This publicly available copy of the Alaska Department of Public Safety's Operating Procedures Manual (OPM) contains minor redactions. The redactions have been limited to those which are applicable to Alaska Statute 40.25.120(a)(6)(E,F, or G).

Sec. 40.25.120. ***Public records; exceptions; certified copies****.*

(a) Every person has a right to inspect a public record in the state, including public records in recorders' offices, except

(6) records or information compiled for law enforcement purposes, but only to the extent that the production of the law enforcement records or information

(E) would disclose confidential techniques and procedures for law enforcement investigations and prosecutions;

(F) would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumvention of the law; or

(G) could reasonably be expected to endanger the life or physical safety of an individual;

-- IMPORTANT NOTE --

The electronic version of the OPM stored on the DPS intranet is the official version. Any questions over policy and procedures in force on a given date will be decided based on the on-line version current on the date in question.

The on-line version of the OPM is available at: http://dpsportal/Comm/OPM

Alaska Department of Public Safety

Operating Procedures Manual (OPM)

DEPARTMENT OF PUBLIC SAFETY
DISCLAIMER

TO ALL USERS

The Operating Procedures Manual is comprised of established policies and relevant procedures. The official version of this document shall be retained on the DPS website. All printed versions of this document are not considered official and are to be reviewed with the understanding that updates may not be represented. It is the reader's responsibility to review the official version before taking action on any given policy.

The Department policies established within this manual shall not supersede or override laws or regulations. Each employee is responsible for understanding and following the intent and spirit of these policy directives. Violations of this manual may be the basis of departmental administrative action and may result in disciplinary action, up to and including dismissal. Violations of this manual may also subject the employee to criminal prosecution.

Updated: October 20, 2010

DEPARTMENT OF PUBLIC SAFETY OPM DEFINITIONS

Bargaining Unit -- Any union or employee association recognized by the State as representing Department employees.

Commander -- Includes Detachment Commanders, the Commander of the Alaska Bureau of Investigation (ABI), Statewide Drug Enforcement Unit (SDEU), Judicial Services (JS), and Bureau Supervisors of the Division of Fire and Life Safety.

Commanding Officer -- A ranking officer with supervisory authority.

Commissioned Personnel -- Officers meeting the statutory definition of "Police Officer." This will include municipal commissioned officers working under the direction and supervision of DPS.

Department -- The Department of Public Safety.

Department Authorized Training -- Training approved and authorized by the Commissioner of Public Safety or by the Director of each Division.

Employee(s) -- All persons employed by the Department of Public Safety to include Boards, Commissions, and Councils.

He, Him or His -- She, Her, or Hers when appropriate.

Man or Men -- Woman or Women when appropriate.

Notebook(s) -- Department provided notebooks in either 6" x 8" or 4" x 6" sizes or personally purchased notebooks used by officers to keep notes in compliance with OPM 132.

Officer(s) -- Employee(s) of the Department responsible for enforcement of some or all State laws including Troopers, Fire Marshals, and Court Service Officers except where specifically noted to the contrary.

Officer-In-Charge (OIC) -- An officer who, by written delegation of authority, directs work of another commissioned officer.

Personnel -- Synonymous with employee(s).

Ranking Officer -- An officer of the rank of Corporal or above.

State -- State of Alaska.

SOP -- Standard Operating Procedures.

Supervisor -- A person who by rank, seniority, or delegation has the authority to direct the work of another.

Trooper -- A fully commissioned officer of the Division of Alaska Wildlife Trooper or the Division of Alaska State Troopers with the rank of Trooper Recruit or above.

Updated: October 31, 2012

CHAPTER	TITLE
1	Operating Procedures Manual
2	Authority and Organization of the Department
3	Police Protection
4	Office of the Commissioner
5	Division of Alaska State Troopers (AST)
6	Division of Alaska Wildlife Troopers (AWT)
7	Division of Statewide Services (DSS)
8	Division of Fire and Life Safety (FLS)
9	Division of Administrative Services (DAS)
10	Rank
11	Line of Command
101	Standards of Conduct
102	Uniform
103	Vehicle Operation
104	Emergency Vehicle Operation
105	Protocol and Courtesy
106	Display and Care of the Flag
107	Use of Force
108	Physical Conditioning
109	Court Appearances
110	Death Protocol
111	Department Investigations / Disciplinary Procedures
112	Commendations and Formal Recognition
113	Work Hours, Leave, and Payroll
114	Psychological Service and Managing Critical Incidents
115	Written Communications
116	Housing Program
117	Training
118	Use of Deadly Force Investigation and Review
119	Electronic Information, Computers, and Communications
120	Fire Investigation Protocol
121	Court Service Officers
122	Personnel Files
123	Government to Government Relations with Tribes
124	Employee Obligations and Responsibilities
125	Interagency and Government Interaction

126 Employment Outside the Department
127 Department Background Investigations
128 Limited Duty Assignments
129 Recruitment Incentive
130 Arrest or Conviction Rewards
131 Badges and Weapons - Retirees
132 Notebooks
133 Recording Police Activity
201 Reports
202 Property and Evidence Handling Procedures
203 Traffic Enforcement
204 Warrant Procedures
205 Communicable Diseases
206 Public Information and Press Relations
207 Emergency Care of Mental Health Patients
208 Human Death Investigation
209 Vehicle Impound
210 Response to Disaster
211 Missing Persons and Runaway Minors
212 Domestic Violence
213 Sex Offender Registration
214 Foreign Nationals
215 Major Aircraft Accident Plan
216 Transport of Persons in Custody
217 Weapons Carry
218 International Criminal Police Organization (INTERPOL)
219 Criminal Intelligence Information
220 Alaska Homicide Registry - VICAP
221 Polygraph
222 Interviews
223 Arrest
224 Tactical Diving Unit
225 Major Incident Investigation
226 Electronic Surveillance and Monitoring
227 Riot and Unlawful Assembly
228 Victim Rights Notification
229 Motorized Vehicle and Aircraft Administration

230 **Bioterrorism Response Procedures**

231 **Canine Unit Operations**

232 **Weapons Standards & Types**

233 **Special Emergency Reaction Team**

234 **Search and Rescue Operations**

235 **Child Abuse**

236 **Sex Crimes**

237 **Service of Civil and Criminal Process**

238 **Departmental Use of Social Media**

239 **Foot Pursuit**

240 **Operation of Small Unmanned Aircraft Systems (sUAS)**

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 1	**OPERATING PROCEDURES MANUAL**	
	Effective: 05/17/2010	**Commissioner Approval:**
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

1.100 NOTICE

This chapter establishes policies for creation, dissemination and security of policies and procedures of the Department of Public Safety.

1.300 GENERAL

A. ***Title of manual.*** This manual will be referred to as the Operating Procedures Manual that may be abbreviated as OPM.

B. ***OPM may be superseded.*** The OPM is subordinate to statute, current collective bargaining agreement, administrative regulation, or order of the Commissioner.

C. ***Revisions may be issued.*** Periodic reissues of the OPM will be made incorporating changes to the current edition. Interim revisions to the OPM will be made in the form of Commissioner's Directives. The OPM and Commissioner's Directives are published and available electronically to all employees on the DPS intranet. The Commissioner's Office shall notify each departmental employee via e-mail when OPM changes occur. Employees retaining a hard-copy version of the OPM are responsible for maintaining updated copies of the OPM and Commissioner's Directives.

D. ***Action by employee noting errors.*** Any employee observing omissions or contradictions in the OPM shall notify their supervisor, in writing. Such written notification shall be promptly forwarded to the Office of Professional Standards (OPS) in order that corrections can be made in the next revision.

E. ***OPM applies to all DPS employees.*** Portions of OPM are applicable to all employees of the Department to include Boards, Commissions, and Councils. Each OPM chapter will identify applicability as Officer, Civilian, or All Departmental Employees. The Commissioner reserves the right to establish other applicable groups as deemed appropriate. An index will exist to assist employees in identifying those OPM sections directly affecting them. Applicability of any chapter is contingent on the actual and official duties assigned to a specific position or employee.

F. ***Employees required to be familiar with OPM.*** Employees of all divisions and agencies within the Department are required to refer to and abide by the rules and policies set out in applicable sections of the OPM, applicable to them. A copy of the current OPM, including all revisions and forms, is available on the DPS intranet and considered the official version. Every Detachment, Post, Unit, or Regional Office will maintain a printed copy of the current OPM which is available to all employees.

G. ***Organization of the OPM.***

1. SECTIONS 1-100 Organization and Administration

2. SECTIONS 101-199 Department Rules and Regulations

3. SECTIONS 201-299 General Operating Procedures, with chapters devoted to special procedures

1.310 FORMATTING

A. Numbering. Each chapter will follow the same numbering sequence for easy referencing and consistency.

Numbers will fall in increments of 10, beginning with .100. Policies created without the following areas may be not applicable and, consequently, skipped; however, numbering shall remain the same.

.100 = Notice, Purpose or Intro (reason for policy)

.300 = Policy Statements

.600 = Procedures (links to division procedures)

.900 = Definitions

B. Appendixes. Each policy may include tables, forms or other attachments to be located at the back of the applicable chapter.

1.320 OTHER PROCEDURAL MANUALS

Additional procedural manuals may be developed. The establishment of the OPM does not preclude the development of procedural manuals for special needs or uses by Divisions within DPS. Division Directors may authorize the establishment of procedural manuals required for efficient operation. The Division establishing a manual is responsible for updating the contents and distributing revisions to all holders of the manual either in hardcopy and/or electronically. Up-to-date copies of all manuals developed under this section will be provided to the Commissioner's office for prior approval and a link shall be created at the appropriate chapter.

1.330 RESTRICTIONS

The OPM shall be retained on the department's intranet site in PDF form and no additions, changes or deletions to the OPM shall be made without prior approval of the Commissioner. The Office of Professional Standards (OPS) will be responsible for establishing formatting standards of the OPM, maintaining historical OPM activity, and for coordinating any updates or revisions to the OPM.

1.600 PROCEDURES – NOT APPLICABLE

1.900 DEFINITIONS – NOT APPLICABLE

APPENDIX OPM REFERENCE GUIDE

This table is designed to draw attention to OPM provisions of particular interest to commissioned, partially commissioned, dispatcher, and civilian employees which might otherwise escape their notice. "All" indicates that the entire chapter is of direct interest; "Not applicable" indicates that the provisions don't generally apply; "Reference" indicates that while the provisions generally don't apply, there may be information of interest in the section. This table is only a guide to applicable sections of the OPM. Individual employees may be covered by sections not specifically enumerated here. (Ref. OPM 1.300 E)

Chapter	Title	Commissioned	Partially Commissioned	Dispatcher	Civilian
	Disclaimer	All	All	All	All
	Definitions	All	All	All	All
1	Operating Procedures Manual	All	All	All	All
2	Authority and Organization of the Department	All	All	All	All
3	Police Protection	All	All	All	All
4	Office of the Commissioner	All	All	All	All
5	Division of Alaska State Troopers (AST)	All	All	All	All
6	Division of Alaska Wildlife Troopers (AWT)	All	All	All	All
7	Division of Statewide Services (DSS)	All	All	All	All
8	Division of Fire & Life Safety (FLS)	All	All	All	All
9	Division of Administrative Services (DAS)	All	All	All	All
10	Rank	All	All	All	All
11	Line of Command	All	All	All	All

101	Standards of Conduct	All	All	All	All
102	Uniform	All	All	~~102.020 (B)~~	~~102.020 (B)~~
103	Vehicle Operations	All	All	~~103.010-030~~	~~103.010-030~~
104	Emergency Vehicle Operations	All	All	Not applicable	Not applicable
105	Protocol and Courtesy	All	All	All	All
106	Display and Care of the Flag	All	All	All	All
107	Use of Force	All	All	Not applicable	Not applicable
108	Physical Conditioning	All	All		
109	Court Appearances	All	All	All	All
110	Death Protocol	All	All	All	All
111	Department Investigations / Disciplinary Procedures	All	All	All	All
112	Commendations and Awards	All	All	All	All
113	Work Hours, Leave & Payroll	All	All	All	All
114	Psychological Services and Managing Critical Incidents	All	All	All	All
115	Written Communications	All	All	All	All
116	Housing Program	All	Not applicable	Not applicable	Not applicable
117	Training	All	All	All	All
118	Use of Deadly Force Investigation and Review	All	All	Not applicable	Not applicable
119	Electronic Information, Computers, and Communications	All	All	All	All
120	Fire Investigation Protocol	All	All	Not applicable	Not applicable
121	Court Service Officers	Not Applicable	CSOs	Not Applicable	Not Applicable
122	Personnel Files	All	All	All	All
123	Government to Government Relations with Tribes				

124	Employee Responsibilities and Obligations	All		All	
125	Interagency and Government Interaction				
126	Employment Outside the Department				
127	Department Background Investigations				
128	Limited Duty Assignments				
129	Recruitment Incentive				
130	Arrest or Conviction Rewards	All			
131	Badges and Weapons - Retirees	All			
132	Notebooks	All	All		
201	Reports	All	All	~~201.020~~ ~~201.050~~	~~201.020~~ ~~201.050~~
202	Property and Evidence Handling Procedures	All	All	~~202.030~~ ~~Evidence Custodian - All~~	~~202.030~~ ~~Evidence Custodian - All~~
203	Traffic Enforcement	All	All	Not applicable	Not applicable
204	Warrants	All	All	~~204.020~~	Not applicable
205	Communicable Diseases	All	All	All	All
206	Public Information and Press Relations	All	All	All	All
207	Emergency Care of Mental Health Patients	All	All	~~207.010~~	~~207.040~~
208	Human Death Investigation	All	All	~~202.020 (D)~~ ~~202.030~~	~~Not applicable~~
209	Vehicle Impound	All	All	~~209.020~~ ~~209.050 (B)(C)~~ ~~209.080~~ ~~209.090~~	~~209.020~~ ~~209.080~~
210	Response to Disaster	All	All	All	All

211	Missing Persons and Runaway Minors	All	All	All	All
212	Domestic Violence	All	All	~~212.010~~ ~~212.050(A)~~ ~~212.110~~	~~212.010~~ Not applicable
213	Sex Offender Registration	All	All	All	All
214	Foreign Nationals	All	All	Reference	Reference
215	Major Aircraft Accident Plan	All			
216	Transport of Persons in Custody	All	All	Not applicable	~~216.020~~ ~~216.090~~ ~~216.100~~ ~~216.110~~
217	Weapons Carry	All	All	All	All
218	International Criminal Police Organization (INTERPOL)	All	All	Not applicable Reference	Not applicable Reference
219	Criminal Intelligence Information	All	All	~~219.030~~ ~~219.040~~	~~219.030~~
220	Alaska Homicide Registry - VICAP	All	All	Not applicable	Not applicable
221	Polygraph	All	All	Not applicable	Not applicable
222	Interviews	All	All	~~222.050 (C)~~	~~222.050 (C)~~
223	Arrest	All	All	~~223.050 (B)~~	~~223.050 (B)~~
224	Tactical Diving Unit	All	All	Not applicable	Not applicable
225	Major Incident Investigation	All	All	Not applicable	Not applicable
226	Electronic Surveillance and Monitoring	All	All	~~226.010~~	~~226.010~~
227	Riot and Unlawful Assembly	All	All	Reference	Not applicable
228	Victim Rights Notification	All	All	~~228.010 (B)~~	~~228.010 (B)~~
229	Motorized Vehicle and Aircraft Administration	All	All	Not applicable	~~229.070~~
230	Bioterrorism Response	All			
231	Canine Unit Operations	All	All	~~231.130 (B)(C)~~	Not applicable
232	Weapons Standards and Types	All	All		

233	Special Emergency Reaction Team	All	All	Reference	Not applicable
234	Search and Rescue Operations	All	All	~~234.050~~	~~234.050~~
235	Child Abuse	All	All	Reference	~~235.030 (A)(C)~~
237	Service of Civil and Criminal Process	All	All	Not applicable	~~237.020~~ ~~237.040~~

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 2	AUTHORITY AND ORGANIZATION OF THE DEPARTMENT	
	Effective: 05/17/2010	**Commissioner Approval:**
	Authorities: AS 44.03.010 - 080	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

2.100 INTRODUCTION

This chapter sets out statutes that establish the jurisdiction and areas of responsibility of the Department of Public Safety, and of the Divisions within the Department.

2.300 ADMINISTRATION OF DEPARTMENT

A. ***Delegation of functions.*** The Commissioner has the authority to assign the functions vested in the department to subordinate officers and employees.

B. ***Establishment of Divisions***. The Commissioner has the authority to, with the approval of the governor, establish divisions or other administrative or organizational units within the department in the interests of economy and efficiency, and in accord with sound administrative principles and practices.

C. ***Establishment of regulations.*** The Commissioner has the authority to adopt regulations, consistent with law or rules established by the governor, for:

1. the administration of the department;
2. the conduct of the employees;
3. the distribution and performance of business; and
4. the custody, use and preservation of the records, documents, and property pertaining to department business.

D. ***Executive may establish staff positions.*** The Commissioner has the authority to establish necessary subordinate positions, make appointments to these positions, and remove persons appointed, within the limitations of appropriations and subject to state personnel laws. Each person appointed to a subordinate position established by the principal executive officer is under the supervision, direction, and control of that executive officer.

E. ***Continuing functions of former Department.*** Each department exercising the functions, powers, and duties of a former department or agency is, for the purpose of succession to all

rights, powers, duties, and obligations of the former department or agency, considered a continuation of the former department or agency. If a former agency is referred to by law, contract, or document, the reference is considered to apply to the department now exercising the functions of the former agency.

F. ***Governor assigns functions not assigned by law.*** Administrative functions established by law that are not assigned by law to any department shall be assigned by the governor to that department which, in accordance with the organization of state government, can most appropriately and effectively perform the activity.

G. ***Commissioner may reorganize Department.*** Subject to state personnel laws and the approval of the commissioner of administration, the Commissioner may, in the interest of improved management, abolish unnecessary offices and positions, transfer officers and employees between positions, and change the duties, titles, and compensation of existing offices and positions.

H. ***Commissioner and other departmental employees may only appear before legislature when called.*** The Commissioner and each employee of a department of the state government may not appear before the legislature to present requests or information pertaining to appropriations or revenue bills unless called upon to do so by the legislature or by a committee of the legislature. Approval from the Commissioner's Office is required prior to an appearance before the legislature or committee occurs. The provisions of this paragraph do not apply to recognized union officials when acting in the scope of their union duties.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 3	**POLICE PROTECTION**		
	Effective:	**08/02/2017**	**Commissioner Approval:**
	Authorities:	18.65.080-085; 18.70.020; 22.20.100-130; 18.65.090; 18.65.050; 18.65.100; 18.65.110; 18.65.020; 18.65.130; 18.22.20; 18.65.010; AK CONSTITUTION ARTICLE XV; Alaska A.G Opinion J-66-005-75	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:		

3.100 INTRODUCTION

It is the responsibility and authority of the DPS Commissioner to assign duties pertaining to law enforcement.

3.110 POWERS AND DUTIES OF COMMISSIONED PERSONNEL

A. ***Powers and duties of commissioned personnel.*** Commissioned personnel are charged with the enforcement of all criminal laws of the state and have the power usually and customarily exercised by a peace officer of the state or a municipality. Commissioned personnel may prevent crime, pursue and apprehend offenders, obtain legal evidence, institute criminal proceedings, execute any lawful warrant or order of arrest, make an arrest without warrant for a violation of law committed in his or her presence, and may cooperate with other law enforcement agencies in detecting crime, apprehending criminals, and preserving law and order in the State. [Ref AS 18.65.080-085]

B. ***Authority and responsibility of Deputy Fire Marshals.*** Under the general direction and command of the State Fire Marshal, Deputy Fire Marshals primarily enforce state fire laws and regulations. Deputy Fire Marshals are sworn police officers certified by the Alaska Police Standards Council (APSC). Deputy Fire Marshals are assigned a limited range of law enforcement duties by the Commissioner or designee. [Ref AS 18.70.020-30]

C. ***Authority and responsibility of Court Service Officers.*** Under the general direction and command of Judicial Services supervisors, Court Service Officers (CSOs) assist commissioned personnel in prisoner transport, court security, and process service under authority of AS 22.20.100-140. CSOs who meet the APSC requirements for certification are sworn police officers. CSOs who do not qualify for APSC certification are sworn peace officers. CSOs are assigned a limited range of law enforcement duties by the Commissioner or designee.

D. ***Assistance to other agencies.*** DPS shall assist departments of the state, municipal, and federal governments in the enforcement of criminal laws and regulations. [Ref AS 18.65.090]

E. ***DPS to maintain central information.*** DPS shall establish a central repository containing information on fingerprints, handwriting, ballistics, stains, and other evidence of crime [Ref AS 18.65.050]

F. ***Officers may command assistance.*** Commissioned personnel of DPS may command the assistance of any able-bodied person to accomplish the purposes listed in OPM Section 3.100 (A). During the time that assistance is required, the person is considered to be an employee of the Department with the powers of commissioned personnel under OPM Section 3.100 (A). [Ref AS 18.65.100]

G. ***Only lawful interference with rights or property permitted.*** Employees of DPS may not interfere with the rights or property of any person, except in a lawful manner necessary for the prevention of crime or the capture and arrest of an offender. [Ref AS 18.65.110]

H. ***Department to supply uniforms and equipment.*** The State shall provide commissioned personnel and other officers of AST, AWT, FLS, and CSO with standard uniforms, vehicles, supplies, and equipment necessary to carry out the objectives and purposes of AS 18.65.010-110. All issued property shall remain the property of the State. [Ref AS 18.65.020]

I. ***Commissioner shall establish headquarters and stations.*** The commissioner shall establish stations and headquarters at the places and localities that are necessary for the enforcement of the laws. [Ref AS 18.65.130]

3.320 DUTY OF THE COMMISSIONER

A. ***DPS Commissioner is executive officer of the Supreme Court.*** The Commissioner is the executive officer of the supreme court and shall serve and execute all process issued by the supreme court or a supreme court justice, attend the supreme court, and execute the authority necessary for the performance of these duties. [Ref AS 22.20.100]

B. ***Duty to appeals, superior, and district courts.*** When required by the supreme court, the Commissioner shall serve and execute all process issued by the court of appeals, the superior court, and the district courts, attend to and wait upon grand and petit juries, maintain order, attend the sessions of the courts, and exercise the power to perform the duties concerning all matters within the jurisdiction of the courts. The Commissioner is the executive officer of the court of appeals, the superior court, and the district courts. [Ref AS 22.20.110]

C. ***Authority of former U.S. Court vested in Commissioner.*** The authority and duties vested in the U.S. Marshal by statute regarding execution of process service of the former U.S. District Court for the Territory of Alaska, seizure and detention of property, sale of property forfeited or levied upon, and arrest of persons in connection with civil matters, is vested in the Commissioner. State courts issuing process may direct the execution of service to the Commissioner or his designee. [Ref Alaska Constitution Article XV]

3.330 APPOINTMENT OF SPECIAL OFFICERS

A. ***Commissioner may appoint Special Officers.*** For a limited or set duration, the Commissioner may appoint, as Special Officers, qualified police officers of the federal, state, or local governments; or persons over 19 years old with adequate police training, as may be necessary to aid and assist DPS in the enforcement of criminal laws of the State. Each Special Officer serves, without compensation, at the pleasure of the Commissioner. [Ref AS 18.65.010]

B. ***Authority of Special Officers.*** Each person appointed as a Special Officer may be authorized by the Commissioner to prevent crime, issue citations, pursue and apprehend offenders, obtain legal evidence, institute criminal proceedings, execute warrants of arrest or search and seizure, or other criminal process issuing from any court of the State. If authorized by the Commissioner, Special Officers may make arrests in the same manner as the commissioned personnel of DPS. The Commissioner, at his or her discretion, may limit the authority and duties of each Special Officer and may set geographic limits on the authority of each Special Officer.

C. ***Applications.*** Applications for Special Officer status must include the following:

1. A specific statement describing how the issuance of the Special Commission will directly support the mission of the Alaska State Troopers;
2. The official job description and job duties of the proposed Commission holder if not employed as a police officer;
3. The delineation of crimes the proposed Commission holder shall be authorized to investigate and the geographic limits of the requested authority; and
4. The policies and procedures of the requested agency as they relate to the purpose of the requested Special Commission.
5. Applications not including the above documentation will be returned to the requesting agency for more information.

D. ***Special Officers to carry identification.*** Each Special Officer shall carry identification issued by the Commissioner and firearms in the manner required by the Commissioner. Each person appointed shall take the constitutional oath of office. Persons appointed may hold other public or private employment.

E. ***Special Officer Commission Committee.*** The Commissioner may delegate authority to approve, renew, or revoke Special Officer Commissions to a committee. Such committee, comprised of departmental employees, will be: Deputy Commissioner, Special Assistant to the Commissioner for Human Resources, AST Director and/or designee, and AWT Director and/or designee.

1. **Assign or continue Special Officer Commission.** In order to maintain the integrity of a Special Commission, the committee shall review such requests to determine appropriateness of issuance or continued eligibility. Denial of a commission may occur if the requestor has committed an act of unacceptable behavior involving, but not limited to, criminal acts, acts of moral turpitude, or behavior that has brought, or may bring, discredit or embarrassment upon the Department of Public Safety.
2. **Suspension of existing Commissions.** The committee has authority to suspend a commission during a review of any incident of unacceptable behavior, as described above.

3. **Determinations.** The committee shall make a written determination notice as to the issuance, renewal, reinstatement, suspension, revocation, or limitations of a commission within fifteen (15) days of the committee's review. The committee will prepare a summary of each request and the justification for each approval or denial for review by the Commissioner prior to finalization.

4. **Appeals.** The requestor may submit a written appeal to the Commissioner within ten (10) days of determination notification.

F. ***Final Determinations.*** The Commissioner's decision regarding the status of a Special Officer Commission is final. Special Commissions are issued at the sole discretion and pleasure of the Commissioner.

3.900 DEFINITIONS

Peace Officer – A public servant vested by law with a duty to maintain public order or to make arrests, whether the duty extends to all offenses or is limited to a specific class of offenses or offenders; an officer of the Alaska State Troopers. [Ref AS 11.81.900(b)(44), AS 01.10.060(a)(7)(A)]

Police Officer – A employee of the state or a municipal police department with the authority to arrest and issue citations; detain a person taken into custody until that person can be arraigned before a judge or magistrate; conduct investigations of violations of and enforce criminal laws, regulations, and traffic laws; search with or without a warrant persons, dwellings, and other forms of property for evidence of a crime; and take other action consistent with exercise of these enumerated powers when necessary to maintain the public peace. [Ref AS 18.65.290(7)(a)]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 4	OFFICE OF THE COMMISSIONER		
	Effective:	10/31/2012	Commissioner Approval:
	Authorities:	AS 44.17.030; 39.25.010 - 190; 18.65.030; 18.60.146; 18.65.130-290; 18.65.010; 04.06.010	
	Applicability:	ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:		

4.100 RESPONSIBILITY

The Commissioner of Public Safety is the appointed principal executive head of the Department of Public Safety, vested with full power and authority over the organization, administration, and discipline of the divisions of the department, as outlined in AS 44.17.030.

4.300 COMMISSIONER

The Commissioner has the authority to appoint, promote, demote, suspend and/or dismiss employees in accordance with the State Personnel Act under AS 39.25 and in accordance with current collective bargaining agreements. The position has the authority to assign and transfer personnel. The Commissioner shall also determine policies of the divisions in keeping with statutory responsibilities The Commissioner may establish the location of the various division segments and units prescribe the uniform and equipment the nature and character of recruitment and special training and the general policy with respect to the use and employment of all employees of the Department of Public Safety.

4.310 DEPUTY COMMISSIONER

The Deputy Commissioner of Public Safety is deputy executive head of the department and shall, in the absence or at the discretion of the Commissioner, administer functions relative to the protection of life and property in the State of Alaska. The Deputy Commissioner shall receive supervision from and be directly responsible to the Commissioner of Public Safety, and in the Commissioner's legal absence, the Deputy shall assume the responsibilities of the Commissioner. As deputy executive head of the department, the Deputy Commissioner shall provide supervision as required through appropriate lines of authority, to ensure a high degree of efficiency and morale in subordinate personnel, utilizing modern methods of planning, organizing, staffing, directing, reporting, budgeting, recruiting, training, and leadership.

The Deputy Commissioner has, upon approval of the Commissioner, the authority to appoint, promote, demote, suspend and/or dismiss employees in accordance with provisions of AS 39.25.010-190 and rules promulgated therein and in accordance with current collective bargaining agreements. The position has the authority to assign and transfer personnel.

4.320 DEPARTMENT ORGANIZATION

The Department of Public Safety is organized into the Divisions of Administrative Services, Alaska State Troopers, Alaska Wildlife Troopers, Fire & Life Safety and Statewide Services. The divisions

are further broken down into offices, unit, posts, and detachments under authority held by the Commissioner in AS 18.65.030.

4.330 DEPARTMENTAL PROGRAMS

The Commissioner's Office supervises the programs and functions listed in this section. The Commissioner may assign or locate these functions anywhere in the state and may delegate the supervision as needed for efficient functioning.

A. ***DPS Training Academy.*** The Public Safety Academy, supervised by the Commissioner's Office, provides:

1. recruit training for state and municipal law enforcement agencies;
2. in-service training covering refresher, update, and advanced topics;
3. public safety training to other government agencies; and
4. coordination of federal funding requests providing courses and other training projects for public safety agencies.

B. ***Scientific Crime Detection Laboratory****.* The crime lab:

1. performs forensic services for the law enforcement agencies in Alaska;
2. provides expert court testimony on the lab results of tested evidence;
3. trains law enforcement officers in proper evidence collection and preservation techniques; and
4. administers the statewide breath alcohol testing program.

C. ***Civil Air Patrol.*** The Civil Air Patrol contributes services and resources in the development and maintenance of aviation in local communities and assists in meeting local and national emergencies. The department benefits from these services through aviation education, cadet training, and assistance in statewide emergencies including search and rescue missions. [Ref AS 18.60.146]

D. ***Alaska Police Standards Council (APSC).*** The APSC, established under AS 18.65.130-290:

1. establishes and enforces minimum selection and training standards for all full-time state and municipal police, correctional, probation, and parole officers; and
2. determines minimum requirements for instructors and certifies police training schools and courses.

E. ***Alaska Fire Standards Council (AFSC).*** The AFSC is staffed with a Fire Training Administrator and Administrative Clerk who is responsible to the Commissioner or designee, and is directed to review certification standards, and conduct certifications for fire service training throughout the state. This council is also responsible to maintain the state's International Fire Service Accreditation (IFSAC). The AFSC office is located in Anchorage.

F. ***Council on Domestic Violence and Sexual Assault (CDVSA).*** The Council, established under AS 18.65.010:

1. funds, monitors, plans, organizes, implements, coordinates, and provides fiscal and technical assistance for programs and services for families and victims of domestic violence and sexual assault provided by State agencies and community groups;
2. develops and implements a standardized data collection system; and
3. provides technical assistance as requested to state and community groups.

G. ***Office of Professional Standards.*** The DPS Office of Professional Standards:

1. conducts all administrative investigations on department employees;
2. manages internal affairs and an early intervention program for monitoring employee performance;
3. provides statistical reports on employee behavior in pre-determined indicators such as use of force, vehicular pursuits, complaints, and any other identified areas;
4. provides oversight for deadly force review boards and maintains historical documentation of those incidents; and
5. coordinates the revision and publication of the departmental Operating Procedures Manual (OPM).

H. ***Labor Relations Section.*** The special assistant assigned to this section coordinates labor relations activities, negotiations, and monitors the application of discipline within the Department.

I. ***Legislative Liaison Section.*** The special assistant assigned to this section reviews, researches, and tracks all legislation impacting the department. Within this capacity, the special assistant also coordinates departmental testimony, regulation drafting, and meets with concerned or involved parties to the proposed legislation. The special assistant serves as the department liaison with the State Legislative Branch.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 5	DIVISION OF ALASKA STATE TROOPERS (AST)	
	Effective: 05/17/2010	**Commissioner Approval:**
	Authorities: AS 18.65.030; 18.65.086; 18.65.600-660	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

5.100 RESPONSIBILITY

The Division of Alaska State Troopers (AST) is charged with statewide law enforcement, prevention of crime, pursuit and apprehension of offenders, service of civil and criminal process, prisoner transportation, central communications, and search and rescue.

5.300 DIVISION DIRECTOR

The Division Director is an AST Colonel, appointed by and accountable to the Commissioner, who is charged with carrying out the responsibilities and duties of the division. The Commissioner designates the location of the Director's Office.

The Commissioner will appoint a commanding officer to act as Director under exigent circumstances.

5.310 DIRECTOR'S STAFF

The Director may assign officers to staff positions as necessary to accomplish division functions. Staff personnel may be assigned command responsibility or supervision of major division activities.

There are two Deputy Directors with the rank of AST Major, appointed by and accountable to the Director. Either may be delegated to act with the Director's authority in the absence of the Colonel.

The Director's Staff Commander is an AST Captain, appointed by and accountable to the Director through a Deputy Director.

5.320 DIRECTOR'S STAFF ORGANIZATION

A. ***Public Information Office (PIO)*** is responsible for maintaining and enhancing DPS media relationships, to include:

1. the coordinated release of information for major incidents and Amber Alerts;
2. the design, production, placement, and implementation of public safety campaigns and brochures;
3. the design, implementation and update of the DPS websites;
4. the publishing of the AST Annual Report;
5. the publishing of the DPS newsletter;
6. the production of in-house training and recruitment media;
7. the provision of media training and guidance to department personnel; and
8. the coordination of annual functions such as Police Memorial Day.

B. ***Domestic Violence and Sexual Assault Program Coordinator***. The Domestic Violence and Sexual Assault Program Coordinator is responsible for the administration of federal grant funds allocated under the Violence Against Women Act (VAWA). Duties include:

1. conducting need assessments;
2. developing and implementing training programs for law enforcement and other criminal justice professionals;
3. maintenance of assigned program budgets; and
4. providing policy recommendations to the Director's Office.

C. ***DPS Chaplaincy Program***. The program is designed to provide emotional and spiritual support to employees of the Department and the public who have suffered a traumatic event. The positions are non-funded, volunteer, and conform to the rules established by the Alaska Police Chaplain Association (APCA). All chaplains must meet the minimum criteria set by APCA.

D. ***Recruitment Unit***. The Recruitment Unit, is responsible for:

1. recruiting individuals to join the commissioned ranks of the Alaska State Troopers and Court Service Officers; ensuring efforts include a strategy for building a culturally diverse workforce;
2. proctoring applicants' written and physical endurance tests, scheduling medical examinations, drug screening, psychological testing and oral interviews; and
3. conducting comprehensive background investigations to assist in the determination of suitability for hire by DPS; and
4. providing support for efforts in recruiting applicants for the VPSO program.

E. ***Vehicle Fleet Management***. This unit is responsible for:

1. procurement, equipping, and assignment of vehicles within the Department;
2. conducting post accident follow-up with insurance companies for the purpose of recovering funds to repair damaged vehicles; and
3. interacting with the divisions to determine types of vehicles to order, including equipment specifications and assignment of vehicles.

F. ***Criminal Intelligence Unit.*** This unit reports to the Director and:

1. collects, processes, analyzes and disseminates information on the activities of individuals and groups known or suspected of being involved in criminal acts (see OPM 219 and CFR 28);
2. acts as the liaison between the State and other federal agencies and INTERPOL;
3. assists the US Marshal's Alaska Fugitive Task Force in locating and arresting persons wanted by the United States, the State of Alaska, and other states locally, statewide, and outside Alaska; and
4. provides support and information to AST statewide.

5.330 ALASKA STATE TROOPER DIVISION

A. ***Division organization.*** The Division is divided into five detachments, a headquarters, and four bureaus. The headquarters and posts for the detachments and bureaus are:

Detachment	Headquarters	Posts
A	Ketchikan	Haines, Juneau, Klawock, Ketchikan
B	Palmer	Glennallen, Palmer, Mat-Su West, Talkeetna
C	Anchorage	Anchorage, Aniak, Bethel, Dillingham, Emmonak, Iliamna, King Salmon, Kodiak, Kotzebue, Nome, Saint Mary's, Unalakleet
D	Fairbanks	Cantwell, Delta Junction, Fairbanks, Galena, Healy, Nenana, Northway, Tok
E	Soldotna	Anchor Point, Crown Point, Cooper Landing, Girdwood, Ninilchik, Soldotna
HQ	Anchorage	AST Headquarters
ABADE	Anchorage	Statewide Responsibility
ABI	Anchorage	Statewide Responsibility
ABJS	Anchorage	Statewide Responsibility
ABHP	Mat-Su West	Statewide Responsibility

B. ***Detachment and Bureau organization.***

1. Detachments and bureaus may be established, deleted, or modified only with approval of the Commissioner under authority of AS 18.65.030.
2. Commanding officers, appointed by and accountable to the Director, command detachments and bureaus.
3. Each Detachment is charged with Division responsibilities within a specific geographic area. Each Bureau is responsible for the statewide discharge of their specific duties and overall responsibilities.
4. Detachments consist of a headquarters and one or more posts.
5. Bureaus consist of a headquarters and one or more units.

C. ***Post/Unit organization.***

1. A post/unit shall only be established, abolished, or have its status changed with the approval of the Commissioner.
2. A post is responsible for a specific geographical area and consists of one or more commissioned Troopers. A unit is responsible for a particular function and may be assigned to a particular area and consist of one or more Troopers.
3. The post Trooper, unit Supervisor, or Officer-in-Charge is accountable to the Detachment/Bureau Commander or designee.

D. ***Alaska Bureau of Investigation (ABI)***

1. The ABI Commander is appointed by and accountable to the Director or designee.
2. The ABI is responsible for coordinating and/or conducting major criminal investigations within State Trooper jurisdiction, and for responding to investigative requests by other agencies. ABI provides or coordinates the response of investigators specifically trained to handle cases involving fraud, forgery, computer and internet crime, homicide, suicide, sexual assault, surveillance, polygraph examinations, and missing persons.
3. <u>Major Crime Unit (MCU)</u> is located within ABI and:
   a. coordinates assistance and/or investigation of homicide, attempted homicide, solicitation to commit murder, assault in the first degree, suicide, unattended death, kidnapping, robbery, arson, hostage situations, sexual assault, sexual abuse of minors, sex exploitation, child abuse, officer involved shootings, and other incidents designated by the ABI Commander (see OPM 208 and 225);
   b. when requested, collects sexual assault and exploitation information from AST Detachments and prepare reports pursuant to AS 18.65.086; and
   c. has components located in Anchorage, Palmer, Fairbanks, and Soldotna.

4. Technical Crime Unit (TCU) is responsible for:

   a. computer and cell phone examinations, child exploitation investigations and the current electronic researching and investigating new trends in electronic crime involving sophisticated computer forensics;

   b. securing or assisting with search warrants for social networking websites and e-mail accounts (i.e. Gmail, Hotmail and Yahoo), tracing IP addresses, as well as assisting with or authoring, obtaining and serving search warrants to obtain data from cell phone companies, websites and on-line services (i.e. PayPal, Craigslist);

   c. conducting proactive Peer to Peer investigations into suspects living in Alaska that are file sharing child sexual abuse images over the internet; and

   d. participating in the Alaska Internet Crimes Against Children Task Force (ICAC) and will conduct/assist with multi-jurisdictional Child Exploitation Investigations.

5. Financial Crimes Unit (FCU) coordinates and/or investigates selected acts of forgery, fraud, embezzlement, unsworn falsification, perjury, credit card crimes, and other investigations designated by the ABI Commander. FCU will participate with the Alaska Financial Crimes Task Force and will conduct/assist with multi-jurisdictional Financial Crimes Investigations. FCU will receive all IC3 complaints and will be the point of contact for the National White Collar Crime Center (NW3C).

6. Cold Case Unit (CCU) is responsible for reviewing and investigating unsolved homicides in an effort to indentify and follow up on leads which may not have been available or apparent during the initial investigation. The CCU is dedicated to solving homicide cases and appropriately charging the suspect(s).

7. Missing Persons Clearinghouse The clearinghouse, established under AS 18.65.600--660, shall:

   a. maintain a system for communication of information regarding missing persons;

   b. collect, maintain, and disseminate accurate and complete information on missing persons for the purpose of identifying, locating, and returning them as required by Alaska Statutes [see OPM 211];

   c. provide for exchange of information on missing persons within the state;

   d. cooperate with private citizens, local law enforcement agencies, and other state and federal agencies in investigations concerning missing persons; and

   e. provide training and assistance to law enforcement agencies to promote the effective use of the clearinghouse.

8. Child Abuse Investigative Unit (CAIU) is responsible for

   a. coordinating/investigating allegations of child sexual abuse, sexual assault and serious physical abuse or neglect;

   b. collaborating with members of the Child Advocacy Centers and Multi-Disciplinary Centers throughout the course of these investigations;

   c. and has components in Anchorage, Palmer, Fairbanks, and Soldotna.

9. Anchorage Evidence Facility is maintained by ABI.

E. ***Alaska Bureau of Alcohol and Drug Enforcement (ABADE)***

1. The ABADE Commander is appointed by and accountable to the Director or designee.

   The ABADE**:**

   a. administers and provides support for statewide drug and alcohol enforcement;

   b. administers and accounts for all expenditures pertaining to Federal and State grants which focus on the investigation of illegal drug and alcohol offenses;

   c. prepares the annual drug and alcohol report for DPS;

   d. coordinates investigative and technical assistance to Federal, municipal and other state agencies conducting investigations into illegal drug and alcohol offenses;

   e. administers and provides oversight of forfeiture actions resulting from ABADE activities;

   f. administers the funds provided to Alaska by the Federal Drug Enforcement Administration for the eradication and suppression of growing marijuana within the state; and,

   g. provides statewide training pertaining to the identification, interdiction, and investigation of illegal drug and alcohol offenses.

2. ABADE is composed of several regional and functional units that conduct investigations into illegal drug and alcohol offenses and provide investigative assistance and support to the respective regional detachments, and other regional municipal, state, or federal law enforcement agencies. These units will also identify, investigate, and seize assets related to illegal drug and alcohol investigations, which may be subject to forfeiture action, and facilitate and actively participate in the criminal, administrative, or civil forfeiture process.

The units are referred to as:

Fairbanks Areawide Narcotics Team
Mat-Su Narcotics Team
Southeast Alaska Narcotics Team
Western Alaska Alcohol and Narcotics Team
Major Offenders Unit

3. The ABADE Commander, on approval of the Director, may assign bureau investigators to multi-jurisdictional task forces.

F. ***Alaska Bureau of Highway Patrol (ABHP)***

1. The ABHP Commander is appointed by and accountable to the Director or designee.
2. The ABHP is responsible for coordinating and/or conducting traffic law enforcement, fatal and major injury collision investigations within State Trooper jurisdiction, and for responding to enforcement and investigative requests by other agencies.
3. The ABHP primary functions are:
   a. traffic safety;
   b impaired driver enforcement;
   c. aggressive driving and speeding enforcement;
   d. youth driver education and enforcement;
   e. occupant protection enforcement;
   f. remote highway patrol for vehicles in distress;
   g. public education;
   h. enforcement of state traffic laws and regulations;
   i. enforcement of all state laws and regulations during traffic enforcement patrols; and
   j. review and update of Title 13 regulations.
4. The ABHP has traffic teams located in Fairbanks, Mat-Su West, and Soldotna.

G. ***Alaska Bureau of Judicial Services (ABJS)***

1. The ABJS Commander is appointed by and accountable to the Director or designee.
2. The ABJS responsible for transporting prisoners, serving court process, extraditing fugitives, court security, and judicial protection.
3. Prisoner Transport includes transporting prisoners locally from a jail or prison to court, within the State between institutions, outside the state, to and from DOC

contracted facilities and returning fugitives, guarding prisoners while they are in the courthouse or medical facility, and making and documenting all travel arrangements for the officer and prisoner.

4. Process Service The ABJS serves all types of court writs including, subpoenas, summons, domestic violence protective orders, ex parte mental commitments, evictions, garnishments, and writs of assistance. Service includes maintaining fee records, document tracking, document entry and removal from data systems, and documentation of service.

5. Fugitive Extradition The ABJS coordinates the extradition of fugitives to and from other states and countries. This includes information sharing, transportation and guarding of the fugitive.

6. Court Security involves providing security inside the courthouse and on the grounds of court facilities. Where the courts have contracted for private security companies to conduct screening of persons entering the courthouse, the ABJS works with the Court to establish procedures for the screening, provides guidance to the security company, monitors and tests the security company's effectiveness, and responds to the screening point when weapons or contraband are found or when people breach the screening process. The ABJS also provides security at Court sponsored events off court grounds.

7. Judicial Protection The ABJS investigates or coordinates the investigation of threats against Judicial Officers and coordinates appropriate protective measures.

5.340 RURAL ENFORCEMENT SERVICES

A. ***Rural Enforcement Services Program Oversight.*** The "C" Detachment Commander serves as the Statewide Coordinator for the Village Public Safety Officer (VPSO) program.

B. ***Responsibilities of Rural Enforcement Services.***

1. Manage the statewide Village Public Safety Officer (VPSO) program.
2. Administer contracts for the VPSO program with Native non-profit corporations.
3. Make policy and procedural recommendations for rural policing based upon statistical information as well as trends, changing economic conditions, and input from rural and village leaders and citizens.

5.350 ORGANIZATIONAL CHANGES

The Director may create additional bureaus, services, sections, or units as deemed necessary to perform the functions of the Division, upon approval by the Commissioner. [Ref. AS 18.65.030]

5.600 PROCEDURES

A. *Promotional Incentives.*

1. It is in the best interest of the division and the public to prepare any interested employee for promotion. Administrators and commanders are mandated to provide leadership, knowledge, ethics, and integrity training and opportunities when possible. Employees will be encouraged to accept leadership, supervisory, and command positions to gain experience and to provide evaluation opportunities for future promotions.

2. Promotions will be based upon an equitable process, taking into account merit and qualifications. Qualifications include work history, experience, training and education, and an assessment or board-interview scored evaluation. Qualified applicants may be selected from the statewide workforce.

B. *Selection to Bureaus and Specialty Positions.*

1. Certain positions may require employees with specialized skills, a dedicated interest, and a minimum service period. The division may need to provide specialized training to the employee; therefore, it is in the best interest of the division and the public to select those employees best suited for the position. All employees will be encouraged to seek and apply for specialty positions.

2. Selections will be based upon an equitable process, taking into account merit and qualifications. Qualifications include work history, experience, training and education, and an assessment or board-interview scored evaluation. Qualified applicants may be selected from the statewide workforce.

C. *Work Force Cycling and Term Limitations on Specialty Assignments.*

1. The Director may institute minimum service time and maximum service time limitations on certain specialty assignments in order to maximize the return on training investments and to provide increased and diverse training opportunities to a greater number of employees. Employees leaving specialty assignments may apply for other specialty positions, seek promotion, or seek other positions. Employees leaving specialty positions in which they have received training and experience will be encouraged to become department trainers, especially Field Training officers (FTOs), if not seeking promotion or other specialty assignment. The intent of this policy is to raise the collective professional level of the division and to provide more opportunities for more employees.

2. Employees in specialty assignments will be able to request other assignments after they have served the minimum service time requirements, except promotional opportunities, which may be applied for at any time. Employees in specialty assignments may seek permission to extend the service time for six months to conclude a project or case investigation. The bureau commander may also require an employee to extend for up to six months in order to conclude a project or case investigation.

3. Affected Bureaus: ABI, ABADE, ABHP

4. Affected specialty assignments: ABI, ABADE investigators; ABHP troopers; polygraph operators; CIU investigators; K-9 handlers.

5. Minimum and maximum times:

Position	Minimum Time	Maximum Time
ABI, ABADE, CIU- Investigators	2 years	7 years
ABHP Troopers	2 year	5 years
Polygraph Operator	5 years	No maximum
K-9 Handler	3 years	No maximum

D. ***Alternate Work Schedules.*** The Director may develop and institute alternative work schedules based upon hiring needs, local and logistical issues, and workload with the approval of the Commissioner's Office, and in compliance with DOA rules and regulations, and the governing collective bargaining agreement.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 6	ALASKA WILDLIFE TROOPERS (AWT)	
	Effective: 05/17/2010	**Commissioner Approval:**
	Authorities: AS 18.65.030	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

6.100 RESPONSIBILITY

The Division of Alaska Wildlife Troopers is charged with enforcement of statewide law enforcement, prevention of crime, pursuit and apprehension of offenders, natural resource protection and search and rescue.

The Alaska Wildlife Troopers core mission statement is to protect Alaska's Natural Resources through Wildlife Enforcement. Through education, presence, and enforcement action the Division is committed to the following:

Statewide Patrol of Commercial Big Game Services
Reduction of Illegal Guiding and Transporter Activities
Statewide Commercial Fisheries
Reduction of Unlawful Harvest and Sales of Wild-Stocks
Statewide Sport Fish and Sport Fish Guiding
Reduction of Illegal Harvest and Sale of Sport Fish
Statewide Game and Trapping
Prevention of Waste and Illegal Harvest
Boating Safety
Reduction of Boating Related Deaths and Injuries
Safeguarding Habitat
Reduction of Watershed Damage and Non-Compliance of Environmental Permits

6.300 DIVISION DIRECTOR

The Division Director is an AWT Colonel, appointed by and accountable to the Commissioner, who is charged with carrying out the responsibilities and duties of the Division. The Commissioner designates the location of the Director's Office.

The Commissioner will appoint a commanding officer to act as Director under exigent circumstances.

6.310 DIRECTOR'S STAFF

A. ***Deputy Director.*** The Deputy Director is an AWT Major, appointed by and accountable to the Director. The Deputy Director is the Commander for the Division and acts under the Director's delegated authority in the absence of the Colonel.

B. ***Operations Commander .*** The Director's Operations Commander is an AWT Captain, and accountable to the Deputy Director.

C. ***Administrative Commander.*** The Directors Administrative Commander is an AWT Lieutenant, and accountable to the Operations Commander.

D. ***Assignment to staff duties.*** The Director may assign officers to staff positions as necessary to accomplish Division functions. Staff personnel may be assigned command responsibility or supervision of major Division activities.

E. ***Support Sections.*** The following sections are assigned and accountable to the Director and Director's staff.

1. Vessel Section is responsible for:

    a. the maintenance, repair, operational safety, fiscal accounting, and budget for all vessels under the section's jurisdiction;

    b. providing safe, dependable watercraft as required to support the enforcement and emergency response activities of the Department of Public Safety;

    c. vessel needs which are routed through the chain of command, with final determination made by the Director, or designee, after consultation with the vessel supervisor.

A civilian staff employee oversees the Vessel Section. The vessel supervisor supervises all civilian personnel assigned to the Vessel Section.

2. Aircraft Section is responsible for:

    a. maintenance, repair, operational safety, fiscal accounting, and budget for all aircraft under the section's jurisdiction; and,

    b. ensuring that all aircraft are assigned and maintained as outlined in OPM Chapter 229.

The Aircraft Section is overseen by a civilian staff employee. The aircraft supervisor supervises all civilian personnel assigned to the Aircraft Section.

Public OPM as of 9/4/2020

6.320 ALASKA WILDLIFE TROOPERS DIVISION ORGANIZATION

A. ***Division Organization.*** The Division is divided into five (5) Detachments and the Wildlife Investigation Unit (WIU). Detachments A, B, C, D, and E, and the WIU. The headquarters and posts for the detachments and WIU are:

Detachments	Headquarters	Posts
A	Juneau	Haines, Hoonah, Juneau, Ketchikan, Klawock, Petersburg, Sitka, Wrangell, Yakutat
B	Palmer	Anchorage, Glennallen, Palmer, Talkeetna, Mat-Su West
C	Kodiak	Dillingham, Dutch Harbor, Iliamna, King Salmon, Kodiak
D	Fairbanks	Aniak, Bethel, Cantwell, Coldfoot, Delta Junction, Kotzebue, Fairbanks, Galena, McGrath, Nome, St. Mary, Tok
E	Soldotna	Cordova, Girdwood, Anchor Point, Seward, Soldotna, Valdez, Cooper Landing
WIU	Anchorage	Anchorage

B. ***Detachment organization.***

1. Detachments are commanded by superior officers appointed by, and accountable to, the Director.
2. Each Detachment is charged with Division responsibilities within a specific geographic area.
3. Detachments consist of a headquarters and one or more posts.

C. ***Post Organization.***

1. A post shall only be established, abolished, or have its status changed with the approval of the Commissioner.
2. A post is responsible for a specific geographical area and consists of one or more Troopers.
3. The post Trooper or Officer-In-Charge is accountable to the Detachment Commander or his designee.

D. ***Wildlife Investigations Unit (WIU).***

1. WIU has statewide responsibility and conducts investigations of significant or complex resource related, offenses;
2. WIU provides assistance and advice to the Detachments in the conduct of major investigations, and assumes other specialized assignments at the discretion the Director;
3. WIU is responsible for conducting special and covert operations into known or suspected illegal fishing, hunting, and guiding activities; and
4. WIU provides the Operations Commander the status of ongoing investigations and related trends in Alaska.

6.330 ORGANIZATION CHANGES

The Director may create additional bureaus, services, sections or units as deemed necessary to perform the function of the Division, upon approval by the Commissioner. [Ref. AS 18.65.030]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 7	**DIVISION OF STATEWIDE SERVICES (DSS)**		
	Effective:	**05/17/2010**	**Commissioner Approval:**
	Authorities:	**AS 18.65.030**	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:		

7.100 RESPONSIBILITY

The Division of Statewide Services is charged with providing a multitude of service functions to internal DPS users and to a larger external constituent base that includes members of the general public as well as other federal, state, and local law enforcement and related agencies.

7.300 DIVISION DIRECTOR

The Division Director may be a non-commissioned employee appointed by and accountable to the Commissioner, charged with carrying out the responsibilities and duties of the Division. The Commissioner designates the location of the Director's Office.

7.310 DIRECTOR'S STAFF

The Director may make assignments to staff positions as necessary to accomplish Division functions. Staff personnel may be assigned supervisory responsibility, supervision of major Division activities, or may act as assistants to the Director.

7.320 STATEWIDE SERVICES ORGANIZATION

The Division of Statewide Services is divided into two groups.

A. ***Statewide Information Services*** is responsible for:

1. Application support for mainframe and small computers;
2. Network development and operation;
3. Network and APSIN security; and,
4. Department web services.

B. ***Criminal Records and Identification Bureau*** is responsible for:

1. Alaska criminal history repository;
2. Alaska Automated Fingerprint Identification System (AAFIS);
3. Operator's license and booking photo archive;
4. Alaska Public Safety Information Network (APSIN) security;
5. APSIN training, audit, and quality assurance;
6. Civilian process server and security guard licensing;
7. Sex offender and child kidnapper registry;
8. Uniform Crime Reporting (UCR); and,
9. Concealed handgun permits.

7.330 ORGANIZATIONAL CHANGES

The Director may create additional bureaus, services, sections, or units as deemed necessary to perform the function of the Division, upon approval by the Commissioner. [Ref. AS 18.65.030.]

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 8	**DIVISION OF FIRE AND LIFE SAFETY (FLS)**		
	Effective:	**10/31/2012**	**Commissioner Approval:**
	Authorities:	**AS 18.65.030; 18.70.020**	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:		

8.100 RESPONSIBILITY

A. ***Enforcement of laws and regulations.*** The Division is charged with the enforcement of laws and regulations, which will foster and promote fire safety as well as developing ways and means of protecting life and property against fire, explosion, and resulting panic.

B. ***Adoption of building and fire codes.*** The Division has adopted building and fire codes applicable to all buildings except residences with fewer than four units. These codes are enforced through a program of construction plan review and on site inspections of facilities.

C. ***Additional functions and programs of the Division*.**

1. Provide technical investigation of fires involving death, serious injury, large dollar loss, or crime in support of criminal case investigation by AST and other law enforcement.
2. Promote fire prevention through a statewide education program.
3. Collect and disseminate fire data through the Alaska National Fire Incident Reporting System (ANFIRS).
4. Provide instruction in fire suppression to fire departments across the State.
5. Ensure public safety through fire and life safety building plan review and inspections.

8.300 DIVISION DIRECTOR

The Division Director is the State Fire Marshal, appointed by and accountable to the Commissioner, and is charged with carrying out the responsibilities and duties of the Division. The Commissioner designates the location of the Director's Office.

The Division Director will appoint a designee to act as State Fire Marshal in the absence of the Division Director.

8.310 DIRECTOR'S STAFF

The Fire Marshal may assign division employees to staff positions as necessary to accomplish Division functions. Staff personnel may be assigned command responsibility or supervision of major Division activities.

8.320 DIVISION OF FIRE AND LIFE SAFETY ORGANIZATION

The Division is comprised of three bureaus, the Training and Education Bureau (TEB), the Life Safety Inspections Bureau (LSIB), the Plans Review Bureau (PRB). The bureaus, each supervised by a Bureau Supervisor or other designee appointed by and responsible to the State Fire Marshal or designee, are directed to discharge fully the Division responsibilities for their areas of responsibility. The three bureaus are headquartered in Anchorage.

A. ***Training and Education Bureau (TEB).*** The TEB Offices, each staffed by a Fire Training Specialist or other designee appointed by and responsible to the State Fire Marshal or designee, are directed to provide training to fire fighters, and educate the public in fire safety and prevention in the State of Alaska. Four TEB Offices are established as follows:

Training and Education Bureau	Location
Main/Public Education Office	Anchorage
Northern Fire Training Office	Fairbanks
Southeast Fire Training Office	Juneau
Office of Rural Fire Protection (ORFP)	Palmer

B. ***Life Safety Inspections Bureau (LSIB).*** The LSIB Offices, each staffed by a Deputy Fire Marshal I or other designee appointed by and responsible to the State Fire Marshal or designee, are directed to perform inspections for life safety, review building plans for life safety code compliance, and conduct investigations for origin and cause in the State of Alaska. Four LSIB offices are established as follows:

Life Safety Inspections Bureau	Location
Fairbanks Office	Fairbanks
Anchorage Office	Anchorage
Juneau Office	Juneau
Palmer Office	Palmer

C. Plans Review Bureau (PRB). The PRB Offices, each staffed by a Building Plans Examiner or other designee appointed by and responsible to the State Fire Marshal or designee, are directed to review building plans for life safety code compliance and appropriate building / constructions inspections in the State of Alaska. Three PRB offices are established as follows:

Plans Review Bureau	Location
Anchorage Office	Anchorage
Fairbanks Office	Fairbanks
Juneau Office	Juneau

8.330 ORGANIZATIONAL CHANGES

The Director may create additional bureaus, services, sections, or units as deemed necessary to perform the function of the Division, upon approval by the Commissioner. [Ref AS 18.65.030.]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 9	**DIVISION OF ADMINISTRATIVE SERVICES (DAS)**	
	Effective: 05/17/2010	**Commissioner Approval:**
	Authorities: AS 18.65.030	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

9.100 RESPONSIBILITY

The Division of Administrative Services is responsible for: providing centralized administrative support for the other divisions and agencies in finance, general administrative support and training, budget, grants administration, procurement, supply, facilities management, and liaison with administrative agencies in other organizations

9.300 DIVISION DIRECTOR

The Division Director is a non-commissioned employee, appointed by and accountable to the Commissioner, and is charged with carrying out the responsibilities and duties of the Division. The Commissioner designates the location of the Director's Office.

9.310 DIRECTOR'S STAFF

The Director may make assignments to staff positions as necessary to accomplish Division functions. Staff personnel may be assigned supervisory responsibility, supervision of major Division activities, or may act as assistants to the Director.

9.330 DIVISION ORGANIZATION

The Division of Administrative Services is organized as follows:

A. ***Director's office.***

B. ***Centralized Administrative Support.*** Consisting of:

1. Finance (accounting);
2. Administration;
3. Budget;
4. Grants management; and
5. Procurement, supply, facilities management.

9.340 ORGANIZATION CHANGES

The Director may create additional bureaus, services, sections, or units as deemed necessary to perform the function of the Division, upon approval by the Commissioner. [Ref. AS 18.65.030.]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 10	**RANK**	
	Effective: 05/17/2010	**Commissioner Approval:**
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

10.300 ENFORCEMENT RANKS

The Commissioner is the highest-ranking official in the department and is considered the chief law enforcement officer for the state, followed by the Deputy Commissioner.

The hierarchy and levels of authority of the enforcement ranks of the Department are listed below. Supervisor / subordinate roles for other job classes and for civilian employees are defined on Department organizational charts.

A. ***Hierarchy of AST and AWT ranks.*** The Divisions of Alaska State Troopers and Alaska Wildlife Troopers use the paramilitary police rank model that is common to law enforcement across the United States. The following is how the rank structure applies to AST and AWT from highest to lowest rank.

- Colonel
- Major
- Captain
- Lieutenant
- Sergeant
- Corporal
- Trooper

Trooper Recruit | Court Services Officer

B. ***Hierarchy of Fire and Life Safety ranks.*** The Division of Fire and Life Safety uses the rank structure that is common to the fire service across the United States. The following is how the national rank structure applies to the Division of Fire and Life Safety from highest to lowest rank. The AST/AWT equivalent rank is provided for comparison purposes.

DFLS Position	Fire Service Rank	AST/AWT Equivalent Rank
State Fire Marshal	Fire Chief	Colonel
Assistant Fire Marshal	Deputy Fire Chief	Major
Bureau Supervisor	Assistant Fire Chief	Captain
Deputy Fire Marshal	Battalion Fire Chief	Corporal
Fire Training Specialist	Battalion Fire Chief	Corporal
Plans Examiner	Battalion Fire Chief	Corporal

C. ***Determination of command hierarchy.*** For the purposes of command hierarchy, seniority shall be determined first by rank, second by length of service in rank.

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 11	LINE OF COMMAND	
	Effective: 08/02/2017	Commissioner Approval:
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

11.100 CHAIN OF COMMAND

The Commissioner of Public Safety shall designate the chain of command by establishing a chart of the Department's hierarchical organization. Chain of command is synonymous with "chain of supervision", "line of command" or "line of supervision." The term is used to describe the order of supervisory hierarchy.

11.300 EMPLOYEE'S RESPONSIBILITY

Each employee of the Department is responsible to the next higher level of supervision.

11.310 GENERAL RESPONSIBILITIES OF SUPERVISION

Commanders and supervisors shall be responsible for:

A. ensuring all requests for service receive reasonable and professional response;

B. providing professional leadership, training, and development for subordinates**;**

C. the efficient performance of their duties, and for the punctual attendance, appearance, good order, efficiency, and discipline of all employees under their command;

D. determining whether subordinates are performing their duties in accordance with law, regulation, and department policy, and for actively correcting any deficiencies uncovered;

E. properly preparing, transmitting, filing, using, and preserving official reports, records, and correspondence originating within or received by their commands;

F. observance of the rules and regulations, and the policies and procedures of the Divisions within the Department by all employees under their command;

G. the good order, care, and condition of State property and equipment that may be issued to them and to employees of their command;

H. proper administration of the collective bargaining contracts affecting employees under their supervision**;**

I. setting the example for their subordinates in all aspects of their own conduct, productivity, judgment, rules compliance, attitude, appearance and general behavior;

J. providing consistent and positive leadership to all subordinates through setting the example, applying rules, assigning work and evaluating performance in a fair and consistent manner, treating all subordinates fairly and without prejudice of any kind, setting clear expectations and being attentive to the productivity and needs of subordinates;

K. recognizing good work, significant contribution, high productivity and positive examples in subordinate individuals and units and regularly recognizing the good efforts through positive reinforcement, public recognition and written commendation;

L. ensuring high morale within the workforce under their supervision by addressing issues that negatively impact morale and promoting issues that positively impact morale; and

M. being mindful of subordinates in terms of working conditions, workload, personal stressors and coworker interaction such that positive team building tactics can be exercised and negative factors addressed.

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 101	**STANDARDS OF CONDUCT**	
	Effective: 04/29/2016	**Commissioner Approval:**
	Authorities: AS 39.52; AS 39.25.080; AS 18.35	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: See OPM Chapter 111	

101.100 INTRODUCTION

While specific expectations and responsibilities are established throughout the OPM, this chapter expresses required behaviors in carrying out all functions and demands of the department. Egregious misconduct is grounds for immediate dismissal but any violation of the standards of conduct shall be subject to discipline, up to and including dismissal. See 111.360 A.

101.300 GENERAL PROVISIONS

A. ***Conduct standards apply to all Department employees.*** All of the ethical standards and rules expressed herein are inclusive, and together constitute the standards of conduct by which all employees of the Department of Public Safety are to be governed. It shall be the duty of each employee to study and become familiar with the rules and regulations governing the organization and operation of the department, as well as the rules governing control and discipline.

B. ***Professional standards of behavior apply.*** The standards of conduct set out in this chapter do not recognize every possible act that constitutes unacceptable behavior. Conduct that shocks the conscience or that violates generally recognized standards of professional behavior is forbidden.

C. ***Reputation and effectiveness of the Department is affected by the conduct of its employees.*** The reputation of the Department of Public Safety is influenced to a large degree by public belief in the integrity of its employees. Such traits as loyalty, determination, alertness, intelligence, unselfishness, honesty, and high moral standards, are instantly appealing and respected. Each and every employee is expected to make a dedicated effort to conduct their official life so that they will inspire the confidence and trust of the public. The good conduct and reputation of employees of the department help assure the cooperation and support of the public, the cooperation of other agencies, and the mutual cooperation of all employees that serves to increase the effectiveness of the department.

D. ***Honesty.*** Honor and trustworthiness is the cornerstone of this department's relationship with the public. It is also the cornerstone of the employee/employer relationship as well. The Department of Public Safety has zero tolerance for acts of dishonesty in any form or manner.

101.310 CANONS OF POLICE ETHICS

A. ***Canons adopted by Department.*** The Code and Canons of Ethics of the International Association of Chiefs of Police are adopted for the guidance of all Department of Public Safety employees. The canons as adopted appear as OPM 101.310 B-L.

B. ***Primary responsibility of job.*** The primary responsibility of the police service and of the individual officer is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and its legally expressed will, and is never the arm of any political party or clique.

C. ***Limitation of authority.*** The first duty of a law enforcement officer as upholder of the law is to know its bounds upon him in enforcing it. Because he represents the legal will of the community, be it local, state, or federal, he must be aware of the limitations and prescriptions which the people, through law, have placed upon him. He must recognize the wisdom of the American system of government, which gives to no man, groups of men, or institution, absolute power, and he must insure that he, as a prime defender of that system, does not subvert its character.

D. ***Duty to be familiar with the law and with responsibilities of self and other public officials.*** The law enforcement officer shall assiduously apply himself to the study of the principles of the laws, which he is sworn to uphold. He will make certain of his responsibilities in the particulars of their enforcement, seeking aid from his superiors in matters of technicality or principle when they are not clear to him. He will make special effort to fully understand his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

E. ***Utilization of proper means to gain proper ends.*** The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, those who enforce it must first honor it.

F. ***Cooperation with public officials in the discharge of their authorized duties.*** The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of political affiliation or personal prejudice. He shall be meticulous, however, in assuring himself of the propriety under the law of such actions, and shall guard against the use of his office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, he shall seek authority from his superior officer, giving him a full report of the proposed service or action.

G. ***Private conduct.*** The law enforcement officer shall be mindful of his special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expression of either disrespect for the law or seeking to gain special privilege, reflects unfavorably upon the police officer and the police service. The community and the service

require that the law enforcement officer lead the life of a decent and honorable man. Following the career of a policeman gives no man entitlement to special privileges. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. The officer who reflects upon this tradition will not degrade it. Rather, he will so conduct his private life that the public will regard him as an example of stability, fidelity, and morality.

H. ***Conduct toward the public.*** The law enforcement officer, mindful of his responsibility to the whole community, shall deal with the individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct his official life in such a manner as to inspire confidence and trust. Thus, he will be neither overbearing nor subservient, for no individual citizen has an obligation to stand in awe of him, nor a right to command him. The officer will give service where he can and require compliance with the law. He will do neither from a personal preference or prejudice, but rather as a duly appointed officer of the law discharging his sworn obligation.

I. ***Conduct in arresting and dealing with law violators.*** The law enforcement officer shall use his powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His office gives him neither the right to prosecute the violator, nor to mete out punishment for the offense. He shall at all times have a clear appreciation of his responsibilities and limitations regarding detention of the violator. He shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end, he shall cultivate a dedication to the service of the people and the equitable upholding of their laws, whether in the handling of law violators or in dealing with the law abiding.

J. ***Gifts, favors, and gratuities.*** The law enforcement officer representing government bears the heavy responsibility of maintaining, through his own conduct, the honor and integrity of all government institutions. He shall therefore guard against placing himself in a position in which any person can expect special consideration, or in which the public can reasonably assume that special consideration is being given. Thus, he should be firm in refusing gifts, favors or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.

K. ***Presentation of evidence.*** The law enforcement officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. He shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, he will ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word. The law enforcement officer shall take pains to increase his perception and skill of observation, mindful that, in many situations, his is the sole impartial testimony to the facts of the case.

L. ***Attitude toward profession.*** The law enforcement officer shall regard the discharge of his duties as a public trust and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement, he shall strive to make the best possible application of science to the solution of crime, and in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He shall appreciate the

importance and responsibility of his office, and hold police work to be an honorable profession rendering valuable service to his community and his country.

101.320 GENERAL RULES OF CONDUCT

A. ***Employees to be courteous.*** Employees, when dealing with the public and each other, shall be patient, courteous, and respectful. Employees shall be tactful in the performance of their duties, shall control their tempers, exercise the utmost patience and discretion, and not engage in argumentative discussions even in the face of provocation, and shall be attentive to citizens seeking assistance or information, or who desire to register complaints or give evidence.

B. ***Statements by employees shall not belittle others***. Employees of the department shall neither intentionally make statements belittling the beliefs or teachings of another without legal basis for their utterances, nor shall they make statements that by their very utterance would bring discredit upon the department through demonstration of a lack of compassion, tolerance, understanding, or thoughtfulness on the part of the employee. Employees shall not express any prejudice concerning race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, marital status, changes in marital status, pregnancy, and parenthood.

C. ***Coarse language and gestures.*** In the performance of their duties employees will not use coarse, violent, profane, insolent language or gestures.

D. ***Prejudicial statements prohibited.*** Employees shall not express any prejudice concerning race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, marital status, changes in marital status, pregnancy, and parenthood.

E. ***Employees to be punctual.*** Employees shall regard punctuality in all their engagements and the diligent performance of their duties as a prime responsibility to the public.

F. ***Employees to be impartial.*** Employees shall be cognizant of their primary obligation to render impartial, efficient, and effective services to the public in the discharge of their duties, and to always regard their office as a public trust.

G. ***Authority not to be used to secure personal advantage.*** Employees shall administer their duties in a courteous, fair, just, impartial, and reasonable manner, according no one more reasonable treatment than others. They shall recognize the limitations of their authority and at no time use the power or influence of their office or position for their own personal advantage.

H. ***Employees responsible for state property***. Employees are responsible for loss or damage to state property due to their carelessness or negligence, and shall safeguard state property against loss or damage.

I. ***Discriminatory behavior prohibited.***

1. The department will not condone, permit, or tolerate, on the part of its employees, any kind of harassment of persons, whether employees, applicants, or members of the public, on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, marital status, changes in marital status, pregnancy, and parenthood. Employees who knowingly permit, engage in, or instigate such harassment will be subject to disciplinary action up to and including dismissal.

2. The Department of Public Safety subscribes to a policy of equality in the provision of services and the application of enforcement actions to all citizens. Decisions to arrest, file charges, or to deliver any service to a member of the public shall not be influenced by race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, marital status, changes in marital status, pregnancy, and parenthood.

101.330 NEGLECT OF DUTY

A. ***Neglect of duty.***

1. Employees shall not engage in any activities or personal business that causes them to neglect or be inattentive to their assigned tasks, while in duty status.

2. Employees shall execute their duty to the best of their training and ability. An employee failing to carry out his or her duty, absent compelling mitigating circumstances, shall be subject to appropriate discipline.

B. ***Reporting for duty.*** Employees shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.

Judicial subpoenas shall constitute an order to report for duty under this section.

C. ***Fictitious illness or injury reports.*** Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive the department as to the condition of their health.

If requested by the employer, an absence reported as "sick leave," shall be supported and verified through written documentation provided by a licensed physician.

D. ***Sleeping on duty.*** Employees shall remain awake while on duty. If unable to do so, and in danger of falling asleep, they shall report to a supervisor, who shall immediately release the employee from duty, placing the employee in appropriate leave status, pending further supervisory review and appropriate action.

E. ***Absent without leave.*** Employees, while on duty, shall not leave any post, assignment, duty, or their area without permission from their supervisor.

F. ***Accessing personal social media.*** Employees may not use department or personally-owned equipment or resources to access social media while on-duty, except during meal and relief periods and as permitted by SOA Information Security Policy #ISP-172.

101.340 FOLLOWING ORDERS AND ASSIGNMENTS

A. ***Employees are required to complete assignments in timely manner***. All employees are required to complete their assignments in a timely manner, as specified by Detachment, Division, unit S.O.P., manuals, or supervisor assignment.

B. ***Supervisors are responsible for completion of subordinate's assignments***. It is the supervisor's responsibility to assure that subordinates assignments are reasonable, possible, practical, and are completed on time and as required by department policies, rules, and procedures.

C. ***Consequence of assignment neglect***. In addition to disciplinary measures imposed for neglect of responsibilities, employees may also experience leave cancellation and merit increases being denied or withheld.

D. ***Action of employee receiving conflicting orders.*** Employees who are given an otherwise proper order, which is in conflict with a previous order, rule, procedure, regulation, or directive, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor.

E. ***Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.***

F. ***Action of employee receiving unlawful order.*** An employee shall not obey any order which he knows, or should know, would require him to commit an unlawful act. If in doubt as to the legality of an order, the employee shall request a conference with a higher authority, stating the reasons why he believes the order to be unlawful, or shall request the issuing supervisor to clarify and present a copy of the order in writing. A copy of the order is to be retained by the employee.

G. ***Insubordination.*** Employees shall promptly obey any lawful order of a superior officer, a commanding officer, an Officer-in-Charge (OIC), or a civilian supervisor. This includes orders relayed to an employee by another employee of the same or lesser classification, by any other employee of the department, or by any reliable means.

H. ***Failure to comply with directions.*** Employees shall comply with department policies and with verbal or written directions, instructions, directives, manuals or memoranda or other communications from a supervisor, officer-in-charge, or superior officer.

I. ***Truthfulness.*** Employees responding to superiors or to questions posed during the normal course of business or during an official investigation shall truthfully, completely, and thoroughly answer all questions specifically directed or narrowly related to the scope of inquiry. Employees failing to be forthright in response to any work related question are subject to disciplinary procedures due to dishonesty.

101.350 FAILURE TO PERFORM DUTIES PROPERLY

A. ***Violation of rules.*** Employees shall not commit or omit acts that they know, or should know, would constitute a violation of any written rules, regulations, procedures, directives, or orders of the department.

B. ***Departmental reports.*** Required reports, submitted by employees, will be truthful, complete, and submitted on time following established department report writing procedures. No employee shall knowingly enter, or cause to be entered, any inaccurate, false, or improper information.

C. ***Processing property and evidence.*** Property or evidence that has been discovered, gathered, or received in connection with departmental responsibilities will be processed in accordance with established departmental procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence.

D. ***Abuse of process.*** Employees shall not make formal false accusation of any charges including criminal or traffic offenses. Employees shall not knowingly make formal false accusations of employee misconduct.

E. ***Arrest, search, and seizure.*** Officers shall not make any arrest, search, or seizure that they know, or should know, is not in accordance with law and departmental procedures.

F. ***Use of government equipment.*** Employees shall utilize department or government equipment for its intended purpose, in accordance with established department procedures, and shall not abuse, use negligently, negligently damage, or lose this equipment through acts of omission or commission. This equipment shall be maintained in proper order and any defect or hazardous condition will be reported to the employee's supervisor. Employees shall neither use, nor shall they allow family members or other persons to use, government equipment for personal benefit or other non-state business purposes except where specifically allowed in law, regulation, or policy.

101.360 IMPROPER CONDUCT

A. ***Unbecoming conduct.*** Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an employee shall include that which brings, or may bring, the department into disrepute, or reflects discredit upon the employee as a member of the department, or that which impairs the operations or efficiency of the department or employee.

B. ***Personal conduct.*** Employees shall conduct their personal and business affairs in a manner that does not discredit or otherwise bring the department into disrepute or compromise the employee's ability to perform his or her duties.

C. ***Conformance to laws.*** Employees shall obey all the laws of the United States and of the state and local jurisdiction in which the employees are present.

1. A conviction of the violation of any law shall be *prima facie* evidence of a violation of this section. Lack of a criminal complaint, or an acquittal of a violation of law, shall not preclude internal administrative investigation and disciplinary action.
2. Employees are required to report arrests, indictments and/or convictions for misdemeanor or felony crimes to their supervisor immediately upon return to duty. Arrests, indictments and/or convictions shall be reported regardless of the jurisdiction in which the charges were made.

D. ***Cowardice.*** No officer shall shirk from danger or show cowardice.

E. ***Possession and use of drugs.*** Employees shall not possess or use any controlled substance in violation of Municipal, State, or Federal Law. When a licensed medical practitioner prescribes products containing a controlled substance in the treatment of an employee which will or is likely to have an impact on the performance of the employee's duties, the employee's supervisor shall be notified immediately.

F. ***Use of alcohol.***

1. Employees shall not consume intoxicating beverages while on duty, in or out of uniform, except in the performance of duty, and while acting under proper and specific orders from a superior officer. Employees shall not appear for duty or be on duty while under the influence of intoxicants.
   a. Employees shall be exempt from this provision when attending department approved functions while off duty such as the awards banquet.
2. Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results, or may result, in discrediting the department or renders the employee unfit to report for the next regular tour of duty.

G. ***Use of tobacco.***

1. Employees of the department shall be aware of and obey the law in regards to smoking as outlined in AS 18.35.
2. Employees of the department, while on official duty, shall not carry, either in hand or mouth, lit or unlit, a cigarette, cigar, pipe or chewing tobacco, when approaching a violator, in lending assistance to any person, while making contact with any member of the public, or when the possibility exists for them to make contact with the public.

3. Employees of the department are prohibited from smoking in State owned, leased, or rented vehicles. See 103.300 E.

H. ***Gifts, gratuities, bribes or rewards.***

1. Employees shall not solicit or accept any gift or privilege (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) from any person, business, or organization, for the benefit of the employee or the department, if it may reasonably be inferred that the gift:

   a. Seeks to influence the performance or nonperformance of an official nature or duty. (Any incident of this type shall be immediately reported to the employee's supervisor).

   b. Has an interest that may be substantially affected, directly or indirectly, by the performance or nonperformance of an official duty.

2. Employees of this department shall not accept any rewards or gifts that are the result of services rendered while on official duty, or as a result of official action, without the consent of their Director or Commissioner.

I. ***Abuse of position.***

1. Employees shall not use their official position, official identification cards or badges:

   a. For personal or financial gain.

   b. For obtaining privileges not otherwise available to them, except in the performance of duty.

   c. For avoiding consequences of illegal acts, such as: relief from traffic ordinances, statutes, or regulations while operating privately owned vehicles.

2. Employees shall not lend to another person their identification cards or badges, or permit them to be photographed or reproduced, without the approval of the Commissioner.

J. ***Influence affecting persons or effecting results.***

1. Any attempt by an employee to bring influence to bear upon the Commissioner or Director for the purpose of securing promotion, transfer, or for personal interest, or to avoid the penalties for reprehensible action or conduct, shall be considered equivalent to insubordination and treated accordingly.

2. No employee, while on official duty, will solicit or seek outside influence in the form of requests, letters, or petitions to be sent with the intent of influencing their superiors, the legislature, or the executive branch of government.

K. ***Advertisements, endorsements, and referrals.***

1. Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary, and the person needing the service is unable or unwilling to procure it or request assistance, employees shall proceed in accordance with established departmental procedures.

2. Employees shall not endorse, sanction, or knowingly permit the use of their names, titles, ranks, or photographs, or generic title of "State Trooper" to be used in connection with any professional or personal advertisement or testimonial, without the written permission from the Commissioner's office.

L. ***Questionable associations.*** Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are under criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employees.

M. ***Visiting prohibited establishments.*** Employees shall not knowingly visit, enter, or frequent premises where the laws of the United States, the state, or the local jurisdiction are violated, except in the performance of duty. Employees are exempted from this policy when acting under proper and specific orders from a supervisor.

N. ***Gambling.*** Employees shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty, and while acting under proper and specific orders from a supervisor.

O. ***Public statements and appearances.***

1. Employees shall not criticize or ridicule the department, its policies, or other employees, by speech, writing, or other expressions, where such speech, writing, or other expression is defamatory, obscene, unlawful, impairs the operation or efficiency of the department, or is made with reckless disregard for truth or falsity.

2. Employees shall not address public gatherings, social networking opportunities, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, release or divulge investigative information, or any other matters of the department while representing the department in such matters, unless specifically authorized by department policy.

3. Any official statements for public release concerning the affairs of the department, e.g., organization changes, creation of new posts, etc., that have not been released to the public must be authorized by the Commissioner, a Director, or their designee.

P. ***Confidential departmental information.***

1. Employees shall not release reports or information relative to any investigation except in accordance with the written instructions of the Department of Public Safety relative to the confidentiality of certain records.
2. Employees shall not divulge information deemed confidential to any unauthorized person, whether obtained through the execution of departmental duties or other means.
3. Employees shall not release any information pertaining to employees (personnel records) except in accordance with the written instructions of the Department of Public Safety relative to the confidentiality of certain records. [Ref. AS 39.25.080]
4. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

Q. ***Damaging information.*** Upon discovery, any information potentially damaging to the department or its employees, will be reported, via the appropriate channels, to a superior officer and the Division Director.

R. ***Statements in civil cases.*** In civil cases, employees will not give statements concerning official department business to litigants or their attorneys without a court order and prior notification to a supervisor.

S. ***Protection of department documents.*** Employees shall not copy, alter, destroy, remove, or fail to safeguard any official record or document, except in accordance with established department procedures.

T. ***Improper use of department records.*** Employees shall not make improper use of information contained in department records. Improper use of departmental information includes:

1. viewing departmental records without a legitimate business purpose for doing so (including for the purpose of satisfying curiosity);
2. obtaining information in violation of law, regulation, policy, procedure, or other rule;
3. release of records to any third party not legally entitled to the records;
4. release of records to any third party not authorized by policy or procedure to receive the records;
5. release or use of records for personal gain, or to benefit or cause injury to a third party (including influencing political, electoral, or governmental decisions); and
6. release or use of records for financial gain.

U. ***Treatment of prisoners.*** Prisoners will be treated with respect and shall not be verbally, mentally, or physically abused. Force will only be used against persons in custody to the extent necessary to prevent escape or to assure compliance with lawful orders.

V. ***Sexual misconduct.***

1. Sexual Misconduct of any nature is strictly prohibited and if proven may result in disciplinary action up to and including termination. Sexual Misconduct is defined in 101.900 Definitions.
2. Anyone in a supervisory capacity or position of authority shall not engage in any activity of a sexual nature with employees whom they directly supervise or are on probationary status. (The disparity of power between the two employees inherently makes this an unequal relationship)
3. Employees, under color of authority or representing the Department will not extort, encourage, offer, accept, or engage in sexual favors.
4. Employees will not engage in any on-duty activity of a sexual nature.
5. Employees will not engage in any activity of a sexual nature at or in a Department workplace or vehicle.
6. Public displays of affection are strongly discouraged while in uniform and/or in a state vehicle.
7. All reports of sexual misconduct will be forwarded to the Colonel, applicable Division Director, or his/her designee, who will determine the means for investigation.
8. Employees who witness sexual misconduct shall immediately notify a supervisor. Should a supervisor be involved in the incident, the report shall be made to the next level in the chain of command.
9. Supervisors are in a unique position to detect warning signs and patterns that may indicate sexual misconduct by their subordinates. As such, they must act immediately to address the behavior in question. Upon receipt of a complaint, including those that are anonymous or from third parties, or when an employee demonstrates signs and patterns that may indicate sexual misconduct, supervisors will immediately begin the complaint process as described in the Department Personnel Investigations (DPI) manual.
10. Victims of sexual misconduct by department employees shall be treated with professionalism and dignity. Their allegations shall be taken seriously throughout the investigative process regardless of their background, criminal history, or perceived lack of credibility or questionable behavior.

W. ***Surreptitious recording of one employee by another.*** No employee of the department shall record another employee by any means without his or her knowledge.

This provision does not apply to recordings made by department installed telephone line recorders, made by security cameras installed in department facilities, made pursuant to court orders, or made during department authorized criminal or administrative investigations.

101.370 INCOMPETENCE

An employee failing to demonstrate the ability to consistently perform his or her duties at an acceptable level, after receiving training and having a reasonable opportunity to seek assistance or guidance, shall be deemed incompetent and subject to appropriate disciplinary action.

101.900 DEFINITIONS

Egregious Misconduct – Including but not limited to gross disobedience, theft, fraud, dishonesty, chemical or alcohol intoxication, being under the influence of alcohol while on the job, physical misconduct, abusive or lewd behavior, the unauthorized possession, viewing or accessing of pornography or lewd materials at work or on State equipment, or the abandonment of duties. See 111.360 A.

Sexual Misconduct - Sexual misconduct by law enforcement employees is any behavior by an employee that takes advantage of the employee's position in law enforcement to misuse authority and power (including force) in order to commit a sexual act, initiate sexual contact with another person, or respond to a perceived sexually-motivated cue (from a subtle suggestion to an overt action) from another person. It also includes any communication or behavior by an employee that would likely be construed as lewd, lascivious, inappropriate, or conduct unbecoming an employee and violates general principles of acceptable conduct common to law enforcement. In addition, any action where an employee engages on or off duty in illegal, prohibited, or otherwise clearly inappropriate sexual conduct which may damage public respect for the employee and/or the Department. Various forms of sexual misconduct (including criminal acts) could be directed at colleagues, citizens, detainees, juveniles, and crime victims or witnesses. These forms may include, but are not limited to, the following:

1. Sexual contact by force;
2. Unwarranted physical contact with citizens (e.g. inappropriate or unnecessary searches or pat-downs);
3. The use of any information gained while on duty or under the color of authority for personal use (e.g. using a phone number given to an officer during a traffic stop or on a call to ask someone on a date or engage in a personal conversation).
4. Sexual behavior while on duty or in uniform (e.g. masturbation, viewing and/or distributing pornographic images, sexting, whether by personal or Department phone or computer);
5. Voyeuristic actions that are sexually motivated (e.g. looking in windows of residences for sexually motivated reasons, traffic stops to better view occupants for non-professional reasons)
6. Sexual harassment of colleagues or co-workers.

Sexual Favor - Any sexual act occurring in exchange for privileged treatment, salary enhancement, career advancement, or for taking or not taking law enforcement action.

Sexting - Sending a text message or image by means of any electronic device alluding to activities of a sexual nature.

Workplace - Any property owned, leased, or otherwise designated for use by the state, including vehicles, training sites, substations, lodging obtained as a result of official travel, or any other location an on-duty employee is present or might be present.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 102	**UNIFORM**	
	Effective: 6/6/2018	**Commissioner Approval:**
	Authorities: AS 18.65.010-110, Collective Bargaining Agreements	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

102.100 INTRODUCTION

A. ***Department to supply uniforms and equipment.*** The State shall provide commissioned personnel or other officers of FLS, AST and AWT with standard uniforms and equipment necessary to carry out the objectives and purposes of AS 18.65.010-110. All issued property shall remain the property of the State. [Ref AS 18.65.020]

B. ***Commissioner to prescribe necessary uniforms.*** The Commissioner will prescribe the uniform for employees of FLS, AST and AWT in accordance with current collective bargaining agreements. The Commissioner may delegate responsibility for uniform selection to appropriate Division Directors.

C. ***Service without uniforms.*** The Commissioner may direct commissioned personnel or other officers to serve without wearing a uniform. [Ref AS 18.65.040]

102.300 GENERAL APPEARANCE STANDARDS

A. ***Civilian employee attire.*** While on duty or attending training or other official functions, civilian employees will wear clothing appropriate to the activity. Employees having contact with the public or acting as a department representative to other agencies or governments shall wear attire that presents a professional image.

B. ***Uniformed Officers.*** All officers on duty shall wear uniforms or other clothing in accordance with established department procedures. Brass, belts, shoes, uniform shirts and pants, and equipment must be clean and cared for properly. Except when acting under proper and specific orders from a superior officer, officers on duty shall maintain a neat, well-groomed appearance and shall maintain their hair according to the following standards: Natural hair must be clean, neat, and combed. Hair must not extend below the top of the shirt collar at the back of the neck when standing with the head in a normal posture. The bulk or length of the hair must not interfere with the normal wearing of all standard headgear. Wigs or hairpieces may be worn if they conform to the above standards for natural hair. Sideburns must be neatly trimmed and may not extend below a line drawn from the bottom of the ear to the bottom of the nose. Sideburns may not exceed 1 ½" in width. Officers must be clean-shaven. A mustache may be worn if it does not extend below the upper lip or more than ½" beyond the corners of the mouth.

1. Non-uniformed attired. Officers, while on-duty or while attending training or other official functions when not required to be in uniform, will wear standard

conservative business attire. This means suit or sport coat/blazer and slacks (jeans are not authorized), and a tie for male employees. Supervisors may make exceptions for undercover assignments, physical training, and other duties where either uniform or standard business attire is not appropriate. Such would be the case for environments that require a tactical uniform or other alternative, i.e. defensive tactics, commercial vehicle inspection, K-9 training as an agitator, etc.

2. Travel Attire. When traveling to and from training locations, personnel may wear suitable casual business attire in lieu of a Class A uniform or normal business attire. This means a collared shirt (button up or polo type) and a pair of pants such as Dockers or similar professional slacks, which are pressed or otherwise well maintained. No jeans, Carhartts, or similar attire may be worn.

If in doubt or unsure of the suitability of a particular type of attire, it is the responsibility of personnel to contact their individual command staff for pre-approval.

102.310 UNIFORM ADMINISTRATION

A. ***Issuance of uniforms.*** Uniforms issued to officers will be receipted on the appropriate property transfer forms. Supervisors may authorize replacement of uniform or equipment items whenever an item becomes unserviceable due to damage or normal wear. Such replacement uniform items will be ordered in the manner specified by Supply.

B. ***Surrender of uniforms upon separation.*** Upon separation of service, all issued equipment not expended or otherwise accounted for shall be returned to the department in a serviceable and clean condition. The receiving station shall issue a receipt. (Retention of formal uniforms by retired officers – See 102.510)

102.320 WEARING OF THE UNIFORMS - GENERAL

A. ***Compliance with policies required.*** Each officer shall comply with policies pertaining to uniform attire.

B. ***Changes to uniforms prohibited.*** No alteration of design is permitted and nothing may be displayed or worn on the uniform except as prescribed in this chapter.

C. ***Off-duty wear of uniforms by officer prohibited.*** Officers while off duty or on leave may not wear a uniform or any part of the uniform. The Division Director may authorize exceptions for funerals, military functions or similar activities.

D. ***Off-duty commissioned personnel may use certain equipment.*** Fully commissioned personnel may carry their issue or other approved handgun, credentials, handcuffs, OC spray, asp baton, Taser, or similar personally assigned equipment while off duty. Any officer armed while off duty must carry credentials. While in public, weapons or equipment will be carried concealed and OC spray canisters without built in discharge safety mechanisms will be carried only in holsters so equipped. Tasers will be carried in approved holsters and concealed.

E. ***Similar uniforms required.*** Two or more officers appearing in uniform, in public, in the same region, shall wear the same style uniform. Exception: AWT officers may appear wearing either a long or short sleeve shirt during summer months.

