

# Public Safety

The Public Safety Transition working group members recognize the challenges of addressing priority issues in a time of severe budget shortfall. But we believe that many of the issues – transparency in agency decision making, a focus on smart, innovative justice initiatives, the will to work with, instead of litigating, against the Tribes and review of the effectiveness of the current sentencing schemes, could be accomplished at little to no cost. Some initiatives will take an investment of funds and we must find a way to pay for them.

We must take care of our public safety personnel and we have to maintain and develop our communications infrastructure. Below you will find a summary of the conversations surrounding the priority issues we agreed upon during the transition team conference.

## Priority Issues

1. **Rural Justice**
2. **Interpersonal Violence**
3. **Smart Criminal Justice**
4. **Public Safety Personnel**
5. **Communications Infrastructure and Capabilities**

## 1. Rural Justice – Priority One

Public safety must be delivered equitably to all Alaskans in urban and rural areas. The State of Alaska needs to partner with Alaska Native tribes and governments to improve public safety and justice delivery, recognizing that existing approaches have not recognized cultural differences nor addressed the myriad social, safety and violence issues endemic to rural Alaska. Partnership has the added benefit of maximizing alternative revenue streams that have previously been untapped and providing a means for local justice issues to be addressed timely and at the local level.<sup>1</sup>

There is a clear need to build a positive relationship between the State of Alaska, the Tribes and other rural entities to improve justice delivery and public safety in rural Alaska. Active engagement on behalf of the Attorney General is needed with a focus on communication rather than litigation to resolve differences.

Significant barriers exist to providing effective public safety delivery, both state and federal, in rural Alaska. Geography, communications, funding, cultural differences and values and transportation costs contribute to an erosion of trust and an inability to work together towards mutual goals. Additionally, the state is perceived as an antagonist and not a partner. More

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<sup>1</sup> A roadmap for Making Native America Safer, Indian Law and Order Commission, November 2013.

transparency and local community involvement in decision making is needed for all state agencies. These barriers are all surmountable.

Actions that could be taken to bridge community and agency differences include:

Convening stakeholder meetings and review existing model agreements between State and Tribal entities

Reconvene the AK Rural Justice and Law Enforcement Commission to advise the Governor on rural justice issues co-chaired by Alaska's Attorney General and the U.S. Attorney

Provide community policing training opportunity for villages with no local law enforcement paid for with federal and private funding sources

Direct the Department of Law to increase efforts to utilize Restorative Justice Programs under Alaska Rule of Criminal Procedure 11(i) This permits a district judge, with the consent of the parties, to refer a case to a restorative justice program that is culturally relevant, including circle sentencing by tribal courts. Many federal reports, including the Tribal Law and Order Commission Report and the American Indian/ Alaska Native Children Exposed to Violence Report, have advocated for such an approach as a means to: 1) cut costs associated with full-length criminal prosecutions; 2) provide culturally-relevant methods of discipline to defendants; and 3) increase the role of Tribes in addressing the public safety issues facing their individual communities.

Secure more federal funding for rural justice and policing

There are several bills funding Indian policing and justice and Alaska has specifically been exempted from these. One of the most significant exemptions is in the Tribal Law and Order Act. All Public Law 280 States are exempt but Alaska should be asked to be included so it can be eligible for funding under the Bill. Request an annual federal appropriation of \$50 million from Congress to support Alaska rural justice in light of findings of the recently released "Ending Violence so Children can Thrive" report from the U.S. Attorney General, "A Roadmap for Making Native America Safer" by the Indian Law and Order Commission and various other federal and state Commission reports which have identified barriers to public safety and the need to restore authority at the local level.

## 2. Interpersonal Violence – Priority Two

### Policy Statement

The public has both an expectation and a right to live in safety. Alaska is not a safe place to live especially for women and children. The State could and should cultivate a policy of “Community Condemnation” for both domestic violence and for sexual assaults. Reduce the rates of domestic violence and those of sexual assaults in all communities across Alaska through education, intervention, rehabilitation, mentorships, and finally, incorporate cooperative law enforcement and “smart justice” strategies.

Alaska has the highest domestic violence rates and the highest sexual assault rates in the U.S. This is unacceptable. Women and Alaska Native people are disproportionately adversely affected by domestic violence and by sexual assaults and left without the law enforcement solutions to adequately protect victims.

