

SCOMM

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## Legislative Teleconference Network

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**SUBJECT:** \_\_\_\_\_

Date: \_\_\_\_\_

# Please Print

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## RECOMMENDATIONS AND STUDIES OF RURAL JUSTICE IN ALASKA

- I. *Bush Justice*, Lloyd Weinreb, Harvard Law School, Sep. 1977.
  - a. **Constables:** A constable should visit every village at least once or twice a month, on a predictable schedule that enables persons to seek him out, and without a display of force. This is essential if the constable's presence is to be sought and accepted.
  - b. **Magistrates:** There is no need for the regular presence of a magistrate in each village. The title and office should be filled by whatever local custom dictates, and it should not be expected to retain much of its Anglo-American historical significance.
  - c. **Responsiveness:** Local troopers should increase the responsiveness of official action and make the increased responsiveness evident to villagers.
  - d. **Information:** An official copy of records from cases affecting a village should be posted in a public place in the village.
  - e. **Procedure:** Formal criminal procedures should be modified to account for the realities of criminal justice systems in rural areas.
  - f. **Bureaucracy:** The responsible agencies should develop a coordinated approach to bush justice, and it should include a regular mechanism for identifying soluble problems and solving them
  - g. **Training:** A serious, carefully planned, and not too technical meeting for instruction and discussion should be held once or twice a year for at least one week.
  - h. **Alcohol:** The penalty for a large-scale commercial bootlegger should not be so light that it is a trivial cost of doing business.
  - i. **Overall Structure:** The economic and cultural diversity of villages suggests that Alaska should avoid "over-all" theories and solutions in favor of a serious and constant effort to improve bush justice and solve specific difficulties as they arise in concrete situations.
- II. *Alaska Village Police Training: An Assessment and Recommendations*, John Angell, Criminal Justice Center, University of Alaska, Dec. 1978.
  - a. **Stability:** Some means should be developed to stabilize the village police employment situation and reduce turnover
  - b. **Cooperation:** Alaska should develop an economical village police training program that can eventually continue without LEAA support, possibly through cooperative efforts between policies agencies and other agencies such as the Alaska Skill Center in Seward.
  - c. **Support:** The Alaska State Troopers should increase their support of the village police and be actively involved in any reorganization of village police training
- III. *Alaska Village Justice: An Exploratory Study*, John Angell, Criminal Justice Center, University of Alaska, Feb. 1979.

- a. Cooperation: State level justice officials need to take a more active role in working directly and closely with rural Native communities to define and address rural problems related to public safety, deviant behavior, and justice.
- b. Support: The level of support and services should be increased, even if not justified by a per capita formula, to provide a set minimum level of policing services
- c. Traditional Methods: Troopers need better training on the traditional practices and social control methods of local people
- d. Social Control: Criminal justice systems serving rural communities should conduct an assessment of the social control practices of the Native communities and initiate changes to resolve conflicts between state and local practices
- e. Resources: A manual containing the federal and state constitutions and pertinent Alaska Statutes should be provided to the officials of each rural community

IV. *The Village Public Safety Officer Program: A Conceptual Design to Improve Law Enforcement and Public Safety in the Rural Areas of Alaska*, Alaska Department of Public Safety, March 1980.

- a. Duties: VPSOs should combine law enforcement with emergency medical, firefighting, search and rescue, water safety, and other duties
- b. Oversight: **One or two additional Troopers should be stationed in each regional center to conduct ongoing training and support for VPSOs**
- c. Training: **Training should consist of six weeks of formal training followed by monthly contacts to each village by the Troopers for additional training and support.**
- d. Traditional Methods: The VPSO should be able to utilize local mechanisms for dispute resolution without entering the formal processing of the State's criminal justice system.
- e. Program advantages: minimal cost, direct economic and employment benefit to rural Alaska, increase in local control and self-determination, minimal increase in state bureaucracy, development of a career ladder for Alaska Natives in the public safety field eventually leading to the State Troopers, and decrease in loss of life and property in villages.