F. ***Officers to wear uniform of the day.*** The Commander or designee is authorized to designate the uniform of the day for posts under his command. Personnel in uniform shall dress according to the uniform of the day. Officers engaged in special duties or functions may be authorized a special uniform.

G. ***Replacement of soiled uniforms.*** Uniforms, equipment, or civilian attire which becomes badly soiled, torn, or otherwise ruined during official department activities may be cleaned, repaired, or replaced at the expense of the department upon prior written approval of the Commander or designee.

H. ***Stitching standards for cloth patches and insignia.*** Stitching used to attach patches and cloth insignia to uniforms shall be neat, shall firmly attach the entire perimeter of the patch, and shall match the color of the portion of the patch stitched.

I. ***Uniform brass, leather gear, and footwear to be clean and polished.*** Brass worn with the uniform shall be clean and shined. Uniform leather gear will be kept clean, the leather polished, and any brass buckles or snaps will be shined. Footwear, meeting the specifications in102.460 A, shall be clean and polished.

J. ***Wearing of sunglasses.*** Sunglasses of conservative size, color, and design may be worn with the uniform. Mirrored sunglasses are prohibited. Sunglasses shall be removed while indoors during conversations with the public or a supervisor. Officers in uniform shall not hang sunglasses around their neck by retention straps (except as authorized by commander during certain field activities) or wear on top of head or hat.

K. ***Traction Cleats or studs.*** Traction cleats or studs may be worn on footwear as necessary during winter conditions.

L. ***Mixing types of uniforms prohibited.*** The mixing of different style uniform parts is prohibited.

M. ***Hands not to be put in pockets.*** Uniformed personnel will refrain from putting their hands in their pockets when contacting the public except as necessitated by inclement weather conditions.

N. ***Wearing of gloves.*** Officers are not to wear ventilated or finger-less gloves when contacting the public. Officers may wear plain black leather gloves during cold weather or appropriate arctic gloves, mittens, or gauntlets in severe weather conditions. When engaged in frisking subjects or conducting searches officers are permitted to wear blood borne pathogen or sharps resistant gloves (e.g. Kevlar gloves).

O. ***Equipment to be provided by officer.*** Officers shall equip themselves with the following:

1. a watch of reasonable accuracy; and
2. footwear, with socks, appropriate to the apparel worn or meeting the uniform standards set out in this chapter.

102.330 WEARING OF THE UNIFORM - FLS

A. ***Uniforms issued to Fire and Life Safety.*** The following uniform items will be issued to each Fire Marshal:

1. Duty Uniform / Normal -- All ranks receive two long sleeve uniform shirts, two white short sleeve uniform shirts, two pair of black uniform pants, two black ties, a summer jacket, a black cruiser jacket, and a fire department style dress hat.
2. Field Uniform – One black Nomex coveralls, two black shirts, two pair black pants, and black baseball cap.
3. Personal Protective Gear -- Bunkers consisting of helmet, pants, coat, and gloves, if applicable.

B. ***FLS employees may wear uniform only when on duty.*** FLS employees may wear the uniform only when on duty, while traveling to or from the duty station immediately prior or after work hours, while traveling on official business, or while attending off-duty functions as an official representative of the department (e.g. awards banquets, funerals, graduation exercises, etc.).

C. ***Uniform wear is encouraged.*** FLS employees are encouraged to wear their duty uniform when presenting formal public fire education programs and when attending formal functions or meetings of uniformed personnel.

D. ***When uniform wear is optional.*** Uniform wear is optional during work at the normal duty station, training classes involving activities that would not irreparably soil the uniform, and at meetings or conferences.

E. ***Carrying firearms.*** When a firearm is carried it shall be concealed at all times except when in duty or field uniform.

102.340 DUTY UNIFORM - NORMAL

A. ***AST, AWT, or FLS.*** Unless a different uniform of the day has been specified by the Commander, the normal duty uniform for officers is Class A comprised of:

1. Campaign or fur hat. (See 102.320 F, 102.350)
2. Fire department style dress hat for FLS employees (with insignia appropriate to rank of individual);
3. Uniform shirt with collar brass, patches, breast badge, nametag, and rank insignia. A single skill insignia may be worn above the nametag on the duty uniform. Uniform tie shall be worn as required (See 102.390);

4. Uniform pants and black belt (See 102.410);
5. Uniform shoes with black socks or winter footwear (See 102.460);
6. Raincoat, or utility jacket with patches, or parka with patches (See 102.360);
7. Sam Browne belt with required equipment (See 102.400); and
8. Ballistic vest – AST and AWT only (See 102.380).

102.350 HATS

A. ***Description of uniform hats.***

1. Campaign hat, AST and AWT - Blue. The hat is worn with the hat badge. The hat sash shall be twisted (approximately ten times) to give it a rope-like appearance. The sash ends and acorns shall be worn at the front of the hat centered under the badge. The leather retention strap shall be worn at the base of the skull at the rear. The hat shall be worn squarely on the head with a slight forward cant. A distance of one or two fingers shall be between the eyebrow and hat brim.
2. Fire department style dress hat, FLS employee. The FLS hat is worn with insignia appropriate to rank.
3. Baseball cap, AST and AWT – Black with "State Trooper" embroidered on front; AST and AWT – Blue water resistant with "State Trooper" embossed; CSO – Blue with "Court Service Officer" embroidered on front; FLS – Black with "Fire Marshal" embroidered on the front of the hat. Embroidery shall be gold thread, ¾" high, all uppercase block letters with the first word centered above the second word.
4. Fur hat or knit watch cap. The department will identify and issue a standard fur hat and/or knit watch cap for wear in inclement weather when authorized by the commander or designee.

B. ***Hats to be worn while outdoors.*** When an officer is on duty in uniform he will remain covered at all times when outdoors unless the officer can articulate a specific safety related reason for not doing so. The hat of the day, designated by the Commander (see 102.320 F), shall be worn during all traffic stops and any other service contacts except as noted above.

C. ***Wearing of the hat indoors will be based upon the situation.***

1. Personnel assigned, as an honor guard will remain covered at all times.
2. Officers escorting prisoners are not required to wear their hats in the courthouse.
3. If an officer is a guest or official representative of the department at an indoor event in uniform, he will uncover; e.g., on a stage, at a banquet, or as an honorary pallbearer in church. Officers testifying in court while in uniform will not wear their hat in the courtroom.

102.360 JACKETS AND COATS

A. ***Cruiser jacket.*** AST and AWT- Blue, FLS - Black.

1. Cruiser jackets shall have shoulder patches located on the centerline of the sleeve ½" below the shoulder seam. Loomed badges will be located on the left chest of the jacket in the same position as the badge appears on the uniform shirt.
2. AST and AWT -- Metal rank insignia for Corporal and above will be worn centered on the top of the shoulder ½" inside of the shoulder seam.
3. FLS -- Brass bugle rank insignia will be worn centered with the axis of the insignia aligned with the point of the collar. Insignia worn for ranks: 2 bugles - Deputy Fire Marshal I, Fire Training Specialist and Plans Examiner, 3 bugles – Bureau Supervisors, 4 bugles - Assistant State Fire Marshal/ Deputy Director; 5 bugles - State Fire Marshal / Division Director.

B. ***Modification of gun-hand pocket of cruiser jacket.*** Officers are allowed to modify the pockets on the gun-hand side of the long cruiser jacket if they determine that the design interferes with their ability to manipulate the handgun. These modifications will be paid for in the same manner as other uniform alterations.

Only the following modifications are permitted:

1. the hand warmer pocket may be sewn shut;
2. the hand warmer pocket may be sealed with a strip of Velcro that seals the entire pocket opening; and/or
3. the gussets on the cargo pocket may be sewn down flat.

C. ***Rain coat.*** AST and AWT- issued or approved.

D. ***Parka.*** AST, AWT and FLS– Black.

1. Personnel assigned to uniform duty shall have the shoulder patch located on the centerline of the sleeve ½" below the shoulder seam. Loomed badges will be located on the left chest of the jacket in the same position as the badge appears on the uniform shirt.
2. The parka may be worn open or unfastened, and may be worn over the cruiser jacket.
3. Commanders may authorize investigative personnel and superior officers to wear the parka without patches.

102.370 SWEATER – AST, AWT AND FLS

A. ***Wearing the sweater.*** The Department of Public Safety black, long sleeve, V-neck sweater may be worn by AST and AWT Troopers. The sweater may be worn with either the regular duty uniform (short sleeve or long sleeve) or with the field uniform.

When wearing the sweater, the collar brass or small metal rank insignias on the uniform shirt shall be visible. The sweater may be worn tucked inside the trousers or bloused on top of the Sam Browne duty belt in such a manner as to neither interfere with nor conceal the equipment being carried on the duty belt. Whether bloused or tucked in, the sweater must present a neat and professional appearance.

The sweater may be worn underneath the DPS cruiser jacket, raincoat or winter parka.

B. ***Patches and insignia on the sweater.*** The sweater will have the embroidered Alaska State Trooper patch centered on the left sleeve, ½" below the shoulder seam. The embroidered Alaska State Trooper breast badge patch will be located on the left breast. No other insignia, pins, badges, patches, collar brass or the like will be worn on the sweater.

102.380 BALLISTIC VESTS -- AST AND AWT

A. ***Uniformed officers to wear ballistic vest.*** All uniformed officers will wear ballistic vests. Wearing the vest while working on the water is optional. Ballistic vests will be worn under the uniform shirt or, at personal expense, in an outer carrier of an approved design. See paragraph F below, for approved design specifications. Exception: Uniformed supervisory personnel, while performing administrative functions, will not be required to wear a ballistic vest. They will, however, have their ballistic vest readily available in case a need develops to perform enforcement activities.

B. ***Ballistic vests to be worn when making arrests.*** Non-uniform officers are to wear ballistic protection when making an arrest or engaging in hazardous contacts. This ballistic protection may be in the issue vest worn under the shirt, the issued vest in an approved outer carrier, or other ballistic protection approved by the officer's supervisor.

C. ***Proper wearing of ballistic vest carriers.*** Officers may wear the ballistic vest in outer vest carriers, of an approved design, supplied at the officer's personal expense. Wearing the ballistic vest carrier is a privilege extended by the department to facilitate the officer's use of ballistic protection devices. It is the officer's responsibility to ensure that the vest carrier is of the proper design, is properly maintained, and is worn in a manner that reflects a professional appearance. The privilege of wearing the outer carrier may be revoked if an officer is unable to maintain these standards.

D. ***Replacement of ballistic vests.*** Based on the manufacture's recommendations, ballistic vests should be replaced after five years of regular wear or sooner if needed. Officers who wear the vest on infrequent occasions should retain their vests until an equivalent amount of wear has accumulated or the vest is replaced for other reasons.

E. ***Intent – Outer Vest Carrier***. It is not the intent of this policy to allow an officer to wear an outer vest carrier that is "tactical" in nature or "meets all needs." It is the intent of this

policy to allow the officer access to a device that provides a good balance between utility, comfort, and appearance.

F. ***Approved design specification – Outer Vest Carrier***. To maintain uniformity, allow for differences in officers, e.g., size, height, and weight; and maintain a professional appearance, the outer vest carrier will be configured as follows:

1. Carriers will be made of dark blue Cordura or Ballistic nylon fabric. The external construction will be made of one material with the exception of black Velcro where needed to fastening.

2. Breast pockets will be allowed, however, they must not interfere with the proper location of the loomed badge as described in # 5 below. Breast pockets will be not more than 5 ½“ wide and 6 ½“ tall including the flap cover. The flap cover will be made of the same color Cordura nylon fabric. These measurements will be adjusted to a smaller size as needed to ensure the proper location of the loomed badge. The left side pocket may be eliminated if it interferes with the proper location of the loomed badge. Center pleats are not allowed, but extra material will be allowed on both sides of the pocket to allow for expansion.

3. One black or dark blue zipper of an inconspicuous style will dissect the front of the vest, from the top to the bottom.

4. Two rectangular pockets not more than 6“ deep are allowed on the bottom portion of the vest. The size of these pockets may be adjusted to a smaller size to ensure proper wearing and appearance of the vest. The pockets will run from the zipper to the edges of the vest. Each of these pockets may be sub-divided. Pockets can be pleated or expandable to 1 ¼” maximum. Pockets may have a flap closure made of the same color Cordura nylon fabric and presents a professional appearance. No pockets will be allowed on the back of the outer carrier.

5. Loomed badges, 4 x 3“, will be located on the vest in the same position as the badge appears on the uniform shirt.

6. The officer’s name will be displayed on the vest at the location it would be found on the uniform shirt using either the issue brass name tag, or ⅜” uppercase block letters embroidered with gold colored thread. No other lettering is allowed on the vest.

7. The ballistic vest panel will extend downward and will be no higher than 2-3“ above the belt buckle when the officer is in a normal standing position. The

outer carrier will be made with additional fabric extending the bottom of the carrier and will be no higher than 1” from the top of the buckle.

8. The outer carrier must be constructed in such a manner that the vest panels are worn in the proper protective positions.

9. A portable radio microphone strap is allowed on either or both the upper shoulder areas of the vest.

10. The OC canister may be carried in a lower pocket. A flap of the same color Cordura nylon will cover the top of the OC canister. OC canister holsters or carriers, normally worn on a belt, will not be suspended from a pocket as a means of carrying the canister. The OC canister will have sufficient retention as to remain within the pocket if the employee runs, jumps, or falls.

11. Micro-cassette or digital recorders may be carried in a pocket in the manner that allows the microphone area to extend into view.

12. A small pocket of a size sufficient to contain an in-car video voice transmitter or ID card may be attached to breast pockets as long as it does not interfere with the professional appearance of the vest. No other pockets will be sewn on the front of another pocket.

13. With the exception of the items defined in this section, no other items may be carried in the external carrier if they extend from a pocket such as ASP Batons, radios or long magazines. If the items extend from the pockets, it must be covered with the same color Cordura nylon fabric to conceal it from view.

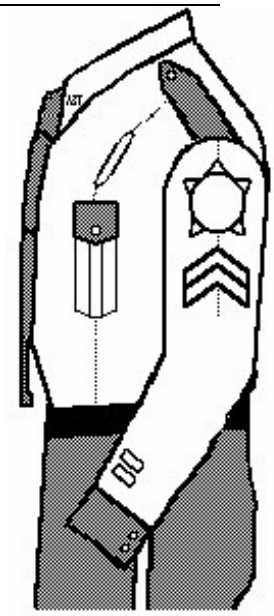
14. The short-sleeved uniform shirt will be worn with the collar extending on the outside of the vest.

15. Load-bearing suspenders are authorized to be worn under the external vest carrier to support the gun belt, but it needs to be concealed completely under the vest.

16. The outer vest carrier must present a neat professional appearance. The outer vest may not be ill-fitting, soiled, display excessive wear or significantly faded from its original color.

102.390 UNIFORM SHIRTS - AST, AWT, FLS, & CSO

A. ***Long sleeve uniform shirt.*** AST/AWT-blue, FLS-white, CSO-gray.



1. Long sleeve uniform shirts will be worn with ties and metal badges. Shirts will be pressed with military creases. Sleeves are to be creased from the center of the epaulets. The shirt may be worn without a tie with the top button open and a clean white crew neck T-shirt when not interacting with the public or acting as a department representative to other agencies. Ties shall be worn with the long sleeve uniform shirt in the following situations: court, formal functions, special public appearances, travel on major air carriers (e.g. Alaska Airlines), Academy assignments, and at any other time as directed by the director.

2. Shoulder patches will be centered on the crease of the left sleeve ½" below the shoulder seam. AST and AWT will wear the "Trooper" patch, FLS will wear the "Fire Marshal" patch, and CSOs will wear the "DPS" patch.

3. Corporals and Sergeants will wear loomed stripes of appropriate rank on both sleeves. They will be aligned on the centerline of the sleeve such that the point of the chevron is midway between the shoulder and the elbow.

4. Officers in uniform shall only wear tear-away ties. Ties will be secured with either the issue badge tie bar or issue badge tie tack. The tie bar shall be horizontal and in line with the bottom of the pocket flaps. The tie tack shall be in line with the bottom of the pocket flaps.

5. AST and AWT - Officers below the rank of Lieutenant will wear AST or AWT collar brass. CSOs will wear the DPS collar brass. Collar brass shall be worn so that the letters are horizontal (parallel to the ground).

6. AST and AWT - Lieutenants and higher officers shall wear the small metal rank insignia on the collar. Collar rank bars, oak leaves, and eagles are to be placed inside the seams. Rank bars shall be worn parallel to front stitching. Eagles shall be worn so that the wings are horizontal. The stem on oak leaf clusters shall point towards the ground.

7. FLS - All ranks shall wear the collar brass appropriate to rank as outlined in section 102.360 A3. Those not designated to wear rank insignia shall wear the FLS collar brass so that the letters are horizontal (parallel to the ground).

8. Pocket flaps will be secured. Nothing, other than low profile audio recorders, pens, pencils, or business cards are to be carried in the shirt pockets. Any recorders, pens, pencils, or business cards carried are to be completely concealed within the pocket (no clips exposed).

9. Brass nametags will be centered above the right pocket with ¼" space between the top of the pocket and the bottom of the nametag.

10. AST, AWT, and FLS – Years of service stars or bars shall be worn on the left sleeve of the shirt. Service bars shall be located ½" above cuff seam, just forward of the crease. Stars shall be located ½" above the cuff seam and shall progress from single, to side-by-side, to triangle, to square etc. and allow ⅛" of background around stars or bars. Stars equal five years of service and bars equal one year. Bars may only be worn for the first four years of service, after which only stars are to be worn. For AST and AWT only time spent as a Trooper or higher rank for DPS will be counted. For CSOs only time spent as a CSO for DPS will be counted. For FLS only time spent in DPS will be counted.

11. AST, AWT and FLS – The firearms expert patch will be worn only by those persons who have qualified expert as outlined in OPM 232.300 I. This patch will be worn on the right sleeve ½" above cuff seam, just forward of the crease.

12. AST and AWT – Employees with current, active special skill qualifications may wear the skill insignia for SERT, Pilot, Fit-for-Duty, Dive Team, K-9, or Marine Vessel Operator centered ¼" above the name tag. Only one special insignia may be worn at a time. An officer qualified for multiple insignia may choose which one to wear.

13. FLS – Employees with current qualification may wear the Fit-for-Duty special insignia centered ¼" above the nametag.

B. ***Short sleeve uniform shirt.*** AST and AWT – blue, FLS - white

1. Short sleeve shirts will be worn from May 16 through September 30.

2. Short sleeve shirts will be worn with a clean white crew neck T-shirt and metal badges. No chains or jewelry will be visible around the neck. Shirts are to be pressed with military creases. Sleeves are to be creased from the center of the epaulets. No tie will be worn with short sleeve shirts.

3. Shoulder patches will be centered on the crease of the left sleeve ½" below the shoulder seam. AST and AWT will wear the "Trooper" patch, FLS will wear the "Fire Marshal" patch, and CSOs will wear the "DPS" patch.

4. AST and AWT Troopers wear AST or AWT collar brass. CSOs will wear the DPS collar brass. Collar brass shall be worn so that the letters are horizontal (parallel to the ground). FLS shall wear the collar brass appropriate to rank as outlined in section 102.360 A3.

5. Corporals and higher officers shall wear the small metal rank insignia on the collar. Collar rank insignia, bars, oak leaves, and eagles are to be placed inside the seams. Rank bars shall be worn parallel to front stitching. Eagles shall be

worn so that the wings are horizontal. The stem on oak leaf clusters shall point towards the ground.

6. Pocket flaps will be secured. Nothing, other than low profile recorders, pens, pencils, or business cards are to be carried in the shirt pockets. Any recorders pens, pencils, or business cards carried are to be completely concealed within the pocket (no clips exposed).

7. Brass nametags will be centered above the right pocket with ¼" space between the top of the pocket and the bottom of the nametag.

8. AST and AWT – Employees with current, active special skill qualifications may wear the skill insignia for SERT, Pilot, Fit-for-Duty, Dive Team, K-9, or Marine Vessel Operator centered ¼" above the nametag. Only one special insignia may be worn at a time. An officer qualified for multiple insignia may choose which one to wear.

9. FLS – Employees with current qualification may wear the Fit-for-Duty special insignia centered ¼" above the nametag.

10. At their discretion officers may wear natural skin toned arm sleeves to conceal tattoos or scars.

102.400 BELTS

A. ***Sam Browne — AST, AWT, and CSO.*** All officers in uniform will carry, at a minimum, the department issued handgun, two full spare magazines of handgun ammunition, OC spray, handcuffs, and Taser.

1. The handgun, keepers, and spare magazines, shall be carried on the belt in specific positions. The magazines shall be worn immediately adjacent to the buckle; the Taser will be worn on the side of the body opposite the handgun; the handgun will be worn aligned with the pants seam on the strong hand side of the body; and a pair of belt keepers will be placed immediately adjacent to the handgun (one in front, one behind).

2. The following required equipment may be positioned on the belt at the officer's discretion provided that the requirements of 102.400 A1 are met:

   - handcuff case
   - OC spray case
   - Additional belt keeper(s) as necessary

3. The following optional items may be carried on the belt and may be arranged at the officer's discretion provided that the requirements of paragraph A.1. are met:

- Department issued handheld radio
- key case
- knife case
- small flashlight
- flashlight ring
- second handcuff case
- ASP baton
- other authorized special equipment (e.g. K9 window release control)

4. An officer may, at personal expense, substitute a double layer case designed to hold two sets of handcuffs in place of the issue single case or optional second handcuff case.

5. Officers may carry the OC spray (in the basket weave carrier) in an outside pocket of the jacket, parka, or vest as an alternative to carrying it on the uniform belt.

6. Uniform pants belt will be a buckle-less belt or a belt with a brass buckle that does not protrude above or below the Sam Browne belt.

7. Any optional leather gear worn on the uniform belt shall be basket weave style consistent with department issue.

B. ***Special exemption to wear of Sam Browne belt — AST, AWT, or CSO.*** Wearing of the Sam Browne belt is not required when working aboard vessels, skiffs, aircraft, or when operating snow machines if wear creates a hazardous situation or interferes with the operation of the equipment. This exemption is allowed only in exceptional circumstances of genuine need and is not a blanket exception applicable during all operations involving listed equipment. Under these conditions, the issue handgun or approved duty weapon may be worn in an approved holster. Handcuffs will be carried on the person of the officer.

C. ***Care of leather goods***. If leather is wet, allow it to dry naturally. Do not apply heat. When leather is soiled, clean it according to directions with saddle soap. Then apply warm Neatsfoot oil sparingly. Allow the oil to soak in on both sides. Follow with a light coat of neutral shoe polish or Bianchi Leather Dressing and buff with a soft cloth.

D. ***Use of nylon "leather gear" while engaged in certain activities.*** Troopers conducting patrols in the field are authorized to wear their nylon "leather gear" only while actually conducting patrols in the field or over water. This authorization covers only those times when the Trooper is running a skiff, an ATV, a snow machine, or while actually conducting aircraft or marine patrols. Troopers may not wear the nylon gear while conducting road patrols.

E. ***Use of nylon "leather gear" by FLS.*** Employees of the Division of Fire and Life Safety authorized to carry weapons may carry their weapon in nylon web gear meeting the position

and equipment standards in 102.400 A only when they are wearing the FLS field uniform during fire investigations.

102.410 CLASS A UNIFORM PANTS

Pants colors are determined by Division and assignment as follows: AST and AWT -Royal blue with yellow and red stripe, FLS-Black or navy blue, and CSO-solid navy blue. Uniform pants are to be creased, pocket buttons fastened, and worn with the belt buckle centered on the fly seam.

102.420 FLIGHT SUITS — AST AND AWT

Department issued Nomex flight suits shall be worn in accordance with the Department of Public Safety's Aircraft Section's Operation Manual. Flight suits are not a substitute for the uniform during non-flight operations.

102.430 FIELD UNIFORM — AST AND AWT

A. ***The field uniform.*** AST – Department-issue dark blue trousers and long or short sleeve shirt. AWT – Department-issue dark blue trousers and tan long or short sleeve shirt. The long sleeve shirt may be worn year round. The short sleeve is only authorized May 16 through September 30. The uniform is to be worn with the issued baseball cap described in 102.350 A3. The campaign hat may never be worn with the field uniform. Ties will not be worn with the field uniform.

The shirt shall be worn tucked inside the trousers allowing the use of keepers on the pants belt to secure the Sam Browne belt or substitute nylon web gear. The shirt shall be worn with a clean white or navy blue crew neck T-shirt or a black turtleneck (long sleeve only).

The field uniform shall be worn with boots meeting the standards set out in 102.460.DPS winter coat (parka), cruiser jacket, rain gear or sweater may be used in conjunction with the field uniform. All pocket flaps will be secured. Any items carried in the shirt or trouser pockets are to be completely concealed.

B. ***Wear of patches and insignia on the field uniform.*** The shirt will have the AST or AWT shoulder patch centered on the left sleeve ½" below the shoulder seam. Troopers shall wear AST or AWT collar brass. Corporals and higher rank troopers shall wear the small metal rank insignia on the collar. Insignia placement shall be as described in 102.390.

C. ***When the field uniform may be worn*.**

1. AST - This uniform may be worn for activities such as weapon qualifications, weapon cleaning or maintenance, and vehicle cleaning or maintenance.

2. AWT - This uniform may be worn for activities such as non-AST directed patrols, extended field duty, weapon qualifications or maintenance, and vehicle cleaning or maintenance.

Commanders may allow field uniforms to be worn by their personnel on a case-by-case basis under special circumstances. This uniform is not a substitute for the normal duty uniform.

102.440 WASH AND WEAR UNIFORM POLICY – AST AND AWT

A. ***Personnel authorized to wear wash and wear uniform***. The wash and wear work uniform may be worn by AST and AWT Post personnel if authorized by the Commander in writing with the dates of authorization specified and approved by the Director. These uniforms will not be worn out of the Post geographic area.

B. ***Wearing of wash and wear uniform.*** The wash and wear uniform will be worn with the same badges, brass, and patches, and in the same manner as the regular duty uniform.

102.450 FIELD UNIFORM -- FLS

FLS employees shall wear the field uniform, consisting of the dark blue uniform shirt and the FLS baseball cap, or the Nomex coveralls, as appropriate, when engaging in activities such as scene investigations or training activities that stain clothing.

102.460 UNIFORM FOOTWEAR

A. ***Uniform footwear specifications.*** Black footwear will be provided by all officers for uniform wear. If the footwear is a shoe it must be of smooth leather without stitching across or along toes. The uppers of boots can be of artificial materials (e.g., ballistic nylon) so long as the appearance is appropriate for the uniform. Commanders are authorized to rule on the suitability of questioned footwear. Whether wearing boots or shoes, the toe area must be rounded and the heel must be less than 1 ¼" in height. Narrow-toed shoes or boots are not permitted.

B. ***Extreme weather footwear.*** During extreme cold weather, vapor barrier boots, snow mobile boots, or other appropriate footwear may be worn while on remote assignment, or as authorized by a supervisor.

C. ***Special footwear.*** Officers on remote assignments, working aboard boats, or in other assignments where the uniform footwear is inadequate may substitute appropriate footwear. As much as possible such footwear shall present an appearance consistent with the uniform worn. Special footwear will not be worn around the office or post. Footwear meeting uniform standards is required in those circumstances.

102.470 FORMAL/SEMI-FORMAL UNIFORM – AST & AWT

A. ***Off-duty, formal wear.*** The formal uniform for all ranks consists of:

1. Tunic: Blue uniform tunic with required patches, brass, insignia and ribbons.

2. Pants: Wool uniform taper cut dress trousers.

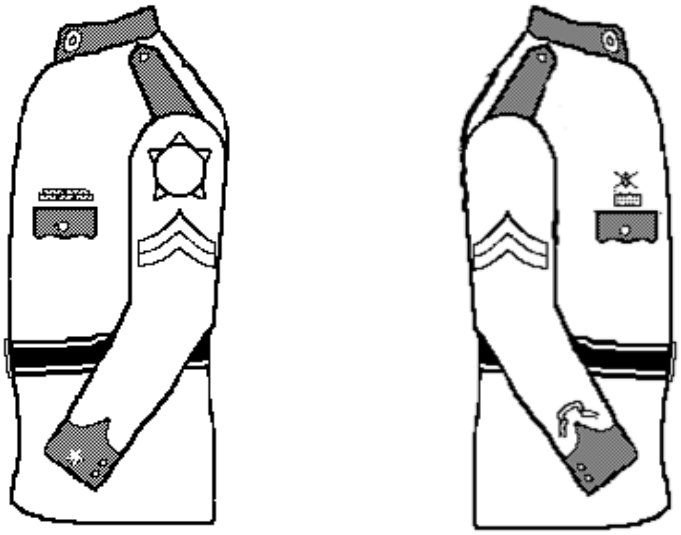
3. Shoes: Uniform shoes with black or dark blue socks.

4. Shirt: White

5. Gun Belt: Basket weave leather gun belt stripped of all gear. The belt is to be retained in belt hooks at the rear seams of the tunic.

6. Gloves: White gloves if directed.

7. Hats: Hats will not be worn except when specified for outdoor or ceremonial functions.



B. ***On-duty, semi-formal, and ceremonial wear.*** The semi-formal uniform is normally worn at public functions such as parades, dignitary escort, or ceremonial functions. The semi-formal uniform for all ranks consists of:

1. Uniform tunic with required patches, brass, insignia, and ribbons.

2. Uniform taper cut dress trousers with uniform shoes and black or dark blue socks; or uniform riding pants with black, knee-high riding boots (uniform riding boots can be ordered through supply at officer's expense.)

3. Basket weave leather gun belt with cross-strap, handgun and holster, handcuffs in case, and magazine pouch. The belt is to be retained in belt hooks at the rear seams of the tunic. Officers will wear the handgun on their strong side, handcuffs on the weak side, and magazine pouch in the appropriate position on the opposite side of the handgun. No other equipment is to be carried on the belt.

4. The cross-strap shall be worn under the epaulet of the shoulder opposite of the handgun, with the buckle to the front. The forward attachment point for the

cross-strap will be positioned 3-4“ toward the handgun holster from the belt buckle. The rear attachment will be positioned to the right of the seam of the tunic.

5. White gloves if directed.

6. Hats, except when specified, will be worn for outdoor or ceremonial functions.

C. ***Fitting the tunic.*** The tunic shall be tailored to properly fit the individual officer. It shall fit snugly, but shall not be too tight. The collar shall fit snugly but still fasten easily. It shall be neither too tight for comfort, nor loose enough to hang open around the neck. The fit and length of the sleeves and the length of the tunic shall be similar to that of a tailored suit coat.

D. ***Patches, brass, and insignia on tunic.***

1. The "Trooper" shoulder patch will be centered on the left sleeve ½" below the shoulder seam.

2. The "Loyalty, Integrity, Courage" banner patch will be centered on the right sleeve above the point of the cuff. There will be a one inch gap from the point of the cuff to the lower edge of the midpoint of the banner.

3. Brass crests will be worn centered vertically, 1" behind the red piping at throat, with the long axis of the crest parallel to the piping at the throat of collar.

4. Officers will wear a single Service Ribbon with gold metal border appropriate to their current assignment. The ribbon will be worn centered ½" above the right breast pocket by officers wearing the new style tunic (with pockets). Officers wearing the old style tunic (without pockets) will position the ribbon on the right breast centered 4" from the red edge piping on the front center of the tunic and 5 ½" down from the center of the button on the right epaulet. See 112.310 for Service Ribbon descriptions.

5. Troopers, Corporals and Sergeants will wear colonial chevrons centered on both sleeves, 6" below the shoulder seam.

6. Lieutenants and above will wear metal rank insignia centered on the epaulet ½" from the shoulder seam.

7. Officers earning special skill qualifications throughout their career may wear the skill insignia for SERT, Pilot, Fit-for-Duty, Dive Team, K-9, or Marine Vessel Operator on the right chest centered ½" above the Service ribbon on the right chest. Only one skill insignia may be worn at a time. An officer qualified for multiple insignia may choose which one to wear. See 102.540.

8. Commendation and Service ribbon stack shall be worn in the breast badge position. The ribbons will be worn centered ½" above the left breast pocket by

officers wearing the new style tunic (with pockets). Officers wearing the old style tunic (without pockets) will position ribbons on the left breast centered 4" from the red edge piping on the front center of the tunic and 5 ½" down from the center of the button on the left epaulet. Multiple ribbons will be arranged as set out in 102.540.

9. Years of service stars or bars shall be worn on the left sleeve of the tunic. Service bars shall be located 1 ½" above cuff seam, centered under the point of the cuff. Stars shall be located 1 ½" above the cuff seam and shall be progress from single, to side-by-side, to triangle, to square etc. Allow 1/8" between stars or bars. Stars equal five years of service and bars equal one year. Bars may only be worn for the first four years of service, after which only stars are to be worn. Only time spent with DPS as a Trooper or above will be counted for service insignia.

10. Hats will not be worn except when specified for outdoor or ceremonial functions.

102.480 FORMAL UNIFORM - FLS

A. ***FLS Class A Uniform.*** The formal dress uniform consists of:

1. Black double-breasted Class A style jacket
2. White shirt.
3. Black uniform neck tie.
4. Black dress trousers.
5. Black dress shoes and socks.
6. Appropriate patches, insignias, etc.
7. White gloves if directed.
8. Hats will not be worn except when specified for outdoor or ceremonial functions.

B. ***Patches, brass, and insignia on FLS Class A jacket.***

1. The "Fire Marshal" shoulder patch will be centered on the left sleeve ¼¼" below the shoulder seam.
2. Division employees will wear metal rank insignia centered on the lapels of the jacket.
3. The breast badge shall be worn in the normal breast badge position.
4. Rank shall be designated by full gold stripes, ½” wide each, beginning 1 ½” above the cuff with ¼” separation. Number of stripes shall be equal to number of

bugles in 102.360 A3. Stripes shall be on both sleeves. Maltese cross insignia shall be worn above the stripes on the left sleeve, one for each 5 years of fire service.

102.490 OFFICER'S DRESS MESS - AST AND AWT

A. ***Officer's Dress Mess.*** The formal off duty uniform worn by AST and AWT Lieutenants or above consists of:

1. Uniform dress mess jacket.
2. Uniform dress mess trousers.
3. Uniform cummerbund/vest and bow tie. The cummerbund is worn with the pleats opening up and positioned covering the belt. The cummerbund or vest is positioned so that the tail of the jacket covers the back.
4. Tuxedo pleated front white shirt with French cuffs.
5. Black uniform shoes with matching socks.
6. Lapel ornaments, centered on lapel, top of ornament 2" below the center of lapel notch.
7. Service stars centered on rise in cuff 2" from bottom of left sleeve.
8. The Commendation and Service ribbon stack shall be worn centered with the top of the stack 3" above the left lapel notch. The stack shall be composed of a maximum of 5 ribbons arranged vertically with the highest award at the top and the remaining ribbons in hierarchical order below that. See 102.540 for ribbon order.
9. A single Service ribbon with gold metal border appropriate to the current assignment centered 2" above the right lapel notch.
10. Officers earning special skill qualifications throughout their career may wear the skill insignia for SERT, Pilot, Fit-for-Duty, Dive Team, K-9, or Marine Vessel Operator on the right chest centered ½" above the Service Ribbon on the right chest. Only one special insignia may be worn at a time. An officer qualified for multiple insignia may choose which one to wear. See 102.540.

102.500 FORMAL UNIFORM FOR OFFICERS WITHOUT TUNICS

Probationary Troopers, Troopers without formal uniforms, and CSOs may wear the normal duty uniform with stripped Sam Brown belt, white gloves (if directed), and without the campaign hat for formal functions. The Service ribbon with gold metal boarder for the current assignment will be worn centered ½" above the name tag on the right breast. No other ribbons are authorized

on the duty uniform. Fire Marshals may wear their normal duty uniform, or a fire department style "Class A uniform" purchased at their own expense.

102.510 RETENTION OF FORMAL UNIFORMS BY RETIRED OFFICERS

A. ***Retention of Formal Uniform.*** Officers who separate from state service in good standing and remain in good standing with the department and APSC with seventeen or more years of law enforcement service with the State of Alaska may retain their tunics and dress mess uniforms upon retiring from the department.

B. ***Wear of Formal Uniform by retired officers.*** Officers who retain their formal uniforms under this section may wear that uniform to any formal function. Formal functions include but are not limited to: DPS awards banquets, weddings, and funerals.

C. ***Replacement of Formal Uniforms.*** Officers who retain their formal uniforms under this section may personally purchase replacement parts through the department in accordance with departmental purchasing procedures.

102.520 UNIFORM WEAR AT FUNERALS – AST, AWT, AND FLS

A. ***Normal duty uniform wear at funeral.*** Officers attending funerals in uniform will have a black band horizontally across the breast badge and wear white gloves. The black band may also have a horizontal dark blue stripe across the center. Directors may authorize the wear of bands during periods of mourning.

B. ***Formal uniform wear at funeral.*** Officers may attend funerals in the formal uniform (tunic for AST and AWT, Class A for FLS). AST and AWT will wear the tunic with medals and insignia and a black mourning braid worn on the left shoulder attached to the button of the epaulet.

102.530 COMMENDATION RIBBONS - NON-UNIFORMED EMPLOYEES AND CSOS

Non-uniformed employees or CSOs awarded ribbons described in OPM Chapter 112 may wear them on civilian attire during formal awards ceremonies or official ceremonial functions. Ribbons shall be worn on the left chest in the same position as the badge. Multiple awards will be arranged as described in 102.540.

102.540 RIBBONS - ARRANGEMENT

A. ***Commendations Ribbons.*** Ribbons awarded for any of the award categories set out in OPM Chapter 112, may be worn on the formal uniform. Ribbons shall be displayed in the order shown below, worn edge to edge, without spacing. The only ribbon, which may be duplicated, is the Award for Valor. Second and subsequent awards of all other ribbons will be denoted by affixing a bronze star centered on the ribbon, up to a total of three bronze stars. A single centered gold star shall denote receipt of five or more of the same commendation ribbon.

B. ***Service Ribbons.*** Ribbons earned as set out in OPM Chapter 112 may be worn on the formal uniform. Multiple service ribbons may be arranged in any order from the position in the stack as shown below. In the stack, only one Service ribbon is worn to indicate service in a particular region or unit no matter how many separate assignments to that region or unit were served.

C. ***Skill Qualification Insignia.*** Skill qualification insignia attachments shall be placed on service ribbons, only one attachment per ribbon. An officer qualified for multiple insignia may choose which service ribbon will receive the attachment. For example, an officer who served as a pilot and a K-9 handler in two different regions and is also a marine vessel operator may choose to put the pilot attachment on the service ribbon of one region, the K-9 attachment on the service ribbon for the other region, and wear the marine vessel operator insignia on the right chest.

VALOR	BRAVERY	PURPLE HEART
MERITORIOUS SERVICE	HONORABLE SERVICE COMMISSIONER	HONORABLE SERVICE DIVISION DIRECTOR
DIVISION SUPERVISOR OF THE YEAR	DIVISION TROOPER OF THE YEAR	DETACHMENT/BUREAU TROOPER OF THE YEAR
BUSH TROOPER SERVICE	LONGEVITY	HONOR GUARD SERVICE
AST/RCMP COMPETITIVE SHOOT PARTICIPANT	SERVICE RIBBONS (Any order)	

102.550 COMMISSIONERS

Commissioners and deputy commissioners who have prior DPS service in FLS, AST, or AWT may wear the formal uniform of the respective division (see 102.470-480). The rank insignia will be 4 gold stars for the Commissioner and 2 gold stars for the Deputy Commissioner. Shoulder patch will be DPS. All other accoutrement will follow the appropriate formal uniform description given for the divisions.

102.900 DEFINITIONS

Commander -- Includes detachment commanders, bureau commanders, and bureau supervisors of the Division of Fire and Life Safety.

Good Standing – The status of separation from state service that does not include involuntary separation, dismissal, separation pending disciplinary action, or subsequent actions that preclude the employee from Alaska Police Standards certification.

Law Enforcement Service – the actual years of employment by the State of Alaska as a State Fire Marshal or Deputy Fire Marshal, a State Police Officer, a Regional Public Safety Officer

(RPSO), a Fish and Game Protection Officer, a Fish and Wildlife Enforcement Officer, an Alaska Wildlife Trooper, an Alaska State Trooper, a DPS Constable, a Judicial Services Officer (JSO), or a Court Service Officer.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 103	**VEHICLE OPERATION**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities: AO 85; AS 44.69.010; AS 44.68.040; 49CFR	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: Click here to enter text.	

103.100 INTRODUCTION

The department policy establishes requirements for operating a state vehicle or vehicle for state business.

103.300 GENERAL PROVISIONS

A. ***Vehicles to be used only for State business.*** An employee may not use or permit the use of a State-owned, leased, or rented vehicle except in the conduct of State business (AS 44.68.010). A department employee who violates the above provision will be subject to disciplinary procedures that may result in dismissal from State employment.

B. ***Vehicles available for personal use.*** Officers of the rank of Lieutenant or above, employees who are assigned S.E.R.T. team duty, and employees assigned full time duty as canine handlers are expected to respond immediately upon notification, regardless of time of day or location, and are consequently authorized the use of a State-owned or leased vehicle for personal use.

C. ***Use in hunting or fishing prohibited***. Refer to OPM Chapter 124.370 for provisions prohibiting the use of department vehicles for hunting or fishing.

D. ***Security of State vehicles and contents.*** Employees shall take reasonable precautions (such as removing keys, securing contents, and locking doors) to prevent theft or vandalism of vehicles and contents.

1. All items of value that are not an integral, attached part of the vehicle, and any that may be damaged by environmental conditions shall be removed and stored in a secure location prior to leaving any State vehicle parked for an extended period.
2. Weapons of any kind should never be left in vehicles parked for extended periods and must be removed to secure storage.

E. ***Smoking prohibited in State vehicles.*** Employees or their passengers are prohibited from smoking in State owned, leased, or rented vehicles.

103.310 VEHICLE OPERATIONS

A. ***Operation to be prudent and lawful.*** Employees shall operate motorized equipment in a careful and prudent manner, and shall obey all laws and departmental orders pertaining to such operations, unless specifically exempted. They shall operate their vehicles in a manner that demonstrates consideration for their own safety and the safety of others that may be using the roadway.

B. ***Seat belt use required.*** All occupants must wear seat belts if available while in any department owned, leased, or operated vehicle. It is the responsibility of the vehicle operator to assure compliance with this provision.

C. ***Headlights to be used at all times.*** Employees shall use headlights at all times when operating motor vehicles. [redacted]

D. ***Carrying civilians limited.*** Except during the normal course of duty, no civilian, other than a department employee or person participating in a department related activity, may be transported in a department operated vehicle unless specifically authorized by the operator's Commander or designee.

E. ***Actions before operation.*** Every operator of a department owned, leased, or operated vehicle is responsible to check for proper operation of lights, brakes, horn, windshield wipers, and tires before operation. Officers, prior to operation, also shall thoroughly inspect vehicles for contraband items and assure that equipment provided, such as a police radio, shotgun, first aid kit, or spare ammunition, is present and operational.

F. ***Restrictions on civilian operators of marked vehicles.*** Non-commissioned personnel may not operate a marked vehicle unless:

1. a state of dire emergency exists;
2. it is required during maintenance; or
3. a civilian employee is specifically directed to do so through authority of their office such as the case of a crime laboratory technician or a forensic scientist.

G. ***Pushing or pulling vehicles.*** Department vehicles equipped with factory or DOT/PF installed push bumpers may be used to move another vehicle when the location of the vehicle to be moved constitutes a significant hazard to life or property. This provision does not preclude department vehicles not equipped specifically for pushing or pulling another vehicle from doing so where emergency circumstances constituting an immediate hazard to life exist.

1. No vehicle may be moved by a department vehicle unless there is a suitable person available to steer or otherwise control the vehicle that is being moved.
2. It is the responsibility of the operator of the department vehicle to ensure that movement of a vehicle can be accomplished without endangering others and that unnecessary property damage does not occur.
3. The distance that the vehicle may be moved shall be no greater than necessary to eliminate the hazard.

H. ***Use of warning lights while stopped.*** When stopped on or along a roadway, emergency strobe lights, rotating beacons, or warning flashers must be activated as appropriate to warn other traffic that may be present.

[redacted]

103.320 OFF ROAD OPERATIONS

A. ***Operation to comply with instructions and rules.*** Employees shall operate motorized equipment in compliance with and manufacturer's instructions, and shall obey all laws and all department policies pertaining to such operations, including but not limited to 103.310 above. See 101.350 F for limitations on personal use of equipment.

B. ***Operation to be safe and lawful.*** Off road vehicles will be operated in a safe, prudent, and lawful manner.

C. ***Employees to wear helmets while operating off-road vehicles.*** Except as provided in 103.320 D, any department employee operating an off road vehicle in the performance of their duties will wear an appropriate helmet designed to protect the wearer from head injuries associated with vehicle accidents.

Troopers shall wear helmets with "Trooper" and badge decals. All others shall wear plain helmets. Helmets may be obtained through the DPS Supply office, or the employee may, at their own expense, purchase their own helmet.

D. ***Exemptions to helmet use.*** Employees are be exempted from the requirement to wear helmets when operating off road vehicles under the following circumstances:

1. Existing weather conditions are such that the issued helmets do not allow for adequate protection from cold weather injuries. In these cases, appropriate cold weather head protection may be worn in place of or in addition to the helmet.

[redacted]

103.330 USE OF DEPARTMENT PLANES, BOATS, AND VESSELS

No employee shall use department planes, boats, or vessels except for the conduct of official business or in connection with an official function. No employee is to utilize any department aircraft, boat, or vessel to obtain personal advantage or profit.

103.340 TRANSPORTATION OF PERSONNEL IN DEPARTMENT AIRCRAFT, BOATS, AND VESSELS

No personnel are to be transported in any department aircraft, boat, or vessel unless they are traveling for an official purpose relating to the department's business. Division Directors may grant exceptions on a case-by-case basis for the transport of civilian personnel in connection with department activities.

103.350 USE OF PERSONAL FLOTATION DEVICES

Employees shall wear a personal flotation device (PFD) whenever they are operating open watercraft such as skiffs and jet skis and anytime they are on deck on vessels with enclosed cabins. Other passengers shall wear PFDs when traveling on watercrafts identified above. PFDs include float coats; mustang suits, inflatable PFDs, and any other USCG approved PFD.

103.360 COMMERCIAL DRIVER'S LICENSE

A. ***Compliance with Federal Regulations.*** Employees who are required to obtain and hold a Commercial Driver's License (CDL) as a condition of continued employment will comply with U.S. Department of Transportation, Federal Highway Administration, regulations detailed in 49 CFR.

B. ***Drug and Alcohol Testing.*** Employees who are required to obtain and hold a Commercial Driver's License (CDL) are subject to drug and alcohol testing.

C. ***Notification of penalties for prohibited conduct.*** Federal regulations require that affected employees be notified of their employer's policy on appropriate disciplinary actions when such employees engage in drug or alcohol related prohibited conduct. Employees who engage in prohibited conduct under federal regulations will be disciplined according to the table of offenses and disciplinary actions included as an attachment to this chapter. Such conduct may also subject employees to additional progressive discipline for violations of rules elsewhere in the OPM or for related violations of law.

103.900 DEFINITIONS

Accident – (as used in Penalties Document below) Any accident in which there has been a fatality; or where the driver receives a moving traffic citation arising from an accident in which an injury, of any party, was treated away from the scene or where one or more vehicles were towed from the scene.

Vehicle – A motor vehicle that can be licensed to operate on the highways of the State. This includes cars, trucks, buses, vans, motor homes, motorcycles, etc. but excludes snow machines, three and four wheelers, and other vehicles not designed for operation on highways.

Marked vehicle – A vehicle with permanently installed visible markings identifying the vehicle as operated by an Alaska State Trooper, Alaska Wildlife Trooper, State Fire Marshal, or Scientific Crime Detection Laboratory.

Off road vehicles – Includes motorcycles, snow machines, four and three wheelers, track vehicles, and other such unenclosed vehicles designed for off road use.

RESOURCES

Penalties for Prohibited Conduct by Employees Required to Hold Commercial Driver's License

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 104	**EMERGENCY VEHICLE OPERATIONS**	
	Effective: 11/23/2010	**Commissioner Approval:**
	Authorities: 13 AAC 571; 13 AAC 04.210	
	Applicability: **OFFICERS**	
	Special Instructions: **REFER TO CHAPTER 107**	

104.100 INTRODUCTION

The department establishes policy and protocol for engaging in emergency vehicle operations. Each Section details specific responsibilities of involved officers, dispatchers, supervisors, and Commanders. When a pursuit or high-speed emergency operation is undertaken that results in damage or injury, the officer involved will be accountable for the reasonableness of the pursuit and/or the driving actions taken during the course of the emergency. Refer to Use of Force chapter 107.

104.300 RULES AFFECTING ALL EMERGENCY VEHICLE OPERATIONS

The rules in this section apply to all emergency vehicle operations including responses, pursuits, overtaking, roadblocks, and the use of vehicle immobilization devices. Additional limitations on specific types of emergency vehicle operations can be found in sections 104.310 - 340.

A. ***Risk factors to consider.*** An officer engaging in an emergency vehicle operation of any kind must balance the need for an EVO against the dangers associated with such operations. Officers shall be aware of and consider all conditions affecting this balance, including:

1. the seriousness of the initial underlying offense;
2. other emergency resources at or near the scene, or in a position to affect the outcome;
3. the immediate danger posed by the suspect's attempts to flee;
4. the suspect's identity, history of violence or dangerous behavior, and whether later apprehension is possible;
5. the type of road and its surface condition;
6. existing weather conditions;
7. the officer's familiarity with the area;
8. the amount and nature of vehicular and pedestrian traffic; and,
9. the officer's skill as a driver and the current performance capabilities of the department vehicle.

B. ***Special restrictions on emergency vehicle operations.***

1. Vehicles transporting prisoners or members of the public may not engage in emergency vehicle operations unless a passenger is suffering a medical emergency.
2. Privately owned vehicles may not be used as emergency vehicles in any emergency vehicle operation.
3. Officers may not escort emergency vehicles unless a special circumstance exists which requires the action; e.g., driver of an emergency vehicle is not familiar with location of a hospital.
4. Officers engaging in emergency vehicle operations may not pull out in front of, turn into the path of, or pass another vehicle unless the other vehicle has indicated through their actions (e.g., pulling over) that they are aware of the presence of the emergency vehicle.
5. Any vehicle that sustains damage to, or suffers a failure of any essential vehicular equipment shall immediately cease emergency vehicle operations. Damaged vehicles that can do so safely are permitted to engage in non-EVO responses.

C. ***Special precautions at intersections*****.** Officers shall exercise extreme caution at all intersections when engaging in any emergency vehicle operation.

1. No department vehicle may enter an intersection in violation of a traffic control device unless it can be done safely.
2. Officers should use red lights and siren, when available, to warn pedestrians and other traffic of their approach to an intersection except when to do so would warn a dangerous suspect of their approach.
3. Vehicles without permanently mounted emergency lights adequate to provide visual warning to other vehicles are required to stop before entering an intersection in violation of a traffic control device.
4. It is the responsibility of the officer to ensure that all other vehicles are yielding the right of way to the emergency vehicle before entering an intersection in violation of a traffic control device.

D. ***Notification to dispatcher of emergency vehicular operation****.* It is the responsibility of all officers engaging in an emergency response or pursuit to advise dispatch of their participation and to receive acknowledgment from the dispatch center. Officers engaged in an emergency response or pursuit shall communicate the following information to dispatch:

1. identity of the officer;
2. reason for the emergency vehicle operation;
3. current location;

4. intended destination (if applicable);
5. direction of travel (if applicable);
6. details which will enable supervisors, dispatchers, and other officers to assess the situation and, if authorized and necessary, provide assistance.

E. ***Termination of emergency vehicle operations*****.** Emergency vehicle operations shall be terminated by an officer any time he considers it unwise to continue based upon risk to the persons involved or the public, or upon the order of a supervisor or OIC. Officers will not be disciplined for terminating emergency vehicle operations that they consider unsafe or unwise to continue.

F. ***Dispatch responsibilities during emergency vehicle operations****.* During any type of emergency vehicle operation it shall be the responsibility of dispatch to:

1. account for all officers involved and attempt to identify all units responding;
2. provide all information to the supervisor or OIC who oversees the event; and
3. clear radio channels of all non-emergency calls and control radio traffic as directed by a supervisor.

G. ***Supervisors to oversee any emergency vehicle operations****.* Supervisors are responsible for monitoring any emergency vehicle operations in their area of responsibility and for determining the necessity, compliance with all applicable rules, and for ordering termination of any unnecessary or out-of-policy emergency vehicle operations.

When monitoring an emergency vehicle operation the supervisor shall consider ordering termination in any situation where there is uncertainty as to the necessity for the emergency vehicle operation; as to compliance with applicable policies, rules, or procedures; or in the wisdom of continuing.

H. ***Commanders to review emergency vehicle operations*** Commanders shall, on a regular basis, review the conduct of emergency vehicle operations within their area of responsibility. This review shall be for the purpose of monitoring compliance with all applicable department policies and especially the appropriate consideration of the factors listed in 104.300 A.

I. ***Commanders to contact adjacent police agencies****.* Commanders are to provide the heads of adjacent police agencies with a copy of the DPS pursuit policy. commanders will obtain copies of the pursuit policies of any adjacent local police agencies. Where possible, commanders will engage in discussions with the heads of adjacent police agencies in an effort to establish a plan for the interaction of their agencies during pursuits that cross areas of responsibility.

J. ***Use of lights and siren during emergency vehicle operations.*** Officers will use their emergency lights and / or sirens during any emergency vehicle operation when reasonably necessary to warn pedestrians and other drivers of their approach. Applicable portions of the Alaska Administrative Code include:

13 AAC 02.517. AUTHORIZED AND OTHER EMERGENCY VEHICLES.

(b) The driver of an authorized emergency vehicle when responding to an emergency must use an audible signal meeting the requirements of 13 AAC 04.210(d) and visual signals meeting the requirements of 13 AAC 04.090, except that an authorized emergency vehicle operated as a police vehicle need not display a red light visible from in front of the vehicle and except as provided in (c) of this section.

(c) A driver of an authorized emergency vehicle which is parked, stopped or standing in disregard of a regulation or ordinance prohibiting the parking, stopping, or standing may not use an audible signal.

13 AAC 04.210. HORNS AND WARNING DEVICES.

(d) Every authorized emergency vehicle must be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of at least 500 feet; the siren may be used only when the emergency vehicle is operated in response to an emergency call or is in the immediate pursuit of a suspected violator of the law. The driver of the emergency vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of its approach.

104.310 EMERGENCY RESPONSES

During an emergency response both the provisions of this section and those of Section 300 (Rules Affecting All Emergency Vehicle Operations) apply.

A. ***When emergency response is authorized.*** Emergency response is authorized in the following situations:

1. when overtaking an offender where circumstances justify the prudent disregard of traffic regulations;
2. for medical emergencies when there is a reasonable expectation that the officer can arrive before EMS or other professional medical personnel;
3. for person crimes where the offender is still at the scene;
4. for person crimes where the offender has left the scene but where the officer is near enough to have a reasonable opportunity to apprehend them in the immediate vicinity;
5. to prevent a person crime, or injury to a person from occurring; or

6. for crimes which by their very nature endanger persons (e.g. burglary, arson, negligent discharge of a firearm, etc.) when the officer is near enough to have a reasonable opportunity to affect the outcome or apprehend the offender.

B. ***Emergency response to alarms limited***. Emergency responses are not authorized for intrusion or other alarms (including 911 hang-ups) unless there is a strong indication beyond the alarm itself that a crime is actually in progress and there is a reasonable expectation that the officer will arrive while the crime is still in progress.

104.320 VEHICULAR PURSUITS

During a vehicular pursuit both the provisions of this section and those of Section 300 (Rules Affecting All Emergency Vehicle Operations) apply.

A. ***Special rules applying to vehicular pursuits.***

1. Officers must always operate their own vehicles in a manner that balances the goal of apprehending the suspect with the goal of creating the least amount of additional risk to them, the public or the suspect.
2. Unless there is an immediate need to apprehend a suspect, a pursuit will not be continued once the suspect is identified to the point where later apprehension can be accomplished. Officers shall seek supervisory approval for continuation in these circumstances.
3. Unless specifically authorized by a supervisor or OIC, no more than two vehicles may engage in pursuit of the same vehicle.
4. The maximum of two participating vehicles includes any vehicle participating in any manner using emergency equipment or traveling in excess of the speed limit. Participants may include, but are not limited to: vehicles paralleling the route of travel; vehicles converging on the anticipated route of the pursuit; vehicles seeking to place immobilization devices or roadblocks ahead of the pursuit; and vehicles from other departments. Once the two participating vehicle limit has been reached, officers shall remain in their assigned areas unless specifically requested to participate by a supervisor or OIC.
5. Vehicles attempting to get to locations to set up tire deflation devices or other reasonable non-vehicular means of assisting in stopping the suspect vehicle or apprehending the suspect <u>which are being operated in a safe and prudent manner and within normal speed restrictions</u> are not considered as part of the pursuit.
6. Only vehicles equipped with emergency lights and siren are permitted to engage in pursuits.
7. If practical, any non-pursuit rated vehicle involved in a pursuit will be replaced with a pursuit rated (preferably fully marked) vehicle at the earliest opportunity.

8. Officers may not imitate or mirror dangerous vehicular maneuvers of a pursued vehicle.

9. Except in circumstances involving death or serious injury resulting from the violator's actions during a pursuit, the decision to continue a pursuit may not be based on new offenses that are the result of the pursuit process itself, but must be justifiable based on the original underlying reason for the pursuit.

10. Officers engaged in a pursuit who loses sight of the pursued vehicle under circumstances where the route of, or the location of the pursued vehicle is no longer known shall immediately terminate the pursuit and any emergency vehicle operations. Termination is not required for momentary loss of visual contact due to limited sight distance from curves in the roadway or other brief obstructions.

11. The pursuing officer must have a plan for concluding the pursuit at the earliest possible point. Additionally, the officer must have a secondary plan in the event that the first attempt to conclude the pursuit fails. The pursuit plan must be immediately put into effect by making specific requests for actions by other units, dispatch or employees of another law enforcement agency. Intentional termination of a pursuit can occur in one of three ways - the violator stops, the officer or a supervisor ends the pursuit, or the violator is forcibly stopped through the use of a vehicle immobilization device or other similar action.

12. Termination of a pursuit does not prohibit following the vehicle at a safe speed or remaining in an area to apprehend the subject if the opportunity arises and conditions permit.

13. All officers involved in a vehicular pursuit must be able to clearly articulate the manner in which they evaluated each of the factors and applied the rules found in this Section and in Section 300.

B. ***Pursuits involving other agencies.***

1. Officers will only become involved in pursuits initiated by other agencies when the other agency requests assistance and the reason for the pursuit is known and the underlying reason for the pursuit constitutes an immediate life threatening circumstance. DPS personnel will not be involved in pursuits initiated by other agencies where the initial underlying reason is a traffic offense or non-life threatening crime.

2. Any officer involved in a pursuit initiated by another agency will comply with all provisions of this chapter and will refuse any request to operate outside our policy. When a DPS vehicle becomes the primary vehicle in any pursuit the pursuit becomes the responsibility of the department to manage consistent with this policy and to terminate the pursuit if full compliance is not adhered to by other agencies involved.

3. This section does not prohibit a DPS officer from employing other, non-vehicular methods or means of assisting the other agency such as the deployment of a tire deflation device or providing traffic control ahead of the pursuit as long as no emergency vehicle operation is required.

C. ***Notification to dispatch when pursuit occurs.*** In addition to the notification requirements for any emergency vehicle operation as outlined in Section 104.300 D, dispatch shall be provided with the following during a vehicular pursuit:

1. The speed of a vehicle being pursued including updates of significant increases or decreases in speeds.
2. A detailed description of the pursued vehicle, license number, occupants and any other known information that might assist in the apprehension of the suspects, formulation of a pursuit plan or supervisory assessment of the pursuit.

D. ***Additional dispatch responsibilities during pursuits.*** In addition to the dispatch responsibilities outlined in Section 104.300 F, during a vehicular pursuit dispatch shall:

1. Notify a supervisor that a pursuit has begun. If the on-duty supervisor is involved in the pursuit, immediately notify the Deputy Commander or the Commander.
2. Receive and record all information incoming on the pursuit and pursued vehicle.
3. Obtain and broadcast to involved units any known vehicle and registration information and any known criminal check information involving the suspect vehicle or known suspects.
4. Notify neighboring police agencies if it appears the pursuit may potentially cross out of AST's normal area of responsibility. Early notification of neighboring police agencies is essential if they are to be expected to assist in the incident. Notifications are to be made even when the possibility of the pursuit traveling outside of AST's area is remote. Any police agency previously notified of a pursuit must be immediately re-contacted and informed when the pursuit has terminated.

E. ***Supervisor to be notified.*** Officers engaging in a vehicular pursuit shall immediately notify a supervisor or request that a supervisor be notified. In remote locations where there is no supervisor on duty, the pursuing officer shall request dispatch personnel to notify an on-duty supervisor in another location, or locate an off-duty supervisor within the Detachment (e.g. pursuing officer in Delta Junction will have the shift supervisor in Fairbanks notified).

In the event that a supervisor cannot be contacted or if the on-duty supervisor is the pursuing officer, every reasonable effort will be made to involve another officer in the analysis and decision making process. The second officer may advise the pursuing officer that the pursuit should be terminated and assist in the formulation of the pursuit plans.

F. ***Supervisory responsibilities during vehicular pursuits.*** Upon being notified of a vehicular pursuit supervisors will exercise active command and control of the pursuit including:

1. Identifying all units involved and their locations.
2. Continuously reviewing the incoming data to determine whether the pursuit should continue.
3. Ensuring that there is a plan for conduct of the pursuit.
4. Directing the response and actions of all units involved at any level.
5. Maintaining and exercising final authority to terminate the pursuit at any point when an assessment of the risk factors indicates a need to terminate. This does not relieve the pursuing officers from a responsibility to terminate the pursuit when their own assessment of the risk factors indicates the same need to terminate.
6. Approving and assigning additional backup to the pursuit. When considering the approval of additional units the supervisor will assess and be prepared to clearly articulate the assessment of at least the following factors in addition to the previously stated risk factors:
    a. Nature of the underlying offense.
    b. Any available information concerning the suspect and knowledge of past violence or other dangerous acts engaged in by that suspect.
    c. The officers in the pursuing vehicles, their skills and experience.
    d. Details of any damage to the pursuing or back up vehicles and any injury to involved officers or members of the public.
    e. Any other facts that would justify the increase in potential danger caused by an increase in the number of pursuit vehicles.
7. Terminating a pursuit immediately if they lack sufficient information to make a reasonable assessment of the risk factors and other conditions outlined in this chapter.

104.330 ROADBLOCKS

The rules in this section apply to roadblocks used to apprehend specific vehicles attempting to evade capture.

A. ***Use of a roadblock is a use of force.*** The use of a roadblock against a moving vehicle carries significant risk of injury or death to persons riding in the pursued vehicle, to officers, and to others using the roadways. Because of this danger, the use of roadblocks is ranked on the "use of force options" above the use of impact weapons and may overlap with the use of deadly force depending upon the specific circumstances. The use of roadblocks shall be limited to those cases where officers have exhausted other apprehension techniques reasonable under

the circumstances and there is a clear necessity to immediately stop the vehicle and where no other reasonable alternative exists to apprehending the vehicle.

B. ***Use of roadblocks authorized only to remove threat of harm to persons.*** The use of roadblocks is authorized only to remove an unreasonable hazard to motorists or to apprehend a person who presents an immediate threat to persons. Examples of allowable uses include the case where a driver is operating their vehicle on the wrong side of a controlled access highway and is an immediate danger to life; or where there is probable cause to believe the person has committed a felony using deadly force against another, and will immediately endanger life if not apprehended. Officers using roadblocks must be able to specifically identify the threat posed by the suspect or pursued vehicle and be prepared to explain why other apprehension techniques were impractical. A possible, speculative, or theoretical, threat to unknown persons is not sufficient justification for the use of roadblocks.

C. ***Supervisory approval required where practical.*** Where practical, officers must request and receive authorization for use of roadblocks prior to their use.

D. ***Placement and utilization of roadblocks.*** Officers establishing roadblocks shall assure that they can be used with reasonable safety to officers, the person pursued, and to other persons using the roadway. Factors which officers shall consider when using roadblocks include:

1. a location that does not create an unreasonable hazard to the vehicle being pursued, or other users of the roadway;
2. sufficient marking of any blockade (such as reflectors, traffic cones, flashing lights, flares, etc.) so that the person pursued and other users of the roadway can see and avoid crashing into the blockade;
3. positioning of police vehicles to allow the vehicle pursued an alternative to crashing into a blockade;
4. positioning of officers to avoid injury if the pursued vehicle fails to stop;
5. planning for continued pursuit if the vehicle fails to stop; and
6. placement of vehicle immobilization devices (e.g. Stingers, Stop Sticks) in conjunction with the roadblock.

104.340 VEHICLE IMMOBILIZATION DEVICES

A. ***Requirements for use of a vehicle immobilization device.*** The following requirements are established to govern the use of vehicle immobilization devices used by officers of the department:

1. Vehicle immobilization devices shall be used only by officers who have successfully completed department sponsored or authorized training in the use of the particular device.
2. Officers may only use vehicle immobilization devices approved and issued by the department.
3. Vehicle immobilization devices shall be used only to terminate pursuits where reasonable cause exists to believe the suspect has committed or is committing an offense justifying arrest.
4. Whenever time and communications permit, a supervisor or OIC will be notified and make the decision to use or deploy any vehicle immobilization device. When such contact and approval cannot be obtained in a timely manner, the decision to use or deploy shall be made by the pursuing officer.
5. Officers shall apply the same considerations to the deployment of a vehicle immobilization device as to the continuation of a pursuit [Ref.104.300 A 1- 9].
6. Immobilization devices shall not be deployed when the deploying officer is unable to reliably communicate with pursuing officers. The deploying officer is responsible for notifying the pursuing officers of the precise location of deployment. The pursuing officer is responsible for notifying the deploying officer when the suspect is approaching.
7. An officer deploying a vehicle immobilization device is responsible for clearing the roadway of all debris resulting from its use.

B. ***Factors to consider when using a vehicle immobilization device.*** An officer deploying a vehicle immobilization device must take the following factors into consideration:

1. Whenever possible, the deployment location should:
   a. have sufficient sight distance so that the officer deploying the device can observe the approach of the suspect vehicle and other traffic;
   b. take advantage of barriers such as roadway overpasses, bridge abutments, or guardrails that provide both visual concealment and a position of relative safety for the deploying officer; and
   c. not increase the risk of injury to the suspect or other motorists by placement near steep embankments, curves, or other hazards.
2. Units pursuing the suspect must back off a sufficient distance so that they are not disabled by the immobilization device and so that they have time to react to sudden speed decreases, evasive action, or unpredictable maneuvers on the part of the suspect as the immobilization device is encountered.
3. Pursuing officers should not attempt to pass a pursued vehicle that is traveling in excess of the posted speed limit for the purpose of deploying an immobilization device. This does not apply to vehicle simply failing to yield.

C. ***Use of vehicle immobilization devices limited on certain types of vehicles***. Special limitations on the use of immobilization devices apply to the following types of vehicles:

1. Motorcycles, mopeds, or other ATVs -- use of a vehicle immobilization device against motorcycles, mopeds, or other ATVs is authorized only when the use of deadly force would be authorized.
2. Vehicles transporting hazardous materials, school buses transporting students or passenger buses transporting passengers -- no vehicle immobilization device shall be deployed against vehicles of these types unless continued movement of the vehicle would present an extraordinary hazard to the passengers or other persons.

104.350 REQUIRED REPORTING

The rules in this section apply to the reporting of pursuits, use of roadblock & tire deflation devices.

A report shall be filed using the DPS intranet online reporting system by the primary officer involved within 24 hours of the pursuit incident. The report will include each involved officer and identify the officer's role in the pursuit. Additionally, if a case report is prepared covering the pursuit incident the case report shall include the factual basis for the pursuit and shall detail the conduct and outcome of the pursuit.

104.360 REQUIRED EMERGENCY VEHICLE OPERATION TRAINING

All officers are required to receive emergency vehicle operation training and to review this chapter periodically. The emergency vehicle operation training will be of a duration and content to be determined by the Division Director.

104.900 DEFINITIONS

Emergency vehicle operations (EVO) – Include emergency responses, vehicular pursuits, overtaking, roadblocks, and the use of vehicle immobilization devices.

Emergency response – A vehicular response using emergency lights or sirens, and/or during which traffic regulations (including those regulating speed) are disregarded. (This does not include the brief use of emergency lights or sirens while overtaking or to warn other drivers of hazardous or unusual maneuvers by the response vehicle.)

Vehicular pursuit – The pursuit of an offender who refuses to stop at the direction of an officer and who exhibits the intention to avoid arrest or contact by using a vehicle to flee.

Overtaking – Operation of an emergency vehicle to catch and attempt to contact a person or stop a violator.

Emergency vehicle – A vehicle equipped with a flashing red light and a siren meeting the requirements of 13 AAC.

Pursuit rated vehicle – A sedan of the same make, model, and specifications as AST marked patrol cars. By definition, all AWT and FLS, including sedans otherwise meeting the definition, are not pursuit rated.

Roadblock – A stationary blockade of roadways where the usual movement of traffic is prevented or obstructed, moving blockades or "boxes," or intentional ramming or contact with a moving vehicle, where these techniques are intended to stop a specific vehicle attempting to elude law enforcement officers. This does not include roadblocks established for traffic control, nor for checkpoints established for DUI enforcement or similar programs.

Vehicle immobilization device – A device that disables a motor vehicle, allowing the vehicle to come to a safe and controlled stop. Vehicle immobilization device includes tire deflation devices such as Stingers.

Pursuit plan – The mental plan an officer makes on how he expects a pursuit to develop and end.

ATTACHMENT

Guidelines on Emergency Vehicle Operations (4 pages)

Guidelines on Emergency Vehicle Operations

The information is not policy, but is intended to clarify the intent of the rule and to guide officers in its application.

Every EVO carries with it some degree of risk over that found in ordinary operations. The additional risk of injury or damage to property must be balanced against need to reach the scene or to apprehend a suspect or violator.

The single most important factor to be considered in making the decision to initiate or to continue an EVO is the event that prompted that decision. Like the "core transaction" in a use of force situation, this first event must be the focus of the ongoing review of subsequent actions and decisions throughout the event. Only the most serious and immediate threats to life can justify the highest risk EVOs. Traffic violations, property crimes, and non-life-threatening events justify less risky EVOs. The officer must continuously balance the original event that initiated the EVO against the current level of danger to the officer, the public and the suspect.

The officer must consider whether other resources can be utilized to reduce or eliminate the necessity for the EVO. Things to consider under this risk factor include, in the case of an emergency response, the likelihood of another Trooper or an EMS unit being nearer the scene and able to arrive sooner; in the case of a pursuit, of other units being able to position ahead of the offender to set up a vehicle immobilization device or to assist in maintaining visual contact with the offender. If the EVO is not likely to be successful with available resources, the operation should be terminated.

The suspect's attempts to flee the scene of a crime before the arrival of police, or to evade a pursuit create risks to both the suspect and to others. Of particular importance in this balance are risks to uninvolved third parties, including passengers in any vehicle being pursued. Any vehicle attempting to evade capture poses a certain level of danger under normal conditions. Unless clearly justified by the original reason for the EVO, the balance of need versus danger must weigh more heavily toward termination as the suspect's actions become increasingly dangerous.

If the suspect's identity is known, the officer must carefully assess the balance between the immediate threat posed by the suspect and the dangers inherent in the EVO. If a known suspect can be apprehended later, then the officer must determine if the suspect presents an immediate threat to others justifying an EVO to affect an immediate capture. An unknown suspect committing a person crime, especially one that is likely to be repeated, justifies a riskier EVO than a known suspect committing a property crime or traffic violation.

When considering the road type and surface condition the officer must decide whether or not these factors will substantially increase the risk of initiating or continuing an EVO and whether or not the risk is acceptable. For example, while dry, clear, straight, paved roads may weigh on the side of continuing; ice and snow or curvy roads weigh on the side of termination. An officer who fails to arrive at a scene because of an EVO on a treacherous road has completely failed in his duty and has made the situation more difficult to resolve.

Weather conditions must be considered from two standpoints - their effect on the road surface and their effect on visibility. The officer must not only consider the effect of weather conditions on the officer's conduct of the EVO, but must also consider its effect on the violator and on the public's ability to see the event and take precautionary action. Additionally, an officer must be aware of known weather related anomalies that will affect road and visibility conditions such as areas known to be prone to black ice due to shading from the sun, and areas prone to fog.

In many areas of the state, DPS's area of responsibility is interspersed with areas normally the responsibility of another law enforcement agency or is otherwise divided into geographic areas covered out of different offices. As a result, officers can only be expected to be intimately familiar with their immediate post areas. Pursuits can easily and quickly cross out of an officer's normal area of familiarity. This can present a number of new risk factors that must be considered in the decision to continue an EVO. Not being familiar with the area keeps an officer from being able to anticipate road conditions, traffic conditions and other important factors. Similarly, if the EVO crosses into an area normally the responsibility of another law enforcement agency, the officer may not be able to effectively communicate with that agency and that agency may operate under a different EVO policy that is not consistent with that of this agency.

When initiating or continuing an EVO the officer must consider not only the immediate condition of vehicular and pedestrian traffic, but must also anticipate those conditions in the areas toward which the EVO is headed. Increased congestion means increased risk to uninvolved third parties, to the officer and, in the case of a pursuit, to the suspect. This risk factor is inextricably tied to the familiarity with area risk factor.

The officer must consider his or her personal driving skills in the vehicle they are operating and in the existing road and weather conditions. An officer with good driving skills may find those skills difficult to apply or very limited in a non-pursuit rated vehicle such as a Ford Explorer or a four-wheel drive pickup. Similarly, an officer with good summer driving skills may not possess sufficient skills and experience in winter driving conditions to justify engaging in EVOs.

The department recognizes that the pursuit and apprehension of law violators is a fundamental aspect of its duty to protect the public. The department also recognizes the absolute requirement to balance the aggressive pursuit and apprehension of law violators against the danger that vehicular pursuit poses to the officers involved, to the violator, and to third parties.

Some basic facts that apply to every vehicular pursuit are:

1. Vehicular pursuits of fleeing suspects present a danger to the lives of the public, officers, and suspects.
2. If the suspect does not stop, does not successfully lose the pursuing officer, or the officer does not terminate the pursuit, the event will end in a crash.
3. The risk of serious injury or death increases with the speed of the pursuit and with the increase in other risk factors such as traffic congestion, poor road conditions, etc.

4. The risk of serious injury or death increases with the length or duration of the pursuit.

5. The risk of serious injury or death increases when the pursuit continues into an area the officer is not familiar with or into an area that is normally the responsibility of a different law enforcement agency who uses different radio frequencies or different radio codes and who may operate under widely different policies and procedures.

Officers must always operate their vehicle in a safe and prudent manner and resist the temptation to mirror reckless or dangerous driving behavior of the suspect. An example would be where the pursued vehicle crosses an intersection at a high speed and against a red light. A pursuing officer must operate in compliance with the rules of this chapter and in particular Section 104.300 C "Special precautions at intersections." In spite of the potential loss of the pursued vehicle, the officer must cross the intersection in a safe manner.

Vehicular pursuits can be initiated for any violation of law or regulation as long as the risk factors have been considered and the violation balanced against those risk factors justifies the dangers posed by engaging in the pursuit. As previously stated, the decisions to pursue/not pursue or to continue/terminate a pursuit already in progress must be based on the original reason for the pursuit. Pursuits initiated for minor traffic violations must necessarily be quickly resolved or terminated with the least amount of danger to the officer, the public and the suspect. In this type of pursuit a minimal amount of risk is all that is acceptable. Conversely, when the original reason includes an immediate danger of harm to the public as in the case of a fleeing serial murder suspect, a greater degree of risk may be acceptable and a pursuit initiated or continued under circumstances that would otherwise preclude it from occurring.

The need to continue a vehicular pursuit (based on the initial underlying reason for the pursuit) must be continuously weighed against the risks. Vehicular pursuits are evolving events. The risk factors that were present one second may change the next. Risk factors must be constantly re-evaluated over the entire course of the pursuit event. When risk factors change to the point where the original reason for engaging in the pursuit will no longer justify the danger posed to the officer, the public and the violator, the officer must terminate the pursuit.

Except in circumstances involving death or serious injury resulting from the violator's actions during a pursuit, the decision to continue a pursuit may not be based on new offenses that are the result of the pursuit process itself, but must be justifiable based on the original underlying reason for the pursuit. Even under such extreme circumstances all of the risk factors must be considered and the same pursue/don't pursue decision process must occur. In all other situations the only offenses that should be considered in making the pursue/don't pursue decision are the original underlying offenses.

Policy calls for each officer involved in a pursuit to form a primary and a secondary pursuit plan. This pursuit plan is a mental plan for the conduct of the pursuit. The primary pursuit plan will often be that the person pulls over and stops followed by a felony stop. The secondary plan may be that if the person does not stop within a certain distance that the pursuit will be terminated, or it might be that a request will be made for the use of vehicle immobilization devices. The object of having the officer form pursuit plans is to encourage thoughtful

consideration of the likely outcomes of the pursuit and to determine appropriate strategies to achieve a desirable outcome.

Every vehicle engaging in emergency operation as a result of the pursuit, every vehicle attempting to either anticipate the probable route of the pursuit by converging on a point likely to be ahead of the pursuit, and every vehicle attempting to overtake the immediate location of the pursuit contribute to the overall risk attributable to the incident and must be considered part of the pursuit event, be counted for the two vehicle limit, and operate within the confines of the pursuit policy.

Other reasonable means to ultimately apprehend the suspect or assist in stopping the suspect vehicle may be utilized. Vehicles attempting to get to locations to set up tire deflation devices or other reasonable non-vehicular means of assisting in stopping the suspect vehicle or apprehending the suspect which are being operated in a safe and prudent manner and within normal speed restrictions are not considered as part of the pursuit for the purposes of the two vehicle limit.

While no policy can anticipate every possible scenario, these rules and those in Section 300 provide a framework for decision-making that can be applied to every situation during both the initial pursue/don't pursue decision and during the ongoing reevaluation as the event unfolds. In every pursuit decision the officer must believe that the need to pursue and apprehend the suspect immediately is worth the potential cost.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 105	**PROTOCOL AND COURTESY**	
	Effective: 10/20/2010	**Commissioner Approval:**
	Authorities: 4 USC 4	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

105.100 INTRODUCTION

The department establishes the following policy as a means of respect for national flags, anthems, the State song, and encounters with government or military officials.

105.300 FLAG -- COURTESY

A. ***Employees in uniform*.** Employees in uniform shall salute all national colors not cased when carried on any public occasion.

B. ***Employees not in uniform.*** Employees passing uncased colors in civilian dress and covered will uncover holding the headdress at the left shoulder with the right hand. If uncovered, they will place right hand on left chest.

105.310 NATIONAL ANTHEM OF THE UNITED STATES -- COURTESY

A. ***Employees in uniform.*** Whenever the National Anthem is played or sung, all employees in uniform and not in formation shall render the hand salute. They shall stand at attention facing toward the colors, if colors are present; if not, they shall face the source of the music.

1. If in uniform outdoors, they shall salute at the first note of the Anthem, retaining the position of the salute until the last note of the Anthem.

2. If in uniform indoors and covered, they shall salute at the first note of the Anthem, retaining the position of salute until the last note of the Anthem.

3. If in uniform indoors and uncovered, they shall stand at attention until the last note of the Anthem.

4. If two uniformed employees are in a stopped vehicle when the colors pass or the National Anthem is played, the driver will sit at attention while the other officer alights, stands at attention, and salutes as prescribed. A single employee in a vehicle will alight, stand at attention, and salute as prescribed.

B. ***Employees not in uniform***. Whenever the National Anthem is played or sung, employees not in uniform, shall salute at the first note by placing their right hand over the heart and hold the salute through the last note. Those wearing headdress shall uncover at the first note of the Anthem, holding the headdress at the left shoulder and so remain until the last note of the Anthem.

105.320 STATE SONG AND NATIONAL ANTHEM OF OTHER COUNTRIES -- COURTESY

When the State song or national anthem of any other country is played on official occasions, employees in uniform shall stand at attention and if covered remain covered. If the employee is not in uniform he will stand at attention and if covered he will uncover until the last note of the song or anthem.

105.330 GOVERNMENT OFFICIAL -- COURTESY

A. ***Employees in uniform will salute the President/Governor/Commissioner***. Employees in uniform shall salute the President/Vice President of the United States, the Governor or representing Lt. Governor of the State of Alaska, and the Commissioner of the Department of Public Safety should they pass or be met during ceremonial functions; e.g., parade, while on a platform or stage, where the President, Governor and/or Commissioner arrives on stage, etc.

B. ***Addressing Government officials***. Employees shall address Government officials with their title; e.g., Governor, Senator, Commissioner, in public where others are present. When others are not present "Sir" or "Ma'am" as appropriate, is correct.

C. ***Addressing other employees of the department in public*****.** Commissioned personnel shall address other employees of the department, or employees of other police departments, or military organizations using their rank when in public and in the presence of others. Commissioned personnel shall acknowledge higher-ranking officers by answering "Yes sir" or "No sir" or "Yes ma'am" or "No ma'am" as appropriate when in public and in the presence of others.

105.340 MILITARY -- COURTESY

A. ***Boarding a military ship in uniform.*** When an officer boards a military ship in uniform, the hand salute will be rendered to the flag at the stern and returned to greeting personnel on board the ship.

B. ***Entering a military installation in uniform.*** When an officer enters any military installation in uniform, military courtesy shall be observed and the hand salute returned to all who give it; e.g., guards on watch, etc.

105.350 OFFICER SAFETY EXCEPTION

The regulations in Sections 105.300 - 340 of this chapter shall not apply when immediate duty requires full attention, and adhering to the policy would interfere with the officer's ability to carry out his duties or would place the officer or other persons in a hazardous situation

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 106	**DISPLAY AND CARE OF THE FLAG**	
	Effective: 10/20/2010	**Commissioner Approval:**
	Authorities: 4 USC 1-10	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

106.100 INTRODUCTION

The department establishes proper display and care for the United States flag, the Alaska flag, and division flags.

106.300 WHEN DISPLAYED

It is the universal custom to display the flag of the United States only from sunrise to sunset on buildings and on stationary flagstaffs in the open. The flag may be displayed at night upon special occasions or conditions. The flag should not be displayed on days when the weather is inclement.

106.310 HOW DISPLAYED

No other flag or pennant shall be placed above the United States flag if hanging on the same staff or pole. If the Alaska flag is to be flown on the same staff, it will be placed below the United States flag and far enough below that the two do not touch. The United States flag, when carried in a procession with another flag or flags, should either be on the marching right, that is, the flag's own right, or if there is a line of other flags, in front of that line.

106.320 CARE OF THE FLAGS

When the flag is raised or lowered, it should never touch anything beneath it, such as ground, floor, water, or merchandise. The United States flag shall be the first to be hoisted and the last to be descended. The flag should never be fastened, displayed, used, or stored in such a place or manner as will permit it to be easily torn, soiled, or damaged in any way. The flag shall always be folded and stored in the accepted traditional manner. The flag, when it is in such a condition that it is no longer a fitting emblem for display, shall be destroyed in a dignified way, preferably by burning.

106.330 DIVISION FLAGS

Divisions may, with the approval of the Commissioner, adopt a division flag. When displayed outside, the division flag will be placed on the same flagpole as the Alaska flag and will be positioned directly below it. The division flag may be displayed, when appropriate, at special functions such as parades, public safety banquets, etc.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 107	**USE OF FORCE**	
	Effective: **11/10/2015**	**Commissioner Approval:**
	Authorities: AS 11.81.900	
	Applicability: OFFICERS	
	Special Instructions:	

107.100 INTRODUCTION

The department establishes protocol for an officer's appropriate use of force when carrying out the duties entrusted to the Department of Public Safety and establishes required practices for reporting the use of deadly force.

107.300 FORCE

An officer shall only engage in methods of safe control in which they have been trained and qualified by DPS.

A. ***Before using force.*** When practical, a verbal warning shall be given before using force to communicate that force would be used if the officer's orders were not obeyed.

B. ***Using force: general.*** Officers

1. will use force only in accordance with the policies set out in this chapter, and may not ever use force as punishment or in retaliation;
2. will use force only to the extent that it is reasonably necessary in any given situation to accomplish the officer's lawful objectives, such as making an arrest, preventing an escape, in defense of the officer or another person, or other situations where physical control of another person is necessary;
3. will be reasonable in their selection of a level of force and will not use excessive force in any situation. However, there is no requirement to use, or attempt to use, a lesser or more combative amount of force if that is not practical;
4. will bear in mind that the proper officer response can be thought of as "use of force options" that could involve several methods of safe control. The appropriate amount of force to be used is based upon the variables of the situation encountered, such as the subject's age, size, ability of the subject to escalate his/her use of force level, skill level, background, and other known factors within the circumstance; the officer's age, size, training, immediate physical condition (injuries, exhaustion); and the surrounding physical and social environment. Methods of safe control include: officer presence, verbal persuasion, directions, and commands; "soft" empty hand control; OC spray; OC projectiles; electronic weapons; "hard" empty hand control; batons; and deadly force.

C. ***Additional requirement for use of deadly force.*** The department, recognizing the integrity of human life, authorizes officers to use deadly force against another person only when, in addition to complying with the general policies regarding use of force, the officer has no other reasonable and practical alternative, and reasonably believes deadly force is necessary

1. to save his or her own life or the life of another;
2. to prevent serious physical injury [Ref AS 11.81.900] to the officer or another; or
3. because there is probable cause to believe the person has committed a felony using deadly force against another, and will immediately endanger life.

D. ***Firearms discharge.*** The department recognizes that every shot, even an inadvertent one, poses a risk of injury. Every discharge of a firearm must be reported as provided in section 107.310, and may subject the officer to discipline.

E. ***Warning shots prohibited.*** Warning shots and shots to disable vehicles will not be fired.

F. ***Other discharges of firearms.*** The department recognizes there may exist special circumstances that justify the discharge of a firearm not at a person, animal, or on a firing range. Officers are cautioned that every shot fired poses a risk of injury and no firearm should be discharged without due regard for the consequences of that action. Officers are not required to report a firearm discharge at an animal, unless it was done in defense of life or property.

G. ***Use of the carotid restraint*****.** The department recognizes that every application of the carotid restraint is the use of deadly force. Even applications that do not result in loss of consciousness create a substantial risk of death. Every incident involving the use of the carotid restraint must be reported as provided in section 107.310.

107.310 AFTER FORCE IS USED OR A FIREARM IS DISCHARGED

A. ***Use of force must be justified.*** The department recognizes that an officer's decision to use force must often be made in a split second and based on the minimal information then available. However, the officer's decision must be reasonable under the circumstances known at the time and may be subject to review by the department, other agencies, the courts, or the public.

It is important, therefore, that every officer using force or discharging a firearm be able to articulate the circumstances known at the time of the incident that justified the amount and nature of force used, or the discharge of the firearm.

B. ***After force is used.*** A Use of Force or Firearms Discharge report shall be filed using BlueTeam by the primary officer involved within 24 hours of the incident. If in the performance of duty an officer deliberately takes any of the actions listed below, except during training, the action(s) must be documented. See paragraph C regarding multiple officers involved in a single incident and paragraph D for exceptions allowing for a supervisor to file on behalf of involved officers.

1. An individual report must be completed if an officer:
    a. uses more force than is normal and incidental to handcuffing;

b. struggles with a person;

c. uses a pain compliance hold;

d. strikes a person with a part of the officer's body or with any object;

e. uses OC (spray or OC projectile);

f. uses, prepares to use, or threatens to use an authorized electronic weapon;

g. uses a baton or another object as an impact weapon;

h. uses an explosive or distraction device, other than for animal or avalanche control; or

i. uses, prepares to use, or threatens to use a firearm;

j. uses, or prepares to use a carotid restraint or other tactic or device which is considered the use of deadly force.

2. In this section, the phrase "prepares to use" includes unholstering a weapon (gun, electronic weapon, etc.) with the intention of preparing to use it against a specific individual or group. Unholstering a weapon and directing it towards a specific person or group, even if that person is not aware of this action, requires a Use of Force Report. However, conducting a building search or similar operation with an unholstered weapon where no person or group is encountered, would not be reportable. It is not the mere unholstering of a weapon that triggers the reporting requirement, but the directing of that weapon against a particular person or group. In this section, the phrase "prepares to use" also includes preparing to use the carotid restraint, where the officer is able to get their arms into position, but without applying pressure (Level 1, neck lock with no compression).

C. ***Group operations requiring a Use of Force Report.*** Operations, raids or other similar group activities where multiple officers are involved in actions requiring the completion of the Use of Force Report must be filed as a single report with each officer's involvement documented using the BlueTeam. The principal officer or supervisor in the operation shall document the names of the officers and their actions reportable under paragraph B1 in the Use of Force Report.

D. ***Completion of Use of Force Report or Firearms Discharge Report by a supervisor.*** The supervisor shall complete a Use of Force Report or Firearms Discharge Report using the BlueTeam as soon as practical for an officer when the officer is unable to complete the report due to injury, incapacitation, or when the officer's involvement resulted in serious physical injury or death to a person.

E. ***Documentation also required in case reports.*** If a case report is prepared covering an incident in which force was used it must include the facts that made force necessary and shall explain in detail the nature and amount of force used. It is the responsibility of the supervisor reviewing the report to ensure that thorough and accurate documentation is provided.

F. After discharge of firearm, use of a carotid restraint or other use of deadly force.

1. Officers who, in the performance of their duty, have deliberately or otherwise discharged a firearm, applied a carotid restraint, or used any form of deadly force (except in training) will immediately report the incident to their supervisor. The supervisor will insure that the use of deadly force is documented as described in sections B-D.

2. When an officer has applied a carotid restraint, regardless of whether or not the subject was rendered unconscious (level II or level III), that officer shall arrange for the subject to be medically screened prior to being remanded or released from law enforcement custody. Investigations and reviews of incidents in which a carotid restraint was used will be evaluated on a case by case basis by the director's office to determine the level of investigative response necessary.

3. Investigations and review of incidents in which deadly force was used or where a firearm was negligently or intentionally discharged will be conducted in accordance with OPM Chapter 118 - Use of Deadly Force Investigation and Review.

4. When notified of an incident described in OPM 107.310 paragraph F.1, F.2, and/or F.3, a supervisor shall immediately notify the appropriate division director.

5. When notified of an incident described in OPM 107.310 paragraph F.1 or F.3, that director, in consultation with the commissioner's office, will immediately select, directly or by delegation, an investigation team, headed by the ranking officer. The director will notify the officer who discharged the firearm or used deadly force and the officer's supervisor of the name and rank of the person in charge of the investigation.

6. The selection of an investigation team does not relieve first responders of their responsibility to take initial investigative steps as set out in OPM Chapter 118 and to protect the scene and witnesses until the arrival of the investigative team.

7. Investigations into the use of deadly force will be conducted as "criminal" investigations. Investigators shall comply with all departmental policies and procedures while conducting the investigation.

107.900 DEFINITIONS

Force – Any deliberate bodily impact or restraint for the purpose of gaining control of a person, or the use of explosives and distraction devices even if not directed toward a person, unless used for animal or avalanche control; "force" includes use of OC, chemical agents, electronic weapons, and deadly force.

