



Alaska Police Standards Council  
141<sup>st</sup> General Meeting  
June 22, 2021, 1200  
5700 E Tudor Rd. (ABI Classroom), Anchorage  
& via Teleconference (Zoom)

GENERAL SESSION AGENDA

1. Call to Order & Roll Call
2. Audience Introductions – please announce yourself if you have called or Zoomed in.
3. Approval of Agenda
4. Approval of past minutes – May 6, 2021, Special Meeting
5. Persons to be heard:
  - a. Ms. Malan Paquette (5 minutes)
  - b. Mr. Gary Moore (5 minutes)
6. Council Chair's Report: Rebecca Hamon
7. Executive Director's Report: Bob Griffiths - Written
8. New Business:
  - a. Training sponsorship request for command school (\$4K)
9. Old Business:
  - a. APSC Basic Academy Funding discussion
  - b. Regulation Change Project Number 2020200735 tabled for special meeting and Governor's appointments (Tentative August 5, 2021)
10. Adjourn to Executive Session to address subjects that may tend to prejudice the reputation and character of individual(s) and for deliberations on adjudicatory proceedings in APSC Cases: 2016-11, 2016-27, 2018-15, 2019-45, 2020-06, 2020-19, 2020-27, 2020-30, 2020-33, 2021-02, 2021-03, 2021-04, 2021-06, 2021-09, 2021-18.
11. Call back to order – General Session.
12. Roll Call
13. Business arising from Executive Session (individual decisions voted in open session)
  - a) Action to accept surrendered certification(s) and findings of disqualification.
  - b) Council consideration of probable cause to initiate revocation action.
  - c) Certificate revocation actions
14. Persons to be Heard.
15. Scheduling of Future Meetings.
16. Council Comments & Announcements.
17. Adjournment

**STATE OF ALASKA**  
**Alaska Police Standards Council**  
**Minutes of the Special Meeting**  
**May 6, 2021**  
**Statewide Teleconference**

**1. CALL TO ORDER**

Vice Chair Hamon called the Special Meeting of the Alaska Police Standards Council to order on May 6, 2021, at 12:03 p.m. A roll call was conducted as follows:

**APSC Members Present**

Vice-Chair Rebecca Hamon, Public Member  
Scott Campbell, Public Member  
Michael Craig, Public Member  
Kelly Goode, Deputy Commissioner, DOC  
Steve Dutra, Chief, North Pole PD  
David Knapp, Sergeant, Correctional Officer IV DOC  
Ed Mercer, Chief, Juneau PD  
Leon Morgan, Deputy Commissioner, DPS  
Shane Nicholson, Sergeant, Kodiak AWT  
Dan Weatherly, Public Member  
Jen Winkelman, Director of Probation/Parole, DOC

**APSC Members Absent**

Chair Justin Doll, Chief, Anchorage PD

**APSC Administrative Staff Present**

Robert Griffiths, Executive Director  
Sarah Hieb, Administrative Investigator  
Wendy Menze, Administrative Assistant  
Greg Stocker, Training Coordinator

**Department of Law Representatives Present**

Jenna Gruenstein, Department of Law

## **2. AUDIENCE INTRODUCTIONS**

Greg Russell, AMLJIA  
Pete Mlynarik, AACOP  
Jeromey Lindhag, Lieutenant, North Pole PD  
Tim Putney, Chief Kodiak PD  
Glen Klinkhart, Director, AMC Board  
Eric Smith, Officer, Anchorage PD  
Jeremy Conkling, APDEA  
Nate Taylor, Chief Cordova PD  
Travis Welch, AMHTA

## **3. APPROVAL OF AGENDA**

It was moved by Winkelman and seconded by Morgan to approve the agenda as amended. The motion passed with unanimous consent.

## **4. APPROVAL OF PAST MINUTES – March 30, 2021**

It was moved by Mercer and seconded by Morgan to approve the minutes of the 140<sup>th</sup> Regular Meeting held March 30, 2021. The motion passed with unanimous consent.