V. *Village Public Safety Officer Program: First Annual Evaluation*, John A. Sellin, 1981.

- a. Support: Additional administrative support staff should be added and troopers should maintain levels of service while supporting expanding commitments to the VPSO program
- b. Training:
  - i. Oversight troopers should be given instructional support and on-going refresher training

- ii. Follow-up training must be delivered in a timely and relevant manner
- iii. Academy training must be integrated into follow-up training in a meaningful and cost-effective way
- iv. Teaching modules should be evaluated on teachability, relevance, and appropriateness of vocabulary.
- v. Curriculum, schedules, instructors, training, and delivery systems must be reviewed and revised as needed

VI. *Final Report to the Commissioner of the Department of Public Safety on the Village Public Safety Officer (VPSO) Program, Arthur E. Hippler, ISER, October 1982.*

- a. Selectivity: We should have fewer, better selected, and better trained VPSOs
- b. Constables: We should have more constables
- c. Oversight: There should be more careful and intense professional oversight by Troopers
- d. Program advantages:
  - i. Villages are a bit more than marginally better off with the program. Some villages are significantly better off, many only marginally better, and for some the program makes no discernible difference.
  - ii. There is no discernible difference in program effectiveness from region to region
- e. Program disadvantages:
  - i. cost-effectiveness (most villages were served by marginally effective VPSOs at \$70,000 per annum)
  - ii. problems with personnel selection and competence
  - iii. questionable usefulness of training modules,
  - iv. variable quality of data collected,
  - v. the burdensome concept of the program:
    - 1. multifaceted VPSO duties and
    - 2. the inevitable inefficiencies associated with disjunctive administrative, operational, and fiscal control.
  - vi. Such problems are a likely a result of extremely rapid program expansion, overly ambitious program aims, innate difficulties in finding qualified personnel, and the sheer logistical difficulties associated with bush programs.

VII. *Overall VPSO Program Evaluation, Price Waterhouse, December 1984.*

- a. Program advantages:
  - i. The VPSO Program has met its primary goal of providing public safety services to selected villages.
  - ii. It is an appropriate to providing village public safety services to a state with as many diverse governments, geographical areas, and cultures as Alaska.

- iii. A major program strength is deterrence of crime due to the presence of a VPSO in the village
- iv. The village has a trained officer who can respond to the diverse needs of both the village and the Troopers
- b. Program disadvantages:
  - i. poorly defined roles and responsibilities of the various parties involved in the program
  - ii. inadequate planning
  - iii. inefficient utilization of human and financial resources

VIII. *The Village Public Safety Officer Program, Concept, History and Operation, State of Alaska, undated (1988?).*

- a. Career Ladder: Part of the conceptual design of the VPSO program is to provide a long term career ladder for rural individuals, enhancing their opportunities for employment in municipal police departments, State Troopers, or Fish and Wildlife
- b. Program Advantages: VPSOs act as a valuable communications link with the Troopers, and their immediate action, as directed by the Troopers, can extinguish many potentially volatile situations and protect items of evidentiary value.

IX. *Report on the Status of Alaska Natives: A Call for Action, Alaska Federation of Natives, 1989.*

- a. Public policies and interventions intended to assist Native individuals have created and perpetuated dependence rather than self-sufficiency. The struggle to adjust to political and economic systems over which Natives living in rural villages have little real control generates feelings of helplessness and frustration and results in destructive behavior. Native policy must be premised on facilitating self-help and on assisting individuals, families and communities to cope with social and economic change.

X. *The Village Public Safety Officer (VPSO) Program in Rural Alaska: Trends and Prospects, Otwin Marenin, Department of Political Science/Justice, University of Alaska Fairbanks, 1989.*

- a. Village Support: Existing political institutions in the village must support the VPSOs for them to be effective. In villages where councils were strong, VPSOs were able to carry out their work. Where councils were weak, village police often resigned their position.
- b. Goals of Policing: Policing should be
  - i. **effective** (order and safety are maintained or restored),
  - ii. **efficient** (with little waste),
  - iii. **accessible** (community members are sustained in demanding services by the belief that they are entitled to them), and
  - iv. **legitimate** (the substance of policing incorporates existing traditional values with imported formal legal rights and

**obligations, and the behavior of police matches the expressed preferences of the community)**

c. Program advantages

- i. The notion of policing not just as crime fighting but as the use of state power to provide for minimal social order and protection against accidents, emergency, disorder, and victimization and to be secured in their personal welfare.