The State of Alaska cannot succeed alone and one thing Alaskans can agree on is that we need to work together. The state has not been successful in its efforts to reduce or eliminate interpersonal violence in Alaska. Current efforts to develop and sustain domestic violence and sexual assault preventions programs could be more effective in reaching urban or rural communities. Alaska’s vast geography, varied multicultural demographics and identified high-risk populations are significant challenges to an effective or cohesive program. There are existing programs like the Alaska Council on Domestic Violence and Sexual Assault (CDVSA) which are achieving some success and could do more if supported. Program models here and in other states that have proven effective in reducing violence need to be studied and replicated.<sup>2</sup>

### Actions to Success

- **The issue of interpersonal violence in Alaska needs a champion**  
In order to assure congruent and consistent follow through and communication among agencies the issue of interpersonal violence needs an individual or a commission that will champion this effort. The focus must be on reduction of interpersonal violence and building a culture of community health and wellness in Alaska.

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<sup>2</sup> Tribal-Institute.org, 1999.

<http://www.tribal-institute.org/download/VAWA+Bench+Book.pfd>

- **Support of local and community level justice efforts**

Reduction of domestic violence, sexual assault and rape arrests and reports can only be successfully accomplished by engaging the support of local community level justice efforts. The goal:

- Reduce incidence of juvenile domestic violence offenses by reducing exposure to *Adverse Childhood Experiences*<sup>3</sup>. Witnessing violence between one's parents or caretakers is the strongest risk factor of transmitting violent behavior from one generation to the next.
- Reduce in- hospital visits related to domestic violence and for sexual assault in each community
- Reduce statewide crime statistics for domestic violence and for sexual assault
- Reduce incidence of OCS, ICWA and tribal court interventions for domestic violence and for sexual assault

- **Research and Review Proven and Existing Models**

There are proven models which could be adopted to decrease recidivism rates and address the overall rate of domestic abuse in Alaska. One model to consider would be the Duluth Model, which is a proven model using a multi-disciplinary approach to reduce repeat acts of domestic violence.<sup>4</sup>

- **Work with Others – Build Relationships with Communities and Tribes**

The state must work with tribes and tribal courts and their ability to educate and rehabilitate offenders, restore victims and manage minor offenses within the tribe and support the “community condemnation” goal. Utilize existing programs and program information to train and educate advocates and community members<sup>5</sup>.

- **Education**

Maximize existing programs to educate community on signs and symptoms of abuse and services available.<sup>6</sup>

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<sup>3</sup> Adverse Childhood Experiences Study, reference:

<http://www.socialworkers.org/assets/secured/documents/practice/children/cestudy.pdf> May 2013

<sup>4</sup> Domestic Abuse Intervention Project (Duluth Model). <http://www.theduluthmodel.org/>

<sup>5</sup> Main article: Duluth Model

<sup>6</sup> Online Resources: <http://www.futureswithoutviolence.org/building-a-domestic-violence-health-care-response-in-indian-country/>

- **Expand and sustain Sexual Assault Response Teams across Alaska**  
Sexual Assault Response teams can be trained to offer maximum access for victims and ensure adequate response times for exams that would offer admissible evidence for court
- **Offer coping tools**  
Offer access to high-risk groups (such as families with a history of family violence or substance abuse problems, and families known for violence) to coping tools such as de-escalation techniques, conflict resolution and communication skills, and consider mentors to help implement these skills
- **Increase access to Substance Abuse Treatment, Jobs and Job Training For Youth**  
Treatment, jobs and Training are empowerment and leadership building tools. Coupled with mentorships help develop healthy community members and families.
- **Expand Support, Screening And Education On Sexual Assault And Domestic Violence In Schools And Universities** <sup>7 8</sup>
- **Equip CDVSA and other effective groups with Training Resources.** Community advocates in each city, town and village need to be trained. This can be accomplished utilizing existing State, nonprofit or Tribal representatives for knowledge and accountability for this information in each region.
- **Work with law enforcement personnel to insure a timely response to all reported incidence of domestic violence or sexual assault**
- **Enhance the Governor’s Task Force on Domestic Violence and Sex Trafficking.**  
The task force should be enabled to monitor, troubleshoot and advise the Governor and other elected representatives on progress on goals.

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<sup>7</sup> Online Resources: <http://www.futureswithoutviolence.org/take-action/>

<sup>8</sup> Online Resources: <http://www.futureswithoutviolence.org/children-youth-teens/>

- **Reduce the incidence of Alcohol and Drug Abuse.** Alcohol and drug abuse appears to be a root cause of domestic violence and for sexual assault. Increase access to treatment programs, utilize existing programs and support groups, with the goal of reducing hospitalizations, arrests and reports of substance abuse issues in our State and Communities.
- **Revisit Sentencing Schemes and Remove Barriers to Successful Reentry for Offenders.**  
Seek to ensure consistent and appropriate determinate sentencing for domestic violence

Interpersonal violence is area that needs effective leadership and a clear outlined policy on domestic violence and on sexual assault. Current programs suffer from lack of support, education, resources and intervention. Communication and teamwork needs to be built and sustained between stakeholder agencies and statewide leadership. There is an obvious lack of prioritization by State of Alaska to ensure access to culturally-appropriate strategies that address drug and alcohol treatment and the lack local law enforcement in rural Alaska. The State of Alaska could utilize local resources by recognizing Tribal authority and Tribal courts.