Deadly force – Force used with the intent of causing, or knowing that there is a substantial risk of causing, death or serious physical injury; "deadly force" may include the use of a motor vehicle or vessel to collide with an occupied motor vehicle or vessel.

Electronic weapon – Taser or subsequent model of electronic weapon having similar characteristics and operation.

OC projectile – Jaycor Tactical Systems air powered launcher, or subsequent model having similar characteristics and operation.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 108	**PHYSICAL CONDITIONING**		
	Effective:	03/01/2016	**Commissioner Approval:**
	Authorities:	Click here to enter text.	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	Click here to enter text.	

108.100 INTRODUCTION

All departmental employees are required to meet the physical and mental demands of the position they hold.

108.300 GENERAL POLICY

A. ***Officers are responsible for physical conditioning.*** Officers at all ranks must maintain a level of physical conditioning sufficient to perform daily tasks with vigor, alertness, and only reasonable fatigue and must be capable of all levels of exertion required to handle crisis and emergency situations. An officer's level of conditioning must be sufficient that they can maintain good judgment and make correct decisions during and after periods of physical exertion.

B. ***Biennial medical examinations required.*** Employees, covered under the PSEA collective bargaining agreement, are required to have a Department-paid medical examination once every two years in accordance with contractual guidelines. Examination results shall be completed and delivered to the supervisor at least two weeks prior to the anniversary date of the year in which the examination is due.

C. ***Additional medical examination may be required.*** The Department may require, at departmental expense, additional medical examinations for reasonable cause to determine fitness for duty for any employee.

D. ***Physical conditioning testing.*** Officers must participate in annual testing to determine physical conditioning. This testing may be done in conjunction with training schools, shoots, and other similar occasions. The tester will record the results on a Fitness Testing Record form, the date of testing recorded in the APSIN Training Records System. The Fitness Testing form shall be added to the employee's Field File. If this form includes any medical information or doctor's notes, then it shall be placed in the employee's Medical File.

E. ***Conditioning standards.*** All officers are expected to maintain conditioning standards. Officers hired after 1991 are **required** to meet conditioning standards during annual testing. Failure to meet these standards subjects these officers to progressive discipline.

1. An officer failing to meet the minimum standards will be allowed an opportunity to re-test within two weeks at the officer's discretion.
2. An officer failing to meet minimum standards upon re-testing, or who declines the initial opportunity to re-test, will be subject to a written warning and will be

re-tested in three month intervals, up to six months. An officer who shows significant progress towards achievement of minimum conditioning standards will not be disciplined so long as they show continued progress towards meeting the applicable minimum standards. An officer failing to show improvement will be subject to progressive discipline.

Under this section the terms "significant progress" and "improvement" mean an increase in score of at least 25% of the margin for failure at the first testing at which the officer failed to meet the applicable minimum standards.

F. ***Permanently Unfit*.** Employee's deemed permanently unfit to perform the essential duties of their position, with or without a reasonable accommodation, shall not be retained in that position. Officers failing to show significant progress in meeting the physical conditioning standards will be subject to progressive discipline up to and including separation.

108.310 FIT FOR DUTY AWARD

A. ***Officers may qualify to wear Fit-for-Duty award.*** Officers who score at least 80% on each of the standard physical conditioning tests set out in 108.330 (maximum number of push-ups—to failure, 1-minute of sit-ups, 1.5 mile run) may wear the Fit-for-Duty award pin on their duty uniform in the manner described in OPM 102.

B. ***Annual qualification for award required.*** Officers must qualify to wear the Fit-for-Duty award annually. Officers not re-qualifying for the award within 14 months are no longer eligible to wear the award.

C. ***Unlimited Fit-for-Duty testing allowed.*** There is no limit to the number of times an officer may test for the Fit-for-Duty award.

108.320 TESTS TO DETERMINE PHYSICAL CONDITIONING

A. ***Conduct of tests.*** Testing to determine the physical conditioning of officers will include the maximum number of push-ups to failure, 1-minute sit-ups, and 1.5 mile run. Officers will pass the test if they score at or above the 50th percentile on each of the events as shown on the standards table in this chapter (OPM 108.330). The test sequence is push-ups, sit-ups, and the run.

B. ***Testing Supervision.*** Any DPS officer of the rank of corporal or above may supervise physical conditioning testing. Testing will be performed in accordance with instructions from the Academy, which may be modified from time to time. These instructions will include, but are not limited to training venues, time limits, and exercise technique. Supervisors must review any written and video instructions before testing. Supervisors shall limit the number of participants to the number the supervisor can personally supervise.

C. ***Basis for standards.*** The Cooper Aerobic Standards will be used as the basis for the Department's physical conditioning test.

D. ***Excuses from testing.*** Officers having a temporary injury or other medical condition that prohibits the completion of any of the physical conditioning testing events must obtain medical documentation from a qualified physician indicating in which events the officer cannot

participate. With appropriate medical documentation, an officer will be excused from the requirement of completing that event.

108.330 STANDARDS TABLE

Category	Percentile (points)	Maximum Push-ups	1-Minute Sit-up	1.5 Mile Run
	99	70	58	9:30
	98	67	56	9:53
	97	64	54	10:15
	96	61	52	10:38
	95	59	50	11:00
	94	58	49	11:09
	93	56	48	11:18
	92	55	47	11:27
	91	54	46	11:36
	90	53	45	11:45
	89			11:51
	88		44	11:57
	87			12:03
	86			12:09
	85	52	43	12:15
	84	51		12:22
	83	49	42	12:27
	82	48	41	12:32
	81	47		12:37
Fit for Duty Award	80	45	40	12:42
	79			12:46
	78	44		12:49

	77			12:53
	76			12:56
	75	43	39	13:00
	74			13:04
	73	42	38	13:07
	72	41		13:11
	71			13:15
	70	40	37	13:18
	69			13:20
	68	39		13:24
	67			13:28
	66			13:32
	65	38	36	13:36
	64			13:39
	63	37	35	13:42
	62			13:45
	61			13:48
	60	36	34	13:53
	59			13:56
	58	35		13:59
	57	34		14:02
	56			14:05
	55	33	33	14:09
	54			14:13
	53			14:17
	52			14:21
	51			14:25

DPS Minimum	50	32	32	14:29
	45	30	30	14:39
	40	27	29	14:54
	35	25	27	15:12
	30	22	26	15:28
	25	20	24	15:47
	20	19	23	16:00
	15	14	20	16:32
	10	10	17	17:00
	5	4	13	17:47

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 109	**COURT APPEARANCES**	
	Effective: 10/20/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

109.100 INTRODUCTION

The department establishes proper attire and behavior standards for functions involving the court system.

109.300 EMPLOYEES SHALL ATTEND COURT

A. ***Employees are required to attend court when notified to do so.*** Employees notified of a court appearance responsibility shall attend court at the time they are required to appear.

B. ***Employees required to be subpoenaed on civil cases.*** Employees are prohibited from appearing as witnesses in civil cases, except in obedience to a subpoena or court order.

C. ***Employee's future conduct will not be influenced by the disposition of a case***. Employees shall not allow personal feelings regarding the disposition of a case to influence their future conduct.

D. ***Employees will not refuse service of a subpoena.*** No employee shall refuse service of a subpoena whether civil or criminal.

E. ***Protocol for employees served with conflicting subpoenas*** When served with subpoenas for different courts requiring the employee to appear at the same time, employees shall honor the subpoena first received if from the same level court, otherwise the court of highest jurisdiction will be honored. Employees in this situation will also advise the district attorneys in the cases of the situation.

F. ***Employees will notify the District Attorney's Office of scheduled leave or training*** Employees will notify their local District Attorney's Office, in writing, of their scheduled leave, training, or other absences from their post area.

G. ***Employees to notify supervisor of subpoena affecting leave or training***. When an employee receives a subpoena to appear in court and that appearance will affect approved

annual leave, training, or other absences from his post area, the employee shall immediately notify his supervisor. The supervisor, through whatever means available, will ascertain if the date of the appearance can be changed; if not, the subpoena is to be honored.

109.310 PERSONAL APPEARANCE AND DEMEANOR

A. ***Employees will appear in court properly attired.*** Employees will appear in neat, conservative business-like fashion whether in uniform or civilian clothing. When in civilian attire, the male officer shall wear a conservative business suit or sports coat and slacks with shirt and tie. Ties should be conservative, being neither garish featuring cartoons nor other distracting graphics. Female officers in civilian attire will wear a conservative business suit or blazer and slacks. Employees shall not wear anything that would distract the attention of the jurors from what is being said.

B. ***Employees will be polite and courteous.*** Employees will be polite and courteous throughout their testimony.

C. ***Employees shall be prepared to testify.*** Employees shall study their notes, diagrams, photographs, and reports prior to their testimony and be prepared to testify. The necessity to refer to notes or reports to "refresh" his memory should be kept to a minimum. The state's attorney shall be consulted prior to the trial so that the employee may prepare his testimony with particular attention to those points, which the attorney wants to emphasis and so that the employee may clarify his report to the attorney. The employee is expected to anticipate what the defense will be and have the appropriate answers ready.

D. ***Employees will display the appearance of impartiality.*** Around the courtroom, avoid any actions that would indicate an interest in securing a conviction such as questioning witnesses, consulting other officers, or prompting the prosecutor. Do this in another room. Do not give an outward appearance of dissatisfaction on decisions. Take the position of an impartial servant seeking only justice.

109.320 NON-DUTY RELATED COURT APPEARANCES

Employees who are required to appear in court for any hearing or trial that is personal in nature and not related to duty will make prior arrangements for leave with a supervisor and will not appear in uniform or armed.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 110	**DEATH PROTOCOL**	
	Effective: 10/20/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

110.100 INTRODUCTION

The Department of Public Safety establishes a policy of ensuring assistance is provided to a deceased employee's immediate family.

110.300 GENERAL POLICY

A. ***Department commitment to assist the family.*** In the event of an on-the-job death or the death of an officer under any circumstance, the department will offer to provide coordinated assistance to the deceased employee's immediate family.

B. ***Coordinator appointed.*** The deceased employee's Detachment Commander or civilian supervisor shall designate a Coordinator, within the department, to represent the family and the department in assuring that all assistance that may be required by the family is met.

C. ***Purpose of the coordinator.*** The duties of the Coordinator are to assist the family in dealing with the department, the State of Alaska, and the Federal Government in processing benefit claims and with funeral and burial arrangements, as needed. The Coordinator must be sensitive to the wishes of the family and not force anything on to them and yet be prepared to assist them in making difficult decisions. The Coordinator will not make decisions or suggest options that are beyond his ability or designation to carry out. The Coordinator will advise the family of others with whom to engage such as pastor, lawyer, accountant, etc.

D. ***Focus of efforts***. Services provided to the deceased employee's immediate family may vary, depending on the needs; however, the following subsections shall be considered in offering assistance.

110.310 ON-DUTY DEATH NOTIFICATIONS

All necessary efforts will be made to make immediate notification to the next-of-kin. After the department determines who should be notified, law enforcement personnel will use all resources to make immediate notification to the next-of-kin and other family members. Having family members or clergy present during the notification of the next-of-kin is normally helpful, but may not be possible, due to the reports generated by the press. In either event, the employee making notification should be prepared to contact family or clergy immediately after

the notification to have their assistance. The officer making notification will not leave the next-of-kin alone. He will provide the family all the assistance that he can until a Coordinator is appointed. Any family members whom the next-of-kin wishes to have the department notify will be contacted.

On-the-job deaths, or deaths related to on-the-job activities require immediate notification to Workers Compensation. The Coordinator will work closely with the deceased employee's supervisors to complete and submit the required form. See 110.330 B3.

110.320 NECESSARY DOCUMENTS/RECORD RETENTION

A. ***Essential documents to obtain.*** The Coordinator will offer assistance to the family to secure required documents within two days after death, including birth certificate, marriage license(s), divorce decree(s), will, any police reports, autopsy report, and/or military discharge (DD/214). **These forms are necessary for the claiming of benefits.**

B*. The coordinator shall maintain records*. The coordinator shall maintain all obtained records of benefit application, documents, condolences, and other information that may later assist the family.

110.330 REQUIRED ACTIONS

A. ***Obtain certified copies of the death certificate.*** Once the mortuary has signed the death certificate, the Coordinator will obtain a minimum of 15 copies of the death certificate so copies can be provided to agencies as required.

B. ***State of Alaska.*** The Department of Administration, Division of Personnel – Public Protection Section, Payroll Supervisor shall be contacted to ascertain what paperwork is necessary for the family to receive all benefits to which they are entitled to receive from the State of Alaska and to assist in its timely completion.

1. The Coordinator will oversee that Division of Personnel provides an overview of state benefit entitlements such as SBS annuities, deferred compensation, retirement benefits, state insurance, etc., and the specific specialists to contact for each. If the family is uncertain how to proceed in this area, the coordinator shall suggest a financial advisor presence or shall refer them to their financial advisors for processing of benefits.
2. Benefits will be determined by cause of death; therefore, a certified copy of the death certificate is required to process death benefits.
3. On-duty death requires that worker's compensation forms, State of Alaska Report of Occupational Injury or Illness forms, and a Supervisor's Accident Investigation Report be completed.

4. If the deceased employee is overtime eligible, a timesheet reflecting their final pay period hours must be completed and promptly forwarded to the Department of Administration, Division of Personnel, Public Protection Section for unpaid compensation and terminal leave due the beneficiary (ies). The beneficiaries, prior to any compensation released by the State of Alaska, must complete an I-9 form.

C. ***Veteran's Administration.*** If the deceased employee was in the armed forces, the Coordinator shall contact Veterans Administration to query what benefits the deceased employee or his beneficiary is entitled to receive. Possible benefits may include supplemental expenses, burial in a national cemetery, burial flag, etc.

D. ***Social Security.*** These benefits can be applied for locally by taking a copy of the death certificate, marriage license, DD/214, and divorce degree, if any, to the Social Security Office. In cases of dependent children by a former marriage, the custodial spouse is responsible for ensuring payment of social security benefits.

E. ***Other potential organizations.*** The Coordinator will assist the family in searching for other sources of benefits, some examples of possibilities are:

1. Private insurance.
2. Alaska Police Officers Association, if the deceased was a member.
3. The Fraternal Order of Alaska State Troopers.
4. The National Troopers Coalition.
5. Fraternal organizations: Elks, Lions, Moose, etc.
6. North American Wildlife Officers Association
7. Police Corps (educational benefits and support services)
8. University of Alaska (no cost tuition and supplies for life for all dependents, including spouse)

110.340 CONTACTS WHEN OFFICER'S DEATH IS IN THE LINE OF DUTY

A. ***C.O.P.S. -- CONCERNS OF POLICE SURVIVORS.*** Assistance and support for family members and relatives of officers killed in the line-of-duty is also available from Concerns of Police Survivors (C.O.P.S.). This is a national organization with an Alaska representative who can be contacted through the APD chaplain's office. Copies of C.O.P.S. publications have been provided to Division and Detachment headquarters of AST and AWT. C.O.P.S. can be reached at (573) 346-4911 or by mail at: Concerns of Police Survivors, Inc., PO Box 3199, Camdenton, Missouri, 65020. C.O.P.S. Website

B. ***Federal Government.*** The Federal government pays a duty award to the family of officers who lose their life in the line of duty in accordance with the Federal Public Safety Officers Benefits Act of 1976.

The Coordinator shall contact the Public Safety Officers' Benefits (PSOB) Program as listed below for current applications. PSOB Website

For more information call:

Public Safety Officers' Benefits Program

Washington, DC.

Toll-free (888) 744-6513 or (202) 307-0635

or write:

Public Safety Officer's Benefit Program

Bureau of Justice Assistance

810 7th St, N.W.

Washington, DC. 20531

110.350 FUNERAL SERVICE FOR OFFICERS

A. ***Coordinator may assist with planning the service.*** At the request of family members, the Coordinator may aid the family in planning the services. The mortuary may require prepayment of burial costs before mortuary personnel will sign the death certificate. The mortuary can assist with such sensitive factors as choosing a coffin, and type and location of service.

B. ***Additional planners may be need.*** Additional non-department planners may need to be included due to religious beliefs, fraternal organization procedures, etc.

C. ***A meeting of all planners will be held prior to the service.*** A meeting of all planners will be held prior to the service to discuss the following:

1. notification of out-of-town personnel and agencies, past commissioners, retired personnel and other dignitaries;
2. determine and announce funeral uniform (see OPM 102.530) and assure that white gloves, black armbands, and black tunic braids are available in sufficient quantity;
3. where the service will be held and if the location is of adequate size and has VIP seating, etc.;
4. if there is to be a procession of patrol cars, where they will stage, what route it will take, where will they park when they arrive;

5. names of pallbearers, where they will be posted, and their duties during the service;
6. formation of law enforcement personnel, location, and their movements during the service; and
7. grave site service, honor guard, weapons salute, musician, folding and presentation of the flag (if appropriate).

D. ***Rehearsal by those actively participating.*** The Coordinator will view the location of the service and arrange a rehearsal, whenever practicable, to ensure the tasks performed at the time of the service are carried out smoothly.

E. ***Videotaping of the service by the Department*****.** With the approval of the family, the Coordinator will arrange for the department to videotape the service. If the services are taped, a copy of the tape will be sent to the Academy and a copy offered to the family.

110.360 RECOVERY OF DEPARTMENT EQUIPMENT ISSUED TO DECEASED EMPLOYEE

A. ***All property at the post or in vehicles to be secured.*** The Coordinator will assign someone to secure and return to the Coordinator, all department equipment and personal property of the deceased at his assigned post and within any assigned vehicle. The Coordinator will separate the department property from the personal property. The Coordinator will inspect all of the deceased's personal property and make arrangement for its return to the family as appropriate.

B. ***All property at the residence to be secured.*** All other issue equipment kept by the employee at his residence will be secured by the Coordinator, at an appropriate time, and will be checked with the property inventory form on file with supply.

C. ***A uniform may be used for the burial.*** Consistent with the family's wishes, uniform items of the officer may be used in conjunction with the burial.

110.900 DEFINITIONS

Immediate family -- Spouse, domestic partner, parent, or children

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 111	**INTERNAL INVESTIGATIONS AND DISCIPLINARY PROCESSES**	
	Effective: 09/04/2020	**Commissioner Approval:** AP
	Authorities:	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Department Investigations Manual	

111.100 INTRODUCTION

The department has established a policy and set of practices to be adhered to when a complaint is received.

111.300 RECEIVING COMPLAINTS

A. ***Any employee may accept complaint.*** Any employee of the department is authorized to receive and record complaints against other departmental employees and/or the department. Under no circumstances shall an employee attempt to dissuade any citizen from lodging a complaint against an employee or the department.

B. ***Complaints will be immediately routed to supervisor.*** Any complaint made against an employee of the department shall be received in a courteous and professional manner and shall be immediately routed to the appropriate supervisor. Division members fielding complaints, will forward the information received, regardless of substantiation, to their direct supervisor the same business day of receiving the alleged complaint. If the direct supervisor is not available, notification to the on-call command staff member will suffice. Forwarding such information can initially be done telephonically, but written notification to the fielding employees' supervisor is required within one business day.

C. ***Action by supervisor notified of complaint.*** A supervisor who has been notified of or received a complaint is responsible for immediately determining:

1. whether the complaint is within the definitions in Section 111.900;
2. whether the complaint alleges criminal conduct on the part of an employee;
3. whether the identity of the department employee can be determined; and
4. the identity of the complainant or other persons with direct knowledge of the allegation(s).

Further, when a complaint is likely to result in an inquiry or an administrative investigation (AI), and a written signed statement cannot be obtained from the complainant; the employee receiving the complaint shall document the complaint using the BlueTeam.

D. ***Supervisor's duty to department.*** When confronted with a situation in which a subordinate may be the subject of a criminal or administrative investigation, the supervisor's duty to the department requires impartiality with respect to the matter under investigation and cooperation to aid and facilitate the investigation.

111.310 RECORDING COMPLAINTS

A. ***Department will investigate complaints.*** It is the policy of the department to accept, record, and investigate complaints as defined in Section 111.900.

B. ***Evaluation and action by supervisor notified of complaint or misconduct.*** Supervisors who observe violations or who are advised by a subordinate of complaints or misconduct as defined in Section 111.900 shall take whatever action is necessary and authorized by this chapter. The responsibility for assuring proper recording of complaints and assuring required notifications rests with the supervisor.

C. ***Recording of complaint.*** Every complaint, whether internal or external, as defined in Section 111.900 shall be documented by using the BlueTeam. It is prudent to provide as much information as possible when documenting the complaint (i.e. complainant identification and contact information, a summary of the allegations, identification of the alleged involved employees, audio recording the interview, etc.).

111.320 THE COMPLAINT PROCESS

Commanders or civilian supervisors are responsible for ensuring the employee receives complaint notification in a timely manner in accordance with applicable collective bargaining agreements. Complaints which may require administrative investigations (AIs) shall be routed up the chain of command to the Director's Office. The Director's Office is responsible for requesting administrative investigations from the Office of Professional Standards (OPS). For PSEA employees, if a supervisor review of the complaint by the chain of command determines an AI is not necessary then 'Known and Obvious' procedures will be followed. For employees in other unions, the supervisor should consult with Human Resources regarding the potential need to schedule a pre-determination meeting.

Complaints for commissioned employees will be handled in accordance with the Department Personnel Investigations (DPI) Manual. The following chart depicts types of complaints along with whom the complaint is generally investigated:

DESCRIPTION	EXAMPLES	GENERALLY HANDLED BY
Allegations that have the potential to damage the reputation of the Department or its personnel, and generally include, but are not limited to, allegations of serious misconduct, serious violations of Standards of Conduct and other written directives, or criminal conduct.	• Violation of criminal statutes • Dishonesty and untruthfulness • Gross Insubordination • Violation of civil rights • Bias-based profiling • Sexual misconduct • Workplace violence • Incompetence • Gross neglect of duty	THE OFFICE OF PROFESSIONAL STANDARDS **CRIMINAL ALLEGATIONS:** INVESTIGATED BY ABI

DESCRIPTION	EXAMPLES	GENERALLY HANDLED BY
Allegations that appear to be serious in nature by the initial complaint but may be cleared through First-Line Supervisors conducting initial information gathering.	• Brutality, excessive, and/or improper use of force • False arrest • Unlawful search and/or seizure • Abuse of position	**INITIAL COMPLAINT REVIEW:** FIRST-LINE SUPERVISOR **INVESTIGATION / INTERVIEW:** THE OFFICE OF PROFESSIONAL STANDARDS
Allegations that generally include, but are not limited to, allegations of a less-serious nature and violations of Standards of Conduct and other written directives of a less-serious nature or concerns about a policy, procedure, or tactic used by the Department or an employee.	• Violation of policies, procedures or rules, other than those referenced above • Inappropriate conduct and/or behavior of a less-serious nature, such as rudeness, discourtesy, and offensive language • Vehicle collisions • Citizen question or complaint about *procedures or tactics*, such as on-scene command presence, or why handcuffs were used when detaining a subject	FIRST-LINE SUPERVISOR

111.330 THE ADMINISTRATIVE INVESTIGATION

Administrative Investigations (AIs) for the Department of Public Safety are the responsibility of the Office of Professional Standards (OPS).

Investigative oversight of AIs is the responsibility of the OPS, who shall provide the necessary assistance to each of the department's divisions to ensure the thorough and timely completion of all AIs. The Commissioner's Office retains final authority in determining when an AI shall be conducted.

All AIs will be conducted in accordance with the DPI Manual (see section 8). Careful attention should be given to the timelines and employee's bargaining unit rights as provided by the employee's Collective Bargaining Unit.

The OPS concludes an AI by issuing a memorandum of findings documenting whether policy violations were identified. The memorandum of findings is the final outcome of the AI. Thereafter, the requesting division is responsible for taking appropriate administrative action,

including discipline. If new information is identified during the administrative/discipline process that may change the findings of the AI, the requesting division shall submit a request to the Commissioner's Office to have the OPS review the new information and determine whether changes to the memorandum of findings are warranted. The Commissioner's Office shall have final discretion surrounding the memorandum of findings.

111.340 CRIMINAL INVESTIGATIONS

Criminal investigations of employees of the department will be initiated after consultation with the Commissioner, unless exigent circumstances require such action to be taken immediately. Then the Commissioner will be advised as soon as possible after that.

Criminal investigation of any employee of the Department of Public Safety will be reported to the appropriate Division Director or designee immediately. Guidelines regarding AIs of department employees under criminal investigation are described in the DPI Manual.

111.350 ADMINISTRATIVE LEAVE

A. ***Administrative Leave.*** From time to time it may be necessary or appropriate to remove an employee from the workplace pending an investigation, or for reasons such as safety, efficiency, or maintaining good order. In such circumstances, paid Administrative Leave may be available. Requests for Administrative Leave must be submitted to the Director's Office for prior approval. The Director will work with the Human Resources to ensure compliance with all applicable policies, procedures, and collective bargaining agreements.

In rare instances, an employee may need to be immediately removed from the workplace and placed on administrative leave until further administrative action can be taken. If this happens outside of regular business hours, or the Director is otherwise not available, a supervisor must notify the Chain of Command up to the level of the Director's Office to determine next steps as soon as possible.

B. ***Administrative leave mandatory when charged.*** Administrative leave is mandatory when an officer is charged with a felony offense. Some collective bargaining agreements may address mandatory administrative leave; in the event such provisions exist the department will implement the terms of the agreement.

C. ***Employees on administrative leave to surrender badges, credentials, weapons, and state property.*** Employees placed on administrative leave under this chapter shall immediately surrender their credentials, badges, and department-issued firearms to the supervisor exercising the authority. The supervisor may also require the surrender of all other State property issued to the employee.

Due to remoteness of some Posts, the supervisor may not be able to take physical custody of the State property. In such case, the employee shall be advised of what to do with his firearms, uniform, badge and ID until the administrative leave is completed. The employee will have no authority of office unless advised to the contrary.

D. ***Restrictions on employees on administrative leave.*** Employees on administrative leave shall not wear uniforms or any other badge of office. Employees under administrative leave shall have no authority of office.

E. ***Disciplinary suspensions.*** Disciplinary suspensions will be without pay or benefits.

111.360 DISMISSALS

A. ***Cause for dismissal.*** In the determination of the department, a finding of any of the following offenses may be cause for dismissal:

1. conviction of a felony offense or a crime involving moral turpitude as defined under 13 AAC 85.900(28);
2. submission of a resignation while criminal charges are pending and before the case has been adjudicated;
3. knowingly taking action or inaction that demonstrates extreme indifference to life which results in serious injury or death and violates the code and canons of ethics and/or the sworn oath of office;
4. making a false statement or falsifying any written or verbal report made to a superior or required by department policy or procedures, or willfully and intentionally withholding any material matter from such report or statement;
5. accepting or offering a bribe, official misconduct, or engaging in any unlawful act or unlawful means of obtaining money or other consideration;
6. accepting any fee, reward or gift of any kind from an arrested person or a person under investigation;
7. intentionally destroying or improperly handling evidence in violation of department procedures;
8. knowingly giving false testimony in any case at any time;
9. knowingly committing any serious violation of law;
10. intentionally revealing the identity of any employee of any law enforcement agency engaged in official duty in such a manner as to interfere with the proper performance of his duty;
11. intentionally revealing the evidence, activities, or plans of any law enforcement agency in a manner which could interfere or prevent investigation, activity, or plans;
12. being under the influence of intoxicants and/or drugs without authorization on or off duty, in full or partial uniform, or on duty in plain clothes;
13. being a member of any subversive organization that is seeking to subvert, overthrow, or destroy an established government; or
14. cowardice.

B. ***Other violations.*** Other violations of the OPM may also lead to discipline, up to and including dismissal.

C. ***Dismissed employee to surrender all property and authority.*** Any employee receiving written notice of dismissal shall immediately surrender all State property issued to him, and until and unless he is reinstated, he shall no longer be considered an employee of the department.

D. ***Notification of dismissal.*** Any employee shall be promptly provided with a written notice of dismissal setting forth the reasons for the dismissal. If the employee holds permanent status in any classified position, the Director shall provide such written notification. If the employee does not have permanent status in any position, the supervisor who took the action shall provide such written notification.

111.370 DEMOTIONS

A. ***Reasons for demotion.*** Any employee may be demoted upon a showing that he is unable or unwilling to perform the responsibilities and duties that his position requires or for other sufficient reason as determined by the department.

B. ***Employees demoted for cause may be returned to former position.*** In accordance with applicable collective bargaining agreement, an employee who is demoted may be eligible to return to the last permanent status position held within the department.

C. ***Layoff of demoted employees.*** In accordance with collective bargaining agreements, an employee in permanent status who has been demoted and where no vacancy exists in the demotion classification may be eligible for layoff rights. Rehire from layoff will be handled in accordance with the pertinent labor contract and personnel rules. Any employee placed on layoff status shall immediately surrender all State property to his supervisor or other designated employee.

D. ***Surrender of credentials upon demotion.*** Any employee who is demoted shall immediately surrender all items (i.e. credentials, insignia, etc.), to his supervisor or other designee, that designate the position from which demoted as well as any equipment assigned to assist in fulfilling the duties of that position

E. ***Notice of demotion.*** A Director shall, before such action is taken, give written notice to any permanent employee being demoted providing the reasons for demotion.

111.380 NOTIFICATION OF DISCIPLINARY ACTION

Notification and copies of disciplinary action (written warning and reprimand, suspension, demotion, and dismissal) shall be forwarded in the following manner.

- Employee
- Everyone up the chain of command of the effected employee
- DPS Human Resources Lead
- Appropriate Union

- Supervisory and Field File
- Division of Personnel, Payroll Services (suspension, demotion, or dismissal only)

111.900 DEFINITIONS

Administrative Leave – a relief from duty with or without pay pending an investigation.

Complaint –

- an alleged act, or failure to act, by personnel which is contrary to written rules, regulations, procedures, directives or orders of the department;
- an alleged act or omission which, if substantiated, would constitute a violation of law;
- an allegation against employees or the department which tends to indicate an actual or potential defect in departmental rules, regulations, procedures, directives, orders, or department services; or
- a request for an Administrative Investigation in accordance with collective bargaining agreements or as authorized by the department.

NOTE: General complaints regarding requirements of duties, e.g., issuance of traffic citations, driver's license suspensions, etc., in which no impropriety is alleged and other channels of adjudication exist are not deemed complaints under this section.

Suspension—a disciplinary action, involving the relief from duty without pay or benefits, following the conclusion of an investigation or evidence of wrongdoing.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 112	COMMENDATIONS AND FORMAL RECOGNITION	
	Effective: 12/17/2019	**Commissioner Approval:** AP
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: DPS Commendation Guide	

112.100 INTRODUCTION

The Department of Public Safety has established the following formal commendations and formal recognition. The recipient of each commendation, except for the Letter of Commendation, will receive a plaque commensurate with the commendation and a ribbon for uniform wear as appropriate. Commendation and service ribbons are to be worn only as set out in OPM 102.

112.300 COMMENDATIONS AND FORMAL RECOGNITION

A. ***Commendation for valor.*** Diligent performance of duty by an employee of the Department in a perilous situation in which a life is saved, a serious crime prevented, a serious violent violator is arrested, or other similar event occurred as a result of the employee's actions. The deed performed must have been one of personal bravery or self-sacrifice beyond the call of duty, so conspicuous as to clearly distinguish the individual above his fellow officers and which involved the voluntary risk of the employee's own life. The commendation ribbon is a multicolor ribbon of gold, blue, silver, and red with a bronze "V" centered on the ribbon in a gold band. This commendation is the only ribbon awarded where employees may wear multiple ribbons on the formal uniform.

G B SRS **V** SRS B G

B. ***Commendation for bravery.*** Diligent performance of duty by an employee of the Department in a hazardous situation in which the employee was exposed to perils beyond the call of duty. The deed, while of lesser degree than that required for the Commendation for Valor, would also demonstrate conspicuous bravery involving personal hazard or danger. The commendation ribbon is a multicolored ribbon of gold, blue, red, and white.

G B R W R B G

C. ***Purple heart.*** During the performance of duty, an employee is seriously injured or killed as a result of the actions of another person. The commendation ribbon is a purple bar with a white stripe.

P	W	P

D. ***Commendation for meritorious service.*** Performance of duty by an employee of the Department in a hazardous situation where as a result of the employee's action a crime is prevented, life or property is protected, or criminals apprehended. The commendation ribbon is orange and gold.

O	GOG	O	GOG	O

E. ***Commendation for honorable service.*** Performance of duty or service by an employee of the Department which does not fall into the above classifications but which distinguishes the employee by exceptionally meritorious service in duties of great responsibility. This applies to a narrower range of positions and requires significant achievement and exceptional dedication to performance of normal duties. It is awarded to those who "go the extra mile." The commendation ribbon is yellow and blue. If it is issued by the Commissioner it has double gold bands and if issued by the Division Director has single gold bands.

Commissioner

GBG	B	GBG

Director

Y	B	Y

F. ***Lifesaving Commendation.*** This commendation is awarded to an employee for the ACTUAL SAVING OR PRESERVATION OF a human life or lives that otherwise would have IMMEDIATELY EXPIRED without the employee's DIRECT INVOLVEMENT in providing first aid, medical, or physical intervention. An employee may receive only one Lifesaving Commendation per incident regardless of the number of victims involved. Subsequent commendations will have a gold star added to the ribbon. The commendation ribbon is white and red.

W	R	W

G. ***Commendation.*** Services rendered by an employee of the Department, other agency, or citizen which do not fall within the above classifications, but which are worthy of mention for recognition of services by a Division Director or the Commissioner. The commendation shall be

in writing, and the presentation may be in the form of a letter, certificate, or other similar document.

H. ***Division Supervisor of the Year.*** The Division Director may select a division employee of the supervisory ranks who best typifies service to the citizens of the state of Alaska based on consistent performance throughout the year. The multicolor commendation ribbon is gold, white and blue.

G W B R B W G

I. ***Division Employee of the year.*** The Division Director may select a division employee (civilian and/or commissioned below the rank of Lieutenant) who best typifies exemplary service to the citizens of the state of Alaska based on consistent performance throughout the year. The Division Employee of the Year is generally selected from recipients of the following commendation – 112.300 I. The multicolor commendation ribbon is red, blue, and white.

R BRWRB R

J. ***Detachment/Bureau and Judicial Services Employee of the Year.*** This commendation is presented to the employee (civilian, CSO and/or commissioned below the rank of Lieutenant) who commits to doing the best possible job every day of the year. It is not intended to recognize exceptional performance during one particular incident. Commanders should select an employee (one civilian, one commissioned officer, and one CSO) from their command every year who best typifies exemplary service to the citizens of the state of Alaska. See attached guide for selecting a candidate. Factors to be considered: the quality and completeness of investigations and reports; ability to interact with the public in a positive manner; consistent quantity and quality of work; willingness to accept and complete assignments; and special expertise and professionalism displayed during performance of duty. The Division Employee of the Year is generally selected from recipients of this commendation.

The multicolored commendation ribbon is gold, blue, white, and red. If the employee has earned more than one Detachment/Bureau Employee of the Year commendation, the ribbon will be worn with a bronze star attached to the center.

G RWB G

K. ***Village Public Safety Officer of the Year.*** The AST Division Director may select a VPSO who best typifies exemplary service to the citizens of the state of Alaska based on consistent performance throughout the year. See attached guide for selecting a VPSO candidate. The

multicolored commendation ribbon is gold, blue, white, and red. If the VPSO has earned more than one Village Public Safety Officer of the Year commendation, the ribbon will be worn with a bronze star attached to the center.

G	R W B	G

112.310 DEPARTMENT SERVICE RIBBONS

The Department of Public Safety has established the following service ribbons to recognize service to the state of Alaska. Service ribbons are to be worn only as set out in OPM 102.

Service Ribbons are not commendations and do not require the nomination procedure laid out in 112.320. Supervisors should work with their employees to determine if the employee has qualified for an appropriate service ribbon. It is highly encouraged this be done during the annual performance evaluation. If an employee believes they meet the requirements of a Service Ribbon, upon supervisor approval, the ribbon may be requested from the DPS Procurement Section. No other approvals are required.

A. ***Bush Trooper Service***. This ribbon is earned after twenty four (24) months of uninterrupted service to a bush community. For the purpose of this service ribbon a bush community is defined as having a population of less than 7,000 and that is not connected to the state road system. The multicolored service ribbon is red, blue, and gold.

R B R	G	R B R

B. ***Longevity.*** This ribbon is earned after completion of 10 years or more service as a commissioned officer with DPS. If the employee has 15 years of continuous service, one bronze star will be attached to the center of the ribbon. If the employee has 20 years of service or more, two bronze stars will be attached to the center. If the employee has 25 years of service or more, three bronze stars will be attached to the center. If the employee has 30 years of service or more, one gold star will be attached to the center. An additional gold star will be added for every 5 year increment after 30 years. The service ribbon is maroon and blue.

M	B	M	B	M

C. ***Region/Specialized Unit Service.*** This ribbon is earned by Troopers, CSOs and VPSOs after twelve (12) months of uninterrupted service in a region and/or specialized unit. For example, a trooper assigned to Fairbanks area would wear the Interior ribbon; a trooper assigned to the same area but in drug enforcement would wear the Interior ribbon as well as

the Drug Enforcement ribbon. Multiple assignments to the same region or unit do not earn multiple service ribbons. The service ribbons for the regions and units are:

Region:		
Southeast	Red	
Southcentral	Royal Blue	
Western AK / Kodiak	Light Blue	
Interior	Gold	
Kenai Peninsula / PW Sound	Gray	
Director's Office, Commissioner's Office, Academy, Anchorage Judicial Services	Red/Blue	

Specialized Unit:		
Drug Enforcement	White/Green	
Highway Patrol	Black/Royal Blue	
Investigations – AST/AWT	White	
Judicial Services	Royal Blue/Gray	
Fire and Life Safety	Red/Blue/Red	
Wildlife Troopers North	Brown	
Wildlife Troopers South	Green	

D. ***Honor Guard Service Ribbon.*** This service ribbon is presented to employees who have volunteered to be part of the Department Honor Guard team. To be eligible for this service ribbon the individual must be an active employee of the Honor Guard for at least six months and have participated in at least two details. The multicolored service ribbon is blue, yellow, red, and white.

B YR W RY B

E. ***AST/RCMP Competitive Shoot Participant.*** This service ribbon is presented to employees who have participated in the annual AST/RCMP shooting competition. To be eligible for this service ribbon, the individual must have competed during the annual shoot or served as team coach. The multicolored ribbon is royal blue, gold, and red.

B G R

F. Safe Service Ribbon. This service ribbon is presented to employees who have remained accident free while on duty. To be eligible for this service ribbon, the individual must have five years of full time service to the department as a Trooper, Court Service Officer, Fire Marshal, or Village Public Safety Officer. The employee must also have no reasonably preventable department owned or leased motor vehicle collisions within the previous five years, and no reasonably preventable personal injuries to themselves or others, causing a loss of work time, within the previous five years. Department vehicles include aircraft, boats/vessels, and off-road vehicles.

The recognition for ten years of continuous safe service is the ribbon with one bronze star attached to the center. The recognition for fifteen years of continuous safe service is the ribbon with two bronze stars attached to the center. The recognition for 20 years of continuous safe service is the ribbon with three bronze stars attached to the center. The recognition for twenty five years of continuous safe service is the ribbon with one gold star attached to the center. The Safe Service Ribbon is red and white.

R W R

G. Field Training Officer Service Ribbon. The Field Training Officer ribbon is presented to Field Training Officers (FTO) who has successfully completed 960 hours (six full FTEP phases) of field training with recruits. The FTO must also have five years of DPS service as a Trooper, Court Service Officer, or Fire Marshal. The FTO must have successfully completed a basic 40 hour, department approved FTEP course. If the FTO has completed one full cycle as a detachment FTEP Supervisor, the ribbon will be worn with a bronze star attached to the center. The multicolored ribbon is navy, red, and yellow.

NYRYN R NYRYN

H. SERT Service Ribbon. This ribbon is presented to members who have served on SERT. To be eligible for this service ribbon the individual must have been an active member of SERT for at least one year, have completed and earned a Basic SERT or SWAT certification and must have left the team in good standing. If the member did not complete and receive a basic SERT or SWAT certification, due to circumstances beyond their control, but served for one year, it is at the discretion of the SERT Statewide Operations Commander whether the member may be awarded the ribbon or not. This ribbon is intended to be worn by current and former members of SERT. If a SERT member has 5 years of continuous service, one bronze star will be attached to the center of the ribbon. If a SERT member has 10 years of service, two bronze stars will be attached to the center. If a SERT member has 15 years of service, three bronze stars will be attached to the center. If a SERT member has 20 years of service, one gold star will be attached to the center.

B Y G Y B

I. K9 Handler Service Ribbon. This ribbon is presented to members who are current or former department K9 handlers and K9 instructors, in recognition of the dedication and commitment required of these assignments. To be eligible for this service ribbon, the individual must have been an active handler or K9 instructor for at least one year of uninterrupted K9 service, have completed an AST sanctioned patrol and/or detector academy, and earned at least a PSD 1 patrol and/or PSD 2 detector certification. This ribbon is intended to be worn by current and former members of an AST K9 team. If a K9 handler/instructor complete 5 years of continuous K9 service, one bronze star will be attached to the center of the ribbon. If a K9 handler/ instructor complete 10 years of K9 service, two bronze stars will be attached to the center. If a K9 handler/instructor complete 15 years of K9 service, three bronze stars will be attached to the center. If a K9 handler/instructor complete 20 years of K9 service, one gold star will be attached to the center.

The service ribbon is black, white and tan in recognition of our K9 partners who have worked their entire life in service to our communities.

B W T W B

112.320 COMMENDATION NOMINATION

A. ***Nomination for Commendation.*** The commendation nomination process is available under the DPS intranet online reporting system and allows for routing of the nomination appropriately through the chain of command. The recommendation for commendation or recognition must include all pertinent details and names of witnesses. The supervisor may approve or disapprove the commendation as presented, may amend the commendation, or may recommend the nominee for a higher commendation or recognition. See the DPS Commendation Guide for more details.

B. ***Commendation recommendation due dates.*** Recommendations for commendation of department personnel shall be submitted to the appropriate Director no later than January 31st. Other than "of the year" commendation, DPS employees are encouraged to submit commendation nominations contemporaneous to the event or performance which caused the consideration for the commendation rather than wait until the end of the year.

112.330 COMMENDATION REVIEW BOARD

A. ***Appointment of the Board***. Each year, the Division Directors shall appoint a Commendation Review Board consisting of four DPS employees. The Office of Professional Standards supervisor will act as the board chair and as a non-voting member. The remainder of the board will consist of one member from AST, AWT, and FLS. For any commendation submission that was recommended by the Commissioner's Office, the Deputy Commissioner or his/her designee will also vote on that particular commendation recommendation.

Board members will recuse themselves from a vote if they recommended an employee for a commendation that is being considered, or they are the intended recipient of the recommended commendation. The OPS chairperson will vote in his/her place in the conflict of interest.

B. ***Responsibility of the Board.*** The responsibility of the board will be to review recommendations for commendations for Valor, Bravery, Meritorious Service, Purple Heart, Honorable Service, and/or Lifesaving and determine the appropriate commendation to be given. The board will convene throughout the year as needed to allow for timely review and submissions.

C. ***Authority of the Board.*** The Board has the authority to interview witnesses or request additional information to determine if the commendation is warranted.

112.340 AWARDS EVENT

A. ***Purpose of the Awards Event.*** The purpose of the Awards Event is to recognize commissioned or civilian personnel who have performed in a special manner; recognize civilians in the community who have made a special contribution to the department's mission; or to make any other special presentation appropriate to the occasion.

B. ***Awards Event to be held annually.*** An Awards Event will be held annually, work load and budget permitting. If an Awards Event is not held, it is expected that award nominations and submissions will continue as usual and the awards will be distributed by the respective Division Director.

112.350 OTHER AWARD OR RECOGNITION

Nothing in this chapter precludes or supersedes the nomination of an employee for the annual Governor’s Peak Performance Award.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 113	**WORK HOURS, LEAVE AND PAYROLL**	
	Effective: 08/12/2019	**Commissioner Approval:** AP
	Authorities: 29 CFR 825; 29 CFR 553.22; AS 39.20.500; 2AAC 07.390; AAM 280; Collective Bargaining Agreements	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

113.100 INTRODUCTION

This chapter outlines the entitlements and obligations of supervisors and employees related to work hours and leave.

113.300 APPLICATION OF CONTRACTS AND STATUTES

All employees of the department will comply with current collective bargaining agreements, Federal and State Statutes, and regulations when dealing with personnel matters.

113.310 DUTY DAYS AND WORK HOURS

A. ***The employer will establish duty days and shift hours***. Commanders and/or supervisors will establish duty days and shift hours to meet the needs of the Department.

B. ***Employees may be required to work overtime.*** A supervisor may require an employee to work in excess of their normal work schedule.

C. ***Overtime eligible employees.*** Overtime eligible employees will be compensated in accordance with FLSA standards or their collective bargaining agreement.

113.320 HOLIDAYS

Employees may be required to work holidays as defined in the applicable collective bargaining agreement. Employees required to work on a holiday will be compensated in accordance with their collective bargaining agreement or State/Federal law.

113.330 APPROVAL AND SCHEDULING OF LEAVE

A. ***All routine leave requests will be submitted in writing.*** All routine leave requests will be submitted in writing on a leave slip prior to the requested leave.

B. ***All routine leave requests will be approved prior to the beginning of the leave.*** All routine leave requests must be approved in writing by the employee's supervisor prior to the beginning of the leave.

C. ***Supervisors are responsible for scheduling leave.*** Supervisors are responsible for leave scheduling that considers satisfactory coverage and service throughout the year. Supervisors

may approve/disapprove leave for specified periods and/or limit the number of employees on leave at any one time.

D. ***Minimum amount of leave will be taken prior to the deadline.*** Employees who are required to take a minimum amount of leave during the year will take the required leave prior to the deadline. Employees will submit a request to take required leave at least sixty (60) days before the deadline.

E. ***Denial of scheduled leave.*** Approved leave may be rescinded if the employee has assigned cases or other work in a delinquent status. Prior to beginning approved leave, all assigned cases or other work must be brought to the attention of the supervisor.

F. ***Conflicts between leave and court.*** When an employee receives a subpoena to appear in court and that appearance will affect approved annual leave, training, or other absences from their post area, the employee shall immediately notify their supervisor. The supervisor will determine if the date of the appearance can be changed. If the conflict cannot be eliminated, the subpoena shall be honored. (Reference OPM Chapter 109)

113.340 TIME REPORTING & OVERTIME

A. ***Supervisors will schedule work to minimize overtime.*** Supervisors, with due consideration for the integrity of the Department's mission, will plan and schedule work, in accordance with collective bargaining agreements, to minimize the payment of overtime or compensatory time.

B. ***Employees will accurately represent hours worked.*** Employees shall accurately represent hours worked, including overtime, and/or leave usage on their timesheet. Overtime eligible employees must document actual hours worked on their timesheet.

C. ***Supervisors are responsible for ensuring accurate time reporting***. Supervisors are accountable for ensuring accurate time reporting prior to approving the timesheet and/or leave slip. Supervisors are responsible for verifying accurate work hours are reported and that leave slips appropriately designate the leave (e.g. personal leave, FMLA/AFLA, sick leave, court leave, etc.).

113.350 FLEXIBLE SCHEDULES

A. ***Assignment to flexible shift governed by contract.*** Assignment of employees to flexible shifts and the conditions governing those assignments will be in accordance with the appropriate collective bargaining agreement.

B. ***Flexible schedule form.*** The Department will only use the flexible schedule form described in the appropriate collective bargaining agreements.

C. ***Routing of flexible shift agreements.*** Copies of completed flexible shift agreements will be routed to the following:

1. Commander;
2. Employee's Field File;
3. Director's Office;
4. Public Protection Unit, Payroll/Juneau; and
5. Union headquarters.

113.360 FLEXIBLE TIME PLAN

A. ***Assignments to flexible time plans.*** Assignment of overtime ineligible employees to flexible time plans will be in accordance with the appropriate collective bargaining agreement.

B. ***Flexible time plan documents.*** The Department is responsible for entering into a written time plan with the employee and monitoring the use of hours accumulated and hours taken through spreadsheets and leave slips.

C. ***Routing of flexible time plan activity.*** A copy of the flexible time plan must be approved by the Division Director and copied to the Department of Administration, Division of Personnel, Public Protection Unit – Payroll. Timesheets, leave slips, and spreadsheets documenting accrual and use must be submitted to Public Protection Unit – Payroll in a timely manner.

113.370 COMPENSATORY TIME

A. ***Employees Affected.*** Compensatory time does not exist for non-represented employees. Employees represented by ASEA require a letter of agreement between the parties to engage in compensatory time. Employees represented by APEA and PSEA are contractually permitted to accrue compensatory time in lieu of overtime. The following policy governs the accrual and use of compensatory time for employees represented by PSEA.

B. ***Accrual of Compensatory Time.*** Compensatory time is another method of compensating for overtime hours worked. The guidelines for approval of overtime are the same regardless of whether an employee is compensated in cash or in accrued compensatory time. Compensatory time shall be used as set out in the collective bargaining agreement.

1. An employee may accrue up to 100 hours of compensatory time.
2. Commanders are responsible for monitoring compensatory time and ensuring employees do not exceed 100 hours of compensatory time accrual.
3. PSEA employees are reminded that the use of compensatory time off does not count toward fulfilling contractual mandatory leave requirements.
4. Employees may be required to reduce their compensatory time balance prior to changing geographic locations. Employees will be provided as much notice as possible prior to the transfer being effectuated should the employer require the employee to reduce their compensatory time balance.

5. Whenever possible, compensatory time will be scheduled so that the State does not incur any additional cost due to using personnel in relief who either must receive compensatory time or overtime pay for their assignment.

113.380 BUSINESS LEAVE

A. ***Employees requesting business leave will submit a completed leave slip.*** Employees requesting business leave to conduct union/association business will submit a completed leave slip to their supervisor for approval.

B. ***Approval of business leave.*** Business leave will not be unreasonably denied but must consider the effects of the absence, as is the case with all other leave requests. Approval for business leave shall not exceed an employee's contractual limit.

C. ***Director of the Division of Personnel / Labor Relations.*** The signed leave slip will be sent to the employee's Union Representative who will send a request for business leave to the Director of the Division of Personnel / Labor Relations for tracking.

D. ***A copy of the approved request will be sent to:***

1. DOP, Public Protection Unit - payroll;
2. the employee; and
3. the Division in which the employee is employed.

113.390 FAMILY LEAVE

A. ***Request for family leave.*** An employee may request family leave in accordance with applicable Federal and State laws.

B. ***Invoking family leave.*** A supervisor shall conditionally invoke family leave for an employee when they have sufficient information to determine the employee may have a qualifying condition. The conditional invoke form, as well as the Family Medical Leave packet, will be provided to the employee and forwarded to the Division of Personnel and Labor Relations, Public Protection Payroll.

C. ***Designation of family leave on the leave slip.*** Employees using family medical leave must appropriately designate their leave slips as "FMLA/AFLA". However, there should be no indication of family medical leave on the timesheet.

113.400 INJURY LEAVE – PSEA & APEA COMMAND MEMBERS ONLY

An employee entitled to the use of injury leave, in accordance with the collective bargaining agreement, may be placed on temporary limited duty. The appropriate division dictates procedures for such duty assignment.

113.410 SHIFT SCHEDULES

A. ***All units will have a shift schedule***. All units of the Department will publish a written shift schedule listing all commissioned officers and CSOs.

B. ***Format of the schedule.*** A copy of the shift schedule form is attached. More than one post or unit may be listed on a single schedule, provided the separate posts or units are clearly indicated. (Section 113.410.A)

C. ***Shift schedule to contain certain minimum information.*** The schedule must contain at least the following information for all commissioned personnel and CSOs (including those on leave) assigned to a unit:

1. the name of the Post, Unit, or Section the schedule applies to;
2. the effective dates of the schedule;
3. the employee's name (Not nicknames);
4. the employee's work hours, RDO's, and shift hours; and
5. a flex shift indicator.
6. In some locations posts schedule personnel to cover the neighboring post during off duty periods of the neighboring post's personnel. For example, the trooper in Cantwell might cover the Cantwell and Nenana Posts during day shift and the Nenana trooper might cover the Cantwell and Nenana posts during swing shift. In cases such as this, the individual post schedules will be listed separately, yet have an indicator in the notes section that the trooper(s) also respond to another post's area.

113.420 PAYROLL ENTRY

Payroll entry, including supervisory approval in both manual and automated systems (such as OARS) shall be completed by the payroll cutoff. Commanders and civilian supervisors are responsible for the timely completion of payroll entry and for the establishment of written procedures to assure the completion of this task.

113.430 FINAL EVALUATION WITH EXTENDED ABSENCE

If an employee terminates or transfers after a long absence from the workplace that encompasses all or most of the current evaluation period the supervisor should complete an evaluation as follows:

A. ***It is not necessary to mark any of the rating boxes.***

B. ***"Overall Rating" narrative section.*** The "Overall Rating" narrative section will include a notation that the employee was not available for duty during all or the majority of the rating period and will include an overall rating based on the employee's past evaluations;

C. ***Other sections not necessary.*** Once the notation in 113.430(B) is included it is not necessary to craft Performance, Work Habits, Interpersonal Relationships, Supervisory, or Goals sections.

D. ***Rehire recommendation decision is required.*** The Rater's Recommended Action must be complete to reflect either: Recommended for Rehire or Not Recommended for Rehire.

113.440 FIREARM TURN-IN UPON TERMINATION

Upon termination of an employee issued a firearm (except for SERT weapons) the firearm shall be transferred to the Public Safety Academy for re-issue.

113.600 PROCEDURES

Temporary limited duty: See OPM Chapter 128

Department of Administration, Personnel and Labor Relations: Family Leave

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 114	**PSYCHOLOGICAL SERVICES AND CRITICAL INCIDENT DEBRIEFING**	
	Effective: 04/21/2011	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: **See Chapter 118 – Use of Deadly Force**	

114.100 INTRODUCTION

The department ensures all employees receive adequate psychological attention after an on-the-job critical incident.

114.300 PSYCHOLOGICAL SERVICES

A. ***Psychological services available to employees.*** An employee's contractual medical coverage may include psychological services. In addition, employees may seek consultations with API or an applicable employee assistance program, if needed and available. Contact with a health care provider will be treated as a confidential doctor/patient relationship unless the person is found to be a safety threat to human life.

1. If contact is made for consultation, employees and supervisors shall complete the SOA, Report of Occupational Injury or Illness (02-921).
2. If a criminal violation exists, the doctor will attempt to convince the individual to advise management of the situation.

B. ***Types of psychological services available.*** In cases of job related stress, such as a shooting incident, API or an employee assistance program provider is available to:

1. Assess the impact of the incident on the individual's career;
2. Assist the involved individual; and
3. Assure management of the individual's psychological health.

C. ***Requirement psychological services***. An officer involved in the use of deadly force is required to attend a post incident consultation with a mental health professional within seven (7) days of the incident, if at all possible. Mandatory fit-for-duty evaluations will be required if an involved officer exhibits signs of abnormal stress as a result of the incident. See details in OPM Chapter 118.

114.310 CRITICAL INCIDENT DEBRIEFING - GENERAL DESCRIPTION

A. ***Stress debriefing needed by participants in critical incidents.*** Research indicates that most employees involved in stressful situations (critical incidents) may experience immediate or delayed effects. These incident-specific effects (known as post-traumatic stress disorder) may

be immediate or delayed, psychological or physical or a combination of the two. An officer who has been involved in a critical incident needs to undergo a stress debriefing.

Intervention with a psychologist, psychiatrist, or a CISD team, within seventy-two (72) hours of a critical incident provides the employee a chance to verbalize personal concerns about the incident in a relaxed atmosphere.

B. ***Examples of critical stress incidents:***

1. Serious injury or death of a coworker in connection with Department operations;
2. Suicide of a coworker;
3. Mass casualties including those with major trauma and extensive extrication rescue time;
4. Death of a child or violence to a child;
5. Loss of a life following extraordinary and prolonged expenditure of physical and emotional energy during rescue efforts;
6. Incidents attracting highly unusual or critical news media coverage; or
7. Any incident charged with profound emotion, unusual circumstances, distressing sights and sounds.

C. ***Critical incident debriefing is separate from other inquiries.*** All debriefings are separate and apart from administrative and criminal investigations. Employees are required to cooperate with administrative investigations in compliance with personnel rules, union contracts, and the OPM.

D. ***Types of critical incident debriefing.*** There are five primary types of stress debriefings.

1. On-scene/Near-scene debriefing provides the on-site officer(s) with support, encouragement, counseling, and evaluation;
2. Initial debriefing occurs shortly after the incident and provides a status report on the incident and related injuries;
3. Formal debriefing occurs:
   a. Within seventy-two (72) hours of an incident for employees whom are not directly involved in a shooting; or
   b. After a seventy-two (72) hour recovery period for officers directly involved in a shooting.

   Each debriefing is a confidential non-judgmental meeting where the employee's feelings, involvement, thoughts and stress-related symptoms are discussed.

Public OPM as of 9/4/2020

4. Follow-up debriefing deals with delayed or prolonged stress symptoms weeks or months after the incident; and

5. Individual consults are one-to-one counseling sessions (requires a referral to a mental health professional).

114.320 INITIATING A CRITICAL INCIDENT DEBRIEFING

A. ***Officers involved in shooting to be placed on administrative leave.*** Any officer involved in a shooting resulting in personal injury shall be removed from the scene by another officer/supervisor as soon as practical and shall return to the scene only if necessary and approved by Command authority. All other personnel at the scene shall be screened by the next level supervisor to determine whether they should be left on duty or given the rest of the shift off.

1. The officer shall be debriefed in a non-threatening environment after a recovery time of approximately seventy-two (72) hours (this debriefing shall not be held before the preliminary investigation).

2. The officer shall be given administrative leave for a minimum period of three (3) days. The period of administrative leave may be extended at the Commander's discretion. Investigators may contact the officer during this period for purposes of the investigation.

3. The officer's supervisor shall be responsible for completion of the SOA Report of Occupational Injury or Illness (02-921).

4. The supervisor shall be responsible for alerting the CISD Team (See 114.330).

B. ***Certain officers are encouraged to attend debriefing.*** A critical incident stress debrief shall be conducted by qualified and trained personnel after investigators have conducted initial formal interviews. This is a voluntary participatory action and is not the same as a tactical debrief. The CISD should not include the officers that used deadly force in the incident nor should specific information about the event be disclosed. The purpose of the CISD is to allow all other involved employees to express and share feelings and emotions about the incident in general as they cope with the aftermath.

1. The employee(s) will be advised as to the time and location for debriefing. Time spent attending debriefing will be scheduled duty time.

2. The Commander will be notified immediately upon the request for debriefing of an employee.

3. The debriefing team has no supervisory, advisory, medical, legal or other authority over the officer, and the officer is not required to follow their advice; however, it should be kept in mind that the team is made up of fellow public servants who may have experienced similar situations.

C. ***Any employee may initiate critical incident debriefing.*** Any employee who feels that he or she is in need of a critical incident debriefing may initiate a call to a CISD Team with or without advising his or her supervisor of the call. Employees are responsible for identifying and recognizing significant incidents for which they or others may require debriefing. If the employee initiates the call, the employee will use personal time to attend the meeting.

D. ***Call out of CISD team.*** If CISD is needed, the affected employee's immediate Supervisor will contact the nearest available CISD team and arrange for a preliminary debriefing as soon as possible after the employee has been relieved from the scene.

The Alaska Police and Fire Chaplains Ministries (272-3100) maintains a statewide roster of CISD teams.

E. ***Department will cover cost of CISD team travel.*** If a employee experiences a critical incident and there is no team available locally, the Department will cover the costs associated with critical incident stress debriefing to include team travel to an incident location if necessary.

F. ***Facilitation and participation in critical incident debriefing.*** Employees participating in CISD or supervisors organizing a debriefing should keep the following factors in mind to assure a successful meeting.

1. If the Anchorage CISD Team is utilized they will provide a team of volunteers of at least 2 members, possibly 3, consisting of 1 mental health person, and 1-2 peer debriefing team members. This team will conduct the actual debriefing.
2. When required, the Department will provide the CISD Team with a place to conduct the debriefing, preferably a neutral location (school, church, large home, etc.). Chairs should be arranged in a circle.
3. Responders from any agency who participated in the critical incident may be invited to take part in the debriefing. Do not invite witnesses, the press, family employees or other affected individuals. The CISD team leader should be made aware of interest expressed by any of the above groups.
4. All pagers, radios, and telephones must be turned off or left outside the debriefing room. If participants must be on call, they must make arrangements to have emergency messages hand delivered.
5. The team coordinator is responsible for organizing any formal debriefings to ensure the quality of the debriefing and adherence to procedure.
6. The Team Leader will contact the Commander, or designee, within 24 hours to determine the exact needs and coordinate the scheduling of the debriefing.

7. Team members will coordinate a time and location to meet prior to the debriefing to discuss the incident, available resource information and the approach to be used during the debriefing.
8. All information discussed during a debriefing shall be discussed only with attendees of the debriefing. Concerns shall be brought to the attention of the CISD team members.
9. It is prohibited to make recordings or take written notes during a debriefing.
10. Presence of media personnel during debriefing is NOT AUTHORIZED.
11. Media affected by the incident shall be debriefed separately or referred to counseling.
12. Participants in critical incident stress debriefings that choose to speak to the media either before or after the debriefing should explain that they speak only for themselves.
13. Debriefing participants may speak to the media to educate them about CISD and the effects of stress.

114.330 MANAGING PERSONNEL AFTER CRITICAL INCIDENT

This section provides guidance and suggestions for supervisors and commanders confronted with the aftermath of a critical incident.

A. ***Commander responsible for informing participant employee.*** The employee's Commander or Director is responsible for communicating case status information to the employee. This information will ease an employee's anxiety and fear.

B. ***Controlling phone harassment.*** Employees with published phone numbers are encouraged to have a friend screen their phone calls.

C. ***Supervisors to brief uninvolved employees.*** Supervisors, not the employee at the scene, will brief coworkers on the incident. This will be done so that rumors can be controlled and effected employees will not be harassed.

D. ***Investigation should be expeditious.*** Any required investigation shall be completed as quickly as possible and the employee advised of the outcome.

E. ***Supervisors and coworkers will listen to employee.*** Following the investigation, supervisors and coworkers are reminded to listen when the employee wants to talk about the incident so the employee's feelings about the incident can be expressed openly.

1. Often, individuals will avoid talking about the incident and deny any negative feelings; however, through patience and active listening, the employee can be encouraged to discuss the situation.
2. Supervisors shall provide support and counseling to determine what preference the employee has for returning to duty. The supervisor and employee shall discuss viable options for the return such as; temporary light duty, temporary reassignments, use of leave, use of leave of absence, etc. In general and within reasonable perimeters, the employee shall be allowed to pace his or her return.

114.340 MEMBERSHIP IN DEBRIEFING TEAM

There are critical incident stress debriefing teams throughout Alaska. Employees who have experienced critical incidents(s) and feel they would like to help others who have been involved in a critical incident are encouraged to become involved with a team.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 115	**WRITTEN COMMUNICATIONS**	
	Effective: 11/23/2010	**Commissioner Approval:**
	Authorities: 4T	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: 4T	

115.100 INTENT

DPS shall establish a policy for written communication authored on behalf of the department.

115.300 GENERAL INFORMATION

A. ***Correspondence concerning policy or procedure restricted.*** Written communication, including e-mails, concerning policy or procedure may not be sent unless it is within the realm or responsibility of the sender.

B. ***Inter-department correspondence must be routed to division Director.*** Written communication, including e-mails, to the executive level of another State government agency shall be drafted at the unit level or above and routed to the Director who may route it to the Commissioner for sending.

C. ***Correspondence with Legislative or Executive branches restricted.*** Without the Commissioner's approval only a Director may correspond with the Legislature; Governor, or related staff; politicians; or the executive level of government using Department stationery or position. This is to prevent confusion between the Department's official position and the employee's personal opinion and does not preclude an individual from corresponding as a private citizen.

D. ***Author of forwarded correspondence to be notified in writing.*** Whenever written correspondence, including e-mails, must be forwarded to another agency for a reply, the author will require notification in writing that his inquiry has been responded to.

E. ***Tracking correspondence prepared for others.*** Written correspondence prepared for signature by another will be accompanied by the Document Tracking Form and will show the date of preparation, the author's name, and those of any approving supervisors.

F. ***Style manual for preparation of correspondence.*** The Gregg Reference Manual, Tenth Edition (2005) is the style manual adopted by the Department. This style manual should be

used to settle all issues of grammar, style, and punctuation except where they are specifically addressed in this Chapter.

115.310 MEMORANDUM

Memorandums will be used for informal communication within the Department and with other State Government agencies. Any DPS personnel may initiate memos. Where applicable and appropriate, a copy is to be sent to Command personnel for review, or copied to the addressee's commander.

Memorandums shall be prepared in modified block format, left margin aligned or fully justified. Memorandums printed on blank paper using a laser printers, must be a reasonable facsimile of the Department-approved format.

115.320 LETTERS

A. ***Formal correspondence.*** Letters are formal correspondence to individuals or agencies and may be initiated by any DPS employee except as restricted in Section 115.300 (C).

Letters will be prepared using current State letterhead with the Commissioner's name printed or typed under the Governor's name in the upper right hand corner of the stationery.

B. ***Format of letters.***

1. Letters will be prepared in modified block format, text left margin aligned or fully justified. Sample – Letter.

2. Letters will be signed by the originator indicating rank, position, and location unless the letter is addressed to the head of a governmental agency or contains information on Division policies or procedures, in which case it must be signed by command level personnel. Copies of all letters sent will be sent to the appropriate Detachment Commander.

   Signature

   Rank (if applicable) & Name
   Title (if not used in rank)
   Detachment/Bureau

3. The signature block shall be signed by the originator's designee, if the originator is unable to sign the letter. An administrative assistant or secretary who signs a letter at the originator's request customarily signs the originator's name and adds his or her own initials. However, if the originator prefers, the administrative assistant or secretary may sign the letter using his or her own name.

Sincerely yours,	Sincerely yours,
Originator by AA	*Admin Assistant*
Originator's Name Originator's Title	Administrative Assistant's Name Administrative Assistant's Title

If the person who signs for the originator is not the administrative assistant or secretary, either of the following may be used.

Sincerely yours,	Sincerely yours,
Signer's Name	*Originator' by Signer's Initials*
For Originator's Name Originator's Title	Originator's Name Originator's Title

4. When two people have to sign a letter, arrange the two signature blocks side by side or one beneath the other.
   a. If they are placed side-by-side, start the first signature block at the left margin and the second signature block at the center. If this arrangement is used, the complimentary closing is to end at the left margin. (This arrangement is appropriate for all letter styles.)
   b. If the signature blocks are positioned one beneath the other, start typing the second block on the fourth line below the end of the first blocks, aligned at the left. In a modified block-style letter, begin at the center; however, in a block-style or simplified letter, begin typing at the left margin.
5. Subsequent pages to a letter are to bear a header. Sample – Continuation Page.
6. Enclosures are listed two lines below the signature block, left margin aligned.
7. A list of the persons (including rank and such other information as may be needed for clarity) receiving courtesy copies (cc:) goes two lines below enclosures.
8. The initials of authors, typists, or those preparing letters WILL NOT appear on correspondence prepared by the Department.

115.330 ROUTING CORRESPONDENCE

A. ***Copies of correspondence to command staff.*** If correspondence refers to policies or procedures copies must be sent to the appropriate Detachment Commander and Director.

B. ***Copies of correspondence to be retained.*** Copies of all correspondence must be retained. This will normally be in appropriate reading files however those locations with appropriate facilities may retain electronic copies provided that off-site backup is provided. Copies of these files will be retained in accordance with the State of Alaska General Administrative Records Retention Schedule and Program Records Retention Schedules authorized under AS 40.21 and 4 AAC 59.

C. ***Correspondence concerning cases to be filed with case.*** A copy of correspondence concerning cases should be filed with the original case file.

115.340 DIRECTIVES

A. ***Directives deal with policy or procedures.*** The Commissioner or a Director issues directives to provide guidance on issues of policy or procedures to personnel under his command. Directors are limited to issuing directives dealing with policy or procedures unique to their Division. Only the Commissioner may issue directives which modify the OPM or which deal with multi-divisional policy or procedures.

B. ***Directives to be sequentially numbered.*** Directives will be designated using the appropriate letter, year of issue, and sequence number and expire one year from the date of issue unless otherwise noted.

1. Commissioner's directives will begin with C;
2. AST directives will begin with T;
3. AWT directives will begin with P;
4. Division of Administrative Services directives will begin with A;
5. Fire & Life Safety directives will begin with F; and,
6. Statewide Services directives will begin with S.

115.350 TYPING STANDARDS

The following standards shall apply to all Department typing:

1. All official typing will be letter perfect and without typographical errors;
2. Typing will be proofread for accuracy, correct grammar, and spelling prior to being returned to the originator;

3. The draft and/or instructions will be returned to the originator along with the typed document;
4. Audio recordings will be returned to the originator; and,
5. Documents will not be prepared in all capitals or uppercase unless specifically requested by the originator.

RESOURCES

Document Tracking Form

Sample letterhead

Sample Continuation Page for Letter

Sample Memorandum

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 116	**HOUSING PROGRAM**		
	Effective:	08/02/2017	**Commissioner Approval:**
	Authorities:	Click here to enter text.	
	Applicability:	**EMPLOYEES RESIDING IN STATE PROVIDED HOUSING**	
	Special Instructions:	Click here to enter text.	

116.100 INTRODUCTION

This department establishes policy, procedures, and protocol for the use of State offered housing.

116.300 GENERAL PROVISIONS

A. ***Purpose of housing program.*** The purpose of the Housing Program is to provide housing to meet the needs of the department in those areas of the State where adequate housing is not, or has not been, available.

B. ***State housing – required housing.*** An employee of the department bidding on positions where state housing is available in the community, are required to reside in State housing as a condition of employment as detailed in the Position Posting and approved by the Division Directors.

C. ***State housing – property managers.*** The Department has delegated the Division of Administrative Services, Supply Section, as "Property Managers" of the state housing program.

D. ***Notice of position bidding to be provided to DPS Supply.*** Upon notification to the existing staff that a position(s) is open and available for transfer, the appropriate Directors' office will send a copy of the bid notification to DPS Supply. If the position requires the employee to reside in state housing, the employee will receive a copy of the Housing Rental Agreement for review and consideration before accepting the position.

E. ***Notice of transfer to be provided to the DPS Supply section.*** When a job position is awarded to an employee and a determination is made that employees will be transferring in and out of state housing, the appropriate Director's office will send a copy of the transfer letter(s) to DPS Supply. DPS Supply shall be notified as soon as possible of the employee's name, current address and telephone numbers, e-mail address, projected date of occupancy or departure, employee number, permanent identification number (PERM ID) and the name of employees' Commander and immediate supervisor. If the report to duty date changes for the transfer, DPS Supply shall be notified immediately since the dates may affect the household goods move and possible repairs/renovations action dates in state housing.

Public OPM as of 9/4/2020

F. ***State housing move packet transmittal to employee:*** Upon notification of an employee transfer from the Directors' office to state housing, DPS Supply will email the following documents to the transferring employee:

1. Reference Guide and Points of Contact
2. Household Good Move Process Acknowledgement Memorandum (to be signed by employee)
3. Household Goods Cube Sheet (to be completed by employee)
4. State Housing Rental Agreement (to be signed by employee and Supply)
5. Occupancy Notification Form (to be signed by employee and their supervisor)
6. State Housing Work Order Request Form (example for future reference)

116.310 PAYMENT OF RENT AND DAMAGE DEPOSIT

A. ***Monthly rent calculation worksheet.*** DPS Supply shall prepare a monthly rental calculation worksheet for review by the employee prior to submittal to Payroll. The worksheet details the unit rental rate calculations in that specific location. The employee is responsible for reviewing the calculations for accuracy and any discrepancies and the employee shall report the discrepancy promptly to DPS Supply in writing via email.

B. ***Monthly rent***. Employees are responsible for payment of monthly rent as established in collective bargaining agreements or by policy. Tenant rent payments are paid via employee payroll deductions.

C. ***Employee responsibility to verify payroll deductions***. The employee is responsible for ensuring that housing payroll deductions are in fact being made after occupancy begins. Employees are responsible for the rent from the date of check in/check out occupancy. If the transfer is during the month, the rental payment due is based on a daily occupancy rate, which is pro-rated by Payroll which may be a plus or minus adjustment in the final rent calculations.

D. ***Damage deposit required to be paid prior to occupancy***. The employee is responsible for the prompt payment of the damage deposit prior to occupancy via personal check or money order pay to the State of Alaska. Rental Deposit funds shall be sent to the attention of: DPS Supply Housing, 4805 Dr. Martin Luther King Jr. Avenue, Anchorage, Alaska 99507.

E. ***Employee's failure to pay damage deposit prior to occupancy***. Employee is advised that if the rental damage deposit is not paid prior to occupancy, the appropriate Director's office will be notified.

F. ***Rental deposit reimbursement.*** Rental damage deposit funds will be reimbursed to the employee (less any costs for repair from damages beyond normal wear and tear) after the employee vacates the housing and an inspection is made of the premises by Supply. Damages found will be reported to the Director's office for a decision and approval for

Public OPM as of 9/4/2020

damage deposit reimbursement. Employees are advised that they may be held financially responsible for damages that exceed the damage deposit amount. Damages to housing may be subject to disciplinary action in accordance with Standard Operating Procedure, Standards of Conduct, and Damage to State Housing Reimbursement Requirement.

G. Rental deposit funds non-transferrable. Rental damage deposits monies are non-transferrable from one unit to another.

H. Forwarding address requirement. Employees are required to provide their forwarding mailing address, email and telephone numbers after vacating state housing to DPS Supply to ensure prompt reimbursement of monies if applicable. Failure to provide this information may result in the delay of monies reimbursed to the employee.

116.320 HOUSING MAINTENANCE, REPAIR AND RENOVATION REQUESTS

A. Tenants responsible for reporting problems. Tenants are required to maintain their housing unit in a state of cleanliness and good repair. The employee should report any housing maintenance problems, damage, and requests for renovations to DPS Supply for review and handling.

B. Tenant responsible for submitting a Housing Work Order Request to DPS Supply. Tenants shall submit to DPS Supply via email a completed Housing Work Order Request form when requesting building alterations, repairs, maintenance, replacement parts, equipment, appliances or renovations to: DPS.supply.orders@alaska.gov. Supply will review the request and assign an employee to handle the request. Supply will notify the employee/tenant whom will be working on their request with an update as to the progress of their request.

C. Building alterations require approval from Supply. No modifications to the building are permitted without written permission from DPS Supply (including mounting big screen televisions, door locks, placement of a storage shed or exterior shelter, etc.). Building alterations require submittal of the Housing Work Order and approval prior to proceeding. Building alterations made without approval may be subject to employee discipline for failure to comply with the Housing Program standard operating procedure.

D. Emergency maintenance of housing units. Tenants in State housing units are authorized to handle emergencies under the following conditions:

1. When a life-threatening situation exists
2. When a serious health or safety hazard exists
3. When there is potential for catastrophic/ significant damage to the housing.
4. The tenant shall promptly notify DPS Supply via email (with a copy to their supervisor) of the emergency and the corrective action taken.

Public OPM as of 9/4/2020

116.330 EXCEPTIONS TO HOUSING PROGRAM

All assignments to State housing units are made on the basis that the employee is required to live in the state housing unit as a condition of employment. Request to waive this requirement must be made in writing to Director's office for consideration, approval or denial. The decision by the appropriate Director's office is final. Decisions on such requests for waivers will be based upon their impact on the department housing program, the needs and best interest of the department, and the needs and desires of the employee.

116.600 HOUSING CHECK IN OCCUPANCY PROCEDURES

Upon receiving the Division letter of notification that an employee will be transferring into a location within State housing, DPS Supply will email the employee (with a copy to their direct supervisor) the following documents:

1. An electronic copy of the Occupancy Notification form to be completed by the employee and returned within ten (10) days of the actual check-in date. The employee shall email a copy of the completed form approved and dated by the employees' direct supervisor to: DPS.supply.orders@alaska.gov
2. An electronic copy of OPM Chapter 116 Housing Program.
3. Supply will complete a Housing Inspection Report of the condition of the state housing at check in. Supply will send a copy of the Check-In Housing Condition Report to the employee. The Housing Inspection Report and supporting photographs will remain in the Rural Trooper Housing Unit file in Supply.
4. An electronic copy of the Rent Calculated worksheet for the specific geographical location, which reflects the monthly rent deduction for the location as specified in the respective Bargaining Unit agreement.

116.610 HOUSING CHECK OUT DEPARTURE PROCEDURES

Upon receiving the Division letter of notification that an employee is vacating State Housing, DPS Supply will email the employee (with a copy to their direct supervisor) the following documents:

1. An electronic copy of the Occupancy Notification form to be completed by the employee and returned within ten (10) days of the actual check-out date. The employee shall email a copy of the completed form approved and dated by the employees' direct supervisor to: DPS.supply.orders@alaska.gov
2. Supply will complete a Housing Inspection Report of the condition of the state housing at check out. Supply will send a copy of the Check-Out Housing Condition Report to the employee. The Housing Inspection Report and supporting photographs will remain in the Rural Trooper Housing Unit file in Supply.

Public OPM as of 9/4/2020

3. Damages to state provided housing will be reported to the Division Director office.
4. If the employee is transferring into another state housing unit, the employee will be reimbursed their damage deposit (less costs for damages) and they will be responsible for paying the damage deposit in the new location prior to occupancy. Damage deposit amounts vary and employees may check with Supply to determine the new damage deposit amount.

ATTACHMENTS

1. Housing Condition Inspection Report – Check-In (2 pages)
2. Housing Condition Inspection Report – Check-Out (2 pages)
3. Occupancy Notification Form (1 page)
4. Housing Work Order Request Form (1 page)

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 117	**TRAINING**		
	Effective:	02/29/2016	**Commissioner Approval:**
	Authorities:	Click here to enter text.	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	Click here to enter text.	

117.100 INTRODUCTION

Training opportunities are given to meet the department's need for scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative or other skills necessary within the department. The training opportunities must be of necessary and direct value to the State and are to be directly relevant to the employee's occupation or directly related to occupational advancement within the employee's occupational area.

117.300 DIVISION TRAINING COORDINATOR

A. ***Division to designate training coordinator.*** Each division will designate a division Training Coordinator.

B. ***Duties of Training Coordinator.*** The Training Coordinator's principal function is to assure that training activities within the division are coordinated and serve the best interest of the employees and the Department.

1. Requests from individuals for training, and memorandums assigning individuals to training, will be routed and coordinated through the appropriate division chain of command and to the training coordinator.
2. The Training Coordinator will, when appropriate, coordinate attendance at formal training by employees of other detachments and divisions to fully utilize training efforts.

C. ***Training Coordinator to review APSC certification requests.*** Requests for certification of formal training (APSC form F-20) will be submitted to the Training Coordinator 45 days prior to the training date for all formal training sessions. Upon receipt the Training Coordinator will review APSC Form F-20 for correctness and completeness, verify certification of instructors, and forward the form to the APSC 30 days prior to training date.

117.310 GENERAL TRAINING

A. ***Officer training needs identified by Commanders.*** A Commander, who identifies a training need, will document the need and forward the documentation to the Director. The Commander and the Training Coordinator will determine the most practicable solution to the need, which could be a request to change the Academy syllabus, in-service training, or a specialized training course. When the appropriate solution has been selected, the Training Coordinator, in consultation with Division Directors, will develop or adopt a training program, obtain APSC certification, and implement the program.

B. ***Obtaining APSC credit for informal training.*** Commanders who desire APSC training credit for informal training within their detachments can contact the division Training Coordinator naming the subject(s), date(s) and time(s) of training, and the name(s) of the instructor(s). The Training Coordinator will ensure instructors are certified in the specific subjects they are scheduled to instruct.

C. ***Instructors to forward APSC paperwork.*** Principal instructors, or the department official responsible for the coordination of a particular course of instruction, will ensure that each participant completes a course critique and will forward those critiques along with the course completion report (APSC F-6 form) to the Training Coordinator.

D. ***Requests for self-funded on-duty training.*** In some cases training that would normally not be available to an employee, by the employer, may be authorized during regular duty hours if the employee initiates a request to self-pay for the training costs and to attend the training while on duty. Prior approval must be obtained from the Division Director and any such training must have some apparent benefit to the State of Alaska and the employee's present or future responsibilities with the Department. If travel is involved to attend the training, the employee will bear all costs associated with that travel and the employee shall not be considered on travel or duty status while traveling. Only hours spent at such approved training will be subject to work status and all other hours will be considered leave or off duty hours. Overtime to attend such training will not be approved.

E. ***Compensation during training.*** The type of compensation paid to employees depends upon the location of the training, the hours of training, whether the training is optional or directed, and the classification of the employee receiving the training. Compensation is provided in accordance with collective bargaining agreements, employment law, and the State of Alaska's Administrative Manual.

F. ***State of Alaska Train Alaska***. The State of Alaska, Department of Administration, Division of Personnel & Labor Relations offers specific training to all Executive Branch employees, most are without fee. Full course descriptions, including objectives and class schedules are available on their website. Prior written approval from the employee's immediate supervisor is required for an employee to enroll in a state offered course at:

http://doa.alaska.gov/dof/learnalaska/

117.320 RECORDING TRAINING

A. ***Training to be documented on official forms.*** Training received by employees of the Department will be recorded on the appropriate form listed below and entered into the APSIN Training Records System. The official training records forms are:

1. Course Record -- used to record a course or certification completed by more than one person;
2. Training/Certification Record -- used to record a course, certification, language, or special skill for a single individual;
3. Firearms Qualification Record -- used to record firearms qualifications scores for a single individual with one or more weapons;

4. Supervised Firearms Qualification Record -- used to record firearms qualifications scores for multiple individuals using a single type of weapon during supervised qualification (Intended for use primarily by the Academy and during transition training);

5. Fitness Testing Record -- used to record results of annual fitness testing of officers; and

6. Training & Education Application & Reimbursement Agreement (TEARA) – used to record a non-state offered course.

B. ***Responsibility for submission of training documentation.*** The responsibility for submission of training documentation depends upon whether the course is being sponsored or instructed by the Department.

1. Course sponsored or instructed by DPS personnel. If a course is organized or sponsored by DPS then it is the responsibility of the sponsor/instructor to complete a single "Course Record" listing all of the students. The sponsor or instructor is responsible to assure that this information is entered into APSIN.

2. Course provided outside the Department. If the Department does not sponsor a course then it is the responsibility of the individual student(s) to complete and submit training documentation. Individual students can record training using the Training/Certification Record form. If more than one student is attended the same training, they can submit a single "Course Record" listing multiple attendees.

Copies of any certificates of completion, certification documents, or diplomas are to be attached to training record submissions for courses not sponsored by the Department.

C. ***Retention of original training record submissions.*** Copies of training record forms submitted by individuals will be retained in the employee's field file, if such field file exists. There is no Department requirement to submit training documentation to the Academy or Division headquarters; however, individual divisions may establish central reporting procedures in the interest of efficiency. This provision does not authorize Divisions to create duplicative or substitute training records systems, only to manage the process of reporting training to the training Records System in an efficient and effective manner.

117.330 ADVANCED MANAGEMENT TRAINING COURSES

This section covers attendance at the Federal Bureau of Investigation National Academy (FBI NA), the Southern Police Institute Administrative Officers Course (SPI), and similar training offered by other organizations. The Department recognizes that advanced training of this type is of great value to its commissioned managers and provides them with tools, knowledge, and skill essential to the modern police manager.

A. ***Declaring interest in advanced management training.*** Officers with the rank of Sergeant or higher may submit a written request for consideration to the Division Director through their Commander. If the officer has a preference concerning training institution, it should be expressed at this time.

B. ***Selection of officers for advanced management training.*** The selection of officers to attend advanced management training will be conducted according to this section. It is recognized, however, that special circumstances may dictate a deviation from these guidelines.

1. List Established – Each Director shall establish a list of eligible officers in preference order. Candidates will be placed on the list in order based upon the preference criteria listed in (3). Openings for training will be offered to the officer at the top of the list first;
2. Eligibility -- officer must have the rank of Sergeant or greater, should plan on remaining with the Department for at least three years after graduation, must meet the entrance requirements of the institutions, and should have been rated as mid-acceptable or greater at each of the preceding two performance evaluations; and
3. List Position Preference -- officers will be placed up on the candidate list first by rank (higher first), and then by date their request to attend training is approved. Their superiors may place officers on the list without the officer making a written request.

C. ***Promotional preference of graduates.*** Successful completion of advanced management training or the voluntarily decline of an opportunity to receive such advanced management training (e.g., Southern Police Institute, FBI National Academy, or a university degree program) will become a consideration element when selecting officers for promotion to the rank of Lieutenant or higher.

117.340 COMPLIANCE WITH ACADEMY RULES

While at the Public Safety Academy as a student, instructor, or visitor, employees must comply with applicable Academy regulations and rules of conduct. Violation of these rules may subject an employee to disciplinary action including termination of employment.

117.350 TRAINING AND EDUCATION REIMBURSEMENT PROGRAM

The Department of Public Safety Training and Education Reimbursement Program provides eligible employees the ability to improve job-related skills by participating in education and training opportunities not offered by the State of Alaska.

A. ***Employee Eligibility***. Training or education reimbursement is available to full-time classified or partially exempt employees continually employed by the State of Alaska for at least one (1) year. The applicant must be employed by the Department of Public Safety both when the course begins and at course completion.

B. ***Course Eligibility***. Training or education reimbursement may be approved if the course improves the skills required of the employee's current position or if the course will help prepare the employee for career development with the Department of Public Safety. College level course work must be from an accredited college.

C. ***Availability of Funding.*** Limited funding is available for this program. Reimbursement is dependent upon a number of factors, including that funding exists to support the request.

D. *Funding Provisions*

1. Reimbursable

   a. When courses are taken for credit tuition and approved fees are reimbursed for a final grade of "C" or higher, or the equivalent on an alternate rating scale. For courses leading to a certificate, the employee must submit evidence of having successfully completed the course requirements.

   b. For courses related to the employee's current position, up to 100% of the approved allowable costs may be reimbursed. For courses that will help prepare the employee for career development within the Department of Public Safety, up to 50% of approved allowable costs may be reimbursed.

   c. Expenses reimbursed are limited to the cost normally associated with enrollment in a traditional course of instruction such as tuition and related class fees.

   d. No expense is reimbursed without the required receipts and documentation of satisfactory course completion.

2. Not subject to or eligible for reimbursement

   a. Reimbursement will not be considered for college level courses taken from a non-accredited institution or any course for which an equivalent course is offered or can be offered by the Department of Public Safety or State of Alaska.

   b. Itemized fees not reimbursable include, but are not limited to, application/pre-admission registration fees, transcript fees, test preparation fees, admission testing fees, placement fees, course waiver, parking fees, student activity fees, interest on loans, and subscriptions to any professional/technical publication.

   c. An employee is not eligible for seeking training or education reimbursement by the State of Alaska when the employee:

      1. Receives duplicate or comparable fees from another institution, agency, grant, scholarship, or financial assistance plan (not including loans); or

      2. Voluntarily resigns employment

      3. Fails to receive advance approval and provide all required application documents.

      4. Does not receive or provide proof of satisfactorily completing the course.

      5. Is not employed by DPS at the beginning or conclusion of the course.

E. ***Work Schedule Limitations***

1. The training or education reimbursement program normally applies to training or course work during the employee's off-duty time. If the training requires absence from the workplace during normal working hours, the employee must receive prior approval as part of the application process. Subject to the supervisor's approval, the employee may use accrued personal leave or may reduce or adjust the regular work schedule in accordance with their applicable collective bargaining agreement. Arrangements for leave must be approved before submission of the Training and Education Application & Reimbursement Agreement (TEARA) form.

2. Participation in the education and training reimbursement program must not interfere with the employee's ability to perform his or her job.

F. ***Application Process.*** To apply for the program, prior to commence of the course the employee completes and submits the TEARA form to their Commander (for AST/AWT/FLS) or Section Manager (for all other divisions).

1. The Commander or Section Manager shall review and provide recommendation comments on the application before submitting to the Director for final review and decision.

2. The applicant will receive notification within five (5) working days of the Division Director's decision.

3. An approved application shall be copied sent to DPS Finance, by the Division, for funds to be encumbered.

4. The Director reserves the right to disapprove an application based on any work related reason. This decision is not subject to the appeal process.

5. The employee may experience tax implications as a result of the employer issuing training or education reimbursement. Employees are encouraged to seek tax guidance.

G. ***Reimbursement to Employee.***

1. Within 60 days of completion of the course, the employee must submit the following documents through the Commander or Section Manager to DPS Finance:

   a. A copy of the final grade or, if applicable, certification of completion; and

   b. A copy of the receipts for tuition/training and approved fees.

   c. A copy of the approved TEARA form.

2. The Commander or Section Manager (or designee) will review the claim for reimbursement compared to the TEARA and assign and authorize the appropriate funding source. The document, and supporting receipts, will be forwarded to DPS Finance for reimbursement.

H. *Reimbursement to State of Alaska*

An employee who separates employment from the State of Alaska in less than one year from completion of the course, unless separation is a result of death, prolonged illness, disability, or other circumstances beyond their control shall repay the State of Alaska in the following manner.

1. 100% if separation occurs before completing six months
2. 50% if separation occurs after six months but before completing twelve months
3. 0% if separation occurs after twelve months

The State of Alaska is permitted to deduct from an employee's final paycheck any monies owing or recover such monies by other legal means.

I. *Exceptions to reimbursement to State of Alaska.* Employees currently enrolled in self-paid training or courses at the effective date of this policy will be allowed to seek approval for reimbursement through submission of the reimbursement form. Any other exception to this program requires the approval of the Division Director and concurrence of the Commissioner's Office.

117.900 DEFINITIONS

After duty hours training – an assignment outside the trainee's regular work hours.

Formal training – Alaska Police Standards Council (APSC) certified training of eight hours or more.

Informal training – training of less than eight hours taught by an APSC certified instructor or by a person recognized as an expert in the subject matter.

Long-term training – an assignment to a school, academy, or other training facility that extends beyond a period of 30 calendar days (but not to exceed two years).

Part-time training – an assignment that encompasses a part of trainee's regular hours, for any length of time.

Short-term training – an assignment of 30 days or less.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 118	**USE OF DEADLY FORCE INVESTIGATION AND REVIEW**	
	Effective: 5/8/2020	**Commissioner Approval:** AP
	Authorities: AS 11.81.370; AS 18.65.670	
	Applicability: OFFICERS	
	Special Instructions: SEE CHAPTERS 107 & 114, Use of Deadly Force Incident Investigation Checklist, Officer Involved Deadly Force Incidents – A Guide	

118.100 INTRODUCTION

This policy establishes protocol for conducting investigations into an officer's justification for the use of deadly force. Additionally this policy applies to the investigation of Village Public Safety Officers (VPSOs) who use deadly force; however differences are noted as appropriate.

118.300 POLICY

Whenever an officer uses deadly force or uses force that results in serious injury to a person, the circumstances surrounding the use of deadly force will be thoroughly investigated. Involved officer use of deadly force investigations are generally more complex than similar investigations that do not involve police officers. These events can have profound social, civil, administrative, and criminal consequences, which draw considerable media and public attention and affect many parties. A thorough and timely investigation benefits all parties including the involved officer and the department.

Careful documentation, preservation of evidence, and obtaining all witness statements are essential requirements for providing a just outcome from the criminal, administrative, and/or civil actions that may result from the incident.

If criminal culpability is eliminated, the department still carries an obligation to investigate the circumstances of injury or death for other than criminal purposes, including civil litigation, insurance concerns and to support policy and training review.