## **5. SPECIAL BUSINESS**

Council Deliberation on Regulation Change Project Number 2020200735

Chief Steve Dutra requested that this special meeting be postponed to a later date since the council is down two law enforcement members and it is crucial to have all members present for this meeting. Deputy Commissioner Morgan commented that the council does need representation from the Anchorage Police Department since they are the largest agency in Alaska. He suggested July.

It was moved by Dutra and seconded by Morgan to postpone the Special Meeting to a later date, July, in order for the council to be fully staffed. A vote was taken and passed.

## **6. COUNCIL COMMENTS & ANNOUNCEMENTS**

D.C. Morgan made suggestion for the meeting to be held in July. Director Griffiths will send out a poll to get input for best date. There cannot be public comment at the Special Meeting. Council members can speak with anyone concerning this topic. June 22, 2021 is the next regular meeting in Anchorage in person.

## **7. ADJOURNMENT**

There being no further business to come before the Council, it was moved by Morgan and seconded by Craig to adjourn the meeting. The motion passed by unanimous consent, and the meeting was adjourned. Meeting ended at 12:16 pm.



## Executive Director's Report to Council June 15, 2020

### Activities:

#### Since my last report to the council: (as of June 15, 2021)

- COVID-19 pandemic restrictions have been easing and APSC is slowly returning to normal operations. Two staff continue part time remote operations, but Sarah Hieb and I have returned to working full time in the Juneau office.
- As you know, our special council meeting on May 6<sup>th</sup> to consider the significant regulatory reform package proposed by the council in December 2020, resulted in the package being tabled pending the appointment of two replacement police chief council member positions. A new meeting has been tentatively scheduled for August 5<sup>th</sup> to reconsider the package but will require the appointment of the replacement members to occur first. AK Boards and Commissions reports they are evaluating applications for the seats.
- All police officers and corrections officers in Alaska (at least those reported to APSC) have received enrollment e-mails from APSC for them to gain access to their personal training records and access hosted online training provided by APSC. Sarah Hieb and Greg Stocker have been kept busy answering questions and guiding officers who experienced challenges gaining access or wanted to update their records.
- Greg Stocker has created two online training courses (so far) that are hosted on APSC's Learning Management System. These courses were to address specific training needs in instructing officers how to properly take and submit DNA swabs from qualified arrestees and how to properly use a Sexual Assault Kit. Greg is currently working with DPS to develop an introductory course in domestic violence responses for new officers to take before they have an opportunity to attend formal academy training. He is also developing a blended delivery Methods of Instruction (MOI) course that can be started online and completed via zoom or a similar platform.
- The federal government is sponsoring the expansion of the National Decertification Index (NDI) to include findings of sustained unreasonable use of force incidents by officers. I am participating in the national committee for this NDI Expansion project and participated in several virtual project meetings over the past few months.
- On May 5<sup>th</sup> I served as a panelist on a national webinar introducing the NDI to government officials across the country. Congress and many state legislatures are proposing legislation for their POST agencies to create lists and report sustained misconduct and certificate/license actions to a national registry; this webinar was an attempt to educate these folks that such a registry already exists and is currently being used by 47 states to report and track actions taken against officers' certifications.
- The first week of February we held a formal hearing in the Nushart matter; as of this date we have yet to receive a proposed decision from the OAH. Our latest formal inquiry with OAH has gone unanswered.
- Several OAH status hearings were held in the Carlson matter; the case was postponed until mid-June due to Covid and scheduling challenges. As expected, Mr. Carlson surrendered his

certification to the council effective June 1, 2021. The case has been dismissed and the council will consider formal adoption of the surrender at this coming meeting.