d. Program disadvantages:

- i. **The goals of the program are unlikely to be achieved given the current organization of the program. They are an extension of imported law enforcement into rural areas; agents paid by the state and working for the state to enforce state laws. Genuine generalist police orientations and work habits which incorporate multiple expectations (firefighting, search and rescue, assistance to the elderly, animal control, etc) will only arise when the VPSO system comes to be controlled by the villages. Not a likely event. The state is not going to pay for something which it cannot ultimately control.**
- ii. The quality of personnel attracted and retained by the program is low. As one of the few salaries positions available in villages, public safety positions are handed out for patronage or personal reasons.
- iii. High turnover – and the loss of training and competence which results
- iv. VPSOs do not have the training or legal authority to deal with much of the problem that confronts them – they deal with the symptoms, not the causes.
- v. The number of agencies involved in administering the program makes any concerted, precisely delineated action problematical as all participants will have somewhat different ideas on what to do and how to do it.
- vi. **The vagueness of stated goals glosses different priorities in objectives and success criteria. Troopers judge needs and effectiveness very differently from villagers or nonprofit coordinators.**

XI. *Innovation in Policing: Bureaucratic Entrepreneurship in the Development of the Village Public Safety Officer Program in Alaska*, Otwin Marenin, Department of Political Science/Justice, UAF, 1989.

- a. **The VPSO program works best in sovereign native communities with functioning Native institutions.**

XII. *The Village Public Safety Officer Program: Providing Public Safety Services to Rural Alaska*, Patrick Jolly, April 1990.

- a.

# **Senate VPSO Task Force**

## **Senator Donald Olson, Chair**

### **Issues and Recommendations**

Note: the below list is what was put on the sheets around the room on November 20. It does not have all of your ideas and recommendations. The blue items denote ideas that belong under multiple issues.

#### **A. Recruitment and Retention**

- The number one issue is definitely pay
  - do a market study to guide what is a more reasonable salary
  - need to build in automatic or at least periodic CPI increases
  - perhaps create levels within VPSOs to recognize differences in formal training, background, and longevity.
- There is a need for advancement opportunities so becoming a VPSO can be a career
  - should they become state employees? If so, can there be credit given for time served?
  - the tiered approach to law enforcement offered by Commissioner Monegan would create advancement opportunities
- There is a critical need for adequate housing. Some villages have none; others have housing, but it is substandard.
- Many would like to see better benefits such as retirement, medical, dental, vacation and leave
- Establish criteria for which villages get a VPSO and how many. Criteria to include:
  - size of community
  - proximity to troopers
  - proximity to other villages
  - support and commitment of community
  - amount and level of crime/disfunction
- An itinerant cadre of VPSOs could assist with backup and those times when more than 1 VPSO is needed
- Promote VPSOs as a respectable career choice, create a campaign similar to what is done for troopers.
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#### **B. Governance and Policies**

- The expectations need to be better defined and communicated, and perhaps modified from the original intent of the program.
- If VPSOs remain as contract employees, there needs to be better grant management.
- If VPSOs become state employees, they need to be hired with regional/local input.
- Pursue the possible partnership between the Departments of Public Safety and Military & Veterans' Affairs to share facilities, equipment, training, and to foster the hiring of National Guard members as VPSOs.

**Senate VPSO Task Force**  
**Senator Donald Olson, Chair**  
**Issues and Recommendations**

- The non-profits need to develop a 5-10-20 year long range plan.
- Find ways to strengthen community support
  - Form Village Public Safety Committees to deal with:
    - fires
    - search and rescue
    - citizen patrols
    - community policing
    - neighborhood watch
    - eyes and ears of the VPSO or other law enforcement in the community
    - backup and assistance to VPO, TPO, VPSO
  - Provide assertiveness training to locals so they will be able to confront those who are known in the community to have drug/alcohol problems.
  - Promote VPSOs as a respectable career choice, create a campaign similar to what is done for troopers.
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**C. Responsibilities and Training**

- Need concentrated training once or twice per year
- Also need ongoing training and day to day guidance.
- Need regular, onsite, visits by the trooper assigned to that area
- Train the VPSOs on youth prevention programs so they can do things like the DARE program
- Have the VPSOs provide leadership and training to VPOs
- Provide assertiveness training to locals so they will be able to confront those who are known in the community to have drug/alcohol problems.
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**D. Program Funding**

- Develop partnerships such as with the National Guard.
- Look for support from other agencies such as Denali Commission, HUD, USDA, Alaska Housing, regional housing authority.