118.600 PROCEDURES

A. ***At the scene.*** In the immediate aftermath of a deadly force incident, supervisors, officers in charge, and/or investigators shall insure that the following actions are taken.

****Each procedure may not be applicable to every event and the procedural order may be manipulated to fit event priorities.***

1. Evaluate and ensure scene security.

2. Summon medical assistance if needed.
3. Locate, identify, and separate witnesses.
4. Provide for the safety and security of the officer, including accompaniment by another officer during transport.
5. Ensure appropriate department supervisor notifications.
6. General on-the-scene questions to establish an understanding of events and any continuing risk to the public at large may be asked of the involved officer. This may include a brief non-compelled description from the involved offer as to locations, movements, actions of the participants, any necessary information that gives direction to the scene investigator or leads to the recovery of evidence or evidentiary documentation, or recollection of essential details that may be otherwise overlooked or quickly forgotten.
7. All involved officers will be advised not to discuss the incident with other involved officers or witness officers.
8. Ensure the officer has an opportunity to contact his/her family members.

   If officer is incapacitated, a command officer should make contact with officer's family members. If the family member(s) need assistance with transportation to a medical facility, the command officer will require this be accomplished.
9. Evaluate need for additional support personnel or special equipment.
10. Protect integrity of the scene(s) and witnesses until the investigative team takes command.
11. The department will attempt to contact the appropriate bargaining unit and allow officer(s) to consult with their bargaining unit regarding resources available through the union, such as legal counsel, without influence from anyone.
12. Seize any weapons used by the officer as evidence and make efforts to replace them, as soon as possible.
13. Coordinate with the investigative team, whether the officer needs to remain on scene or can be transported to an office location.
14. Investigative team to contact the Department of Law Office of Special Prosecutions and Appeals to assist with applications for search warrants and all other legal considerations.
15. Investigative team to contact the State Medical Examiner's Office if a death is involved.
16. Commander consultation with the officer, then appointment of a support officer to provide information and assistance to the involved officer throughout the investigative and administrative process.
17. Photograph the officer as dressed during incident.
18. Photograph any injuries to the officer.

Public OPM as of 9/4/2020

19. The involved officer's clothing, shoes, vest, leather gear, and digital recorder and/or camera will only be seized as needed for evidence. Items will be replaced as soon as possible.
20. If criminal conduct by an officer(s) is suspected, investigators shall apply for a search warrant to seize blood and urine. Samples will be submitted to the SOA Crime Lab for analysis.
21. If no criminal conduct by officer is suspected, the involved officer will be ordered (by a command officer, not connected to the investigative team), to provide blood and urine samples for department internal review. The sample will be sent to the Office of Professional Standards for future analysis.
22. Schedule date, time and location for a formal interview with officer, at least 48 hours after the incident. Involved officer may request an interview at any time prior to 48 hours.
23. Officer will be assigned to administrative leave for a minimum of 3 days up to five (5) days. VPSOs assignment to administrative leave will be at discretion of the employer based upon their policies.
24. Commander preparation and distribution of a commissioner's notification.
25. Commander preparation of a press release (officer's name will normally not be released for 72 hours).

B. Homicide Investigation Procedures. An Alaska Bureau of Investigations (ABI) investigator is assigned to the case. General Investigations Unit (GIU) investigators may be first on scene and may assist in the investigation, however investigation responsibility and oversight will remain with ABI. The on-scene questions will not become an in-depth interview and will only include enough information to give direction to the scene investigation, enhance scene security, and protect the public. The on-scene questioning may not be necessary if other adequate information from the scene or other witnesses/officers is available. The solicitation of specific details shall be reserved for the formal interview. The on-scene questions may be audio-recorded for the investigator's notes. The ABI/GIU investigator will not conduct video re-creations or "walk-through" with the involved officers. While it may be a fine line to walk, the investigator will keep in mind that involved officers have all the rights of any citizen and shall be treated, unless the investigation indicates otherwise, as a victim and witness.

Some of the investigative steps in this section may require waivers or search warrants to assure the legal admissibility of any evidence obtained. If the investigator has any questions concerning the search and seizure implications of an investigative step, the Department of Law Office of Special Prosecutions will be contacted for advice before proceeding.

1. Ensure adequate numbers of investigative personnel are at the scene, or are on the way.
2. Ensure the Office of Special Prosecutions is informed of the incident.
3. Ensure State Medical Examiner is advised if required.
4. Ensure notification of next of kin.

Public OPM as of 9/4/2020

5. Ensure legality of scene search by written waiver or search warrants.
6. If a suspect and/or victim is shot or injured, have an officer respond to the medical facility with the suspect and/or victim and seize the suspect and/or victim's clothing.
7. Ensure the suspect and/or victim has blood and urine drawn through medical procedures, written waiver, or search warrant for blood alcohol and toxicological screen.
8. If the officer discharged a weapon, seize and replace it with another weapon as soon as reasonably possible. Maintain custody of the seized weapon, protecting if for forensic testing. Document the condition of the weapon when seized.
9. Photograph injuries sustained by any party.
10. Ensure immediate area and neighborhood canvass is conducted.
11. All witness interviews shall be recorded.
12. Ensure the scene is photographed and videotaped.
13. Ensure any vehicles involved are seized and secured pending consent or search warrant.
14. Ensure physical evidence at the scene is identified, collected, and the chain of custody is maintained.
15. Ensure all original radio recordings and dispatch logs are seized, secured, and transcribed.
16. Ensure all original 911 recording and 911 logs are seized, secured, and transcribed.
17. Ensure the scene is measured and a diagram constructed.
18. Coordinate on-scene media relations. Release of any information to the media will be coordinated and approved by the Director.
19. Coordinate on-scene briefings and inform supervisors of case progress.

C. ***Involved officer investigation procedures.*** All officers directly involved in a use of deadly force incident will be treated in the following manner:

1. After other officers secure the scene, any involved officers will be removed from the scene as soon as possible to a designated location.
2. The involved officers will be photographed in the clothing and equipment worn during the use of deadly force.
3. If possible, photograph any injuries to the involved officers at the medical facility and/or the office.
4. Seize the involved officer's clothing, shoes, vest, leather gear, and digital recorder

Public OPM as of 9/4/2020

and/or camera but only if deemed necessary for evidentiary value and retain until released by the Division Director in cooperation with the Department of Law. This may include weapon, badge, audio recorder, etc. The reason for the seizure shall be explained to the involved officer.

i. If probable cause exists suggesting criminal wrongdoing on the part of the involved officer, investigators shall apply for a search warrant for blood and urine. A search warrant will not be sought for the involved officer's blood and urine if there is no indication of criminal wrongdoing. In cases where blood and urine is seized by search warrant, the samples will be submitted to the SOA Crime Lab.

ii. Involved officers will be required by the Department, to provide samples of blood and urine for the department's internal administrative review. This collection will not be ordered or supervised by criminal investigators. This blood and urine draw is mandatory. If an employee refuses to provide a blood and urine sample they may be subject to appropriate discipline under OPM 111. The blood and urine will be seized by a DPS supervisor at a medical facility and will be sent to the Office of Professional Standards (OPS). OPS will facilitate the testing of the blood and urine at a licensed medical facility. The blood and urine will be tested in every instance of administrative seizure. The results will be provided to the Director's Office to be used in the Formal Command Review Stage.

5. Any seized uniform part, weapons, or equipment will be replaced as soon as possible. The designated support officer (See D below) will liaise with the involved officer's chain of command to ensure this occurs in an expeditious manner. The duty weapon will be replaced at the scene as soon possible; however, the officer will not leave the scene unarmed unless medically necessary.

D. ***Employee support procedures.***

1. DPS will ensure the involved officer(s) have an opportunity to contact their family or offer to make notification for them in such a way that the family is not traumatized by the notification. If the officer is injured and cannot make the notification or give direction as to notification, a command officer will determine the best method of family notification. Command will make family notifications a high priority to ensure that the family is notified by the department and not through the media or other well-intentioned friends or representatives. There will be efforts to have a department representative remain with or transport family to the medical facility. Personal notification is the preferred method of the department.

2. Support officer. As soon as reasonably possible, the commander of the involved

Public OPM as of 9/4/2020

officer(s) or supervisor in the absence of the commander will designate a department employee to function as a support officer. The involved officer shall be consulted and have input as to the selection of the support officer. If multiple officers are involved, the commander will determine the best option for either a single or multiple support officers. The support officer's primary mission will be to explain procedures and to provide support. The support officer will act as liaison when needed between the involved officer and command. Command will impress upon the support officer the importance of this assignment. The support officer will not have any authority as to the direction of the investigation so as to remain completely neutral and supportive, but will be able to provide suggestions to Command and Investigators regarding timing of actions and requests as well as the physical and mental condition of the involved officer. Command will provide the involved officer with a pamphlet outlining this chapter so the officer will understand the investigative process.

3. A commander will assign the involved officer to administrative leave for a minimum of three (3) days up to five (5) days, in addition to their regular days off. See 118.610 (A). VPSOs assignment to administrative leave will be at discretion of the employer based upon their policies.

4. The names of involved officers will not normally be released to the media by the Department for a seventy-two (72) hour period following the incident. After seventy-two (72) hours the name of the involved officer(s) will be released by the Director's office. For VPSOs the name will be released in consultation with the employer.

5. An officer involved in the use of deadly force may wish to meet with other individuals, counselors, chaplain, or stress debriefing groups; however, at no time shall such meetings interfere with the on-going investigation. No guarantees can be made that such conversations will remain confidential outside of the context of a privileged conversation.

6. A commander or higher ranking officer will attempt to communicate face to face with the officer for the purpose of demonstrating departmental support for the officer. The administrator will not comment on the situation or make any premature statements regarding the legal or internal affairs matters but may show concern and empathy for the officer and/or family during the very stressful experience.

7. All department employees involved in the incident, either at the scene or in support roles (dispatchers, supervisors, etc.) will be encouraged to attend a critical incident stress debriefing (CISD) within seventy- two (72) hours (See OPM 114). The CISD may include the officers that used deadly force in the incident if their formal investigative interview has already been conducted (See 118.610 (D). Whenever possible, consideration should be made into assigning command staff

Public OPM as of 9/4/2020

personnel from outside the involved detachment to help facilitate the CISD to allow involved detachment command staff to focus on other priorities.

E. ***Detachment commanders to follow investigation.*** Detachment commanders are to remain briefed on the status and developments of the ABI/GIU investigation as it is proceeding. Commanders are expected to be closely aware of the essential details of the incident and the investigation through its conclusion.

F. ***Departmental Administrative Force Review.*** The Office of Professional Standards (OPS) will conduct an administrative force review of the incident.

1. This review is limited in scope to a review of departmental policy, procedures, and rules in relation to the incident. It is not intended to be a separate or parallel investigation.

2. If any potential policy violations are identified, the appropriate Division Director will be notified and the Department complaint process may be followed in accordance with the employee's collective bargaining agreement. [Ref OPM Chapter 111 Department Investigations and Disciplinary Procedures]

3. OPS investigators will have access to the ARMS incident and will obtain through ARMS copies of statements, reports, and other findings. Requests for copies of videos, audios, and/or photos will be made by OPS through the appropriate property manager.

118.610 POST-INCIDENT OFFICER SUPPORT

A. ***Administrative leave.*** The involved officer will immediately be afforded three (3) days up to five (5) days of administrative leave from regular duties in order to seek support and/or counseling services to adjust to the circumstances of the deadly force incident on a personal and familial level. During the administrative leave period the officer(s) will be required to provide the department with contact information; however, may participate in a formal interview, may participate in a CISD event, and may participate in a mental health consultation. The department will make every effort not to contact the officer regarding any routine case work or assignments. VPSOs assignment to administrative leave will be at discretion of the employer based upon their policies.

B. ***Post-incident intervention and education session.*** The involved officer will be required to attend a post-incident intervention and education session with a mental health professional within seven (7) days if at all possible. The department will provide the officer with an appointment for the post-incident intervention and education session. The department will pay for this session. The post-incident session is a privileged communication between the mental health professional and the officer involved. This will not be a complete psychological battery of tests as during the hiring process. The only requirement from this session will be a notification to the department that the session occurred or if the officer is reacting abnormally in the aftermath

Public OPM as of 9/4/2020

of the deadly force event. The department will pay for a follow-up session; if additional appointments are needed the supervisor should consult with DPS Human Resources. The officer may also be advised of other mental health assistance services through the State of Alaska Employee Assistance Program (EAP) and will be encouraged to seek out any services the officer feels is necessary for his/her mental health. The decision to seek further mental health assistance is a sign of maturity and the professional recognition that the use of deadly force can cause unseen stresses upon an officer. VPSOs requirement under this section will be at discretion of the VPSO employer based upon their policies.

C. ***Fit-for-duty evaluations***. Mandatory fit-for-duty evaluations will only be required if the involved officer exhibits signs of abnormal stress or aberrant behavioral actions that affect his/her performance or cause concern for the officer's safety. Supervisory and command staff will be required to justify this action to the director's office. The Director's office and VPSO Coordinator will consult with the VPSO employer before requiring a fit for duty evaluation. If justified, the officer will be required to see a doctor of the department's choosing and the department will pay for the exam. The doctor will let the department know, in writing, if the officer is fit for duty. If the doctor determines the officer is not fit for duty, the doctor will provide the following additional information to the department:

1. The prognosis of when the officer will be able to return to full duty.
2. Whether the officer is able to perform limited duty on a temporary basis.
3. A determination that the condition is or is not work related.
4. A recommendation for re-integration to the workforce.

D. ***Critical incident stress debriefing.*** A critical incident stress debriefing (CISD) will be conducted by qualified and trained personnel after investigators have conducted initial formal interviews. All efforts will be made to conduct the CISD within seventy-two (72) hours. This is a voluntary participatory action and is not the same as a tactical debrief. The CISD may not include the officers that used deadly force in the incident unless their formal investigative interview has been conducted. Specific detailed information about the event will not be disclosed. The purpose of the CISD is to allow all involved employees to express and share feelings and emotions about the incident in general as they cope with the aftermath. (See OPM 114)

118.620 FORMAL INVESTIGATIVE INTERVIEW

A. ***Interview.*** In most cases, a formal in-depth interview will not be conducted with the involved officer for at least forty-eight (48) hours, unless the involved officer desires an earlier interview. The involved officer may also request that the formal interview take place later than forty-eight (48) hours following the incident. The involved officer will be afforded all the constitutional rights and privileges of any citizen.

The ABI/GIU investigator will conduct a recorded interview with the involved officers regarding the circumstances surrounding the use of deadly force. To ensure the voluntariness of an

interview with the officers involved, the investigator shall make the following advisement to the officers:

1. "Do you understand that you are not in custody, and are free to discontinue this interview at any time?"

2. "Do you understand you are not obligated to talk to me, and you are free to leave at any time?"

B. ***Statement***. The involved officer will not be compelled to provide an interview or to write a report during the criminal investigative stage. The involved officer will not be asked or directed to sign a "Garrity" waiver. The involved officer will be advised that he/she can contact and/or have an attorney or bargaining unit representative present or seek outside advice.

Unless the involved officer is in custody, he/she will not be given a Miranda Warning. If subsequent interviews or questioning is required by the investigators, notification will be made to the officer in writing (including email with receipt) with at least forty-eight (48) hour notice, unless probable cause has been established that the officer may have committed a crime.

The use of deadly force is a traumatic event for the officer(s) and their family. The department will do everything possible to prevent any feelings of anxiety or unease. During the investigation and interview, the involved officer will be treated professionally, respectfully, and with regard due to one who has had to use deadly force while carrying out their professional responsibilities. The involved officer will be allowed an opportunity for reasonable rest periods and will not be interviewed under stress or fatigue. The officer will be treated with the same professional demeanor as any other victim and/or witness.

C. ***Interview Techniques.*** If the investigation reveals that the involved officer has committed a crime or has deliberately lied, other interview techniques may be employed. This change in interview techniques requires notification and permission of the Alaska Bureau of Investigation commander or his designee. The Alaska Bureau of Investigation commander will make notification to the Director's Office if this is considered necessary.

D. ***Departmental Administrative Force Review Interview.*** The involved officer will not be interviewed by OPS as part of the Force Review. OPS will review the criminal investigation interview and, if necessary, speak to the ABI/GIU investigators. In the event potential policy violations are identified, the applicable Director's Office will be notified and Administrative Investigation initiation procedures should be considered in accordance with OPM Chapter 111 and the Department Investigations Manual.

118.630 DIRECTOR'S OFFICE REVIEW

A thorough investigation is in the best interest of the involved officer and the department and is expected by the public. Investigators and Command will ensure that a complete and professional investigation is conducted of the involved officer's actions. This portion of the

Public OPM as of 9/4/2020

criminal investigation will be completed as soon as possible and is not contingent upon the conclusion of the entire criminal investigation.

A. Office of Special Prosecutions review. After the homicide investigation of the involved officer's action is completed, the information will be submitted to the Office of Special Prosecutions for review to determine the legality of the officer's actions. The involved officer may be exonerated, may be charged with a crime(s), or not charged due to lack of evidence.

B. ***Administrative Force Review Memorandum.*** At the conclusion of the OPS Force Review a memorandum will be authored by the OPS Supervisor and presented to the applicable Director. If an AI is conducted, the case will be presented to the Force Review Board after the review and conclusion of the AI. If no potential policy violations are identified the memorandum will request permission to convene a force review board as described in section 118.640.

C. ***Detachment commander's review and analysis.*** – Detachment commanders are expected to be closely aware of the essential details in the ABI/GIU use of deadly force investigation as it is ongoing and provide review and analysis to the director's office when necessary. Unless extenuating circumstances exist, all components of the written report will be made available to the appropriate commander for timely review.

D. ***Timeline and notification.*** Absent unusual circumstances, it is expected that this review will be completed within 30 days from the receipt of the written Office of Special Prosecutions review. After the initial 30 days OPS will inquire with the Director's Office every 14 days as to the status of the review so as to expedite resolution of the incident. The employee will be formally notified as to any outcomes, decisions, or determinations to date. If the officer involved is charged with a crime or suspected of a crime or policy violation, an Administrative (AI) will be opened and may be held in abeyance until the criminal investigation is completed. The AI may also be held in abeyance if prosecutorial action is being taken against another party involved in the case.

118.640 FORCE REVIEW BOARD

A. ***Convening a force review board.*** The review board is not an investigative entity to uncover policy violations by the involved officer(s). A review board will be convened at the request of the Division Director in every line of duty incident involving the use of deadly force. Review boards may also be convened in line of duty incidents involving other discharge of firearms, with the exception of training or to dispatch an injured animal. The review will be the responsibility of OPS. The review board is separate and distinct from any criminal or administrative investigation. The intent of the review board is to determine if procedures, policies, tactics, training, and equipment were appropriate.

B. ***Selection of board members.*** The Review Board members may include the following:

Public OPM as of 9/4/2020

1. The OPS Supervisor or designee, who will chair the board;
2. One DPS commissioned personnel assigned to the Public Safety Academy;
3. One DPS commissioned personnel selected by the Division Director (if possible, from a different detachment); and
4. One DPS commissioned personnel selected by the involved officer. If more than one officer is involved, all involved officers must select the fourth member of the board. If the officers under review cannot agree, each officer shall select one DPS commissioned officer. The selected officers will then consult to select a representative to serve on the board. VPSOs may select a DPS commissioned personnel or another certified VPSO.
5. For VPSOs the Division Director will work with a VPSO grantee to select a representative for the grantee to sit on board.

The OPS will be responsible for official notification to personnel selected to serve on the board and for informing the officer(s) involved as to the names of chosen Review Board members.

C. ***Review of incidents involving multiple officers.*** A single board may review an incident involving multiple officers. The board shall specify if findings and recommendations are based on a particular officer's actions rather than all officers involved.

D. ***Board responsibilities.*** The review board will determine if the officer under review discharged a weapon or deliberately used deadly force, and shall review existing department policies, procedures, tactics, equipment, and training that may have affected the incident under review and shall make its conclusions known in its final report.

If at any point during the review board process, a policy violation is uncovered, the review board will return the case to the Director with an explanation. The Director's Office will determine a course of action. (See OPM 118.630)

The board may make recommendations for commendation in accordance with OPM 112.

E. ***Notices required prior to hearing.*** The OPS shall notify the involved officer(s) and witnesses in writing at least 24 hours before the time set for appearance at the review board.

F. ***Review board hearing protocol.*** The following rules will apply to hearings conducted by the Review Board:

1. The technical rules of evidence do not apply to board proceedings. The chairman shall rule on questions of evidence and determine whether documents, testimony, or other evidence will be excluded because of lack of reliability, delay, waste of time, or because it is cumulative.
2. The chairman will read into the record:

Public OPM as of 9/4/2020

i. The appropriate section(s) of the OPM and/or SOP that may apply to the circumstances;

ii. Each board member's name and method of appointment; and

iii. The names of any other person(s) present.

3. All witnesses:

i. May be questioned by members of the board;

ii. May not be asked off-the-record questions;

iii. Will be excluded except while giving testimony;

iv. Shall remain available for recall;

v. Will normally be called to appear in person before the board; however, the chairman may allow a witness to testify telephonically or by deposition to avoid delay or undue expense; and

vi. Non-DPS employees will be required to swear or affirm that the testimony given in the proceeding is the truth.

G. ***Review board deliberations.*** Review Board will use a deliberative process to reach its conclusions.

1. After hearing testimony and reviewing documentary evidence, the board will meet in closed session to discuss the incident.

2. Each member of the board will candidly discuss their observations and assessments with the chairman so that a single memorandum can be prepared containing their findings and conclusions, supported by testimony and evidence, as to procedures, policies, tactics, training and equipment employed by the involved officer(s) and recommendations regarding the same as well as any commendations for action during the incident.

H. ***Review board report*****.** The chairman will compile a final report to the Division Director containing:

1. A summary of the review process leading up to convening the board;

2. A summary of the incident based on the testimony and evidence considered by the board;

3. A copy of all reports, photos, diagrams, and other documentary evidence considered by the board;

4. A complete audio recording and any transcriptions from the board proceedings; Any recommendations by the board to examine or change procedures, policies, tactics, equipment, or training; and

Public OPM as of 9/4/2020

5. Any commendations for actions during the incident.

I. ***Director's actions following review of board report.***

1. The Director will review the board's report and determine the appropriate action based on the board's recommendations. For VPSOs the Director will review and discuss the report with the grantee representative.
2. Upon completion of the Director's review, the director will notify OPS to release a confidential copy of the report to the board participants.
3. The review board report, along with the Director's action, will be filed with OPS.

J. ***Timeline.*** Absent unusual circumstances, it is expected that this review will be completed within thirty (30) days from the date of assignment.

K. ***Dissemination of lessons learned.*** The Director will take actions to disseminate lessons learned to appropriate command staff and command personnel as necessary. At director's discretion, a presentation from OPS regarding the force review board may be requested to be given to command personnel.

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 119	**ELECTRONIC INFORMATION, COMPUTERS, AND COMMUNICATION**	
	Effective: 3/8/2016	**Commissioner Approval:**
	Authorities: AS 39.52; Administrative Order 81;	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

119.100 INTRODUCTION

The provisions of this Chapter apply to all information stored electronically on department or State equipment of networks, transmitted electronically (e.g. voice, data, facsimile, video or other forms) by employees while on-duty or using department or State equipment or infrastructure, and information accessed via department or State computers or networks.

All employees of the department and any volunteers working for the department are bound by this policy. Violations of this chapter may lead to disciplinary action up to and including termination. Criminal sanctions may also apply to certain violations.

119.300 GENERAL RULES

A. ***Equipment, resources, and information to be used only for business purposes.*** Communications and computer equipment as well as network resources are to be used only for business purposes except where specific exceptions are provided. Information stored or transmitted electronically shall be viewed or used only for legitimate business purposes

B. ***No expectation of privacy.*** Employees have no expectation of privacy for any electronic communications or computer files accessed using department equipment or resources. Supervisors or technical personnel may view, copy, monitor, record, archive, backup or otherwise manipulate computer files or electronic communications without notice.

C. ***No use of department equipment or resources in support of political or profit making ventures***. Employees are prohibited from utilizing department equipment or resources to support or oppose political candidates or parties, or in furtherance of any profit making enterprise. This includes the use of email to lobby legislators or public officials on matters of personal political interest.

D. ***Discriminatory, defamatory, harassing, or sexual explicit materials***. Except under the criminal investigation exception (See 119.330 C) the creation, editing, viewing accessing, or transmission of discriminatory, defamatory, harassing, or sexual explicit materials in any form is prohibited.

E. Other Prohibited use of office technologies.

1. Use for any purposes that violate a United States or State of Alaska law or the Alaska Administrative Code.

2. Use for any commercial activities, including commercial advertising, unless specific to the charter, mission, or duties of the government agency.
3. Use for access to or distribution of indecent or obscene material or pornography.
4. Harassing other users, computer systems, and/or damaging or altering the software components of same.
5. Use for fundraising, political campaign activities, or public relations activities not specifically related to state government activities.
6. Any activity that adversely affects the availability, confidentiality, or integrity of any office technology.

F. ***Rules applicable to all and at all times.*** The rules in this chapter apply to any employee or volunteer using state computer or network resources whether on or off duty, whether in a department facility or not.

G. ***Identity not to be hidden.*** Except as otherwise provided for in policy, employees may not intentionally hide their identity in email or Internet communications or access.

119.310 USE OF COMPUTERS AND COMPUTERIZED INFORMATION

A. ***Personal computer software.*** With few exceptions, software used on personal computers is not owned by the user, but the right to use a particular number of copies is licensed by the purchaser. Violators of software licenses can be subject to criminal penalties and can subject their employers to significant civil liability. It is the policy of the Department of Public Safety to respect all computer software copyrights and to adhere to the terms of all software licenses to which the department is a party.

1. Employees may not duplicate any licensed software or related documentation for business or personal use unless the department is expressly authorized to do so by agreement with the licenser.
2. Shareware software is copyrighted software that is distributed for a free trial period prior to payment of a licensing fee. It is the policy of the department to pay shareware authors the fee requested for any shareware products that are in use on department computers.
3. Any software for which proof of licensing (original disks, original manuals, or shareware receipts) cannot be demonstrated will be promptly removed from department computers. Supervisory or technical support personnel encountering unlicensed software during maintenance or other activities are authorized to immediately delete such software from department computers.
4. Personally owned software installed on department computers will be removed if it causes conflicts with department hardware or software, interferes with the ability of any authorized user to access or utilize the computer, or occupies storage space needed by department owned software or data.

B. ***Personal use of department computers.*** Employees may not make personal use of department computers while on-duty. With prior supervisory approval, employees may make off-duty personal use of department computers for such purposes as the writing of academic papers or letters related to the professional development or advancement of the employee. Approved personal use of department computers must not be for financial or material gain.

C. ***Improper use of computerized information.*** Employees shall not make improper use of information contained in, or accessed through, department computers. Employees violating this section may be subject to criminal prosecution, loss of computer access privileges, and/or discipline, up to and including dismissal. Improper use of computerized information includes:

1. viewing computerized records without a legitimate business purpose for doing so (including for the purpose of satisfying curiosity);
2. obtaining information in violation of law, regulation, policy, procedure, or other rule;
3. release of records to any third party not legally entitled to the records;
4. release of records to any third party not authorized by policy or procedure to receive the records;
5. release or use of records for personal amusement or gain, or to benefit or cause injury to a third party (including influencing political, electoral, or governmental decisions); and
6. release or use of records for financial gain.

D. ***No privacy expectation for DPS computer files.*** Employees have no expectation of privacy for the files stored on DPS computers, networks, tapes, or removable storage media. DPS technical or supervisory personnel without notice beyond that provided by this policy may access these files. Upon request by a supervisor an employee shall provide keys or passwords to files that have been encrypted or password protected.

119.320 ELECTRONIC MAIL AND ELECTRONIC MESSAGING

When executive branch employees conduct state business through email they must, whenever feasible, use the state's electronic mail system. In some circumstances, employees may need to use, or inadvertently use, private email accounts to conduct state business. In those instances, employees must send copies of those messages to their state email accounts.

A. ***Restrictions on the use of DPS E-Mail and TWIX communications***. DPS email and any other electronic messaging systems shall be used to conduct DPS business. The department may monitor electronic communications, and supervisors may, without notice beyond that provided by this policy, read messages.

B. ***There is no expectation of privacy for electronic messages sent or received on any state computer***. Technical and/or supervisory personnel may view, print, copy, archive or otherwise access electronic messages at any time without notice to the employee.

C. ***Political activities***. Email may never be used for political activities or in connection to profit making enterprises.

D. ***No discriminatory, defamatory, harassing or sexual explicit messages to be sent***. Employees may not intentionally receive or transmit messages containing discriminatory, defamatory, harassing, or sexually explicit text, images, or multimedia.

E. ***Personal email messages limited***. Employees may send or receive brief personal email messages so long as they do not disrupt the regular conduct of department business; they do not contain personal or intimate information that the employee would not freely share with supervisors and co-workers; and, they do not contain discriminatory, defamatory, harassing, or sexually explicit content.

F. ***Use of anonymous or false email addresses prohibited***. Except with the permission of a supervisor during the course of an investigation, employees are prohibited from sending email from a DPS computer or terminal with a false address or using any service or technique intended to hide their true identity from the recipient of the message.

G. ***Record retention.*** Emails, including attachments, are subject to the same records retention requirements that apply to any other electronic or non-electronic records.

119.330 INTERNET ACCESS

A. ***Access***. Internet access is provided so that employees may conduct the state's business. This includes access to Internet resources for the purposes of research, investigation, purchasing, or inter-governmental coordination.

B. ***Privacy***. There is no expectation of privacy in any Internet access made using department computers or networks. The URL of each site visited is recorded and may be reviewed by technical or supervisory staff without notice to the employee.

C. ***Access to certain Internet resources prohibited***. Other than for the purpose of investigating criminal or administrative violations, employees are prohibited from intentionally accessing any Internet resource containing discriminatory, defamatory, harassing, or sexually explicit content.

D. ***Reported access***. Unintentional access to sites with prohibited content must be immediately reported to a supervisor. The site accessed, date and time, and circumstances should be part of the report to the supervisor.

E. ***Procedures for intentional access to prohibited content***. Intentional access to sites with prohibited content for the purpose of criminal or administrative investigation shall be pre-approved by a supervisor and recorded in the appropriate report indicating the sites visited, date and time, and reason for access.

119.340 TELEPHONE PROCEDURES - GENERAL

A. ***Answering phones.*** Telephones shall be answered promptly and courteously. General access numbers shall be answered with the name of the division, department, or unit. Commissioned officers will identify themselves by rank and name when answering phones.

B. ***Phone messages will be written.*** All messages for employees not available to answer the phone shall be reduced to writing and routed according to local custom.

C. ***Referral of callers to other numbers to be avoided.*** All reasonable efforts will be made to assist the caller without requiring them to place another call. If the caller is reporting a crime, basic information and a call back number should be obtained and the referral call placed to the other agency by the member receiving the call. The caller should be advised of this procedure.

D. ***Personal toll calls prohibited.*** Personal toll calls will not be charged to department phones.

E. ***Standards for use of voice mail.*** Employees who have voice mail on their phones shall:

1. record a message that includes the identity of the person or office reached, an invitation to leave a message, and instructions on reaching a human operator;
2. check voice messages at least once each day the employee is at the workplace; and
3. leave an explanatory message if the voice mail will not be checked for more than 3 days due to planned absence from the workplace.

Employees are encouraged, though not required, to update their messages daily (if appropriate) and to check their messages remotely if away from the office for a prolonged time while on-duty.

119.350 TELEPHONE PROCEDURES - DISPATCH

A. ***Minimum information to be recorded for each service request***. Reports of crimes or requests for services received by dispatch will be documented by obtaining a case number for each occurrence. The following minimum information will be recorded for each service request:

1. time received;
2. name, address, and home telephone number of caller;
3. telephone number from where they are calling;
4. nature of service request - details;
5. exact location;
6. whether any special equipment is needed -ambulance, etc.; and
7. if available, the additional information needed to complete the dispatch card or service request form.

B. ***Incident in progress calls***. If the caller is reporting an incident in progress, the caller should be kept on the line whenever possible. While the call is being dispatched to a unit on the road further information will be obtained; such as: what exactly is the caller seeing/hearing; suspect(s) name(s) and/or description; vehicle descriptions; suspect actions.

C. ***Callout of standby Trooper in outlying areas***. Outpost telephones will be forwarded to the appropriate detachment dispatch center after hours. Each detachment is responsible for developing an S.O.P. to outline the types of calls for service requiring immediate callout of the standby Trooper.

D. ***Screening of after-hours calls from outlying areas***. Dispatch centers will screen after hours calls forwarded from outlying areas to determine the need to recall the standby Trooper by applying the detachment callout policy established in paragraph C. Questionable calls, or calls from citizens demanding to talk with a Trooper, will be directed to the on duty Sergeant or OIC for the detachment area.

119.360 CELLULAR PHONE

A. ***Acquisition of cellular phone services.*** The acquisition of cellular phones and services are to be approved through the Division Directors who will assure that service is obtained at the lowest reasonable cost.

B. ***Employees responsible for personal use***. Employees are required to reimburse the department for charges resulting from personal use on department cellular phones. Depending on the phone service contract this may require payment for all personal use including local calls, toll calls, and text messaging.

119.370 RADIO PROCEDURES

A. ***During routine traffic only authorized 10-code to be used***. When using DPS radio channels during routine communications, all personnel will use the 10-code listed in section G. No other codes are to be used. Messages, which cannot be communicated clearly using the 10-code, should be conveyed in plain English.

B. ***Emergency communications to be plain English.*** During periods of declared emergency radio traffic, especially when multiple agencies may be involved, all transmissions on the emergency channel should be made in plain English. Dispatch should so instruct upon declaring an emergency channel.

C. ***Transmissions to be brief.*** All transmissions will be kept as brief as practical.

D. ***Personnel to use assigned radio channels.*** Personnel will utilize the specific channel assigned to them by Dispatch for the area or assignment, which they are working. When moving from one area to another, Dispatch will provide new channel assignments on request.

E. ***Radio use to comply with FCC regulations.*** All personnel will conform to the rules established by the FCC when using radio equipment.

F. ***Radios to be repaired only by DOA ETS.*** Maintenance of department owned radio equipment is the responsibility of the Department of Administration, Enterprise Technology Services (ETS). Department personnel shall not repair, or attempt to repair, any State owned radio equipment.

G. 10-code system to be used by DPS personnel.

10-1 Unable to copy	10-23 Arrived At Scene	10-79 Deceased
10-2 Signal is good	10-24 Assignment Completed	10-80 Prisoner In Custody
10-3 Change Frequency	10-27 Driver's License Check	10-81 Eating, Coffee
10-4 Acknowledge	10-28 Vehicle Registration Check	10-83 Unable to Locate/No Contact
10-5 Meet at/with (Location/Person)	10-29 Check Record for Wanted/Stolen Status	10-86 Providing Transport
10-6 Busy at (Location)	10-32 Firearm	10-87 Security/Bar Check
10-7 Out of Service	10-33 Emergency Radio Traffic Only	10-92 Clear for/Holding Confidential Information
10-8 In Service	10-36 Traffic Stop	10-93 Subject is Possible Health Hazard
10-9 Repeat	10-50 Motor Vehicle Collision D - **D**amage I – **I**njury F - **F**atality	10-96 Mental Subject
10-10 Fight in Progress	10-51 Wrecker	10-97 Negative Wants/Warrants
10-12 Stand By	10-55 DUI	10-98 Officer Safety Information
10-13 Weather	10-56 Intoxicated Person	10-99 Wanted/Stolen ADAM – **A**rmed/Dangerous F - **F**elony M - **M**isdemeanor L - **L**ocate
10-19 En Route to/Return to	10-60 Welfare Check	
10-20 Location	10-68 Officer Needs Routine Assistance	
10-21 Call _____	10-69 Officer Needs Emergency Assistance	
10-22 Disregard	10-77 ETA	

H. ***DPS radio designator prefixes.*** Radio designators for individual officers using the DPS radio network are formed from three elements: a numeric code indicating the operational unit or agency (list follows); the alphabetic code of the Detachment/Bureau covering the officers assigned location; and a numeric identifier for the individual officer. For example: A Fire Marshal assigned to the B Detachment area might have a radio designator of 7-B-2.

1. AST	23. Nenana PD
2. ABI/Narcotics	24. State Division of Parks
3. Judicial Services	25. Kenai PD
4. [Vacant]	26. Wasilla Ambulance/Fire Departments
5. AWT	27. Lakes Fire Department
6. [Vacant]	28. Butte Fire Department
7. FLS	29. Sutton Fire Department
8. Commercial Vehicle Enforcement	30. USFWP Law Enforcement
9. Palmer PD	31. Alcoholic Beverage Control
10. Soldotna PD	32. NTSB
11. FBI/Secret Service/OSI/ATF/DEA	33. Glennallen Fire/Medics
12. North Pole PD	34. Bureau of Land Management
13. Alaska Division of Emergency Services	35. US Immigration
14. Public Safety Academy	36. US Customs
15. University of Alaska	37. Alaska Railroad
16. Eielson AFB	38. Department of Treasury
17. Fairbanks PD	39. Fort Yukon PD
18. Petersburg PD	40. Alyeska Pipeline Security
19. US Marshals Office	41. Bethel PD
20. Homer PD	42. Homeland Security
21. Whittier PD	43. US Coast Guard
22. Seward PD	

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 120	**FIRE INVESTIGATION PROTOCOL**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities: AS 18.70.030	
	Applicability: OFFICERS	
	Special Instructions: Click here to enter text.	

120.100 INTRODUCTION

This chapter shall establish fire investigation protocol and requirements.

120.300 FIRE INVESTIGATION PRIORITIES

A. ***Fires which will be investigated.*** Staffing and fiscal constraints in the Division of Fire and Life Safety (FLS) do not allow the routine investigation of all fires. Fires that will normally be investigated by the FLS include the following:

1. Fires that result in a fatality or serious injuries.
2. Fires that involve a substantial loss of property ($500,000 or more).
3. Fires that appear to be intentionally caused as part of an insurance fraud or other criminal activity.
4. Fires that will have a significant public impact.
5. Fires that indicate trends or a serious consumer safety problem.
6. Any fire that involves Department of Public Safety (DPS) facilities or equipment.

B. ***Authority to investigate other fires.*** The FLS has the authority to investigate other fires within the State as outlined in AS 18.70.030.

120.310 REPORTING FIRES FOR INVESTIGATION

The Life Safety Inspection Bureau Supervisor or designee will be notified anytime a fire meeting the description as listed in 120.300 is reported to DPS and on-duty personnel from the Alaska State Troopers (AST) have confirmed the need for investigation by the FLS. The final determination to conduct a technical fire investigation is the responsibility of the State Fire Marshal or designee.

120.320 INVESTIGATIVE JURISDICTION

The Department of Public Safety has the primary investigative responsibilities for suspicious or incendiary fires occurring in non-protected and some semi-protected areas of the State.

Fires occurring in legally deferred jurisdictions may be investigated upon request and in conjunction with local authorities.

Requests for assistance in fire investigations from local police or fire departments will be coordinated through the FLS director's office. The final determination to investigate a fire is the State Fire Marshal's responsibility.

120.330 INVESTIGATION OF FIRES

A. ***Fires to be investigated***. Fires reported to the Department and meeting the criteria outlined in 120.300 will be investigated by FLS. Fires that resulted in a serious injury or a loss of life will be jointly investigated by FLS and AST; however, in an arson fire involving serious injury or loss of life AST will be the lead agency in the joint investigation with FLS.

B. ***Responsibility of FLS in fire investigation.*** Fire Marshals assigned to a fire investigation will be responsible to determine the origin and cause of the fire, perform the technical fire investigation, and preserve and process any physical evidence recovered from the scene. If it is deemed that the fire was intentionally set and a crime has occurred, the assigned Fire Marshals shall conduct the criminal investigation of the fire, provide case management, and oversee preparation of the case report.

C. ***Responsibility of AST in fire investigation.*** Troopers assigned to respond to a fire will secure the scene and contact the Fire Marshal's office for response of a Fire Marshal if the fire meets the criteria outlined in 120.300. The assigned trooper(s) will then take photos of the scene, identify witnesses, and conduct initial interviews. In the event of an arson fire that results in a serious injury or loss of life, AST will be the lead agency in the investigation. Fire Marshals assigned to an investigative team will conduct an origin and cause determination and will remain available to provide technical assistance to AST Investigators, attend pre-trial conferences with the prosecutor, and provide testimony as required.

D. ***Copy of case report forwarded to FLS.*** A copy of all completed joint investigations shall be forwarded to the FLS director's office.

120.340 REPORTS OF FIRES INVESTIGATED SOLELY BY AST

Copies of police reports on all accidental fires, burns, and non-arson property loss fire cases investigated by the AST will be provided to FLS for inclusion in the ANFIRS database.

120.350 PRELIMINARY FIRE INVESTIGATION PROTOCOL

The following are required preliminary investigative steps that must be performed to aid in the determination of criminal responsibility for intentionally set fires. This list is not all-inclusive; however, each investigation must include these steps at minimum:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 121	**COURT SERVICE OFFICERS**	
	Effective: **10/31/2012**	**Commissioner Approval:**
	Authorities: AS 01.10.060; AS 11.81.900	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

121.100 INTRODUCTION

This OPM chapter outlines the authority, duties, and responsibilities of a Court Service Officer (CSO). Nothing in this chapter exempts Court Service Officers from the provisions of other applicable chapters of the OPM nor does the existence of this chapter diminish a Court Service Officer's responsibility to be familiar with other applicable portions of the OPM.

A CSO rank structure may be developed where practical and necessary for the efficient functioning of a unit subject to approval from the Division Director.

121.300 AUTHORITY OF COURT SERVICE OFFICERS

A. ***CSO Authority.*** Court Service Officers are commissioned to transport prisoners, serve process, provide security to the court, and to protect the judiciary.

Except as outlined in 121.300 B and 121.320, a CSO's enforcement authority is limited to situations directly related to their primary duties. Within the scope of their primary duties, they have authority to make arrests in the following situations:

- offenses committed in their presence,
- under the specific direction of a judicial officer,
- when assisting a police officer making an arrest, or
- with a warrant under certain circumstances.

Court Service Officers should not make an arrest for an offense that is outside their responsibilities, knowledge, or training. A CSO, as any officer, must be able to properly articulate and understand the basis for an arrest.

Court Service Officers are expected to enforce the law, when necessary, as it relates to their primary duties. An on-duty CSO would always be expected to stop a violent crime in progress, even without making an arrest.

B. ***Expansion of CSO Authority.*** The AST Division Director may authorize Court Service Officers certified under APSC as police officers to perform duties described in this chapter as being outside the scope of a CSO's primary duties.

121.310 DUTIES OF A COURT SERVICE OFFICER

Duties that are wholly within the responsibility of a CSO include the following:

- Transporting prisoners to and from the jail, court, and medical facilities; in and out of state. Prisoner means someone already booked into a jail or already arrested and secured by a trooper or police officer.
- Serving court process.
- Providing security to the court. This includes the security of the building, court property, vehicles, and persons in the building or on the campus.
- Judicial security. Security of judges and justices on campus, and off campus under limited circumstances with prior authorization.

121.320 DUTIES OUTSIDE THE RESPONSIBILITY OF A COURT SERVICE OFFICER

Court Service Officers may exercise some limited authority in some investigative tasks, when it directly relates to their primary duties. As first responders to incidents on the court campus, they may make general inquiries into what occurred, direct the response of other officers, search for suspects, search for hazards to others, and protect the scene and items of potential evidentiary value. CSOs may direct or recommend emergency evacuations.

Examples of law enforcement duties outside the responsibility of the CSO are:

- Criminal investigation. Court Service Officers will not conduct in depth witness interviews, interrogate suspects, apply for or serve search warrants, etc.
- Crime scene investigation. Court Service Officers will not collect evidence, take detailed scene photographs, make detailed scene diagrams, etc. Common sense should apply here if the Court Service Officer is the first responder on campus and failure to take immediate action would result in the loss of evidence.
- Traffic enforcement. Court Service Officers will not make traffic stops or issue traffic citations.
- Motor vehicle crash investigation. Court Service Officers will not perform any of the tasks associated with investigating a crash.
- Search and rescue. Court Service Officers will not coordinate search operations. Court Service Officers might be assigned, within their ability, to search an area.
- Drug Enforcement. Court Service Officers will not conduct undercover drug operations.

121.330 WARRANT ARRESTS

A. ***On Court Campus or In-Custody***. Court Service Officers may serve arrest warrants on the court campus or on a person already in-custody. In-custody means someone already booked into a jail or already arrested and secured by a trooper or police officer.

B. ***Off Court Campus***. A CSO may not arrest a person on a warrant off the court campus unless the person is self-surrendering or "turning themselves in."

C. ***Working Warrants***. Court Service Officers are not to be actively working warrants. That is, they are not to research, locate, and attempt to serve an arrest warrant off the court campus. They may at the direction of a trooper do research to identify possible locations for the wanted person.

D. ***Prior Knowledge off Campus***. If a CSO becomes aware of an arrest warrant for a person they will be contacting for some purpose such as writ service or eviction off campus, they will arrange for a trooper or police officer to respond to make the arrest. If possible, those arrangements should be made prior to contact with the wanted person.

121.340 PROCESS SERVICE

A. ***Domestic Violence Protective Orders (DVPO)***. Generally, Court Service Officers will serve DVPOs. If the location is a neutral one, a place where the petitioner is not likely to be present, the Court Service Officer may serve the order. If the location is the residence of both parties or the petitioner is likely to be there, then the CSO should have a trooper or police officer serve the order. If the parties are on the court campus and the officer can safely separate the parties, they may serve the order after the safety of the petitioner is secured.

B. ***Temporary Custody for Emergency Examination/Treatment (Ex parte order)***. If the person being served the order is in custody, the CSO may serve an Ex parte mental order. If the person who is being served is not in custody, the CSO needs to be accompanied by a trooper or police officer.

C. ***Order for Temporary Placement Child in Need of Aid (Child pickup order)***. Court Service Officers will not serve child pick up orders. They may accompany a trooper or police officer when they serve an order.

D. ***DNA samples***. Court Service Officers will take DNA samples from persons at the courthouse or jail who have been sentenced for a crime requiring a sample be taken. Court Service Officers may take samples for criminal matters if the person is already in custody. They will not take samples for criminal matters from persons not in custody. They may take samples for civil matters with a proper court order and if the person is compliant.

121.350 CONCEALED WEAPONS

A. ***Concealed weapons off-duty*.** Court Service Officers not certified by APSC are not authorized to carry their issued weapons off-duty. CSOs certified by APSC are directed to OPM 217.

B. ***Concealed weapons on-duty*.** Unless authorized by a trooper, a CSO is not authorized to carry concealed weapons while on-duty.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 122	**PERSONNEL FILES**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities: AS 39.25.080; AS 09.65.160; 2 AAC 07.915	
	Applicability: **All Department Employees**	
	Special Instructions: Click here to enter text.	

122.100 INTRODUCTION

The department recognizes the need for accurately documenting the activities of all DPS employees to include all background, performance, and medical related information as it pertains to the employee's ability to perform their job.

The department will collect, utilize, and store this information to accurately preserve an employee's work history while ensuring to recognize the direction provided by applicable bargaining unit contracts, state law, state policies, and State of Alaska retention schedules.

This chapter defines the various employee files in use by the department, what those files contain, where those files are maintained, the retention of those files, and instructions for purging those files.

122.300 PERSONNEL FILES

A. ***Personnel files.*** The Department of Administration (DOA), Division of Personnel/Labor Relations (DOP/LR) maintains the official employee personnel files for the department. Questions concerning what material is included within the files should be directed to the DOA DOP/LR office in Juneau.

It is recommended that DPS employees contact DOA DOP/LR and make arrangements to review their own Personnel File before separating from employment to confirm what documents are contained within the file.

122.310 EMPLOYEE FIELD FILES

A. ***Employee field file*****.** For AST and AWT, Commanders shall designate an individual(s) to be responsible for the administrative handling of the field files, including the purging of documents and forwarding of file contents for long-term storage. For all other divisions, the Division Director or designee shall identify the individual(s).

B. ***Contents of employee field files****.* These files include:

1. Payroll records, transactions outside normal pay.
2. Leave records or documents regarding unusual leave transactions or audits.
3. Personnel Actions and supporting documents; transfer letters, address changes, status changes, etc.

4. Emergency contact information.
5. General correspondence.
6. Commendations.
7. Hiring and terminating paperwork.
8. Benefits forms.
9. Training records.
10. Discipline letters and memos.
11. Evaluations and rebuttals.

C. ***Information NOT ALLOWED in employee field files.***

1. Medical information, including medical-related hardship transfer requests.
2. Grievance files or supporting documents.
3. Human rights or EEO complaint documents.
4. Administrative Investigations.

D. ***Format of the employee field file.*** Employee field files will be kept in a three-ring binder separated by nine (9) tabbed sections.

1. Tab one will be titled "Employee Information". Contents will include:
   a. Current color photograph, measuring at least 4" x 6", of the employee's state ID photo. Employees who do not possess a state ID card shall have a photo taken and added to the file.
   b. Emergency contact information form(s), updated annually or as needed.
2. Tab two will be titled "Employee History". Documents shall date back to the employee's date(s) of hire/rehire, and be filed in chronological order with the most recent document on top. Contents will include:
   a. Current Personnel Action Request Form (PARF)
   b. List of duty station assignments and dates
   c. List of special assignments and dates (e.g. SERT, Dive Team, special schools, etc.)
   d. Letters identifying transfers / reassignments
   e. Letters identifying promotions / demotions
   f. Declaration of Familial Relationships and Nepotism Waivers forms as they would currently apply to the employee's situation
   g. Hiring packets and documentation for civilian employees

3. Tab three will be titled "Performance Evaluations". Retention of these documents shall include the employee's last three performance evaluations and associated documentation.
    a. Performance evaluations (inclusive of annual and interim evaluations)
    b. Rebuttals
    c. Associated documents
4. Tab four will be titled "Commendations". Contents will include:
    a. Commendation letters
    b. Memorandums of appreciation
    c. E-mails or other communication with similar content, including Blue Team entries, not already documented by commendation or memorandum. Documents of this type may be purged if they have been referenced within the employee's performance evaluation.
5. Tab five will be titled "Discipline". Certain disciplinary documents may be subject to purging based on the provisions of the employee's collective bargaining agreement (CBA), and authorizations to purge such documents shall come from the Commissioner's Office in Juneau. Contents will include:
    a. All disciplinary documents such as warnings, reprimands, suspensions, demotions, and termination
    b. Corrective actions such as memorandums of instruction or counseling
    c. E-mails or other communication with similar content, including Blue Team entries, not already documented by disciplinary document or corrective action. Documents of this type may be purged if they have been referenced within the employee's performance evaluation.
6. Tab six will be titled "Training". Contents will include:
    a. All Alaska Police Standards Council (APSC) certificates
    b. All APSC instructor certificates
    c. Training requests
    d. Transcripts of post-secondary education paid for by DPS
    e. Other job-related training paid for by the employee may be included at the employee's discretion
    f. Transcripts from advanced management schools (FBINA, SPI, etc.)
    g. Policy acknowledgments
    h. Notary Public certification
    i. Firearms qualifications*
    j. Physical fitness training results*

k. Training certificates with associated Training/ Certification Record Form*

l. Current APSIN training summary – On the employee's evaluation date, the prior year(s) training certificates (see those marked with *) will be purged and an updated training summary will be added

7. Tab seven will be titled "Inventory". Contents will include:

   a. DPS Inventory Form summarizing the items of value assigned to the employee—items listed on the form shall be verified through visual inspection by the employee's supervisor, who shall be responsible for ensuring the accuracy of the listing

   b. Any other inventory forms not applicable to the other categories in the file

8. Tab eight will be titled "Payroll". Regular payroll sheets, timesheets, or leave slips are maintained in a separate administrative payroll file and are not included in the employee field file. Contents will include:

   a. Premium pay eligibility (e.g. Investigator, SERT, Instructor, college degree, APSC, etc.

   b. Payroll adjustments

   c. Flexible time and Alternate work week agreements

   d. Rural incentive and/or extension pay

9. Tab nine will be titled "Miscellaneous". Documents that should be considered part of the field file but do not fall into the above categories are filed in this section. Contents may include, but is not limited to:

   a. Correspondence relating to special requests

   b. Non-medical hardship transfer requests

   c. Building identification/access card requests

   d. Airport identification/access card applications

E. ***Review of employee field files*****.** During the performance evaluation review with the employee, the employee's supervisor shall conduct an audit and review of the employee's field file to ensure the accuracy of the information contained therein. The supervisor shall bring to the attention of the individual(s) responsible for maintaining the field files any items needing to be updated.

F. ***Required notification*****.** Documents placed in the field files of employees represented by PSEA will be initialed by the employee and a copy will be provided to them. Electronic copies may be emailed to the employee with a request for a return receipt. A copy of the email indicating the document provided shall be placed in the field file.

Documents placed in the field files for all other employees do not require initials or copies unless requested.

G. ***Retention of employee field files.*** Except as otherwise noted above, the contents of field files will consist of information for the entire work history of the employee and will be retained two years after the employee separates. The field files are to be retained at the geographic location from which the employee separated. After the two-year retention, employee field files shall be sent to the Commissioner's Office in Juneau.

122.320 ANECDOTAL FILES

A. ***Anecdotal files.*** Each division may format anecdotal files at the respective Director's discretion. Supervisors may store anecdotal information electronically. These files will be maintained in a confidential area in the supervisor's office.

B. ***Contents of anecdotal files.*** These files may include:

1. Anecdotal file notes
2. Blue Team entries
3. General correspondence to be used for the performance evaluation
4. Commendations, discipline, and similar documentation

C. ***Information NOT ALLOWED in anecdotal files.***

1. Medical information, including medical-related hardship transfer requests
2. Grievance files or supporting documents
3. Human rights or EEO complaint documents
4. Administrative Investigations

D. ***Access to anecdotal files.*** Employees shall have access to their anecdotal files upon request. Electronically stored files may be printed or made available for electronic viewing.

E. ***Retention of anecdotal files.*** For employees covered under the PSEA collective bargaining agreement, anecdotal notes and documents will be provided them after presentation of the annual or service step evaluation. For all other employees, anecdotal notes or documents will be purged after presentation of the annual or service step evaluation. All purged documents will be shredded.

122.330 MEDICAL FILES

A. ***Medical files.*** Medical files are to be separate from any employee's personnel file.

B. ***Contents of DPS medical files.*** These files may include:

1. Workers' Compensation / Jones Act claims/ Family leave/Injury leave
2. Medical records – biennial physicals, doctor's reports, releases, etc.
3. Limited Duty requests and documentation
4. Medical-related hardship transfer requests
5. Blood borne Pathogens records and investigations
6. Vaccination records
7. Claims or applications for disability benefits
8. Medical information from human resources, insurance adjustors
9. Any other documents related to medical issues

C. ***Retention of Medical files.*** Medical Files shall be retained as outlined in the State of Alaska General Administrative Records Retention Schedule #100.3.

122.340 FIELD MEDICAL FILES

A. ***Field medical files.*** Medical information must be kept in a file physically separate from any other files. Field medical files will be retained at AST/AWT Detachment Headquarters by Commanders or at the supervisor's office for all other departmental employees.

B. ***Contents of field medical files.*** These files include:

1. Workers' Compensation/Jones Act claims/Family leave/Injury leave
2. Medical records – biennial physicals, doctor's reports, releases, etc.
3. Limited Duty requests and documentation
4. Blood borne Pathogens records and investigations
5. Vaccination records
6. Claims or applications for disability benefits

C. ***Retention of field medical files.*** Field medical files shall be retained for two (2) years from the date of onset of medical condition or until completion of treatment or the condition no longer exists, whichever is longer. Field files shall then be forwarded to the Commissioner's Office in Juneau for any further retention.

122.350 ACCESS TO INFORMATION IN EMPLOYEE FILES

A. ***Public information.*** The following is considered public information and may be given to a requestor. All other information is confidential and cannot be disclosed unless a waiver signed by the employee is provided. Refer requests for information that require a waiver to the Commissioner's Office.

1. Names
2. Position Title
3. Prior state employment positions held
4. Whether the employee is in classified, partially exempt, or exempt service
5. Dates of appointment and separation as a state employee
6. Compensation authorized

B. ***Subpoenas or Court Orders for personnel files or information.*** All subpoenas or court orders for personnel files, medical files, or information contained in them will be forwarded to the Commissioner's Office in Juneau for processing.

C. ***Access to confidential information.*** The Commissioner, Deputy Commissioner, Division Directors, Deputy Directors and immediate supervisors may access the confidential files of their employees without further authorization. All requestors must have a business reason to access confidential information.

1. Employee field files may be accessed by members of a promotional board for use in the consideration of the employee for a promotional opportunity.
2. Background files may be accessed by the Recruitment Unit supervisor and certain information may be shared with employees who are participating in file reviews and serving on oral boards for the selection of academy candidates.

D. ***Employees to be provided copies of items placed in files.*** Employees are to be aware of all personnel file or medical files retained regarding them and are provided with a copy of items placed in their personnel file or medical file upon request. Refer any questions to the Commissioner's Office in Juneau.

122.360 BACKGROUND FILES

A. ***Background files.*** Background files are maintained by the Recruitment Unit and consist of investigations of applicants for hire as a Trooper, CSO, or Deputy Fire Marshal.

B. ***Contents of DPS Background files.*** Files include the following list dependent upon the appointment or non-appointment of the applicant:

Initial application Section 1	Subsequent Application document Section 2	Research Documents Section 3	Background Investigation Section 4	Conditional Job offer Section 5	Final hire paperwork Section 6
Create Workplace Alaska Profile Workplace Alaska Job Qualification Summary Results of PFT-AK residents	F-3 Background Questionnaire Notice of Intent Waivers Workplace Alaska Notifications Form Missing document letter, if applicable	Birth Certificate HS Diploma/ GED College Diploma or transcripts provided, if applicable DD214(s) and / or the NGB-22(s) US and/or Interpol Criminal Check(s) (APSIN, III, NCIC) US and/or Foreign Driving Histories Credit check Police Certificates Certificates Employee Evaluations (if applicable) *APP discloses military service:* Criminal.Records.Center Military Check *APP claims no military service:* Verification of Military Service request. request	Pre-Interview Forms Career Aspirations Applicant Interview Conduct Interviews: Supervisor, co-worker, personal reference, landlord/ neighbor spouse, ex-spouse, domestic partner Emails / faxes to and from the applicant and investigative contacts Police or other Incident Reports Military Records Checks arrive Background Report completed	Elements of Consideration form Conditional Job Offer packet Results of PFT - Out of state resident's Letter of medical appt. F2A-F2B Medical report Drug Screening Results Polygraph waiver Notice of Polygraph schedule Polygraph questionnaire Polygraph results Psychological Evaluation Results Suitability Recommendation Misc. correspondence	Job Offer packet F-4 F-23 – Completion of Field Training Request for FTEP extensions Request for extension of Probation APSC Certification Fingerprint results received Misc. correspondence

C. ***Retention of background files***

1. For applications hired as a Trooper, Trooper Recruit, Deputy Fire Marshal, or CSOs, the file retention is fifty (50) years. The files are maintained by the Commissioner's Office in Juneau immediately after hire and remains there for the duration of employment plus two years after separation. The background file is then archived with the personnel file for the remaining years.

2. For applicants not hired into these job classifications, the file retention is twenty (20) years. The files are maintained by DPS for that duration and then destroyed.

3. For applicants not hired, but eventually hired into one of these job classifications during a subsequent process, all background files shall be merged into one file and retained for fifty (50) years as described above.

D. ***Access to records*** The documents within the background files are considered the property of department and are not open for review except as approved by the Commissioner. Selection Committees will be provided only sufficient information to make a reasonable hiring decision.

122.370 DOCUMENT REMOVAL FROM PERSONNEL FILE

An employee may request a document to be removed from their personnel file in accordance with their collective bargaining agreement.

122.380 REQUESTS FOR AND TRANSFERS OF EMPLOYEE FILES

A. Personnel Files retained by DOA DOP/LR. Persons authorized to request all or part of an employee's personnel file shall do so in the following manner:

1. Requests should be made in writing—electronic is acceptable.
2. All requests should be forwarded through the chain-of-command to the DPS Special Assistant to the Commissioner responsible for human resources issues.
3. If the file contents are to be forwarded to anyone outside DPS, a written release-of-information form signed by the employee will be required.
4. The Special Assistant will forward the request to the DOA DOP/LR. Upon receiving copies of the requested documents, the Special Assistant will arrange distribution to the requestor, either by hand-delivery or by tracked-shipping methods.
5. The copies received from DOA DOP/LR need not be returned.

B. ***Employee Field Files.*** Persons authorized to request field files shall do so in the following manner.

1. Requests can be made by verbally or in writing.
2. Requests should be routed to the office where the field file is being retained.
3. Promotional board requests should be made by the board chair person or designee to the administrative person responsible for maintaining the competing employee's file.
4. Field files shall be hand-delivered or sent by tracked-shipping method to the requestor or to the office of the promotional board chair person.

5. Field files should be returned, either by hand delivery or tracked-shipping method, to the office from which it was received.

6. Employee transfers within the department require the holder of the employee field file to forward that file to the new detachment, bureau, or regional headquarters.

C. ***Anecdotal Files.*** The employee's current supervisor is responsible for maintaining the anecdotal files.

1. If a "change of rater" performance evaluation is required, the departing supervisor shall complete that evaluation and forward the contents of an employee's anecdotal file to the new supervisor. A "change of rater" performance evaluation is required when the employee's supervisor is leaving the position responsible for preparing the evaluation.

2. All anecdotal files (hard copy and electronic) shall remain in the control of the incoming supervisor.

3. If the employee is transferring or moving to a new position within the department, the anecdotal files shall be hand-delivered or sent by tracked-shipping method to the new supervisor's office/location.

D. ***Medical and Field Medical Files*****.** Procedures for requesting all types of medical files shall follow the same procedures set forth for requesting personnel files. See 122.390 A.

E. ***Background Files.*** Background files for Trooper, Deputy Fire Marshal, and CSO positions are retained at the Recruitment Unit and the Commissioner's Office in Juneau based on hiring status. Background information for civilian employees can be found in the personnel and/or employee field files.

1. Exempt or commissioned employees background file requests should be directed to the Division Director's office where the files are being retained. These files may only be requested by the Commissioner, Deputy Commissioner, or the respective Division Director or Deputy Director of the division for which the employee is employed or applying.

2. Trooper, CSO, and Deputy Fire Marshal recruit background file requests should be directed to the Recruitment Supervisor.

3. Background files shall not be copied.

4. Once requested by an authorized person, DPS Background files shall not leave the office area where they are retained. Persons authorized to view the files shall do so within the confines of the location where they are stored.

5. The Recruitment Supervisor may provide information from the Background files to the selection committees for use during the hiring process.

122.900 DEFINITIONS

Anecdotal Files – Working files for the supervisor's use in completing annual and interim performance evaluations. These files are also referred to as a supervisory working file. The files may be stored electronically.

Background Files – Documents accumulated during the course of the background investigation of applicants for hire as a Trooper, CSO, or Deputy Fire Marshal and retained by the Recruitment Unit. These files can also include hiring-packet information for applicants for non-commissioned positions, but are stored by a hiring manager or at Division Headquarters.

Employee Field Files – Employee files kept at the supervisory, detachment, or division level. These files are maintained in a three-ring binder and have nine tabs dividers for employee information.

Field Medical Files – Documentation of medical issues retained at the same geographic location as the Employee field file. These files must be secured and separate from any other employee personnel file.

Hired – For purposes of retaining an employee's background file information, an employee is considered "hired" when the administrative hiring packet is completed during the first week of academy training. See 122.370 C1.

Medical Files – Documentation of medical issues. Medical files may exist with the DOA DOLP/LR, DPS Commissioner's Office, or Director's Office; and those files are to be separate from any employee's personnel file(s).

Personnel Files – These files contain records which cover the entire history of each employee's service with the state. DOA, DOP/LR maintains the official employee personnel files for department employees.

RESOURCES

DPS Inventory Form – Link to form

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 123	**GOVERNMENT TO GOVERNMENT RELATIONS WITH VILLAGES**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

123.100 PURPOSE

The Department of Public Safety recognizes that the responsibility of ensuring safety in villages within rural Alaska is shared by the State of Alaska, the community inclusive of the village and tribal governments, and the federal government; and that the effective delivery of services is inter-dependent on the collaboration and cooperation of each of these entities.

This policy is intended to—

- reinforce government –to-government relationships between the department and the villages in Alaska through consultation on significant matters of mutual concern;
- provide guidance to all department employees involved in any departmental action that significantly or uniquely affects a village, or any village action that significantly or affects this department;
- establish and maintain effective government-to-government communications between the department and the villages in Alaska;
- promote consultation and coordination with villages in a culturally sensitive manner;
- assure consistency within the different divisions and offices of the department;
- improve the internal management of the department concerning these matters; and
- clarify department protocols for consulting with villages, and the respective governments within them. Where both governments exist within a village, consultation with both entities should occur to the extent possible.

This policy is not intended to expand, contract, or otherwise diminish or limit the sovereignty held by the state or any federally recognized tribe in Alaska.

123.300 DEPARTMENT COMMITMENT TO CONSULTATION

The department is committed to consulting with villages in Alaska as early in the department's decision-making process as practicable, and as permitted by law, prior to taking action or undertaking activities that significantly or uniquely affect a village. Department actions shall favor maximum participation of the affected village(s), with the goal of achieving informed decision-making through mutual consultation.

123.310 RESPONSIBILITIES, PROCESS, AND PROTOCOLS

To ensure processes and procedures are generally consistent throughout Alaska, while maintaining necessary flexibility, the department will adhere to the following steps when consulting with a village:

A. ***Notice to affected village.*** The department will make a good faith effort to notify a village, at the earliest practicable time, of any proposed departmental actions that significantly or uniquely affect the village.

1. When circumstances permit, the department will afford the village reasonable time to respond to any notification and to participate in consultation with the department.
2. Consultation will be initiated as early in the decision-making process as practicable and will continue throughout the department's decision-making process, except where expressly prohibited by law.
3. If the department determines that any state or federal law expressly prohibits continued consultation at a specified point in the decision-making process, the department will so inform the village at the outset of the consultation process or as soon as possible after the department becomes aware of the prohibition.
4. The department is not obligated to notify a village of any departmental actions identified in 123.310 I as exclusions.

B. ***Authorized initiators.*** Any department employee with decision-making authority regarding an action that significantly or uniquely affects a village(s) is authorized to initiate a request for consultation with the affected village(s).

The department will likewise accept an unsolicited request for consultation from any representative of a village or tribe who has decision-making authority on behalf of that village or tribe. The department employee will provide timely notification to the department's appropriate Division Director regarding any consultation.

C. ***Identification of the participants.*** The department and the affected village(s) will identify their respective representatives for the consultation process and collaborate to identify any other affected villages which should be involved in the consultation.

D. ***Dissemination of information.*** At the outset of the consultation process, prior to the first consultation meeting, the department will provide the affected village(s) with sufficient information about the proposed action(s) to ensure that the village(s) can properly assess and respond to such proposed action(s).

E. ***Consultation process.*** Consultation will incorporate processes for ongoing communications between the parties that will be established by mutual agreement whenever possible.

1. At the beginning of the consultation, the department will work with the affected village(s) to develop a mutually agreed upon list of participants, establish a timeline, and establish the method and frequency of communication to be used during the consultation.
2. At the conclusion of the consultation, the department will notify the village(s) of any final decisions on a proposed action within a reasonable time period and prior to the time that the decision takes effect, unless extraordinary or emergency circumstances preclude it.

F. ***Village request for consultation.*** Any time a village or tribe desires to request government-to-government consultation regarding a matter that significantly or uniquely affects the village, tribe, or the department, the requester should provide that information to the Division Director with dominion over the issue. Contact information for the appropriate Division Director shall be provided to the requester.

G. ***Inter-departmental cooperation.*** The department will work cooperatively with other state and/or federal agencies, to accomplish the goals and responsibilities outlined within this policy. Requests for consultation which are determined to be outside of the department's jurisdiction will be referred to the appropriate agency by the Division Director.

H. ***Attendance and Participation in Meetings Encouraged.*** Employees of the department are encouraged to attend and participate, to the extent permitted, in meetings of village and tribal governments regarding issues of importance to the department. Regardless of the initiation of an official consultation, it is the department's expectation that employees with official responsibilities in villages will develop and foster professional relationships and engage in regular communication with those village and tribal leaders.

I. ***Exclusions.*** The department has an obligation to enforce the statutes and regulations of the State of Alaska and to provide services that protect the safety and wellbeing of its peoples.

Certain departmental activities are exempt from this policy and include the following:

1. Actual or suspected violations of state law.
2. Criminal investigations.
3. Initiation of the criminal justice process.
4. Civil law enforcement investigations.
5. Initiation of the civil law enforcement process.

6. Civil litigation.

Nothing in this policy is intended to prohibit communication between authorized representatives of parties in litigation, nor in the seeking of joint resolutions of public safety issues, whether formally or informally.

123.900 DEFINITIONS

Consultation – timely process of meaningful inter-governmental dialogue between departmental divisions and/or offices and villages in Alaska regarding a proposed departmental action(s) that significantly or uniquely affects a village, tribe(s) or the department. When assessing what action will be subject to consultation, the department will take into account the cultural and traditional activities of the tribe that will be significantly or uniquely affected by the proposed action, as well as any relevant state and/or federal law. Consultation may take place by in-person meeting, teleconference, videoconference, and exchange of written documents, e-mail, or other means appropriate to the circumstances.

Department – the Alaska Department of Public Safety and its divisions and councils including offices, officials, and/or employees.

Departmental Action – any proposed action(s), activities, decision(s), legislation, regulation(s), plan(s), policy, procedure(s), program(s), project(s), service(s), or other actions that significantly or uniquely affect a village and/or tribe in Alaska other than those described as exclusions in 123.310 I.

Tribe – any tribe in Alaska that is on the list of federally recognized tribes published by the federal Bureau of Indian Affairs.

Village - a community which meets the definition of a village under State statutes and does not have a population in excess of 10,000 inhabitants.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 124	**EMPLOYEE RESPONSIBILITIES AND OBLIGATIONS**	
	Effective: 11/10/2015	**Commissioner Approval:**
	Authorities:	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: DPS Vehicle Collision Guide	

124.100 INTRODUCTION

This chapter outlines various responsibilities and obligations of all employees within the department not otherwise covered in the OPM.

124.300 NOTIFICATION OF WHEREABOUTS - OFFICERS

A. ***Officers to notify local Detachment when traveling.*** Unless otherwise instructed, commissioned personnel on special assignment away from their area, in whatever capacity, will notify the nearest Detachment headquarters or their Director's office of their presence and where they may be reached in an emergency.

B. ***Officers are required to provide itinerary while on annual leave.*** Officers who are on annual leave shall report the address(es) and phone number(s) where they may be contacted in case of an emergency.

124.310 SUBSCRIPTIONS, SOLICITATIONS, COLLECTIONS, PETITIONS

Unless prior written approval is obtained through appropriate channels, employees of this department, while on official duty, shall not solicit **any** contributions, donations, signatures for petitions, or sell tickets or subscriptions in **any** manner. Approval may be granted for activities or benefits that are closely associated or supported by State government or law enforcement, such as APOA, FOAST, Torch Run, and the SHARE Campaign.

124.320 IDENTIFICATION CARDS

A. ***Officers to carry identification and badges at all times.*** Commissioned personnel shall carry identification cards and badges on their person at all times, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name or badge number to any person requesting that information when they are on duty, or representing themselves as having an official capacity, except when the withholding of such information is necessary for the performance of their duties or is authorized by proper authority.

B. ***Carrying badges by Court Service Officers.*** Court Service officers shall carry their identification and badges while on duty, or when otherwise required by the department. They shall furnish their name or badge number to any person requesting that information when they are on duty. They may carry their identification and badges off-duty and may present them in an emergency.

C. ***Officer photos on identification cards.*** Commissioned personnel are to appear in full uniform in the photograph displayed on their department identification card. The only exception is for those individuals who are assigned to drug enforcement. Identification photographs for personnel assigned to the drug enforcement may be taken in appropriate business attire. Once these personnel are reassigned out of drug enforcement, a new identification card with a photograph in uniform will be obtained immediately.

D. ***Identification cards to be replaced every 36 months.*** Commissioned personnel are to obtain a new identification card at least every 36 months.

E. ***Supervisors to inspect identification cards.*** Supervisors shall inspect identification cards when performing personnel inspection. Identification cards will be inspected no less than once each year.

124.330 REQUESTS FOR ASSISTANCE

A. ***Employees will receive and act upon citizen requests for assistance.*** When any person requests assistance or advice, makes complaints or reports, whether by telephone, radio, in person, or in writing; employees of this department, whether commissioned or civilian, will obtain all pertinent information in an official and courteous manner, and will properly and judiciously act upon the report in a manner consistent with established departmental procedures.

B. ***Employees to make requested notification of incidents***. Common courtesy and department policy requires that employees will comply, where reasonably possible, with any citizen request to notify a spouse, friend, parent, or other desired contact, of an incident occurring.

124.340 TELEPHONE AND RESIDENCE CONTACT – COMMISSIONED PERSONNEL

Commissioned personnel shall have land line telephones or cellular telephones available and shall reasonably monitor those phones, and shall report any change of telephone number or address to their supervisor, superior officers, Division Headquarters, and other appropriate persons.

124.350 USE OF EQUIPMENT AND INVESTIGATIVE RESOURCES

Use of the polygraph, medical examinations, photographs, firearms, lineups, pen registers, or electronic monitoring equipment will be in accordance with departmental policy, existing contracts, and laws.

124.360 EQUIPMENT LOSSES OR DAMAGE

Employees are expected to engage in due diligence when caring for equipment provided to them by the State of Alaska. Employees will take the following steps when department equipment is lost, stolen, or damaged:

1. The employee responsible for the state property (this does not include DOT fleet vehicles and equipment) shall provide immediate notification to his/her supervisor and, unless another report is specified elsewhere in the OPM, shall complete and submit to his/her supervisor a Report of Lost -- Stolen -- Damaged Property form, which is found in section 3-1 (page 16) in the State Property Control Manual, within three working days. Departments are responsible for notifying the Department of Administration, Division of Risk Management regarding State property deemed lost/stolen/damaged, as defined in the Claims Reporting Procedures Manual;

2. The supervisor will complete the required section of the form and forward the report to his Commander or Section Supervisor immediately; and

3. The Commander or Section Supervisor will review the report and immediately forward it to the Division Director.

124.370 LIMITATIONS ON HUNTING AND FISHING BY EMPLOYEES

A. ***Employees transported to the field prohibited from hunting or fishing.*** Department employees transported to the field by state owned, operated, or chartered aircraft, motor vehicles, all-terrain vehicles, snow machines, vessels, watercraft, or other means of conveyance are prohibited from taking or attempting to take any big or small game, fish, or waterfowl except that an employee, while in the field overnight, may, during non-work hours, take small game or fish for immediate personal consumption.

B. ***State equipment not to be used for personal fishing or hunting.*** No state owned, leased, or chartered equipment may be used to take, transport, care for, or store any big or small game, fish, or waterfowl except as part of an official investigation. Fish or game taken for personal consumption under OPM 124.370 A (above) may not be transported from the field in state equipment.

C. ***State facilities not to be used in connection with personal hunting or fishing***. No state owned or leased buildings or compounds may be used to take, transport, care for, or store any big or small game, fish, or waterfowl except as part of an official investigation. State assigned housing may be used to care for, or store personal use game, fish, or waterfowl as long as the storage or processing does not create a visual or olfactory nuisance.

D. ***Transportation of personal hunting or fishing equipment***. Personal hunting or fishing equipment carried to the field by an employee shall not interfere with the effective performance of the employee's duties. Transportation of such equipment must be at no cost to the State.

E. ***Employees not in the field may hunt or fish off-duty***. An employee on a TDY assignment other than in the field may hunt or fish on personal time; however, the employee must make arrangements with private carriers to transport the fish or game to its final destination at no cost to the State.

F. ***Violators subject to discipline.*** Any employee who violates the provisions of this section, or assists another in the violation of this section, is subject to disciplinary action, up to and including dismissal.

124.380 NOTIFICATIONS TO COMMISSIONER

A. ***Commissioner to be notified of significant occurrences***. Immediate notification will be made to the Commissioner of major incidents or significant occurrences. Incidents requiring notification include, but are not limited to:

1. Fatalities (other than expected home deaths or suspected natural deaths);
2. Major catastrophes such as earthquakes, fires, floods, or industrial accidents;
3. Civil disobedience or riots, terrorists' threats or bomb threats;
4. Any motor vehicle, commercial vehicle, ATV, aircraft or boating collision involving fatalities;
5. Any on duty injury (likely to require medical treatment and/or time off from work) of a department or State employee;
6. The death of any department employee (on duty or off) and the death of any State of Alaska employee being investigated by DPS;
7. Injury (which will require hospitalization, expensive medical examinations, tests or treatments) or death of any citizen resulting from a department employee's involvement;
8. Any Search and Rescue (SAR) mission;
9. Any other incident, which because of the nature of the incident, or the identity of persons involved, is of unusual significance.

B. ***Primary transmission to be by email.*** All Commissioners' notification messages shall be sent via email to the current notification email address as soon as practical. This means when the overall extent of the event is known. Immediately informing DPS supervisors about the event and knowing some of the details is more desirable than waiting several hours or days to gather "all" the details before sending out a Commissioner's Notification. Limit the length of the email notification to **4-8 sentences** and avoid speculative information. Confidential investigative techniques and procedures are not to be included.

All emails will include the following warning message:

"*This email, including attachments, is intended for the use of the person or entity to which it is addressed and may contain CONFIDENTIAL or PRIVILEGED information that is protected under AS 40.25.120(a)(6)(E-G) and punishable by law if improperly disclosed. Due to CJIS, Victim's Rights Act (VRA) and other statutory requirements, notifications that contain the name of a minor victim, or the adult name of victim of a sex crime (AS 11.41.410 – 11.41.460, AS 11.41.300), should only have their initials used and not the victim's full name (AS 12.61.100-900).*"

All messages will have a subject of "Commissioner's Notification." See the below example.

If updates to the original Commissioner's Notification are made (such as the progress of search efforts during a SAR), then the subject line of the email message is to denote "Update – Commissioner's Notification."

The updated information is to be placed at the top of the original Commissioner's Notification so readers will not have to reread the entire original Commissioner's Notification in order to find the updated information.

In the event that the email system is unavailable or inoperative and the incident is sufficiently important to require immediate notice, the initial notification can be made by telephone and followed up with the usual email message as soon as possible.

Subject: Commissioner's Notification

Commissioner's Notification

NOT FOR PUBLIC RELEASE

* This email, including attachments, is intended for the use of the person or entity to which it is addressed and may contain CONFIDENTIAL or PRIVILEGED information that is protected under AS 40.25.120(a)(6)(E-G) and punishable by law if improperly disclosed. Due to CJIS, Victim's Rights Act (VRA) and other statutory requirements, notifications that contain the name of a minor victim, or the adult name of victim of a sex crime (AS 11.41.410 – 11.41.460, AS 11.41.300), should only have their initials used and not the victim's full name (AS 12.61.100-900).

Date:	(Actual date of incident, not date reported or updated)
Time:	(Actual time of incident, not time reported or updated)
Incident Number:	(DPS case number assigned, if applicable)
Subject:	(SAR, Death Investigation, Fatality MVC, etc.)
Post:	(Where Trooper handling the case is stationed)
Synopsis:	(Date and time reported, synopsis of the event, extent of injuries or damage, and other agencies involved, etc. – **limit length 4-8 sentences**)
Assigned:	(Rank and name of department employee handling the event)

C. ***Dispatch centers may facilitate notification.*** Dispatch centers may establish procedures for making simultaneous notifications of Division commanders, the Commissioner, and others in the normal chain-of-command.

D. ***Employees are required to report significant incidents to supervisor.*** Any employee who becomes aware of a significant incident reportable under (A) shall, by the most expeditious means available, notify their supervisor.

E. ***Employees are required to report all incidents involving any damage to a department or State owned, leased, or operated vehicle.*** The employee must report any vehicle damage to their immediate supervisor, by the most expeditious means available (exceptions; minor rock chip damage to windshield or vehicle). The employee must also send an e-mail notification to his chain of command (up to Captain), and to the Vehicle Coordinator, before the end of their shift. This e-mail must contain the following: completed Liability Accident Notice form [*for all damage*], a brief synopsis of how the damage occurred, and photos of damage. If the vehicle was involved in a collision, the Collision Report [12-200 or 12-209] should be sent to the chain

of command and the Vehicle Coordinator within **48 hours**. If the employee is unable to send this e-mail notification, their supervisor must make this notification. The DPS Vehicle Collision Guide should be used to ensure timely and proper documentation is completed. If the employee or other citizen is injured or is deceased, a Commissioner's Notification is required.

If the employee is believed to be "at fault" in the collision or for the damage, and corrective actions or discipline is going to be considered, a "Complaint" incident must be entered into BlueTeam.

F. Employees are required to report all incidents involving any damage to a department or State owned, leased, or operated aircraft. All accidents and incidents involving a DPS aircraft shall be reported to the pilot's supervisor and to the Aircraft Supervisor, by the most expeditious means available. The pilot, if able or the pilot's supervisor shall prepare and transmit an initial report of the incident or accident as soon as practical following the event. The pilot and the pilot's supervisor are responsible to insure that the provisions of the DPS Aircraft Operations Manual concerning accidents and incidents are adhered to. For the purposes of this manual, the term "aircraft accident" adheres to the NTSB definition found in 49 CFR Part 830.2. If the employee or other citizen is injured, a Commissioner's Notification is required.

G. ***Employees are required to report any accidents, damage, and grounding to a department or State owned, leased, or operated vessel.*** The Vessel Operator shall report the following situations to their Detachment Commander by the most expeditious means available:

1. Loss of a life or serious physical injury.
2. Grounding - Defined as any time a vessel unintentionally touches or possibly touches bottom. This includes touching on the hull, keel, rudder or other under water appendages.
3. Loss of propulsion or primary steering.
4. Fire or flooding.
5. Collisions.
6. Any property damage in excess of $500 including other structures, vessel, etc.

The Vessel operator and their immediate supervisor are responsible to insure that the provisions of the DPS Vessel Section Safety and Operations Manual concerning accidents, damage, and grounding (Section XI, pages 18-19) are adhered to. The chain of command should also notify Risk Management as defined in the Division of Risk Management Claims Reporting Procedures Manual.

H. Employees are required to report all incidents involving any damage to a department or State owned, leased, or operated building. All incidents involving damage to a DPS owned, leased, or operated building shall be immediately reported employee's supervisor and to the Detachment's chain of command, by the most expeditious means available. DPS Supply should also be notified, as they may be able to determine that status of the building (owned or leased) and contact the owner to make notifications and timely repairs. In the event of major building

property loss, call Risk Management immediately at 907-465-2183. If the loss is minor in nature, no telephone call is necessary, but written notice must be sent via e-mail to sheri.gray@alaska.gov . Content loss in excess of $15,000 must be reported by phone immediately to Risk Management and follow-up with a written notice to include an itemized listing of the lost or damaged property and its value. Theft and vandalism loss should be reported to Risk management after the fact. If state property [a fixed asset] was lost, damaged or stolen [computer, radio, taser, gun, etc.] from a building it must be reported through IRIS to the State Property Manager [see Property Control Manual, page 16].

124.390 INTER-DIVISIONAL COOPERATION

A. ***Employees to know mission of the department.*** All employees of the department shall understand the mission, duties, and responsibilities of the department and their delegation among the Divisions to the extent necessary to determine which Division has primary responsibility for handling incidents or requests for service.

B. ***Divisions to be notified in their areas of responsibility.*** A Division receiving notice of an incident or crime falling under the primary responsibility of another Division shall notify that responsible Division of the incident as soon as practicable. This extends to notification of the responsible Division of an incident handled by another Division. For example, if AST handles a sport fishing case including preparing the report and presenting it to the prosecutor, AST shall notify AWT of this action. Similarly, if AWT handles an assault case they shall notify AST of that action. Either AST or AWT would notify Fire Life Safety of fires as required in OPM Chapter 120.

1. In posts having communication or dispatch centers, these requirements may be met through the establishment of procedures assuring notification of the Division having primary responsibility for any incident.
2. In remote areas, or posts without central dispatch services, it is the responsibility of each employee to communicate with his counterpart(s) in other Divisions information concerning any incidents falling in the primary responsibility of another Division.

124.400 SIGNING OF BATFE FORMS

The Department of Public Safety shall accept for review Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) forms during normal state business hours. Some BATFE forms received from the public will either require a signature; other forms are simply required by BATFE to be delivered by an individual or a vendor to a law enforcement agency.

BATFE applications received or reviewed by DPS that require a signature for approval will be entered and scanned into ARMS as an “agency assist”. The other forms which are required by BATFE to be delivered by an individual or a vendor to a law enforcement agency are not to be entered into ARMS. See DPS checklist for details.

A. ***BATFE forms requiring Law Enforcement Certification.*** Employees shall only accept BATFE forms requiring a Law Enforcement Certification from an applicant 21 years of age and

older and appearing in person at a DPS office and only after satisfactory photo identification has been provided to establish that the person presenting the form is the applicant on the BATFE form and lives in AST's area of law enforcement response. A legible copy of the acceptable form of photo ID shall be made and included with the all DPS research and supporting documentation. BATFE forms requiring a Law Enforcement Certification are:

1. Application to Make and Register a Firearm – ATF Form 1
2. Application for Tax Paid Transfer and Registration of Firearm – ATF Form 4

Employees **accepting** the application and documents shall utilize the DPS checklist for BATF Form 1 and 4. All documentation required in the checklist will be provided for review to a commissioned employee at the rank of Captain or above. The commissioned employee will review the information and follow the checklist steps for consideration of approval.

If no information exists to indicate that the person will use the firearm for other than lawful purposes and no information exists that the receipt of the firearm would place the person in violation of state or local law, it will be the policy of the department that the BATFE form will be signed by a commissioned employee at the rank of Captain or above.

Under the guidelines established by this policy, certain commissioned DPS personnel at the rank of Captain or above are delegated the authority to sign these applications on behalf of the commissioner. In order to fully comply with the BATFE instructions for completion of the form an indication of the delegated authority must be made on the line titled "Signature of Chief Law Enforcement Officer" in the appropriate section of the form titled "Law Enforcement Certification". The employee signing the form must print the name and title of the commissioner of DPS, followed by the word "by" and the full signature and title of the person signing under the delegated authority. Additional information may be obtained by reading the instructions provided with the form.

If no commissioned employee at the rank of Captain or above is available at the submitting location, the employee accepting the form will inform submitting persons of potential reasonable delays in transmitting the forms to another location for review and approval. The submitting person will be provided an estimate of the time involved and the name and number of a contact person who will be able to provide information as to the status of the forms.

If record checks (from APSIN/NCIC, ARMS, etc.,) present information that suggests that a denial of DPS sign-off is appropriate, the forms and supporting documentation will be forwarded to the commander for a final decision. A reasonable time, normally not to exceed three business days, may be allowed for the commander's review. Prior to the commander declining to endorse the request, this decision should be discussed with an AST Deputy Director.

A submitting person with any sort of criminal history or case involvement should receive careful review prior to approval of BATFE forms. If there is anything in the person's record that makes the person ineligible to possess a weapon under state or federal law the application and supporting documentation must be submitted to the commander for consideration of denial.

Some examples of circumstances that might **disqualify** a person from being eligible to possess a weapon would be:

1. Any felony conviction including those convictions that were later set aside under AS 12.55.085,
2. Any conviction for a crime involving domestic violence as defined in AS 18.66.990
3. Illegal alien status.
4. Fugitive from justice status.
5. Subject to a domestic violence protective order.
6. Dishonorable discharge from the military.
7. Current or previous judicial commitment for or adjudication as a person with a mental disorder.
8. Any case involvement suggesting that the applicant is an illicit substance user or involved in the illicit substance trade.

No fee will be charged for this service.

B. ***Copies of BATFE forms sent to DPS.*** Copies of BATFE forms received by the department shall also be reviewed for any potential law enforcement concerns. Typically they will be the following BATFE forms:

1. Application for Federal Firearm License – ATF E-Form 7
2. Federal Firearms License (FFL) Renewal Application – ATF Form 8
3. Application for Federal Firearms License (Collector of Curios and Relics) ATF E-Form 7CR
4. Report of Multiple Sale or Other Disposition of Pistols and Revolvers – ATF E-Form 3310.4

Employees shall utilize the appropriate checklist if there are concerns with the applications or the checklist if there are not. Commissioned DPS personnel at the rank of Captain or above are the deciding authority in regards to whether there are concerns or not.

No paperwork is to be forwarded to AST HQ or the Alaska Concealed Handgun Permits and Licensing office.

124.410 REQUESTS FOR FINGERPRINTING

Persons seeking certain types of employment in Alaska are required to submit fingerprints for a criminal background check. The department will not take fingerprints for members of the public in areas where commercial providers of this service are available. However, in those areas where such services are not available, employees of the department will accommodate requests for fingerprinting where practical. (Note that persons seeking criminal background checks must be referred directly to the DPS, Division of Statewide Services, Division of Records and Identification in Anchorage.)

124.420 USE OF DEPARTMENT NAME OR LETTERHEAD

Employees are prohibited from making any purchases of items for personal use using the name or the official letterhead of any Division or of the Department of Public Safety without authorization of the Director or Commissioner respectively. This includes the purchase of weapons or any equipment that can only be sold to police or where a police discount is offered.

124.900 DEFINITION

Field – an area outside of established year round dwellings, businesses, or other development usually associated with cities, towns, or villages and includes marine waters within 200 miles of the State. "Field" does not include permanent hotels or roadhouses on the state road system or state or federally maintained airports.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 125	**INTERAGENCY AND GOVERNMENT INTERACTION**	
	Effective: 11/25/2019	**Commissioner Approval:** KP
	Authorities: AS 39.26.010	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	

125.100 INTRODUCTIONS

This chapter describes policies regarding interacting with other State agencies as well as other governmental entities.

125.300 REQUESTS FOR ATTORNEY GENERAL'S OPINION

The Division Directors through the Commissioner's office will initiate requests for written opinions from the Attorney General's office. There are no exceptions to this policy.

125.310 ALASKA LEGAL BULLETINS AND SEARCH AND SEIZURE BULLETIN MANUAL

The Alaska Legal Bulletin and the Search and Seizure Bulletins are available for the purpose of providing a source for legal and search and seizure information. These documents are hosted on the Alaska Police Standards Council web site at https://dps.alaska.gov/APSC/Legal-Bulletins.

125.320 SERVICES TO THE DIVISION OF LANDS

From time to time, the Division of Lands serves civil process on squatters trespassing on State lands. Those papers are drafted by the Attorney General's office, but are not issued by the court. In the event that trouble may occur, the Division of Lands may request assistance from a Trooper. Command personnel will review those requests to determine if Trooper assistance is needed. Division of Lands personnel may at any time enter upon any public or private lands for the purpose of preventing, suppressing, or controlling wild land fires and other destructive agents. Wild land fires include all lands on which grass, brush, timber or other natural vegetation occurs. (Ref. AS 41.15.040)

125.330 BOROUGH OR MUNICIPAL ORDINANCE

It is the general policy of the Department not to enforce borough or municipal ordinances. Enforcement of these ordinances must be done through the boroughs or municipalities legal mechanism, not the District Attorney. Any enforcement of these ordinances by officers must be approved in advance by the Commissioner's office. This includes the enforcement of ordinances shortening bar hours.