- Legislative activities and hearings kept us busy answering inquiries, monitoring or testifying before legislative hearings, and communicating with constituent groups about the “Police Reform” bills being considered by the legislature. Several bills advanced through committees but none passed before the legislature adjourned its session. They will re-emerge in the 2022 session and should be closely watched as they would directly impact APSC’s duties and responsibilities and all public safety officers in the state.
- APSC received and processed 105 new formal records requests since March.
- During the same period, APSC staff evaluated 62 officers’ training records to determine if they qualified for Alaska reciprocity or “lateral entry” for another Alaska agency.
- APSC received, processed, and responded to 8 new complaints from members of the public regarding perceived officer misconduct or allegations of misconduct by another criminal justice agency. Each of these were referred to the officer’s employing agency to address, or to local officials to address. All complainants were notified and responded to in writing.
- APSC Staff continued with ongoing misconduct investigations; in the time since my March report, we opened 10 new cases and closed 5 existing investigations (including those closed by final action taken at our last meeting). We now have 35 active cases, two of which are before OAH for future hearings. Our 11 cases that involved active criminal charges and pending trials have all been resolved by voluntary certificate surrenders or have been moved forward for council consideration of probable cause to pursue revocation. We will no longer await the outcomes of criminal trials before bringing these cases to the council for consideration.
- On May 17<sup>th</sup>, I attended a one-day Western Regional meeting of POST directors in Carson City, NV. The trip was sponsored by a federal grant to IADLEST to improve officer training and awareness of Human Trafficking. As expected, this trip was very worthwhile and gave us the opportunity to share information about each state’s challenges and how many have been resolved.
- A long-term project was finally completed in May with the assistance of IT support. APSC’s historical case decisions are now publicly posted on our website at <https://dps.alaska.gov/APSC/Council-Decisions>. 161 formal decisions are available for download. This remains a work in progress, so if you note any missing decisions please make us aware of them.

**Statistics:**

*APSC Case History:*

	2015	2016	2017	2018	2019	2020	2021	Since 2015	% Since 2015
Certificate Action*									
Revoked	7	7	5	3	4	2	0	28	12%
Disqualified	0	11	12	10	9	4	0	46	20%
Surrendered	3	5	5	9	10	3	0	35	15%
Closed no Action	8	13	9	17	20	14	2	83	36%
Rescinded	1	0	0	0	0	0	0	1	0%
New Cases	20	38	31	42	45	33	19	228	
Open Cases	0	2	0	3	2	10	17	34	
Pending Criminal	0	0	0	0	0	0	0	0	

\* These actions reflect the year the case was originally open, rather than the date of final action/closure.

Case counts (new, open, pending criminal) are for the calendar year that case was originally opened.

As of 6/5/21

Action taken:	48%
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**APSC Certificates Issued:**

Annual Certificates															% change
Certificate Type	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021		FY2021	267	-12%	
Village Police	0	0	2	1	2	1	0	1	0	0		FY2020	302	-1%	
Basic Police	56	72	69	84	88	68	122	111	99	78		FY2019	305	0%	
Intermediate Police	24	30	35	39	35	45	51	36	34	43		FY2018	305	16%	
Advanced Police	27	44	31	44	51	35	48	31	36	37		FY2017	263	-22%	
Municipal Corrections	5	2	0	8	16	2	6	2	1	10		FY2016	337	-11%	
Correctional Officer	53	45	157	136	95	75	39	65	80	60		FY2015	380	19%	
Probation/Parole Officer	14	12	14	29	30	15	12	39	24	18		FY2014	320	56%	
Instructor	0	0	12	39	20	22	27	20	28	21		FY2013	205	15%	
												FY2012	179		
Total Cert issued	179	205	320	380	337	263	305	305	302	267					

As of 6/5/21

**Fiscal year 2021 (As of 6/5/2021):**

Training Events Sponsored by APSC	33	Except Academies (all held/planned FY21 – Reflects COVID-19 Cancellations)
Officers Attending Sponsored Courses	395	Non-academy sponsored and hosted courses held or planned for FY20 Includes PoliceOne access
Sponsored Training Hours Delivered	7319	Excluding Academies 1 hr. per PoliceOne officer
Academy Attendees	186	ALET 21-01, Reciprocity/Lateral, CO, MCO, VPO and APD not including VPSOs
Academy training hours (projected)	110658	Reciprocity/Lateral, ALET 20-02 & 21-01, MCO, DPS Lateral, VPO, and APD
Certificates issued:	267	All Certifications to 245 officers
Village Police	0	
Corrections	60	
Probation & Parole	18	
Municipal Corrections	10	
Basic Police	78	
Intermediate Police	43	
Advanced Police	37	
APSC Instructor	21	
Reciprocity Evaluations	192	For training waivers and lateral hires
Records Requests	488	
New Misconduct Investigations	24	
Investigations Closed	28	35 cases now open; 2 with OAH;
OAH Hearings Held	15	Includes status conferences.

