show
for ISEE? what they've been

+ maybe Trooper charges for
something
+ don't forget OT pay

Darla 11:37 E11m

need emergency responders
City council & IIR Council s/b held
accountable & should be required to
drug test. In one council, majority
use drugs & the kids know it.

Sam was cavorting with him & was chg'd + in system, too.
VPSO took blacked out drunk on plane to Nome
terrified people on plane. Should have
sobered him up for plane ride.

Monahan
Arc has citizen patrols - eyes & ears - provide
deterrent to crime

11:45 - 1 hour break

Started 1:00ish

Grants not awarded on time since 2003
liability ins increased from 2 mil to 10 mil

Myron - now pay for unused annual leave
at the end of ea year because not enough \$
if they let it accumulate.

48 villages - 17 VPSOs authorized

Loretta - what min salary to attract? ask State
Employ. Svcs

* Perhaps a salary study s/b done.

look in want ads or do some phone work

Trooper, APD, Security guard, tribal police officers

health care, SAR

Norton, Seward

47% of pop in rls is < 18?

Do you
Nana

City Name

at

Dyson

Criteria for deciding how many
 not just salary
 population
 distance from troops
 support & commitment of community
 level of dysfunction - ie sex. ass,

Colberg

wants to see focused
 few points
 need to keep support of the many

Loretta

basic public svc - like health aides
 support for tiered law enf.

Monegan

State EE w/ tiers so you have career ladder
 establish standards

Summit on Criminal Justice System Soud

in less than a month. Lt Gov & Dana Fabe Co chairs

Sen French 4 big topics

AVCP worried about becoming State EE.
due to perceived lack of flexibility
Tanager Chiefs also this way

Tales - seemed to be administrators of the
Pgm that was opposed.

VPO

VP50

Muni

State Troopers

11/20/07

* Judge Gleason? ^{myron} impact of ruling on public safety - equal
to 3 yrs access in rural areas

1. What should salary be
market study, build in increases for CPI, perhaps longevity, diff levels
5. Housing, equip, bldgs
Desali Commis funds - housing, prototype combo facilities
owned by city, take a whatever
Partner with NG

11/20/07

10:40 - noon

Sen Olson

Dyson

Loretta

Myron

Talis

Walt

— after —

Loretta list

get groups to work on housing, HUD, USDA, ^{ATC} ^{ATC},
Den Com, Reg. housing auth

State EE

AVCP resistance - Subjective rejection of some individuals
provides benefits, Career track.

Equip

11/20/07 1:25 pm

Report Style -
include full list of suggestions as
an appendix.

Perhaps a rec for non-profits to come
up with the 5-10-20 yr plan

if become state ce, give credit for
time already served.

* Get Schedules 12/12 - 1/15

* Market Pay Study

* Bldg assessment

Nana 2732412

Erica - HR

→ Dave Single

WCB

↳ 265-4100 task for him

11/21 he'll call me back not in right now 11:50 am

Doyon said no
522-1300

NANA

273-2412

~~Kale~~ Norton Sound - Sylvia

11/21/07

PT Health Aides Gambell

Galovin

ETim

no prev exp grade 15.98

credentialed

23.61

YK HC

	<u>has</u>	<u>filled</u>	<u>Wants</u>	<u>Diff</u>
Kawerak	6	6	10 or 11	+4 or 5
AVCP	19	19	25	+6
Tanara	7	7	18	+11
KANA	10	6 ^{3 imminent}	18	+8
Copper River	—	—	2	+2
AP/A				
BBNA	_____	_____	_____	_____
Total So far	42	38	73 or 74	31 or 32

= 73%
increase

Housing Recommendation

Provide housing in a manner similar to what is done for teachers and health aides.

Partnership with UAs to do Votech training to build houses for VPSOs and to build holding cells

Rural Law enforcement officers be given priority for being housed like teachers & health aides

Benefits

doesn't really seem to be a problem

They get leave, retirement, medical & dental
Plus they get subsistence leave

Seems to be more a comparison issue.
What they get compared to AST + Corrections etc.
Especially in retirement area

Roll over existing retirement plus make a
contribution to bring up.