### **3. Smart Criminal Justice – Priority Three**

#### *Policy Statement*

Alaska is in need of a dramatic reevaluation of the current state of criminal justice/public safety in Alaska. Many states throughout the country have reviewed their policy decisions surrounding public safety. Alaska needs to do the same. The payoff to committing to work on Smart Criminal Justice is not only improved public safety throughout all of Alaska, but a reduction in the cost of public safety. Our approach to justice in Alaska needs a new direction. The implementation of new reforms to our criminal justice system should not be undertaken lightly; however it is not only timely but necessary.

#### *Elements Alaskans Can Agree On*

- The State of Alaska must reduce crime, incarceration rates, recidivism and utilize measurable markers of success. Reduce disproportionate minority contact which increases the perception of fairness and faith in the system. Increase efficiencies resulting in a reduction of state dollars spent. Inappropriate sentencing (i.e. disparate, excessive) must be reduced or eliminated
- Job placement for offenders – there should be no lifetime pariahs. The state will support family reunification, restoration of victims, alternative sentencing, diversion programs (pre-trial, diversion, and innovative efforts), sentencing flexibility and culturally sensitive documents and processes.

## Actions to Success

- The new Attorney General or Governors designee must support and drive the justice reform effort.
- Identify what is currently been done. What is working and what is not.
- Support the Alaska Criminal Justice Commission (empower & appoint competent people, “game changers”)
- Resuscitate the Control Substance Advisory Commission
- Identify National Experts/Efforts for consultation and assistance
- Look at other state models that have been successful.
- Implement existing laws on restorative justice such as *Restitution to Victims First*
- Support *School Discipline Reform* (shut down the school to prison pipeline)
- Review Office of Victim Rights – current impact versus reinvestment to local agencies
- Immediately assign a broad based team to review and reform sentencing schemes and guidelines. Removal of barriers to successful re-entry.
- Push reinvestment opportunities (i.e. less \$ for back end facilities & more \$ for proven outcomes to reduce crime, review high juvenile justice vacancy rates in juvenile jails and low juvenile probation counts)
- Establish a new higher level of data analytics in the State of Alaska in order to achieve cooperative, centralized data collection and analysis to facilitate data driven outcomes for the performance of State agencies.
- Reevaluate procedures and statutes for the expungement of criminal records for cases where charges were dismissed or otherwise did not result in a conviction, and for situations where, in the interests of justice, a lengthy period of time has gone by without a subsequent offense and the original charge was of the quality and nature of an offense so as to make the individual not a danger to others

## Barriers to Success

There are several identified barriers to success including entrenched agency positions. In Agency leadership and key staff must be committed to justice reform. There is also a misperception that “smart on crime” means being “soft on crime”. There is general widespread ignorance of the large cost savings available for justice reform. In addition, a lack of understanding of the fact that 90% of inmates will return to community life. Barriers to successful re-entry diminish community safety and cost the State money.

## Actions to Address Barriers

To move these efforts forward an appointment of high level person to accomplish reform across multiple Departments and Divisions is needed. The importance of the leadership of this effort cannot be overstated. If necessary, the “reform czar” position could be eliminated at the end of the process. It was agreed that strategic replacement of leadership staff in multiple departments and divisions would be needed to accomplish reform. High standards of measurable results and timelines for progress must be established. Implementing

recommendations from Alaska Criminal Justice Commission and the Controlled Substance Advisory Commission, well established experts in the field would expedite the process.