125.340 INVESTIGATION OF ALLEGED POLICE MISCONDUCT WITHIN NON-DPS AGENCIES

A. ***Assistance to outside agencies conducting investigations***. DPS personnel are to provide reasonable assistance to a law enforcement agency other than an agency within DPS, if requested, to assist the agency in conducting its own investigation of possibly improper or illegal conduct by a member or members of the non-DPS agency.

B. ***Requests for DPS to conduct investigations of possibly improper or illegal conduct by a member or members of a law enforcement agency other than a non-DPS agency.*** Requests for DPS to conduct investigations of possibly improper or illegal conduct by a member or members of a law enforcement agency other than an agency within DPS will be considered only if made by the by the State of Alaska Deputy Attorney General for the Criminal Division. It is the expectation of DPS that the Deputy Attorney General, in making the request, will provide direction as to the scope and focus of the requested investigation. It also is the expectation of DPS that a request will be made only after the chief official or designee of the non-DPS law enforcement agency has interviewed the complainant, assuming a readily identifiable complainant exists.

C. ***Commissioner to be notified.*** The DPS Commissioner's Office is to be notified of all requests within the scope of this section for investigative assistance or for DPS to conduct an investigation.

125.350 LEGISLATIVE AND MEDIA CONTACT

This policy is intended to:

1. Govern the flow of information from department employees to employees and staff of the legislature and legislative agencies;
2. Provide a formal process whereby key department personnel are kept fully informed of what information is being provided, by whom and on what topics;
3. Ensure that requests are responded to in a timely manner; and
4. Ensure that the information provided is accurate and consistent with the official position of the department and the administration.

This policy is not intended to subrogate the provisions of AS 39.26.010 in any way but, in fact, is intended to ensure that department employees strictly adhere to them while at the same time acting in the best interests of the department.

A. ***Cooperation***. It is in the best interests of the department and the administration and it shall be the policy of the department to cooperate actively with the legislative branch wherever practical.

All requests for information shall be promptly acted upon either by directly providing the requested information or by directing the request to the appropriate source in the department.

Unless some extraordinary circumstance or emergency exists, supervisory personnel will handle requests for information only. Doing so will help to ensure that any information provided is consistent with the official position of the department and the administration and will keep non-supervisory personnel focused on carrying out core mission tasks.

Unless otherwise directed to do so, employees will not provide comments on the appropriateness of department policies, positions on issues or on adequacy of budget or the work force. Any inquiries concerning those topic areas will be referred to the Commissioner's Office for response. Employees will restrict their responses to appropriate operational topics and provision of accurate information or data that is generally public in nature. The content of policies may be discussed.

Employees must be very careful not to provide inaccurate information and must not provide information about topics with which they are not intimately familiar. If an employee is asked about a topic to which they are not intimately familiar, the proper course of action is to refer the requestor to an employee who is familiar with the topic. Requestors will often be very persistent in attempting a response in these circumstances, often due to their own time constraints. When referring a request to another employee, it is expected that a following up with that employee will occur to ensure a response was completed.

B. ***Personal Opinions and Agendas.*** Active cooperation does not include personal opinion or agenda no matter how compelling or strongly held. When representing the agency, providing information contrary to the official position of the agency and the administration only serves to frustrate the needs of the information seeker by failing to provide that which has been requested.

Personal opinions and agendas are very appropriate when delivered clearly and totally outside the context of employment by the department. Otherwise, information delivered must represent the official position of the department and the administration. No employee may testify at a legislative hearing as an official representative of the department unless specifically directed to do so by the Commissioner's Office.

Persons offering personal opinions or seeking to further personal agendas while on their own time and outside the context of employment with the department must be very careful that any information or opinions they provide are not based on information they would not or could not have access to but for their employment with this agency.

C. ***Media Contacts.*** Much of the direction embodied in this policy also applies to media contacts. Just as with the legislature, it shall be the policy of the department to cooperate actively with the media wherever practical. The media serves an important role in our society. They represent the single largest source of information about what we do and for what we stand.

Employees at every level are encouraged to be cooperative and helpful with the media whenever appropriate. Those of you who are out there every day doing the work of the department are our best ambassadors to the press.

The same restrictions concerning personal opinion, personal agendas, policies, positions on issues, adequacy of personnel or budgets and other topics that are not directly related to operational events apply to contacts with the media. The same caution about knowledge of the topic at hand also applies.

D. ***Immediate Notification of Legislative Contacts.*** All requests, however trivial and whether filled by the recipient or passed to an appropriate source, must be immediately reported to the employee's immediate supervisor and to the Legislative Contact Notification e-mail group at DPS.leg.contact.notif@alaska.gov using the Legislative Contact Notification e-mail format as shown in Section E. All conversations, initial and subsequent, with a legislator regarding information they sought, received, and/or wanted to discuss shall be disclosed in the notification e-mail.

It is not necessary to capture the conversations verbatim but it is important to capture the issues discussed and the employee's response.

E. ***Legislative Contact Notification Email Format.*** The format that follows is an example of the format and the sort of text entries that are to be used when sending an email notification as required by this policy. Any employee likely to receive legislative contacts is encouraged to create an email template in this format so that they have the required headings readily available. Employees using the Commissioner's Notification system are expected to be familiar with how to use this system. A local computer support person is available to assist if necessary.

These e-mails are internal work product documents and are not to be sent or shared outside of DPS.

Explanation of Fields

Field	Explanation
To:	At a minimum, address the email to: leg_contact_notif@dps.state.ak.us and your immediate supervisor. Others may be added as appropriate.
Subject:	Leave as Legislative Contact Notification; do not add to or otherwise modify the subject. If this is a follow-up email with additional information about one sent previously, indicate that in the body of the email.
Date:	The date the contact occurred.
Time:	The time the contact occurred.
Employee Contacted:	Employee name and position.
Contacted by:	The name and position of the person generating the contact such as "Senator Doe" or "Mary Smith, staff person for Senator Doe."
Office of: Telephone: Fax:	While seemingly covered by the previous field, this is important when it is a committee staff person or a staff person from one of the Legislative Affairs offices. Include both the telephone number and facsimile number.
Subject(s):	What subject or subjects did the employee discuss or were asked about by the person making the contact?
Synopsis of conversation:	This does not need to be verbatim but needs to be sufficient to allow the reader to understand the gist of what was discussed and what information was provided to the requestor.
Documents or Materials Requested:	Describe any documents or materials that the requestor asked for or that were suggested to them. If none, enter "none."
Provided:	Describe any documents or materials that were actually provided to the requestor. Be sure to maintain a copy of anything that was provided. The respondent may be asked to forward the copy to the Commissioner's Office.

If an employee is in doubt about the proper course of action they shall contact their supervisor immediately while maintaining a polite and responsive demeanor.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 126	**EMPLOYMENT OUTSIDE THE DEPARTMENT**	
	Effective: 12/06/2010	**Commissioner Approval:**
	Authorities: AS 39.52.170; 9AAC 52	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

126.100 INTRODUCTION

This chapter outlines the requirement of employees to disclose and obtain permission for outside employment for compensation, profit or through volunteer services that may conflict with assigned duties, responsibilities or mission.

126.300 OUTSIDE EMPLOYMENT DISCLOSURE

Employees wishing to engage in off duty employment, paid or unpaid, must submit a written request, using the Outside Employment Notification form, to their work supervisor who will forward the form and their recommendation to the Department Ethics Supervisor. See form: http://www.law.state.ak.us/pdf/ethics/outside_employment_form.pdf

Examples of activities that must be reported are:

1. Regular employment with compensation
2. Operating a business, with or without compensation
3. Working as a consultant, even if the consultant work is for an entity in another state or a foreign country.
4. Working as an independent contractor.
5. Volunteer services that may conflict with your State duties.

The purpose of the reporting requirement is to ensure those activities do not conflict with an employee's position as a public officer. It is not the purpose or intent to restrict an employee's ability to derive income from activities other than through State employment. It is the purpose of this policy to prevent conflicts; however, an employee will not be asked to disclose financial information.

126.310 CONSIDERATION PROCESS

Consideration of the request will include the attendance record of the requestor, the type of outside employment, and the impact on the division for the proposed employment. The work supervisor's signature will either recommend approval or disapproval of the outside employment or service requested. This document is then submitted, with comments, onto the Department Ethics Supervisor for final decision.

If the activities are determined to be unallowable, the employee will be provided with a written reason for that determination. If more information is needed in order to make a determination

of approval or denial, the employee shall be notified of that need and shall provide that documentation both to the work supervisor and the Ethics Supervisor. The work supervisor must review the additional information and advise the Ethics Supervisor, in writing, of his or her recommendation based on the new information.

An employee may not engage in the outside employment or service until the Ethics Supervisor has approved it. Approvals or denials shall be reported in writing to the requesting employee and work supervisor.

126.320 ONGOING REPORTING

A. ***Annual reporting***. Every July 1st, all employees must resubmit a disclosure form through the work supervisor to the Ethics Supervisor to report those outside activities of which they remain involved. Failure to report annually will result in the prior approval being null and void.

B. ***Changes in approved work activities.*** Employees must report changes in work activities or duties or if they become involved in new activities associated with the outside employment. Those changes are to be reported as they occur.

126.330 PROHIBITED OFF-DUTY ACTIVITIES

Permission to engage in any of the following types of employment will not be granted to any employee of the department:

1. investigations, guarding (including acting as a bouncer), process serving, collections, wrecker service, attorney, bail bond, or any service which may be construed as a conflict of interest;
2. any employment that may physically or mentally affect the employee's job performance or impair the operation and efficiency of the department;
3. any employment that may require special consideration in scheduling the employee's regular duty hours; or
4. any employment that may bring discredit upon the employee or the department, or impair the operation and efficiency of the department.

Additionally, commissioned personnel will not be granted permission to engage in the following types of outside employment:

1. manufacture, sale or distribution of alcoholic beverages;
2. employment that may render the employee unavailable during a DPS emergency; or
3. guiding or assistant guiding [Ref. AS 08.54.393].

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 127	**DEPARTMENT BACKGROUND INVESTIGATIONS**	
	Effective: 04/18/2018	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: **SEE OPM CHAPTER 122**	

127.100 INTRODUCTION

This policy establishes the requirement and procedure to conduct background investigations on candidates selected for employment with the Department of Public Safety.

127.300 NOTIFICATION

Recruitment notifications shall indicate that a comprehensive background investigation will be performed.

127.310 DPS PERSONNEL BACKGROUND INVESTIGATIONS

A. ***Completed background required for employment.*** A background investigation must be completed on selected candidates prior to employment. In recognition of the delays sometimes experienced in screening fingerprints submitted to the FBI, a background investigation may be considered complete under this section while awaiting fingerprint results, provided all other steps are complete.

B. ***Background investigations on enforcement personnel.*** Background investigations on enforcement personnel (Troopers, Court Service Officers, and Deputy Fire Marshals) will be conducted in accordance with the Recruitment Unit procedures using position specific packets.

C. ***Background investigations on civilian DPS employees.*** This paragraph sets out the background requirements for civilian employees. Background requirements are consistent for all civilian positions due to the potential for department employees to have access to sensitive law enforcement information, law enforcement equipment (including firearms), and evidence. Additionally, all department employees have access to Criminal Justice Information and are therefore subject to 13 AAC 68.215.

The following background investigation steps are normally required for civilian employees:

1. For positions recruited on Workplace Alaska - a complete State of Alaska employment application;
2. Reference check with the two most recent employers or supervisors;
3. If the applicant is a current or former State of Alaska employee, a review of at least the employee's two most recent performance evaluations and other pertinent documents, such as disciplinary actions (this information **must** be

verified through the Division of Personnel and Labor Relations, Employee Records section);

4. For positions requiring a college degree or special certification, a copy of the degree or transcripts;

5. A name based criminal history check (APSIN/NCIC/III);

6. Comprehensive background report prepared by the Alaska Information and Analysis Center (AKIAC);

7. A fingerprint based criminal history check (AABIS and FBI)

D. ***Workplace Alaska civilian applicant review and selection process.*** For recruitments conducted on Workplace Alaska, applicants will be reviewed by a department hiring manager to ensure candidates meet all recruitment requirements, including scope of recruitment, minimum qualifications, and pre-interview criteria.

1. The Department of Administration's Standard Operating Procedure for Evaluation of Convictions will be followed for review of convictions.

2. The hiring manager will oversee the interview process, as well as any other pre-hire requirements. For the top candidate(s), the hiring manager will conduct supervisory/former employer reference checks, obtain performance evaluations and discipline (if applicable), and obtain the degree/transcripts (if applicable).

3. Candidates will be asked to sign the DPS Pre-hire Background Waivers at time of interview

4. The hiring manager will request hire approval on the selected candidate. Hire approval must be obtained before continuing with the background process.

E. ***Name based criminal history check***. A name based criminal history check (APSIN/NCIC/III) must be conducted by an APSIN/NCIC/III user in the Department. Hiring Managers who readily have access to APSIN/NCIC/III perform the check internally (use purpose code "J"). Hiring Managers who do not readily have APSIN/NCIC/III access available may request the computerized criminal history check through the Division of Statewide Services, APSIN Security Office.

F. ***Comprehensive civilian background.*** Signed background waiver forms for candidates who are approved for hire and have passed a name based criminal history check will be referred AKIAC.

1. AKIAC will generate a comprehensive background report. The comprehensive background report will be made available solely to the Division Director (or designee) for the employing division. The comprehensive background report will not be disseminated beyond the Division Director (or designee).

2. The Division Director (or designee) will notify the hiring manager when a candidate successfully completes the background and a formal offer of employment will be extended.

G. ***Derogatory information discovered during civilian background investigations.*** The relevance of any derogatory information to the hiring decision depends on details of the offense, time elapsed since the offense, and on the duties and classification of the position being filled. When disqualifying or potentially disqualifying information is discovered, it must be submitted to the Human Resource Manager to make a hiring determination. All decisions will be job related and consistent with business necessity. The Human Resource Manager will consult with the Commissioner's Office on all borderline situations.

H. ***Fingerprint based criminal history check***. A fingerprint based criminal history check (AABIS and FBI) must be conducted for all new hires.

1. For Anchorage-based hires, fingerprinting is arranged through the Division of Statewide Services, ABIS Section. For new hires in outlying locations, fingerprints should be completed locally and routed through the local Terminal Agency Coordinator to the Statewide Services, State APSIN Security Officer located at Anchorage Headquarters.
2. The signed Personnel Security Clearance Form must be submitted with the completed fingerprint cards. One of the following Client Codes should be noted on the fingerprint card:
    a. New hires who will have APSIN access: 4003
    b. New hires who will have DPS building access only: 4156
3. New hires must be fingerprinted prior to commencing employment or on their first day of employment.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 128	**LIMITED DUTY ASSIGNMENTS**	
	Effective: 05/22/2018	**Commissioner Approval:**
	Authorities: Collective Bargaining Agreements, Americans with Disability Act; Alaska Statute 18.80.220, Administrative Order 129	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

128.100 INTRODUCTION

Within this policy the department complies with collective bargaining agreements, state policy, and employment law regarding temporarily setting aside the essential functions of an employee's position.

128.300 LIMITED DUTY ASSIGNMENTS

The department may approve the temporary assignment of employees to other duties or reduced duties of their position due to a short-term inability to perform the full essential functions of their position, if such meaningful work exists and licensed health care provider supports such reassignment. Such action on behalf of the department shall be considered a "limited duty assignment." Limited duty assignments are by nature short-term and temporary.

Upon request, pregnancy may be considered a qualifying condition for a limited duty assignment (see also AS 39.20.520 for additional rights).

A. ***Examples of limited duty assignments.*** The Department will not create unneeded assignments for purposes of limited duty, nor will any employee be placed in an assignment unless the work is both meaningful and necessary. The following list of possible limited duty assignments is not exhaustive, but is representative of the type and characteristics of such assignments:

1. Dispatching -- An officer may be assigned to fill in for a dispatcher if this would relieve an overtime problem caused by the absence of a dispatcher. Temporary assignment to this duty also enhances the knowledge of the officer working there; the officer will have better understanding of what dispatchers do and their importance to the officers in the field.
2. Reception Desk in Division or Detachment Headquarters -- An officer on limited duty status assigned to reception duty would be expected to answer questions, solve problems, provide directions, take complaints, and provide a limited degree of security for the facility.
3. Evidence Lockers and Crime Lab -- In major posts, an officer may be assigned to log and record evidence. In Anchorage, an officer may be assigned to the Crime Lab to assist technicians in the processing or analysis of evidence.

4. Posts and Detachments -- An officer on a limited duty assignment could take complaints, review accident reports brought to the counter by participants, take third-party misdemeanor reports, and perform other functions that require more knowledge of how the justice system works than ordinarily required of clerical staff.

5. Civilian Employees – an administrative employee on a limited duty assignment may be assigned a sub-set of their usual duties, or other necessary and meaningful duties.

B. ***Application for limited duty assignment.*** An employee who would like to be considered for a limited duty assignment is required to submit, through the employee's supervisor to the Commander or regional supervisor, a written request for a limited duty assignment. All pertinent documentation necessary to justify such an assignment must be provided. This includes a written document from a licensed health care provider indicating that the employee is temporarily unable to perform the full essential functions of their position, the expected duration of the need for limited duty, and the specific tasks or work demands the employee is restricted from performing. Employees in the state trooper (all ranks), deputy fire marshal, and court services officer job classes must use the Request for Temporary Limited Duty, Form 128-A.

C. ***Limited duty placement by Commander or supervisor.*** An employee on PSEA Injury Leave may be placed, without request, to a limited duty assignment if a licensed health care provider indicates the employee is temporarily unable to perform the full essential functions of their position and the employee is capable of performing limited duties that would not exacerbate their condition.

D. ***Approval of limited duty assignment.*** The Commander or regional supervisor, subject to review by the appropriate Division Director, shall determine in writing if application request for limited duty assignment can be approved. This written determination, including a copy of the original request for limited duty assignment shall be distributed to all parties in the employee's chain of command up to and including the Division Director, as well as the administrative staff member responsible for maintaining the employee's field file, Human Resources, and Payroll.

E. ***Monitoring of limited duty assignment***. It is the responsibility of the employee on limited duty assignment and their immediate supervisor to monitor their ability to perform the duties and to ensure that the work remains meaningful and necessary.

1. An employee in a limited duty assignment shall provide written status reports on their work impairment on a monthly basis to the Commander or regional supervisor.

2. The Commander or regional supervisor will monitor the condition of an employee assigned to a limited duty assignment. The Commander or supervisor may require the employee to submit a licensed health care provider's report on his condition and his progress towards recovery.

3. The employee is expected to perform all the duties of the limited duty assignment throughout the period of assignment. If an employee becomes

unable to perform the duties of a limited duty assignment, or if it appears that an employee will need a limited duty assignment beyond the date of recovery predicted by the employee's licensed health care provider, the Commander or regional supervisor will review the employee's case and recommend whether to permit the employee to continue working in a limited duty assignment (through an extension) or to pursue other alternatives.

F. ***Duration of limited duty assignment.*** The Commander or regional supervisor may approve limited duty assignments up to 90 days. The Division Director, in consultation with Human Resources, must approve any extension of a limited duty assignment beyond 90 days. Such approval may be granted for up to 90 days, for a maximum of 180 days total limited duty assignment.

Special exceptions to the 180-day maximum limited duty assignment can be granted with the approval of the Division Director in consultation with Human Resources. Such special arrangements may be made for limited duty assignments with a predictable ending date, such as during pregnancy.

G. ***Release to full duty.*** Employees will be required to provide a release to full duty prior to being released from limited duty. For employees in the trooper (all ranks), deputy fire marshal, and court services officer job classes, the Certification for Release to Full Duty (Form 128-B) must be completed; for civilian employees, the release must include a licensed health care provider's affirmation that applicable work restrictions are lifted and the employee is being released back to full duty. The scope of the release to full duty will not extend beyond an assessment of the employee's ability to return to full duty as related to the injury or medical condition that necessitated the limited duty assignment.

At the discretion of the commander an employee returning to duty which might affect the operation of a firearm or other duty equipment may be required to undergo qualification or recertification on the equipment in question.

128.310 PERMANENT INABILITY TO PERFORM THE DUTIES OF CURRENT POSITION

An employee who has received information from a licensed health care provider that confirms their permanent inability to perform an essential function of the position or job classification may become eligible for other entitlements offered by the State of Alaska.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 129	**RECRUITMENT INCENTIVE**	
	Effective: 10/30/2018	**Commissioner Approval:**
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

129.100 INTRODUCTION

It is the responsibility of every department employee to assist in the recruitment of the most qualified individuals. This chapter sets forth guidance regarding the recruitment incentive program for individuals recruited and hired into the following job classes: State Trooper Recruit/State Trooper, Deputy Fire Marshal and Court Services Officer. Every employee is expected to consider it a part of his or her job to recruit and mentor qualified prospective candidates.

129.300 RECRUITMENT EFFORTS

Every State Trooper, Wildlife Trooper, Deputy Fire Marshal and/or Court Services Officer is encouraged to formally recruit and mentor potential applicants and will utilize the following process to document such recruitment efforts.

A. ***Recruit Candidate.*** Upon contacting a citizen that is viewed as a potentially good recruit candidate, the recruiting employee will provide the citizen with a recruitment brochure or other documentation and will document the contact in the officer's notebook. The information recorded in the notebook will include the person's name, mailing address, and a contact telephone number. Recruitment brochures can be obtained by contacting the recruitment unit.

B. ***Recruitment Documentation.*** For each recruitment contact, an incident number will be drawn in ARMS using the following criteria:

Main Incident window:
Type: Non-reportable
Call code: Miscellaneous
Incident type: Miscellaneous
Status: Closed non-criminal
Summary: Summarize contact

Offenses/Activities tab:
Add one entry using the activity "Recruitment" and indicate Location type.

Incident tabs:
Involve - Link the subject of the recruitment.
Current Officers - Link yourself as the Responsible officer and your unit as the Responsible Unit.
Tasks - If not already present, create, start, and complete an Appr NR task for the incident. Add a notification task and assign it to the Recruitment Notifications unit with Supervisory Approval Required and Initiator Approval Required boxes unchecked.

Recruitment Unit personnel will monitor the Recruitment Notification unit daily and will follow up based on the information included with the incident.

C. ***Mentoring documentation.*** The employee must also make a significant effort to mentor and assist the candidate throughout the recruitment process and probationary period.

129.310 RECRUITMENT INCENTIVES

A. ***Leave award.*** The department recognizes that individual recruitment efforts by department employees are most effective. Employees covered under the Public Safety Employees Association (PSEA) collective bargaining agreement and members of the trooper command series (including the ranks of Lieutenant, Captain, and Major) are eligible to receive a leave incentive for proactively participating in recruiting efforts. Such employees who recruit a candidate that successfully completes all required academies shall have 30 hours of personal leave credited to their leave account. If the same candidate successfully completes their probationary period, the referring employee shall have an additional 30 hours of personal leave credited to their leave account.

B. ***Mentoring Requirements.*** Employees eligible for the leave award incentive cannot simply refer a candidate to the recruitment unit. The employee must make a significant effort to mentor and assist the candidate throughout the recruitment process and probationary period. In order to be eligible for the recruitment incentive leave, the employee must adhere to the following procedures.

129.600 PROCEDURES

The following procedures will determine eligibility for a leave incentive.

A. Employee responsibilities.

1. Employee must identify a viable candidate and complete the process described in 129.300 B above.
2. The recruitment supervisor will ensure a file is opened for the employee to document their recruitment effort, mentoring and/or assistance.
3. The employee must document each contact with the candidate and forward an e-mail to the recruitment unit. Efforts can include answering questions, explaining importance of being thorough with the application paperwork, describing the expectations at the academy, provide details about the department, mentoring efforts after graduation from the academy, and so on.
4. The recruitment unit supervisor will notify the recruiting officer if the candidate they recruited graduates from the academy and completes their probationary period.
5. The recruitment unit supervisor will obtain documentation from the candidate supporting the fact that the recruiting officer contributed to their successful graduation from the academy and completion of their probationary period.

B. ***Recruitment Unit Supervisor responsibilities.*** The Recruitment Supervisor will review the file containing all efforts made by the employee and determine if an award is warranted.

The Recruitment Supervisor will take into consideration the document supplied by the candidate as well as documentation contained in the file that demonstrates:

1. Commitment by the employee towards the success of the candidate.
2. Consistency of the employee in aiding or mentoring the candidate.
3. The quality of contacts of the employee with the candidate.
4. The quantity of contacts of the employee with the candidate.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 130	**ARREST OR CONVICTION REWARDS**	
	Effective: 11/23/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

130.100 INTRODUCTION

This policy establishes protocol for department's participation in reward programs.

130.300 GENERAL

Victims of crimes, or in some cases organizations or interested parties, may offer a reward for information leading to the arrest and conviction of the perpetrators of crimes. Reward programs may be totally independent of the police, a joint effort between the persons putting up the reward money and the police, or the money is put up and the police handle the entire matter. Department participation in reward programs will be left up to the Commanders with the following stipulations:

1. The department's involvement will be clearly outlined in a memorandum to the Director and shall include who is offering the reward, specifically what the reward is for, and specifically on what conditions or circumstances it will be paid; and
2. In the event conditions of the reward are met but the person or organization offering the reward refuses to pay, the department must immediately notify the potential reward winner that the Department of Public Safety cannot assist them in collection. Under those circumstances, the individual will be on his own and will either have to obtain an attorney and file a civil action or utilize the small claims court if appropriate.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 131	**BADGES AND WEAPONS - RETIREES**	
	Effective: 6/20/2018	**Commissioner Approval:**
	Authorities:	
	Applicability: Commissioned and Partially Commissioned	
	Special Instructions: 18.USC.926c known as HR-218	

131.100 INTRODUCTION

This chapter outlines how retiring officers will receive or be eligible to receive their retired identification card, badges, or weapons. The following is available to officers who retire from the State of Alaska in good standing and remain in good standing with the department and the Alaska Police Standards Council.

131.300 PRESENTATION OF BADGES & IDENTIFICATION CARDS

A. ***Officers with seventeen or more years of State service.*** Officers retiring with seventeen or more years of law enforcement service with the State of Alaska will be presented with the full badge set and the 'retired' identification card. This would include those officers who retire due to a Retirement Incentive Program (R.I.P.).

B. ***Officers with between ten and seventeen years of State service.*** Officers retiring with between ten and seventeen years of law enforcement service with the State of Alaska will be presented with the 'retired' identification card.

131.310 PURCHASE OF DUTY WEAPON

Officers retiring with seventeen or more years of law enforcement service with the State of Alaska may purchase their duty weapon if allowed under current state administrative guidelines.

131.900 DEFINITION

Good Standing – The status of separation from State service that does not include involuntary separation, dismissal, separation pending disciplinary action, or subsequent actions that preclude the employee from the Alaska Police Standards Council certification.

Law Enforcement Service – the actual years of employment by the State of Alaska as a State Fire Marshal or Deputy Fire Marshal, a State Police Officer, a Fish and Game Protection Officer, a Fish and Wildlife Enforcement Officer, an Alaska Wildlife Trooper, an Alaska State Trooper, a DPS Constable, a Judicial Services Officer (JSO), or a Court Services Officer.

'Retired' Identification Card – the identification card will meet the criteria set forth in United States Code 18.USC.926C, commonly known as known as HR-218. The identification card shall have a photographic depiction of the person. It also shall specify that the person retired in good standing after serving ten or more years as a Police Officer or Peace Officer as defined by Alaska

Statues 01.10.060(A) and 18.65.290 and will carry documented proof of when the retiree was last found by a certified law enforcement agency to meet the active duty standards for qualification in firearms training as established by the department to carry the firearm.

To carry a concealed firearm compliant with HR-218, the retiree must have been found by the department within the prior 12 months to meet the auxiliary handgun standards for qualification of the firearm to be carried concealed. The Department will provide Department of Public Safety retirees with the current duty issue ammo. The retiree can provide their own ammunition. The retiree will contact the department and be informed of the next scheduled time a certified firearms instructor is available to perform a supervised qualification. The retiree will have the 'retired' identification card updated annually with his or her last qualification date.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 132	**NOTEBOOKS**	
	Effective: 7/13/2018	**Commissioner Approval:**
	Authorities:	
	Applicability: **OFFICERS**	
	Special Instructions:	

132.100 INTRODUCTION

The department requires officers to utilize and maintain notebooks.

132.300 USE OF NOTEBOOKS

A. Officers are required to keep notebooks containing a chronological record of the officer's time and activities for activity report purposes, and as a reference in preparing reports. The notebook entries shall attain enough detailed information to refresh their own memory or to be meaningful to another reader on their behalf.

Chronological time entries and officer activities are found to be extremely beneficial and necessary for the protection of the officer during the investigation of citizen complaints.

B. Officers may keep a digital notebook on their department phone and computer as long as it adheres to the following parameters:

1. Digital or electronic notebooks may only be kept using the Microsoft OneNote application.
2. The digital notebook must be backed up and synced using the officer's official state Microsoft account.
3. The officer's supervisor will be granted 'edit' access so when edits are made they can be viewed by the supervisor.
4. To ensure the integrity of the notebook, supervisors will need to review notebooks and digitally note in the notebook it has been reviewed.

132.310 SUPPLY AND RETENTION

A. ***Supply***. Notebooks are provided by the department and are available to officers at each post. Lost or misplaced notebooks will be reported to the supervisor and the new notebook will include a "lost prior notebook" entry.

B. ***Retention.*** Notebooks remain the responsibility of the officer and shall be retained for at least five (5) years. Officers may keep notebooks longer than five years if desired.

C. ***Notebooks are the property of the State.*** Notebooks kept by officers are the property of the State and are subject to inspection and seizure by supervisors. Upon retirement or separation, officers are required to turn in their notebooks or copies of digital notebooks on

CD/DVD for the preceding five years to their Commander. Notebooks turned in will be placed in evidence for at least five years from the date of termination.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 201	**REPORTS**	
	Effective: 04/21/2011	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

201.100 INTRODUCTION

This policy establishes reporting protocol for all officers.

201.300 CASE RESPONSIBILITIES

A. ***Officers are required to make timely submission of reports.*** Officers shall complete reports necessary to close cases as expeditiously as practical.

B. ***Supervisors are responsible for case closure and investigation.*** It is the supervisor's responsibility to assure that officer's cases are up to date and investigated to a logical conclusion. Supervisors may set report completion deadlines for their subordinates.

C. ***Case reports to be completed before transfer.*** It is the responsibility of the officer and his supervisor to assure that all outstanding cases are complete and evidence is dealt with appropriately before the effective date of the officer's transfer or separation.

201.310 CASE NUMBERS

Case numbers will be obtained from APSIN according to the following rules:

1. a single case number will be drawn to document each "call for service" received from a member of the public or a non-DPS agency;
2. any criminal activity or emergency situation (accident, disaster, SAR, etc.) discovered by an officer of the department will receive a case number; and
3. the following specialized activities will receive a case number for activity tracking purposes:
    a. Out-of-state prisoner transports,
    b. Warrant arrests,
    c. Protective custody, and
    d. Motorist assists where action is taken.

201.320 PENDING CASE FILES

A. ***Officers to maintain pending case files.*** Each officer will keep all of his open cases in a pending case file. These files shall contain draft or completed reports, statements, notes, or other case preparation materials. Supplements shall be placed in the pending file, as they are prepared.

B. ***Pending case file shall be accessible to supervisor.*** All pending case files will be readily available for inspection by supervisors or officers-in-charge. This is to facilitate both review of cases and to allow other officers to contribute to or take over cases when the responsible officer is unavailable. Posts or units may establish communal pending files where officers are required to keep their pending reports.

C. ***Entries required in pending file.*** Officers shall complete at least a draft of the first page of the police report and place it in the pending file prior to the conclusion of the shift on which the case was assigned. Supervisors may grant exceptions to this policy to avoid overtime or due to other special circumstances. Officers granted exceptions will comply fully by the end of their next scheduled shift.

201.330 PREPARATION OF CASE REPORTS

A. ***Assigned officer responsible for preparation of case report***. The officer assigned a case is responsible for the completion of the case report in accordance with the standards set out in the Report Writing Manual or other applicable Department guides. The officer is responsible for retaining copies of materials submitted for typing or for recreating materials lost. Handling of recordings and other evidentiary case materials is detailed in OPM Chapters 222 and 202.

B. ***All reports required to be approved by supervisor.*** Upon completion, every case report will be submitted to the responsible officer's supervisor for approval. The supervisor may approve the report as is, or return it to the submitting officer for additional investigation, correction of report format or coding, or grammatical or stylistic correction.

C. ***Case reports are required to be legible.*** All case reports, whether handwritten, typewritten, or computer generated are required to be clearly readable. Handwritten reports shall be completed in ink.

D. ***Reports to comply with manual.*** Case reports submitted by officers shall comply with the DPS Report Writing Manual.

E. ***Reports to be submitted on approved forms.*** Case reports must be submitted only on forms approved by the Commissioner. Approved forms may be used in pre-printed versions or

computer generated facsimiles that preserve the organization and appearance of the approved form.

F. ***Transcriptions to be reviewed.*** Following transcription of dictated reports or recorded interviews the submitting officer will review the materials for accuracy.

201.340 DETACHMENT CASE FILES AND ARCHIVAL STORAGE

The original copy of closed cases will be retained at Detachment Headquarters for a period of one year. Cases placed in this file will be filed by month in numerical order. When that month's cases are a year old, they shall be sent to Records and Identification in Juneau for archival storage.

Original cases may be held longer than one year in major unsolved cases or cases pending appeal or civil action, if authorized by the Commander.

201.350 SPECIAL ROUTING OF CERTAIN REPORTS

A. ***Aircraft Accident Reports.*** Send copies of all reports related to aircraft accidents to the following address:

National Transportation Safety Board
222 W 7th Avenue, # 11
Anchorage, Alaska 99513-7578

B. ***Boating Accident Reports involving Fatalities*****.** Send copies of all reports related to boating accident fatalities to the following address:

Department of Natural Resources
Education Coordinator, Office of Boating Safety
550 West 7th Ave, Ste 1380
Anchorage, AK 99501

201.360 TRANSFERRING CASES

A. ***Transferring case within unit.*** Supervisors may transfer cases within their units as needed to facilitate case completion or to balance workloads.

B. ***Transferring case within Detachment.*** Cases may be transferred between units or posts within a Detachment through arrangement by unit supervisors.

C. ***Transferring case to another Detachment/Bureau.*** Cases that are transferred outside a Detachment shall be accompanied by a leads memorandum, which addresses the unit

supervisor of the destination Detachment/Bureau and describes the reasons for transfer and any remaining investigation needs.

D. ***Reassigning case in APSIN.*** Whenever a case is reassigned, the APSIN case management entry will be updated to reflect the new responsible officer and/or unit. The supervisor of the receiving unit is responsible for assuring this is completed.

201.370 DRUG VIOLATIONS

A. ***Special reports for drug violations.*** Cases involving drug violations require the following special procedures:

1. Property/Evidence Report – The weight of the drug involved will be reported in the "size" block. Also, indicate street value of the drug under "value." Officers may submit requests to weigh drug evidence to the Lab using a “Request for Laboratory Services” form.
2. Log Only Cases -- In those instances where no report or other action is anticipated the officer is encouraged to place a short (25 words or less) synopsis in the comments section of the Dispatch Card and the APSIN Initiate Case Screen. The majority of these cases will use offense code 9631 – Drug Information.
3. Dispatch Card/Initiate Case function -- Officers assigned to the ABADE will initiate a computer case number when an offense is reported. A brief description of the offense being reported and/or investigated will be included. Cross-references to a master case number or other applicable case numbers should be included.

B. ***Required notice to ABADE of illegal drug / alcohol cases.*** Detachment officers assigned cases involving drugs or illegal alcohol shall notify the local ABADE unit (or ABADE Commander) and shall coordinate their investigations with ABADE. Detachment personnel must be aware of the potential loss of additional evidence or failure to connect co-conspirators if timely coordination does not occur with ABADE.

1. When a report involving illegal drug/alcohol offenses is completed a copy of the report will be forwarded to the local ABADE unit (or ABADE Commander) and to the Criminal Intelligence Unit (CIU).
2. If a “log only” complaint is received involving illegal drug/alcohol offenses, the information should be sent to the CIU as soon as practical.

201.380 REPORTING HATE CRIMES

The Department of Public Safety is interested in documenting and thoroughly investigating hate crimes. An assessment of hate crimes is necessary to accurately determine the scope of the problem and to identify needs for training and public education.

A. ***Distinction of a hate crime.*** A hate crime is any criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against a person's race, religion, ethnic or national origin, or sexual orientation.

B. ***Offense code for hate crimes.*** Any incident defined as of a hate crime that comes to the attention of an officer shall be recorded in APSIN utilizing the code of 9658.

The primary offense code recorded in APSIN shall continue to reflect the original reported offense (e.g. burglary, homicide, criminal mischief, harassment, etc.) Offense code 9658, used to document a hate crime, shall be reflected as the second offense in investigative report, and in APSIN entries.

An incident initially reported as a hate crime, which at the conclusion of the investigation is found to be without bias shall be coded as 9658U (unfounded). If the original offense such as burglary, murder, criminal mischief, or harassment, etc. is also unfounded, an investigative report does not need to be prepared.

C. ***Investigative reports required on hate crimes.*** An investigative report will be completed on any incident that meets the definition of a hate crime. The report shall reflect the specific details of the incident including any known motivation or bias of the perpetrator(s).

When practical, evidence of hate crimes should be thoroughly documented with the use of video and/or still photography.

201.390 PHOTO LINE-UP ADVISORY FORM

All witnesses asked to view a photo lineup including driver's license photos shall read and sign the advisory form. Persons viewing the lineup at the same time can sign on the same form. Persons viewing at a different time should sign a different form.

Upon completion of the viewing, the completed form shall be placed in a manila envelope, which is affixed to the back of the photo lineup folder.

201.400 UPDATING COMPUTER FILES/LONG-TERM INVESTIGATIONS

Many homicides and complex investigations stay open for months or years. Valuable information is often developed when suspects or witnesses in one case are identified as having involvement in other cases. This is often done through the computerized case management system's linking of persons to their roles in investigations.

Officers involved in long-term investigations are required to update the listing of involved persons and their roles in the computerized case management system within 30 days of the time a person was determined to be involved in a case or when a previously identified person's role has changed.

ATTACHMENTS

Photo Lineup Advisory Form – Link to Form

PHOTO LINEUP DISCLAIMER AND ADVISEMENT

Case Number _____

The photographic lineup you are about to view is made up of photos selected by similar physical characteristics. The persons in the photographs are not necessarily suspects, not necessarily under investigation for the commission of any crime, nor do they necessarily have criminal backgrounds.

_____ _____
Investigating Officer Date / Time

I have been read the above advisement and understand that the use of these photographs should not reflect upon the reputation of character of the persons I am about to view.

_____ _____
Witness Date / Time

_____ _____
Witness Date / Time

_____ _____
Witness Date / Time

_____ _____
Witness Date / Time

_____ _____
Witness Date / Time

_____ _____
Witness Date / Time

_____ _____
Witness Date / Time

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 202	**PROPERTY AND EVIDENCE HANDLING**	
	Effective: 10/12/2018	**Commissioner Approval:**
	Authorities: 18 USC 922 (d); 21 USC 802; 18 USC 925 (b-c); AS 12.36.030-040; AS 12.36; AS 34.45;	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	

202.010 INTRODUCTION

The department establishes policy and protocol for handling property and evidence received or acquired.

202.300 STORAGE

A. ***The Commander may establish storage areas in Posts as necessary.*** The Commander may establish property rooms, evidence lockers, temporary evidence drops, and outside storage facilities in each Detachment or Post. The areas used to store property will adequately provide for the safety and security of the property stored in them.

B. ***Storing Hazardous materials.*** The legal requirements for storing hazardous materials, flammables, toxins, explosives, etc. vary based on the type and quantity of the material. Evidence Custodians confronted with having to store hazardous materials must consult the Fire Marshal's Office for the current regulations concerning that material. Explosive materials should not be stored in populated buildings unless packaged in the original manufacturer's container or equivalent.

C. ***Access to areas containing evidence or contraband.*** The Evidence Custodian, the Alternate Evidence Custodian, and those specifically designated by the Commander are the only persons who will have keys to storage areas containing evidence or contraband. An Evidence Custodian or other designated individual must escort any visitors to areas that contain evidence or contraband storage.

202.310 EVIDENCE CUSTODIANS

A. ***Assigning an Evidence Custodian.*** The Commander or the Post Supervisor will assign one person as the Evidence Custodian and one person as an Alternate Evidence Custodian as required. The Evidence Custodian or Alternate may be commissioned personnel or noncommissioned personnel as appropriate. Prior to appointing any civilian as an Evidence Custodian or Alternate the Commander or supervisor shall assure that an appropriate background investigation, including at least a criminal history check, has been performed on the employee in accordance with OPM Chapter 127.

B. ***Evidence Custodian's Duties.*** Evidence Custodians are responsible for: maintaining the storage areas in a serviceable condition; establishing an identification system for the storage areas that allows rapid location of stored items; maintaining records appropriate to items

stored; the proper and timely disposal of property; complying with all Statutes and Regulations that apply to the handling of property; the policies of this chapter; and other duties specified in this chapter.

C. ***Recording assignment of evidence custodians.*** The Commander will maintain a Record of Evidence Custodian Assignment form for each evidence facility under his jurisdiction listing the names and dates of assignment for each person assigned as an Evidence Custodian or Alternate Evidence Custodian. This form should be posted in each evidence facility.

202.320 EMPLOYEE'S RESPONSIBILITY

A. ***All employees will handle property properly.*** Employees will properly handle or secure property or evidence that comes into their possession. It will be the responsibility of the employee who acquires property to prepare the necessary report(s), identify such property, and deliver it for storage in the property room or other appropriate storage area in compliance with the procedures of this chapter and local operating procedures.

B. ***Temporary storage of property.*** If an employee is unable to complete the proper packaging and delivery of property to the property room or storage area prior to the end of his shift he may, with the approval of a supervisor, temporarily store the property in an "evidence drop." The employee will complete the proper storage process on the following day. Employees will not store property in desks, filing cabinets, or unsecured in offices, etc.

C. ***Actions by employee receiving firearms or ammunition.*** Any employee who takes a firearm or ammunition into possession must complete a police report:

1. That has an ARMS incident number;
2. That documents how the firearm or ammunition came into DPS possession;
3. That documents why the firearm or ammunition was seized (e.g., search warrant, illegal weapon, found property, safekeeping, etc.);
4. That documents where the seizure or transfer of possession took place;
5. That documents information regarding from whom the firearm or ammunition was taken;
6. That includes specific documentation confirming that a stolen property check was completed in APSIN and NCIC;
7. If the firearm or ammunition was found property, that documents investigative attempts to locate the rightful owner; and
8. That includes ARMS entries, which, in the case of firearms, lists any and all serial numbers, owner applied numbers, caliber, distinguishing marks, etc.

D. ***Employee responsible to direct disposal of firearms or ammunition in absence of CCID or court order.*** When a case is completed and where there is no court order or DAO documents directing the disposition of the property, the case officer will be responsible for providing written instruction to the evidence custodian regarding the final disposal of the firearm or ammunition. A copy of this written direction will supplement the original case report.

202.330 PROPERTY REPORT FORM, 12-210

The Evidence Custodian will archive all 12-210 Property Report Forms. The Evidence Custodian shall digitally scan and archive all 12-210 Property Forms located in their assigned facility. The paper copies shall be maintained at that location until such time as they are instructed to forward the copies to Records and Identification for permanent archiving. Any new documentation received for Legacy ASPIN cases shall be attached to the appropriate 12-210 Property Form and the scanned copy updated.

202.340 DELIVERY OF PROPERTY FOR STORAGE

A. ***Completing the Property barcode label.*** The employee will individually tag every piece of property with a barcode label generated by ARMS. The employee will completely fill out the required information in ARMS to generate an appropriate barcode label. Every person having official custody of the property will complete the "chain of custody" in ARMS until the disposal of the property or return to the owner.

B. ***Proper packaging of property.*** The Evidence Custodian will not accept improperly packaged evidence. Proper packaging includes: thoroughly drying wet or damp items and packaging in paper bags or boxes ; placing liquids in water proof containers that will not leak if knocked over; drying fresh marijuana and packaging to minimize the danger of molding; completely sealing drugs in a plastic bag either by heat sealing or with tamper evident evidence tape; sealing knives, sharps (e.g. hypodermic needles), or other cutting instruments in containers that will prevent accidental cuts; clearly identifying hazardous materials such as flammables, toxins, explosives, blood or items contaminated by blood, etc. Packaging must also comply with the OPM chapter on Bloodborne Pathogens (205) and federal Bloodborne Pathogens regulations. All items must be packaged and sealed if physically possible. Consult the Laboratory's Website for further details.

C. ***Proper packaging of firearms.*** All firearms should be made safe. Unload firearms after properly documenting the cylinder in revolvers or the chamber and magazine in pistols, rifles and shotguns.

For submission of firearms to the DPS Laboratory; package firearms in a rigid container, seal, mark container and indicate condition of firearm on container as LOADED or UNLOADED. Firearms submitted for DNA must be sealed with tape over all edges and any openings (such as holes in the box) prior to submission. - Safety is the first consideration; therefore, firearms should be unloaded prior to delivery to the laboratory. If this is not possible, call the firearm supervisor to discuss. Packaging material may rub latent prints and destroy evidence; therefore, it is important to package in a manner so the gun contacts the packaging material as little as possible. Documenting the cylinder in a revolver may help determine the sequence of events and aid in scene reconstruction. It is requested that you not package guns in plastic. Consult the Laboratory's Website for further details.

D. ***Delivery of property to the Evidence Custodian.*** Once the employee has completed all required entry into ARMS and properly packaged and labeled the property, s/he should deliver them to the Evidence Custodian directly or secure them in a temporary evidence drop.

E. ***Approved methods of shipping evidence.*** If an employee must ship evidence it shall be sent via certified with a return receipt requested, registered mail, or shipped via a package express service (e.g. Federal Express, UPS). Evidence may also be shipped via airlines freight services such as Alaska Airlines "Gold Streak" or other commercially available freight services, as long as tracking and delivery to final destination is available. If an evidence shipment presents special shipping problems, the crime lab should be contacted for advice. There are some items that cannot be shipped via USPS. If you are uncertain about shipping a specific item, contact the USPS or other knowledgeable authority.

F. ***Improperly completed forms or improperly packaged evidence.*** If property is delivered to the Evidence Custodian and the data entry is not completed properly (including, in the case of firearms, the investigative report required under OPM 202.320 C 1-8) or the property is not packaged properly, the property will be returned to the submitting employee. If the improperly delivered property was sent from another post the Evidence Custodian may temporarily store the property while arrangements are made to correct the flaws.

202.350 RELEASE OF FIREARMS OR AMMUNITION

Employees are required to conform to the provisions of this section prior to releasing firearms or ammunition to any person.

A. ***Federal law controls delivery of firearms or ammunition.*** Federal law [Ref 18 USC 922] makes it illegal to deliver to any person firearms or ammunition if they have any disqualifying conditions. Those conditions are outlined in the Department of Public Safety Firearm and Ammunition Delivery form.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of 18 USC 925 chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of 18 USC 925.

B. ***APSIN checks to be run on person prior to delivery of firearm or ammunition***. Prior to delivery of a firearm or ammunition to any person, appropriate APSIN checks; to include IFFS status, check for APSIN, NCIC warrants, and the Interstate Identification Index (III); will be run to check for evidence of disqualification. Ambiguous results shall be resolved prior to any delivery.

The Firearm and Ammunition Delivery form will be completed to show the results of the records checks.

C. ***Person to complete Firearm and Ammunition Delivery Form***. The person requesting delivery of a firearm or ammunition must complete and sign the **Firearm and Ammunition Delivery Form**. This form is available to the public on-line via the DPS AST webpage. Prior to making any appointment with an evidence custodian, the intended recipient should be asked to go on-line and access the form (or a hard copy of the form can be mailed to the requester if necessary), fill it out, and route the form back via mail or e-mail to an evidence custodian at the DPS office where the firearm is being stored. Upon receipt, the evidence custodian will insure the form is complete (less signature, date, type of identification, and number section). Any

"Yes" answer is a disqualification and the Department cannot deliver firearms or ammunition to the person. The evidence custodian will perform their normal checks in databases such as APSIN, NCIC, and ARMS. If release of a firearm is involved the evidence custodian will then scan and e-mail the firearm form to the Alaska Information Analysis Center (AKIAC) (akiac@alaska.gov) at AST headquarters. The AKIAC will check the NICS E-Check database and will receive a response typically within 24-48 hours. Note - The NICS E-Check is only for firearms and not for ammunition. Upon receiving a response from NICS E-Check, the AKIAC will send this approval for release of the firearm back to the evidence custodian. The evidence custodian, after having completed the above steps, will then set up an appointment for the person to come to the evidence location, show identification, sign and date the form. The evidence custodian will then sign, date, and file this form. Copies of the Firearm and Ammunition Delivery Form and the results of all database checks (including but not limited to NCIC, warrants, and III) should be attached to any evidence records and/or ARMS incidents involved.

D. ***Delivery of firearm*.** Delivery of a seized firearm to a person shall not be withheld if the person honestly answers "no" to all the questions on the Firearm and Delivery form cited in 202.350 A (above) and;

1. The person is the owner of the firearm; or is in possession of an executed "power of attorney" from the owner which authorizes taking possession of the firearm; or who possesses a valid bill of sale reflecting that he or she has purchased the firearm from the former owner; and
2. The firearm is no longer needed for a criminal prosecution or civil lawsuit brought against the state; and
3. The firearm is not subject to a forfeiture action; and
4. The firearm has not been forfeited to the state, either by agreement or court order.

202.360 RECORDS TO BE KEPT BY EVIDENCE FACILITIES

A. ***Tracking evidence in ARMS.*** Detachments or Posts that have property rooms or other storage areas, shall track their evidence using the evidence section of ARMS.

B. ***The Evidence Custodian will log all property submitted to the Evidence Room***. When the Evidence Custodian receives property for storage, they will update the ARMS records with the appropriate storage location. Use of the 12-219 Evidence Log is no longer authorized. All property will be tracked using ARMS.

202.370 EVIDENCE ROOM INSPECTIONS AND INVENTORY

A. ***Evidence room inspection required.*** All evidence facilities will be inspected according to the following schedule.

The responsible Commander shall specify the extent and location of items to be inventoried. In addition to the announced inspections, two *unannounced* inspections will be conducted each year of every evidence facility.

Unannounced Inspections

All evidence facilities	Two (2) *unannounced* inspections per year

Announced Inspections

Anchorage, Fairbanks, Palmer, and Soldotna	Three (3) announced inspections per year
Bethel, Juneau, Ketchikan, and Kodiak	Two (2) announced inspections per year
All other evidence facilities	One (1) announced inspection per year

B. ***Conduct of evidence facility inspections.*** Inspections of evidence facilities shall include an examination of at least the following items:

1. Security of the facility from unauthorized access;
2. Backlog of materials pending processing or storage;
3. Adequacy of facilities for handling/storage of materials contaminated with blood borne pathogens, controlled substances and valuables such as cash;
4. Proper packaging and labeling of items stored;
5. Proper ARMS entry of evidence; and
6. Comparison of ARMS with actual storage locations

C. ***Commanders to prepare inspection reports.*** At the completion of an inspection of each evidence room, the responsible Commander will send an Evidence Facility Inspection Report form to their Director's Office. The report will include the date and identification of those conducting the inspection, the description and location of items selected for inspection, and any findings or significant observations. The items sampled for examination will be listed on the Evidence Inventory Report form.

D. ***Special inventory upon change of evidence custodian.*** Whenever there is a change in the primary evidence custodian an inventory will be conducted. At evidence facilities in Anchorage, Fairbanks, Palmer, and Soldotna the inventory shall include all drugs, guns, and cash stored and as many other items as is practical. In all other evidence facilities this inventory shall include all items stored.

E. ***Required annual audit of firearms, controlled substances and monies held in evidence facilities.*** Annually, or more often at the direction of a supervisor, the evidence custodian will deliver to the Commander an audit of all firearms, controlled substances and monies held in the evidence facility (including those temporarily out of the facility for laboratory examination or court). The Commander will direct the employee responsible for each item placed in the evidence facility to review the items stored and to direct the disposal of items no longer needed for investigative purposes, or that have been held for the minimum time outlined in AS 12.36.030-040.

202.380 RETURN OR DISPOSAL OF PROPERTY

A. ***Knowledge of Statute.*** The Evidence Custodian and the Alternate Custodian are responsible for being knowledgeable of Alaska Statutes, as they relate to the disposal of property by the Department including but not limited to AS 12.36 and AS 34.45.

B. ***Release of Evidence.*** Release of property stored as evidence requires the written notice from the employee responsible for the property. This written notice will reflect the incident number, items to be released, the name of the employee who submitted the evidence, and the name and contact information of the person(s) who may receive the property. The employee responsible for the property will indicate this information in ARMS. The evidence custodian is responsible for contacting the owner or other responsible party and arranging the return of the property.

C. ***Release of found property or property stored for safekeeping.*** Release of property stored as found or for safekeeping, does not require notification from the employee submitting the property, except when the items are money or weapons. Release of money or weapons stored as found or for safekeeping requires written notice from the employee who submitted the property. The employee responsible for the property will indicate the name and contact information of the person(s) who may receive the property in ARMS.

D. ***Written notice by a supervisor.*** If an employee is no longer employed by the Department or is unavailable, the employee's supervisor may provide the Evidence Custodian with the written notice required in this section. The supervisor must take care to ensure it is permissible to release the property and that it is released to the proper person, as indicated in section B and C above.

E. ***The Evidence Custodian will complete data entry required for the release of property in ARMS when releasing property permanently out of DPS custody..*** The Evidence Custodian will always require a signature from the person receiving the property either in electronic form or on the AK Property Release Report available in ARMS when an item is no longer in the actual custody of the Department. If the Release Report is used, the form should be scanned and attached to the incident. When releasing property from Legacy APSIN cases, the custodian will require the receiver to sign the release portion on the original 12-210 Property Form.

F. ***Paperwork for surplus or destroyed property.*** When the Department destroys or surpluses property, the Evidence Custodian will update ARMS accordingly and scan and attach all supporting documents (e.g. Court Order, supplement, judgments, etc.) to the appropriate incident. When destroying or surplus items from a Legacy APSIN case, the Evidence Custodian will attach all supporting documents to the original 12-210 (e.g., Court Order, 12-202, supplement, citing the circumstances of disposition).

G. ***Prompt disposal of property.*** The Evidence Custodian is responsible for promptly returning or disposing of property that is no longer needed as evidence or that satisfies the requirements of AS 12.36 or AS 34.45. Property is not to accumulate beyond its required storage life. Employees will respond promptly to inquiries from the Evidence Custodian regarding disposition of property that they have stored. Evidence Custodians will not dispose of property stored as evidence in unsolved Unclassified or Class A felony crimes.

H. ***Destruction of property to be witnessed.*** Any destruction of property shall be witnessed by at least one person in addition to the custodian responsible for the property. In the case of drugs the second person will be a commissioned officer.

I. ***Disposal of ammunition.*** Ammunition held by the Department that is slated for disposal shall be destroyed locally. Each Detachment will establish written procedures for the

safe destruction of ammunition. Each evidence custodian and their supervisor shall be briefed on Detachment ammunition destruction procedures.

J. ***Disposal of firearms.*** Firearms slated for disposal will be transferred to DPS Procurement. Local destruction of firearms will not take place. All firearms, unless released to the owner, the owner's estate, or another agency, etc., will be disposed of through DPS Procurement.

When firearms placed in DPS evidence facilities by municipal or federal agencies are no longer needed for evidence they will be returned to an agent of that department who will be responsible for proper disposal.

1. Prior to the physical transfer of seized firearms to DPS Procurement the evidence custodian shall re-check the firearm against APSIN/NCIC stolen weapon files. If new information regarding the firearm is discovered (e.g., it is now listed as stolen) the original case officer or evidence facility supervisor will be notified and the firearm will not be transferred to Procurement without further investigation.
2. Firearms transferred to DPS Procurement will be accompanied by an Intra-Department Transfer of Property form (12-1001) showing the complete description of the weapon, the serial number (if any), and the original case number/item number or incident number/property number.
3. The evidence facility will retain a copy of the Intra-Department Transfer of Property form (12-1001) to scan and attach to the incident in ARMS or with the original 12-210 when it is a Legacy APSIN case. These records shall be retained and processed in the same manner as those for other property.

202.390 SEIZURE AND DISPOSITION OF PROPERTY RECOVERED FROM PAWN SHOPS

It is the position of the Department of Public Safety that stolen property located at pawn shops will be legally obtained, utilized for the detection and prosecution of criminal defendants, retained until ownership disputes can be resolved and then released in a manner consistent with legal standards.

The following guidelines have been established and shall be utilized when stolen property is located within pawnshops in the State of Alaska:

A. ***Limitations on the seizure of pawned property.*** No property shall be seized from pawnshops unless it is planned that it will be used as evidence in a case for presentation to a prosecutor.

A search warrant will not be required for seizure of pawned property except when the ownership of the property in question is disputed.

Nevertheless, officers may seize property from a pawn shop based upon a written waiver of search signed by either the owner of the pawn shop, an officer of a corporation operating the pawn shop, or the on-site business manager of the pawn shop. If the pawn shop refuses to provide the property in question, and ask for a search warrant, Officers shall write a search warrant for the property.

B. ***Receipts for property seized under 202.390 A.*** When property is seized from a pawnshop under any of the exceptions to the search warrant requirement listed in 202.390 (A), an officer will provide the pawnshop employee with a properly completed Alaska State Trooper Receipt for Property 12-273. A copy of the 12-273 shall be attached to the ARMS case report.

C. ***Establishing pawnshop claims to property.*** Within ten (10) calendar days following the seizure of property from a pawn shop, or following receipt of the property from another police agency which obtained the property from a pawn shop, the Pawn Shop Notice of Property Seizure and Declaration of Intent form shall be hand delivered to the pawn shop to establish whether the pawn shop intends to assert a claim to the seized property (copies of cover letter and intent form are appended to this chapter). A copy of the form shall be attached to the report.

D. ***Disposal of property where pawnshop waives its rights to seized property.*** If a pawn shop waives its rights to the seized property on the Pawn Shop Notice of Property Seizure and Declaration of Intent, and all evidentiary use of the seized property has been concluded, the property may be released to the former owner of record, an insurance company, or as directed by the court, or a statute, regulation or procedure.

E. ***Disposal of property where pawnshop does not waive its rights to seized property.*** The Department of Public Safety shall not release property seized from a pawnshop to anyone other than the pawn shop without prior notice to the pawn shop and judicial action adjudicating the pawn shop's interest in the property.

If the Department determines that property seized from a pawnshop will not be used as evidence in a prosecution, or that its evidentiary value is ended after use in a prosecution (case concluded through verdict with no appeal, entry of plea, dismissal, etc.) the state shall within 90 days of such determination either:

1. Return the property to the pawnshop;
2. Initiate a judicial proceeding affording the pawn shop due process which leads to a judicial order for the disposition of the property; or
3. Retain the property while other persons claiming an interest in the property pursue a legal action to determine disposition of the property.

   If a pawnshop does not waive its rights to seized property and all evidentiary use of the property has been concluded, the District Attorney/Attorney General's Office representing the local area shall be contacted to determine whether legal action should be initiated to resolve claims to the property. In any case, officers shall follow AS 08.76.390:

4. A pledger or seller of property to a pawn broker is liable to the pawnbroker for the full amount that the pledger or seller received from the pawnbroker, all charges owed by the pledger for the pawnbroker transaction, and attorney fees and other costs as allowed by the rules of the course, in an action under AS 08.76.380, that is;

   a. The superior court determines that the pledger or seller misappropriated the property from the claimant;

b. The superior court orders the pawnbroker to return the property to the claimant.

F. ***Periodic notice to pawnshop concerning the status of seized property.*** In the event that property seized from a pawn shop has not been returned or become the subject of a judicial disposition proceeding within 180 days after its seizure, the Department of Public Safety will send a 180-Day Pawn Shop Notice of Seized Property Status form to the pawn shop by certified mail indicating the status of the property and the reasons for its continued retention. A similar communication shall be sent to the pawnshop every subsequent 180 days until the property is returned or becomes the subject of a judicial disposition proceeding. A copy of the form and the returned certified mail receipts shall be attached to the 12-210 on file in the Evidence Facility.

202.400 TRANSFER OF FIREARMS TO THE DPS PROCUREMENT OFFICE

A. ***Requirements for acceptance of firearms transferred to the Procurement Office.*** The Firearms Property Custodian, Firearms Property Custodian Alternate, or approved designee can accept firearms from DPS units and from other State agencies. All firearms transferred to Procurement will be cleared and will not contain or be accompanied by any ammunition. The documentation required is determined by the source of the firearm:

1. DPS Owned Firearms: must be accompanied by an Intra-Department Transfer of Property – Firearms Form – Link to Form.
2. State Owned Firearms from other State Agencies: must be accompanied by a State of Alaska Controlled Property Form (Inter-Departmental Transfer) – Link to Form.
3. Confiscated, Forfeited, and Unclaimed Firearms: must be accompanied by an Intra-Department Transfer of Property – Firearms Form – Link to Form. Note: The "IRIS #" does not need to be completed on the Intra-Department Transfer of Property – Firearms Form
4. Firearms that cannot be unloaded due to damage to the firearm, corrosion or some other factor must be clearly labeled as "loaded." At the time of transfer, it must be communicated to the Firearms Property Custodian, Firearms Property Custodian Alternate, or approved designee if any firearms are loaded.

B. ***Hours of operation for transferring firearms to the Procurement Office.*** The Procurement Office requires 48 hours advance notice before the transfer of firearms to the Procurement Office. Firearms will be accepted during regular business hours. Request for transfers, questions regarding required documentation, and times for turn in can be directed to DPS.supply.orders@alaska.gov.

ATTACHMENTS

Evidence Facility Inspection Report – Link to Form

Evidence Inventory Report – Link to Form

Record of Evidence Custodian Assignment – Link to Form

Firearm and Ammunition Delivery Form – Link to Form

Pawn Shop Notice of Property Seizure and Declaration of Intent – Link to Form

180-Day Pawn Shop Notice of Seized Property Status – Link to Form

Scientific Crime Detection Laboratory – Link to Website

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 203	**TRAFFIC ENFORCEMENT**		
	Effective:	08/05/2015	**Commissioner Approval:**
	Authorities:	AS 12.25.190; AS 28.35.035; AS 28.35.031; AS 28.35.080; AS 28.35.030; 13 AAC 04.223	
	Applicability:	**OFFICERS**	
	Special Instructions:		

203.100 INTRODUCTION

The safe and orderly movement of vehicles on the highways of the State of Alaska is a prime concern of the Department of Public Safety. Each year Alaska's highways are the scene of too many serious injury and fatal collisions. Enforcement of the traffic laws is not only a valuable tool in providing for the safety of the motoring public and in reducing the number of those collisions, it assists in identifying other public safety and criminal conduct on Alaska's highways.

203.300 ADMINISTRATION OF TRAFFIC ENFORCEMENT

A. ***AST Commanders to manage traffic enforcement***. AST Commanders will analyze accident trends and traffic enforcement efforts in their detachment, and based upon this analysis they will develop enforcement plans designed to increase traffic safety on the highways in their detachments.

B. ***Detachment Radar Coordinator.*** Commanders will appoint an employee, commissioned or non-commissioned, to be the Detachment Radar Coordinator. Commanders may also appoint an alternate if they feel such a person is needed. The Detachment Radar Coordinator is responsible for coordinating the certification and repair of the radar units assigned to the Detachment with the certification and repair agency. The Detachment Radar Coordinator will maintain the certification and repair files of the radar units assigned to the Detachment. Detachment Radar Coordinator will also coordinate the certification and re-certification of the Detachment's employees with the Training Academy.

203.310 ISSUING WARNINGS

Verbal warnings play an important role in the Departments overall traffic management plan. When it is deemed appropriate, a verbal warning may be given in lieu of a formal citation. Verbal warnings will be entered accurately on daily payroll reports.

203.320 ALASKA UNIFORM CITATION (AUC)

An Alaska Uniform Citation may be used to cite for a misdemeanor, minor offense, or minor consuming. For service to be valid, the time specified in the notice to appear shall be at least five working days but not more than thirty days of the date of the offense. The person cited shall accept at least one copy of the written citation prepared by the Trooper. [Ref AS 12.25.180-190] (See OPM 223)

203.330 TRAFFIC STOPS

A. ***Traffic stops will be made safely.*** All traffic stops will be made in a manner that minimizes traffic disruption and avoids creating dangers for other traffic. Emergency vehicle operation will be conducted within compliance of Chapter 104.

B. ***Troopers to make appropriate driver and vehicle checks.*** As appropriate to the circumstances of the traffic contact, Troopers are responsible for checking drivers for warrants and license status; vehicles for proper registration, VIN, and stolen status. When practical, these checks shall include both APSIN and NCIC.

C. ***Troopers will not advise violators how to plea to the citation.*** Violators shall be advised that they must respond to the citation and what their options are. Violators will not be coerced, threatened, intimidated, encouraged or discouraged to take a particular option. This includes suggesting that if the violator contests the citation the citation will be amended to another violation.

D. ***Troopers will not accept fines for violations.*** Under no circumstances will Troopers accept payment of bail by violators cited for traffic infractions. This includes offers to mail or otherwise convey the bail to the court. (See OPM Chapter 204.320 regarding accepting traffic warrant bail.)

203.340 TRAFFIC RADAR OPERATION

A. ***Troopers must be certified prior to issuing citations based on radar***. Prior to using traffic radar for enforcement a Trooper shall complete the prescribed training course, complete a practical examination, and pass a written test to obtain a radar certification. Without current certification, a Trooper may not issue a radar supported AUC. Radar certifications are non-expiring; however, a Trooper who has not used radar/lidar for regular traffic enforcement for more than one year shall complete re-certification training.

B. ***Radar/Lidar units and tuning forks to be certified***. Radar tuning forks must be certified annually by the SOA DOT Metrology lab to verify their working condition. Radar units are factory certified at the time of purchase. Radar units do not require further certification unless the unit appears to be malfunctioning. Lidar units must be certified annually by the SOA DOT Metrology lab to verify their working condition. All elements of a Lidar unit must be submitted, including the head unit, batteries, charger and/or A/C power cord. The Detachment Radar Coordinator is responsible for seeing that annual tuning fork and Lidar certification is accomplished. The SOA DOT Metrology lab recommends tuning forks be shipped to the lab via USPS in a small flat rate box to protect the forks during transportation. **Address:** *State of Alaska Metrology Lab, 12050 Industry Way, Suite 0-6, Anchorage AK 99515*.

C. ***Troopers must review the instruction manual***. Prior to use, Troopers must review the instruction manual for the model radar/lidar unit assigned to them or that they are using.

D. ***Positioning of radar antenna***. Radar antennas shall be mounted and positioned as directed by the manufacturer, and as directed in DPS radar training.

E. ***Operation of traffic radar***. Traffic citations supported by radar will not be issued except when the auto-lock function is disengaged; any alarm is disabled (or speed set to 99 mph); visual speed estimation and identification of the violator was made prior to verification of speed by the radar unit; the operator was able to recognize a valid Doppler tone from the radar; and, if the radar is being operated in moving mode, that the patrol speed indicated by the radar was verified against the vehicle speedometer.

F. ***Malfunctioning radar/lidar will be taken out of service***. Any radar/lidar found to be responding improperly must be immediately taken out of service and written notification made to the Detachment Radar Supervisor detailing the specifics of the malfunction.

G. ***Malfunctioning speedometer will be repaired***. When operating radar in moving mode, Troopers shall compare the speed shown by the radar unit with the speedometer. If a deviation greater than +/- 3 mph is observed the Trooper shall arrange for the speedometer to be checked against another radar unit and for its repair if the deviation is confirmed. No citations will be issued based upon radar in moving mode when in a vehicle with a faulty speedometer.

203.350 DRIVING WHILE UNDER THE INFLUENCE ENFORCEMENT

A. ***Field sobriety tests must always be offered to DUI suspects***. Whenever practical, Troopers will offer field sobriety tests to DUI suspects. However, Troopers will consider the location; the suspect's condition; and the safety of the Trooper, the suspect, and passing traffic when deciding when and where to conduct field sobriety tests.

B. ***Troopers will be certified prior to conducting breath testing***. Only Troopers currently certified in the operation of the breath-testing instrument being used will conduct the breath testing of a DUI suspect.

C. ***Attorney contact with the suspect***. If during the observation period prior to administering the breath test the suspect requests to contact an attorney, reasonable efforts will be made to contact the attorney. All recording devices will be turned off during their conversation. If the suspect cannot be observed and be given privacy—e.g. a room with a large window—the attorney will be advised of that fact prior to giving the phone to the suspect. Any conversation between the attorney and the suspect that is overheard cannot be used against the suspect.

D. ***Administration of a chemical test of blood or breath without consent***. AS 28.35.035 authorizes a Trooper to administer a chemical test of blood or breath to determine blood alcohol content, without the persons consent, under specific circumstances. Arrangements shall be made with a local medical facility establishing procedures and paper work requirements for taking a sample of blood, prior to the need for such a procedure. Procedures shall also be established regarding where the sample will be tested. A second tube of the blood sample, drawn at the same time, shall be maintained as evidence to allow the defendant to have the sample independently tested at a later date.

203.360 PORTABLE BREATH TESTS (PBT)

A. ***Offering test***. PBT to be offered only after field sobriety tests are completed. In those locations where the PBT is used it will be the last test offered to the driver in the field. Troopers will not offer the suspect a PBT and make the decision to arrest or not to arrest the suspect absent other evidence of intoxication.

B. ***Prerequisites for requiring a driver to take a PBT.*** Only drivers contacted for moving violations, as the result of a motor vehicle collision, or for operating a motor vehicle with an open alcoholic container will be required to give a sample of their breath. (In those cases where the driver refuses to give a breath sample, an AUC will be issued for "Failure to take a preliminary breath test". [Ref AS 28.35.031(b)]

C. ***Required advisement***. Prior to offering the PBT, the driver must be advised that refusal to take the test may be used against him/her in a civil or criminal action arising out of the incident and that a refusal is an infraction.

D. ***Refusal is not an offense for which an arrest can be made***. If the driver refuses to give a PBT breath sample, issue an AUC for "failure to take a preliminary breath test." A driver cannot be arrested for refusing this test. [Ref AS 28.35.031(b)]

E. ***Discourage driving***. Non-arrested drivers who test higher than "0.05" will be discouraged from driving. If a Trooper, after administering field sobriety tests and a PBT, which indicates a blood alcohol level between .05 and .08, determines that a driver will not be arrested shall strongly discourage the driver from operating a motor vehicle. The Trooper may allow the driver to make other transportation arrangements and may facilitate these as appropriate.

F. ***PBT results on citation***. PBT results will be placed on the citation. If the driver submitted to a PBT but was not arrested, the result will be noted on the copy of any AUC that is issued as a result of the contact.

G. ***PBT results in case report***. The results of any PBT will be reflected in the case report. Any time a PBT is used in the investigation of an incident for which a case report is completed, the results and the time of the test will be included in the report.

203.370 SEAT BELTS AND CHILD RESTRAINTS

A. ***Seat belt and child restraint citations.*** It is the policy of the Department that unless extenuating circumstances exist, citations for failure to use seat belts or child restraints will be issued whenever Troopers observe violations or determines through investigation that violations occurred.

B. ***Belt and child restraint citations at motor vehicle crashes.*** Motor vehicle crashes qualify as a primary reason for contact and therefore citations for failure to wear seat belts or child restraints may be issued at crashes in compliance with 203.380 A.

203.380 MOTOR VEHICLE CRASH INVESTIGATION

A. ***Response to reported accidents.*** Whenever possible a DPS Trooper will respond to every motor vehicle crash reported for the purpose of determining whether the crash qualifies for investigation.

B. ***When crash reports are mandatory.*** Troopers will complete a motor vehicle crash report on every crash occurring on public highways where there is an injury or fatality, major damage making any vehicle inoperable, significant damage to buildings or traffic control equipment, or a person is charged with a criminal traffic violation as a result of the crash.

C. Nothing in this subsection prohibits the preparation of crash reports in cases not meeting these mandatory-reporting requirements.

D. ***When crash reports will not be prepared.*** Motor vehicle crashes occurring on private property will not be investigated unless they involve a fatality, an injury requiring medical attention, or a criminal traffic offense.

E. ***Participant's crash report.*** Drivers of vehicles involved in crashes reported to the Department in compliance with AS 28.35.080, but not investigated, will be instructed to complete a participant's crash report within 48 hours of the accident. This form [12-209] can be found on-line here.

F. ***Fatal crash reports to be sent to FARS within ten days.*** Copies of fatal crash reports [12-200 Motor Vehicle Collision Report] will be sent to the Fatal Accident Reporting System (FARS) representative via e-mail at Department of Transportation, Highway Safety Planning Office within ten days of the crash. If the report is incomplete a partial or draft report may be submitted. This e-mail should CC the employee's sergeant and lieutenant.

203.390 HAZARDOUS MATERIALS SPILL NOTIFICATION

The following guidelines will be followed while investigating motor vehicle collision and other incidents in which oil, gasoline, or other hazardous materials are spilled.

A. ***Automotive product spills of 10 gallons or less.*** Spills of oil, gasoline, anti-freeze, gear lube, diesel, or other fluids normally associated with motor vehicles, in a quantity estimated to be ten (10) gallons or less that have not drained away from the road right-of-way and do not threaten to enter any water or drainage system, should be removed by the responding tow truck operator. If no tow truck is utilized, a person designated by the spiller must remove the material. If the person responsible for the spill is unable or unwilling to remove the material, the Department of Environmental Conservation (DEC) must be contacted for removal. DEC will bill the responsible party.

B. ***Notification to DOT if roadway damaged or blocked.*** In cases where the roadway needs immediate attention before reopening and other sources are not readily available, the Department of Transportation (DOT) may be notified. If the DOT is utilized, the investigating Trooper must furnish the name and address of the spiller to the Superintendent of the DOT District Maintenance and Operations office responsible for that area.

C. ***Notification to DEC of large spills or spills into waters.*** The Alaska DEC will be requested to respond to the scene of all major hazardous material spills such as tank truck collision, leaking rail tank cars, etc. When spills of hazardous materials in any amount are estimated to be in excess of ten (10) gallons or in which any water system or drainage is threatened, the investigating Trooper shall immediately furnish AST Dispatch with the following information to be passed onto the DEC:

1. Location, estimated size, and type of material involved in the spill;
2. Information as to type of water system or drain system threatened by spilled material; and,
3. Name, address, and telephone number of individual or company responsible for the spill.

203.400 REIMBURSEMENT FOR DUI INVOLVED CRASH RESPONSE

The Department will seek reimbursement (authorized under AS 28.35.030 (m)) for costs incurred in responding to motor vehicle crashes caused by persons subsequently charged with DUI. Other EMS services may also be authorized to obtain reimbursement; however, DPS will not include their costs in any requests. The other agency is able to request reimbursement as authorized by law.

A. ***Crashes to be reported for reimbursement.*** For the purposes of this section all crashes reportable under OPM 203.390 B plus similar crashes occurring on private property are to be reported for reimbursement.

B. ***Troopers will report time responding to DUI involved collision in OARS.*** Troopers will report in OARS as activity code MVDUI the elapsed time from when they are dispatched to a DUI involved crash to the time they clear the scene of the crash.

C. ***Troopers will include cost statement in reports.*** If a person is charged with DUI, and his/her actions contributed to a motor vehicle crash, the investigating Trooper will note in the last paragraph of the synopsis of the investigative report a statement in the following form:

> "Based on my investigation, the defendant's actions contributed to a motor vehicle accident. Per AS 28.35.030(m), upon conviction the court shall order the defendant to pay the Department of Public Safety $ (*dollar amount) for their emergency response to the scene of the motor vehicle accident. This represents the average cost per incident for response by DPS during the previous year."

D. *The Trooper shall modify the sample statement with the annual cost estimate computed by AST (see OPM 203.410 E) as appropriate. See link to annual cost calculation.

E. ***Payment to be made through Courts.*** Any court ordered payments under this statute shall be made through the Court System. Persons appearing at DPS facilities and wishing to make such payments should be directed to make their payments through the Court.

F. ***Division of AST to compute cost annually.*** The Division of AST shall compute the average cost of response to DUI involved motor vehicle crashes by January 15th of each year and make this information available to all divisions who are responsible for investigating motor vehicle crashes.

203.410 TINTED WINDOWS

A. ***Medical certificates accepted.*** A medical certificate issued by a physician licensed to practice in this state, any other state, or province of Canada will satisfy the requirements of 13 AAC 04.223 (c)(2).

B. ***Vehicles temporarily in state not to be cited.*** Vehicles that are not registered in the State of Alaska and are in Alaska only temporarily will not be cited for violation of 13 AAC 04.223.

C. ***New residents to be advised of law.*** Drivers of vehicles that are not registered in the State of Alaska who indicate that they intend on becoming a resident of the State will be advised of the provisions of 13 AAC 04.223.

203.420 COMMERCIAL VEHICLE ENFORCEMENT (CVE)

A. ***Alaska State Troopers (AST) and Bureau of Highway Patrol (BHP)***. The AST/BHP can assist the Alaska Department of Transportation & Public Facilities / Measurement Standards and Commercial Vehicle Enforcement (DOT&PF/MSCVE) in conducting or coordinating commercial vehicle inspections, and assist in secondary size and weight enforcement activity statewide, when requested and as resources are available. The AST/BHP will be the secondary agency to DOT&PF/MSCVE regarding these activities.

B. ***DOT&PF Funding for AST & BHP Activities.*** The DOT&PF periodically provides funding to AST/BHP; which may cover overtime hours, lodging, and per diem expenses. Any AST/BHP involvement in commercial vehicle enforcement and/or response to commercial vehicle injury and fatality crashes should be pre-approved by Detachment Command staff, in collaboration with BHP Command, to identify which expenses may be covered under this supplemental funding. BHP should be notified of the ARMS incident number, name of the trooper(s) involved in the investigation, and the date/times worked identifying the overtime hours accrued.

C. ***Assistance in investigating commercial vehicle crashes***. A DOT&PF CVE inspector may be sent to the scene of a commercial vehicle crash or other location to assist in the technical examination of the commercial vehicle(s) involved in the crash. In the absence of a CVE inspector, a trooper or BHP commissioned member may participate in the investigation, provided involvement is authorized by the Detachment Command and/or BHP Command.

D. ***The Commercial Motor Vehicle Accident Supplement.*** The commercial vehicle crash supplement will be completed by the investigating trooper or CVE inspector, and attached to the incident in ARMS.

E. ***Inspection of commercial vehicles.*** Each detachment should utilize any available DOT&PF CVE inspector to conduct inspections of commercial vehicles. If a CVE inspector is not available,

AST/BHP troopers may be utilized to conduct the inspections, provided the inspecting trooper has been adequately trained in the discipline. Each trooper conducting an inspection will complete an Alaska Commercial Driver/Vehicle Inspection Report and attach it to a dedicated ARMS incident. If the inspection is to occur during the inspecting trooper's overtime hours, notification shall be made to the Detachment Command to seek authorization in collaboration with BHP Command.

F. ***Weighing of commercial vehicles***. Troopers who weigh commercial vehicles will complete a CVE weigh record, and attach the document(s) to a dedicated ARMS incident.

G. ***Placing a commercial vehicle out of service***. Troopers who place a commercial vehicle out of service will complete an "Out of Service Sticker" and attach the sticker to the out-of-service vehicle.

H. ***Citing the driver of a commercial vehicle transporting hazardous materials***. Troopers who cite the driver of a commercial vehicle hauling hazardous materials for a moving violation will specifically note on the citation that the violator was operating a commercial vehicle transporting hazardous materials. The citation will also indicate a mandatory court appearance.

I. ***Notification of Crashes involving commercial vehicles.*** AST/BHP has the primary responsibility to investigate crashes involving commercial vehicles. Detachment Command staff should notify the BHP Command staff as soon as possible of all serious injury or fatality crashes involving commercial vehicles. The Detachment and BHP Command members will develop an appropriate response plan for the incident.

203.430 TRAFFIC ENFORCEMENT BY NON-PATROL OFFICERS

Aggressive enforcement of traffic regulations is the primary tool of the Department in improving safety on the state's highways. All departmental officers, with the exception of those whose primary duties would be compromised, are expected to engage in traffic enforcement. Non-uniformed Troopers are expected to take traffic enforcement actions while traveling in appropriately equipped vehicles during the course of their duties and shall participate in special patrol efforts when scheduled to do so.

203.440 VEHICLE BASED DIGITAL VIDEO SYSTEMS

A. ***Vehicle video to be wired to emergency lights.*** Videos mounted in patrol vehicles will be hot-wired to the emergency lights as provided for in the unit assembly.

B. ***Vehicle video to be used for all traffic stops.*** When a video system is installed and operational and the Trooper is properly trained, it will be utilized for all traffic stops. The power switch will be in the "auto" position so as to activate the video when the emergency lights are activated. This does not preclude the Trooper from activating the video prior to the emergency lights should he/she desire to start the recording earlier.

C. ***Storage and reuse of recordings.*** Recordings shall be removed from the digital hard drive and placed into the DPS storage system where it will be retained in accordance with departmental protocol based on the evidentiary value or other conditions.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 204	**WARRANTS**	
	Effective: 10/03/2019	**Commissioner Approval:** AP
	Authorities: AS 12.70.130	
	Applicability: OFFICERS	
	Special Instructions: APSIN Training Guide, NCIC Operating Manual, ARMS Resource Guide	

204.100 INTRODUCTION

This chapter applies to the administration and service of warrants ordering the arrest or seizure of persons. These include arrest warrants, parole warrants, bench warrants, "traffic" warrants, Governor's warrants, and other similar orders. Not covered by this section are search warrants or similar orders.

204.300 ACTIONS UPON SERVICE OF WARRANT BY OFFICER

A. ***Notice to agency holding warrant required.*** After a person is arrested on a warrant, it is the responsibility of the arresting officer to ensure notification is made to the agency responsible for entering the warrant into APSIN and NCIC. This notification shall be made by APSIN message and/or NCIC transaction. A record of the transmissions shall be placed in the ARMS incident.

B. ***Return of warrant to court required.*** After service of a warrant issued by an Alaska Court, the arresting officer must ensure a return of service is made to the arraigning court; the officer may coordinate with administrative staff to assist in sending the return of service to the arraigning court. The return of service must be completed and also returned to the originating court of the warrant.

204.310 ADMINISTRATIVE CONTROL OF WARRANTS

A. ***Commanders responsible for control of warrants.*** The Commander is responsible for the accurate control of all warrants held by posts and units within the detachment. This responsibility extends to the entry (into APSIN, NCIC, and ARMS), audit/validation, and return of these warrants under control of the detachment.

B. ***Filing of warrants.*** Each post holding warrants will enter all warrants into APSIN, NCIC, and ARMS. Entry of these warrants will be completed as prescribed in the APSIN Training Guide, NCIC Operating Manual, and ARMS Resource Guide.

C. ***Served warrants to be immediately removed from APSIN, NCIC, and ARMS.*** When a warrant held by the department is served within Alaska by an officer, or notification is received that the warrant has been served in another Alaska jurisdiction, any APSIN and NCIC entries for that specific warrant must be immediately removed and the record updated in ARMS. Written/electronic notification (APSIN/Nlets Administrative Message, TWIX, facsimile, etc.) will

be immediately sent to the Post or Detachment holding the original warrant listing the warrant number, whom it was served by, and the date, time, and location of service.

When a wanted person is arrested outside the State of Alaska as a "fugitive from justice" based upon an Alaska warrant, the Alaska warrant must be removed from NCIC by the originating agency when the agency is officially advised the wanted person is in the custody of the outside agency, unless the person is held on local charges.

If the subject is going to be held on local charges by the arresting agency, an NCIC Detainer message must be entered against the Located Warrant in NCIC (see APSIN Training Guide). The Detainer keeps the warrant active in NCIC until the person is extradited/returned to Alaska and the originating agency removes the warrant record. Upon the wanted person's return to Alaska, the APSIN/NCIC warrant entry shall be cleared and the record updated in ARMS.

D. ***Monthly warrant audit/validation required.*** A monthly audit of outstanding warrants entered in APSIN and NCIC is required for all posts holding arrest warrants. Each month a notification will be sent to each detachments' assigned Terminal Agency Coordinator (TAC) showing a portion of the warrants active in APSIN and NCIC that need to be validated. Every warrant will need to be validated annually, and the monthly notifications include a listing of roughly 1/12 of all active warrants for the detachment.

The warrants due for validation each month must be compared to the ARMS warrant incident to verify a warrant is still valid and accurate; validation includes contact with the Court to ensure the warrant has not been recalled, quashed, etc. and with the District Attorney for extraditable warrants to verify extradition is still approved. If warrant entries are no longer valid, they must be immediately removed from APSIN and NCIC and updated in ARMS accordingly. Similarly, if ARMS warrant incidents are discovered without APSIN and NCIC entries, then such entries must be created. Upon completion of the warrant validations, the TAC must return the validation certification to the CJIS unit or complete the certification through the CJIS Validation application.

204.330 RETURN OF WANTED PERSONS TO ALASKA

A. ***Protocol when notified of apprehension of Alaska fugitive out-of-state.*** When an out-of-state police agency notifies DPS of the apprehension of a fugitive from Alaska entered in NCIC, the originating agency will:

1. Confirm that the warrant is still outstanding with the post or detachment initiating the original ARMS warrant incident;
2. If a pre-approval for extradition from the local District Attorney is attached to the ARMS warrant incident, the arresting agency may be advised that Alaska will extradite (pre-approval for extradition is required and must be obtained prior to entering the warrant into NCIC as extraditable);
3. Contact the police agency in the jurisdiction the fugitive is located and provide them the information necessary to file a fugitive from justice complaint.

B. ***Defendant does not waive extradition***. If a defendant in custody out-of-state declines to waive extradition, DPS will, as soon as possible, obtain certified copies of the Alaska warrant; Complaint or Indictment; photograph; and fingerprints, if available, and forward them to the police agency in the jurisdiction where the fugitive is located. Formal extradition procedures in OPM 204.340 shall be initiated.

C. ***Defendant waives extradition***. When an outside agency notifies Alaska the fugitive is in custody and has waived formal extradition, determine from them what paperwork the transporting officer(s) in their particular jurisdiction is needed. If more than the warrant is required, contact the District Attorney's Office so that they can prepare the required documentation.

1. Forward one copy of the warrant and any additional required paperwork to the officer who is designated to transport the fugitive back to Alaska.
2. Notify the out-of-state agency holding the fugitive of the Alaska agent's name and his/her estimated time of arrival to take custody of the fugitive.
3. Notify the DPS Prisoner Travel Desk of the pending prisoner pickup to allow for coordination of the transport with scheduled officer travel.

D. ***Confirmation that defendant is ready for pick-up***. When an outside agency advises a fugitive is ready for pick-up and transportation back to Alaska, confirmation of the information must be received via reliable means before making transportation or escort arrangements.

204.340 FORMAL EXTRADITION PROTOCOL

A. ***District Attorney prepares Application for Requisition***. When notified by an agency holding a fugitive from Alaska that the fugitive refuses to waive extradition, DPS will notify the District Attorney. The District Attorney's Office will prepare an Application for Requisition, which is sent to the Attorney General along with four certified and exemplified copies of the warrant/complaint or indictment, fingerprints, and photographs.

B. ***Completion of other paperwork by Attorney General***. The Attorney General (or in some cases the District Attorney) will:

1. Prepare an Agent's Return, Requisition, and Agent's Commission;
2. Obtain the Governor's signature and seal on all copies of the Requisition and Agent's Commission;
3. Obtain the Governor's endorsement of the complaint/indictment; and
4. Forward them as required to DPS and the state holding the fugitive.

C. ***Documents returned to DPS***. After the Governor of Alaska has issued the Agent's Commission and the Agent's Return to the Commissioner of Public Safety, they will be forwarded to the post or detachment initiating the original ARMS warrant incident.

D. ***Service of Governor's Warrant and transport of defendant.*** Upon receipt of the Governor's Requisition the holding State will issue a Governor's Warrant which will be served on the fugitive pending return to Alaska by Alaska's agent.

Unless specifically instructed to do otherwise, an agent shall not leave Alaska to return a fugitive without the original of the Agent's Commission and Agent's Return. Also, issuance of Governor's Warrant by the holding State does not mean the fugitive can be immediately returned to Alaska. A fugitive may contest the legality of the extradition and/or deny being wanted, in which case, hearings must be held in the holding state before the fugitive can be returned.

The holding State's District Attorney will usually keep the Alaska District Attorney advised. However, DPS will maintain close contact with the holding agency to prevent unnecessary trips, and to ensure the fugitive is not released due to expiration of the time limit for detention.

204.350 UNLAWFUL FLIGHT TO AVOID PROSECUTION WARRANT

When a wanted person with an outstanding warrant is most likely not in Alaska but whose location is unknown, a federal Unlawful Flight To Avoid Prosecution Warrant (UFAP) may be obtained from the local FBI through the local District Attorney's Office.

204.360 ARREST OF FUGITIVES FROM OTHER STATES

A. ***Arrest of fugitives from other states.*** A fugitive from another State can be arrested and held by this State when either a Fugitive From Justice or Governor's Warrant is issued by this state; however, if an outside agency contacts DPS and advises the fugitive is wanted on a serious felony charge and the matter is timely, the person can be taken into custody prior to securing a Fugitive From Justice Warrant from the District Attorney. [Ref AS 12.70.130]

It is mandatory for the out-of-state requesting agency to provide enough information for the fugitive complaint to be drawn up by either the District Attorney or DPS. They must also immediately forward certified copies of their warrant and complaint, or indictment, photographs, and fingerprints to the DPS office handling the case.

B. ***Arrests based upon NCIC "hits."*** When a possible "hit" is made on an NCIC check, the NCIC record will contain various demographic information such as the suspect's name, sex, race, place of birth, DOB, weight, height, hair and eye color, social security number, miscellaneous identification numbers, and the name of the originating agency/department, city, and state issuing the warrant. If after reviewing this information, the officer believes the information in the NCIC “hit” matches the person being checked, the following procedures shall be followed:

1. Contact the originating/wanting agency and determine the current status of the warrant, and if extradition is authorized from Alaska; some warrants will be entered with extradition limitations listed in the warrant. The officer may not hold an individual while the officer checks on extradition. Extradition status is needed immediately. (NCIC policy requires the wanting agency to respond within

10 minute to a 'hit confirmation' request if no other charges are pending; the wanting agency must respond within one hour if new criminal charges are pending subsequent to the arrest.)

2. If the warrant is current, extradition is confirmed, and probable cause exists as to the identity of the suspect, the person may be arrested and incarcerated as a "Fugitive from Justice." Fugitive arrests are handled like any other warrant arrest. The subject is taken directly to jail, an ATN is assigned, and the remand is completed with the NIC number from the NCIC entry ("NIC/W") and bail amount as set by the original court.

C. ***Information required if extradition is authorized.*** If extradition from Alaska is authorized by the originating/wanting agency the following information shall be obtained:

1. Warrant number, date, charge, bail, and classification (misdemeanor or felony);
2. Any miscellaneous information, e.g., dangerous, escape risk, etc.;
3. Originating/wanting agency's extradition instructions; and
4. Name and rank/position of person contacted. (Required for filing the fugitive complaint.)

D. ***Documentation required from originating/wanting agency.*** Once an out-of-state fugitive has been identified, whether they are in custody or free pending completion of a Fugitive from Justice Complaint, advise the originating/wanting agency to immediately send a certified copy of the warrant, complaint, photograph(s), fingerprints, and written confirmation that they will extradite.