**Administrative Hearings & Appeals:**

**Case Status:**

- Luis Nieves, AST; APSC Case 2018-10; OAH # 19-0140-POC; Case filed with OAH, hearing date rescheduled for October 19.
- Kevin Nushart, DOC; APSC Case 2018-13; OAH # 19-0405-POC; Fact-finding hearing held and recommended decision from OAH pending.
- Robert Carlson, DOC Probation/Parole; APSC Case 2018-15; OAH # 18-1040-POC; Officer Carlson has surrendered his certificate to APSC, and the case closed with OAH.

## **Council and Command Changes across the state:**

- Jim Cockrell was named Commissioner of Public Safety in early April.
- Greg Stocker joined APSC as our new training coordinator on March 22nd. Greg comes to us from Corrections, where he served as a trainer and their academy director and a supervisor in Pretrial Services. Greg is also an adjunct instructor at UA- Matanuska-Susitna College.
- It has been my honor and privilege to serve as the council's executive director since 2015. I will be retiring on July 5, capping a career in law enforcement that began in 1975 when I first swore the oath to protect and serve and pinned my first badge on as a inexperienced, naive, deputy sheriff in Medford, Oregon. As I write this report, my successor has not yet been selected. The position closed on May 24, and candidates' names were not forwarded to DPS until June 4 by the Department of Administration. At this time interviews are scheduled for the qualified applicants on 6/16/21. The council may have a candidate selected prior to our meeting but it is now expected there will be gap between my departure and the new ED starting.

## **Regulations:**

The council has chosen to address the pending regulatory reforms in a special meeting. That meeting is currently tentatively scheduled for August 5, 2021.

## **Issues:**

### **Funding Requests for Command Schools**

APSC received a funding request from a new chief to allow them to take a newly available online command school offered by Northwestern University (IL). The new School of Police Staff and Command Online (SPSCO) is an instructor led online course like Northwestern's semester-long, residential, SPSC, the Southern Police Institute's command school and the FBI Academy. APSC has not financed these schools in the past because of the cost of travel and per-diem. However, this online course tuition is \$4,000, which is more compatible with our existing training budget. Should the council feel this is an appropriate use of our training funds, I would propose that we officer officers (or chiefs) who successfully complete the course, tuition reimbursement upon proof of completion.

### **Municipal Academy Sponsorship:**

As discussed in our last general meeting, APCS revenues have increased to the point of re-evaluating our decision in 2019 to stop funding municipal police officer's attendance at the ALET and CTC academies. The council directed that we should propose a policy for them to consider to that effect:

In FY 2021, 14 municipal officers successfully completed the ALET academy and are still working for their agencies (many more were hired and resigned or did not complete the academy). For simplicity, we propose that for this year, until a more formal policy can be developed, APSC reimburse those municipal agencies for their officers successful training, at a cost of \$180K.

## **Finances:**

APSC's budget for FY2021 is about \$1.38M. Currently, carryover from last year's unspent funds and improved surcharge collections mean we are financially sound and will carry over funds to next year even if we spend all our authorized FY2021 budget. I must note that our annual revenues