## **4. Public Safety Personnel – Priority Four**

### Policy Statement

As a state, and as an employer, we have a duty to the men and women we hire to serve and protect our citizens and to enforce our laws. If we, as a state, are asking these public servants to protect all of our citizens from danger, we owe them the full measure of our support – they deserve to be well paid, well equipped, well trained and well led. They need to know that if they are injured, we will nurse them back to health, and that if they are killed, we will comfort and assist their families.<sup>9</sup>

### Elements Alaskans Can Agree On

- Recruitment
- Benefit Improvements
- Address Employee Turnover
- Modernize Standards and Regulations for Public Safety Employees

### Actions to Success

- Provide mentorships and internships in elementary schools and college (immediate, mid-range, long term goal). Hit the 18-21 year old age group and get them exposed to a law enforcement career.
- Partner with military for recruitment purposes (happening now, but must continue)
- Provide educational/tuition credits to recruits (mid-range, long – range)
- Fully Fund Department of Public Safety budget
- Provide hybrid public safety employee retirement system that is cost neutral (30 to 90 days/legislation session or long range)
- Provide employee assistance program (immediate)
- Provide line of duty death benefits for families of public safety employees that include family medical insurance until retirement age
- Provide hybrid public safety employee retirement benefit system that is cost neutral (30 to 90 days/legislation session or long range)
- Provide desirable or flex scheduling to employees (immediate)
- Provide consistent promotion opportunities (immediate, mid-range to long-term)

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<sup>9</sup> Paraphrased from “Worthy Fights” by former Secretary of Defense Leon Panetta.

- If state or local government can afford it, regular wage improvements = to CPI or cost of living increases (immediate or during collective bargaining)
- Increase staffing (mid to long-range)
- Require Alaska Police Standards Council (APSC) to update law enforcement standards and regulations for certified employees (immediate)
- Require APSC to provide annual continuing education, cultural communication and leadership training for certified employees (immediate of mid-range)
- Require equal standards for Village Public Safety Officers and certified state and local police

## **5. Communications Infrastructure and Capabilities – Priority Five**

### **Policy Statement**

Former Director of the Federal Emergency Management Agency, James Lee Witt, defined interoperable communications as “the ability for local, state and federal officials to talk with each other, share data and send information when they need to. Interoperable Communications is managed communications, determined and deployed by public safety organizations before a crisis occurs. It is the day-to-day communications that easily shift to emergency communications for everyone at the scene of an incident” Communications link the critical components in an emergency - like a wagon wheel - with communications serving as the hub that allows everything else to get accomplished. Public Safety agencies across Alaska rely on a robust interoperable communications system, including both voice and data, in order to effectively carryout their missions. The safety of responders and the public they serve depend on a reliable interoperable communications system. In order to properly support this mission the State of Alaska needs to maintain and support communications infrastructure and capabilities. The State should also take advantage of opportunities to coordinate and expand Public Safety interoperable communications services through partnerships with Industry, Federal, Tribal, and Municipal governments to further enhance Public Safety communications in Alaska.

### **Lack of Coordinated Governance Structure**

The most pressing issue facing the State of Alaska and the one that needs immediate attention is *the lack of a coordinated governance structure* for making critical investment decisions for State communications infrastructure and capabilities. Currently there is no single body or individual charged with developing the “big picture” strategy. Due to the critical nature of

communications systems, their cost, and the ever changing technologies it is *imperative* action be taken to address this issue.

### **Voice Communications**

Today throughout Alaska local, state, and federal agencies use radios that are their primary means of communications for daily operations as well as for emergencies. Pre-9/11 it was common practice throughout the nation to develop and maintain standalone systems to service the needs of the particular entity. The events of 9/11 brought into focus the need for agencies to be able to share communications systems and infrastructure in order to communicate during an emergency. During 9/11 agencies who worked in the same city could not directly communicate with each other and relay critical information with tragic results. Out of these events the federal government as well as state and local governments began to emphasize the need for interoperable communications.

In the early part of the last decade the State of Alaska was faced with two issues for its current radio system. First the system was over 25 years old and at the end of its life cycle. Federal requirements to meet new communications standards include narrow banding. The result of this process was the development of the Alaska Land Mobile Radio (ALMR) system. The system is a partnership between the State of Alaska, Federal Department of Defense (DOD), Federal Non-DOD, the Alaska Municipal League (representing local and municipal governments and NGO's), and the Municipality of Anchorage.

The ALMR system is primarily located on the road system and throughout some of southeast and is used by all State of Alaska agencies including the Alaska State Troopers and Department of Transportation. Based on the need for an interoperable communications system the State encouraged local participation on the system and now is the primary radio system for local police, fire, EMS, emergency management, schools, as well as others throughout the ALMR footprint.

Outside of the ALMR footprint are any number of standalone radio systems that are operated by local communities each using different technologies that are sometimes not compatible with other agencies who may be called upon to respond into their communities and provide assistance.

### **Data Systems**

Today public safety agencies across Alaska use data on a daily basis to complete their missions. This includes the sending and receiving of data through Record Management Systems (RMS).

