

STATE OF ALASKA
Alaska Police Standards Council
Minutes of the 140th Regular Meeting
March 30, 2021
Statewide Teleconference

1. CALL TO ORDER

Chair Doll called the 140th Regular Meeting of the Alaska Police Standards Council to order on March 30, 2021, at 12:00 p.m. A roll call was conducted as follows:

APSC Members Present

Chair Justin Doll, Chief, Anchorage PD
Vice-Chair Rebecca Hamon, Public Member
Scott Campbell, Public Member
Michael Craig, Public Member
Nancy Dahlstrom, 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
Joe White, Chief, Ketchikan PD
Jen Winkelman, Director of Probation/Parole, DOC

APSC Members Absent

None

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

Jack McKenna, Department of Law
Stephanie Galbraith, Department of Law
Jenna Gruenstein, Department of Law

2. AUDIENCE INTRODUCTIONS

Greg Russell, AMLJIA
Jean Ward, ACOA
Pete Mlynarik, AACOP
Molly Brown, Dillon & Findley
Jeromey Lindhag, Lieutenant, North Pole PD
Scott Enslow, Ft. Wainwright
Malan Paquette, Public

3. APPROVAL OF AGENDA

Deputy Commissioner Morgan requested that Item 9 on the agenda, Regulation Change Project No. 2020200735, be taken up later in a special session of the Council and be removed from today's agenda. He explained that that would allow sufficient time for a thorough discussion of the matter and for thorough consideration of the extensive public comment received.

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

4. APPROVAL OF PAST MINUTES – December 1, 2020

It was moved by Morgan and seconded by Dahlstrom to approve the minutes of the 139th Regular Meeting held December 1, 2020. The motion passed with unanimous consent.

5. PERSONS TO BE HEARD

Molly Brown stated that she will present her comments later at the special meeting of the Council when it takes up the regulation change matter as that is what her comments pertain to.

Malan Paquette stated she is a life-long Alaskan and strongly supports law enforcement. She noted that Senate Bill 92 currently before the Legislature is seeking to bring Alaska's protocol regarding missing persons under 21 years of age up to Federal standards. She strongly encouraged the Council to provide its support in favor of the passage of Senate Bill 92.

6. COUNCIL CHAIR'S REPORT

Chair Doll announced that he will be retiring in June, at which time Vice-Chair Hamon will become Chair of APSC.

7. EXECUTIVE DIRECTOR'S REPORT

The March 30, 2020, Executive Director's Report to Council was distributed to Council members prior to the meeting and is available online.

ED Griffiths welcomed new Council member Greg "Scott" Campbell, replacing Wendi Shackelford as a public member. ED Griffiths also welcomed APSC's new training coordinator Greg Stocker. Mr. Stocker brings with him a lot of training expertise, and as he is in Anchorage and on the road system, he will be able to travel to many more departments than the prior training coordinator in Juneau was able to.

8. NEW BUSINESS

a. APSC Basic Academy Funding

ED Griffiths noted that two years ago the Legislature put into APSC's budget the specific legislative intent that said, "It is the intent of the Legislature that you do not use APSC funds for paying for basic training for municipal officers." That, coupled with past severe funding shortages, led APSC to discontinue prepaying the Basic Academy tuition for municipal officers. ED Griffiths reported that APSC is now in a better financial position to revisit the issue of Basic Academy funding in part due to the increase in surcharge rates and also due to the cancellation of training last year due to COVID.

The Council then discussed various ways this additional revenue could benefit police agencies with their training needs. With the upcoming proposed regulation changes which could potentially require increased in-service training around the state for officers to maintain their certifications, the importance of ensuring there are sufficient funds for continued in-service training was noted. Following further discussion, Chair Doll suggested the matter be tabled pending finalization of the proposed regulation changes as that will give the Council a better idea of future in-service training needs. ED Griffiths stated he will put together a draft policy

regarding Basic Academy and in-service training that can be discussed at the next regular Council meeting.

9. OLD BUSINESS

a. Regulation Change Project Number 2020200735

Per the prior motion, this matter will now be taken up in a special session of the Council.