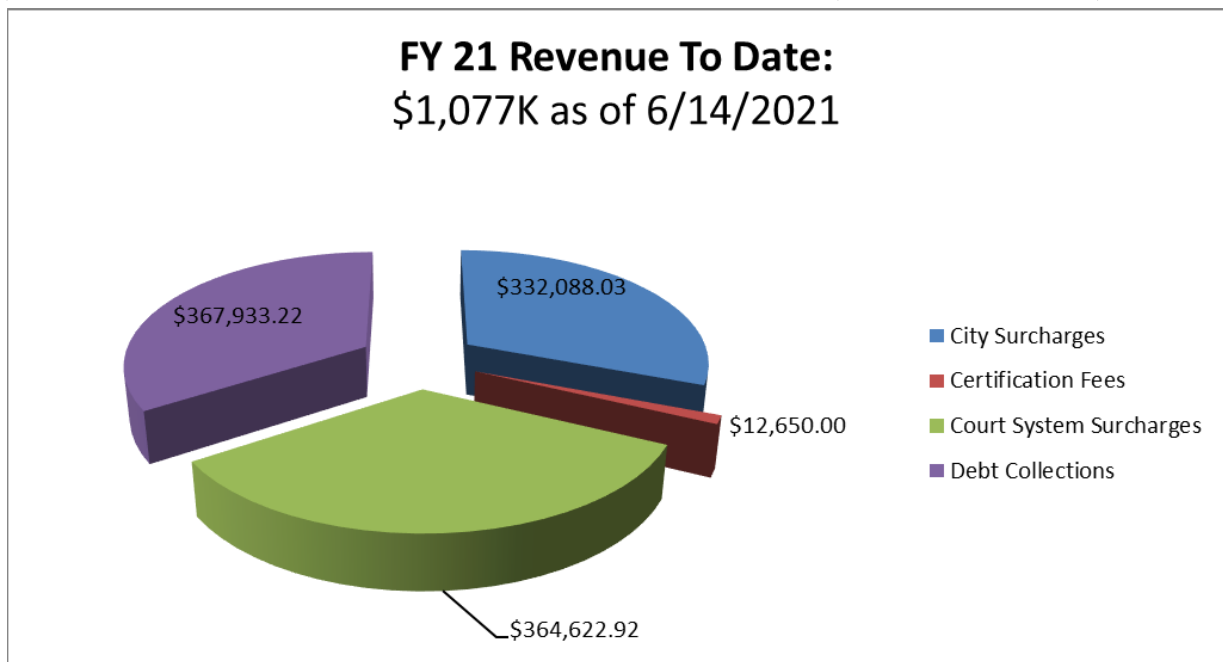
collected still fall short of our budgeted expenditures, and if this continues our residual “carry-over” funds will be exhausted in a few years, resulting in reduced services.

Utilization of funding to reimburse municipal agencies for basic ALET attendance will put us near our budget ceiling and may require some budget adjustments within our accounts; that scenario is included in our budget projections below.

Our grant award from the Alaska Mental Health Lands Trust was received and now reflected as a separate line item in our budget. This grant is to deliver Crisis Intervention Team training to rural areas of the state. We continue planning for this in-person training but have no firm dates set due to COVID-19 travel restrictions and communities discouraging travel there.

**FY2021 Actual & Projected Revenue**

Revenue Sources	Revenue	%
City Surcharges	\$332,088.03	30.83%
Certification Fees	\$12,650.00	1.17%
Court System Surcharges	\$364,622.92	33.85%
Debt Collections	\$367,933.22	34.15%
Total Collected Revenue	\$1,077,294.17	100.00%
Actual Carry over from FY20	\$825,819.51	
Grand Total of Currently Available Revenue	\$1,903,113.68	
Projected FY 21 Program Receipts	\$1,000,000.00	
Progress Actual vs projected YTD	108%	95%
Projected actual cash to spend (NTE annual budget)	\$1,825,819.51	