The Alaska State Troopers as well as many local law enforcement agencies use the Alaska Public Safety Information Network (ABSIN) and the Alaska Records Management System

(ARMS) for law enforcement activities. Emergency Medical Services throughout Alaska use the Alaska Uniform Response Online Reporting Access (AURORA) to provide statewide data on EMS care. The fire departments in Alaska use the Alaska National Fire Incident Reporting System (ANFIRS) to report fire data. All of these systems and others like it are used in some cases to provide real time information but to also allow the State and other entities to evaluate and analyze data to contribute to improving performance and enhancing delivery of services.

As technology changes the future of data usage in public safety is limitless. For example with technology advances in cell phones the Next Generation 911 (NG911) services will be able to receive video and text messages and in turn provide that information back to responding law enforcement, fire, and EMS responders.

This is type of technological advance in not science fiction but is real and happening today across a broad spectrum of applications.

We as a state must be prepared to take advantage of funding streams and partnership opportunities to provide these services to our public safety agencies and our communities.

A prime example of this opportunity is FirstNet, outlined below, which was created in 2012 to develop a nationwide public safety broadband network. Seven billion dollars were allocated by congress for the development of the system and *all 50 states will have the system*.

How should the state move forward? Firstly, create the Office of Chief Information Officer for the State of Alaska. This office would be responsible to assure a coordinated, efficient and cost effective approach for the deployment of technology for all departments in the Alaska State Government and directly report to the Governor. This would include data, voice, and other enterprise technology services.

Secondly, Create a State Interoperability Governing Body (SIGB) to implement the statewide plans for enhancing interoperable communications. This could be accomplished through working with other groups or individuals either directly or through liaisons.

Currently there are several groups and individuals tasked and responsible for single elements of the communications planning for the State of Alaska. Some of these are standing committees; some are individuals such as the 911 Coordinator that are full time employees. Others such as the Single Point of Contacts (SPOC) and the Statewide Interoperability Coordinators (SWIC) are given to State employees as "other duties as assigned". Many of these positions as well as a SOGB governing body *are required* to coordinate in order to receive their allocation of federal funding.

A State Interoperability Governing Body would also be responsible for the coordination of critical communications training as well as exercise planning for the State of Alaska.

The Federal Office of Emergency Communication's "*Establishing Governance to Achieve Statewide Communications Interoperability*" (December 2008) states that "For any State and its regions to improve communications interoperability, collaboration and participation from relevant emergency response stakeholders is essential. A formalized, statewide governance system provides a unified approach across multiple disciplines and jurisdictions; this approach aids the funding, effectiveness, and overall support for communications interoperability. Establishing a governing body and overarching system is critical to successfully addressing the key challenges associated with achieving interoperable communications. Statewide governance and coordination also provide the framework in which stakeholders can collaborate and make decisions that reflect shared objectives."

"Interoperability hinges on diverse stakeholders cooperating across disciplines and jurisdictions. The term "governance" is used to describe a support system that helps decision makers within Federal, State, local, and Tribal governments make informed decisions that meet stakeholder requirements. An official governance system announced to internal and external stakeholders establishes an organizational blueprint for statewide interoperability advancement. Official systems prove to be beneficial in that they are respectful of individual agencies' roles and responsibilities, yet provide each agency with the communication networks necessary to cooperate with other agencies."

Current Positions with Responsibility for Communications Activities:

### **911 Coordinator**

The State 911 Coordinator is a position created under AS 26.23.170 and is currently assigned to the Department of Public Safety. The position's duties are "... to coordinate and facilitate the implementation of 911 systems throughout the state. The 911 coordinator shall participate in efforts to set uniform statewide standards for automatic number identification and automatic location identification data transmission for telecommunications systems; make recommendations as necessary for implementation of basic and enhanced 911 services.

### **Alaska Land Mobile Radio (ALMR) Executive Council and Users Council**

The Executive Council is made up of three voting members and two associate members representing the original four constituency groups: the State of Alaska, the Department of Defense, Non-DOD Federal agencies (represented by the Alaska Federal Executive Association), and local/tribal and municipal governments (represented by the Alaska Municipal League and the Municipality of Anchorage). The council's mission is to provide leadership and oversight for the operations and management of the ALMR System.

The User Council is made up of twelve members representing the original four constituency groups: the State of Alaska, the Department of Defense, Federal Non-DOD agencies (represented by the Alaska Federal Executive Association), and local/tribal and municipal governments (represented by the Alaska Municipal League and the Municipality of Anchorage). The council has the responsibility for making all operational and maintenance decisions affecting the ALMR System.