**Senate VPSO Task Force**  
**Senator Donald Olson, Chair**  
**Issues and Recommendations**

- Systematically program in budget increases to the state funding for the VPSO program, to cover CPI once positions are filled with a low/normal vacancy rate -- just as pay increases are automatically requested for other state employees.
- Request budget increase now, and systematically include future increases to cover CPI, for some type of stipend to cover some facility, fuel and equipment needs.
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**E. Support**

- Improve on the frequency and quality of communication with the oversight troopers.
- There is an urgent need for some type of Critical Incident Stress Management (CISM) program so VPSOs are able to get the rest and support they need after traumatic incidents.
- There is a critical need for adequate housing. Some villages have none; others have housing, but it is substandard.
- More and better equipment and buildings are needed.
  - Seek possible partnership with the National Guard for facilities and equipment.
  - Seek funding and other help from Denali Commission, HUD, USDA, Alaska Housing, regional housing authority.
  - Develop prototypes of housing/jail combination facilities.
  - Develop partnership with schools/technical centers to build and/or expand facilities. Offer as a course to students in the school to build what is needed.
  - Some types of equipment needed:
    - vehicles - all types
    - fuel
    - radios
    - satellite phones
    - supplies
- Provide some type of stipend with CPI adjustments to cover some facility, fuel, and equipment needs.
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**Denise Liccioli**

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**From:** Denise Liccioli  
**Sent:** Friday, November 23, 2007 12:39 PM  
**To:** Loretta Bullard; Myron P. Naneng; Sen. Donny Olson; Sen. Fred Dyson ; Sen. Hollis French; Talis Colberg ; Walt Monegan  
**Cc:** Ginny Austerman; David Gray; Cindy Smith ; Allison Biastock; Lucky Shultz; Lauren Rice ; Nancy Korting; Alvin Jimmie ; Gina Appolloni  
**Subject:** files and information  
**Attachments:** Issues and recommendations.xls; Salary comparisons various positions for VPSO task force.xls

Good afternoon,

Attached please find two files. The first is the informal market study on the pay issue. When you open this file, it will open to a summary listing, but please note that the two attachments are in separate tabs (seen at the bottom of the page) that you can click on, named as such. The other file captures what was put on the sheets around the room on Tuesday. It is in outline form, the beginning steps to forming the recommendations for the report.

A point of clarification on the availability request. The time frame is from December 17<sup>th</sup> through January 14<sup>th</sup>, not just those two days. I may not have made that clear in my previous request and if so, I do apologize.

I will be out of the office on Monday, but you can reach me at the Juneau office on Tuesday if you have any questions or need help pulling up either of the files.

~Denise  
Staff to Senator Olson  
465-3707

11/23/2007

# VPSO Task Force Distribution List

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| Aleutian Pribilof Island Association | Airport Rd     | Anchorage  | 99518 |
| Assoc of Village Council Presidents  | PO Box 219     | Bethel     | 99559 |
| Bristol Bay Native Association       | PO Box 310     | Dillingham | 99576 |
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| Kodiak Area Native Association       | Dr             | Kodiak     | 99615 |
| Kawerak, Inc.                        | PO Box 948     | Nome       | 99762 |
|                                      | 122 First Ave, |            |       |
| Tanana Chiefs Conference             | Ste 600        | Fairbanks  | 99701 |
|                                      | 320 W          |            |       |
| Tlingit-Haida Central Council        | Willoughby     |            |       |
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## Denise Liccioli

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etc to this  
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*Handwritten signatures: Kelly, K. H. H.*

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Monica for AG

to her + AG (+ Nancy)

~~Monica~~ 2 documents - at Monica's.

Monica **Jenicek**

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call  
when  
ready

7-members

5 w/o Donny + Friend

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*Add  
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when needed*