10. ADJOURN TO EXECUTIVE SESSION

It was moved by Morgan and seconded by Dahlstrom to adjourn to Executive Session to address subjects that may tend to prejudice the reputation and character of individuals and for deliberations on adjudicatory proceedings in APSC cases: 2015-02, 2018-20, 2019-05, 2019-24, 2019-35, 2020-05, 2020-16, 2016-27, 2020-15, 2020-24, 2020-26, and 2019-16. The motion passed with unanimous consent. General session ended at 12:40 pm.

11. CALL BACK TO ORDER – GENERAL SESSION

Following deliberations during Executive Session, Chair Doll called the General Session back to order at 1:55 pm.

12. ROLL CALL

A roll call vote was conducted, and all members present at the start of the meeting remained in attendance.

13. BUSINESS ARISING FROM EXECUTIVE SESSION

a. Action to Accept Surrendered Certification(s) and findings of disqualification

2015-02 Andrew Reed: It was moved by Nicholson and seconded Hamon that the Council deny the request for rescission of the basic certificate disqualification. A roll call vote was taken, and the motion passed unanimously with one recusal: Campbell.

2018-20 Vance Peronto: It was moved by Mercer and seconded by White to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with two recusals: Morgan and Campbell.

2019-05 Devin Darrough: It was moved by Nicholson and seconded by Mercer to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with one recusal: Campbell.

2019-24 Brent Bartlett: It was moved by Morgan and seconded by Winkelman to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with two recusals: Mercer and Campbell.

2019-35 Charles Jetton: It was moved by Winkelman and seconded by Dutra to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with three recusals: Morgan, Nicholson, and Campbell.

2020-05 Martin Oulton: It was moved by Hamon and seconded by Morgan to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with one recusal: Campbell.

2020-16 Angela Lincoln: It was moved by Dutra and seconded by Mercer to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with three recusals: Knapp, Campbell, and Winkelman.

b. Council consideration of probable cause to initiate revocation action

2016-27 Matthew Schwier: It was moved by Morgan and seconded by Hamon that the APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed by a vote of 11 yes; one no: Craig; and one recusal: Campbell.

2020-15 Jerry Gogo: It was moved by Mercer and seconded by Winkelman that the APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with one recusal: Campbell.

2020-24 Nathan Keays: It was moved by Dutra and seconded by White that the APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with two recusals: Campbell and Doll.

2020-26 Craig Bales: It was moved by Hamon and seconded by Mercer that the APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with four recusals: Dahlstrom, Knapp, Campbell, and Winkelman

c. OAH Recommended Decisions

2019-16 David Russell: It was moved by Winkelman and seconded by Hamon that the APSC adopt the Administrative Law Judge's proposed decision to revoke Mr. Russell's certification as APSC's final decision. A roll call vote was taken, and the motion passed unanimously with one recusal: Campbell.

14. PERSONS TO BE HEARD

There were no persons to be heard.

15. SCHEDULING OF FUTURE MEETINGS

Following discussion, it was determined that the next regular Council meeting will be held June 22nd from noon to 4:00 p.m. in Anchorage, subject to change if the need arises.

Following discussion, it was determined that the special Council meeting to discuss Agenda Item 9, Regulation Change, will be held May 6th from noon to 4:00 p.m. via Zoom Videoconference.

16. COUNCIL COMMENTS & ANNOUNCEMENTS

Chief Mercer thanked ED Griffiths and his staff for the excellent job they do in putting together the packet of materials for review before each Council meeting. Chief Dutra expressed his appreciation for the fine job ED Griffiths and his staff do in both preparing the review materials and also for everything flowing smoothly in the meeting. Scott Campbell apologized for

his recusals when voting on Executive Session matters and explained that contracting and recovering from COVID had not allowed him the time to review the matters to be voted on ahead of time.

Chair Doll expressed his appreciation to Council members for their service and their thoughtful deliberation in making decisions, reflective of their high standards.

17. ADJOURNMENT

There being no further business to come before the Council, it was moved by White and seconded by Dahlstrom to adjourn the meeting. The motion passed by unanimous consent, and the meeting was adjourned. Meeting ended at 2:36 pm.

Approved and adopted by the council in their special meeting on May 6, 2021