### **FirstNet (First Responder Network Authority)**

Created by the Middle Class Tax Relief and Job Creation Act signed Feb. 22, 2012, FirstNet is funded by the law and projected proceeds from 2014 spectrum auctions. The network is overseen by a Board including individuals from public safety; current and former local, state and federal officials; and wireless experts. FirstNet is an independent entity within the U.S. Department of Commerce, National Telecommunications and Information Administration.  
<http://www.ntia.doc.gov/page/about-firstnet>; <http://www.firstnet.gov/>

### **The State Single Points of Contact (SPOC)**

The state SPOC's are appointed by the governor of each state and territory. These are the individuals responsible for working with FirstNet in their state or territory.

### **Statewide Interoperability Coordinator (SWIC)**

The SWIC is responsible for the daily operations of the State's interoperability efforts. Primarily, the SWIC's implementation efforts will be guided by the initiatives outlined in the National Emergency Communications Plan (NECP) and the Statewide Communications Interoperability Plan (SCIP). SWICs formally serve as members of the National Council of Statewide Interoperability Coordinators (NCSWIC), a national governance body established to assist State and territory interoperability coordinators with promoting the critical importance of interoperable communications and best practice within their States and nationally.

Example Statewide Interoperability Governing Body Charter

<http://www.ok.gov/homeland/documents/SIGB%20Charter%20v0.05.pdf>

### **Support and fund the Alaska Land Mobile Radio System (ALMR)**

The ALMR system has throughout its history has had some difficulty in securing and receiving the recognition and support needed to maintain the system. The ALMR system like any other technology system requires upgrades, maintenance, and the support for life cycle changes that will ultimately mean replacement of the system. The State of Alaska needs to recognize *the critical nature of the ALMR system* for not only State agencies but all the user of the system and devote the effort to support, fund, and plan for the continued development of the system.

### **Support and Encourage Planning and Coordination**

All local, state, and federal public safety entities in the statewide radio communications system design must be able to coordinate their efforts. As communications systems come to the end of their life cycle or the needs of the agency change and communications systems need to be replaced or expanded

it is incumbent upon the State to take a lead role in coordinating these efforts.

This can take place through the *establishment of a Statewide Interoperability Group* and through other outreach efforts.

### **Work with the Federal government and support FirstNet implementation in Alaska.**

FirstNet will provide emergency responders with the first nationwide, high-speed network dedicated to public safety. FirstNet will be a force multiplier, increasing collaboration to help emergency responders save more lives, solve more crimes and keep our communities safer.

The broadband data network fulfills a fundamental need of the public safety community and a key recommendation of the 9/11 Commission. Creating FirstNet will require an unprecedented level of public-private partnership, collaboration and shared commitment to the well-being of all Americans.

Using a nationwide spectrum license, FirstNet will provide a single platform for daily public safety communications. When natural disasters, threats to our nation's security, or other emergencies occur anywhere in the country, FirstNet will enable local, state, regional and national emergency responders to communicate at the direction of the incident commander.

FirstNet will be built to public-safety grade standards using Long-Term Evolution (LTE) wireless technology, the most advanced available today. FirstNet will deliver greater coverage, capacity, connectivity, cybersecurity and resiliency than the current multiplicity of diverse public safety wireless systems. Police, firefighters and emergency medical service personnel will still rely on their land mobile radio (LMR) networks for mission-critical voice with FirstNet providing high-speed data, supplemental commercial grade voice and eventually mission-critical LTE voice. FirstNet also will support the integration of LMR networks, even after LTE voice is provided.

### **Invest in deferred and continued maintenance of the State of Alaska Telecommunications System (SATS).**

As part of the Department of Administration, Enterprise Technology Services, Network Services (NET) provides network resources and internet access for state government and partner agencies. These services include network monitoring and problem management, together with application availability. NET also manages the statewide technology backbone

providing digital connectivity for voice, data and video transmission. A portion of this backbone is a system of copper, fiber and point-to-point microwave communications, the State of Alaska Telecommunications System (SATS). It connects over two hundred sites primarily located along the main road systems from Fairbanks to Kodiak and Cordova. Within and between the major cities and rural communities, SATS carries a variety of customer traffic including all voice, data and video traffic between Anchorage and Fairbanks.

[\(http://doa.alaska.gov/ets/networksvcs/\)](http://doa.alaska.gov/ets/networksvcs/)

**Review the Statewide Broadband Task Force Report and develop and adopt a detailed plan for the development of a statewide broadband strategy.**

*“Blueprint for Alaska’s Broadband Future”*. This report details a vision for the development of broadband throughout Alaska. This includes a vision for use of broadband by public safety entities. This report outlines the need for development of the system but also outlines some of the partnerships that might take place including the deployment of FirstNet that the State of Alaska could take advantage of. The State should review the Broadband Taskforce’s report and use this as a stepping off point to a broadband development plan for the State of Alaska.