E. ***Preparation of Fugitive from Justice Complaint.*** No person will be arrested and held only on the basis of an NCIC "hit", certified copy of a warrant, complaint, or indictment from another state. When a fugitive has been arrested based upon any of these documents, the documentation shall be provided to the local District Attorney who will prepare a Fugitive from Justice Complaint and Warrant. (If a District Attorney is unavailable, the arresting officer must complete the Fugitive from Justice Warrant/Complaint.)

The arresting officer is to ensure that a Fugitive from Justice Complaint is filed with the nearest court.

In the probable cause paragraph of the Fugitive from Justice Complaint, note by what means the defendant was identified by the officer; e.g., driver's license photograph, name, defendant's statement, social security number, physical description, police photograph, or fingerprints.

The last paragraph of the complaint shall be: "This complaint and the arrest warrant issued in conjunction with it are filed seeking commitment of the accused to custody for a time that will enable the arrest of the accused to be made under a warrant of the Governor of the State of Alaska. Except as provisions of AS 12.70.160 may apply, the commitment sought shall be for no more than 30 days."

F. ***Documentation to be forwarded to Judicial Services.*** The arresting officer will forward a copy of the complaint, police report, and all computer messages to the Judicial Services office that will be handling the extradition.

G. ***DPS to keep requesting state advised.*** DPS will notify the requesting state's police of the custody status of the fugitive and whether or not formal extradition has been waived.

1. If extradition is not waived, the wanting state has 30 days from the arraignment date to provide a Requisition for Governor's Warrant to the Governor of Alaska.
2. AS 12.70.160 provides that if a Governor's Warrant is not obtained within the 30 day limit or where other justifiable delay is encountered, an extension of up to 60 days may be granted by a Superior or District Court Judge.

H. ***DPS to maintain extradition information in ARMS Incident.*** The DPS office handling the extradition of a fugitive from Alaska will update the ARMS warrant incident with all documentation related to the proceedings. The DPS office handling the extradition of a fugitive from another state will update the original Fugitive from Justice incident with all documentation related to the proceedings. An officer is expected to attend each hearing on the extradition and obtain a copy of the Fugitive from Justice Temporary order or the Waiver, if applicable, and any other documents as appropriate. All documents will be attached to the ARMS incident and the summary updated to show the final status of the extradition (for example: subject returned to Alaska on 01012019, extradition denied, etc.).

I. ***Extradition documents prepared by Attorney General.*** Generally, the Attorney General will prepare the Governor's Warrant, the Return to Governor's Warrant, and the Issuance of Governor's Warrant of Arrest; will obtain the Governor's signature and seal of office on the warrant; and route the completed documents to DPS for service.

J. ***Service of Governor's Warrant at arraignment.*** An original and a copy (both with a blue cover) of the Governor's Warrant of Arrest and the Certificate of Delivery of the Fugitive to Agent of the Demanding State shall be received from the Attorney General and taken to court by the arresting officer at the time set for arraignment on the Governor's Warrant. At the arraignment the following dispositions shall be made:

1. The original Governor's Warrant (with a blue cover) is given to the court;
2. The blue bound copy of the Governor's Warrant shall be signed by the Judge and retained by DPS; and
3. A photocopy copy of the Governor's Warrant shall be served upon the defendant.

K. ***Completion of Certificate of Delivery.*** When the requesting agency arrives to pick up the fugitive, a DPS officer shall complete and sign the upper portion of the Certificate of Delivery attached to the blue bound copy of the Governor's Warrant retained at arraignment, and the out-of-State officer shall complete and sign the bottom portion. A photocopy of the

Governor's Warrant and the Certificate of Delivery shall be given to the agent of the demanding State.

L. ***Return of Governor's Warrant.*** After pick up of the fugitive by the out-of-State agency the blue bound copy of the Governor's Warrant of Arrest and the completed Certificate of Delivery shall be returned to the local District Attorney's office.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 205	**COMMUNICABLE DISEASES**	
	Effective: 04/21/2011	**Commissioner Approval:**
	Authorities: 29 CFR 1910.1030; 8 AAC 61;	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: **See DPS BBPECP**	

205.100 INTRODUCTION

This department establishes internal protocol for dealing with bloodborne pathogens and communicable diseases that have potential to pose a serious threat to the well being of the employees of this department.

205.300 BLOODBORNE PATHOGENS CONTROL PLAN

The department shall comply with the United States Department of Labor, Occupational & Safety Administration (OSHA) bloodborne pathogen standards by developing, implementing, and adhering to an exposure control plan (BBPECP).

205.310 NOTIFYING PERSONS OF EXPOSURE TO COMMUNICABLE DISEASES

A. ***Officers will record names of persons giving first aid or contacting victims***. At any crime scene or accident where it is possible that non-department personnel (EMS workers, volunteers, or good Samaritans) will be exposed to bloodborne pathogens or other communicable diseases, the officer in charge of the case will record the name, address, and phone number of any person likely exposed to bloodborne pathogens in the case report.

This information may be recorded in the body of the report. Unless otherwise required by reporting procedures, these witnesses do not have to be listed on the case report.

B. ***The presence of communicable diseases will be reported***. The officer in charge of the case report will ensure that a timely follow-up is done with the hospital, lab, or pathologist to determine the presence of any infectious or communicable diseases; and if found, will notify all persons identified in 205.310 A of their possible exposure.

Notification of persons under this section will be noted in the case report.

205.320 POSTAL SHIPMENT OF CONTAMINATED ITEMS

Items contaminated with bloodborne pathogens (BBP), such as soiled uniforms, evidence clothing, blood samples, other bodily fluids, or any other contaminated objects may be shipped through the mail only if packaged and labeled in accordance with postal regulations. Packages for mailing contaminated items shall be prepared and labeled as follows:

1. Securely seal the BBP contaminated items inside a red plastic biohazard bag
2. Securely seal the first sealed bag inside a second biohazard bag.

3. Place the bags inside a sturdy cardboard box that is not likely to be crushed or broken open in normal shipment and handling.
4. Place appropriate paperwork inside the box.
5. Seal the box with tape over all folds and openings to create a closed and sealed container.
6. Address the box including a contact telephone number. Both the delivery and return addresses must be a physical address (no post office boxes).
7. Place at least one biohazard sticker on the box adjacent to the address.

It is recommended that the person who packed the box take it to the post office as the postal clerk may ask questions about the contents and packaging.

205.900 DEFINITIONS

Bloodborne pathogens – pathogenic microorganisms that are present in human blood and can cause disease in humans. The pathogens include Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

RESOURCES

The department shall utilize government authorities as resource guides to establish and update its exposure control plan. Such authorities are: Alaska Bloodborne Pathogens Guide and OSHA Bloodborne Pathogens.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 206	**PUBLIC INFORMATION AND PRESS RELATIONS**		
	Effective:	04/21/2011	**Commissioner Approval:**
	Authorities:	AS 47.12.030; AS 12.61.100-150; AS 40.25.122; AS 40.25.120 (6); AS 28.15.151; AS 40.25.110; 2 AAC 96.350; 2 AAC 96.335; AS 40.25.120 (a)	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	**PUBLIC RECORDS DISCLOSURE KEY**	

206.100 INTRODUCTION

The Department of Public Safety, by virtue of its mission and work, comes into possession of confidential information that is of great importance to the public generally as well as individual citizens. The purpose of this policy is to provide guidance regarding if, when, and/or how confidential information is to be released in order to meet the often competing goals of advising the general public as to the matters in which we are involved, assuring the integrity of investigations and prosecutions, and protecting against release of information prohibited by law.

206.300 DISCLOSURE OF INFORMATION - PENDING CRIMINAL CASE

A. ***Criminal Investigations/Warn of Public Danger.*** On occasion it may be necessary to disclose confidential information to facilitate a criminal investigation and/or assure public safety. Confidential information is to be disclosed in this context only by a Commander and only after consultation with the lead investigator and the local district attorney. The information to be disclosed shall be limited to that necessary to solicit assistance in obtaining evidence, warning of danger concerning the behavior of a person involved, when there is reason to believe that there exists the likelihood of substantial harm to an individual or to the public interest, and, if the suspect/accused has not been apprehended, information necessary to aid in apprehension of that person.

B. ***Media and Public Access to Crime/Investigation Scenes.*** Members of the media and public are not to be allowed access to non-public scenes of crimes and criminal investigations. The access is to be denied to protect the integrity of investigations as well as to protect the privacy interests of the owners, users, or occupants of the scene.

Members of the media and public are to be allowed to view, photograph, and video record public scenes of crimes and criminal investigations to the extent that the activity does not adversely affect our investigation.

Members of the media and public may be ordered to remain in certain places in order for all law enforcement to perform their legal duties. Orders issued to members of the media and public shall be clear and acknowledged prior to the taking of enforcement actions.

C. ***Arrests or Filing of Charges***. The disclosure of confidential information following an arrest or the filing of charges, and while criminal charges are pending may be made only by a Commander and only after consultation with the lead investigator and the local District Attorney.

1. In cases in which the defendant is 18 years of age or older or a juvenile is being prosecuted as an adult, the information to be disclosed will be limited to:
    a. Identifying the accused with name, age, occupation, and community of residence;
    b. The fact, time, and place of arrest;
    c. Identifying the charged offense(s);
    d. Identity of investigating/arresting law enforcement officials and the agencies for which they are employed; and
    e. The length of the investigation culminating in the arrest.
2. In cases in which the juvenile defendant is not being prosecuted as an adult, the information to be disclosed will be limited to:
    a. The fact, time, and place of arrest;
    b. Identity of investigating/arresting law enforcement officials and the agencies for which they are employed; and
    c. The length of the investigation culminating in the arrest.

D. ***Press Conferences***. As a general matter, press conferences will not be conducted since they present the greatest danger to adversely affect the prosecution of cases. Press conferences are to take place only upon obtaining the express advance approval of the Commissioner. Press releases are to be issued only after being reviewed and approved by Commanders.

206.310 DISCLOSURE OF INFORMATION – CRIMINAL CASE COMPLETE

Confidential information more readily can be disclosed once a criminal case has been completed at both the trial and appellate court levels. The law, however, precludes the disclosure of certain confidential information even at this stage. Disclosure of information is to be made only in accord with the referenced DPS Public Records Decision Key.

206.320 DISCLOSURE OF INFORMATION IN NON-CRIMINAL MATTERS

A. ***Identification of type.*** Care must be undertaken to not incorrectly or prematurely identify a matter as non-criminal. What may at first appear to be a non-criminal matter may turn out to be a criminal matter upon further investigation. Even in non-criminal matters, the law precludes the disclosure of certain confidential information. Disclosure of information is to be made only in accord with the referenced DPS Public Records Decision Key.

B. ***Press conference and release.*** Press conferences are to be conducted only upon obtaining the express advance approval of Commanders. Press releases are to be issued only after being reviewed and approved by Commanders.

206.330 DISCLOSURE OF INFORMATION OR DENIAL OF DISCLOSURE - STANDARDS

A. ***Timelines.*** Alaska Administrative Code dictate timelines associated with responding to requests for information and specific verbiage is required when a disclosure of information is denied in part or in full. Such denials include an appeal period for the requestor, which must be cited in the denial. The Commissioner may delegate his authority to deny requests for disclosure of information. Examples of denial letters are attached to this chapter.

B. ***Tracking and recording.*** Each office is required to track written requests for information and record the response provided.

C. ***Requirement to inform Commissioner's Office.*** Requests that are controversial, high profile or to which the State is party to litigation shall be brought to the attention of the Commissioner's Office for handling guidance.

206.340 INTERNAL ACTIONS

A. ***Public Information Office responsibility.*** The Public Information Office (PIO) shall inform the media of, and assist them in reporting Department activities and matters of public safety; assist local Detachments/Posts in any major event in which there is widespread news interest; and inform the Commissioner and Directors of events or activities that may affect the Department. PIO will assist in the preparation and presentation of special press releases on "soft" news items such as the acquisition of new equipment, anniversaries, promotions, training, and on those stories designed to encourage the public to assist in the solution of a crime or the recovery of missing persons or property.

B. ***Press releases to be sent to Anchorage e-mailed to the PIO dispatch web page.*** Press releases will be sent by e-mail to the DPS daily dispatch prior to 0100 hours of the following day.

C. ***PIO to maintain daily dispatch press release web pages.*** The DPS/PIO will manage and maintain the formatting of press releases in the daily dispatch web pages and make corrections as needed. Each page will begin with the following disclaimer: **"Any charges reported in these press releases are merely accusations and the defendant is presumed innocent until and unless proven guilty."** DPS/PIO is not responsible for checking the accuracy, grammar, or spelling of compiled releases.

D. ***PIO to be notified of major events***. Employees shall advise PIO immediately of major events of widespread news media or public interest. PIO shall receive regular briefings on continuing incidents or activities and will advise and update the media as necessary.

In the event of a major news story, (e.g., hostage situation, plane crash, officer involved shooting, prisoner escape, or other incident affecting the public) the Commander or his designee shall contact the PIO supervisor as soon as practical. PIO will assist in the rapid and orderly release of appropriate information to the public through the media.

E. ***Public appearances are encouraged.*** All personnel are encouraged to appear before schools, military, civic, sport, and other groups as representatives of the Department to promote respect and trust between the public and the Department. Such appearances must receive prior approval from the appropriate Commander or his designee, or immediate supervisor for non-AST or AWT employees.

RESOURCES

Request for information partial denial - Link to Example

Request for information full denial – Link to Example

2 AAC 96.335-350 – Link to Document

Recovery of Costs Incurred – Link to Document

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 207	**EMERGENCY CARE OF MENTAL HEALTH PATIENTS**		
	Effective:	04/21/2011	**Commissioner Approval:**
	Authorities:	AS 47.30; AS 11.05-81; AS 12.45; AS 47.37	
	Applicability:	**OFFICER**	
	Special Instructions:	Click here to enter text.	

207.100 INTRODUCTION

The department established the following policy in compliance with State law regarding the handling and care of the mentally disturbed.

207.300 DETENTION AND TRANSPORT OF MENTAL HEALTH PATIENTS

A. ***Authority for detention of mental health patients.*** Alaska Statute AS 47.30 governs the handling and care of the mentally disturbed. Most DPS detentions come under AS 47.30.700, ex parte Order of the Court (subject not represented) and AS 47.30.705, Emergency Custody by an Officer.

B. ***Emergency mental health detention.*** AS 47.30.705 states, in part, "A peace officer ... who has probable cause to believe that a person is gravely disabled or is suffering from mental illness and is likely to cause serious harm to self or others of such immediate nature that considerations of safety do not allow initiation of involuntary commitment procedures under AS 47.30.700, may cause the person to be taken into custody and delivered to the nearest evaluation facility. ..."

When a patient's condition requires police protection to ensure that no person is harmed, or an emergency detention situation exists, and other appropriate escort personnel are unavailable, DPS may provide escort services.

1. For an emergency detention for evaluation, only individuals taken into custody by DPS officers will be transported by DPS.
2. Transportation of mental health patients being held under emergency detention by DPS is the responsibility of the custodial Detachment/Post.

C. ***Any peace officer may serve Ex Parte Orders.*** Service of ex parte orders for taking into custody and transporting mental health patients located within any city limits may be accomplished by local police agencies or the Alaska State Troopers.

Law enforcement agencies taking persons into emergency custody under the provisions of AS 47.30.705 will be referred to the Division of Mental Health who will determine to which facility the patient should be transported, and who will make required travel authorizations, and payment approvals. [Ref AS 47.30.870]

D. ***Non-emergency orders will be referred to H&SS.*** All non-emergency situations will be referred to the Division of Health and Social Services which is responsible for taking into custody and transporting persons disabled from mental illness pursuant to ex parte orders under non-emergency conditions.

E. ***Prisoner transport rules do not apply to mental health patients.*** Persons taken into custody for transport to mental health facilities are patients, not prisoners; therefore, good judgment shall be used when determining the nature and extent of restraints used. Officers must assure the safety of the patient and assure that the patient does not harm others.

207.310 EMERGENCY DETENTION PROCEDURES

A. ***Mental Health patients must be immediately transported to hospital.*** When an individual is taken into emergency custody, transportation to the nearest hospital must occur immediately. The officer who transports the individual must complete an Application for Examination and must contact a mental health professional with admitting privileges and be interviewed (by telephone if necessary) by that professional.

B. ***Statements supporting probable cause required.*** If probable cause for emergency custody of a person is based solely on statements of others, the officer will obtain written statements from those individuals and copies of those statements will accompany the patient to the hospital.

C. ***Patients can be housed in jail only if hospital in unavailable.*** Mental Health patients must be held in hospitals if available. Only if a hospital is unavailable can a mental health patient be held in a jail. Local hospitals will be considered unavailable only if the hospital is completely full; or hospital personnel, with DPS assistance, are unable to secure the person using adequate restraints.

1. A jail can be used for protective custody when one of the above conditions exists, but the officer shall obtain a signed statement from the head of the hospital documenting the unavailability of the hospital; and upon arrival at the jail, contact a mental health professional and provide proper security until a mental health professional arrives and contacts a Judge.
2. If the officer has sufficient probable cause to bring a criminal charge against the patient and does so, the jail can be used without any of the above conditions being met.
3. If a person is taken into custody pursuant to an ex parte court order for a seventy two (72) hour evaluation, the above steps are unnecessary. [Ref AS 47.30.700]

207.320 EMERGENCY FACILITIES

The Department of Health and Social Services (H&SS) is responsible for providing facilities for the temporary detention of the mentally ill. Each post shall contact H&SS and a list of approved facilities to use for the temporary detention of the mentally ill shall be kept on hand.

207.330 TRANSPORTATION COSTS

A. ***Transportation costs paid by Health and Social Service.*** Health and Social Services will pay the necessary costs for:

1. Transportation to a mental health facility for a person(s) involuntarily being committed;
2. Return transportation of the patient and escort(s); and
3. Amounts spent in excess of normal costs incurred.

B. ***Transportation costs not paid by Health and Social Services.*** Health and Social Services will not pay costs when a person is:

1. Taken into custody under AS 11.05 - 81 and charged with a criminal offense; or
2. Being transported under AS 12.45 or AS 47.37.

207.340 WEAPON SECURITY AT ALASKA PSYCHIATRIC INSTITUTE (API)

Officers will not take firearms onto patient units. (Sally ports are not considered as being on the unit.) Prior to entering a patient unit, the officer's weapon must be locked in the weapons cabinet at the receptionist station. The key to the cabinet shall be in the officer's possession until the weapon has been returned.

When escorting a previously admitted patient, arrangements must be made to pick up and return the patient to a sally port area.

207.350 COURT ORDERED PRISONER PSYCHIATRIC EXAMS

Alaska Psychiatric Institute (API) will not accept prisoners for examination until all necessary documents are received. Due to this restriction, officers will not transport prisoners to an Anchorage area correctional center for completion of a court ordered psychiatric exam until APH has received all necessary documents. Ordinarily, the AST Travel Coordinator will approve movements of prisoners for court ordered psychiatric examinations. (See OPM 216)

These restrictions apply to court ordered examinations only. Defendants requiring emergency psychiatric hospitalization will continue to be referred for treatment regardless of the availability of documentation.

1. Documents required prior to admission to API are:
    a. Signed order for psychiatric exam (CR-260);
    b. Relevant police reports;

c. Copy of the criminal charges; and

d. Any information or materials in the court records involving the defendant and/or of possible assistance to the examiners.

2. Documents are to be sent to the following address prior to transfer of defendant:

Forensic Services Team
Alaska Psychiatric Institute
2900 Providence Dr.
Anchorage, AK 99504

207.360 TITLE 47 AND EX PARTE TRANSPORTS TO API

A. ***Transported persons must be delivered to API for medical clearance.*** All persons that are court ordered to the Alaska Psychiatric Institute (API) on a Title 47 or an ex parte petition must be transported directly to API first. It will be up to API to assess the individual's need for further medical clearance or use of the Providence Psychiatric emergency room.

B. ***Persons Transported to Providence Psychiatric ER not to be left unattended.*** Any Title 47 ex parte in custody subjects transported from outside the Anchorage bowl shall be treated for any apparent medical conditions prior to them being delivered to API. The only exception to this policy would be certain police officer emergency custody situations originating in the Palmer, and Girdwood patrol areas. Under no conditions will a person being transported be left unattended by an officer at the Providence Psychiatric Emergency Room. The transporting officer is responsible for maintaining control over the person during treatment (as with any emergency room situation) and until they are delivered to API or released by the medical staff.

C. ***Coordination required on out-of-town transports to API.*** All moves from out-of-town with Title 47 ex parte in custody subjects must be coordinated with API prior to departure from the outpost.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 208	**HUMAN DEATH INVESTIGATION**		
	Effective:	04/12/2016	**Commissioner Approval:**
	Authorities:	AS 12.65.005; AS 47.10; AS 47.12; AS 12.65.020-025; AS 09.55.062; AS 13.52.200; AS 12.65.007; AS 18.50.230; AS 08.68.700; AS 18.08.089	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	**SEE CHAPTERS 124 AND 205**	

208.100 INTRODUCTION

This chapter establishes the policies for response and investigation of human deaths that are discovered by or reported to an officer of the department and that is within the jurisdiction or area of responsibility of this agency or otherwise become the responsibility of this agency to investigate.

Nothing in this policy is intended to restrict an officer from conducting an investigation into a human death for any reason.

208.300 MANNER OF DEATH

A. ***Categories of deaths.*** For the purposes of this policy, deaths will fall into one of two major categories, criminal and non-criminal.

B. ***All deaths to be assessed thoroughly***. All deaths discovered by or reported to an officer of the department will be thoroughly assessed as to the manner and circumstance of the death and a decision as to the type of response or investigation made.

208.310 NOTIFICATION OF HUMAN DEATH

A. **Notification of State Medical Examiner (SME).** As prescribed in AS 12.65.005, deaths that are discovered by or reported to an officer of the department must be immediately reported to the SME when the death appears to have:

1. Been caused by unknown or criminal means, during the commission of a crime, or by suicide, accident, or poisoning;
2. Occurred under suspicious or unusual circumstances or occurred suddenly when the decedent was in apparent good health;
3. Been unattended by a practicing physician or occurred less than 24 hours after the deceased was admitted to a medical facility;
4. Been associated with a diagnostic or therapeutic procedure;
5. Resulted from a disease that constitutes a threat to public health;
6. Been caused by a disease, injury, or toxic agent resulting from employment;

7. Occurred in a jail or corrections facility owned or operated by the state or a political subdivision of the state or in a facility for the placement of persons in the custody or under the supervision of the state;

8. Occurred in a foster home;

9 Occurred in a mental institution or mental health treatment facility;

10. Occurred while the deceased was in the custody of, or was being taken into the custody of, the state or a political subdivision of the state or a public officer or agent of the state or a political subdivision of the state; or

11. Been of a child under 18 years of age or under the legal custody of the Department of Health and Social Services, subject to the jurisdiction of AS 47.10 or AS 47.12, unless the:

    a. Child's death resulted from a natural disease process and was medically expected; and

    b. The child was under supervised medical care during the 24 hours before the death.

B. ***Remains may not be moved without permission*.** As prescribed in AS 12.65.005 C, the body of a person whose death has been or should be reported to the SME may not be moved or otherwise disturbed without the permission of the SME. The statewide death reporting line is (888) 332- 2373 or (888) DECEASE, or in Anchorage (907) 334-2356.

C. ***Notification of DPS and other personnel*.** Officers who discover or receive a report of a death will immediately notify their supervisor (See OPM 124.370). The officer and the supervisor will be responsible for determining the appropriate additional levels of notification depending on the manner and circumstance of the death.

At a minimum, the following notifications will be made depending on the manner and circumstance of the death:

1. Non-traffic criminal deaths.

    a. Immediate verbal notification of the Commander and the on-call ABI investigator. Immediate commissioner's notification containing a synopsis of the event as currently understood. When appropriate, follow-up commissioner's notifications shall be transmitted as new information becomes available. This section also applies to any missing person case where there is a suspicion of foul play.

    b. Immediate verbal notification of the on-call district attorney in accordance with local district attorney's office protocols.

    c. The Commander will be responsible for deciding whether or not an immediate verbal notification needs to be made to division headquarters or to the Commissioner or whether the commissioner's notification will

be sufficient. Immediate verbal notification must be made whenever the death involves a high profile person, politically sensitive issues or if it is associated with a major event or human caused disaster.

2. Traffic related criminal deaths.

   a. Immediate verbal notification of the Commander. Immediate commissioner's notification containing a synopsis of the event as currently understood. When appropriate, follow-up commissioner's notifications must be transmitted as new information becomes available.

   b. Immediate verbal notification of the on-call district attorney in accordance with local district attorney's office protocols.

   c. The Commander will be responsible for deciding whether or not an immediate verbal notification needs to be made to division headquarters or to the Commissioner or whether the commissioner's notification will be sufficient. Immediate verbal notification must be made whenever the death involves a high profile person, politically sensitive issues or if it is associated with a major event or human caused disaster.

3. Non-criminal unattended deaths including traffic related.

   a. Except where the death results from a motor vehicle crash or involves a high profile person or politically sensitive issues or if it is associated with a major event or human caused disaster, no immediate DPS notification is required. Commanders may establish local notification policies that impose additional requirements for notification of detachment personnel. Consult the standard operating procedures manual for your command for guidance.

   b. A commissioner's notification is neither required nor desired unless the death involves a high profile person, politically sensitive issues, is associated with a major event or human caused disaster or if the member believes that dissemination of information concerning the death would be useful to those who receive commissioner's notifications.

4. Certain immediate notifications must be made to specific agencies depending on the type or circumstances of the death:

   a. Deaths related to fire or explosion - Division of Fire and Life Safety Director (State Fire Marshal). The director is a recipient of commissioner's notifications. If a commissioner's notification is being sent that is sufficient unless there is a need to communicate additional information specifically to the State Fire Marshal.

   b. Boating or diving deaths occurring on navigable waterways - U.S. Coast Guard (USCG). Per a memorandum of understanding, notification is made to the Department of Natural Resources, Office of Boating Safety, which is the liaison for the USCG.

c. Deaths resulting from aircraft or public carrier accidents - the National Transportation Safety Board (NTSB).

d. Deaths related to employment - OSHA and the Department of Labor and Workforce Development, Division of Labor Standards and Safety.

e. Death on a military installation or death of a member of the military - the military investigative unit for the branch involved.

f. Deaths occurring within the boundaries of a state or national park - the state or federal park ranger for the area involved.

208.320 RESPONSIBILITY FOR INVESTIGATION OF DEATHS

A. ***Deaths Involving Criminal Acts.*** A death involving a criminal act or suspected of involving a criminal act will always be fully investigated and reported to the district attorney's office for consideration of charges. Reporting the case to the district attorney's office is optional if no suspects are identified or all persons suspected of being responsible are also deceased.

1. To the extent possible, the Alaska Bureau of Investigation (ABI) will respond to and participate in all non-traffic related deaths caused by criminal acts. ABI will assume case responsibility for cases where they are the first responders and may assume case responsibility when they respond to assist depending on the complexity or sensitivity of the case and the desires of the detachment or division.

2. ABI may assist with the investigation of some traffic related deaths as circumstances dictate.

B. ***Unattended Non-criminal Deaths.*** A death not attended by a physician and not involving a criminal act will be fully investigated by the detachment, post or unit receiving the report or discovering the death except as provided for in the policy on expected home deaths. This type of death is commonly referred to as an "unattended death".

1. ABI may be consulted whenever an unusual or suspicious circumstance exists or when a death investigation may be more complex, occurs on government property, in a government conveyance or is politically sensitive.

2. ABI will assume responsibility for the investigation of a death not involving a criminal act when assigned by the commissioner's office or the AST division director.

208.330 NOTIFICATION OF NEXT OF KIN

A. ***Next-of-kin to be notified of death or potentially fatal injury***. An officer will notify the next-of-kin, in person if possible, of a death or potentially fatal injury being investigated by DPS.

1. If the next-of-kin lives outside of the state, notification shall be made through the nearest law enforcement agency.

2. Unless highly unusual circumstances exist, notification shall not be made until positive identification of the remains has been made.
3. If possible, officer shall enlist the assistance of relatives, neighbors, clergy, or family physicians when making notifications.
4. Officers making notifications shall exhibit tact, diplomacy, and shall be prepared to provide short-term support and assistance to the next-of-kin.

B. ***Family notification when remains are transported for autopsy purposes***. When remains must be transported for autopsy, the immediate family member will be given the case number and contact information for the investigating officer. The immediate family member should be directed to the SME website for information – Link to SME.

208.340 STATE MEDICAL EXAMINER DUTIES

A. ***Statutes and procedures covering SME's duties***. AS 12.65.020 - 025 outlines the duties and authorities of the SME.

B. ***State Medical Examiner duties.*** The SME is responsible for forensic medical investigation including conducting autopsies and the determination of cause and manner of death throughout the state. The office supervises the staff working at the medical examiner facility and is responsible for that facility.

When an examination is performed by the SME's office, they will routinely take photographs, fingerprints, and toxicology specimens.

C. ***State Medical Examiner responsible for the transport of remains for examination.*** The SME is responsible for payment for and paperwork authorizing shipment of human remains for medical examiner purposes. Bills for transportation of human remains for medical examination purposes shall be addressed to:

State of Alaska
Office of the State Medical Examiner
5455 Dr Martin Luther King Jr Ave
Anchorage, AK 99507

The SME's Office will fund only those services that are authorized in advance.

D. ***SME may request an inquiry***. AS 12.65.020(c) provides that the SME or a prosecuting attorney may petition the court to hold a death inquest under AS 09.55.062 if the findings and conclusions of the SME, in the opinion of the SME or prosecuting attorney, warrant the inquest. Otherwise, the SME shall cause a certificate of death for the deceased person to be completed and filed as prescribed by law.

208.350 DEATH INVESTIGATION RESPONSIBILITIES

A. ***Officers responsible for quality of death investigation***. Officers shall use appropriate investigative procedures when conducting death investigations. It is the officer's responsibility to seek assistance from supervisors, state attorneys, or forensic experts if they are uncertain concerning the technical or legal aspects of a death investigation and to cooperate with representatives of the SME's office.

B. ***Requesting autopsy and transporting remains***. The extent of post-mortem examination is a determination made by the SME. When a homicide, suspected homicide, death without apparent cause, death with unusual circumstances or death with identification problems exists, communicate these facts and circumstances to the SME so that an appropriate examination may be undertaken.

C. ***Securing valuables found on body when body is to be transported for further examination***. Leave property intact on the body for removal at the time of autopsy. The presence of property on the body shall be noted in the case report and photographed if possible. Avoid disturbing this evidence whenever possible.

D. ***Securing property and animals belonging to the deceased***. An officer will not knowingly leave valuable property or animals unattended or unsecured.

1. Responding officers will make every attempt to locate a responsible party to take possession and responsibility for property of the deceased.
2. Potential property custodians shall be provided the appropriate Alaska Court System forms for signature (see attachments). The facts surrounding the property release will be documented in the case report.
3. If no property custodian can be located, this fact will also be recorded in the case report.
4. Absent a qualified property custodian, the responding officer must make sure that appropriate steps to secure the deceased person's property have been taken. The officer's efforts must be clearly documented in the case report. Officers will describe the measures they took to secure the property such as padlocking doors, locking vehicles, storing property in locked buildings etc.
    a. Photographs depicting security measures taken shall accompany the report.
    b. Property unsecured in plain view or easily accessible, such as cash, guns, jewelry, prescription medications, etc. will be seized for safekeeping if no custodian has been identified. All items seized will be individually inventoried and documented on a property form as part of the police report.

c. Attempts must be made to contact animal control, animal rescue agencies, or others who might be able to provide temporary or even long-term care for pets or livestock.

d. Notify the public administrator for the district in which the death occurred as soon as practical during daytime hours.

E. ***Requirements Regarding Anatomical Gifts***. AS 13.52.213 requires that a law enforcement officer, fire fighter, paramedic, or other emergency rescuer make a reasonable search for a document of gift or other information identifying the bearer as a donor or as an individual who has refused to make an anatomical gift when participating in an incident involving a death or when dealing with an individual believed to be near death. This includes a death involving a criminal act. While a death involving a criminal act does not ultimately preclude organ donation, collection and preservation of investigative evidence always takes precedence.

1. If a document or other evidence identifying the bearer as a donor or as an individual who has refused to make an anatomical gift is located and the subject is being taken to a medical treatment facility or to the SME's office, the receiving facility shall be informed of the existence of the document or evidence and the document or evidence or a legible copy thereof shall be provided to the receiving facility. Additional notification of a procurement organization is optional.

2. If a document or other evidence identifying the bearer as a donor or as an individual who has refused to make an anatomical gift is located and the subject is not being taken to a medical treatment facility or to the SME's office, the officer shall notify a procurement organization. The document or evidence identifying the bearer as a donor or as an individual who has refused to make an anatomical gift or a legible copy thereof shall be provided. The primary procurement organization serving Alaska is Life Alaska Donor Services. Life Alaska Donor Services may be contacted at the following:

   Life Alaska Donor Services
   235 E 8th Av, Suite 100
   Anchorage, AK 99501
   Phone: (907) 562-LIFE (5433), Toll-free in Alaska: 1-800-719-LIFE (5433)
   Fax: (907) 562-5333

3. A record of the notification of the medical treatment facility, the SME or a procurement organization shall be made in the officer's notebook and in the police report if a police report is being completed to document the incident.

208.360 TRANSPORT OF BODIES FOR AUTOPSY

A. ***Protective gear to be worn when handling remains***. Protective gear will be worn when handling remains to prevent contact with blood or other body fluids and cross-contamination of evidence (See OPM 205).

B. ***Remains to be packaged to preserve any evidence present***. Each body must be treated as an independent crime scene where valuable evidence may be present in a number of forms. Some critical evidence may not be readily visible to the naked eye. Remains must be handled and packaged carefully to preserve any evidence adhering to the body or to clothing.

The following protocol provides the highest probability that critical evidence will be preserved for later collection following transport of remains. They may vary depending on the particular circumstances of each case or upon direction of an investigator or supervisor. The on-call ABI investigator should be consulted prior to proceeding if there are any questions about how to proceed or if any unusual circumstances exist where additional guidance is needed.

[redacted]

2. Package the remains:

   a. The preferred method is to place the body into a new, unused plastic body bag liner. The liner must not have been previously used for any purpose and must be free of any inadvertent contamination.

   b. The remains must be carefully placed into the liner with as little movement as possible and must be kept in the same position as originally found to the extent possible. For example, a body found face down must be packaged face down. A body frozen or fixed in an odd position must be packaged in the same position without attempts to reposition limbs or other body parts if packaging and transportation methods will allow.

   c. Firmly attach a completed evidence tag to the body bag liner.

   d. If a new plastic body bag liner is not available, a white cotton linen bed sheet that is unused and in its original packaging may be used to package the body.

   e. Again, preserving the position of the body as discovered to the extent possible, the body must be placed centered on the sheet and in the same position as found.

   f. The edges of the sheet shall be brought together and firmly stapled to fully enclose the body.

g. The original packaging from the sheet must be placed in a securely closed paper bag and shipped with the body but not inside the bed sheet.

3. Transport the remains:

a. Carefully place the packaged body into an outer body bag. A new, unused outer body bag is preferable.

b. Ship or transport the remains in accordance with all other requirements involved in the transport of human remains. Utilize the transport or shipping method that is the most direct and the least likely to disrupt the condition of the remains or any evidence that may be with the remains. Ensure that chain of custody is considered and that arrangements are in place to receive and process the remains once it reaches its destination.

C. ***Transporting remains on commercial aircraft***. If remains are to be transported on a commercial aircraft, they shall be enclosed in a sealed metal container, which is available through the SME's office.

D. ***Remains will be treated as evidence.*** In order to preserve the evidentiary value of remains the outermost shipping container or bag shall be sealed with evidence tape or secured by some other means. Chain of custody should be accounted for and documented as appropriate.

208.370 AUTOPSIES

A. ***Officers or other assigned departmental personnel to attend autopsies in certain cases***. Officers or other assigned departmental personnel will or may attend an autopsy:

1. For homicide, suspected homicide, or suicide victims;
2. When a death is unclear or has unusual circumstances;
3. If a driver may be charged with a criminal offense;
4. When the body is unidentifiable;
5. Multiple bodies are commingled; or
6. If the investigating unit Commander feels that autopsy attendance is necessary or desirable.

B. ***Forms required for autopsy***. If a body is sent for autopsy, an Autopsy Request Form (12-248) will be completed, placed in an envelope, and secured to the outermost shipping container or bag. A copy of the form must be retained with the case file and faxed to the SME's office at (907) 334- 2216 and to ABI at (907) 269-0732.

C. ***Notification required if ABI to attend autopsy.*** When an autopsy has been requested which will require ABI attendance, the Commander or his designee will immediately notify the on-call ABI investigator and shall provide information on the manner and circumstances of death and any special investigative requests.

D. ***Investigating officer may be directed to attend autopsy***. The case officer may be directed to travel to attend an autopsy when desired by the Commander or when requested by the ABI commander.

E. ***Responsibility to secure money or valuables found on body.*** With the approval of the SME, the officer or other assigned departmental personnel attending an autopsy may inventory and take into possession any money or valuable property found on the body or the accompanying clothing.

1. Property with the body shall be noted in the officer's or other assigned departmental personnel report along with the disposition of that property. If possible, photographs should be taken to document the location and condition of any property found.
2. Items seized, as evidence, will be identified with an evidence tag showing the chain of custody, and so noted on a property form to be made part of the case report. Items contaminated with bodily fluids must be labeled with a biohazard label and packaged appropriately.
3. Unless taken by the officer as evidence, clothing of the deceased will be held at the SME facility for three working days after completion of the examination. At the end of that time clothing will be destroyed as a biohazard unless specifically requested by next of kin. When the next of kin requests the clothing, they will be required to sign a release for the clothing that documents the presence of a biohazard.

Public OPM as of 9/4/2020

I. ***Departmental personnel attending autopsy shall coordinate evidence collection with pathologist***. The individual shall coordinate the collection of evidence and the use of equipment with the attending pathologist so as not to interfere with the medical determination of death and so as to ensure proper collection of evidence or taking of photographs prior to medical examination activities after which the opportunity or ability might be lost or degraded.

J. ***Autopsy attendants to use protective equipment***. Protective gear, including gloves, gowns, booties, goggles, and masks, will be worn when attending autopsies to prevent contact with blood or other body fluids. See the Bloodborne Pathogens Exposure Control Plan (BBPECP) for additional information and requirements on universal precautions and special procedures applicable to autopsies.

208.380 NOTICE OF EXPECTED HOME DEATH

Upon receipt of an expected home death form or document from a physician, the receiving officer will ensure that the form or document contains sufficient information to meet the requirements of AS 12.65.007 and ensure that any missing information is added before transmitting the form to other agencies. Copies of the form will be immediately provided to the law enforcement dispatch center(s) responsible for the area, the SME's office, agencies that provide emergency medical response in the area, and added to briefing information to insure that all personnel are aware.

208.390 ASSESSMENT AND INVESTIGATION OF AN EXPECTED HOME DEATH

A. ***Policy Exception for Expected Home Deaths*.** Expected home deaths as described in AS 12.65.007 are an exception to the requirement to respond to and fully investigate unattended deaths that did not result from a criminal act. An officer discovering or receiving a report of an

unattended death that did not result from a criminal act may elect to not respond or investigate the death if it meets the requirements to qualify as an expected home death and certain legal and circumstantial factors can be established.

Public OPM as of 9/4/2020

[redacted]

D. ***Medical examiner notification*.** In the event of an expected home death, the SME's office will have been provided with a copy of the expected home death form or document from the person's physician and will not need to be notified by the investigating officer. Nor is it necessary for the SME's office to give permission prior to moving the remains. However, an officer may contact the SME's office with questions or concerns in an expected home death.

[redacted]

F. ***Commanders encouraged to establish programs.*** Commanders are encouraged to establish formal expected home death programs in any area where one does not already exist. Established programs can help to streamline the processes involved and ease the burden on all who must be involved.

H. ***Notifications.*** The policy on notifications required for non-criminal unattended deaths applies to expected home deaths.

Public OPM as of 9/4/2020

RESOURCES

Autopsy Request form, 12-248 (1 page) – Link to Form

Information for Families and Friends, Frequently Asked Questions – Link to FAQs

Funeral Homes – SME listing – Link to listing

Alaska Court System (ACS) Property Release Affidavit, P-120 – Link to Form

ACS Property Inventory, P-121 – Link to Form

ACS Application for Appointment as Temporary Property Custodian, P-130 – Link to Form

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 209	**VEHICLE IMPOUND**		
	Effective:	04/21/2011	**Commissioner Approval:**
	Authorities:	AS 28.05.091; AS 28.11.030; AS 28.11.010; AS 28.35.070; AS 28.11.020; AS 28.11.040; AS 28.05.131; AS 28.05.121; AS 28.11.070; AS 28.11.110; 13 AAC 02.345; 13 AAC 02.340-372	
	Applicability:	**OFFICERS**	
	Special Instructions:	Click here to enter text.	

209.100 INTRODUCTION

This chapter establishes the authority of officers for vehicle impounds, the events that prompt this action, and the processes involved in engaging in such activity.

209.300 AUTHORITY

A. ***Authority to impound vehicles.*** Officers, or officially designated Department employees, may impound vehicles that are:

1. Being driven while unsafe [Ref AS 28.05.091];
2. Without license plates or other evidence of registration [Ref 13 AAC 02.345(b)(2)];
3. Reported as stolen or taken without the owner's consent [Ref 13 AAC 02.345(b)(1)];
4. Found or presumed abandoned [Ref AS 28.11.030];
5. Falsely registered or without evidence of registration [Ref 13 AAC 02.345(b)(2)];
6. Having removed, defaced, or altered identification numbers [Ref AS 28.05.091];
7. The vehicle is a traffic hazard (13 AAC 02.345(a));
8. The vehicle is parked in violation of 13 AAC 02.340-372 [Ref 13 AAC 02.345(a)]; or
9. The vehicle is interfering with snow removal or road maintenance [Ref 13 AAC 02.340 & .345(a)].

B. ***When the driver of a vehicle is arrested, the vehicle must be removed.*** If arrested, a driver may have the vehicle removed immediately by someone else or by a towing company. If the driver cannot or will not designate someone to take charge of the vehicle it will be impounded [Ref 13 AAC 02.345(c)].

C. ***If the vehicle is evidence or contains evidence of a crime it may be impounded.*** If there is probable cause to seize the vehicle as evidence of a crime or because it contains evidence of a crime it may be impounded.

209.310 GENERAL INFORMATION

A. ***When the owner of the vehicle is responsible for the towing and storage fees.*** The owner of the vehicle is responsible for the impound fee and storage fees unless the vehicle was impounded for investigation. The owner of the vehicle is also responsible for the impound fee and storage fees if the vehicle was impounded for investigation relating to the vehicle being involved in a collision with a person. [Ref AS 28.05.091, AS 28.11.010, AS 28.35.070, 13 AAC 02.345(d)]

B. ***When the Department is responsible for the towing and storage fees***. The Department is responsible for the impound fee if the vehicle is impounded for investigation, other than investigation of a collision with a person. The Department is responsible for the storage fees of a vehicle impounded for investigation until the owner is notified that the vehicle may be released.

C. ***Only the investigating officer may release a vehicle impounded for investigation***. Only the investigating officer or in his absence, his supervisor shall be allowed to release a vehicle that was impounded for investigation. The investigating officer shall be responsible for the release of the vehicle including notification of the owner and the towing company. (See 209.370)

D. ***Officer responsible for protection of property***. The officer storing an impounded vehicle at a DPS facility is responsible to see that the vehicle is adequately protected from resulting damage. It is the responsibility of the officer to bring concerns about potential damage to stored vehicles to the attention of their supervisor.

209.320 ABONDONED VEHICLES

A. ***Presumption of abandonment.*** A vehicle is considered abandoned as defined under AS 28.11.020.

B. ***Removing abandoned vehicles from private property.*** Officers are not required to remove abandoned vehicles from private property, but they may make the determination to do so. If an officer elects to impound a vehicle from private property he will obtain a written statement from the complainant. That statement will include that the complainant: is the property owner or person in lawful possession or control of the property, that the vehicle has been on the property for longer than twenty-four hours, and that he wants it removed. [Ref AS 28.11.030]

C. ***Owners of abandoned vehicles to receive notice of opportunity of a hearing.*** Within 30 days of impoundment, notice of the opportunity for a hearing must be given to the owner and lien holder. [Ref AS 28.11.040]

209.330 TRAFFIC HAZARDS

A. ***Traffic hazards defined.*** A vehicle is a traffic hazard when it "is left on the roadway or under circumstances which obstruct the normal movement of traffic." [Ref 13 AAC 02.345(a)]

B. ***When traffic hazards will be removed.*** Traffic hazards will be removed as soon as practicable.

C. ***Traffic hazards will be photographed and diagrammed prior to removal.*** Officers shall photograph and take necessary measurements to diagram vehicles that are a traffic hazard prior to the vehicle's removal. Officers will record the measurements in their notebooks and preserve the photographic negatives per local policy.

D. ***Contact with the owner shall be attempted prior to removal.*** If the owner is not present, officers shall attempt to have the vehicle's registered owner contacted to arrange for "immediate" removal of the hazard. If the owner is present, or has been contacted, and wishes to designate a towing service, the request shall be honored unless a more expedient removal is necessary. Officers shall document all attempts to contact the owner in their notebook.

E. ***Vehicles interfering with road maintenance will be removed immediately.*** Vehicles parked illegally and interfering with road maintenance shall be "immediately" impounded to a place of safekeeping.

F. ***Removal of vehicles that are parked illegally but are not traffic hazards.*** It is not the policy of the Department to impound vehicles that are simply parked illegally. If the vehicle is not a traffic hazard, abandoned, interfering with snow removal, or interfering with road maintenance, officers will contact their supervisor prior to impounding an illegally parked vehicle.

209.340 IMPOUND PROCESS

A. ***All vehicles will be checked for stolen status using the VIN prior to impounding.*** An officer impounding a vehicle will make a want or stolen check and a registration check using the vehicle's VIN and license plate number prior to impounding the vehicle.

B. ***Dispatch shall be notified of impound***. Officers will notify the closest dispatch center that the vehicle is being impounded and provide dispatch with the vehicle's description and location.

C. ***Dispatch will enter the vehicle into APSIN***. Dispatch will immediately enter the vehicle into APSIN as being impounded.

D. ***Inventory of the vehicle contents***. Officers will complete a detailed inventory of the contents of a vehicle when they impound it. Officers are not required to open closed containers or locked compartments. The containers shall be listed on the inventory. If officers do not inspect locked compartments they shall note that fact in their notebooks.

E. ***Storage and release of personal property from vehicle***. Personal property may remain in an impounded vehicle until after investigative examinations have been completed. Sensitive items (e.g., cash, weapons, valuable jewelry, etc.) will normally be removed from the vehicle and placed in an evidence storage facility for safekeeping per Department procedures until claimed by the owner or their authorized representatives.

If the vehicle impounded is involved in a death or criminal case, the investigating officer will obtain written authorization from the DA, court, or coroner prior to authorizing the release of the vehicle or personal property.

209.350 ADMINISTRATIVE HEARINGS

A. ***Notice of administrative hearing should be provided prior to impound***. Unless action is immediately needed for "the health, safety or welfare of the public," the Department will give notice of the opportunity for an administrative hearing before proceeding with impoundment of an abandoned vehicle. [Ref AS 28.05.131]

B. ***Notice of administrative hearing will be provided promptly if vehicle is impounded prior to hearing.*** If impounding occurs prior to a hearing, the Department shall give prompt notice of the opportunity for a hearing to the owner and/or lien holder. The reverse side of the impound report, 12-218, details the owner's or lien holder's right to a hearing, if the impound is disputed by the owner or lien holder.

C. ***Method of providing notice of administrative hearing.*** The "notice of impoundment" will be given by personal delivery or registered or certified mail, return receipt requested, to the address on Department records. [Ref AS 28.05.121]

D. ***When the hearing is waived.*** Unless a response is received within 10 days of receipt of the notice, the hearing is waived. [Ref AS 28.05.131]

E. ***Scheduling of hearings***. Commanders or designees shall schedule hearings through the Division of Motor Vehicles (DMV).

F. ***Hearing Officers***. DMV supervisory employees may conduct hearings with the approval of the DMV Director, or the Director's designee.

209.360 IMPOUND REPORT FORM

A. ***When a vehicle is impounded an Impound Report Form will be completed***. Officers shall complete an Impound Report Form when a vehicle is impounded. This form will be completed as outlined the Report Writing Manual with a copy to both the Department and the person storing the vehicle.

B. ***The towing service operator will sign the form as a receipt***. The officer shall complete the form, sign it, and have the towing service operator sign it in receipt of the vehicle and contents.

C. ***Form will be error free***. No corrections, cross outs, or erasures are allowed on this form.

D. ***Routing of the form.*** The form original shall be sent to the Detachment Headquarters, a copy attached to the vehicle, a copy provided to the towing service operator, and a copy provided to the vehicle's owner or driver if they are present. If the owner or driver is not present when the vehicle is impounded that copy will be sent with the original to the Detachment Headquarters for mailing.

209.370 RELEASE PROCESS

A. ***Vehicles not impounded for investigation.*** If the vehicle was not impounded for investigation, the owner only needs to bring proof of ownership to the towing company, pay the impound fees and storage fees, and the vehicle will released to them.

B. ***Vehicles impounded for investigation.*** If the vehicle was impounded for investigation, the vehicle will only be released after written authorization from the investigating officer or his supervisor is obtained. The owner will be required to sign the impound report form and pay all costs as outlined in section 209.310.

C. ***Officers are required to notify owners when the vehicle may be released.*** Investigating officers are required to notify the owner of vehicles impounded for investigation when the vehicle may be released. Investigating officers will complete a new impound report form clearly indicating that the new form is for releasing the vehicle. Investigating officers will document the efforts to contact the owner in their notebooks.

209.380 TOWING SERVICES

A. ***The minimum requirements to be on the rotational list***. The following will be the minimum requirements a towing service must have to be on the Department's rotational lists:

1. A current State of Alaska Business License for operating a towing service.
2. A minimum "On hook" insurance in the amount of $50,000.00 or more.
3. "Garage Keepers direct primary coverage" insurance based on the number of state impounded vehicles in the lot at any one time. One to fifteen vehicles would require four hundred thousand ($400,000.00) in insurance; sixteen or more vehicles would require one million (1,000,000.00) in insurance.

B. ***Background checks of the owners.*** The owners and persons with a financial interest in the towing company will have their criminal histories checked. Convictions for the following shall preclude someone from being used by the Department:

1. "Honesty crimes," theft, burglary, perjury, false report, embezzlement, etc.;
2. "Obstruction of justice crimes," escape, destruction of evidence, harboring a fugitive, etc.;
3. Drug offenses.

C. ***Posts may establish certain local requirements***. Posts may establish reasonable local requirements in addition to those outlined in this section for the towing services on the Department's rotational lists. Examples of some requirements would be; fencing of the impound yard, the towing service's vehicle identification requirements (permanent vs. non-permanent), whether or not multiple business licenses allow a towing service multiple slots on the rotational list, whether the towing company must file a fee schedule with the Post, etc.

D. ***Utilization of all services***. Except where the Department has entered into a contract for towing and impound services the Department shall fairly and equitably utilize all towing services available that meet the requirements of State Statutes and Regulations, and this policy. If the Department must select a service, a rotational call list maintained by the department will be used. No officer shall recommend a particular towing service.

E. ***Disposing of abandoned vehicles***. The sale of abandoned vehicles that are not claimed from the towing service is outlined in AS 28.11.070.

F. ***Funds from the sale of abandoned vehicles***. After deducting impound, advertising, and selling costs, the towing service shall remit the net proceeds of sale to the Department to be placed in the Abandoned Motor Vehicle Fund or disbursed to the owner/lien holder. [Ref AS 28.11.110]

G. ***Removal from rotational list.*** Towing service providers may be removed from the rotational list if just cause is shown for removal. Just cause can be violation of any of the requirements for inclusion in the rotational list (See 209.380 A) and/or any activities that would be considered hazardous, criminal, or inconsistent with normal business practices.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 210	**RESPONSE TO DISASTERS**	
	Effective: 10/20/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

210.100 INTRODUCTION

This chapter establishes the definition of a disaster and the protocol for dealing with such a disaster.

210.300 RESPONSE TO DISASTERS

A. ***Initial response to disaster.***

1. Upon learning of a disaster, the lead supervisor will assign an officer to appraise the situation so that notification may be made to department and other authorities.
2. The first officer to arrive at the scene shall evaluate the situation and report their findings and any requests for necessary equipment or assistance.
3. Detachment/Bureau and Department Headquarters should be notified immediately of the emergency. The initial report will usually indicate the immediate equipment needs and the course of action to follow. Follow-up reports should be made regularly and as significant developments occur.
4. If a disaster plan covering the incident is available, the department response should comply with guidelines and procedures set out in the plan.

B. ***Action by off-duty officers.*** Upon learning of a major disaster, officers are responsible for immediately contacting their Detachment/Bureau Headquarters. If unable to contact headquarters via telephone, they shall do so in person, if possible, unless assigned to an area outside Detachment/Bureau Headquarters.

C. ***Officers allowed assuring safety of family.*** If the disaster threatens the security of an officer's family, the officer shall be allowed reasonable time to provide for their safety. Officers in this situation will notify their headquarters of this need and proceed in an expeditious manner.

210.900 DEFINITIONS

Disaster – a natural or man-made calamity or a civil unrest incident requiring response by the Department that threatens the safety of large numbers of people or large amounts of property.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 211	**MISSING PERSONS AND RUNAWAY MINORS**	
	Effective: 12/28/2010	**Commissioner Approval:**
	Authorities: AS 47.10.141; AS 1865.620; AS 65.600; AS 47.10.310; AS 47.35.085; AS 11.51.130 (a)(4)(B)	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

211.100 INTRODUCTION

This chapter establishes definitions and proper reporting/handling of missing persons and runaway minors.

211.300 MISSING PERSON REPORTING PROTOCOL

A. ***Missing persons report required***. Every case of a missing person requires the immediate completion of a missing person report.

B. ***APSIN/NCIC entry required within 24 hours.*** An APSIN/NCIC missing person entry must be made as soon as practical, but in no case later than 24 hours after report. [Ref. AS 47.10.141]

C. ***Clearinghouse notice required within 48 hours.*** Department personnel are required to notify the Missing Persons Information Clearinghouse of all runaway or missing persons at the earliest opportunity and in all cases within 48 hours of initial report of disappearance. [Ref. AS 18.65.620]

Information will be submitted to the clearinghouse by mail, telephone, fax, email, or TWIX as follows.

1. As soon as practical copies of the 12-201 shall be faxed to the Clearinghouse (FAX 269-0732); however, if this is not possible, or if no report is available, notification may be made by phone to (800) 478-9333; and,
2. Mail a copy of the missing person report or search and rescue report (12-201), Photographs and Photograph Release Form, and Medical or Dental records to:

   Missing Persons Information Clearinghouse
   5700 E Tudor Rd
   Anchorage, AK 99507

D. ***Actions upon locating missing person***. Department personnel who become aware of a found missing person will immediately notify the Clearinghouse and arrange to remove all APSIN/NCIC missing persons locates.

E. ***Investigation of unresolved missing persons cases.*** Appropriate investigative steps shall be taken in all cases of reported missing persons, which are not resolved in a timely manner. These shall include the gathering of information and records that can be used as aids in identifying the missing person at a later date. Investigators shall:

1. Attempt to locate a photograph of the missing person and send the photograph and an accompanying Photograph Release Form (see attachments) to the Clearinghouse.
2. Attempt to locate copies of medical and dental records of the missing person. This is accomplished by delivering a Medical/Dental Records Release form to the medical facility having records that will then release records relevant to the identity of the missing person. These records shall be sent to the Clearinghouse. Officers can obtain Medical/Dental Records Release forms in two ways; either:
    a. Have the family complete Medical/Dental Records Release - B; or
    b. If the family, next of kin, or legal guardian cannot be located or does not exist, complete Medical/Dental Records Release - A.

F. ***Copies of reports to be sent to Clearinghouse***. A copy of completed police reports on missing persons, runaway minors, or search and rescues where persons remain missing will be sent to the Clearinghouse regardless of previous notifications.

211.310 MISSING PERSONS INFORMATION CLEARINGHOUSE

A. ***Purpose of Missing Persons Information Clearinghouse.*** DPS is mandated under AS 18.65.600 to operate a clearinghouse for information concerning missing persons, and to establish appropriate procedures for the reporting of missing persons by all law enforcement agencies. The Clearinghouse, established within the Alaska Bureau of Investigation (ABI), maintains a database of missing persons and provides forms to collect, maintain, and disseminate accurate and complete information on missing persons

B. ***Missing Persons Information Clearinghouse responsibilities.*** The responsibilities of the Clearinghouse are:

1. To provide assistance in analytical comparison of missing persons records submitted;
2. To disseminate information reported to the Clearinghouse to Detachments and police agencies to aid in locating, identifying and recovering missing persons;
3. To provide coordination in the exchange of information on missing persons within the State;

4. To cooperate with and assist investigations concerning missing persons conducted by private citizens, local law enforcement agencies, and other State and Federal agencies; and

5. To provide training and assistance to law enforcement agencies to promote effective use of the Clearinghouse.

C. ***Information in the Clearinghouse database.*** The clearinghouse computer may be queried for information using any of the following data elements: name, AKA (nickname), age range, physical description, clothing description (when provided), or location of disappearance.

211.320 HANDLING RUNAWAY MINORS

A. ***Disposition of runaway minors.*** If a runaway minor is contacted by an officer and is not subject to arrest or detention, the officer will take the minor into protective custody and the officer shall:

1. Return the minor to the legal custodian at the legal custodian's residence if the residence is in the same community where the minor was found and if the legal custodian consents to the return, except that the officer may not use this option if the officer has reasonable cause to believe that the minor has experienced physical or sexual abuse in the legal custodian's household;

2. Take the minor to a nearby location agreed to by the legal custodian if the legal custodian does not consent to return of the minor under (1), except that the officer may not use this option if the officer has reasonable cause to believe that the minor has experienced physical or sexual abuse in the legal custodian's household; or

3. If disposition of the minor is not made under (1) or (2), take the minor to an office specified by the Department of Health and Social Services, a program for runaway minors licensed by the Department of Health and Social Services under AS 47.10.310, a shelter for runaways that has a permit from the Department of Health and Social Services under AS 47.35.085 that agrees to shelter the minor, or a facility or contract agency of the Department of Health and Social Services.

    a. If the officer plans to take the minor to an office, program, shelter, or facility under (3), the officer shall give the highest priority to taking the minor to an office, program, shelter, or facility that is semi-secure.

    b. If an office specified by the Department of Health and Social Services, a licensed program for runaway minors, a shelter for runaways that will accept the minor, or a facility or contract agency of the Department of Health and Social Services does not exist in the community, the officer shall take the minor to another suitable location and promptly notify the Department of Health and Social Services.

c. Without a court order a minor in protective custody may not be housed in a jail or other detention facility but may be housed in a semi-secure portion of an office, program, shelter, or other facility.

B. ***Runaway minors to receive written and verbal advisement of rights.*** An officer shall immediately, upon taking a minor into protective custody, advise the minor of available mediation services and of the right to social services. The officer will complete the Advisement of Rights of Runaway Minor form and provide a copy to the minor. The officer shall also advise the legal custodian, if known, that the minor has been taken into protective custody and that counseling services for the custodian and the minor's household may be available.

C. ***Health and Social Services responsible for care of runaway minors.*** Contact the Department of Health and Social Services for offices or facilities where minors can be taken.

D. ***Mediation Services.*** Twice each year, in January and July, AST Commanders will contact the Office of Children's Services in their area and obtain a list of the mediation services available locally for each post in the detachment. The name, address, and phone number for those services will be provided to the department personnel assigned to posts in the detachment.

Officers will include mediation service information on the Advisement of Rights of Runaway Minor form.

E. ***Third party custody of runaway minors.*** Commanders will establish procedures for recording the date and time that departmental personnel receive notification made under AS 11.51.130(a)(4)(B), Contributing to the Delinquency of a Minor. That sub-section requires a person to notify a peace officer, a law enforcement agency, or the Department of Health and Social Services of the name of a minor and the minor's location. The notification is required if the person is keeping a minor from the minor's guardian because the person reasonably believes that the minor is in danger of physical injury or in need of temporary shelter. The procedures required under this section will include advising the Department of Health and Social Services that the department has received such notification and the details of that notification.

211.900 DEFINITIONS

Adult Missing Person – A person 18 years of age or older who is reported missing under mysterious circumstances such as a failure to reach a destination in a reasonable amount of time or an inexplicable separation from a traveling companion.

Juvenile Missing Person – A person under the age of 18 who is missing and is not classified as a runaway due to their past history and/or stability.

Juvenile Runaway – A person under the age of 18 reported missing by a family member or legal guardian and who is known to have a history of running away or has shown indications of avoiding their legal guardian.

Missing Person/Search and Rescue – A person unaccounted for at the conclusion of a search and rescue operation. (Until the person is found, either alive or deceased, their record will be retained in the missing persons' database.)

ATTACHMENTS

Release of Photographs – Link to Form

Medical/Dental Records Release-A (Unknown Family) – Link to Form

Medical/Dental Records Release-B (Known Family) – Link to Form

Advisement of Rights of Runaway Minors – Link to Form

Case Number: _____

ALASKA DEPARTMENT OF PUBLIC SAFETY

RELEASE OF PHOTOGRAPHS

Name of Person in Photograph: _____

Number of Photographs: _____

Photo 1 Photo 2 Photo 3 Photo 4 Photo 5

Date of Photograph(s): _____ _____ _____ _____ _____

Signature of Officer Receiving Photos _____ Date Received _____

I, _____, hereby release the photograph(s) referenced at the top of this document to the Alaska Department of Public Safety to aid in locating a missing person. I understand that the photograph(s) may be copied and used in the publication of bulletins or released to the public media as part of press releases.

I understand that if I do not request the return of the photograph(s), they will be treated as part of the case file and archived or disposed of according to agency policies.

- o I want the photograph(s) returned.
- o I do not want the photograph(s) returned.

Signature of Person Releasing Photograph(s): _____ Date _____

Relationship to Person in Photograph(s): _____ Phone Number ( ) _____

_____

_____

Mailing Address _____

Release of Photographs

Case Number: _____

ALASKA DEPARTMENT OF PUBLIC SAFETY

MEDICAL / DENTAL RECORDS RELEASE
(UNKNOWN FAMILY, NEXT OF KIN, OR LEGAL GUARDIAN)

_____ is conducting an investigation into the disappearance of _____ and requests the release of all medical and dental records to assist in the identification of this person.

This request is made pursuant to AS 18.65.630(b) which authorizes a law enforcement agency to obtain medical and dental records required for the furtherance of an investigation when no family members, next-of-kin, or legal guardian of the missing person can be located.

Unless released directly to requesting officer, or other delivery is specified, records should be sent to:

Alaska Department of Public Safety
Missing Persons Clearinghouse
5700 East Tudor Road
Anchorage, AK 99507

(907) 269-5511

Signature of Officer Requesting Records _____ Date Signed _____

Medical/Dental Records Release - A

Case Number: _____

ALASKA DEPARTMENT OF PUBLIC SAFETY

MEDICAL / DENTAL RECORDS RELEASE
(BY FAMILY, NEXT-OF-KIN, OR LEGAL GUARDIAN)

I, _____, being _____ of
NAME OF PERSON SIGNING RELEASE RELATIONSHIP TO VICTIM

_____, do hereby authorize the release of any and all medical and dental
VICTIM'S NAME

records to the Alaska Department of Public Safety to aid in the identification of this person.

Unless released directly to requesting officer, or other delivery is specified, records should be sent to:

Alaska Department of Public Safety
Missing Persons Clearinghouse
5700 East Tudor Road
Anchorage, AK 99507

(907) 269-5511

Signature of Person Authorizing Release of Records _____ Date Release Signed _____

Medical/Dental Records Release – B

ADVISEMENT OF RIGHTS OF RUNAWAY MINOR

Case Number: _____

Name of minor: _____ Date of Birth: _____

Place: _____

Date: _____ Time: _____

I must advise you that under Alaska Statute 47.10.141(b) I am required to take you into protective custody and exercise one of the following options:

A. return you to your legal custodian, at their residence if the residence is in the same community where you were found, and if you and your legal custodian consent; or

B. take you to a nearby location agreed to by your legal custodian; or

C. take you to an office specified by the Department of Health and Social Services, a program for runaway minors licensed by the department under AS 47.35.085 that agrees to shelter you, or to a facility or contract agency of the department.

I must also advise you of available mediation services and that you have the right to social services provided for under AS 47.10.142(b). This allows for counseling for members of your household if appropriate. After assessing your situation and furnishing appropriate services, Health and Social Services may take you into emergency custody should they consider it necessary.

Having been informed of my right to social services I wish to:

☐ accept ☐ decline the social services available ☐ did not respond

Signed _____

Witness _____

Mediation Services are available locally at:

Service: Address: Phone:

_____

_____

_____

_____

_____

Advisement of Rights of Runaway Minors

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 212	**DOMESTIC VIOLENCE**		
	Effective:	**8/19/2019**	**Commissioner Approval:** AP
	Authorities:	AS 11.56.750-755; AS 11.56.745; AS 11.56.810; AS 11.56.740; AS 11.61.120; AS 61.200; AS 11.46.480-486; AS 11.46.400-430; AS 11.41.260-270; AS 11.41.100-300; AS 11.46.300-310; AS 11.46.320-330; AS 12.30.027; AS 12.25.030; AS 12.30.025; AS 18.66.100-180; AS 18.65.515; AS 18.65.520; AS 18.65.530; AS 18.65.540; AS 18.66.990; AS 25.35.010; AS 25.35.020; AS 47.17.020; AS 47.10.011; AS 47.24.01	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	**DV Checklist – Initial Interview**, **DV Checklist – Follow-up**, **DV Checklist – Non-criminal**, **Lethality Questions**	

212.100 INTRODUCTION

Crimes involving domestic violence and their investigations will be given high priority.

The Department of Public Safety has an important role in preventing, deterring, and reducing domestic violence. Domestic violence cuts across all racial, cultural, and economic lines and results in the destruction of families, damage to communities, and physical and emotional trauma for victims. The Department recognizes that intentional, purposeful acts of domestic violence by one household member against another are serious criminal offenses that cannot be condoned or tolerated.

Alaska Statue 18.65.530 requires a peace officer to make an arrest for crimes involving domestic violence upon probable cause. It is the policy of the Department of Public Safety to follow this provision and to make arrests whenever warranted. Furthermore, recognizing the complex nature of domestic violence investigations, the responding officers will utilize the principal physical aggressor evaluation provided for in AS 18.65.530 (b) (1-4).

This chapter establishes guidelines and direction to be followed in responding to incidents of domestic violence with the goals of reducing the incidence and severity of domestic violence by establishing arrest policies conforming to law; affording maximum protection and support to victims of domestic violence through a coordinated program of law enforcement and victim assistance; ensuring that law enforcement services are as available in domestic violence cases as they are in other criminal cases; and promoting officer safety by ensuring that officers are as fully prepared as possible to respond to domestic calls.

The Department of Public Safety will ensure all statutory training requirements set forth in AS 18.65.510 and 18.66.310 are met within the timelines provided by the statute.

212.300 DOMESTIC VIOLENCE OFFENSES DESCRIBED

A. ***Domestic violence offenses.*** AS 18.66.990 defines a domestic violence offense as a crime under AS 11.41 (murder, manslaughter, criminally negligent homicide, assault, reckless endangerment, stalking, kidnapping, custodial interference, sexual assault, sexual abuse of a minor, incest, unlawful exploitation of a minor, indecent exposure, robbery, extortion, and coercion), AS 11.46.300-310 (burglary), AS 11.46.320-330 (criminal trespass), AS 11.46.400-430 (arson and criminally negligent burning), AS 11.46.480-486 (criminal mischief), AS 11.56.810 (terroristic threatening), AS 11.56.740 (a)(1) (violating a domestic violence order, AS 11.61.120(a)(2)-(4) (harassment), and AS 11.61.140(a)(5) (animal cruelty if the animal is a pet). Additional crimes specific to domestic violence are:

AS 11.56.745 (interfering with a report of a crime involving domestic violence) and AS 11.56.750-755 (unlawful contact). Unlawful contact is specific to AS 12.30.027.

B. ***AS 18.66.900*** Defines specific relationships that are to be applied to crimes involving domestic violence. These relationships are referred to as "household members" and include:

1. Adults or minors who are CURRENT OR FORMER SPOUSES;
2. Adults or minors who LIVE TOGETHER OR HAVE LIVED TOGETHER;
3. Adults or minors who are DATING OR WHO HAVE DATED;
4. Adults or minors who are ENGAGED IN OR WHO HAVE ENGAGED IN A SEXUAL RELATIONSHIP;
5. Adults or minors who are RELATED TO EACH OTHER UP TO THE FOURTH DEGREE OF CONSANGUINITY, whether of the whole or half blood or by adoption (Generally parents, siblings, grandparents, aunts, uncles, and first cousins. Consanguinity is counted up to the common relative and then down again; thus a parent is the first degree, a grandparent the second degree, an aunt the third degree, and first cousin is the fourth degree.);
6. Adults or minors who are RELATED OR FORMERLY RELATED BY MARRIAGE;
7. PERSONS WHO HAVE A CHILD OF THE RELATIONSHIP; or
8. MINOR CHILDREN OF A PERSON IN A RELATIONSHIP described under 1-7.

C. ***Violations based upon Domestic Violence Protective Orders.*** Several criminal violations are based upon the violation of conditions set out in domestic violence protective orders. These include:

1. Violations of provisions listed in AS 18.66.100(c)(1-7) for protective orders issued under AS 18.66.100-180 are a separate offense under AS 11.56.740(a)(1). The provisions listed in AS 18.66.100(c)(1-7) are:
    a. Prohibit the respondent from threatening to commit or committing domestic violence, stalking, or harassment;
    b. Prohibit the respondent from telephoning, contacting or otherwise communicating directly or indirectly with the petitioner;
    c. Remove and exclude the respondent from the petitioner's residence, regardless of ownership of the residence;

d. Direct the respondent to stay away from the residence, school, place of employment of the petitioner, or any other specified place frequented by the petitioner or any household member;

e. Prohibit the respondent from entering a propelled vehicle possessed or occupied by the petitioner;

f. Prohibit the respondent from using or possessing a deadly weapon if the court finds the respondent was in the actual possession of or used a weapon during the commission of domestic violence; or

g. Direct the respondent to surrender any firearm owned or possessed by the respondent if the court finds that the respondent was in the actual possession of or used a firearm during the commission of the domestic violence.

2. Criminal Trespass in the Second Degree – AS 11.46.330;

3. Misconduct Involving Weapons in the Third Degree – AS 11.61.200(a)(8).

4. Custodial Interference AS 11.41.320-330

5. Burglary AS 11.46.300

212.310 DOMESTIC VIOLENCE PROTECTIVE ORDERS

A. ***Protective orders issued by the Alaska Court System.*** Protective orders issued by the Alaska Court System in cases of domestic violence under AS 18.66.100-180 can take three forms:

1. Long Term Protective Order. Issued after notice to the respondent and a hearing. The provision of the order prohibiting the respondent from threatening to commit or committing domestic violence, stalking or, harassment remains effective until further order of the court, other provisions remain in effect for one (1) year unless earlier dissolved by the court. [Ref AS 18.66.100]

2. Ex Parte Protective Order. An ex parte protective order can be issued without the respondent being notified or present at a hearing. Ex parte protective orders expire after twenty (20) days. [Ref AS 18.66.110(a)]

3. Emergency Protective Order. A protective order issued on the request of a peace officer with the consent of the victim of a crime involving domestic violence. Emergency protective orders expire after seventy-two (72) hours unless dissolved earlier by the court. An officer can obtain an emergency protective order in person or telephonically from a Judge or Magistrate. The officer must complete a DV-112 form provided by the court. If the order is issued telephonically, the Judge and the officer will each fill out a DV-112. The Judge will authorize the officer to sign the Judge's name to the order. After the order has been issued the officer will serve the petitioner and the respondent, file the order with the court by the end of the next day, and see that the protective order is entered into the registry of protective orders.

B. ***Protective orders from other jurisdictions.*** Valid protective orders from other jurisdiction shall be enforced in the same manner as orders issued by Alaska Courts. Ref AS 18.66.140 and 18 USC 2265 (full faith and credit).

1. The officer needs to confirm that the order on its face appears to be valid. Elements of a valid order are as follows:

   a. The order has not expired and has been served on the respondent. Ex-parte orders are entitled to full faith and credit if the respondent has notice of the order and will have an opportunity to be heard (i.e. the order has been served).

   b. The order contains the name of the issuing court and the order was signed by or on behalf of a judicial officer (includes tribal courts).

2. Charges for violation of a protective order from another jurisdiction under AS 11.56.740, are valid if the provisions in the order closely correspond to the provisions in AS 18.66.100(c)(1-7). (See 212.300 C 1 for a list of authorized provisions).

   The officer also needs to confirm that the order on its face appears to be valid, has not expired, and has been served on the respondent.

3. Orders from other jurisdictions <u>may be</u> filed with the Alaska Court System and can be confirmed in two ways:

   a. Check the central registry of protective orders (APSIN) to confirm that the order is unexpired and has been filed with the Alaska Court System;

   b. If APSIN is unavailable, check the copy of the order held by the victim (petitioner). If the Alaska Court System has recorded it, it should bear a time and date stamp, the initials of the court clerk, and an Alaska Court System case number.

4. Officers shall explain to the petitioner the benefits of filing the order with the State of Alaska Court and thus, enabling the entry of the order into APSIN. If the petitioner, chooses not to file the order with the State of Alaska Court, the order may be placed into APSIN as a locate.

5. Officers shall treat the order from another jurisdiction in the same manner as they would an Alaska order. Thus, for example, if the order allows the petitioner to retrieve clothing or property from the respondent the officer shall provide the same type of civil standby or other assistance that we would if an Alaska court issued the order.

6. If an officer determines that an otherwise valid protective order from another jurisdiction cannot be enforced because the respondent has not been served with the order, the officer shall inform the respondent of the order and make a reasonable effort to serve the order. The officer will then properly document the service of the order.

7. The full faith and credit provision is silent on the issue of child custody and child support orders. Officers shall contact DPS legal counsel regarding the enforcement of child custody and support provisions contained in orders from other jurisdictions. If an officer is unable to reach the DPS legal counsel, they should contact their local on-call District Attorney.

8. Military protective orders do not qualify for enforcement under full faith and credit.

9. Mutual protective orders are only enforceable if the respondent cross-filed a written pleading for an order and the issuing court made a specific finding that each party had abused each other.

212.320 COMMANDER RESPONSIBILITIES

A. ***Commanders responsible for domestic violence response***. Commanders are responsible for ensuring that domestic violence incidents occurring in areas under their jurisdiction are handled in accordance with statute, regulation, department policy, and detachment SOP.

1. Detachment and post SOPs may be established that take into account the availability of local resources and personnel to investigate, intervene, and prosecute reported cases of domestic violence. The Division Director must approve any SOP relating to response to domestic violence incidents.

2. Each detachment commander or their designee, shall ensure the following:

   a. An annual review of all detachment and post SOP's and update, if necessary.

   b. In consultation with the statewide coordinator, identify and analyze trends, problems, or issues relating to domestic violence within each detachment.

      The director's office (AST) will provide the data necessary to fulfill this requirement.

   c. A quarterly review of domestic violence incident reports as well as non-arrests within the detachment area. This review may be a random selection of cases.

   d. Serve as a liaison with local victim service provider programs, CDVSA and other relevant local entities.

   e. All new recruits and officers are familiar with local resources specific to domestic violence.

   f. All statutory training requirements are met. This will be done in coordination and consultation with the statewide coordinator.

212.330 RESPONSE TO DOMESTIC VIOLENCE CALLS

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

- [redacted]

  [redacted]

  - [redacted]

[redacted]

212.340 ARREST DECISION

A. ***Arrest mandatory for crimes involving domestic violence***.

1. AS 18.65.530 requires that a peace officer, with or without a warrant, shall arrest a person if the officer has probable cause to believe the person has, either in or outside the presence of the officer, within the previous 12 hours: committed domestic violence (whether a misdemeanor or felony); committed the crime of violating a protective order under AS 11.56.740; or violated a condition of release imposed under AS 12.30.027. Three exceptions to mandatory arrest are provided:

   a. For homicide under AS 11.41.100-130 (OPM 212.340(A)(2));

   b. For other offenses with the authorization of the District Attorney in the jurisdiction of the offense (OPM 212.340(A)(3)); or

   c. In cases with multiple offenders where there was a principal physical aggressor (OPM 212.340(A)(4)).

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

B. ***Authority for arrest***. Under AS 12.25.030, arrest is authorized without a warrant:

1. For a crime committed or attempted in the presence of the person making the arrest;
2. When the person has committed a felony, although not in the presence of the person making the arrest;

Public OPM as of 9/4/2020

3. When a felony has in fact been committed, and the person making the arrest has reasonable cause for believing the person to have committed it; and

4. When a peace officer has reasonable cause for believing that the person has committed Violation of a Domestic Violence Restraining Order [Ref AS 11.56.740], violations of conditions of release [Ref AS 18.65.530], or any of the domestic violence offenses listed under AS 18.66.990 against any of household member as defined in AS 18.66.990. (See 212.300)

[redacted]

D. ***Written explanation of non-arrest, authorization to not arrest or multiple arrests in DV cases required***. It is expected that non-arrest situations or multiple arrest situations will be very rare.

1. A peace officer who does not make an arrest after investigating a complaint of domestic violence (as defined in AS 18.66.990) shall describe in a written report the reasons for not making an arrest (AS.18.65.530 (e)).

   a. The written incident report must contain a detailed explanation of the reasons why there was no probable cause and why an arrest was not warranted. The officer must provide information in sufficient quantity

and detail in ARMS to ensure that a thorough investigation was conducted and for a supervisor to discern that no crime was committed.

b. The officer must complete a "non-reportable" ARMS incident as a domestic disturbance non-criminal in the offense/activities section. Entering information in a CAD system does NOT fulfill this requirement.

This ARMS incident must include:

i. Completed Domestic Non-Criminal Checklist.

ii. Statements of both parties and interviews with complainant(s).

iii. Audio recording of investigation, any case photos and 911 call entered into evidence.

c. <u>If the investigation reveals there is no "household member" relationship, as defined in AS 18.66.990 (5), between the parties and no arrest-able offense was committed, the officer does **not** need to complete a</u> "non-reportable" <u>incident report in ARMS.</u>

d. In cases in which there is an established "household member" relationship and the responding officers determines no-arrest is warranted because there is no probable cause, the trooper must contact an on-duty supervisor or OIC prior to clearing the scene. When needed rural troopers may contact a supervisor or OIC on-duty at an urban post.

This does not preclude the officer from contacting their local on-call District Attorney to discuss potential charging options.

2. If the officer receives authorization not to arrest from a District Attorney in a case where there is probable cause or if multiple arrests are made based on the same incident, a written incident report must be prepared in ARMS that contains a detailed explanation of the exceptional circumstances surrounding the authorization to not arrest or why multiple arrests were made (AS 18.65.530(e)).

a. It is expected that outposts or areas without jails or cells may encounter situations where arrest may not be possible due to transportation problems or other complicating factors. Officers in these locations shall discuss with their local District Attorney how such incidents will be handled.

b. Prior to making a dual arrest, the responding officer will consult with the on-call District Attorney.

c. In some circumstances, the documentation may provide a foundation for the issuance of a protective order, create a record with information relevant to future calls and prosecutions, or provide important facts for review, planning and training.

212.350 VICTIM ASSISTANCE AND NOTIFICATION

A. ***Victims of domestic violence often need:***

1. Emergency medical treatment.
2. An officer standby to leave the premises in safety.
3. Assistance in getting the offender to leave if the victim is in lawful possession of the premises.
4. Assistance in locating alternative lodging or transportation to a place of safety.
5. Due to lack of services in some remote communities, officers cannot always provide all forms of assistance, however, whenever possible, concrete steps will be taken to help victims.
6. If the victim does not understand English, the responding officer shall make reasonable efforts to inform the victim of the services and rights available to victims in a language the victim understands.

B. ***Officer required to protect victim and family members.*** AS 18.65.515 requires a peace officer investigating a crime involving domestic violence to protect the victim and any member of the victim's family and to prevent further violence by:

1. Transporting an adult victim and any member of the victim's family to a location within the community where the offense occurred that is a shelter, a safe home, or another location in the community requested by the victim;
2. Assisting the victim in removing from the residence essential items belonging to the victim, such as clothing, vehicles, medication, personal records, and legal documents;
3. Assisting the victim and any member of the victim's family in obtaining medical treatment necessitated by the offense, by contacting emergency medical services or by transporting the victim to a local medical facility, if available in the community where the offense occurred; and
4. Providing notice of the rights of victims and services available to victims of domestic violence (both orally and in writing).

C. ***Officer required to provide certain information to victims of domestic violence.*** Under AS 18.65.520, an officer must inform victims of domestic violence, both orally and in writing, of services available to victims and the rights of victims.

1. A responding officer shall have available the Information for Victims of Domestic Violence booklet. The booklet is also available in multiple languages.
2. Documentation that the information was provided to the victim of a domestic violence incident must be included in the written report of the incident. The officer shall include a paragraph in the body of the report indicating that the information was provided.

D. ***Officer to explain DV protective order application.*** A responding officer shall inform the victim of the process for applying for a protective order, including that the order is available 24

hours a day, that application forms for orders are available at the courthouse and on line, that an attorney is not required for processing the application, and that the officer can apply for an Emergency Protective Order on behalf of the victim. (See 212.310)

E. ***Officer to advise victim of reason for non-arrest.*** If arrest is not warranted because of the absence of probable cause to believe that a crime was committed, or if arrest is authorized but not made (for reasons to be detailed in the incident report), the officer shall explain to the victim the reasons that arrest is not being made and make every effort to answer any questions.

F. ***Officer to notify and assist victim if charges filed.*** If an arrest is made, or an arrest warrant obtained, the officer shall:

1. Advise the victim of the nearest victim service program (shelter) and provide them the address and telephone number. The officer will advise the victim that the program can assist with shelter, legal advocacy and provide other assistance. See section B above regarding transportation to a safe place within the community.
2. Advise the victim of what procedure will happen next, including the possibility that the accused may be in custody for only a short period of time but that the offender will be required to appear before a magistrate in person or telephonically before release;
3. Obtain the address and telephone number where the victim can be contacted if the victim decides to leave the residence (being careful that the accused cannot overhear);
4. Obtain from the victim information to be included in the arrest report indicating any special conditions of bail that shall be requested; and
5. Provide the victim with the case number, the officer's name, a follow-up telephone number, and the name of the follow-up investigator if it will be someone other than the responding officer.

212.360 VULNERABLE ADULTS VICTIMS/DEPENDENTS

A. ***Vulnerable adults.*** Peace officers are required to report to Adult Protective Services if they have reasonable cause to believe that a vulnerable adult suffers from undue influence, abandonment, exploitation, abuse, neglect or self-neglect (AS 47.24.010). The report of harm must be made within 24 hours and documented in ARMS. Adult Protective Services.

Under AS 47.24.900 "vulnerable adult" means a person 18 years of age or older who, because of physical or mental impairment, is unable to meet the person's own needs or to seek help without assistance.

B. ***Vulnerable adults require care.*** When a victim of domestic violence is a vulnerable adult or when the accused or the victim of domestic violence is the sole caretaker of a vulnerable adult and the person can no longer provide care (as, for example, when the victim is

hospitalized or when the accused is arrested), the responding officer shall determine whether the vulnerable adult is physically endangered, either as a result of the abuse, a preexisting medical condition, or the removal of a caretaker.

C. ***Vulnerable adult care determination.*** If the vulnerable is physically endangered, the officer shall determine whether there is responsible friend or relative who can be contacted immediately to provide care. If there is no one available to care for the vulnerable adult, the officer shall transport, or arrange for someone else to transport, the vulnerable adult to a medical facility or other appropriate location.

If the suspect is a vulnerable adult, prior to departing the scene the officer shall determine if the suspect is on any essential medications and determine whether the suspect needs to be medically cleared before transporting to jail.

212.370 CHILD VICTIMS & DEPENDENTS

A. ***OCS notification required for child victims.*** When the victim or witness of crime involving domestic violence is a minor child, the officer must immediately report the harm to the nearest Office of Children's Services (OCS). Reports should be made if the child was in sight or sound of the incident. [Ref AS 47.17.020 and AS 47.10.011(8)(ii)] OCS Report of Harm

B. ***Officer to escort injured child to medical facility.*** If the child victim of domestic violence is physically injured, the officer shall coordinate efforts to get the child to the nearest medical facility for treatment. If a non-offending adult caretaker of the child is available they shall accompany the injured child to the medical facility.

C. ***Officer to provide notice to caretaker of abused child.*** The officer shall provide victim notification as described in 212.350 to an adult caretaker (who is not the perpetrator of the abuse) of a child victim of domestic violence.

D. ***Officer to assure dependent care.*** If the accused is arrested and was the sole caretaker of a child, or the victim is the sole caretaker of a child and can no longer provide care (as, for example, when the victim is hospitalized), the officer shall determine (for example, by asking the victim or mature child) whether there is a responsible relative who can care for the child and, if so, shall contact that relative and await the relative's arrival.

E. If no responsible relative is available, the officer shall contact the OCS and either remain at the residence until a social worker arrives or transport the child to a location designated by OCS.

F. If the officer is unable to contact OCS, the child shall be transported to a place of safety and the officer shall continue efforts to reach OCS.

G. The officer shall attach the report of harm referral form in ARMS.

H. Officers will comply with the provisions of AS 47.17.020 and AS 47.17.023..

213.380 EMPLOYEE AS VICTIM OF DOMESTIC VIOLENCE

A. ***Law enforcement response to employee victim is the same as other victims.*** DPS employees who are the victims of domestic violence (victims of a crime of domestic violence or plaintiffs in a Domestic Violence Protective Order) shall receive the same law enforcement response (e.g. investigation, decision to arrest, service and recording of process) as other similarly situated victims.

B. ***Protection of victim***. The department will make every effort to assure that the victim employee is protected from harm or harassment while at the workplace or on the job. Whenever possible, actions taken to protect a victim employee shall be developed with that person's concurrence.

1. For employees whose duties involve public contact, consideration will be given to the assignment and scheduling of the employee to minimize situations where the respondent / defendant can make contact with the victim.
2. If the victim employee is an officer, precautions against that officer being lured into contact with the respondent / defendant through false or deceptive calls will be taken.
3. The Department will make appropriate notification of receptionists and others who control entry to a secured facility where a victim employee is working.

212.390 REPORTING INCIDENTS OF DOMESTIC VIOLENCE

The Department recognizes that domestic violence is a serious problem that affects not only the public at large, but also our own employees. All employees are encouraged to report incidents of criminal domestic violence, including those that they encounter while away from the workplace. Employees who are themselves victims of domestic violence are encouraged to seek assistance, and in the case of criminal domestic violence, to report it to law enforcement. Employees whose friends, acquaintances, or relatives reveal domestic violence should encourage those persons to seek appropriate assistance and to report criminal conduct. Mandatory reporting of domestic violence is required as follows:

A. ***Employees must report on-duty knowledge of domestic violence.*** Employees who learn of criminal domestic violence involving any person (members of the public or DPS employees of any rank) through their official function must report such knowledge to the appropriate enforcement agency.

B. ***Officers must report domestic violence.*** Officers who learn of criminal domestic violence involving any person (members of the public or DPS employees of any rank) must report such knowledge to the appropriate enforcement agency. Failure to report knowledge of domestic violence will subject the officer to discipline, except that no officer who is a victim of criminal domestic violence will be disciplined for failure to report that incident.

C. ***Officers who are respondents to any DVPO must report.*** Any officer of the Department who is named as a respondent on any domestic violence protective order whether issued in Alaska or any other jurisdiction must report that fact to their supervisor and to the Commander. They shall also provide a copy of the DVPO to their supervisor.

D. ***DV incidents involving law enforcement officers from other agencies to be reported.*** When DPS responds to an incident of criminal domestic violence and determines that the defendant or suspect is a law enforcement officer from another agency or when a protective order is served on a law enforcement officer from another agency, immediate notification shall be made to the command staff of the officer's agency. In this context "law enforcement officer from another agency" includes federal, state, and municipal police or corrections officers from Alaska or any other state and any other person with authority to enforce Alaska criminal law or regulations.

212.400 EMPLOYEE AS SUSPECT, DEFENDANT, OR RESPONDANT IN DV CASE

Nothing in this section shall be construed as limiting actions by the Department that may be authorized by contractual agreement, regulation, or statute. When a DPS employee is a respondent, suspect, or defendant in a domestic violence action they will receive the same law enforcement response (e.g. investigation, decision to arrest, service and recording of process) as any other similarly situated citizen. They will receive no special leniency or exceptions to normal practice because of their employment with the department. All of the standards set out elsewhere in this Chapter for arrest and investigation where allegations of domestic violence are present will be followed. In addition, the following provisions shall also apply:

A. ***Supervisor to be notified of employee involved DV.*** When an officer responding to a DV incident determines that the suspect or defendant is a DPS employee they shall immediately notify a supervisor. If no supervisor is available, the officer shall make the supervisory notification to a commander required under 212.400 B2.

B. ***Supervisor respond to notification of employee involved DV.*** Upon receiving notification that a DPS employee is involved as a suspect of defendant in a DV incident, the supervisor shall do the following:

1. If the suspect / defendant employee is DPS officer a supervisor shall immediately respond to the scene except where impractical. Upon arrival, the supervisor is responsible to see that the incident is handled in strict compliance with all applicable laws and department policies.

2. The supervisor will make prompt notification of the incident to the employee's Commander.

C. ***Commander to report to Director.*** Upon notification that a DPS employee has been involved in a DV incident as a suspect or defendant or is the respondent in a DVPO, the Commander will make immediate notification to the employee's Division Director.

D. ***Seizure of defendant officer's issued weapons and other gear.*** If a DPS officer is arrested as a result of a DV incident any issued firearms, badges (including flat, hat, and breast badges), credentials, or DPS vehicles in his possession shall be seized and returned to the post pending a determination of status under 212.400 E.

E. ***Duty assignment and possession of firearms by officers subject to DVPO or defendants in DV matters.***

1. Officers who are respondents to a DVPO or are defendants awaiting trial on DV charges may be placed in special duty assignments or leave status and may have their authority to carry firearms and badges or to possess department equipment and identification restricted. As the specific circumstances vary for each officer subject to this section, so will the actions of the Department.

2. In general, if a DPS officer is subject to a DVPO or is awaiting disposition on a charge of a domestic violence misdemeanor, they shall be prohibited from possessing department issued firearms, ammunition, badges, credentials, or vehicles except while actually on duty. Depending on the specific allegations or circumstances involved, the Department may choose not to exercise the "official use" exemption to any firearms prohibitions and may restrict the officer's use or possession of other department equipment including uniforms, badges, and credentials while on duty.

3. Officers who are respondents to a DVPO or who are defendants in a domestic violence misdemeanor will normally receive written departmental orders that they comply with all conditions placed upon them by the court. Additionally, they will usually receive specific written directions concerning their duty status and possession of DPS badges, property, firearms, and other equipment.

F. ***Court appearances to be on personal time.*** Officers who are appearing in court as respondents to a DVPO or as a defendant in a domestic violence criminal matter shall comply with OPM 109.