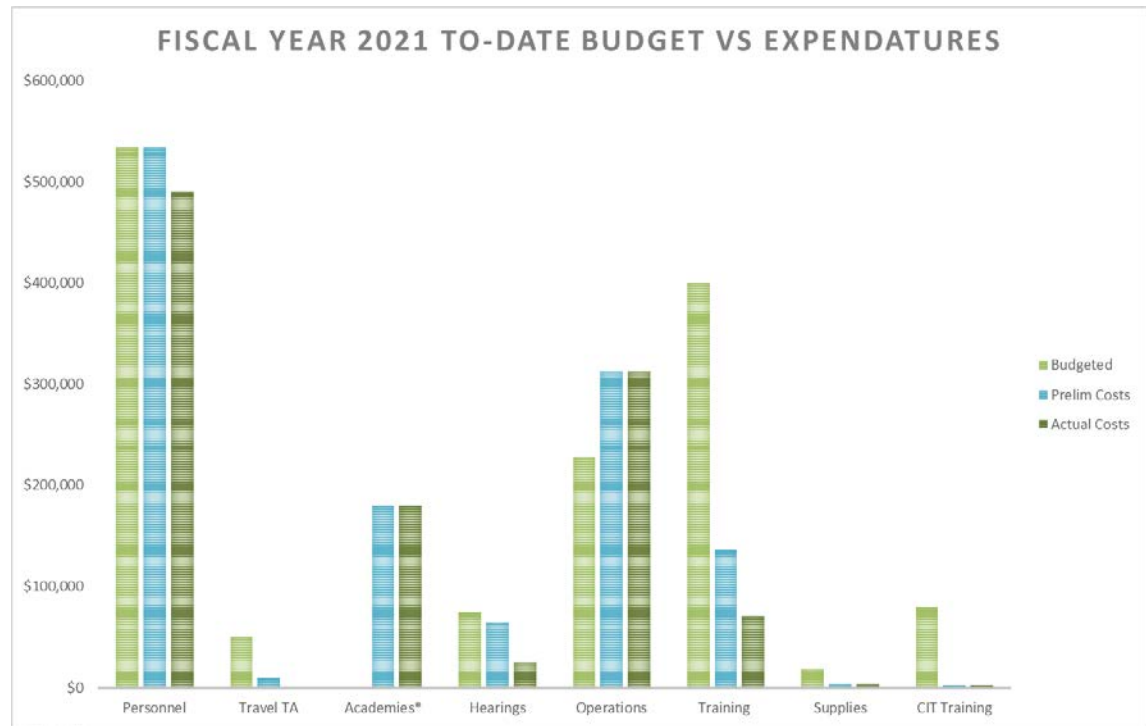


As of 6/14/2021

**FY2021 Actual Budget & Expenses**

2021 IRIS Budget Lines	Item	Budgeted	Prelim Costs	% Budget	Actual Costs	% Budget
125003000- <b>1000</b>	Authorized by Legislature	\$533,900				
Current Budget	Personnel	\$533,900	\$534,200	100%	\$490,321	92%
125003000- <b>2000</b>	Authorized by Legislature	\$101,800				
Current Budget	Travel TA	\$50,000	\$9,205	18%	\$1,003	2%
125003000- <b>3000</b>	Services Authorized by Legislature	\$632,000				
Current Budget	Academies*	\$0	\$180,003		\$180,003	
Current Budget	Hearings	\$75,000	\$65,000	87%	\$24,847	33%
Current Budget	Operations	\$228,300	\$312,248	137%	\$312,248	137%
Current Budget	Training	\$400,000	\$136,038	34%	\$70,570	18%
Current Budget	Total "Services"	\$703,300	\$693,288	99%	\$587,667	84%
125003000- <b>4000</b>	Authorized by Legislature	\$37,500				
Current Budget	Supplies	\$18,000	\$3,256	18%	\$3,256	18%
125003000- <b>7000</b>	Grant from MHTrust	\$80,000				
125003000- <b>9000</b>	CIT Training	\$80,000	\$2,375	3%	\$2,375	3%
Totals	Projected real budget	\$1,385,200	\$1,242,324	90%	\$1,084,622	78%
FY21 Authorized Budget	Legislative spending authority/difference	\$1,385,200	\$142,876			
Actual Revenue to date	Actual Rev. vs Prelim/Carryover Projected	\$1,903,114	\$660,789		\$818,492	

\*If we reimburse for Academies



As of 6/14/2021

**Planned Activities:**

APSC Council Meeting Dates:

- Proposed meeting dates, times, and location: Week of September 27, virtual.
- December 7, 2021. Anchorage: The Executive Development Conference this year will be in Anchorage December 7-10. Meetings will be held on the 7th and training will be the 8th - 10th.