

STATE OF ALASKA
Alaska Police Standards Council
Minutes of the 127th Regular Meeting
July 25, 2017

Statewide Teleconference from Juneau, Alaska

CALL TO ORDER

Chair Johnson called the Regular Meeting of the Alaska Police Standards Council to order on July 25, 2017 at 9:06 a.m. A roll call was conducted as follows:

APSC Members Present

Chair Bryce Johnson, Chief, Juneau PD

Vice Chair Luis Nieves, Sergeant, AST (telephonic)

Carrie Belden, Director, DOC (telephonic)

William Comer, Deputy Commissioner, DPS (telephonic)

Michael Craig, Public Member (telephonic)

Kelly Swihart, Chief, Petersburg PD (telephonic)

Berni Troglio, Prob. Officer IV DOC (telephonic)

APSC Members Absent

Rebecca Hamon, Public Member

John Papasodora, Chief, Nome PD

Brad Reich, Public Member

Wendi Shackelford, Public Member

Ronda Wallace, Chief, Kodiak PD

Dean Williams, Commissioner, DOC

APSC Administrative Staff Present

Robert Griffiths, Executive Director

Wendy Menze, Secretary

Sarah Hieb, Administrative Investigator

Robert Heide, Training Coordinator

Department of Law Representatives Present

John Novak, Department of Law (telephonic)

FLAG SALUTE

A flag salute was conducted.

AUDIENCE INTRODUCTIONS

Those in attendance, listed above, introduced themselves.

APPROVAL OF AGENDA

It was moved by Nieves and seconded by Swihart to approve the agenda as presented. The motion carried unanimously.

Approval of Past Minutes – May 3, 2017

It was moved by Troglio and seconded by Nieves to approve the minutes of the 126th Regular Meeting held May 3, 2017. The motion carried unanimously.

Persons to be Heard

There were no persons to be heard.

COUNCIL CHAIR'S REPORT

Chair Johnson noted his resignation from the Council would be effective July 28th and stated it has been an honor and a privilege to serve as Council Chair. He thanked the Council staff in Juneau for their hard work and stated the Council is in very good hands through their efforts.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Griffiths noted that he provided a Council Memorandum containing APSC's current fiscal status and a draft budget with his comments and suggestions to Council members prior to the meeting.

APSC staff is working on some new active cases. They are currently in the investigatory process and haven't been filed with the OAH as of yet.

OLD BUSINESS

a. Regulation Changes – Discussion and adoption of APSC regulations regarding certification, denial of certification, and revocation regarding police officer applicants, police officer trainee applicants, and probation, parole, correctional, and municipal correctional applications (Project #JU2017200026) (No public testimony)

Chair Johnson noted that the current draft of regulation changes was distributed to all Council members prior to the meeting and asked Council members if they had any questions or comments. Mr. Craig asked for clarification on the wording, "falsified or omitted information." Executive Director Griffiths noted that it's at the Council's discretion to determine whether an applicant intentionally omitted a piece of information and whether it was material to their application or certification.

Mr. Craig also asked about the current wording regarding use of marijuana by police officers and the illegal use or possession of controlled substances. Executive Director Griffiths stated that the wording was chosen to make it perfectly clear that no use of marijuana by a police officer is acceptable. Prescription medication which contains controlled substances is acceptable under the conditions set out in the draft regulations.

Mr. Craig then asked about the meaning of the word “probably” in the provision, “The council will grant an extension of the 90-day period upon a written request by the DOC that explains the reason the extension is necessary, and if the council determines that the person will probably be able to meet the standards by the end of the extension period.” Executive Director Griffiths explained that the wording allows the DOC to be granted an extension if they determine that an applicant is likely to be approved but just needs additional time to submit paperwork.

It was moved by Swihart and seconded by Nieves to adopt the regulation changes. A roll call vote was conducted, and the motion passed unanimously.