212.410 SERVICE OF DOMESTIC VIOLENCE PROTECTIVE ORDERS

A. ***DV protective order service is a department priority.*** Service of domestic violence protective has high priority. Until personal notice has been served on an offender, the order does not provide protection or assistance to the victim. Therefore, once the court has issued a domestic violence order, every reasonable effort will be made to serve the order on the offender at the earliest possible opportunity. Per AS 18.66.160 the order shall be “promptly served and executed.”

B. ***Officer to be familiar with DV protective order before service.*** Before attempting service, the officer must read the domestic violence protective order thoroughly to determine what situation may be confronted while making service, and to find out if the officer is required to do anything in addition to making service. The officer should also review the confidential law enforcement information sheet prior to service of the order. The confidential information sheet is not provided to the respondent.

C. ***Time and place of service.*** Domestic violence protective orders can be served at any time of day and any place the person to be served can be located. However, the order is not a search warrant, so unauthorized entries or intrusions to effect service shall not be made. If a

situation is encountered where a search warrant would be needed to enter a residence or vehicle, and the officer is positive the person is inside, special permission can be obtained from the judge to force entry.

D. ***Person served must be conscious.*** The person being served must be conscious, but need not be sober. If the person is not sober or does not appear to understand an explanation of the order, these observations shall be noted on the back of the "return" for the court's information at future hearings.

E. ***Officer to explain order to person served.*** Whenever reasonable, the officer shall explain the domestic violence protective order to the person being served, and explain in detail the section where to judge has ordered the person to do or not do something. The officer shall not just hand the writ to the person and leave, unless the person is so uncooperative or so incapacitated that attempts to explain are pointless.

F. ***Digitally record service and written documentation****.* The officer shall digitally record the service of the order and maintain the recording for the duration of the order at a minimum. The officer shall document in ARMS all attempts for service. If the officer is unable to serve the order by the end of their shift. The officer will notify their shift supervisor and the service of the order will be assigned to the next shift.

G. ***If the officer/department is unable to serve the order within 24 hours, the officer will contact the petitioner***.

H. ***Writs of Assistance.*** The officer shall comply with all writs of assistance in a timely manner. See ARMS instructions regarding service and attempt of service for writs for how to properly document.

212.420 ADMINISTRATION OF DOMESTIC VIOLENCE PROTECTIVE ORDERS

A. ***Protective Orders to be immediately entered into central registry.*** All protective orders, modified orders or dismissal orders delivered to the department are to be immediately entered into the central registry. {Ref AS 18.65.540]

B. ***DPS to notify other law enforcement agencies upon notice of issuance of DV protective order.*** When the Department is notified that a domestic violence protective order has been issued, immediate notification of the order must be conveyed to all appropriate law enforcement agencies within the surrounding area. The entry of the order into the central registry fulfills this requirement. (All military police and agents at the military gates have APSIN access.) In rural areas, VPSOs will have access to the central registry in APSIN. In communities without VPSOs, the distribution of the order to surrounding peace officers will be determined based on the known or probable travel of the petitioner or respondent.

C. ***Return of Service***. After service of the order, the officer shall complete the required return of service form (DV-125) and provide a copy of the form to the issuing court. If the officer is unable to serve the order, the officer shall complete the required return of service

form (DV-125), document on the form the reasons the order was not served and provide a copy of the form to the issuing court.

A copy of the return of service paperwork must be entered into ARMs.

212.430 VIOLATION OF BAIL RELEASE CONDITIONS IN DV CASES

After initiation of a criminal charge in a domestic violence case, the judge has the authority to set conditions of bail release designed to prevent further violence. To facilitate the setting of appropriate bail conditions, the officer shall convey to the prosecutor's office, prior to arraignment, any information received from the victim relating to appropriate or necessary conditions of release such as prior history of domestic violence between the parties and any significant lethality indicators. Judges are required to take special factors into consideration, and may apply special conditions of release in cases involving domestic violence [Ref AS 12.30.027].

A. ***Conditions of release to be immediately recorded.*** If a court issues conditions of release on a domestic violence case under AS 12.30.027 the court is required to provide a copy of the release conditions to the arresting agency. If the documentation of the conditions of release is received from the court, it is to be immediately processed:

1. The conditions of release form will be scanned and attached to the original ARMS incident.
2. By entry into APSIN once procedures for the recording of bail release conditions in APSIN have been established;
3. Officers may check with correctional facilities and local District Attorneys' offices regarding conditions of release.
4. If the department is notified that a defendant/suspect has absconded from their 3rd party, the officer shall make all reasonable efforts to notify the victim and document all attempts to contact the victim in ARMS.

B. ***Officer to notify victim if defendant released from custody from other than a correctional facility.*** If an officer releases a defendant from other than a correctional facility (such as from a rural holding facility) after a hearing before a judge or magistrate under AS 12.30.027, they shall make reasonable efforts to immediately notify the victim and to provide the victim a copy of the conditions of release. All attempts and contacts shall be documented in ARMS.

C. ***Officers shall arrest for violation of conditions of release.*** Incidents of violations of conditions of release specific to crimes involving domestic violence fall under the mandatory arrest provision established in AS 18,65.530(a)(3). If an officer becomes aware that conditions of bail release set under 12.30.027have been violated within the preceding twelve (12) hours the officer shall make an immediate arrest of the person (See 212.340 A1).

212.900 DEFINITIONS

Order from another jurisdiction-- is a court order that is issued by a court other than a State of Alaska court. Orders from other jurisdiction include those issued by the courts of other states (such as Washington State) and of political subdivisions within other states (e.g. county courts); tribal governments; the District of Columbia; and of a commonwealth, territory or possession of the United States of America (American Samoa, Guam, Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands). See exception for Military protective orders in paragraph 212.310 B7.

Full faith and credit -- full faith and credit is a term which derives from the U.S. Constitution and the federal Violence Against Women Act that, in the context of domestic violence protective orders, means that law enforcement officers are to enforce protective orders issued by another jurisdiction as though they were issued by their own jurisdiction.

Protective order -- includes any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communications with or physical proximity to, another person, including temporary and final orders issued by civil and criminal courts (other than support or child custody orders) [Ref 18 USC 2265]. This includes provisions contained in divorce or dissolution orders or decrees.

RESOURCES

Information for Victims of Domestic Violence booklet – also available in several languages

Domestic Violence Checklist – Initial Investigation

Domestic Violence Checklist – Follow-up

Domestic Violence Checklist – Non-criminal

Medical Records Release (Victim of DV) – Most healthcare providers have an agency specific form. You can also use a Waiver of Search (12-227).

Medical Records Release (Victim of DV) – Link to form

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 213	**SEX OFFENDER REGISTRATION**	
	Effective: 12/13/2010	**Commissioner Approval:**
	Authorities: AS 12.63	
	Applicability: All DEPARTMENTAL EMPLOYEES	
	Special Instructions: Click here to enter text.	

213.100 INTRODUCTION

AS 12.63, the Alaska Sex Offender Registration Act (ASORA), requires all offenders convicted of a sex offense or child kidnapping (as defined under AS 12.63.100) in Alaska or in any other jurisdiction who are physically present in the state to register within the 30-day period before release from an in-state correctional facility, by the next working day following conviction for a sex offense or child kidnapping if the offender is not incarcerated at the time of conviction, or by the next working day of becoming physically present in the state.

ASORA's registration requirements do not apply to:

1. Offenders who were convicted of a sex offense or child kidnapping committed before August 10, 1994 (the date ASORA became effective);
2. Offenders who were convicted of a sex offense or child kidnapping committed prior to that offense being defined as a sex offense or child kidnapping under AS 12.63.100;
3. Offenders whose conviction for a single non-aggravated sex offense or child kidnapping was set aside before December 31, 1995; or
4. Juvenile offenders unless the juvenile was charged as an adult under AS 47.12 or a similar procedure in another jurisdiction.

Within the department's Division of Statewide Services, the Sex Offender Central Registry Office (SOCRO) is responsible to maintain offender registrations, the sex offender central registry database, and the online public registry of offenders who are required to register. The SOCRO is located at 5700 East Tudor Road, Anchorage, AK 99507 and can be contacted at 269-0397 (within Anchorage), at 1-800-658-8892 (outside Anchorage), or by email at sor@dps.state.ak.us.

213.300 REGISTRATION REQUIREMENT

A. ***Initial registration***. Offenders must initially register with the Alaska Department of Corrections if the offender is incarcerated, or in person at the Alaska State Trooper post or municipal police department located nearest to where the offender resides at the time of

registration. Offenders residing within the Municipality of Anchorage are to be directed to the SOCRO to register.

B. ***Verifications and changes to registration information.*** After initial registration, offenders shall submit their scheduled annual or quarterly verifications or report changes in their registration information by mail or in person to the SOCRO, an AST post, or a municipal police department. Offenders residing within the Municipality of Anchorage shall submit their information directly to the SOCRO.

C. ***Forms.*** All department approved forms used in offender registration are posted online on the central registry website at www.dps.state.ak.us/Sorweb/sorweb.aspx.

213.310 DISSEMINATION OF REGISTRY INFORMATION

A. Public queries of the Sex Offender Registry. The department will provide information contained in the public registry of sex offenders that is subject to public disclosure to any person without charge by posting or making it available in electronic form on the central registry website at www.dps.state.ak.us/Sorweb/sorweb.aspx.

The department will charge a fee of $10 for printed information including a copy of registry information about a single offender who is specified by name, a printed copy of the list of all offenders in a geographic area such as a municipality or village, an area designated by a single postal zip code, or a street name within a specified municipality or village.

The fee is non-refundable. The requestor will not receive a refund if there are no matches to the query. If there is a response or responses based on the requestor's query, the requestor will receive a report or reports by mail from the SOCRO.

B. Reports made to the public. Information provided on the online public registry or in a report will include the offenders name and aliases, date of birth, mailing and residence addresses, employer name and address, a list of the offender's convictions that require registration, a photograph of the offender, and a statement as to whether the offender is in compliance with the registration requirements of AS 12.63.

213.600 ACCEPTANCE OF REGISTRATION PROCEDURES

Posts or municipalities that receive registration forms must forward them, along with any original envelops to the SOCRO within five (5) working days of receipt.

Registration forms received by these receiving agencies will be date stamped accordingly and will be reviewed for completeness, accuracy, or obvious discrepancies. Attempts will be made

to correct any errors or omissions with the filer, regardless of the mode of submission to the agency (in person or through mail). Completed registration forms will be indicated on the form as accepted and will bear the receiving agency's signature. Incomplete registration forms will not be signed by the receiving agency.

All registration forms, regardless of their completeness, will be forwarded to SOCRO within the prescribed timeframe cited above.

213.610 INTERIM PROCEDURES

It is permissible for department employees to enter "interim" registration information as authorized by the Detachment/Bureau Commander. Complete instructions for entering interim registrations are available from the SOCRO and include the ability to add or update personal information, alias information, address information, and employer information. After interim registration information is entered, note on the form that "interim registration information was entered in APSIN" and forward to the SOCRO.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 214	**FOREIGN NATIONALS**	
	Effective: 8/5/2020	**Commissioner Approval:** AP
	Authorities: 18USC 112	
	Applicability: OFFICERS	
	Special Instructions:	

214.100 INTRODUCTION

This chapter establishes protocol for dealing with arrests or detention of foreign nationals.

214.300 DESCRIPTIONS

A. ***Treatment of foreign nationals governed by international treaties.*** International treaties require that certain information be supplied to consular officers concerning the arrest and/or detention of nationals of that country.

B. ***Legal status of "diplomatic agents."*** Diplomatic agents, their family members, and their administrative and technical staff cannot be arrested or detained and their property or residence cannot be entered or searched. They enjoy complete immunity and cannot be prosecuted no matter how serious the offense. (There are no diplomatic agents resident in Alaska and contact with them is unlikely.)

C. ***Legal status of "consular officials."*** Consular officials have "official and functional immunity" and can be arrested only for felony offenses and then only with a warrant. After arrest the defendant can attempt to prove that he was on official business and argue that his special immunity protects him from prosecution. The family members of consular officials have no special immunity from arrest, detention, or search.

D. ***24-hour diplomatic status help-line***. The State Department maintains a 24-hour Operations Center that can confirm the diplomatic status of individuals claiming to have immunities at (202) 647-1512. This Operations Center will also accept reports of Alaska Uniform Citations (AUC) and other violations alleged to have been committed by persons with diplomatic status.

E. ***State department law enforcement help desk***. The State Department Assistant Legal Advisor for Consular Affairs provides attorneys who are available to assist local law enforcement on questions regarding diplomatic law. Contact the 24 hour State Department Operations Center at (202) 647-1512.

214.310 DETENTION OF FOREIGN NATIONALS

A. ***Officers lack authority to arrest individuals for civil immigration violations.*** Unlawful presence in this country is a civil matter governed by federal immigration laws.

B. ***Officers should not stop and detain for immigration violations.*** Officers should not stop and detain individuals solely because of a suspicion that the individual may be an unlawfully present alien.

C. ***Immigration status alone is not reason to request identification.*** Any request for identification should be in conjunction with a criminal investigation or regulatory license inspection related to state or local law and not solely for the purpose of inquiring about an individual's immigration status.

D. ***Officers may arrest on valid criminal warrants.*** Troopers retain authority to arrest individuals for violations of criminal law and/or pursuant to a valid criminal warrant issued by a judge or magistrate.

E. ***Foreign nationals not to be detained beyond original justification.*** Foreign nationals shall not be detained beyond the period necessary to resolve the criminal investigation or regulatory contact which originally justified the stop or detaining of the individual. Officers may contact ICE after the contact and convey information regarding the contact of the foreign national.

F. ***Detainee right to consular notification.*** Members who arrest, imprison, or otherwise detain a foreign national must inform the detainee of their right to have their government notified of the detention. If the detainee requests notification the member will contact the appropriate consulate or embassy without delay and shall create a written record of the contact in the case report. Current phone numbers for consulates and embassies may be obtained from the State Department help line listed in Section 214.300 D.

G. ***Mandatory consular notification for citizens of certain countries.*** When a citizen from any of the countries listed in this section are arrested, imprisoned, or otherwise detained consular notification is mandatory and will be carried out by the officer regardless of the wishes of the detainee. Officers will document the notification in their case report. Countries requiring mandatory notification:

Albania	Antigua	Armenia	Azerbaijan	Bahamas
Barbados	Belarus	Belize	Brunei	Bulgaria
China (People's Republic)	Costa Rica	Cyprus	Czech Republic	Dominica
Fiji	Gambia, The	Georgia	Ghana	Grenada
Guyana	Hong Kong	Hungary	Jamaica	Kazakhstan
Kiribati	Kuwait	Kyrgyzstan	Malaysia	Malta
Mauritius	Moldova	Mongolia	Nigeria	Philippines
Poland	Romania	Russian Federation	St. Kitts and Nevis	St. Lucia
St. Vincent and Grenadines	Seychelles	Sierra Leone	Singapore	Slovakia

Taiwan (Republic of China)	Tajikistan	Tanzania	Tonga	Trinidad and Tobago
Turkmenistan	Tuvalu	Ukraine	United Kingdom including Anguilla, British Virgin Islands, Hong Kong, Bermuda, Montserrat, and Turks and Caicos	Uzbekistan
Zambia	Zimbabwe			

H. ***Consular access to prisoners.*** Subject to local laws and regulations consular officers have the right to visit their nationals who are detained to converse and correspond with them and to arrange for their legal representation. A foreign consular officer should not be allowed to take actions expressly opposed by the person detained.

I. ***District Attorney to be notified of detention of foreign nationals.*** The District Attorney shall be notified when a foreign national is arrested or otherwise detained. In addition to the usual information concerning the incident and charges they should also be advised of the person's citizenship, whether consular notification has been made, immigration status (e.g., resident alien, visitor's visa, etc.), alien registration number, and the date and port of entry into the United States.

J. ***ICE notification of arrest of foreign nationals.*** When a foreign national is arrested the Immigration and Customs Enforcement (ICE) shall be contacted during business hours at 271-3104 or after hours at 1-800-973-2867. Upon completion a copy of the case report should be sent to ICE at:

U.S. Immigration and Customs Enforcement
ATTN: Investigations Section
620 East 10th Avenue, Suite 102
Anchorage, AK 99501

213.320 REQUESTS FOR ASYLUM BY FOREIGN NATIONALS

A. ***Notification of asylum requests.*** ICE, the Federal Bureau of Investigation (FBI), or the U.S. State Department, depending upon the particular circumstances, handles requests for asylum.

Upon receipt of a request for asylum from a foreign national, officers shall immediately notify the ICE duty officer at 271-3104 (days) or 1-800-973-2867 (after hours). If ICE is unavailable, notification should be made to the FBI or the State Department.

The officer making the notification shall be prepared to describe any documents carried by the person, their reason for seeking asylum, what foreign authorities are aware of the request, and information on any criminal charges pending against the asylum seeker.

B. ***Protection from harm for asylum seekers.*** Unless there is reason to believe that the asylum seeker is in need of physical protection they shall be directed to go to the ICE office at

620 East 10th Avenue, Anchorage. If the asylum seeker is in need of physical protection, it will be provided. If necessary, force may be used to prevent the forcible repatriation of the asylum seeker.

C. ***Inquiries by foreign authorities.*** Any inquiries from interested foreign authorities will be met by the senior officer present with a response that the case has been referred to headquarters for instructions.

214.330 FBI CONCURRENT JURISDICTION WHEN FOREIGN OFFICIAL IS VICTIMIZED

On October 24, 1972, President Nixon signed an act for the protection of foreign officials and official guests of the United States. The act gives the FBI concurrent jurisdiction in serious crimes in which a foreign official is the victim.

These crimes include murder, conspiracy to murder, wounding, imprisoning, offering violence, intimidating, coercing, threatening, or harassing a foreign official or guest, and from obstructing a foreign official in the performance of his duties.

Officers will immediately notify the FBI when investigating any of these crimes where the victim is a foreign official or official guest.

214.340 NOTICE REQUIRED WHEN AUC ISSUED TO FOREIGN DIPLOMAT

The U.S. State Department should be notified at (202) 647-1512 when an AUC is issued to a foreign diplomat. If sufficient cause is shown, the diplomatic driver's license of the violator can be revoked.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 215	**MAJOR AIRCRAFT ACCIDENT PLAN**	
	Effective: 12/28/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: OFFICERS	
	Special Instructions: Click here to enter text.	

215.100 INTRODUCTION

This chapter describes the responsibilities of the agencies and personnel involved in the response to a major aircraft accident occurring in DPS jurisdiction. It also provides guidelines and suggestions for organization of the response, care and treatment of injured persons, safeguarding the scene, handling of deceased persons, and handling of personal effects of those involved.

215.300 AGENCY RESPONSIBILITIES

A. ***National Transportation Safety Board (NTSB).*** The NTSB Bureau of Aviation Safety is responsible for the investigation of civil aircraft accidents. They have specialist trained in the reconstruction of aircraft and the determination of crash causes.

NTSB will not assume responsibility for treatment or transportation of injured, removal of deceased victims, or the recovery and safeguarding of personal effects. These tasks are the responsibility of the civil agencies having jurisdiction over the crash site.

The NTSB may request assistance in the investigation of a crash through the Detachment Commander.

B. ***Department of Public Safety.*** The Department of Public Safety's primary responsibilities are related to aiding the injured, crowd control, safeguarding property and personal effects, preserving the scene for NTSB investigators, and recovery and identification of deceased victims.

In the event DPS determines the necessity of a criminal investigation, the investigation will be conducted by the Alaska Bureau of Investigation (ABI). The DPS criminal investigation may run concurrently with the NTSB investigation.

C. ***Federal Bureau of Investigation (FBI).*** The FBI can assist with the identification of victims at crash scenes where there is a large loss of life.

215.310 PRE-DISASTER PREPARATION

The Detachment Commander and the senior officer assigned to each post are expected to become familiar with the DOT Disaster Plans for airports within their jurisdiction. In areas where a municipal police agency has jurisdiction over airport property the nature of DPS assistance should be worked out ahead of time.

All Detachments and Posts shall develop and maintain an aircraft crash Pre-Plan. All Detachment aircraft crash Pre-Plans shall be kept at the affected posts and at the office of the Statewide SAR Coordinator. Detachment SAR Coordinators are responsible for maintaining up-to-date information in Pre-Plans established for their area. If practical, this pre-plan should contain the following information:

1. Purpose and Objectives	13. Clues
2. Priority of Missions	14. Communications
3. Notification Procedures	15. Briefing / Debriefing Procedures
4. Relative Urgency Guidelines	16. Medical Considerations
5. Investigative Procedures	17. Fatalities
6. Strategy	18. Rescue / Evacuation Procedures
7. Tactics	19. Mission Suspension / De-escalation Procedures
8. Priorities for Resource Allocation	20. Documentation / Report Requirements
9. Emergent Authorities & Responsibilities	21. Critique Procedures
10. Call-out Procedures	22. Special Problems
11. Functional Organization (ICS)	23. Appendices
12. Base Camp Considerations	

215.320 USE OF INCIDENT COMMAND SYSTEM

The Incident Command System (ICS) should be used for the management of major aircraft accidents. In the early stages of a crash response, some functions may be omitted and several of these functions may be combined under one position. If the mission becomes more complex, the need to designate specific functions for personnel becomes necessary. The more complex the mission, the greater the need is for highly trained individuals in these positions.

215.330 RESPONSE TO CRASH

A. ***Aid to injured persons.*** Rescue of injured persons is the highest priority at the crash scene. If it is necessary to alter the scene by damaging or disassembling the aircraft in the

course of rescuing injured persons, note (and photos if possible) are to be taken of the condition of the aircraft before it was disturbed.

B. ***Provide scene security.*** Appropriate steps shall be taken to keep unauthorized persons out of the crash scene. It may be advisable to establish a checkpoint through which all persons entering the scene must pass. Assistance in providing perimeter security may be available from the military or the National Guard.

Efforts shall be made to minimize the disturbance of the scene. The position and condition of wreckage can provide important clues to the cause of the accident.

C. ***Recovery of deceased persons.*** In general, bodies shall not be removed until permission to do so has been received from the State Medical Examiner (SME) in coordination with the NTSB investigators. Prior to moving remains, their position and condition shall be thoroughly documented by diagramming and photographing the scene. Remains must be numbered starting from those farthest from the aircraft. The remains must be clearly labeled with the identifying number. If remains are in a seat, note shall be taken of any seat number. Personal identification shall remain with the remains when they are shipped to the morgue.

D. ***Recovery of personal effects and property.*** Personal effects and property shall be removed from the scene and transported to the temporary morgue. Personal effects shall be handled as little as possible as fingerprints recovered from such items may be used to identify victims.

The victim identification number must be clearly visible on the outside of body bags or other containers holding remains.

E. ***Identification of victims.*** Copies of the airline manifest must be obtained as soon as possible. This list may be checked against APSIN and AAFIS records for fingerprint cards or other leads to identification. As remains are identified they must be clearly labeled. The FBI Disaster Team is available to assist in the identification of mass casualties.

F. ***Remote crash site.*** In the event that a crash occurs off the highway system transportation of responders to the scene, support for persons at the scene, and transportation of remains and property back from the scene become especially complex. In the event that officers must respond to a remote area they must be equipped with clothing and equipment appropriate to the location and season.

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 216	**TRANSPORT OF PERSONS IN CUSTODY**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities: AS 47.30.700; AS 47.30.705; AS 47.30.870; 14 CFR 108.21	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: Click here to enter text.	

216.100 INTRODUCTION

This department establishes a policy on escorting persons while in custody.

216.300 RESPONSIBILITY FOR PRISONER TRANSPORT

A. ***Personnel required to transport prisoners***. Officers of the department will make themselves available to escort persons in custody whenever traveling outside Detachment boundaries. Officers traveling (either in-state or out-of-state) will notify the Anchorage Judicial Services (JS) Travel Coordinator of their itinerary as far in advance of the travel as practical. Notification shall be made by FAX (272-2590) or email (address to: travel.desk@alaska.gov) using the Commissioned Officers Itinerary Form. The Travel Coordinator will publish a daily list of Department personnel on travel status.

B. ***Division of State Troopers (AST) coordinates prisoner transports.*** AST is responsible for coordinating and/or conducting prisoner transports for the Department. The Detachment Commander, or his designee, will advise the Anchorage JS Travel Coordinator, between the hours of 8:00 AM - 4:00 PM, Monday through Friday, excluding holidays, of prisoner moves outside of Detachment Boundaries. This notification will be made as far in advance of the transport as practical.

C. ***AST Commanders responsible for transports within Detachments***. The AST Detachment Commander is responsible for coordinating prisoner transportation within Detachment boundaries.

216.310 TRAVEL COORDINATION

A. ***Travel to be coordinated with prisoner transportation needs***. Whenever practical, officers traveling on state business will coordinate that travel with the Anchorage JS Travel Coordinator and will transport prisoners as required by 216.300.

B. ***Anchorage JS Travel Coordinator responsibilities***. The Anchorage JS Travel Coordinator will be responsible for determining which prisoners need to be moved across Detachment Boundaries and for matching those prisoners up with officers traveling on state business. The Travel Coordinator is responsible for maintaining the travel request list and for adhering to the

travel request priority. See 216.350. The Travel Coordinator is responsible for notifying correctional facilities of pending moves and will, whenever practical, give the correctional facilities advance notice of time/date of move so that the prisoner(s) and prisoner's files will be ready for transport.

C. ***Arrangement of transport when coordination is unworkable***. If a prisoner must be moved and no DPS employee is traveling or available, the Travel Coordinator will contact the Detachment Commander or JS Supervisor in the area and an individual will be selected by the Commander or JS Supervisor to perform the travel.

D. ***Officer responsibilities to Travel Coordinator.*** An officer assigned to prisoner transport shall notify the Anchorage JS Travel Coordinator if travel is canceled after reservations have been made, or of any changes in itinerary such as altered departure date or times, additional destinations, etc.

E. ***Reservations and ticketing***. The Detachment Travel Planner for the JS Office coordinating the prisoner transport will make the reservations for travel through the State Travel Office (STO) regardless of where the escort officers are assigned.

F. ***Escort officer responsible for completion of Travel Authorization (TA)***. The officer escorting the prisoner is responsible for the completion of Travel Authorizations and any other required paperwork.

G. ***Aid in resolving difficulties encountered during transport***. Escorts are authorized to phone collect to the Travel Coordinator, (907) 264-0576 (days), (907) 352-5401 (nights and weekends) and/or by email to travel.desk@alaska.gov (days) for aid in resolving difficulties encountered during prisoner transport, such as: prisoner escape from escort's custody; airline refusal to accept prisoner for transport (See OPM 217); problem in retrieving prisoner from institution or in delivering prisoner to institution; significant delays en route.

216.320 ESCORT QUALIFICATIONS

A. ***Intrastate escort qualifications.*** Troopers, Deputy Fire Marshals, CSOs, or municipal police officers may perform prisoner escorts within the State of Alaska. Retired troopers may be used as the second escort for transports requiring two officers. Escorts must have the required documents to complete the escort to include escort identification and prisoner documents.

B. ***Interstate escort qualifications.*** A trooper or CSO will serve as the primary escort for all transports outside the state. In addition to troopers or CSOs, individuals from the following groups may be used as secondary escorts at the discretion of the JS Unit Supervisor or the

Warrant/Fugitive Section Supervisor: Municipal police officers (armed), Deputy Fire Marshals (armed), retired Alaska State Troopers (unarmed), and corrections officers. Escorts must have the required documents to complete the escort to include escort identification and prisoner documents.

C. ***Non-DPS personnel must be familiar with DPS policy.*** Prior to beginning any trip, non-departmental personnel must be familiar with DPS escort procedures, specifically OPM 107, 216.330, and 217.330.

D. ***Escorts to complete training.*** All escorts hired prior to May of 2009 traveling on commercial airlines must have viewed the FAA's Law Enforcement Officers Flying Armed training video. Escorts hired since May of 2009 must have completed the TSA's Law Enforcement Officers Flying Armed training class.

216.330 GENERAL PRISONER ESCORT RESPONSIBILITIES

A. ***Officer responsible for safety of prisoner and public.*** An officer having custody of a prisoner is responsible for protecting any prisoner in his care from harm, for protecting the public from harm caused by the prisoner, and for delivering the prisoner as required. The officer is responsible for assuring that the prisoner is searched for weapons prior to travel and as necessary during transport, and to use restraints as necessary to prevent the escape of the prisoner, harm to the prisoner, and harm to others.

B. ***Officer responsible for search of prisoners.*** An officer arresting a person or taking control of a person already in custody is responsible for searching the person, clothing, and items carried by the person, for any weapons or other items, which could aid the person's escape, cause harm to others, or are contraband or illegal to possess.

C. ***Prisoners to be kept under direct supervision at all times.*** Prisoners must be accompanied and kept under surveillance by the escort at all times that they are not in a jail or holding facility.

D. ***Officer to restrain prisoner.*** Persons in custody shall be mechanically restrained in a humane manner. Restraints shall be appropriate to the potential danger posed by the person and may include handcuffs, security cuffs, belly chains, leg irons, lead chains, or other devices. Officers who fail to restrain a prisoner who subsequently escapes, who harms himself, or who harms another will be deemed to have been in violation of this section unless they can demonstrate a business or safety necessity for the failure to restrain. When transporting a prisoner by aircraft the prisoner will be secured with belly chains if available and complying with 216.340 C.

E. ***Receiver to be notified of medical conditions or other dangers.*** An officer delivering a prisoner to an institution or to another officer shall provide notice of any known injuries, medical conditions, required medications, or other circumstances that represent dangers to the prisoner or others. All medication given to a prisoner will be logged and the receiving institution notified of the time, date, and quantity given to the prisoner.

F. ***Prisoner records, property, and funds.*** All prisoner funds, identification, records, and personal property will be kept under the escort's control at all times. Prisoner funds will never be used during travel. Funds received at one jail will be delivered intact to receiving jail.

G. ***Escort to carry description and photo of prisoner.*** When transporting prisoners between correctional facilities, the escort shall maintain an accurate description of each prisoner and his clothing. Photos of the prisoner must be carried on interstate transports. Digital photos may be taken by the escort officer at the time of transport. Prisoner's fingerprint classification can be obtained from Alaska Automated Fingerprint Identification System (AAFIS) files and are mandatory on interstate/extradition transports.

H. ***Jail-to-jail transport of prisoner possessions.***

1. Prisoner baggage will not be transported. A Department of Corrections box that will fit in the overhead or under the seat of an airplane will be the only item, other than records also limited to carry-on size, authorized for transport.
2. Medication or small personal items can be moved with the prisoner if sealed in some sort of container. (Not in containers such as grocery sacks, which are, not secure and could give the prisoner access to potential weapons).
3. Corrections personnel shall be encouraged to seal the prisoner's records to help to prevent possible loss, damage, or theft by the prisoner or an accomplice.

216.340 PRISONER TRANSPORT ON COMMERCIAL AIRLINES

A. ***Notice to airline required.*** Unless an emergency exists, the primary escort must notify the air carrier at check-in before boarding a scheduled flight of the following information: the names of the prisoner(s) and escort(s), the escort will be armed, and whether the prisoner is considered a "maximum risk."

B. ***Number of escorts depends on "risk."*** The TSA authorizes the custodial law enforcement agency to determine whether a prisoner is a "maximum risk." If the law enforcement agency determines that a prisoner is a "maximum risk" the airline will require at least two escort officers. They will also only allow one "maximum risk" prisoner per flight. Prisoners rated at less than maximum risk may be transported with a single escort. Risk will not be intentionally understated for the purposes of reducing the required number of escorts.

C. ***Restraining devices on aircraft.*** If requested, the primary escort must advise the air carrier that adequate restraining devices are in the officer's possession and will be used if necessary. Some airlines restrict the use of restraints on their aircraft or in their terminals and may require officers to leave the premises if restraints are visible. This practice is within the airline's rights. Travel may have to be rescheduled or rerouted if circumstances make it impossible to remove prisoner restraints when dealing with one of these airlines. Consult booking agents and supervisors for airline restrictions on restraining devices.

D. ***Airlines set prisoner-seating policy.*** Each prisoner must board and be seated in the airline according to airline policy. [Ref 14 CFR 108.21]

E. ***Carrying weapons on commercial airlines.*** Department policy on weapons on commercial airlines is found in OPM 217.

216.350 REQUESTING PRISONER ESCORT DUTY

A. ***Request to be made through Commander.*** Officers who desire prisoner escort duty to specific locations shall notify their Commander, who will forward appropriate requests to the Anchorage JS Travel Coordinator (travel.desk@alaska.gov). Requests must include the person's name, duty station, reason for the request, desired destination, and urgency of request.

B. ***Priority of Requests.*** Travel requests will be prioritized (from highest to lowest) as follows:

1. Departmental or State investigation.
2. Departmental or administrative business.
3. Emergency travel, (sickness or death of family member).
4. Officer training.
5. Non-departmental business with approval of the employee's Commander and final approval by the AST Director or Deputy Director.

C. ***Purging of requests.*** Requests will be purged every six months.

216.360 SECURING PRISONERS DURING MEDICAL EXAMINATIONS

A prisoner shall remain in restraints during medical or mental examinations. The use of leg irons is recommended if handcuff removal is necessary for medical procedures.

If a doctor insists that restraints be removed, or that the escort leave the room, do so ONLY if: the doctor is made aware of potential personal risk; and all exits, including windows large enough to squirm through, can be guarded. The escort will remain outside the exit, alert for

trouble, during the entire examination period. If two escorts are used, they will be positioned to guard all potential exits.

If the above conditions cannot be met, and the doctor insists on privacy with the prisoner, the prisoner will be handcuffed securely to an examining table, or a solid piece of furniture that cannot be easily dismantled or pulled through a possible escape exit.

Unless a medical emergency requiring immediate treatment exists, an escorting officer shall consider canceling the examination if he is unable to assure the security of the prisoner and the safety of medical personnel.

216.370 FEEDING PRISONERS

The billing or invoice for prisoner meal expenses shall reflect the name and age of person fed; indication of whether the meal was before (BA) or after (AA) arraignment; if the person was a prisoner, juvenile, or mental patient; the number of meals provided; and which meal(s) was purchased.

216.380 PER DIEM FOR PRISONER TRANSPORT

If prisoner transport trips are made to facilitate travel for other purposes (investigation, meetings, schools etc.), coding for per diem will be charged to Detachment travel and transportation will be charged to the prisoner transport.

If the sole purpose of the trip is to move a mental patient, per diem will be charged to the current Detachment travel code with the notation "M.H." appended to the code.

216.390 COMPLETION OF TRAVEL AUTHORIZATION (TA)

A. ***Information to appear on Travel Authorization (TA).*** The following information shall be listed in the "Purpose of Trip" block of the TA for each prisoner transported. If additional space is needed for this information it can be continued in the "Explanation" section of the TA.

1. Purpose of Trip - prisoner, mental health, juvenile transport, or extradition
2. Requested by - Division of Corrections (DOC), court ordered, etc.
3. Escorted from where to where (e.g. Bethel Jail to API)
4. Prisoner's Name and DOB
5. Whether the travel occurred before arraignment (BA) or after (AA) arraignment
6. Note if mental health patient or juvenile
7. Total officer hours used

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 217	**WEAPONS CARRY**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: See OPM 232 & Firearms Procedures Manual (FPM)	

217.100 INTRODUCTION

This chapter establishes the policy regarding authorized possession and carry of weapons while on duty. This chapter also establishes a prohibition against the introduction of firearms into the department workplace, except under strictly controlled circumstances.

217.300 OVERALL STANDARD

Except as otherwise provided for in this policy, employees of the department may not carry or transport firearms while on duty or in a DPS facility or vehicle including a personal vehicle being utilized for work purposes. Neither the statutory provisions allowing the carriage of concealed weapons by persons not otherwise legally barred nor the possession of a concealed handgun permit create an exception to this policy. When assigned to do so, departmental officers may handle or transport weapons for specific work purposes.

217.310 FIREARMS AND AUTHORIZED FIREARMS

A. ***Officers required to be armed while on-duty.*** Officers are required to be armed with an issue handgun while on-duty in uniform, unless otherwise ordered by the court while testifying or unless attending formal functions in dress uniform. While on-duty other than in uniform, officers are required to be armed with either the issue handgun, or with an authorized personal handgun. While on-duty other than in uniform the handgun carried will be concealed at all times except when engaged in outdoor activities.

B. ***Off-duty Officers authorized to be armed.*** Troopers and CSOs, who are certified under APSC as police officers, while off-duty are authorized to apprehend criminals and preserve law and order. Accordingly, every trooper and CSO certified under APSC is authorized to carry his badge and regular issue handgun, or other approved personal handgun while off-duty. Commanders may impose the requirement that off-duty troopers under their command be armed at all times. Except while engaged in outdoor activities handguns shall be carried concealed.

C. ***Shotguns and rifles in patrol vehicles.*** Shotguns and rifles shall be fully loaded when being carried in patrol vehicles except that no shell shall be placed in the chamber, and they shall not be left in unattended vehicles unless the weapon is secured.

D. ***No weapons to be unsecured.*** Under no circumstances shall an officer leave any weapon unsecured in any place where it may fall into the hands of a prisoner or other unauthorized person.

E. ***Automatic weapons.*** Automatic weapons may only be carried by an officer who has the written approval of the Commander or who is a current active member of SERT, and only after the officer has qualified with the weapon on the appropriate SERT automatic weapons qualification course.

217.320 ARMED CIVILIAN PILOT

It is permissible for civilian pilots to be armed during the performance of their duties but by no means does this policy require civilian pilots to be armed. It is the intent of the policy to permit pilots to be armed during flight missions only. During the course of their duties, they are often unaccompanied by commissioned personnel while flying in remote regions of the state and require a firearm for survival and protection.

A. ***Training and identification.*** Only those personnel who have received Department approved training will be permitted to carry a weapon. While armed, Department issued identification will be required.

B. ***Equipment and qualifications.*** The Department will provide the weapon, ammunition, and appropriate gear. No other weapon, ammunition, or gear will be permitted without approval of the Director or designee.

For handguns, annually three qualifications at different dates must be conducted by each employee one of which must be supervised by a Department approved firearms instructor. Pilots choosing to participate in this training must demonstrate proficiency and safety. Training records will be entered into APSIN with a hard copy of the qualifications placed into the employee respective personnel file.

C. ***Weapon secured***. When not involved in flight duties, on RDO's, or while on leave, the weapon will be secured in Department approved containers. Should flight duties necessitate the pilot possess the weapon while away from the aircraft, it shall be concealed in manner which prevents its detection. Pilots will immediately declare they are armed when in contact with law enforcement, additionally pilots are not authorized to carry a weapon into areas not permitted by law, i.e. courts, schools, banks, and buildings where posted. It is not permissible for pilots on missions originating or ending out of state to be armed. If a civilian employee is traveling commercially, the weapon/ammunition must be declared and checked per FAA regulations as luggage.

D. ***Violations.*** Pilots found in violation of this policy or who are unable to demonstrate proficiency and safety will not be permitted to carry a weapon as outlined in this section.

217.330 FIREARMS ON COMMERCIAL AIRCRAFT

A. ***Firearms on aircraft limited to certain officers.*** Transportation Security Administration (TSA) and commercial airline policies generally do not permit firearms, loaded or unloaded, in the passenger cabins of aircraft or in any secure area. However, law enforcement officers may fly armed under certain conditions. Law enforcement officers are permitted to carry deadly weapons aboard scheduled or charter passenger aircraft where security screening is required when it is necessary to have a weapon accessible in connection with the performance of duty during the period of time it would otherwise have been placed in checked luggage until returned after deplaning. Since commissioned personnel of DPS are deemed to be on duty at all times, this regulation has been interpreted by the TSA to mean that DPS officers may be armed while aboard aircraft operating in Alaska.

Others who may carry weapons on aircraft include federal law enforcement officers, certain other federal officials, local and state law enforcement or corrections officers actually escorting prisoners, diplomatic bodyguards, pilots who have completed the Federal Flight Deck Officer (FFDO) program, and certain other persons authorized by the airlines and the TSA.

B. ***Requirements for armed travel within Alaska.*** Commissioned personnel of the Department of Public Safety may carry weapons aboard aircraft within Alaska when:

1. The officer has advised the airline of the armed status;
2. The officer has official credentials for presentation upon request to airline personnel;
3. The officer can state that performance of duty requires access to a weapon during the time that it would otherwise be inaccessible in checked baggage or if on a prisoner trip;
4. The officer has complied with all Transportation Security Administration (TSA) regulations, which includes completing the TSA "Law Enforcement Officers Flying Armed" training program;
5. The officer has submitted an authorization request to TSA through the National Law Enforcement Telecommunications System (NLETS) and received a message notification with an NLETS number; and
6. The officer is not under the influence of alcohol or medications that would his judgment while aboard the aircraft. Nor may the officer have consumed alcohol within the previous eight hours.

When transporting prisoners on behalf of the state, officers from local law enforcement agencies must meet all of the above requirements.

C. ***Requirements for armed travel out-of-state.*** Generally officers will only be authorized to carry weapons aboard outside airlines while they are actually escorting a prisoner. Airlines may require that weapons be placed in checked baggage as a condition of transport.

Court Service Officers, who are not certified by APSC, traveling out of the State in plain clothes to conduct a prisoner transport will place their weapons in a checked bag unless they are actively transporting the prisoner.

D. ***Transporting firearms in checked baggage.*** No employee shall transport, or tender for transport, any unloaded firearm in checked baggage aboard an airplane, unless the passenger declares orally, or in writing, to the air carrier before checking the baggage that any firearm carried in the luggage is unloaded; and the firearm is carried in a locked hard-sided container. The airline will place a firearms notice within the bag.

E. ***Officers may not consume alcohol while armed on aircraft.*** No officer will consume alcoholic beverages while traveling armed aboard any aircraft.

F. ***Pilot may refuse transport of armed officer.*** The pilot in command has final authority regarding the presence of armed officers on the flight, and may refuse passage to armed persons. Officers who are refused passage shall document the incident and notify their immediate supervisor at the earliest possible opportunity. Officers may have to accede to airline demands to check firearms, or make alternate arrangements necessary to complete their travel. In no case are officers to argue the decision with airline flight crews or personnel. If contact with the airline concerning this incident is required it will be made only after a thorough supervisory review.

G. ***Review of chapter required before travel.*** Prior to any prisoner transport aboard a commercial airline, the primary (DPS) and any secondary (non-DPS) officers will review this chapter and any other DPS materials relating to travel while armed. See OPM chapter 216.340.

It is the responsibility of the primary officer to assure that any secondary officer has completed the required review of this chapter.

217.340 TRANSPORTING OC SPRAY AND TASERS ON AIRCRAFT

US D.O.T. classifies OC spray as a hazardous material that may be transported in the holds of commercial aircraft when properly secured. Unfortunately the regulations regarding the transport of these substances aboard aircraft are very complex and are poorly understood even by air carriers. Air carriers may refuse to transport OC spray if they become aware of its presence. Because the discharge of even a small amount of OC spray in the cockpit area of an aircraft could cause loss of control and a consequent crash, the following procedures restricting the transport of unsecured OC spray on aircraft have been developed.

A. ***OC spray must be secured aboard aircraft.*** Officers will not carry OC spray aboard any aircraft unless it is securely stowed such that it cannot present a threat to aircraft or passengers.

B. ***Use of OC spray transport can.*** DPS posts have been supplied with unused one-quart paint cans for use in transporting OC spray aboard aircraft. The OC spray canister, either with the leather holster or without, shall be placed in the can and the lid pressed firmly onto the can. The lid to the can may be pried open with a tool or a key upon deplaning. The can must be placed in checked baggage on commercial aircraft, or securely stowed on Department aircraft. When traveling on small aircraft, consideration shall be given to placing the luggage containing OC spray in wing or external lockers.

For situations requiring extra security, the lid retaining clips may be applied to the rim of the can with a hammer. These clips allow the cans to meet DOT, Postal Service, and UPS standards for the transport of hazardous materials. If the clips are used, pliers or a screwdriver will be required to open the can.

C. ***Officers must use judgment.*** Use of the cans should ease the difficulties of transporting OC spray to the many remote locations served by the Department. However, the use of the cans does not eliminate the need for officers to exercise good judgment in determining when to transport OC spray, and in working out the concerns of any pilots or commercial carriers. Officers shall not argue with airline personnel if the transport of OC spray becomes an issue. Instead, officers shall take appropriate actions to complete their primary assignment and report the incident to their supervisor.

D. ***Tasers on Aircraft.*** Tasers are only authorized on commercial aircraft when transporting prisoners.

217.350 AIRPORT SECURITY SCREENING

A. ***Secure airport areas entered only through screening points.*** Officers will enter sterile areas of airports only through screening points and never through concourse exits. Officers issued airport facility credentials may use other access during the performance of their duties.

B. ***Bypass of airport security screening by armed officers.*** Armed officers may bypass the screening process at airport security screening points only by presenting bona fide credentials to the screener or law enforcement officer in charge of the checkpoint and advising this person that he or she is armed. This procedure applies to uniformed and non-uniformed officers alike.

C. ***Unarmed officers receive regular screening.*** Unarmed officers will submit to screening in the same manner as any other passenger.

D. ***Prisoners required to be screened.*** All prisoners being escorted are required to be screened. Restrained prisoners will be hand-searched by security personnel.

E. ***Screening violations are a federal crime.*** Failure to properly screen in accordance with regulations is a federal crime and can result in fines totaling $10,000.00 for each individual violation.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 218	**INTERNATIONAL CRIMINAL POLICE ORGANIZATION (INTERPOL)**	
	Effective: 12/28/2010	**Commissioner Approval:**
	Authorities: 22 USC Section 263a	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

218.100 INTRODUCTION

INTERPOL exists to promote mutual assistance among international law enforcement authorities in the prevention and suppression of international crime; assistance in facilitating international arrests and extraditions; and an exchange of criminal justice and humanitarian information between member nations. U.S. participation in INTERPOL is through the United States National Central Bureau (USNCB) pursuant to Title 22 U.S. Code Section 263a, U.S. law and policies, and the INTERPOL Constitution.

The USNCB does not function as an operational entity with regard to investigations of criminal matters, but rather coordinates and facilitates requests for information between foreign and U.S. law enforcement organizations regarding persons, vehicles, and goods that bear on criminal matters within their respective jurisdictions. Unless federal jurisdiction is involved, USNCB is the only medium that state and local police have for securing foreign police assistance in any criminal matter. Investigative requests received by USNCB are referred to the appropriate foreign National Central Bureau.

218.300 ASSISTANCE AVAILABLE THROUGH INTERPOL

Types of assistance available through INTERPOL include: name checks; criminal history checks; license checks; fingerprint checks; photograph and physical description checks; fugitive searches; witness location and interviews; weapons traces; modus operandi information; extradition and deportation proceedings; selected types of stolen property identification and recovery; information on missing, ill, or deceased persons; wanted notices; and terrorism intelligence.

INTERPOL also provides assistance in humanitarian cases involving death notifications, child custody, parental abduction maters, and law enforcement applicant inquiries.

218.310 PROCEDURES FOR INTERPOL CASE INITIATION

A. ***All Department contact with INTERPOL will be through liaison officer***. Officers of the department will direct all requests for INTERPOL assistance through the INTERPOL Alaska Liaison Officer assigned to the Criminal Intelligence Unit under AST. The Liaison Officer will review the request to assure it meets requirements and contact the USNCB for action on the request.

B. ***Submitting requests for INTERPOL assistance.*** Request(s) received from department officers or municipal agencies must include the specific reason for the request, the urgency of the matter, and complete details on the investigation or assistance requested. Requests shall be submitted to the INTERPOL Alaska Liaison Officer:

AST – Criminal Intelligence Unit
INTERPOL Alaska Liaison Officer
101 East Sixth Avenue
Anchorage, Alaska 99501

Telephone: 907-265-8153 (days), Fax: 907-274-0851
NLETS: AKAST0100

C. ***Requirements for INTERPOL assistance***. The INTERPOL Alaska Liaison Officer will review all requests for assistance to ensure that the request meets INTERPOL requirements. If any of the requirements are omitted, the Liaison Officer will contact the requester for additional information before submitting the request to USNCB. Requests for INTERPOL assistance must include:

1. An INTERPOL member country and legitimate U.S. law enforcement agency;
2. An international investigation;
3. A violation of the laws of the U.S. and the foreign country involved;
4. A case with no relation to political, racial, religious or military matters;
5. A link between the crime and the subject of the case;
6. A clear indication of the reason for the request;
7. The type of investigation; and
8. Identifying information as complete as possible on the subject.

D. ***Information*** required on INTERPOL applicant inquiries. Applicant inquiries through INTERPOL must be submitted in writing and must include the following:

1. Reason for the request, e.g., applicant for law enforcement position;
2. Full name of applicant (to include last name, first name, and middle name/initial);
3. Date and place of birth;
4. Parents names (to include mother's maiden name - required if record checks are to be completed in Spanish- speaking countries);
5. Name of each country the applicant has resided in or visited, and the dates; and
6. Fingerprints - while not required by each member country, a more conclusive search will be conducted if provided.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 219	**CRIMINAL INTELLIGENCE INFORMATION**	
	Effective: 12/6/2010	**Commissioner Approval:**
	Authorities: 28CFR Part 23	
	Applicability: OFFICERS	
	Special Instructions: Click here to enter text.	

219.100 INTRODUCTION

This chapter establishes the policies associated with the Criminal Intelligence Unit.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 220	**ALASKA HOMICIDE REGISTRY - VICAP**	
	Effective: 04/21/2011	**Commissioner Approval:**
	Authorities: AS 44.41.050	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

220.100 INTRODUCTION

This policy outlines the requirements of the department to establish a homicide registry and the actions necessary to maintain that registry.

220.300 OVERVIEW

A. ***Alaska Homicide Registry.*** Alaska Statute 44.41.050 (enacted in August 1993) requires that the Department of Public Safety create a homicide registry. All law enforcement agencies are required to report each homicide or suspected homicide to the Department of Public Safety within twenty five (25) days.

B. ***VICAP program introduction.*** AST has signed a Memorandum of Understanding with the FBI National Center for the Analysis of Violent Crime (NCAVC) for the purpose of participating in the Violent Criminal Apprehension Program (VICAP). The goal of this program is to coordinate the collection, analysis, and dissemination of violent crime information for the purpose of identifying patterns/similarities among violent crimes that have been reported.

220.310 SUBMISSION OF INFORMATION

A. ***Commanders to notify ABI within 24 hours.*** Commanders are requested to contact ABI, either by telephone, TWIX, or email within twenty four (24) hours of receiving notification involving a reportable event listed in Section 220.310 B below.

B. ***Submission of data to ABI required.*** Commanders are responsible for submission of a FBI Violent Criminal Apprehension Program (VICAP) report form conforming to Alaska statutory reporting requirements to Alaska Bureau of Investigations (ABI) within twenty five (25) days of a homicide or suspected homicide's discovery whether or not an offender has been arrested or identified. The following types of cases shall be submitted:

1. All solved, unsolved or suspected homicides (submissions for vehicular homicides are optional);
2. Unidentified dead bodies, where the manner of death is known or suspected to be homicide; and
3. Kidnapped or missing persons with evidence of foul play.

C. ***Action by ABI upon receipt of report.*** All cases submitted will be entered into the VICAP database and, if applicable, transmitted to the FBI in Quantico, VA.

220.320 INQUIRY

A. ***Commissioned personnel may make inquires.*** Commissioned personnel may make inquiries or request blank FBI VICAP forms from ABI at (907) 269-5058.

B. ***Action upon "hit" on inquiry.*** If a "hit" is developed as a result of an inquiry the requesting personnel will be referred to the submitting agency for follow-up. ABI will not release submitted case facts or specifics to requesting officers or agencies without express consent of the submitting agency.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 221	**POLYGRAPH**	
	Effective: 3/22/2016	**Commissioner Approval:**
	Authorities: AS 23.10.037	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

221.100 INTRODUCTION

The department establishes this policy to address the purpose, limitations, protocol for, and administration of polygraph examinations.

221.300 POLYGRAPH OVERVIEW

A. ***General Information.*** The polygraph is a technique for detecting deception, which combines specific interview techniques with instrumentation that measures physiological reactions to questions posed by the examiner. The utilization of a polygraph examination cannot be expected to immediately bring about a resolution to an ongoing investigation simply by determination of the truthfulness of the facts offered, though it may be relied upon as one of many investigative strategies that contribute to the process.

A trained polygraph examiner can usually make a valid determination as to a person's truthfulness or deception in regard to a particular issue; however the examination process is not a substitute for a thorough police investigation and will not be used as such.

B. ***Advantages of using the polygraph.*** A polygraph examination is a powerful tool for the investigator:

1. Polygraphs can provide evidence of innocence, removing suspicion from the falsely accused;
2. When used in conjunction with other advanced interview techniques polygraphs are generally more accurate than other interview techniques alone in determining whether an individual is being deceptive;
3. The polygraph examination procedure may encourage offenders to make truthful admissions, or expose their knowledge of facts relevant to the case.
4. The examination procedure often provides additional investigative leads;
5. Polygraphs can be used to verify the statement of a witness or victim; and
6. Much of the information obtained during a polygraph examination is admissible into court, as long as the rules of admissibility are followed.

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 222	**INTERVIEWS**	
	Effective: 03/01/2017	**Commissioner Approval:**
	Authorities: AS 47.12.250	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

222.100 INTRODUCTION

The law regarding the admission of statements, admissions, and confessions is complex and evolves over time. The sections of this chapter that discuss law and technique are intended to provide general guidance only. Officers must consult the Department of Law for advice on the legal admissibility of particular statements, and on the advisability of using certain interview techniques.

The Department recognizes the benefits of digital audio and video recording devices used to document officer's interactions with the public. The proper use of recording devices allows for accurate documentation of statements made during officer-public contacts, arrests, formal interviews, and other incidents. They also serve to enhance the accuracy of reports and court testimony.

The use of recording devices can also be used to provide an accurate and un-biased record of an incident for investigative purposes, risk management, civil liability defense and enhancement of officer safety.

This policy does not change or alter other required recordings or recording prohibitions mandated in the OPM, including but not limited to OPM chapters 101.360, 118, 203, 212, 222, 235, and 236.

222.210 GENERAL GUIDELINES

A. ***Proper Use of Digital Recording Devices.*** While on duty, officers shall make every effort to digitally record their interactions with the public during traffic enforcement, citizen complaints, arrests, situations that the officer believes would generate an incident in ARMS, or other situations where the officer believes it would be beneficial to have a digital recording.

B. ***Activation of Digital Recording Devices.*** Officers shall begin recording as soon as practical during a given situation and continue to record until the completion of the event, to include the recording of statements. Activating the digital recording prior to contacting the public is recommended. When the recording device is activated, if feasible, the officer will state their name, date, time, and information related as to the purpose of the recording. This information aids in later identifying the correct recording file once it is uploaded or copied.

C. ***Recording Interruption.*** If an unintended interruption occurs in the recording, the officer will document the reason for the interruption in the incident report. If an officer feels it is necessary to stop recording (e.g., talking to District Attorney off the record, talking to another trooper, speaking to victim who will only make a statement if not recorded), the officer will

verbally indicate their intent to stop recording before stopping the device, and upon reactivation of the recording device, state that the recording was restarted and the time.

D. ***Failed Recording.*** If an officer fails to activate their digital recording device or a technical malfunction occurs (dead battery, user bumped the switch off, or other technical failure), the officer will document in the incident report, or in their trooper notebook if there is no ARMS incident, the reason a recording was not made. A technical malfunction is not grounds for corrective or disciplinary actions. If however a supervisor finds a pattern of an officer failing to make recordings as specified above, that may be grounds for corrective action or discipline.

E. ***Recordings To Be Saved.*** Recordings made that relate to a criminal prosecution shall be saved, copied, and logged properly into Property & Evidence and retained according to the State of Alaska Records Retention and Disposition Schedule for DPS. Recordings made in connection with traffic stops that result in issuance of a citation and are not criminal in nature are to be retained until final adjudication of the traffic case. All other recordings of citizen contacts that are not preserved in Property and Evidence are to be uploaded, saved, and filed at the Detachment, Bureau or local office of the officer and preserved for at least 90 days. After 90 days, an officer may delete the digital files unless he or she becomes aware of a complaint or other need to preserve the recording for a longer period of time. (*An example of a situation in which a recording should be preserved for longer than 90 days is an audio recording made during a speeding traffic stop where the driver falls on the icy roadway when asked to step out of his vehicle*.) It should be kept in mind that the general deadline ("statute of limitations") for filing a civil lawsuit against an officer or the department is two years following the date of an event. Officers are encouraged to archive digital recordings to available storage media for longer periods of time. (AS 09.10.070)

F. ***Transferring Digital Recording Files*****.** Troopers must verify that the digital recordings have been successfully transferred to the computer or other storage media before deleting the digital file from the recording device. When transferring the digital recording from the device, the recording must be kept in its original format for evidentiary purposes. You may convert a copy of the digital file in another format such as a Wave file, but you must maintain a copy in the original format. Digital recordings for evidentiary purposes must not be altered in any way.

G. ***Digital File Name*****.** For consistency, digital recording files will be named in the following format:

Incident # [or date if none] - PERM ID- identification info

For example, [AK1506000-XYZ0-suspect contact] or [08152015-XYZ0-911 call]

222.220 DEVICES AND MAINTENANCE

A. ***Equipment.*** Officers will carry and use department-issued digital recording devices. Officers may elect to carry personally owned digital recording devices; however, the use of personally owned devices will not exempt the member from following this and all related polices regarding any recordings that are captured. Any recordings captured on duty become the property of the department, regardless of the ownership of the recording device.

B. ***Inspection.*** Officers are to inspect their recording device at the beginning of each shift and ensure that it is functioning properly, the "power save function" (page 64) is set to a

reasonable delay [5, 10, 30, 60 minutes], and that the batteries are not nearly depleted. The date/time setting should be confirmed before being utilized while on duty. Any issues or non-functioning equipment is to be reported to the officer's supervisor immediately.

C. ***Damage to Equipment.*** If a department-issued recording device becomes damaged in the course of an officer's duties, the officer is to immediately notify their supervisor so the damaged device may be promptly replaced.

222.300 NON-CUSTODIAL INTERVIEWS

The interview of a suspect of an offense, when feasible, shall be scheduled in a non-custodial atmosphere thereby dispensing with the requirements of Miranda. To accomplish this, officers shall take every step to assure that interviews are conducted under circumstances that are clearly non-custodial.

The factors that determine if an interview is non-custodial include the location, date, time of interview, use of restraints, numbers of troopers present; surroundings; and transportation means, if provided. However the principal factor is whether the person considers himself or herself free to break off the interview and leave at any time. The best manner of assuring that an interview is non-custodial is a clear notification and acknowledgment by the person(s) being interviewed that the interview is non-custodial and that the person(s) is free to break off the interview and leave at any time. In the end, the determination whether an interview is custodial or not will be made by the court, therefore as with all suspect interviews, officers shall make every effort to digitally record their interactions during a non-custodial interview. The recording can be made with or without the knowledge of the person being interviewed if the interviewer makes their identify known as a peace officer.

222.310 CUSTODIAL INTERVIEWS

A. ***Cases prosecuted in State courts.*** Custodial interviews must be recorded in their entirety, including the recitation of the Miranda Warnings and the time the interview starts and ends in those situations where the person(s) is interrogated in a place of detention such as a police station or jail or any other place the person being interviewed is not free to leave. (The court may consider police vehicles as a place of detention.)

The only exceptions to recording are for an equipment failure or the defendant's refusal to answer questions while being recorded.

1. In the event of an equipment failure, detailed documentation must be prepared to substantiate the failure and must be noted in the report. (Damaged recorders and any recording will be retained in evidence in order to substantiate a malfunction.)

2. If the defendant does not want to be recorded, or refuses to be recorded, record the defendant's refusal before ending the recording. In such a situation, the officer shall take contemporaneous notes or request to have a witness to the interview. If at all possible try the officer shall attempt to gain the cooperation of the defendant to record the interview. Note, however, that a surreptitious recording is still acceptable as outlined in OPM 222.320 B.

3. Each individual situation will be reviewed by the trial court to address whether it was feasible to record under the circumstances of the case. The Supreme Court has held that failure to record "should be reviewed with distrust, and if this rule is violated there will be automatic suppression of the statute unless the above exceptions are present."

B. ***Cases prosecuted in Federal courts.*** If it is known that a case is going to be prosecuted federally, officers may elect not to record an in-custody interview / interrogation. The decision to not record an in-custody interview/interrogation should be discussed in advance with the officer's chain of command, and consideration should be given that if the federal prosecution is declined, the statements of the suspect/defendant may no longer be admissible in any subsequent state prosecution.

222.320 RECORDING SUSPECT INTERVIEWS

A. ***Record the entire conversation and interview with suspect.*** An officer shall begin recording when entering the interview area and keep recording until the defendant has left the interview area regardless of the defendant's choice of having counsel present or remaining silent. (The defendant may initiate a conversation or make comments before leaving the room and the recording will prove that it was the defendant who initiated the conversation.)

B. ***Surreptitious recording may be allowed***. Usually the defendant knows that the conversation is being recorded; however, surreptitious (without the person's knowledge) recordings are legal as long as the defendant knows that he/she is speaking with a police officer.

C. ***Avoid unexplained gaps in recordings***. Ensure the recording contains no unexplained gaps. Confirm the recorder is working correctly, the date/time setting is accurate, and the batteries are good before starting any interview.

Explain any unavoidable gap in the recording when resuming recording and state what, if anything, occurred during the gap and have the interviewee concur. Additionally, state the time when going off record and when back on record. It may also be necessary to reiterate, on the record, that during the break no promises were made to the interviewee and have the interviewee acknowledge this fact. Officers are encouraged to ask the suspect prior to going off record, if they were treated fairly, if all the involved officers acted professionally, or if any promises were made.

D. ***Information that should appear on the recording:***

1. The time and the date the interview commenced;
2. The location of the interview;
3. The name of the person being interviewed and any other persons present;
4. The case number;
5. Any readings of Miranda rights and the interviewee's verbal acknowledgment of those rights (make sure the acknowledgment is clear and unambiguous);

6. The interviewee's acknowledgment that, while in a place of detention, no prior unrecorded custodial interview statements was obtained;
7. The reason for any breaks in the tape; and
8. The time and date the interview ends.

222.330 RETENTION OF INTERVIEW RECORDINGS

A. ***Recordings of all interviews with suspects or defendants are to be retained.*** Surreptitious, non-consensual, and consensual recordings of all suspect conversations shall be retained as items of evidence.

B. ***Recordings will be processed as evidence items.*** All original recordings of interviews shall be processed as evidence and secured per acceptable standards as outlined in OPM Chapter 202.

C. ***Transcription should be done from copies of recordings.*** Transcriptions should be made from the copies whenever practical. Copies of interview recordings shall be made and an original placed in evidence.

222.340 CUSTODIAL INTERVIEWS WITH JUVENILES

A. ***Recordings must be made of juvenile in-custody interviews.*** When a juvenile is in custody all interviews must be recorded and a good faith effort, following all leads, must be made to contact and notify the parents, prior to beginning the interview.

Recordings shall be made of the juvenile being advised of his/her right to have a parent (or other adult) present during the interview and the responses, including any waivers, made by the juvenile.

B. ***Juveniles have the right to have a parent/adult present during any questioning.*** An in-custody juvenile has the right to have a parent or adult present during any questioning. The juvenile can waive this right. Unless the juvenile waives this right, the interview shall not proceed until the parent or guardian arrives. If a parent/adult is requested during the interview but cannot be located after a good faith effort, the juvenile must still waive the presence of the parent/adult before the interview may continue.

The efforts to locate parents of in-custody juveniles must be documented in the case report and in the officer's notebook. The report must document the name(s) of the parent, or other adult sought or contacted; the methods of contact and number of attempts; the times of day that attempts were made; and the results of these attempts.

A parent/adult has no right to prevent a child from making a statement. If a parent/adult becomes disruptive during the interview, and reasonable efforts to modify that person's behavior fail, that person may be asked to leave without ending the interview as long as the juvenile agrees to continue the interview without the parent or adult present.

C. ***In-custody juveniles have the same Miranda rights as adults.*** An officer shall read and explain the Miranda Warning to the juvenile and ensure that these rights are understood. Only after assuring that juvenile understands the rights and voluntarily waives them can the officer

proceed with the interview. In cases where it is known the juvenile will be waived to an adult, the officer will advise the juvenile that any statement can be used against them in ADULT COURT.

D. ***Factors examined by Courts in evaluating juvenile waivers and statements.*** Courts look closely at juvenile waivers and judge them according to the age, intelligence, education, prior experience with law enforcement, and mental state of the juvenile; the length of questioning; and the opportunity to consult a parent, guardian, or attorney. Because of the complexity of these issues it is advisable to contact the on-call District Attorney before proceeding with critical interviews of juveniles.

222.350 GENERAL QUESTIONING OF WITNESSES AT OR NEAR A CRIME SCENE

A. ***Responding officers may ask questions without advisement of rights***. Responding officers may ask questions of those present without advising them of their rights for the limited purpose of determining the nature of the incident, assuring that remaining dangers are identified, and to locate the persons directly involved.

This type of questioning is normally a brief discussion of urgent matters and is necessary, permissible, and encouraged. However, the officer needs to be mindful that if the circumstances become custodial in nature, regardless of whether an arrest has been made, then the Miranda rights may need to be read to the interviewee.

Since custody is a state of mind, a person is considered to be in custody if, under similar circumstances, a person of reasonable mind, placed in the suspect's position, could reasonably feel that his/her liberty is being restrained in some significant way.

To avoid a conflict with Miranda requirements, questioning shall be brief and limited to obtaining information regarding: an assessment of what occurred; confirming the person as a suspect and/or developing any other suspects; detecting any remaining dangers to the officer or others; locating the victim, and/or ascertaining if any other victims exists; or locating any weapons or other easily lost evidence.

B. ***Miranda not recommended for general questioning of persons not in custody.*** During general, non-custodial questioning, an officer is not required to advise an individual questioned of their Miranda rights. However, care must be taken to immediately document any admissions made during this general questioning (for instance notation in notebook, obtain the name, identification, and any other officer who may have heard the admission, etc.) If at any time during the interview the situation changes from non-custodial to custodial, the person must be advised of their Miranda rights to ensure that any further statements will be admissible.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 223	**ARREST**		
	Effective:	**10/31/2012**	**Commissioner Approval:**
	Authorities:	AS 04.21.065; AS 11.56.330; AS 12.25.150; AS 12.25.180; AS 12.25.190; AS 18.35.300-305; AS 18.35.341; AS 18.65.530; AS 33.30.071; AS 41.21.960; AS 46.06.080; GRADY v. CORBIN	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	**SEE CHAPTERS 107 & 216**	

223.100 INTRODUCTION

This policy establishes departmental protocol when making an arrest.

223.300 GENERAL INFORMATION ON ARREST

A. ***Conditions constituting arrest.*** The following elements must be present to constitute an arrest:

1. The seizure or restraint of a person, either actual or constructive, must be for the purpose of taking the person before the court for the administration of law;
2. The arresting person must be acting under actual or assumed authority for taking a person into custody;
3. The actual taking into custody, or detention of a person, either by force or by the persons acquiescence to control, resulting in restraint of the person's movements and loss of liberty (an officer making a statement to the accused that he or she is under arrest does not meet this criteria); and
4. The person must understand that he is under arrest and in the control and custody of the person making the arrest.

B. ***Brief detention does not constitute arrest.*** The brief investigative stop of a person for the purpose of issuing a citation or for investigating suspicious activities does not constitute arrest. Officers having questions of when investigative stops constitute arrest are encouraged to seek legal advice.

C. ***Warrant arrests.*** Any police officer may serve an arrest warrant issued by a judge or magistrate who has been given probable cause supported by oath and affirmation. It is not necessary to have the warrant in your possession; knowledge of its existence is sufficient. Although a copy of the warrant does not have to be given to the accused immediately, this must be done as soon as practical.

D. ***Arrest without a warrant, mandatory.*** Arrests, absent an arrest warrant, by police officers shall be made in the following instances with noted exceptions:

1. The principle aggressor in a domestic violence assault situation (except in situations resulting in death) must be arrested – whether the offense is a felony or misdemeanor - where there is probable cause the offense occurred within the previous 12 hours, unless express permission not to make an arrest is obtained from a prosecutor from the jurisdiction in which the incident under investigation took place. [AS 18.65.530(a)(1)]
2. An arrest must be made where there is probable cause a person violated a term of a domestic violence protective order within the previous 12 hours. [AS 18.65.530(a)(2); AS 11.56.740(a)(1)]
3. An arrest must be made where there is probable cause a person violated a term of a stalking or sexual assault protective within the previous 12 hours. [AS 18.65.530(a)(2); AS 11.56.740(a)(2)]
4. An arrest must be made where there is probable cause a person violated a condition of bail release imposed in a domestic violence case within the previous 12 hours. [AS 18.65.530(a)(3); AS 12.30.027]
5. An arrest must be made where there is probable cause a person violated a condition of bail release imposed in a non-domestic violence stalking case within the previous 12 hours. [AS 18.65.530(a)(3); AS 12.30.016(e)]
6. An arrest must be made where there is probable cause a person violated a condition of bail release imposed in a sexual assault, sexual abuse of a minor, incest, online enticement, unlawful exploitation of a minor, or indecent exposure within the previous 12 hours. [AS 18.65.530(a)(3); AS 12.30.016(f)]

E. ***Arrest without a warrant, permissive.*** Arrests, absent an arrest warrant, by police officers may be made in the following instances:

1. An arrest may be made for any crime – felony or misdemeanor- committed or attempted in the presence of the law enforcement officer making the arrest. [AS 12.25.030(a)(1)]
2. An arrest may be made where there is probable cause a felony offense was committed by the person to be arrested. [AS 12.25.030(a)(2) & (3)]
3. An arrest may be made where there is probable cause a person committed misdemeanor stalking. [AS 12.25.030(b)(3)(A)]
4. An arrest may be made where there is probable cause a person violated a term of bail release in any felony or misdemeanor case. [AS 12.25.030(b)(3)(A)]
5. An arrest may be made where there is probable cause the person to be arrested committed the offense of driving under the influence within the previous 8 hours. [AS 12.25.033]

6. An arrest may be made where there is probable cause the person to be arrested committed any misdemeanor offense, that it is likely personal injury or property damage will occur absent an immediate arrest, and there is no judicial officer within 25 miles of the place of arrest. [AS 12.25.035]

7. An arrest may be made in order to retake an escaped prisoner. [AS 12.25.120]

8. An arrest may be made where there is probable cause a person violated the offense of being a person under 21 years of age in possession, control, or having consumed an alcoholic beverage, in violation of AS 04.16.050 or a municipal ordinance having similar elements. If the person is under 18 years of age and there is no justification for further detention following arrest, the person is to be cited for the offense and released to the person's parent, guardian, or legal custodian. [AS 12.25.030(b)(3)(B)]

F. ***Avoidance of double jeopardy.*** A person cannot be charged with a second offense arising from the same course of conduct. Officers must pay particular attention to this issue when considering misdemeanor charges in cases where the conduct could also support felony charges. If the person is convicted of the misdemeanor charges they cannot later be charged with a felony for the same conduct (*Grady v. Corbin*). This situation arises most often in traffic accidents where there has been a serious injury or death and where a plea to a misdemeanor DUI charge prevents a later assault or manslaughter charge based on the same circumstances. Contact the DA for advice in these situations.

223.310 RESPONSIBILITIES OF OFFICER MAKING ARREST

A. ***Force authorized only as in OPM 107.*** The use of force used in making an arrest must be in compliance with policy set out in chapter 107.

B. ***Prisoner transport provisions apply upon arrest.*** Upon arrest of a person the provisions of OPM 216 apply. Particular attention must be paid to 216.330 dealing with escort responsibilities, restraint of prisoners, and search of prisoners.

C. ***Arresting officer responsible to secure defendant's property.*** It is the responsibility of the arresting officer to secure personal property in the possession of the arrested person. Officers are also responsible for securing real property or vehicles when encountered during an arrest.

D. ***Defendant has right to contact attorney.*** A defendant must be given reasonable opportunity to call an attorney upon request [Ref AS 12.25.150 and Criminal Rule 5(b)]. The defendant may make local calls on Department phones; however, any long distance calls must be made collect. An officer can use reasonable means to prevent the transmission of information by the defendant that could cause evidence to be destroyed prior to search or the

issuance of warrants. Attorneys are allowed to immediately visit with a person in custody at the request of the defendant or the defendant's family or friends.

E. ***Defendant to be arraigned within 24 hours.*** Defendants must be brought before a judge or magistrate within 24 hours of the arrest. Prior to the arraignment, a criminal complaint must have been filed alleging the criminal violation. Depending upon local custom, either the officer or the District Attorney's office prepares the complaint for signature before a judge or magistrate prior to arraignment.

223.320 CITATIONS IN LIEU OF ARREST

A. ***Officer may issue citations for certain misdemeanors.*** AS 12.25.180 provides that an officer may issue a citation for a misdemeanor offense in lieu of arrest unless:

1. The person does not furnish satisfactory evidence of identity,
2. The officer has reasonable and probable cause to believe the person is a danger to self and others,
3. The crime is one involving violence or harm to another person or to property,
4. The person asks to be taken before a judge or magistrate, or
5. The peace officer has probable cause to believe the person committed a crime involving domestic violence as defined under AS 18.66.990.

B. ***Officer to give five-day notice of court appearance.*** Officers who cite persons for misdemeanor offenses are required to give that person an appearance date that shall be at least five working days after the issuance of the citation. [Ref AS 12.25.190]

C. ***Defendant must accept a copy of the citation.*** AS 12.25.190 requires that for the misdemeanor citation to be valid the defendant must accept a copy of the citation(s).

D. ***Citations must be on AUC.*** An Alaska Uniform Citation will be the only form that will be used to cite persons for misdemeanors.

223.330 NOTIFICATION TO PARENTS OF JUVENILES CITED - MISDEMEANORS & VIOLATIONS

Parental involvement with juveniles involved in minor criminal misbehavior can be critical to preventing escalating criminality among the young. Notification of the parents of juveniles cited, especially for alcohol or drug violations, is a positive way that DPS can encourage such parental involvement.

A. ***Notice required when juveniles cited for alcohol or drug violations.*** An officer issuing a criminal citation to a juvenile who has been involved in an alcohol or drug activity is responsible

for contacting the juvenile's parents. The officer issuing the citation or summons may make the notification personally or through dispatch.

At a minimum the notice to the parent will include the circumstances of the contact, the alleged violations, whether a citation to appear in court was issued, and an explanation of why and to whom the juvenile was released.

This notice requirement does not apply to routine traffic citations. Officers issuing non-alcohol or drug related criminal citations to juveniles are encouraged, but not required to make parental contact.

B. ***Notice by dispatch to include officer contact information.*** If dispatch makes the parental notification, the officer's name will be given as a point of contact in the event the parent has any questions. If the parent would like to speak with the officer at that time, dispatch will relay that information to the officer or shift supervisor, and as soon as practical, the officer will make a follow-up phone call to the parent to answer any questions.

C. ***Release of intoxicated juveniles.*** If it is determined that a juvenile is intoxicated (a reading of .08 or higher by a certified breath test instrument), the juvenile will only be released to a parent, guardian, or responsible adult.

223.340 PRIVATE PERSONS ARRESTS

A. ***DPS to respond to citizen's arrest cases.*** Whenever practical, DPS will respond to reports of arrests made by private persons.

B. ***Officer responsible for confirming probable cause.*** When an officer is confronted with a person who wishes to make a private person arrest, the officer will determine that the private person has probable cause for felony and misdemeanor offenses and that if the crime is a misdemeanor that the crime was committed in their presence.

The determination of probable cause may include confirming investigations, such as field sobriety or PBT testing, by the officer. The decision to arrest or not is made by the investigating officer.

C. ***Persons to be released if arrest unlawful.*** If the officer determines that the arrest was unlawful or if he is unable to confirm the existence of probable cause, he will insure that the person detained is released.

D. ***Person making arrest must sign form.*** All persons who make a private persons arrest must complete and sign an "Arrest by Private Person" form and provide a written statement detailing the probable cause for any stop and arrest for the investigating officer.

223.350 ARREST OF MILITARY PERSONNEL

A. ***Press release information can be released to military.*** When a request for information is made by the military concerning the arrest of a military service member, they may be granted full access to any press release that has been prepared concerning the incident.

B. ***Case reports disseminated per OPM 206.*** Copies of case reports concerning military personnel will be released as provided under chapter 206. Requests for reports where prosecution is pending shall be made to the appropriate District Attorney who may release a copy of the report to the Military Police upon request. When prosecution is not pending, DPS will provide a copy of the report to the Military Police upon request per chapter 206.

223.360 ARREST OF INJURED PERSONS

A. ***DPS pays cost of medical treatment.*** DPS is required to pay for the treatment of injured or ill prisoners under the provisions of AS 33.30.071(c) which states that, "Medical services for a prisoner who is unconscious or in immediate need of medical attention before admission to a correctional facility or commitment by a court to the custody of the commissioner of corrections shall be provided by the law enforcement agency having custody of the prisoner. The law enforcement agency may require the prisoner to compensate the agency for the cost of medical services provided for a pre-existing medical condition not arising out of the prisoner's arrest."

B. ***Officers shall consider not detaining or arresting injured person.*** Officers shall carefully consider the necessity of detaining or arresting a person who is injured or in need of immediate medical treatment. If the person does not present a danger to others and is not a flight risk, the officer shall consider not further detaining or arresting until after the person is released from a medical facility. When possible, officers shall consult their supervisor before detaining or arresting injured persons.

C. ***Arraignment of person confined to medical facilities.*** A magistrate will have to conduct hearings, either telephonically or by coming to the facility, if an arrested person is confined to the medical facility.

Once the arraignment is complete, all guard costs are the responsibility of the local jail or Department of Corrections who shall be notified so they can send a guard to the facility to relieve the officer.

D. ***Actions when injuries caused by DPS.*** If the prisoner's injuries were caused by an officer’s actions, or occurred while the prisoner is in department custody, the officer shall immediately notify their supervisor of the prisoner's injuries and follow up with a memorandum explaining the circumstances involved in the prisoner receiving the injuries.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 224	**TACTICAL DIVING UNIT**	
	Effective: 12/28/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

224.100 INTRODUCTION

This chapter establishes protocol for deploying tactical dives.

224.300 DIVES REGULATED BY DIVING SAFETY MANUAL

The Department of Public Safety directs all diving by employees of this Department with Self-Contained Underwater Breathing Apparatus (SCUBA) for official purposes to be carried out in accordance with the provisions found in the Department of Public Safety, Diving Safety Manual for the Tactical Diving Unit, unless an extreme emergency situation precludes such compliance.

224.310 ACTIVATION OF TACTICAL DIVING UNIT (TDU)

A. ***Commanders to authorize / initiate TDU response.*** The Commander or designee must authorize the use of TDU divers within detachment/bureau boundaries, or the use of their own TDU divers in support of other detachments/bureaus.

B. ***Diving Officer will evaluate TDU response.*** The Diving Officer or designee shall be consulted prior to the employment of any TDU divers. The Diving Officer is best qualified to evaluate the safety and appropriateness of diving operations.

C. ***Diving Officer will coordinate TDU response.*** The Diving Officer or designee, in conjunction with affected detachments/bureaus and the Search and Rescue Coordinator, will coordinate the TDU response regardless of where the mission occurs.

D. ***TDU Divers to exercise discretion.*** TDU divers must be alert to conditions that compromise their safety. If their personal readiness, health, or diving conditions are incompatible with safe diving, the diver must decline to dive until the situation(s) have been resolved.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 225	**MAJOR INCIDENT INVESTIGATION**	
	Effective: 12/13/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **OFFICERS**	
	Special Instructions: Click here to enter text.	

225.100 INTRODUCTION

This chapter identifies a major incident and establishes protocol for handing such an incident.

225.300 DESCRIPTION OF A MAJOR INCIDENT

A major incident is indentified as:

1. Multiple or serial homicides, or any death which the Commander or designee deems a major incident;
2. Bombing or sabotage of the Trans-Alaska Pipeline or associated facilities;
3. Assassination or attempted assassination of the Governor, Lieutenant Governor, or a Supreme Court Justice;
4. Hostage situations;
5. Kidnappings; and
6. Any other situations declared a major incident by the Division Director.

225.310 NOTIFICATION REQUIREMENTS

When a major incident has occurred or is anticipated, the Commander or designee will notify, in this order, the Major Crime Unit (MCU) Field Supervisors and Alaska Bureau of Investigations (ABI) Commander. The ABI Commander will notify the Division Director via the most expedient means.

The Division Director will determine whether ABI or the Detachment will have jurisdiction of the major incident.

225.320 MAJOR INCIDENT REMAINING UNDER LOCAL DETACHMENT JURISDICTION

Detachment retaining jurisdiction of an investigation may request ABI assistance in furnishing trained personnel and specialized resources. A copy of the case report on the incident will be furnished to ABI at case closure.

225.330 MAJOR INCIDENT PLACED UNDER ABI JURISDICTION

A. ***Investigation will be coordinated with local detachment***. The investigation will be coordinated with the Commander, or designee, in the affected area who will provide ABI with

support in the form of personnel and resources. ABI will keep the local Commander fully apprised on all aspects of the investigation.

If required, the local detachment will assign at least one investigator, familiar with the community and geography of the concerned area, to assist ABI investigators. This investigator, or other members assigned to the local detachment can be used for follow up or other assignments.

B. ***Actions and responsibilities of the ABI Commander***. The ABI Commander, or his designee, will:

1. Assess the situation or take immediate action to obtain additional information;
2. Ensure steps have been taken to protect the scene and may suggest immediate investigative procedures to follow;
3. Contact and brief the Division Director of the situation daily or as developments occur;
4. Determine the amount of manpower, equipment, and resources needed to properly investigate the incident;
5. Contact and brief investigators as quickly as possible;
6. If necessary, accompany the investigator(s) to the scene and remain as needed;
7. Arrange economical and expedient transport of investigators to the scene of the accident or other areas if needed;
8. Make suggestions as to clothing and personal equipment needed; and,
9. Ensure that the local District Attorney's office is briefed as soon as practical.

C. ***Actions and responsibilities of the Major Crimes Unit Field Supervisor***. The MCU Field Supervisor or the lead investigator will:

1. Immediately contact the local Commander or designee at the scene for the situation briefing;
2. Determine the local and ABI resources (e.g., personnel, technical specialists, and equipment) needed to conduct the investigation;
3. Coordinate all phases of subsequent investigation with the local Commander and the ABI Commander; and
4. Furnish one copy of all reports to the Commander.

225.340 COORDINATION WITH OTHER AGENCIES

Local police departments and other law enforcement agencies should be apprised of major incidents, which may affect their operations when appropriate. If the investigation will involve

other agencies an investigative task force can be established with the approval of the Division director.

225.350 PRESS RELEASES ON MAJOR INCIDENT

All press releases shall be formulated jointly between the local Commander, the ABI Commander, the Public Information Office, and other agencies involved with the investigation and the Department of Law attorney handling the case. [Ref. OPM 206]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 226	**ELECTRONIC SURVEILLANCE AND MONITORING**		
	Effective:	04/21/2011	**Commissioner Approval:**
	Authorities:	AS 42.20.310; AS 42.20.320(a)(8); AS 12.37.400; AS 09.65.215; AS 11.81.900 (b)(44).	
	Applicability:	**OFFICERS**	
	Special Instructions:	Click here to enter text.	

226.100 INTRODUCTION

It is the policy of the Department that no surveillance of any type involving the use of any electronic recording or listening device may be used without clear legal authority. Employees violating the provisions of this chapter may be subject to discipline up to and including dismissal. Improper surveillance may also be a criminal violation under AS 42.20.310 or other statutes. (See also OPM 101.360 W – Surreptitious recording of one employee by another)

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 227	**RIOT AND UNLAWFUL ASSEMBLY**	
	Effective: 12/13/2010	**Commissioner Approval:**
	Authorities: AS 11.61.100	
	Applicability: **OFFICER**	
	Special Instructions: Click here to enter text.	

227.100 INTRODUCTION

This department establishes protocol for dealing with response to riots or unlawful assembly.

227.300 GENERAL INFORMATION

A. ***Crime of riot.*** A person commits the crime of riot if, while participating with five or more persons, he engages in tumultuous and violent conduct in a public place; and, thereby causes, or creates a substantial risk of causing damage to property or physical injury to a person. Riot is a class "C" felony. [Ref. AS.11.61.100]

B. ***Labor disputes.*** Unless criminal violations need to be acted upon, officers will not interfere in labor disputes without the express order of the Director, or designee.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

B. ***Guidelines for response.*** The response to a riot incident can have a significant effect on the severity of the incident. The following are guidelines that have been shown to reduce tensions:

1. Maintain strict neutrality:
2. Be calm, courteous, and firm when dealing with participants and witnesses;
3. Do not discuss the situation with the public;
4. Do not use unnecessary force or violence;
5. Handle mob situations firmly;
6. Do not attempt to bluff anyone; and
7. Maintain communications with tactical unit leaders including clear assignments.

Public OPM as of 9/4/2020

[redacted]

E. ***Recommended special orders.*** The officer in charge of a riot or mob response may need to issue special orders to other officers. These may include orders:

1. That no officer shall leave an assigned post or duty until officially relieved;
2. That before going off duty, officer shall make complete field notes for use in the later preparation of reports; and

Public OPM as of 9/4/2020

3. Specific direction on dealing with by-product crimes (such as arson, looting, or sniping).

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 228	**VICTIM'S RIGHTS NOTIFICATION**	
	Effective: 04/21/2011	**Commissioner Approval:**
	Authorities: AS 18.67.175; AS 12.61.010; AS 47.17.020; AS 18.65.520	
	Applicability: **OFFICER**	
	Special Instructions: Click here to enter text.	

228.100 INTRODUCTION

The Department has an obligation to inform victims of violent crimes, or their surviving dependents, of potential entitlements and protections.

228.300 VIOLENT CRIMES COMPENSATION NOTIFICATION

A. ***Department is required notify crime victims.*** Alaska law requires every law enforcement agency in the State to inform victims of violent crimes, or their surviving dependents, of the provisions of the violent crimes compensation act.

A victim, or a victim's surviving dependent, may be eligible for compensation if injury or death resulted from: an attempt on the part of the applicant to prevent a crime, capture a suspect, aid a police officer, or aid the victim of a crime; or resulted from the commission or attempt to commit the following crimes by someone other than the applicant:

1. murder in any degree;
2. manslaughter;
3. criminally negligent homicide;
4. assault in any degree;
5. kidnapping;
6. sexual assault in any degree;
7. sexual abuse of a minor;
8. robbery in any degree;
9. threats to do bodily harm;
10. any crime resulting from the operation of a motor vehicle, boat, or airplane when the offender was under the influence of an alcoholic beverage, inhalant, or controlled substance; and
11. arson in the first degree.

B. ***Applications to be available from DPS offices.*** Applications for violent crimes compensation shall be available at all department enforcement unit offices. Additional information is available at the Alaska Violent Crimes Compensation Board website.

C. ***Troopers to issue VCC cards to eligible victims.*** Troopers shall keep an adequate supply of Violent Crimes Compensation (VCC) Cards and shall issue them to victims as required. VCC Cards are available through the Violent Crimes Compensation Board.

228.310 OFFICE OF VICTIMS' RIGHTS NOTIFICATION

A. ***Department required notifying victims***. AS 12.61.010 (a)(15) requires every law enforcement officer initially investigating a crime to provide to a victim, orally and in writing, the address, telephone number and Internet address of the Office of Victims' Rights (OVR).

This provision also applies to victims of felonies and to victims of class A misdemeanors if the class A misdemeanor is a crime involving domestic violence as defined in AS 18.66.990 or a crime against a person identified under AS 11.41.

Such notification to a victim must also be provided to the parent or guardian of an non-emancipated minor.

B. ***Satisfying notification requirement***. The notification process is considered satisfied if, at initial contact with the crime victim, the investigating officer provides each crime victim with a brochure or other written material prepared by the OVR.

228.320 CHILD PROTECTION NOTIFICATION

A. ***Department required notifying DH&SS.*** AS 47.17.020 requires peace officers to immediately notify the Department of Health & Social Services if they have reasonable cause to suspect that a child has suffered harm as a result of child abuse or child neglect. (See OPM 235)

B. ***Report of harm and protection of child.*** A peace officer shall act on presenting a report of harm as a direct result of observations made in the course of carrying out their duties or as have been reported to them by a third party.

228.330 VICTIM OF DOMESTIC VIOLENCE NOTIFICATION

A. ***Department required notifying victims.*** AS 18.65.520 requires every law enforcement officer investigating a crime involving domestic violence to inform the victim, orally and in writing, of their rights as victims and the services available to them. (See OPM 212)

228.900 DEFINITIONS

Law Enforcement/Peace Officer – Trooper or Officer

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 229	**MOTORIZED VEHICLE AND AIRCRAFT ADMINISTRATION**	
	Effective: 12/13/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

229.100 INTRODUCTION

The department establishes the policy and protocol for maintenance and safety of vehicles and aircrafts.

229.300 VEHICLE COORDINATOR

The Vehicle Coordinator for the Department of Public Safety will be assigned to the Division of Alaska State Troopers (AST).

The duties of the vehicle coordinator include managing the department's various vehicle programs, maintaining an inventory of all assigned vehicles showing their locations and the mobile radio communications equipment installed in each vehicle, and drafting specifications for new models.

229.310 INVENTORY CONTROL

Commanders are responsible for maintaining an inventory of all vehicles assigned to the Detachment/Bureau and a log showing where and to whom each vehicle is assigned, advising the Vehicle Coordinator of any changes in the status of vehicles assigned to the Detachment/Bureau, and ensuring that the quarterly mileage report is completed and submitted as outlined in section 229.360.

229.320 TYPES OF VEHICLES

A. ***Wet Rental.*** Vehicles for which DOT/SEF charges both an operating rate (for expenses such as oil, additives, tire replacement and repair, servicing, and maintenance) and a replacement rate are considered wet rentals. DOT/SEF issues a State fuel credit card to each vehicle.

B. ***Dry Rental.*** Vehicles for which DOT/SEF charges only a replacement rate are considered dry rentals. DOT/SEF does not provide any maintenance for these vehicles; the department pays these costs on an as needed basis to DOT/SEF.

C. ***Non-Rental.*** Department owned vehicles for which DOT/SEF does not charge either an operating rate or a replacement rate. DOT/SEF also does not provide any maintenance for the vehicles; the department pays these costs on an as needed basis to DOT/SEF.

229.330 LEASED/RENTAL VEHICLES

Leased and rented vehicles are subject to the same general rules and regulations regarding use, storage, and other reports as State-owned vehicles. [Ref. State Equipment Fleet Manual]

229.340 VEHICLE EQUIPMENT ALTERATIONS

No alterations may be made to a vehicle except as directed or authorized, in writing, by the Commander, higher-ranking officer, or Vehicle Coordinator. Whenever possible every effort should be made to consult with the Vehicle Coordinator prior to authorizing a vehicle alteration.

229.350 VEHICLE MAINTENANCE

A. ***Maintenance of state vehicles is required.*** State operated vehicles shall be properly maintained and receive regularly scheduled service. The assigned vehicle operator will be responsible for reporting any unsafe or defective equipment and scheduling of required maintenance.

B. ***Locations where vehicle maintenance is to be performed.***

1. Wet Rentals. Maintained and serviced by DOT/SEF.
2. Dry Rentals. Dry rental vehicles are normally assigned where there are no DOT/SEF maintenance facilities. Maintenance and service will be purchased from the least expensive commercial vendor available.
3. Non-Rentals. May be serviced and maintained by the least expensive commercial vendor available or taken to DOT/SEF for service.
4. Leased Vehicles. Leased vehicles are normally covered by a service agreement with the vendor. Where no service agreement is in effect, maintenance and service will be purchased from the least expensive commercial vendor. Fuel may be purchased by State credit card.