*“A Blueprint for Alaska’s Broadband Future”*

<http://www.alaska.edu/oit/bbtaskforce/docs/Statewide-Broadband-Task-Force-Report-FINAL.pdf>

**Barriers to Success**

Technology today is an integral part of our lives however it is constantly changing and as we become more dependent on it we must come to the realization that there is a reoccurring cost for this investment. The obvious barrier to the support of the communications infrastructure and capabilities in Alaska is funding. However through a well-managed coordinated approach that looks for partnerships and opportunities it is possible to continue to develop the system to support the efforts of Public Safety personnel throughout Alaska.

## **DPS Transition Issues - Supplement**

### VPSO Program

The VPSO program needs attention. Turnover is a major problem and DPS testified that the VPSO's have a 33% turnover every year. Questions need to be addressed concerning their recruitment, training and certification: are they law enforcement/police? What is equitable pay? and benefits? Are they private or public employees?

### Alaska State Troopers/Court Service Officers/Deputy Fire Marshals/Airport Police and Fire Officers

- Recruitment/ Retention improvements in a time of budget austerity
- Need for more women and minority hiring
- Pay and benefits
- Officer Safety
- Taking care of employee families when tragedy strikes
- Providing employee assistance programs for our most stressed public employees
- Two week on two week off work schedules at rural postings

### Alaska Police Standards Council

- Review and update regulations (has not been done since creation)
- Clear standards of conduct for all certified police, correction officers, and firefighters

### Public Perception of Law enforcement

- Transparency as much as possible for any internal investigation
- Improving Community Policing

## **Smart Criminal Justice - Supplement**

Listed below are examples of justice initiatives from around the country.

### Council of State Governments (CSG)

CSG has a long and extensive background of assisting states in justice reform. At a recent CSG conference here in Anchorage, the current Governor of West Virginia spoke of his state's current reform work. West Virginia's efforts seem to indicate a marked reduction in recidivism and state prison populations were going down. Alaska State Senator Coghill gave a brief synopsis of some of the efforts that he is working on. <http://csgjusticecenter.org/press-room/>

### *Right on Crime*

Right on Crime is a project of the Texas Public Policy Foundation, the American Conservative Union Foundation, and the Prison Fellowship. The advantage of this organization is the conservative credentials it brings to the perception or politics of the work. Newt Gingrich, Grover Norquist, Ed Meese, and many other conservative leaders have spearheaded this effort. Like CSG, they offer experience and solid arguments for reform.

<http://www.rightoncrime.com/about/>

Below is a link to an article that gives a update on current reform efforts. As alluded to in the article, the Pew Charitable trust is one organization that has funded some of these reform efforts. It is possible that some reform work could be done with little or no outlay of State resources. The objective of reform is reduction of costs and the reduction of unneeded incarceration of our State citizens. <http://www.adn.com/article/20140922/alaska-legislative-committee-reviews-progress-crime-reduction-bill>

The following link is for a state of Colorado coalition that is working on justice reform.

<http://www.ccjrc.org/>

### *The Sentencing Project*

While this organization was founded to help defense attorney's fight for fair sentences, it still provides a valuable perspective. The important aspect is that many political perspectives and viewpoints have lead state leaders towards substantial reform efforts.

<http://www.sentencingproject.org/template/page.cfm?id=2>

Only included for the political perspective of this article are comments made by Rand Paul that confirm the goal of justice reform from a top national leader. This does not speak to the candidate, but only that national figures now understand that justice reform is needed to not only save money, but more effectively deal with social issues.

<http://www.politico.com/story/2014/11/rand-paul-ferguson-grand-jury-react-113166.html>

### *Pre-Trial Diversion (also known as Deferred Prosecution)*

Pretrial diversion – a voluntary alternative to traditional criminal justice processing – is currently prohibited by Department of Law policy, in part because the Department of Law does not have the resources and/or personnel to monitor the individuals in the program unless internal resources are reallocated.

The pretrial diversion provides a defendant charged with an offense the opportunity to engage in an individualized program plan, which upon successful completion, results in the dismissal of the charged offense. These programs can help certain offenders avoid criminal convictions, while at the same time, ensuring that the offender receives necessary treatment.