NEW BUSINESS

a. Budget challenges, recommendations, and consideration of financial policy changes

Executive Director Griffiths noted that with the decrease in APSC revenues, both actual from the last fiscal year and projected into the current fiscal year, budget cuts are necessary. Even though APSC has an authorized budget in FY18 of \$1.286 million, between actual revenue collected last year and the modest allowed carryover of \$25,000, the projected spending limit is \$1.021 million. As a result, this will require reductions in certain budget items.

Executive Director Griffiths then reviewed for the Council his proposed FY18 budget, noting the areas of reduction and the reasoning behind them. He then went on to explain his five recommendations outlined in the Council Memorandum to address the current funding shortfall.

The first recommendation is to continue efforts toward surcharge amount increases through the legislature. Executive Director Griffiths noted that the surcharge amount hasn't been increased in 20 years. The proposal is to double it as inflation has more than doubled over the past 20 years.

The second recommendation is to discontinue future basic academy sponsorship for all state agencies' officers, such as airports and universities. Executive Director Griffiths noted that in his conversations with legislative finance staff, they were under the assumption that the state agencies were already paying for this out of their own training budgets.

The third recommendation for FY18 is to decline to fund all training requests and training events, other than basic academies, as there are no funds allocated to this budget line item.

The fourth recommendation is to adopt a policy that all municipal agencies fund their own officers' attendance to the DPS reciprocity academy, rather than APSC funding this training (\$2,500 each), and additionally that all municipal agencies will absorb the housing costs APSC currently pays for the Municipal Corrections Academy (\$900 each). Executive Director Griffiths noted that many of the agencies in Alaska are looking to hire people who have already been trained in order to get them on board more quickly and also to save in training costs. The reciprocity academy costs are roughly a quarter of the cost of full academy training. By having municipal agencies absorb this cost, it would free up more funds to then support full academy applicants. Additionally, if municipal agencies also absorbed the lodging costs for Municipal Corrections Academy attendees, that would also free up more funds for full academy applicants.

The fifth recommendation is for APSC to change the manner and method by which it funds officers' attendance to basic academies and includes examples of different ways this can be accomplished. Executive Director Griffiths explained different ways to fairly distribute the limited amount of funds now available to support as many agencies' applicants as possible to attend the basic academy training. One suggested approach would be to limit the number of applicants to be fully funded. Another approach would be to distribute the available funds evenly to all applicants. Executive Director Griffiths also discussed allocating more funding to agencies in

cities such as Anchorage that provide a disproportionate share of surcharge revenue.

Executive Director Griffiths noted that the overall goal of these recommendations is to try to be fair and equitable to all parties in the state and still maintain APSC's mission of providing police officer training and upholding professional standards.

Following discussion of these recommendations, it was moved by Comer and seconded by Swihart to approve the first four recommendations to address the FY18 funding shortfall as set forth in the Council Memorandum. The motion carried unanimously.

As more research and discussion is needed regarding the fifth recommendation, Executive Director Griffiths stated he would hold off approval of any further applications for attendance at the next ALET academy until after the next Council meeting in December, when the Council can discuss this matter further and decide on appropriate direction to give to Council staff.

PERSONS TO BE HEARD AND COUNCIL COMMENTS

Executive Director Griffiths thanked Chair Johnson for his dedicated service and participation on the Council and noted a commemorative plaque would be delivered to Chair Johnson tomorrow. Deputy Commissioner Comer welcomed Mike Craig as the new public member and stated he is a great addition to the Council. Chair Johnson clarified for Director Belden that the draft regulation changes are out for public comment until August 1. At the December Council meeting, the Council will then review any public comment submitted, review the current draft regulations, make any desired changes, and then adopt the final regulation changes.

ADJOURNMENT AND NEXT SCHEDULED MEETING

The next regularly scheduled meeting of the APSC will be in Anchorage on December 5, 2017.

There being no further business to come before the Council, it was moved by Johnson and seconded by Nieves to adjourn the meeting at 10:10 am. The motion passed unanimously.

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Meeting minutes approved at the 128th General Meeting on December, 5 2017