   Every unit utilizing lease vehicles must submit a quarterly report to the Division of Administrative Services (DAS) Finance Office in Anchorage by the 5th of the Month following each quarter. Fuel costs, miscellaneous parts, or repairs not covered by a service agreement, and mileage readings must be included in the report. Forms for this report can be obtained from the Vehicle Coordinator.

C. ***Supervisors to inspect vehicles quarterly***. Each Commander will establish procedures to ensure that, wherever practical, a supervisor inspects every assigned vehicle in the Detachment/Bureau at least once per quarter.

229.360 QUARTERLY VEHICLE MILEAGE REPORT

Quarterly vehicle mileage reports will be forwarded to the DAS Finance Office in Anchorage. The report will reflect ending mileage for all HEWCF vehicles (wet and dry rentals) for the reporting quarter. The report will cover a one-quarter period and shall be submitted to the Finance Office, by the 5th of the following month using the formatted example shown below.

Quarterly Vehicle Mileage Report

Vehicle Mileage Readings for the [quarter #] Quarter of 20[year]

Location	Vehicle #	License Plate	Class/Status	Mileage	Operator	Vehicle Description
Anchorage	37200	AST 178	C150/W03	89,123	Knutson	2005 Crown Vic
Palmer	37499	AWT 314	C122/W03	52,150	Cooper	2005 Pick-up

I have determined that the above listed vehicle class and status codes are current and mileage readings are correct; therefore, this may be used as approval to pay the corresponding mileage and replacement costs to DOT/SEF.

_____ _____

Signature Date

229.370 VEHICLE DAMAGE AND ACCIDENTS

A. ***Damage to vehicles is to be reported.*** When a state-owned, leased, or rented vehicle is damaged, the incident will be promptly reported to the driver's immediate supervisor. This report is the driver's responsibility.

B. ***All accidents or damage are to be reported as follows:***

1. Non-accident related damages -- The employee's immediate supervisor, or an on duty supervisor, will be promptly notified when a vehicle has sustained non-accident related damage. The supervisor shall determine whether a criminal case should be initiated and assign the investigation. The supervisor will ensure a Liability Accident Notice (02-919) is completed and forwarded to the DPS vehicle coordinator at Anchorage Headquarters. A copy of the 02-919 shall be stored with any criminal case report. Any criminal case report shall be submitted in the normal manner.

2. Damage only accidents -- The employee's immediate supervisor, or an on duty supervisor, will be immediately notified of the vehicle accident. The

department's Vehicle Coordinator and the appropriate Division Director's Office will be notified during routine duty hours.

3. Injury or fatal accidents -- The employee's immediate supervisor and the AST supervisor for the area will be immediately notified of injury or fatal accidents. Additionally, the local commander, the appropriate division director, and the AST director shall be notified at the first opportunity AST will assume full investigative responsibility if jurisdiction exists or is given.

C. ***The supervisor will ensure the incident is fully investigated.*** This investigation may be conducted by commissioned personnel of DPS or by a municipal law enforcement agency at the discretion of the supervisor. Whether DPS or another law enforcement agency conducts the investigation, it is the supervisor's responsibility to see that all of the following investigative steps and reports are completed. The supervisor shall advise any municipal police officer investigating an incident involving a DPS vehicle of the report requirements of this section.

1. The investigative report will include a uniform traffic accident police report (Form #12-200), written statements from the involved parties, photographs of the scene and vehicle damage, and a diagram with necessary measurements. Seat belt use must be documented in the investigative report.
2. The supervisor will initiate an electronic report of vehicle collision within 24 hours of the event using the DPS intranet online reporting system.
3. The supervisor will ensure that a Liability Accident Notice (Form #02-919) is completed. A Report of Occupational Injury or Illness (form#02-921) must be submitted to the supervisor immediately if an employee sustains a personal injury. If the employee is unable to complete the form, the supervisor may do so. Both forms should be documented in the electronic report of vehicle collision.
4. The supervisor will conduct an administrative review of the collision with regard to pertinent policies and document any action using the electronic report of vehicle collision. Any disciplinary action taken will be noted in this report.
5. The electronic reporting shall be completed within three (3) working days and submitted to the Commander for review and approval. Any Report of Occupational Injury or Illness (02-921) and/or Liability Accident Notice (Form #02-919) along with a copy of the police report will be forwarded through the appropriate chain-of-command to the Division Director's office for review and distribution. The original police report will be processed as usual.

D. ***Vehicle damage repair procedures.***

1. The vendor must be notified as soon as possible when a State leased or rented vehicle is damaged in an accident.

2. Repairs and/or estimates for repairs will be coordinated and approved through the department's Vehicle Coordinator.

3. The following steps will be completed prior to repair of any damage:

   a. LEASED/RENTED VEHICLE

      I. In Kenai, Anchorage, Fairbanks, and Juneau obtain an appraisal from Northern Adjusters.

      II. In other cities, obtain at least (2) repair estimates.

      III. Forward a complete copy of appraisals to the department's Vehicle Coordinator, with the completed accident report and notice of accident liability.

   b. STATE-OWNED VEHICLE

      Coordinate all damage appraisals through the Vehicle Coordinator's Office and the nearest regional equipment manager of DOT/SEF.

229.380 AIRCRAFT SECTION

All aircraft operations will be conducted in compliance with the Department Aircraft Operations Manual.

The Aircraft Section is located within the Division of Alaska Wildlife Troopers (AWT). The Aircraft Supervisor reports directly to the AWT Operations Commander and is responsible for all functions of the Aircraft Section.

The Aircraft Section is responsible for safety, pilot training, aircraft maintenance, and aircraft acquisition/disposal.

229.390 AIRCRAFT ADMINISTRATION

A. ***Policy decisions.*** The AST and AWT Directors will confer and provide management directives, policies, decisions, and other appropriate information to the Aircraft Supervisor through the AWT Director or designee.

B. ***Aircraft placement.*** The AST Director and the AWT Director or designees are responsible for the coordination and placement of the Department aircraft.

C. ***Aircraft utilization and priority.*** See the DPS Aircraft Operations Manual which can be found on the DPS intranet.

229.400 AIRCRAFT MAINTENANCE - INSPECTIONS

All aircraft maintenance and inspections, on leased or owned aircraft, will be coordinated through the department's Aircraft Section in compliance with the Aircraft Operations Manual.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 230	**BIOTERRORISM RESPONSE PROCEDURES**	
	Effective: 11/23/2010	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: Click here to enter text.	

230.100 INTRODUCTION

The policy in this chapter represents current best practices for handling an Anthrax threat or other bioterrorism incident. As other information becomes available, these procedures will change to reflect the best way for us to protect the public and ourselves.

230.300 GENERAL OVERVIEW

A. ***Troopers available to assist other agencies.*** The Alaska State Troopers are available to assist all law enforcement agencies in the investigation, retrieval, and transportation of all suspected items in bioterrorism incidents. All agencies are asked to immediately notify the State Emergency Coordination Center (SECC) at 1-800-478-2337, or in Anchorage 428-7100. The SECC is located on Fort Richardson. SECC personnel will notify the Alaska State Troopers, the State Health Laboratory, and the FBI.

B. ***Keep the public calm.*** It is important that first responders use common sense and keep the public as calm as possible. In the event of an actual release of an unknown substance, citizens will be told to stay in their residence or at their workstations until emergency units are on location. In an Anthrax exposure, it may take two to four days for the onset of acute symptoms to develop. A few minutes or even hours of remaining at the scene will not significantly change the outcome of the exposure. All reports clearly indicate Anthrax can be successfully treated.

[redacted]

[redacted]

[redacted]

[redacted]

Public OPM as of 9/4/2020

Public OPM as of 9/4/2020

[redacted]

ATTACHMENT

DPS Anthrax Notification

Link: http://dpsportal/Comm/OPM%20Forms/230%20Anthrax%20Notification.pdf

STATE OF ALASKA
DEPARTMENT OF PUBLIC SAFETY
ANTHRAX NOTIFICATION

		SECC Case Number:	
Responding Agency (if other than AST)	Telephone Number	Agency Case Number	Date Reported
AST Reporting Officer	AST Telephone Number	AST Case Number	

Package

Date seized	Time Seized	Seized by	Where seized:

Package Contents:

Persons Potentially Exposed (including law enforcement personnel)

1	Full Name:		
Contact Address	Contact telephone	Cellular Number	Residence Telephone
Work Address			Work telephone
Alternate Contact Person	Contact telephone	Cellular Number	Residence Telephone

2	Full Name:		
Contact Address	Contact telephone	Cellular Number	Residence Telephone
Work Address			Work telephone
Alternate Contact Person	Contact telephone	Cellular Number	Residence Telephone

3	Full Name:		
Contact Address	Contact telephone	Cellular Number	Residence Telephone
Work Address			Work telephone
Alternate Contact Person	Contact telephone	Cellular Number	Residence Telephone

4	Full Name:		
Contact Address	Contact telephone	Cellular Number	Residence Telephone
Work Address			Work telephone
Alternate Contact Person	Contact telephone	Cellular Number	Residence Telephone

PLEASE USE ADDITIONAL SHEETS AS NEEDED	Page ____ of ____

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 231	**CANINE UNIT OPERATIONS**	
	Effective: 12/6/2010	**Commissioner Approval:**
	Authorities: AS 11.81.370(a); AS 11.56.705-710	
	Applicability: Choose an item.	
	Special Instructions: SEE OPM 107	

231.100 INTRODUCTION

This policy establishes the purpose and protocol of a canine unit.

231.300 CANINE UNIT SUPERVISION

A. ***Canine teams under detachment supervision.*** Each canine team will be under the supervision of the immediate shift supervisor and responsible through the chain-of-command to the Commander responsible for the canine team's geographic assignment.

B. ***Canine teams also report to the Statewide Canine Coordinator.*** In all matters pertaining specifically to the canine, such as use, training, and record keeping the canine team will be responsible to the Statewide Canine Coordinator.

In the event the Statewide Canine Coordinator will be unavailable, he will designate another individual who will act in his absence.

In the event the Statewide Canine Coordinator and his designee are unavailable, the canine teams will report to the senior canine unit currently working within the Alaska State Troopers.

231.310 CANINE UNIT JOB DESCRIPTIONS

A. ***Statewide Canine Coordinator.*** A supervisor preferably with canine experience that coordinates equipment evaluation, repair, and replacement for handlers and canines; compiles canine unit statistics; acts as an advisor on the best use of canines; and maintains canines and handler training and evaluation records.

B. ***Canine Trainer.*** An Alaska State Trooper or certified police officer qualified through training and experience and certified by Alaska Police Standard Council to train State Troopers or police officers as canine handlers, and dogs as police canines. The Canine Trainer will coordinate and conduct training and re-certification for canine units, select suitable canines for departmental needs, train personnel selected to assist in canine training, and evaluate and train canine teams from other agencies as approved by the Commissioner and Director of the Alaska State Troopers. A Lead Canine Trainer will be designated by the Statewide Canine Coordinator.

C. ***Assistant Canine Trainer.*** An Alaska State Trooper or certified police officer qualified through training and experience and certified by the Alaska Police Standard Council to train

State Troopers or police officers as canine handlers, and dogs as police canines. Assistant Canine Trainers will conduct training for the canine unit under the direction of the Lead Canine Trainer, assist in preparing training seminars, and act as the training instructor in his/her absence.

D. ***Canine Handler.*** Canine handlers are responsible for carrying out all regular duties of their rank as well as the following responsibilities:

1. Determine the ability of the canine to accomplish a proposed task and decide on the best deployment;
2. Assist other law enforcement agencies as authorized;
3. Coordinate the use of other officers to assist the canine team;
4. Maintain all required canine records;
5. Ensure that their assigned patrol canine is evaluated and re-certified annually; and
6. Attend canine training sessions as directed.

231.320 HANDLER APPLICATIONS AND SELECTION

A. ***Canine Handler qualifications.*** An Alaska State Trooper wishing to become a canine handler shall meet the following qualifications.

1. Permanent status as an Alaska State Trooper;
2. Receive their supervisor's recommendation regarding the applicants' temperament, attitude, personality, use of force history, and high stress performance;
3. Have demonstrated the ability to work effectively without close supervision;
4. Have family members in full agreement on the assignment to the canine unit;
5. Maintain a residence providing an area, which affords the canine uninterrupted solitude during off shift hours;
6. Agree to at least three years of assignment as a canine handler, excluding promotion;
7. Ensure that any other pets at home will not interfere with the canine and its training program; and
8. Successfully complete canine training for certification.
9. Strong consideration will be given to candidates having a particular expertise applicable to the duties of a canine handler such as drug investigator experience or training; explosive ordinance disposal expertise; training and experience as an agitator; or previous canine handler experience or training.

10. Must qualify with all issued weapons to the SERT minimum qualification standards.

11. Must maintain a 90% or better on Department of Public Safety physical fitness testing.

B. ***Application procedure - Canine Handler.***

1. Interested officers may apply for canine handler vacancies in writing through their Detachment/Bureau Commander. This written application will include the type of canine and location of assignment desired.

2. The written application will be copied to the Division Director and the Statewide Canine Coordinator.

C. ***Applicant selection procedure.*** Selection of officers as Canine Handlers will be made as follows.

1. The applicant's qualifications will be reviewed to ensure eligibility standards are met. The Statewide Canine Coordinator and a designee of the Commander from the location where the canine handler opening exists will conduct this review.

2. Qualified applicants will be given an oral board examination consisting of a canine officer, the statewide Canine Coordinator and a designee of the Commander where a canine opening exists.

3. All or part of the oral board may interview the spouse.

4. All or part of the oral board may contact neighbors.

5. The Division Director shall make the final selection from among the qualified candidates.

231.330 GENERAL CANINE CARE/USE RULES

A. ***Decision to use canine rests with handler.*** The decision as to where and how to apply the canine rests solely with the canine handler. Consequently, each canine handler must know his/her team's limitations and the constraints imposed by federal and state law, regulations, departmental policies, and canine unit guidelines.

B. ***Rules for handling police canines.*** The following rules apply to the handling of police canines both on and off duty:

1. Only the team handler shall handle the assigned canine unless he or she is physically unable to;

2. While at the handler's residence, the canine shall either be under the handler's direct control or safely contained;

3. Handlers of canines shall properly maintain all required logs and records;

4. Handlers will ensure that his/her assigned canine receives timely and proper medical care/vaccinations at a veterinarian center approved by the department for the purpose;

5. Handlers shall maintain their canine in a clean, well-groomed, healthy state of readiness. Reasonable efforts shall be made to minimize objectionable odors. Toward that end:

   a. The yard/kennel shall be kept sanitary;

   b. An ill or injured dog shall be reported to the handlers shift supervisor and the Statewide Canine Coordinator. If the canine will be out of service for longer than one week, the Field Enforcement Commander will be notified;

   c. If the canine unit approved veterinarian, Training Coordinator, or Statewide Canine Coordinator deems the dog temporarily unfit for duty, the handler shall perform normal assigned duties on the current shift assigned, unless otherwise directed by their immediate supervisor.

6. No agitation or apprehension work is to be viewed by the public (nor is the photography of such work permitted) unless specifically authorized in writing by the Statewide Canine Coordinator with approval of the Division Director; and

7. All training, especially agitation work will be conducted under the guidance of the Lead Canine Instructor or designee.

C. ***Handlers responsible for protection of others from canine.*** Handlers shall take reasonable precautions to see that their canine does not present a hazard to other employees or to members of the public. They shall restrain or muzzle the canine as necessary to prevent unnecessary injury to persons.

D. ***Canine bites.***

1. In the event that a police canine is involved in any bite (including accidental), the handler shall immediately report the incident to the Commander and the Statewide Canine Coordinator.

2. The initial report shall be followed by written documentation as follows:

   a. Complete a Use of Force report using the DPS intranet online reporting system [https://intra.dps.state.ak.us/BlueTeam];

   b. Complete a Canine Application form and forward it to the Statewide Canine Coordinator within 24 hours;

   c. Prepare a supplemental report with the original case number. This supplemental report shall contain all of the handler's observations and actions, and shall specifically address canine announcements or warnings given and subsequent suspect actions or responses;

d. Photograph the injury, apprehension scene, suspect clothing, etc;

e. Note if the hospital has drawn blood from the suspect bitten;

f. Save dispatch and/or radio traffic tape recordings, as appropriate; and,

g. Conduct a "civil interview" (no Miranda) of the suspect, preferably by a canine handler other than the handler involved in the incident. This interview shall be limited in scope to the actual canine bite and suspect's recollection of canine warnings, etc.

3. A copy of the bite documentation (including photos and interview tapes) prepared in compliance with paragraph D2 shall be forwarded to the Statewide Canine Coordinator as a "Civil Bite Package" to be retained in the canine unit files.

4. The "Civil Bite Package" will be retained by the Statewide Canine Coordinator for a minimum of three years from the date of the incident. If the involved person was a juvenile at the time of the bite, the "Civilian Bite Package" will be retained for a length of time to be determined by the Attorney General's Office.

5. The Statewide Canine Coordinator will make appropriate notification to the Director's Office, including conclusions regarding the bite and any training issues or recommendations that arose from the incident.

231.340 USE FOR SERVICE (PSD I OR PSD I/II)

A. ***When police service dogs can be used.*** The canine handler will apply a canine using due care based on the nature of the offense or call, action of the suspect, time of day or night, presence or action of third parties, and other information available to the officer. Police service dogs may be applied in any of the situations listed below provided that at no time is innocent persons unreasonably endangered.

1. When and to the extent the canine handler believes it necessary to make an arrest, to terminate an escape or attempted escape from custody, or to make a lawful stop. (AS 11.81.370 (a))

2. Tracking a missing or lost person.

3. Assisting in a search for physical evidence.

4. Protection of the handler, other officers, or the canine.

B. ***Application of canine is a use of force.*** The application of a police service dog, as an instrument of force falls under the provisions of OPM Chapter 107. Each use of a police service dog must be documented in a police report and a "Use of Force Report" must be submitted.

C. ***Use of canine off lead.*** Off lead application of a police service dog is authorized except in riot / crowd control situations. Due care shall be taken by the handler while working the canine off lead.

D. ***Use of Police Service Dog (PSD I or PSD I/II).***

1. When conducting building searches, tracking and area searches handlers will comply with canine unit guidelines for these applications.
2. When using a police service dog the handler should use reasonable restraint and good judgment.
3. Prior to the release of a canine to apprehend, the handler must take every prudent step to ensure the person to be apprehended is the suspect. The handler shall, if tactically feasible, verbally warn the suspect that the canine will be released.
4. In the case where a canine is sent to apprehend, the handler shall attempt to identify any witnesses to the event.
5. Each application of a canine used to search for a person, suspect, or article, shall be documented on a Canine Application Form.

E. ***Riot control.***

1. No police service dog will be used for riot control without the knowledge and authorization of the Commander. Canines will remain away from the riot until such authorization is received. The Director or his designee shall be notified of such application as soon as practical.
2. Police service dogs may be used in conjunction with riot formations but shall remain on lead during such deployment. The handler will advise the on scene commander of the best tactical deployment of the canine.

231.350 USE FOR DETECTION (PSD II OR PSD I/II)

A. ***When police service dogs can be used.*** Police service dogs may be used to conduct consent searches, searches incident to arrest, searches pursuant to search warrant, or searches in exigent circumstances. Searches may be conducted of buildings (both commercial and residential), vehicles (cars, trucks, watercraft, or aircraft), fields and areas, baggage, mail, parcels, and any other search that the officer has legal authority to search.

B. ***Applying the service dog in searches.*** When the service dog handler is called to a scene to conduct a search, the handler will contact the on-scene officer and evaluate the type and legality of the requested search; evaluate the search for potential hazards, wind/air currents; and plan the search and brief officers at the scene as to what their conduct or actions shall be and inform them of the canine team's requirements.

C. ***Use of service dog off lead.*** Off lead application of police service dogs is authorized. Due care shall be taken by the handler while working the canine off lead to protect the canine and all persons.

D. ***Use of police service dog training aids.*** The following rules apply to the handling of police service dogs both on and off duty.

1. All narcotics training aids shall be safely cared for and properly documented and disposed of in accordance with the ABADE SOP 231.800 regarding Canine Training Aids.
2. In the event that a training aid is damaged and some, or all, of the source is lost or destroyed, the handler will write a report and file it to the original case; listing any witnesses to the event in the report, and notifying the Training Coordinator and supervisor as soon as practical.
3. In the event that a service dog ingests a training source that is toxic, the handler shall take immediate first aid steps and transport to the department approved veterinarian or veterinary emergency facility. The handler shall contact the Statewide Canine Coordinator and supervisor as soon as possible after such an incident.

E. ***Use of police service dog to be documented.*** Any use of a service dog to locate narcotic source shall be documented on a Canine Application Form.

231.360 TRAINING

A. ***All training will be under Department supervision.*** All training of canines or handlers shall be conducted under the guidance of the Statewide Canine Coordinator.

B. ***Quarterly training.*** Once every three (3) months each canine team will participate in a quarterly training session of duration to be determined by the Statewide Canine Coordinator. The duration of this training session will be based on the training needs of individual teams as well as the needs of the Canine Unit as a whole.

C. ***Maintenance training.*** Handlers will conduct appropriate daily maintenance in obedience and scent work. PSD I/II teams will specifically conduct daily training and reinforcement of the obedience portion of the "Stand Still" command. All canine teams are expected to perform no less than 2 1/2 hours per week of combined maintenance training.

D. ***Apprehension Training.***

1. Handlers of PSD I/II may conduct apprehension training. This training will only be conducted with an agitator who is properly trained, and who has been approved to participate in training by the Statewide Canine Coordinator.
2. After each session where apprehension training is conducted, the handler will fill out the appropriate Training Evaluation Form and immediately forward it to the Canine Coordinator.
3. In the event a handler encounters an apprehension training issue that they are unable to successfully solve, or one that falls outside the scope of their training as a handler, they will immediately stop the training session and contact the Canine Coordinator or a DPS Canine Instructor for instructions.

E. ***Special training.*** If it is determined that additional training is needed to correct an identified problem, to improve overall performance, or to introduce new skills/material to a canine team, provisions will be made for such training. Special training under this paragraph will be arranged through the Statewide Canine Coordinator.

231.370 CERTIFICATION OF POLICE CANINES

A. ***Annual certification required.*** The police canine and the handler are required to be certified by the Canine Trainer at least once each year.

B. ***Decertification of police canines.*** If a police canine fails to certify to at least the minimum level in its specialty, the canine may be removed from the active duty list and placed into remedial training until the canine can recertify. If the canine fails to certify it may be tested for other specialties or it may be removed from the canine unit.

231.380 CERTIFICATION OF CANINE HANDLERS

A. ***Annual certification of handlers required.*** Certification of handlers will coincide with the annual certification of their canines. The handler will be evaluated during the certification period and must receive an acceptable score to earn or retain certification.

B. ***Decertification of canine handlers.*** In the event that a handler fails to obtain a satisfactory score during the certification period, he/she will be removed from the active duty list and placed in remedial training. If after remedial training the handler fails to achieve a passing score, the Commander and the Statewide Canine Coordinator may decide on additional training or assign the officer to a non-canine assignment.

231.390 SPECIAL HANDLING PROTOCOL

A. ***Public appearances and demonstrations.***

1. All public demonstrations must have the prior approval of the Statewide Canine Coordinator.

2. Canine teams giving demonstrations shall prepare and perform in a professional manner, reflecting favorably on the Alaska State Troopers.

3. Demonstrations shall be given in on-duty uniform for PSC or appropriate dress for PDC. Appearance shall be neat and clean.

B. ***Outside agency assists.*** The Alaska State Troopers recognizes that outside agencies may occasionally have need for the use of the canine.

1. Requests for assistance of a canine team from an outside agency will be referred to the Commander or his designee for approval.

2. If a Commander is not available, the supervisor on duty will be contacted and advised of the request and he/she will make a determination for approval.

C. ***Canine units' assignment to calls***. Canine units, whenever possible, will not be dispatched as the primary case officer to traffic accidents or other calls involving lengthy investigations unless necessary due to a shortage of other officers. This will allow the Canine Unit to be available to back-up other officers and perform canine activity. However, handlers must be mindful that they are Troopers first and handlers second.

D. ***Officer's conduct around canines***. Troopers shall familiarize themselves with the canine's abilities to track and search. However:

1. Troopers shall not "horse" or "grab" around canines.

2. Troopers shall not get into K-9 vehicles unless directed to do so by the handler.

E. ***Assault on Police Canine / Harming or Harassing a Police Canine***. Intentionally injuring or harassing a police canine is a crime. If an Alaska State Troopers canine is injured, the suspect shall be charged under the appropriate state statue.

1. Harming a Police Dog in the First Degree. (AS 11.56.705, C Felony) Intentionally kills/causes harm to a dog known to be a police dog.

2. Harming a Police Dog in the Second Degree. (AS 11.56.710, A Misdemeanor) Intentionally injures, torments, kicks, or strikes a dog he knows to be a police dog.

F. ***Authorized vacation kennel facilities.*** Kenneling of canines during handler vacations and other leave is available through a department approved facility.

231.400 HANDLER'S EQUIPMENT

A. ***Equipment issued to handlers*.** Each handler will be issued the following:

1. Portable radio,
2. Pager,
3. Leads in the lengths of 3.5' and 30',
4. Leather muzzle (agitation style),
5. Choke chain (fur saver),
6. Food/water dishes,
7. 15’ training cable,
8. Grooming brushes,
9. Toys, balls, detection training aids (if applicable),
10. "Pooper scooper", and
11. One chain link run at least 5 x 6 x 15 foot

B. ***Canine identification*.** Each canine shall be photographed and issued a State identification card identifying it as an Alaska State Troopers Canine.

C. ***Authorized supplies*.** Food and minor supplies may be obtained from the approved supplier or the department approved veterinarian.

D. ***K-9 vehicles.***

1. Patrol K-9 Unit vehicles will be marked uniformly and in a manner that safely identifies the vehicle as containing a police service canine. The rear seat will be removed and a platform for a container will be installed to provide a safe area for the canine.
2. Detector K-9 Unit vehicles may either be marked or unmarked; whichever fits the unit's mission. The interior needs to be altered to provide a safe area for the dog.
3. Vehicles assigned to tracking canines will be equipped for extended field stays (2-day tracks).

231.410 INSIGNIA

A. ***Establishment of K9 insignia.*** The canine unit insignia shall be the letter “K” and number “9” 11/16” wide by 7/16” high with the small AST badge centered between the characters.

B. ***Canine unit troopers authorized to wear insignia.*** Upon successful completion of a basic canine academy and certification as a canine handler, members of the canine unit will be authorized to wear the insignia as set out in OPM Chapter 102.

231.420 RETIREMENT OF CANINES

A. ***Canines retired by Statewide Canine Coordinator.*** Canines will be retired on the recommendation of the Statewide Canine Coordinator, the department approved veterinarian, the Commander and the Director.

B. ***Canine may be transferred to last handler.*** When it becomes necessary to retire a canine from active duty, the department may transfer ownership of the animal to the last handler.

C. ***Contract required of person accepting retired canine.*** A contract releasing the State of Alaska, the Alaska State Troopers, the canine unit and its personnel from all liability must be signed by a Commander and the person taking possession of a retired canine

D. ***Other disposition of retired canines.*** Should the last handler decline to accept the dog, the Statewide Canine Coordinator shall attempt placement in an appropriate home. If the animal is unable to be placed in a proper home, the Statewide Canine Coordinator may place the animal in an animal control center for a short period of time in an attempt to locate an adoptive home. If placement of the retired canine is impractical, the department approved veterinarian will euthanize the canine.

231.430 DEATH OF A POLICE CANINE

A. ***Notification of death required.*** In the event of the death of a department canine the handler will immediately contact the Commander and the Statewide Canine Coordinator.

B. ***Death of Department canine to be investigated.*** The Detachment Commander will conduct an investigation of the incident separate from any possible pending criminal case. He may call upon the Statewide Canine Coordinator for assistance as required.

C. ***Necropsy may be conducted.*** If the Statewide Canine Coordinator decides a necropsy is necessary the department approved veterinarian will conduct it. The postmortem report will be filed in the canine's training files.

D. ***Detachment will investigate criminal allegations.*** If the death was the result of criminal activity, the Commander shall initiate an investigation.

E. ***Investigation will be forwarded to Director.*** The Statewide Canine Coordinator will forward the results of the investigation to the Director.

F. ***Cremation and burial authorized by Canine Coordinator.*** The Statewide Canine Coordinator will authorize cremation and burial arrangements.

231.900 DEFINITIONS

Application – The use of a police canine in any police related function.

Canine Team – One handler with an assigned canine. Both handler and canine having been certified and issued full equipment (i.e. full team prepared to perform assigned duty).

Canine Vehicle -- A vehicle specifically prepared to provide safety and transportation for canine team.

Handler -- A certified Alaska State Trooper assigned to the canine unit who has successfully completed the required training and has been certified as a canine handler.

K-9 – canine/police dog.

Off Lead -- A condition where a canine is under the verbal and/or hand signal control of the assigned handler.

On Lead -- A condition where a canine is attached to and controlled by a lead in the hand(s) of a canine handler.

Police Service Dog I (PSD I) – A canine assigned to the canine unit trained and certified in basic tracking, area searches, building searches, apprehension techniques, obedience and handler protection.

Police Service Dog I/II (PSD I/II) – A canine assigned to the canine unit trained and certified to at least the level of a PSD I and is trained and certified in additional scent work or special operations (e.g. narcotics, explosives or cadaver detection; advanced tracking; accelerant detection; evidence detection; or SERT operations).

Police Service Dog II (PSD II) – A canine assigned to the canine unit trained and certified in the detection of four or more sources/odors solely in narcotics detection.

ATTACHMENT

Canine Application Form

Link to form: Canine Application

Alaska State Troopers
Canine Unit

K-9 APPLICATION FORM

CANINE TEAM: _____
DATE / TIME: _____
CASE NUMBER: _____

TYPE OF APPLICATION

- Building Search
- Track
- Patrol Route
- Direct Search / Area Search
- Apprehension (Runaway / Escape)
- Handler Protection
- Perimeter / Assist
- Other (specify) _____
- Evidence or Article Search
  - Item / Value: _____
- Detection:
  - Narcotics — Item / Weight: _____ Item / Weight: _____

SUSPECT APPREHENSION

- Armed? (Specify) _____
- Reasonable Force Involved?
- Resisted Arrest?
- Bite Involved?
  - Suspect & Scene Photographed?
  - Dispatch Tapes Saved & Placed in Evidence?
  - Witnesses to R/F or Bite Interviewed?
  - Reasonable Force Memo Filed?
    (Copy to K-9 Supervisor and Division Command)
- Arrest(s) Made? — Number and Type
  - Felony _____
  - Misdemeanor _____

SYNOPSIS / Additional Information:

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 232	**WEAPONS STANDARDS & TYPES**	
	Effective: 10/31/2012	**Commissioner Approval:**
	Authorities:	
	Applicability: OFFICERS	
	Special Instructions: See OPM Chapters 107, 217, & FPM	

232.100 INTRODUCTION

This policy establishes the standards assigned to weapons authorized by the department. Standards include qualifications, training, and maintenance.

232.300 FIREARM PROFICIENCY

A. ***Officers must be trained with authorized weapons.*** No officer is authorized to carry a weapon for which they have not been properly trained. The instruction must be provided by DPS Instructors and be DPS approved.

1. All officers must have completed the DPS Tactical Shotgun Course; however, officers hired prior to 1997 may not have received this training, but are encouraged to attend such training when available. During qualifications, Firearm Instructors will use the material from the Tactical Shotgun training program, while providing instruction to those who have not attended approved classes.
2. All officers will have completed the DPS Patrol Rifle course prior to being authorized to carry any patrol rifle in the course of their duties.
3. SERT: Instructions and instructional materials related to weapons systems not already covered in this section may be unique to SERT specialized weapon systems. Any firearms instruction provided to SERT officers must be Alaska Police Standards Council certified and the training must be properly documented in compliance with applicable OPM chapters.

B. ***Qualification required.*** All officers must remain proficient and qualify with the department-issued handgun, and with each weapon they are authorized to carry, as specified below:

QUALIFICATION	HOW OFTEN	PASSING SCORE (Minimum)
DPS Handgun	3 times a calendar year	Score: 192 points
Five-Shot Handgun	3 times per calendar year	Score: 180 points
Shotgun Buckshot and Select Slug	2 times per calendar year	Score: 81
Shotgun Slug	2 times per calendar year	Score: 38
Patrol Rifle	2 times per calendar year	Score: 200
Bolt-Action Rifle	2 times per calendar year	Score: 75 points
SERT Handgun	2 times per calendar year	Score: 216 points
SERT MP-5 Sub-Machinegun	2 times per calendar year	Score: 225 points
SERT Shotgun	2 times per calendar year	Score: 74
SERT Counter-Sniper Rifle	2 times per calendar year	Score: Pass/Fail
SERT Urban Assault Rifle	2 times per calendar year	Score: 225
SERT Less-Lethal Munitions	1 time per calendar year	Score: 6 hits (100%)
Auxiliary Handgun	3 times per calendar year	Score: 72 points

C. ***Supervised qualifications.*** Officers must qualify under supervision with each weapon at least once each year. Other required qualifications may be unsupervised. During supervised qualifications the firearm instructor may deny qualification, irrespective of score achieved, to any officer who fails to abide by safety regulations or who in the instructor's judgment cannot demonstrate adequate gun handling skills. **Malfunction clearance drills will be performed during all supervised qualifications.**

During supervised qualifications each officer will be required to demonstrate correctly all malfunction drills. Type 1 and Type 2 malfunction will be completed in three seconds or less, Type 3 malfunctions will be completed in seven seconds or less.

Since SERT qualifications are more difficult and to a higher standard than standard DPS qualifications, supervised SERT Qualifications can serve as the officers annual qualifications for all weapons. The SERT qualifications will be clearly delineated on the Firearms Qualification Record and in the APSIN Training Data entry.

D. ***Failure to qualify during supervised qualifications.***

1. During supervised qualifications, officers will be allowed no more than two attempts in one day to successfully complete a qualification for each weapon system. The Firearm Instructor has full discretion in determining how much time must pass between each attempt to qualify on any given day

2. Failure to qualify within two attempts with a personal weapon, whether carried on duty or off duty, will result in the officer no longer being authorized to carry that weapon. The scores related to the failures to qualify will be recorded in the APSIN Training Record System. Any previously received authorization for the carrying of the weapon will be considered revoked.

3. Failure to successfully qualify with any issued weapon will result in the following course of action:

   a. First failure to qualify.

      I. Following the first failure with a department-issued weapon; the officer's unsatisfactory scores will be recorded for entry into the APSIN Training Record System. The Firearm Instructor will notify the Detachment/Bureau Commander in writing (either memo or E-mail) of the officer's failure. The Firearm Instructor will also outline a training course of action for the officer.

      II. The officer will be required to qualify during a supervised qualification within thirty days, excluding periods of annual leave, sickness, court testimony, or other extensions granted by the Detachment/Bureau Commander.

      III. Remedial training will be made available to the officer through coordination with the Detachment/Bureau Commander and a Firearm Instructor. The Firearm Instructor will provide the officer with instruction as to what methods and techniques are necessary to improve the officer's performance. It will be the officer's responsibility to coordinate with the Firearm Instructor to schedule additional attempts to qualify.

      IV: Failure to qualify within a thirty-day period (listed below) may be used as grounds for withholding merit increases or other administrative action.

   b. Second failure to qualify.

      I. Following the second failure to qualify with a department-issued weapon; the officer's unsatisfactory scores will be recorded for entry into the APSIN Training Record System. The Firearm Instructor will notify the Detachment/Bureau Commander in writing (either memo or E-mail) of the officer's second failure.

II. The Detachment/Bureau Commander, or a designee, will issue a Letter of Instruction to the officer outlining the failure to qualify and providing guidance as to a course of action to achieve a successful qualifying score.

III. The officer will be required to achieve a qualifying score within thirty days of the second failure. No extensions of time will be provided minus extraordinary circumstances. All reasonable attempts will be made to provide one-on-one training with a Firearm Instructor. It will be the officer's responsibility to coordinate with the Firearm Instructor to schedule additional attempts to qualifications.

c. Third failure to qualify.

I. Following a third attempt to qualify with a department-issued weapon; the officer will no longer be authorized to carry that weapon in the line of duty. The Firearm Instructor will notify the Detachment Commander immediately, in person or via phone, of the failure. The notification will be followed up later in writing (either memo or E-mail) explaining the Firearm Instructors observations regarding the officer's failure to qualify.

II. The scores related to the failure to qualify will be recorded for entry into the APSIN Training Record System.

III. The Detachment Commander will consult with the Division Director to determine a course of action to follow concerning the officer's inability to qualify.

d. Failure of an officer to qualify may be used as grounds for administrative action, including dismissal.

E. ***Scheduling of qualifications.*** Courses of fire that are scheduled for two or three times yearly require qualification at two or three <u>different</u> times of the year, respectively.

F. ***Qualification while on-duty.*** On-duty officers may be called upon at any time to qualify in any prescribed course of fire with any firearm they are authorized to carry or any standard firearm used by the department.

G. ***Failure to report for or perform required qualifications.*** An officer who, having been properly notified and having no duty conflict or excused absence, fails to report for a supervised qualification or fails to perform an unsupervised qualification may be subject to discipline up to and including dismissal. The following outlines the policy for rescheduling missed qualification events and the consequence for such action.

1. When an officer of the department fails to report for scheduled supervised qualifications, such an action will be reported to the officer's Detachment/Bureau Commander.
2. If it is determined that the officer was not properly notified or had duty related conflicts or an excused absence (annual leave, sick leave, etc.), the Commander will coordinate with the Firearm Instructor to arrange a "makeup" session.
3. If it is determined that the officer was properly notified and did not experience a duty related conflict or excused absence, the Commander will provide a Letter of Instruction to the officer outlining what actions the officer must follow to achieve compliance with the department's directives related to firearm qualifications. The officer will be directed to arrange a "makeup" session with the Firearms Instructor to be conducted at a time that is convenient to the Instructor. An officer who has a documented history of failing to follow prior directives will be subject to disciplinary action for failing to comply with qualification event.
4. If an officer fails to report for a second or subsequently scheduled supervised qualifications, and was not experiencing any duty-related conflicts or excused absence, the officer's Detachment/Bureau Commander will initiate appropriate disciplinary action.

H. ***Qualification recorded in Training Records System.*** Firearms qualification scores of all officers will be entered into the Training Records System.

I. ***Authorization to wear the handgun expert patch.*** The "handgun expert" uniform patches may be worn in accordance with Chapter 102 by officers with a score of 230 or greater with the issue handgun during a supervised qualification. The patch will be removed immediately after the officer fails to shoot a minimum score of 230 during any subsequent supervised qualification.

232.310 CHEMICAL WEAPONRY, EXPLOSIVES AND DISTRACTION DEVICES

A. ***Devices exempted from section.*** The provisions of this section do not apply to the use of OC spray or projectiles, or to the use of "shell crackers", "seal bombs", or other distraction or explosive devices for animal control purposes.

B. ***Approved training required.*** Only officers having received department approved training may possess chemical weapons, explosives, or distraction devices. Refresher training is required at least once every five years.

C. ***Consideration of risk prior to use.*** Chemical weapons, explosives and distraction devices present hazards to department personnel, suspects, hostages, innocent bystanders, as well as property. Before their use officers should carefully consider the risks.

D. ***Commander notice required.*** Although the officer in command of an incident has the authority to authorize the use of chemical weapons, explosives or distraction devices without prior approval, every effort shall be made to consult with Command personnel and to notify the Division Director prior to the use of these devices when practical. Where such prior notice and consultation was impractical, notice shall be provided to the Division Director as soon as possible after the use of these devices.

E. ***Deployment of chemical weapons.***

1. Where available, and when practical, appropriate medical personnel and fire-fighting equipment shall be staged near the scene prior to use of chemical weapons.
2. A trained officer will determine the type and amount of chemical agent (CS) that can be used, and whether it will be fired, launched, or thrown.
3. Only trained officers shall fire, launch, or throw chemical weapons.
4. An officer launching or throwing chemical munitions shall keep an accurate count of the number of munitions used and shall recover these spent munitions after the incident.
5. All officers involved shall wear appropriate protective gear.
6. Outdoor use of CS or HC (smoke) agents in either non-burning or pyrotechnic grenades or projectiles is approved. Circumstances may dictate the use of these pyrotechnic devices in an indoor environment as well. This will only be done in consultation with trained personnel and appropriate command staff.
7. When used outdoors for crowd control, chemical weapons are not to be launched or thrown directly at persons but are to be deployed upwind on the ground or away from persons.
8. Following exposure to chemical agents, persons is to be aided with decontamination and provided emergency medical treatment as needed.
9. After the incident is over the officer in charge shall direct a trained officer to initiate decontamination of the scene as appropriate.

F. ***Use of distraction devices (Flash/Bangs).***

1. Only devices initiated with a mechanical fuse shall be used.

2. All officers using distraction devices or positioned within proximity of their discharge shall use eye and ear protection.

3. No device exceeding 5 PSI per manufacturer's specifications shall be used in a confined area.

232.490 LESS-LETHAL MUNITIONS

A. ***Devices covered by this section.*** Less-than-lethal munitions (abbreviated less-lethal) are flexible or non-flexible projectiles, fired from a 12 gauge shotgun or a 37 MM launcher, intended to incapacitate a suspect with minimal potential for causing death or serious physical injury. Less-lethal munitions are intended to assist in the reduction of injuries to officers and suspects during violent confrontations as well as to assist in the resolution of situations where in other methods of response might place members of the public or responding officers in jeopardy.

B. ***Training and authorization required before use.*** Only those officers authorized by the Director's Office and trained in the use of less-lethal munitions will be allowed to carry, deploy, or use those munitions against persons.

C. ***Less-lethal munitions may be deadly force.*** The use of less-lethal munitions is equivalent to the use of impact weapons on the use of force continuum. However, use of less-lethal munitions is considered deadly force if intentionally fired at the head or neck of a suspect.

D. ***Deployment and use of less-lethal munitions.***

1. Officers may employ less-lethal munitions based upon their own knowledge and observations in accordance with department policy and State law. Under these circumstances, the officer assumes responsibility for their decision to employ the munitions.

2. Officers may employ less-lethal munitions on orders from an on-scene supervisor even when the officer employing the munitions lacks independent knowledge that such force is justified. Under these circumstances, the responsibility for the decision to employ the munitions is borne by the on-scene supervisor who ordered the use of the munitions.

3. Prior to the use of less-lethal munitions, the firearm (12 gauge or 37 MM) utilized to launch the munitions will be completely unloaded of all standard ammunition. A second officer will verify the empty status of the firearm prior to the loading of the less-lethal munitions into the firearm, no exceptions.

4. The tactical deployment of officers intending to use less-lethal munitions shall be in a two-officer team, with one officer armed with a conventional firearm to act as cover officer.

5. It is recognized that less-lethal munitions can cause death or serious physical injury when directed at certain areas of the body and will therefore not generally be directed at the head, neck, groin, knees or elbows of suspects.

6. Dependent upon circumstances present, an officer may use less-lethal munitions as direct fire at any area of a suspect's body when the officer has determined that the threat level has risen to the point where deadly force is justified.

7. After the use of less-lethal munitions against a person, that person shall be examined by medical personnel, as soon as practical.

232.500 OTHER WEAPONS

A. ***OC Spray***.

1. The use of OC spray is authorized for those who have successfully completed department approved training in its use.

2. When in uniform officers shall carry the OC spray canister in the issue basket weave carrier matching the uniform belt.

3. Officers receiving unused full size OC spray canisters shall remove the transport safety seal and fire a single short burst to assure proper function before placing the canister into service.

4. Officers carrying OC spray are responsible for performing monthly maintenance on the canister. Monthly maintenance consists of shaking the canister vigorously and examining the canister for damage or evidence of leakage.

5. Whenever reasonable after OC spray has been used to gain control over a person, the officer shall allow the person to flush their eyes with fresh water and to wash the affected skin with soap and water. If symptoms persist for more than 45 minutes after application of OC spray medical attention must be sought for the person.

B. ***Batons***.

1. Prior to carrying any baton, officers must successfully complete department approved training specific to the type of baton.

2. Officers are authorized to carry an approved collapsible straight baton at any time. When in uniform officers will carry the baton in a department issued carrier.

3. Officers shall not carry or handle any batons in a provocative manner or unnecessarily draw attention to their presence.

4. Intentional full power strikes (such as swinging, round house blows, or overhead chopping blows) to the head always constitute the use of deadly force. Other intentional blows to the head may constitute deadly force depending on the circumstances.

C. ***Flashlights***. Flashlights may not be carried as weapons and are not to be used to strike any person except as a last resort in self-defense of the officer or another.

D. ***Electronic weapons***.

1. Officers who have successfully completed department approved training may be issued and use an authorized electronic weapon.
2. Only department issued electronic weapons may be carried or used by Officers.
3. Barring extreme circumstances, individuals will not be shot with an authorized electronic weapon if they might fall from a high place, fall into hazardous substances or water, or be otherwise endangered during their brief period of incapacity.
4. Authorized electronic weapons will not be aimed at a subject's face.

E. ***Air powered OC projectile delivery systems***.

1. Officers who have successfully completed department approved training may be issued and use an air powered OC projectile delivery system.
2. Only department issued OC projectile delivery systems may be carried or used by Officers.
3. Projectiles from air powered OC projectile delivery systems will not be targeted at a subject's throat, head, face or eyes.
4. Unless there are no other target areas presented, projectiles will not be targeted at the base of the neck or spine.
5. Following use of an air powered OC projectile delivery system against a person, the person should be handled as required in 232.500 A 5.

F. ***Miscellaneous weapons***. Officers are prohibited from carrying or using any weapons not specifically authorized by the OPM, including:

1. saps, billy clubs, kubotai, nunchuks, and weighted gloves known as "sap gloves"; and
2. electronic weapons other than those specifically authorized by the department (see OPM 107.900).

232.500 NON-ARMED COMBAT TECHNIQUES

A. ***Training Required.*** Each officer shall complete department approved instruction in physical methods of arrest during regularly scheduled in-service training.

B. ***Exemptions Authorized.*** The Division Director may exempt individual officers not in direct enforcement positions from this requirement.

RESOURCES

Firearms Qualification Record (Multiple)

Firearms Qualification Record (Single)

Supervised Firearm Qualification Record

Firearms Procedures Manual (FPM)

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 233	**SPECIAL EMERGENCY REACTION TEAM**	
	Effective: 7/17/2019	**Commissioner Approval:** AP
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: SEE OPM Chapters 102, 107, 232	

233.100 INTRODUCTION

This department establishes means by which it will respond to high risk or crisis situations and the protocol for deploying such an effort.

233.300 SPECIAL EMERGENCY REACTION TEAM (SERT) Board

The Special Emergency Reaction Team (SERT) Board consists of the SERT Statewide Coordinator (Appointed by the AST Division Director), and the Team Leaders from each team. The SERT Board is responsible for reviewing SERT organization, training, and activities, and selection of personnel.

233.310 SERT UTILIZATION

A. ***SERT is available for use in high-risk situations.*** SERT is a resource to be used alone or in conjunction with other units as required to resolve high risk or crisis situations. SERT may be utilized any time there is a need for a team effort and a higher-than-normal danger to officers or citizens exists. The increased level of danger may be as a result of criminal activity as in the case of a barricaded gunman or from rugged terrain as in a SAR. All Detachment Commanders and Deputy Commanders shall familiarize themselves with the capabilities of SERT to insure effective use of the resource.

B. ***Commanders determine need for SERT response.*** Detachment Commanders and Deputy Commanders are authorized by the Director's Office to make the determination that a SERT response is needed to address an emergent incident occurring in their jurisdiction. A risk assessment will be utilized for the purpose of preplanned service of arrest warrants. The division director may require commanders, dependent on experience, to get approval from the director's office in advance of any SERT responses. Commanders may also call upon the SERT Statewide Coordinator to help determine if an incident rises to the level of a SERT response.

C. ***Notice to AST Director***. If time allows, the Commander will give notice to the AST Director prior to activating SERT. In those instances where prior notice is not given, the Director or designee shall be contacted as soon as is reasonably possible regarding any SERT response.

D. ***Notice to Commissioner.*** The AST Director or designee will notify the Commissioner of all activations of SERT as soon as possible.

[redacted]

233.320 TEAM CALL OUT

A. ***Requests for SERT response made through Commander***. All requests for SERT response must be made to the Team Leader through the Commander who will review the facts to determine whether SERT response is required. If the request is being made in an area that does not have a team, the request will go through the closest SERT Team Leader(s). All requests will be sent up the chain of command to the appropriate commander. The Director's Office will be notified as soon as possible of the request for activation. If a disagreement occurs on whether SERT should or should not be utilized, the Director's Office will serve as the final arbiter.

B. ***Utilization of on Duty SERT Members.*** Commanders may send SERT trained members not in SERT uniforms to a patrol call, and some SERT equipment may be used by trained and authorized personnel on a patrol call, but the use of the Tactical Response Vehicle or any members in SERT uniforms for an incident will always be deemed a SERT callout and will require notification of the Team Leader, appropriate commander, and Director's Office.

C. ***Approval of requests for SERT response from outside agencies***. On occasion, SERT may be requested to respond to assist a Federal, State, or Municipal agency for an ongoing incident. Such requests must be approved by the AST Director's Office.

Public OPM as of 9/4/2020

D. ***Briefing Team Leader***. AST Dispatch shall immediately attempt to contact the SERT Team Leader by phone or other means, and brief him on the event to their fullest capability, or provide a phone number of the person who has that information.

E. ***SERT members to be notified.*** All members of SERT assigned to the response area will be electronically notified per the SERT SOP unless the Commander or Team Leader instructs otherwise. The notification must include the location where the team will meet, whether a code response is required, the radio frequency being used for the event, and the uniform required.

F. ***SERT will acknowledge notification by radio***. In order to minimize phone traffic to dispatch, responding SERT members shall acknowledge the notification by radio unless another form of communication is necessary.

G. ***SERT members shall immediately respond***. All SERT members shall notify if they are able to immediately respond to either a pre-determined location or to the location provided in the notification.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Public OPM as of 9/4/2020

233.340 ACTIONS AFTER A SERT INCIDENT

A. ***All personnel to report for debriefing***. All personnel present at or involved in a SERT incident must report to the Incident Commander or SERT team leader for a tactical debriefing upon being relieved or dismissed. If an individual is dismissed from the incident they will be instructed regarding the requirement of completing a supplement report and reporting to the case officer in a timely manner.

B. ***Group debriefing to be held.*** At the conclusion of a SERT incident, the Incident Commander or SERT team leader shall conduct a tactical and or stress debriefing. All personnel involved in the incident will be required to attend. The case officer assigned to the incident will be notified of any debriefings and be present.

C. ***Involved personnel to complete written reports.*** All personnel involved in an incident will be required to complete a supplement report documenting their observations and any actions taken during the incident unless advised otherwise by the case officer assigned to the incident.

233.350 USE OF FORCE

Use of force during a SERT response must be in compliance with DPS policy (OPM Chapter 107). SERT members must qualify on the appropriate course of fire detailed in OPM Chapter 232 with each weapon carried or used during operations.

233.360 INSIGNIA

A. ***Establishment of SERT insignia.*** The SERT Insignia shall be crossed rifles with the small AST badge centered at the junction of the rifles. In memory of Trooper Troy L. Duncan, killed by hostile fire during a SERT mission, the SERT insignia is known as "Duncan's Bones."

B. ***SERT members authorized to wear insignia.*** Upon meeting the requirements described in the SERT SOP, active team members will be permitted to wear the insignia as detailed in OPM Chapter 102.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 234	**SEARCH AND RESCUE OPERATIONS (SAR)**		
	Effective:	12/28/2010	**Commissioner Approval:**
	Authorities:	AS 18.60.120 - 175	
	Applicability:	**OFFICERS**	
	Special Instructions:	Click here to enter text.	

234.100 INTRODUCTION

The department establishes this policy to reflect the responsibility, authority, operational, and administrative procedures for search and rescue (SAR) activities within the State of Alaska.

234.300 SAR RESPONSIBILITY

A. ***Statutory authority for search and rescue.*** With the exception of land under control of the National Park System, overall statewide responsibility for incidents of search and rescue within the State of Alaska has been given to the Department of Public Safety, Alaska State Troopers (AST) pursuant to AS 18.60.120.

This responsibility may be delegated to organizations within the State of Alaska who, by their nature, are better equipped to engage in search and rescue activity in a given environment or are mandated through the National Search and Rescue Plan to provide specific SAR services to state and local agencies.

The department has the responsibility to enact regulations necessary to carry out the legislative mandates set forth in AS 18.60.120 through AS 18.60.175. Under these statutes the department is responsible for SAR efforts, provides for the coordination of various resources needed to ensure the search mission is handled in the most effective manner, and includes funding for SAR expenses as part of its annual budget. The AST Statewide SAR Coordinator has the final authority and responsibility for producing the required reports, supporting the development and maintenance of local and statewide SAR resources, monitoring operations and coordinating all SAR functions.

Other state agencies and local governments have no legislative mandate to conduct search and rescue activity, yet many perform this service as a practical matter. Local law enforcement agencies, fire departments, and certain state agencies are often the first contacted when a person becomes the subject of a search and rescue.

The extent of local governments' responsibility relating to the health and safety of their citizens is perceived as their authority to mount local search and rescue operations.

B. ***Delegation of SAR responsibility.*** Certain agencies have been delegated authority to conduct search and rescue operations pursuant to Memorandum of Understanding (MOU) with the department.

- In navigable waterways, the United States Coast Guard Rescue Coordination Center has the primary responsibility for search efforts.
- In the event of a search and rescue for missing or downed aircraft, the Alaska Air National Guard Rescue Coordination Center has primary responsibility.
- In any area under control of the National Park Service (NPS), the NPS has primary responsibility.
- The AST retain primary responsibility for search in the event of a ground-based search and rescue not otherwise delegated by MOU.

234.310 SAR COORDINATORS

A. ***Statewide SAR Coordinator.*** The Statewide Search and Rescue Coordinator has statewide responsibility for all search and rescue activities controlled by the department pursuant to AS 18.60.120.

B. ***Detachment SAR Coordinator.*** The Detachment SAR Coordinator has responsibility for all SAR activity that occurs within the detachment to which they are assigned.

C. ***Incident Commander.*** The Detachment SAR Coordinator may assign an individual who is not a department employee to act on his behalf at the scene of any SAR incident. This individual will be the Incident Commander, and is under the direct command of the Detachment SAR Coordinator or his designee.

234.320 PRE-PLANNING FOR SAR RESPONSE

All Detachments and Posts shall develop and maintain a SAR Pre-Plan. All Detachment SAR Pre-Plans shall be kept at the affected posts and at the office of the Statewide SAR Coordinator. Detachment SAR Coordinators are responsible for maintaining up-to-date information in Pre-Plans established for their area. If practical, this pre-plan will contain the following information:

1. Purpose and Objectives	13. Clues
2. Priority of Missions	14. Communications
3. Notification Procedures	15. Briefing / Debriefing Procedures
4. Relative Urgency Guidelines	16. Medical Considerations
5. Investigative Procedures	17. Fatalities
6. Strategy	18. Rescue / Evacuation Procedures
7. Tactics	19. Mission Suspension / De-escalation Procedures
8. Priorities for Resource Allocation	20. Documentation / Report Requirements
9. Emergent Authorities & Responsibilities	21. Critique Procedures

Public OPM as of 9/4/2020

10. Call-out Procedures	22. Special Problems
11. Functional Organization (ICS)	23. Appendices
12. Base Camp Considerations	

234.330 RESPONSE TO FIRST NOTICE OF SAR INCIDENT

A. ***A SAR is an emergency.*** A search and rescue operation is an emergency. Actions shall be taken immediately to ensure timely response to the search incident. Any search effort shall be performed in the safest manner possible with a sense of "controlled urgency". The Detachment SAR Coordinator or his designee shall ensure there is proper coordination of resources from first notice to the completion of the search mission regardless of outcome. AST personnel shall assume the role as search coordinator and encourage the development and training of SAR resources within their operational area. These personnel will, when possible, be provided training specific to their search mission requirements.

B. ***Immediate notice to responsible agency.*** Upon notification by any source of a missing person(s) to the Department of Public Safety, an assessment shall be made to determine the agency central to the coordination effort as detailed in Section 234.300 B. The First Notice information shall then be provided to this agency in the most expeditious manner. The SAR Pre-Plan established for involved post shall dictate actions resulting from the first notice.

C. ***Rescue efforts to begin immediately.*** Efforts to find a lost person shall be taken up immediately upon first notice. This shall include initial investigation to validate the potential search, notification of proper department personnel to include Commissioner, Director, Commander, and Statewide SAR Coordinator, and the utilization of the SAR Pre-Plan for that location.

234.340 USE OF PRIVATE AIRCRAFT FOR SAR

The use of private aircraft in search and rescue will be coordinated through the local Civil Air Patrol or directly by the AST. If private aircraft are needed to support a search and rescue operation, and none are available through the Civil Air Patrol, then charter aircraft will be used. Deviation from this policy will be considered only in extreme emergencies.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 235	**CHILD ABUSE**	
	Effective: 12/13/2010	**Commissioner Approval:**
	Authorities: AS 51.100-110	
	Applicability: Choose an item.	
	Special Instructions: Click here to enter text.	

235.100 INTRODUCTION

This chapter establishes the department's zero tolerance for child abuse and neglect in the State of Alaska and the standards for response to and investigation of such reports of abuse.

235.300 DEPARTMENT STANDARDS

The Department of Public Safety recognizes its important role in responding to crimes committed against children in Alaska, which include child sexual abuse, physical abuse, exploitation, and neglect. The problem of child abuse cuts across all racial, cultural, and economic lines and impacts all areas of our society especially its young victims. The department recognizes that the abuse and neglect of children is a serious crime that cannot be condoned or tolerated. Some cases of child abuse occur inside the family setting with domestic violence laws and policies also directing the response of law enforcement.

This chapter establishes guidelines and protocol to be followed in responding to incidents of child abuse or neglect with the goals of reducing the incidence and severity of child abuse by establishing investigative policies conforming to law; affording maximum protection and support to victims of child abuse and neglect through a coordinated program of law enforcement and victim assistance; to ensure that child abuse and neglect cases are immediately and properly investigated; assuring that law enforcement services are as available in child abuse cases as they are in other criminal cases; coordinating the response by law enforcement and the Office of Children's Services (OCS) to child abuse and neglect cases to reduce the duplication of investigative steps and allow each discipline to work in a multidisciplinary team setting so that investigations will compliment and not interfere with each other.

235.310 ALASKA'S INTERDEPARTMENTAL CHILD ABUSE AGREEMENT (1998)

A. ***Child Abuse Agreement establishes policy.*** The Alaska Interdepartmental Child Abuse Agreement (AICAA) establishes a policy for mutual cooperation and coordination between the Departments of Law, Public Safety, Health and Social Services, Education, Community and Regional Affairs, and Corrections in the investigation of reported cases of child sexual abuse. Each agency has agreed to develop written internal policies and procedures for responding to reports of child sexual abuse. DPS will continue to provide child abuse investigation training to Troopers with an emphasis on forensic interviewing techniques, cultural awareness, victimology, evidence collection and preservation, perpetrator interview and interrogation

strategies, and other relevant investigative techniques. [The AICAA can be viewed on the DPS intranet.]

Additional agreements may be established for each detachment and geographical location to coordinate a multidisciplinary response to all forms of child abuse and neglect. Members of this team may include representatives from law enforcement, social services, medical providers, child advocacy centers, education, and corrections.

B. ***Commander responsibilities under AICAA***. Commanders will work with all involved agencies to develop formalized, specific and published working agreements in conformity with the AICAA. Commanders may appoint a Coordinator to assist in the establishment and coordination of multidisciplinary teams to deal with child abuse.

Commanders shall ensure that local protocols to investigate, intervene and prosecute child abuse cases take into account the geography of the area and the social services available. The Division Operations Commander must review any detachment or post Standard Operating Procedure (SOP) dealing with child abuse or neglect.

The responsibility of the Commander, or his designee, within the Detachment area is to:

1. Ensure that DPS fulfills its statutory and policy obligations;
2. Monitor the activities of individual multidisciplinary teams;
3. Review reports of child abuse, suggest follow-up etc.;
4. Support individual teams with technical assistance and manpower;
5. Act as regional liaison for agencies involved with AICAA;
6. Forward intelligence data to the Criminal Intelligence Unit;
7. Establish and maintain statistical data concerning reported child abuse cases; and
8. Coordinate Detachment training and equipment requirements.

235.320 CONFIDENTIALITY OF OCS REPORTS OF HARM

OCS Reports of Harm are confidential under AS 47.17.040, which exempts those reports from public inspection and copying under AS 40.25.110 and 40.25.120. Federal regulations [45CFR 1340.14(i)] prohibit disclosure of the names of persons acting as complainants in reports of harm. Further, DPS employees are reminded that AS 47.25.120 protects case reports and other records from public inspection and copying and are referred to OPM 206 for procedures governing release of DPS case reports.

A. ***Protection of complainant names.*** DPS employees shall protect the names of complainants appearing in OCS Reports of Harm by:

1. Not listing the complainant appearing on the OCS Report of Harm as a complainant through DPS case report person role codes;

2. Not mentioning the person's role as a complainant in the text of the investigation; and,

3. Not revealing the complainant's identity to any other witness.

B. ***Release of complainant names to other police agencies.*** DPS will not share OCS report of harm complainant information with another police agency unless that agency has policies in place assuring the protection of this information, or unless DPS can otherwise guarantee the protection of the information.

235.330 RESPONSE TO REPORTS OF CHILD ABUSE

A. ***Reports of child abuse to be expeditiously investigated.*** Whenever DPS receives a report of child abuse or neglect within DPS jurisdiction, it shall be expeditiously investigated.

B. ***Reports to be immediately screened and assigned***. All reports of suspected child abuse or neglect shall be immediately forwarded to a shift supervisor or other designated person. In larger detachments these reports may be forwarded to the ABI Child Abuse Investigative Units (CAIU) in accordance with the detachments SOP. All reports shall be immediately screened, prioritized and assigned for investigation if a criminal offense is suspected.

C. ***Contact with complainant or victim to be rapid***. Every effort will be made to contact complainants or victims of child abuse cases immediately or within 24 hours of the initial report to schedule an interview with law enforcement.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

235.360 ARREST DECISION

Investigating Troopers will work closely with the District Attorney's office in determining if and when to arrest a suspect in a child abuse case and/or how to proceed after the initial investigation is complete. Coordination with OCS will also be necessary when the alleged perpetrator may have contact with the victim or other minor children.

235.370 CHILD ABUSE CASE REPORTING

A. ***All reports of harm to be documented with case number.*** All reports of harm involving children shall have a case number drawn to document the persons involved, complaint, action taken and outcome.

B. ***All allegations of criminal conduct to be documented in case report.*** All incidents reported to DPS alleging a criminal offense committed against a child will be documented through a written case report. The size and content of the report will vary depending on the allegations and detachment policies.

C. ***Cases to be forwarded to DA.*** All reports that involve an allegation of child abuse that contain a disclosure by a child who identifies a suspect or when the case is corroborated by physical or circumstantial evidence shall be forwarded to the District Attorney's office to review for charges. Troopers shall coordinate with the local District Attorney's Office regarding the timeline for submission of reports.

D. ***Certain reports of harm may be logged.*** Some reports of harm will not require a written police report, but will be documented by drawing a case number with the appropriate activity code and notes to explain the outcome of the investigation. (Example: a report of harm reporting a young child has not been to school in several days and someone is concerned. A welfare check may be done confirming the child is okay and home sick.)

[redacted]

235.380 SHARING INFORMATION

A. ***Case reports to be shared with other agencies.*** DPS reports and records will be shared with cooperating agencies having an official standing in the case. Generally release of information in cases under investigation will be limited to OCS and the District Attorney's Office. Reports and records will only be released when the disclosure of the information in the report will not jeopardize an ongoing investigation. (See OPM 206)

B. ***Intelligence information on child sexual abuse.*** The Criminal Intelligence Unit is available to receive, store, and disseminate to criminal justice agencies intelligence information on sex offenders and commercial sexual exploitation operations. Department members involved in the investigation of child abuse/ exploitation shall transmit information to the CIU concerning the activities of known or suspected pedophiles, businesses dealing in pornography, and diaries, lists, or photographs seized from sex offenders. (See OPM 219)

235.390 CUSTODY OF ABUSED/NEGLECTED CHILDREN

OCS may take emergency custody of an abused child. Department personnel are required to assist in such matters at the request of OCS. (Ref AS 47.10.142)

Each Detachment is encouraged to work with their local OCS office to ensure that any child who may be in danger is protected to the best of our ability.

235.900 DEFINITIONS

Child -- a person under 18 years of age.

Child abuse or neglect -- the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby; in this paragraph "mental injury" means an injury to the emotional well-being, or intellectual or psychological capacity of a child, as evidenced by an observable and substantial impairment in the child's ability to function.

Childcare provider -- an adult individual, including a foster parent or an employee of an organization, who provides care and supervision to a child for compensation or reimbursement

Sexual exploitation -- allowing, permitting, encouraging, or engaging in activity prohibited by AS 11.41.455(a), unlawful exploitation of a minor, by a person responsible for the child's welfare.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 236	**SEXUAL ASSAULT OFFENSES**		
	Effective:	**5/10/2018**	**Commissioner Approval:**
	Authorities:	AS 11.41.300(a)(C)(1); AS 11.41.410-432; AS 11.61.130; AS 11.41.360-365; AS 11.61.140; AS 18.68.010.040; AS 18.65.530; AS 18.65.850-870; AS 47.24.011-120; AS 12.45.045	
	Applicability:	ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:		

236.100 INTRODUCTION

This chapter establishes policies and procedures for Department of Public Safety's response to and investigations of sexual assault offenses and collaboration with necessary and victim service providers.

236.300 DEPARTMENT STANDARDS

This chapter reflects the Department's zero tolerance approach to sexual violence in Alaska. The Department recognizes that sexual assault is a serious offense that will not be condoned or tolerated. Due to the serious nature of the crime, the trauma inflicted on the victim by the offender, and the profound impact on our communities, the Department considers these high priority cases. These standards and procedures will ensure that sexual assault cases are immediately and properly investigated.

This chapter establishes guidelines and investigative procedures to be followed when responding to incidents of sexual assault with the goal of providing a streamlined, victim-centered approach to investigations and through a coordinated response between law enforcement, medical providers and victim service providers.

Officers play a significant role in both the victim's willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime. The Department of Public Safety will ensure that sexual assault cases are handled from a non-judgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime.

236.600 SEXUAL ASSAULT OFFENSES DESCRIBED

An offender commits the crime of sexual assault if the offender engages in or attempts to engage in sexual penetration or sexual contact of another person without consent or with another person who the offender knows to be mentally incapable, incapacitated or unaware that the sexual act is being committed.

Alaska statute also specifically identifies offenses committed while victims are in custody of offenders who are employees of the Department of Corrections, Department of Health and Social Services and by those who are employed by a law enforcement agency.

There are four degrees of sexual assault defined in AS 11.41.410-427. Please refer to those statutes.

236.610 STALKING AND SEXUAL ASSAULT PROTECTIVE ORDERS

A. ***Protective orders issued by the Alaska Court System.*** Protective orders issued by the Alaska Court System in cases of stalking or sexual assault that is **not** a crime involving domestic violence under AS 18.65.850-870 can take three forms:

1. Emergency Protective Order. A protective order issued on the request of a police officer with the consent of the victim of stalking or sexual assault. Emergency protective orders expire after seventy-two (72) hours unless dissolved earlier by the court. An officer can obtain an emergency protective order in person or telephonically from a Judge or Magistrate. The officer must complete a CIV-755 form provided by the court. If the order is issued telephonically, the Judge and the officer will each fill out a CIV-755. The Judge will authorize the officer to sign the Judge's name to the order. After the order has been issued the officer will serve the petitioner and the respondent, file the order with the court by the end of the next day, and see that the protective order is entered into the registry of protective orders. [Ref AS 18.65.855(b)]
2. Ex Parte Protective Order. An ex parte protective order can be requested by a victim/petitioner and issued without the respondent being notified or present at a hearing. Ex parte protective orders expire after twenty (20) days, unless earlier dissolved by a Judge. [Ref AS 18.65.855(a)]
3. Long Term Protective Order. Issued after notice to the respondent and a hearing. Provisions of the order prohibiting the respondent from threatening to commit or committing stalking or sexual assault stalking remain in effect for six (6) months unless earlier dissolved by the court. [Ref AS 18.65.850]

236.620 SEXUAL ASSAULT IN DOMESTIC VIOLENCE RELATIONSHIPS

It is recognized that sexual assault crimes often occur within the context of a relationship outlined in AS 18.66.990, which defines household members. If sexual assault is committed by one household member against another household member as defined in the statute, all mandates, policies, procedures and statutes stated in the DPS Domestic Violence chapter also apply. [Ref OPM Chapter 212]

236.630 COMMANDER RESPONSIBILITIES

A. ***Commanders responsible for sexual assault response.*** Commanders are responsible for assuring that sexual assault incidents occurring in areas under their jurisdiction are handled in accordance with statute, regulation, and department policy. Detachment and post SOPs may be established that take into account the availability of local resources and personnel to investigate and prosecute reported cases of sexual assault.

The responsibility of the commander, or designee, within the detachment area is to:

1. Establish detachment sexual assault policies and procedures;
2. Ensure that DPS fulfills its statutory and policy obligations;
3. Act as or assign a liaison for agencies involved in the regional SART team and monitor the activities of other multidisciplinary teams in the region (e.g. Child Protection Teams);
4. Serve as a liaison with other detachments, bureaus (such as ABI), municipal police departments, involved local agencies, CDVSA, and domestic violence/sexual assault or victim assistance programs;
5. Create a system of prompt review for reports of sexual assault and make suggestions for follow up;
6. Coordinate detachment training and equipment requirements.

Public OPM as of 9/4/2020

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

H. ***Victim Rights***

1. See OPM Chapter 228
2. Pursuant to AS 18.65.865- A peace officer shall provide a victim of sexual assault notification of their rights using the most current DVSA booklet.
3. Pursuant to AS 18.68.040-Sexual assault victims may not be required to pay for examinations. A law enforcement agency, health care facility, or other entity may not require a victim of sexual assault who is 16 years of age or older to pay directly or indirectly through health insurance or by any other means, for the costs of the examination [AS 18.68.040].

   AST covers the cost of the forensic portion of the medical forensic exam if the exam was authorized by AST. This includes the cost of transportation to and from exams as well as the cost of the follow-up exam (including airfare and hotel as well).
4. The purpose of AS 12.61.100-150 is to protect victims and witnesses of crime from risk of harassment, intimidation, an unwarranted invasion of privacy by prohibiting the unnecessary disclosure of their address and telephone number.
5. The portion of the records of a court or a law enforcement agency that contains the name of a victim of a sexual offense or kidnapping shall be withheld from public inspection. In all records open to public inspection victim's initials shall be used. [AS 12.61.140]

   Except with the consent of the court in which the case is or would be prosecuted and is not public record under AS 40.25.110-40.25.125.
6. Victim Rights-Alaska Constitution
   a. To be treated with dignity, respect and fairness
   b. Obtain information about and be allowed to be present at all criminal or juvenile proceedings where the accused has the right to be present
   c. Timely disposition of the case

236.650 ANONYMOUS REPORT BY A VICTIM

A. ***Anonymous reporting option.*** A sexual assault is a traumatic event. Some victims may be extremely reluctant to cooperate with law enforcement and to participate in the standard reporting process in the immediate aftermath of a sexual assault. When victims express such a concern, they can be offered the opportunity to provide information about their sexual assault through an anonymous reporting procedure. **Due to mandatory reporting requirements under AS 47.17.020 and AS 47.24.010, the anonymous reporting option must not be offered to a person under the age of 18, or a vulnerable adult as defined under AS 47.24.900(16).**

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

236.660 MANDATORY REPORTING REQUIREMENTS

A. ***Law enforcement as mandatory reporters.*** Law Enforcement Officers are mandated to report to the proper agency when investigating crimes of sexual assault if the victim falls into one of the following categories.

1. The victim is a vulnerable adult. If the victim is an elder, under AS 47.24.010 the officer must make a report of harm within 24 hours to Adult Protective Services (APS).

   a. When a victim of sexual assault is elderly (65 or older) or a vulnerable adult (a person 18 or older who has a physical or mental disability or impairment as defined by statute), or when the accused or the victim of sexual assault is the sole caretaker of a physically dependent elder or vulnerable adult and the person can no longer provide care (as, for example, when the victim is hospitalized or when the accused is arrested), the responding officer shall determine whether the elder or vulnerable adult is physically endangered, either as a result of the abuse, a preexisting medical condition, or the removal of a caretaker.

   b. If the elder or vulnerable adult is physically endangered, the officer shall determine (by asking a mentally alert elder or vulnerable adult, or by asking

the victim or accused) whether there is responsible friend or relative who can be contacted immediately to provide care. If there is no one available to care for the elder or vulnerable adult, the officer shall transport, or arrange for someone else to transport, the elder or disabled adult to a medical facility or other appropriate location.

In addition to providing the victim notification required by other provisions of this policy, if the victim is an elder, under AS 47.24.010 the officer must make a report of harm within 24 hours to Adult Protective Services.

2. The victim is a child. When the victim or witness of abuse is a minor child, the officer must immediately report the harm to the nearest Office of Children's Services (OCS). [Ref AS 47.17.020 and AS 47.10.011(8)(ii)]

   a. If the victim is a minor child, officers shall follow policies outlines in OPM Chapter 235 (Child Abuse) and all applicable statutes.

   b. If the accused is arrested and was the sole caretaker of a child, or the victim is the sole caretaker of a child and can no longer provide care (as, for example, when the victim is hospitalized), the officer shall determine (for example, by asking the victim or mature child) whether there is a responsible relative who can care for the child and, if so, shall contact that relative and await the relative's arrival.

   c. If no responsible relative is available, the officer shall contact the OCS and will either remain at the residence until a social worker arrives or transport the child to a location designated by OCS.

   d. If the officer is unable to contact OCS, the child shall be transported to a place of safety and the officer shall continue efforts to reach OCS.

236.670 EMPLOYEES AS VICTIMS OF SEXUAL ASSAULT

Law enforcement response to employee victim is the same as other victims. DPS employees who are the victims of sexual assault (victims of sexual assault or plaintiffs in a Sexual Assault/Stalking Protective Order) shall receive the same law response (e.g. investigation, evidence collection) as other similarly situated victims. Employee victims may request response from a supervisor if they prefer the responding officer not conduct the investigation.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL			
CHAPTER 237	**SERVICE OF CIVIL AND CRIMINAL PROCESS**		
	Effective:	04/21/2011	**Commissioner Approval:**
	Authorities:	AS 09.05; AS 09.35; AS 09.38; AS 18.66; AS 47.47.12; AS 47.24; AS 47.30; 13 AAC 67; ALASKA RULES OF COURT	
	Applicability:	**ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions:	Click here to enter text.	

237.100 INTRODUCTION

This chapter establishes policy pertaining to the department's civil and criminal process serving activities.

237.300 DEPARTMENT STANDARDS

All internal activities regarding process serving shall be tracked through APSIN Client and Report Manager.

237.310 ASSISTANCE TO CIVILIAN PROCESS SERVERS

Civil Rule 4(c)(3) of the Alaska Rules of Court states a civilian process server must secure a peace officer's assistance when physical resistance or obstruction of service may occur. If Department personnel determine such assistance is warranted, the person requesting service must consent to service by the Department before it will be accepted. The process and all required service fees must be turned over to the Department.

237.320 PREPARATION FOR SERVICE

A. ***Service directions required.*** The person requesting service must complete a Service Direction form to provide information on the documents, person to be served, and location of service. Service directions are not required for subpoenas, *criminal* warrants, or *criminal* summons. Each service directions form is for service of one individual or entity.

Service directions are retained after service as well a copy of the receipt of payment detailed in 237.320 B (below).

B. ***Receipts for fees collected.*** Service fees and extraordinary charges incurred in effecting service, i.e., aircraft charter, extended per diem, use of boats, excess mileage or hours, etc., are collected from the person requesting the service ***prior to attempting service***. A receipt shall be provided to the requestor for their records.

1. A separate receipt is written for each court case number, regardless of how the fee is collected, or how many services are to be completed.

   Example: A $105.00 check is collected for three different cases, each having a charge of $35.00. Three separate receipts are written, one for each case with

the amount charged (in this case $35.00) written on the receipt. The total of the receipt amounts must equal the total amount of moneys collected. ONLY ONE CASE NUMBER PER RECEIPT.

2. The original receipt generated from Report Manager shall be given to the requestor. A copy of the receipt shall be retained in the generating JS unit and the final copy shall accompany the check for submission to DAS Fiscal Office.

C. ***Computer tracking of process – APSIN Client and Report Manager.***

1. JS personnel are responsible for data entry of information derived from either the court records or a service direction.
2. Face sheets are generated that provide information to the server.
3. Process servers shall update the computer systems to reflection action taken.

237.330 ACCOUNTING RESPONSIBILITY

The Judicial Services Unit shall process all checks and accompanying receipt to DAS fiscal for departmental accounting.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 238	**DEPARTMENTAL USE OF SOCIAL MEDIA**	
	Effective: **10/31/2012**	**Commissioner Approval:**
	Authorities: SOA Information Security Policies (ISP)	
	Applicability: **ALL DEPARTMENTAL EMPLOYEES**	
	Special Instructions: See OPM Chapters 101 & 119	

238.100 INTRODUCTION

The department endorses the authorized on-duty use of social media to further the mission of protecting and serving the public. Public safety is essential to preserving the high quality of life Alaskans value and enjoy.

The department's goals with social media are to expand public safety education; to enable citizens to make safe choices for themselves, their families, and their neighborhoods; and to improve communication and interaction between citizens and the department.

This policy establishes the department's position on the utility and management of DPS social media pages and provides guidance on their administration and oversight. This policy is not meant to address one form of social media, but rather establishes a stable foundation from which to use social media as advances in technology occur and new tools emerge.

Personal use of social media by employees is addressed in OPM 101.

238.300 SOCIAL MEDIA USE

A. ***Social Media Adoption.*** The department recognizes the role of social media in society and that advances in technology require the department to adjust to its uses. The department encourages on-duty use of social media as it pertains to criminal and administrative investigations, sharing safety and training information with the public, recruiting new employees, and providing an avenue through which the public can communicate and interact with the department.

1. Department Social Media. Sites, pages, and profiles representing the department must be approved by the Commissioner's office.
2. Division Social Media. Division Directors may, with the approval of the Commissioner's office, authorize the creation of a division social media sites, pages, and profiles.
3. Creation of work-related Social Media. Employees may not create or administer a social media site, page, or profile that represents (or appears to represent) the State of Alaska, the department, or any division without written approval from the Commissioner's office and, where required, the Division Director.

B. ***Authorized Moderators.*** Certain employees shall be designated to manage social media and communicate on behalf of the department and/or division.

1. The Public Information Office (PIO) is designated by the Commissioner to oversee and manage department social media and to communicate on behalf of the department.
2. Division Directors are responsible for identifying authorized moderator(s) at the division level.

C. ***Employee Users.*** If an employee identifies erroneous information displayed on a department or division social media page, the employee should notify the authorized moderator and provide the correct information. Employees shall not attempt to correct erroneous information by posting or commenting on the site.

D. ***DPS Representative Users.*** Certain employees may be authorized to comment on behalf of the department on a matter of public interest. Those employees must identify themselves by name and title when using social media. All other employees shall refrain from identifying themselves as DPS employees if they might appear to be speaking on behalf of the department.

E. ***Response to Public Inquiries.*** Authorized moderators are permitted to respond directly to public inquiries. When necessary, the authorized moderator may consult with subject matter experts within the department to craft responses to public inquiries. All posts and replies shall originate from the authorized moderator.

F. ***Use of Department Equipment.*** Employees are permitted to use department computers, smart phones, and similar devices for official department use of social media. See OPM 119.

G. ***Reports of Employee Conduct.*** Compliments or complaints regarding the professional duty or conduct of department employees will be treated like any other public input and shall be filed using the DPS intranet online reporting system to the Office of Professional Standards and/or the employee's supervisor for review.

238.310 CONTENT

A. ***Types of Content.*** Content posted on all social media pages shall be useful, relevant, and reliable. Responses to public inquiries shall be prompt and professional, yet personable. As a law enforcement agency, postings must be within the department's ethical and professional standards.

1. All speech must be a professional representation of the department. Authorized moderators must have a good understanding of community norms, sensitivities, expectations, and department policies regarding information release.

2. Posting of an employee's personal information and/or photo must comply with the department's media and public records policies, emphasizing recognition of privacy and potential officer safety issues.

3. Content may originate from within the department such as public safety information, participation by department employees in community events, or news releases generated by the department; content may originate from outside sources as it relates to the department's mission and social media objectives.

4. Content may also include notices of community or current events that reinforce connections between the department and citizens of Alaska.

B. ***Inappropriate Content.*** Inappropriate content may not be posted to a department social media page. Employees posting inappropriate content to department social media pages will be subject to discipline. Any questions concerning whether or not certain content is appropriate shall be directed to the Commissioner's office prior to the material being posted.

Inappropriate content includes, but is not limited to, information that may:

- jeopardize officer safety or compromise an ongoing investigation,
- be considered content known as inside-access, which includes comments or opinions concerning on-going police operations,
- violate anyone's personal or medical privacy, or
- be illegal or otherwise prohibited by statute, regulation, or policy.

C. ***Page Monitoring.*** Social media pages must remain fresh and updated to be of value. Authorized moderators should monitor comments daily as time and resources allow. New content should be posted frequently as long as the content remains engaging and valuable.

[redacted]

238.900 DEFINITIONS

Authorized Moderator – Employee(s) appointed to manage, oversee, and communicate with the public using social media on behalf of the department and/or division. With some social media, this position is referred to as a site administrator.

Blog – A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for web log.

Social Media Page – Any page or area within a social media website where content is displayed and managed by an individual or individuals with administrator rights.

Post – Content an individual shares on a social media site or the act of publishing content on a site.

Profile – Information that a user provides about himself/herself on a social networking site.

Social Media – A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (i.e. Facebook, MySpace), micro-blogging sites (i.e. Twitter, Nixle), photo- and video-sharing sites (i.e. Flickr, YouTube), wikis (i.e. Wikipedia), blogs, and news sites (i.e. Digg, Reddit).

Social Media Site – Online platform where users can create profiles, share information, and socialize with others using a range of technologies.

Speech – Expression or communication in spoken words, in writing, by expressive conduct, symbolism, photographs, images, audio and/or video, or related forms of communication.

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 239	**FOOT PURSUIT**	
	Effective: 02/28/2018	**Commissioner Approval:**
	Authorities: Click here to enter text.	
	Applicability: OFFICERS	
	Special Instructions: Click here to enter text.	

239.100 DEPARTMENT OVERVIEW

The department establishes a balance between protecting the safety of the public and officers during police pursuits on foot and law enforcement's duty to enforce the law and apprehend suspects.

239.300 OPERATIONAL GUIDELINES

A. ***Pursuit must be justified***. Before engaging in a foot pursuit, the officer must have probable cause to believe the person has committed a crime and an arrest is warranted, or they must have articulable, reasonable suspicion that the person has recently or is about to commit a specific crime, and that an investigatory detention is necessary to determine if probable cause exists or not.

1. A foot pursuit is also justified if the person fleeing is not the suspect of a crime but is an imminent threat to themselves or others.
2. The simple act of a person running from law enforcement does not in and of itself justify a foot pursuit or an investigatory detention.

B. ***Pursuit should be announced.*** When reasonable, officers should announce to dispatch and/or their back up that they are in a foot pursuit. The announcement should if possible include such information as the suspect name/description, location of the foot pursuit, direction of travel, reason for the foot pursuit, etc. In addition, the officer should loudly (and repeatedly if reasonable) identify themselves to the subject(s) as law enforcement and tell the subject to stop running/fleeing.

[redacted]

- [redacted]
- [redacted]
- [redacted]p[redacted]

[redacted]

E. ***Discontinuance.*** An officer may discontinue a foot pursuit at their discretion, and will discontinue the foot pursuit if told to by a supervisor.

F. ***Dispatch responsibility.*** If dispatch becomes aware of an officer in a foot pursuit in their area, they must ensure that the on duty patrol supervisor is notified as soon as is reasonably possible.

G. ***Supervisor responsibility.*** When a supervisor becomes aware of a foot pursuit, they will monitor the pursuit and determine what, if any, action needs to be taken. They may terminate any pursuit they believe lacks justification, or if in their determination the risk outweighs the desired outcome. Supervisors shall also be responsible for ensuring that responding units are in compliance with EVOC policy (OPM Chapter 104).

239.600 ADMINISTRATIVE PROCEDURES

A foot pursuit is likely to result in a use of force incident. In addition to articulating the use of force as required in OPM Chapter 107, the officer must articulate why they felt the foot pursuit was reasonable under the circumstances.

Public OPM as of 9/4/2020

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 240	**OPERATION OF SMALL UNMANNED AIRCRAFT SYSTEMS (SUAS)**	
	Effective: 8/26/2020	**Commissioner Approval:** AP
	Authorities: AS 18.65.900 – AS 18.65.909	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions:	

240.100 INTRODUCTION

A. ***Purpose of this chapter.*** All policies and procedures in this chapter govern the operation of State-owned or leased Small Unmanned Aircraft Systems (sUAS). All pilots and aircraft support personnel are responsible to read, understand and follow all policies contained within this chapter.

The Department, recognizing the benefit of a strong sUAS program also recognizes the potential liability and negative public perception that having a sUAS program can bring. The purpose of this chapter is to outline the approved uses of sUAS, the training requirements and the mission requirements involved with operating sUAS.

B. ***DPS sUAS purpose.*** The primary purpose of DPS sUAS program is to accomplish DPS missions and serve the public within the State of Alaska. A secondary purpose is to support local and Federal law enforcement agencies and other state agencies. It is the policy of DPS to provide an optimally safe environment for flight crews, the public and the National Airspace System (NAS) in all sUAS operations. Safe flight operation is a primary responsibility of all personnel.

C. ***Commissioner oversees all sUAS operations.*** Ultimate responsibility for DPS aircraft operations to include sUAS rests with the Commissioner of the Department of Public Safety. The Commissioner delegates all oversight responsibility for sUAS to the AST Director's Office.

D. ***Pilots will be DPS authorized pilots.*** The department utilizes DPS authorized sUAS pilots. Whenever an employee is designated as a department sUAS pilot, the sUAS pilot duties are in addition to and subordinate to the individual's regular employee duties. Regardless, an employee designated as a department sUAS pilot must always consider the assignment as a department sUAS pilot as a professional assignment.

240.300 SUAS AUTHORIZED USE

A. ***Purpose of DPS sUAS aircraft.*** DPS owns and maintains sUAS aircraft for the specific purpose of providing specialized aircraft to meet the unique needs of local, state and federal law enforcement, other public safety missions and, when practical, aircraft support to other state agencies. DPS sUAS may not be used for personal business or benefit including charitable activities, or for personal hunting, trapping or fishing.

B. ***DPS sUAS may only be used for the following types of operations***;

1. Search and Rescue operations to include urban searches for missing children and vulnerable adults.
2. Mapping of serious injury and fatal motor vehicle collision scenes.
3. Mapping of outdoor felony crime scenes.
4. Officer safety operations during SERT tactical operations.
5. Natural disaster response and scene evaluation.
6. Hazardous Materials or Man-made disaster scenes.
7. SUAS training exercises and public appearances.
8. Recruitment and public education.
9. Documenting of Fire and Life Safety scenes.

C. ***The DPS sUAS fleet is managed by the AST Director's Office***. Identifying where sUAS assets are needed should be determined primarily by the St ate SAR Coordinator. DPS sUAS are to be operated and maintained under rigid standards designed to provide safety, mission efficiency, and cost effectiveness. DPS sUAS will only be operated by personnel, both pilots and crew members, who have been trained and certified in the operation of DPS sUAS systems.

240.310 ORGANIZATIONAL RESPONSIBILITIES

A. ***DPS State SAR Coordinator's Responsibilities.*** The DPS State SAR Coordinator is responsible for managing all DPS sUAS operations. This includes the supervision of all DPS sUAS flight operations, pilot training and certification, flight safety and sUAS system maintenance (both in-house and contracted).

B. ***DPS personnel who require sUAS training.*** All DPS personnel with sUAS responsibilities, including detachment commanders, will be provided training in the policies, procedures and acceptable uses of DPS sUAS systems.

C. ***Pilot in Command's Responsibilities.*** Personnel assigned as pilot in command (PIC) of a DPS sUAS will be in command of the operation of that system regardless of rank. The PIC will always determine if conditions are acceptable for the use of DPS sUAS systems.

240.320 SUAS SAFETY POLICY

A. ***Need to mitigate inherent risk.*** The DPS mission entails certain inherent risks. These risks must be recognized, managed, and mitigated. Damage to sUAS equipment, and injury to persons, has a human cost and reduces the ability of DPS to perform its mission. Accidents are costly, reduce efficiency, and take aircraft and personnel out of service. They cannot be afforded, are not acceptable, and are not simply "the cost of doing business."

B. ***Heightened operational risk management principles apply to sUAS operations, whether stand alone or in conjunction with other DPS operations.*** Because sUAS operate in the NAS, considerations are added to normal DPS risk assessments in order to protect the safety of manned aviation. Compliance with the DPS jurisdictional Certificate of Authorization (COA) issued by the Federal Aviation Administration (FAA) is therefore a critical element of safety risk assessment for sUAS operations, along with assessment of local air traffic, obstacles, etc.

C. ***DPS sUAS minimum operational requirements.*** All DPS sUAS operations will include a minimum crew of one PIC and one sUAS observer. The PIC and observer will maintain radio communications at all times during a DPS sUAS operation.

D. ***A "sterile cockpit" type protocol will be observed.*** All persons who are not members of the sUAS crew will maintain a distance from the PIC. The payload imagery may be remoted to another location to be reviewed by non-crew members. Communications from non-crew members to the sUAS crew will be routed through a single point of contact designated by the PIC.

E. ***Verbal reporting requirements for all sUAS mishaps.*** All mishaps involving a DPS sUAS including any accident, incident, injury or property damage associated with a sUAS operation in any way shall be immediately reported verbally to the appropriate detachment commander and the State SAR Coordinator. The State SAR Coordinator will evaluate the incident and determine if further reporting of the incident to the FAA will be required.

F. ***ARMS/Commissioner's notification requirements.*** The State SAR Coordinator will coordinate with the direct supervisor of the pilot responsible for the sUAS and assure a commissioner's notification is issued as soon as possible. An ARMS incident will be completed addressing the details of the mishap within 48 hours.

G. **Failure to report sUAS mishap consequences.** Failure to immediately report a sUAS mishap or to submit an ARMS incident report within the required time may result in a suspension or revocation of the pilot's flight status and/or disciplinary action.

240.320 SUAS DATA RETENTION

A. **sUAS collected images and video.** All original digitally recorded media of a mission flight or training flight shall be retained for 180 days by the pilot. Data may be kept longer if necessary to fulfill a court order or other applicable law or regulation.

B. **Dissemination of sUAS media.** A copy of all digitally recorded media of a mission flight shall be turned over to requesting agency or as soon as practical. sUAS collected information shall not be disseminated outside of the agency unless dissemination is required by law, or fulfills an authorized purpose and complies with agency requirements.

C. **Destruction of sUAS media.** After the applicable time period has expired, the original digitally recorded media shall be erased, unless a lawsuit against the department or department member has been initiated or the Detachment commander determines the media

should be retained longer. If a lawsuit has been initiated, no original digitally recorded media shall be destroyed without the written approval of the Office of the Director.