Pretrial diversion programs are generally focused on nonviolent misdemeanor offenses. Likewise, the programs generally focus on offenders with alcohol, substance abuse, or mental health issues. The goal of these programs is to reduce crime by discovering – and treating – the underlying factors that lead to the individual’s criminal behavior. Factors considered for determining eligibility into pretrial diversion may include:

- The nature, severity, or class of the offense
- Any special circumstances or difficulties of the offender (i.e., substance abuse)
- Whether the offender is a first-time offender and
- The impact of diversion and the crime to the community
- Recommendations of the relevant law enforcement agency
- Likelihood of recidivism, victims input/approval, restitution/repayment

If successful, pretrial diversion can result in reducing court dockets (thereby conserving judicial resources for more serious offenses), and reducing offender recidivism by providing effective community-based rehabilitation, which may be less costly than the continued criminal prosecution and eventual incarceration.

Reallocate resources within the Department of Corrections to provide pre-trial monitoring and supervision of the individuals in the pre-trial diversion programs. In the alternative, the Department of Law should provide additional resources to monitor and oversee such programs in the form of personnel and funding

### *PACE Program*

A high rate of probationers use alcohol and/or drugs in violation of their probation leading to higher incarcerations rates, commission of new crimes and a lack of rehabilitation. In 2010, the Anchorage Superior Court began a pilot program to implement the Alaska Probationer Accountability with Certain Enforcement (PACE) program. PACE has currently expanded to nearly 200 PACE probationers (out of approximately 3000 total felony probationers) in Anchorage. There is also a PACE program in Palmer.

Probationers receive a warning hearing from a judge as part of their introduction into the PACE program. Probationers are also subject to immediate arrest if they use alcohol or drugs, if they fail to report for a random, but regular, alcohol or drug test, or if they fail to report to their probation officer.

PACE probationers cases are dealt with quickly and normally lead to a very short period of incarceration (1-3 days) if they are honest and turn themselves into law enforcement. This program leads to the prompt identification of probationers with increased treatment needs and a corresponding attempt to provide appropriate substance abuse treatment.

The goal of PACE is not to incarcerate probationers but to provide structure and *immediate consequences* which will foster rehabilitation. Employment and safe, sober housing are key components of PACE and efforts are made to allow probationers to keep their jobs and housing

### Expungement of Convictions

Alaska does not provide any mechanism to allow someone convicted of a crime to destroy or seal the record of their conviction after an expiration of time. This means that someone convicted of a crime has a lifetime record and the corresponding disabilities that accompany criminal convictions. A person who has received a suspended imposition of sentence (SIS) who has had their conviction set aside under AS 12.55.085(e) still may be required to report their conviction(s) and the conviction remains available to the public.

Develop an expungement statute that provides opportunities for persons convicted of crimes to apply for the destruction or sealing of the record of their criminal conviction. In order to be eligible for expungement, a period of time should have expired and the person must demonstrate by clear and convincing evidence that:

- he/she has been unconditionally discharged from probation and parole;
- he/she has completed all rehabilitative programs that were ordered by the Court and/or the parole board;
- he/she does not pose a continued threat of harm to the public and;
- he/she has not violated any laws;
- expungement does not diminish the seriousness of the crime.

The victim of the crime for which the applicant was convicted must have an opportunity to express his/her opinion about the expungement application.

Certain categories of offenses should be excluded from eligibility for expungement. All felony crimes under AS 11.41 (crimes against a person), AS 11.61.125-128 (distribution and possession of child pornography) and AS 11.61.110-135 (sex trafficking) should also be excluded.

Eligibility for expungement should be restricted to a period of not less than 10 years after the unconditional discharge from probation and parole

### Review the Alaska Sentencing Schemes

The Alaska Sentencing Schemes need to be continually reviewed for effectiveness. The flexibility to determine which cases should go to trial and how to manage them has been removed from both the Department of Law and the Court system. This leaves the DOL in the unfortunate position of taking many cases to trial where their either is no chance of winning

(cost), no opportunity for plea bargaining (resulting in loss of cases with insufficient evidence (cost), or draconian sentences, perhaps inappropriate for the crime (cost/fairness))

The Attorney General should take an active lead in partnership with the Alaska Criminal Justice Commission to review and propose changes to the Legislature to update the Alaska sentencing schemes.

*Initiate a Justice Reinvestment initiative in Alaska*

Justice reinvestment is a data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism. This can be achieved with assistance of The PEW Charitable Trusts. Examples of the success of Justice Reinvestment can be found at:

<http://csgjusticecenter.org/press-room/>

*Establish a new higher level of data analytics in the State of Alaska*

Data Analytics is necessary in order to achieve cooperative, centralized data collection and analysis to facilitate data driven outcomes for the performance of State agencies. Very necessary for determining if our efforts are working and our money well spent.