

MINUTES

Joint meeting of representatives of the Alaska Native Justice Center Board of Directors and Commissioners from the Alaska Rural Justice and Law Enforcement Commission

The meeting took place January 17, 2007. Bruce Botelho, Loretta Bullard, Bruce Hilton, and Jim Torgerson attended. Staff attending were Karen Bitzer and Denise Morris.

The Board and Commission representatives discussed first the Commission's 2006 budget, for the budget year commencing October 2005 and because of the continuing resolution, running through the present. Mr. Hilton confirmed his understanding that the Commission's budget was in the amount of approximately \$272,000, and that those funds belonged to the Commission and would not lapse or revert to the ANJC.

Staff for the Board and Commission disagreed about the proper treatment of about \$5,000 - \$6,000 in expenses. After discussing the various items about which staff disagreed, the Board and Commission representatives agreed that all of the disputed costs would be charged to the Commission with the exception of the salary and fringe benefits ANJC sought to have reimbursed for 10% of an ANJC administrative assistant's time. ANJC agreed to absorb that cost.

The Board and Commission representatives discussed the appropriate structure and process for future relationships between the two organizations. They discussed the protocols proposed by the Commission and that the two organizations should enter into a Memorandum of Understanding (MOU). The MOU should address, directly or indirectly, such subjects as the costs which will be included in the 'indirect' costs for which ANJC will bill the Commission, responsibility for the employment and supervision of the Commission's special assistant, the nature of the financial information ANJC will provide the Commission and the frequency with which such information will be provided, the protocols for the interaction between the two organizations' staff, a dispute resolution process, and a Board to Board process for determining each year the Commission's budget.

Ms. Bullard agreed to provide a first draft for review by Mr. Botelho and Mr. Torgerson. Once they have reviewed and agreed upon a draft, they will provide it to Mr. Hilton for his review and comment. The representatives of each organization will then be responsible for seeking the input and, eventually, their organizations' approval of the MOU.

Alaska Rural Justice and Law Enforcement Commission

January 18, 2007 Draft Meeting Minutes

Heller Ehrman
510 L Street, Suite 500
Anchorage, AK 99501
10:00am – 3:30pm

- Commissioners Present:** Nelson Cohen, Talis Colberg, Jim Torgerson, Gail Schubert, Bruce Botelho, Loretta Bullard, Walt Monegan, and Wilson Justin
- Commissioners Absent:** Patrick Anderson and Charlotte Brower
- Staff:** Karen Bitzer, Julia Meier and Monica _____
- Guests:** Toni Moras of the UAA Justice Center and Steve Osborne of Hobbs, Straus, Dean & Walker. Donna Goldsmith, facilitator of ICWA MOU workgroup, Mark Regan and Jan Rutherfordale, workgroup members.

Call to Order

The meeting was called to order at 10:15am.

Roll Call

Roll call was conducted and a quorum established.

Approval of Agenda

Bruce moved to approve the agenda; Gail seconded. The agenda was approved with the acknowledgement that the ICWA MOU discussion may have to be moved to accommodate call in guests.

Commissioner Reports/Announcements

A committee of the Commission met yesterday with the Alaska Native Justice Center (ANJC) about the Commission's budget. Please see budget discussion below.

Wilson spoke of Saturday's shooting in Fairbanks. The shooting took place amongst teenagers. Alcohol was involved.

Approval of Minutes

Bruce moved to approve the December 1, 2006 meeting minutes; Loretta seconded. The minutes were approved.

Commission Budget

Loretta, Jim, Bruce and Karen met yesterday with Bruce Hilton, Board member, and Denise Morris, President/CEO, of the Alaska Native Justice Center to discuss the Commission's budget.

The meeting confirmed that the FY 06 budget was \$272,000. Approximately \$24,000 remains for the Commission to spend.

The group discussed the proposed ARJLEC/ANJC protocols and decided that a MOU would be more appropriate. The MOU will acknowledge that there are two separate organizations and standardize a method of conferring on a Board to Board level. The MOU should contain a clarification of coding, and identify what is included in ANJC's indirect rate. Jim, Loretta and Bruce will draft the MOU and forward it to Bruce Hilton for comment.

The group discussed the Special Assistant's contract. The contract is between ANJC and the Special Assistant, and Dave Marquez signed on behalf of ANJC. The contractual issues need to be resolved.

The initial decision of how much money the Commission receives from an earmark to ANJC should be made at the Board to Board level. Otherwise, the two groups do not need to have periodic meetings on a set schedule. The money is now in COPS.

The Commission requested \$50,000 from the Governor but her budget had already been set.

Karen set up a February 1st meeting with Diane Kaplan at the Rasmuson Foundation to explore the possibility of applying for a Rasmuson tier 2 grant. Bruce and Jim expressed reservations about the Commission seeking funding from a private foundation.

Gail suggested going to ANJC and asking ANJC to support the Commission. Accepting money from ANJC does not raise the same concerns as accepting money from the Rasmuson Foundation because the Commission's federal dollars were originally passed through ANJC.

Karen prepared a budget for FY 07 for approximately \$272,000. She will prepare a bare bones budget through June 2007 that includes teleconferences, a trip to Juneau and one face to face meeting. The budget subcommittee will work with Karen.

The Commission will make the following requests: 1) supplemental budget through June 2007; 2) state FY 07-08 budget, requesting half from state legislature; and 3) federal FY 07-08 budget.

Karen will draft a letter to accompany the request to the state legislature.

State Legislature

The Commission will meet in Juneau on February 15, 2007. The regularly scheduled March Commission meeting is cancelled. The Special Assistant will travel to Juneau for at least two days before the end of the month to lay the ground work for the upcoming Commission meeting. The Special Assistant will request a hearing before the House and Senate Judiciary Committees. It would be ideal if both the House and Senate

judiciary committees could meet together. The Commissioners should try to meet with the leadership, including the speaker, president and chairs of the finance committees. The Commission will need to meet before the hearings.

Work Group Recommendations

Police Standards and Cross-Designation

Walt explained the Police Standards and Cross-Designation Work Group's recommendations. The work group proposed a new three tiered system with Peace Officer 1, 2 and 3.

Part of the idea is that somewhere down the road, some individuals could relieve the burden on more qualified individuals in areas like parking or curfew. In the future, it is possible that the system could expand to road system communities. A community could decide if it wants a Peace officer 1 or 2. Even though the idea stemmed from thinking about rural communities, the Commission may consider state-wide application of the system.

Look at Fair Labor Standards Act issues regarding qualifications and training. Differing qualifications and training among the proposed tiers prevents future demands for equal pay.

Walt suggested that there are fiscal consequences. The proposal calls for the Alaska Police Standards Council (APSC) to certify and track the new tiers. The additional duties of APSC could be paid for by citation surcharges used to fund APSC's larger budget.

Wilson asked who would draft the proposed APSC regulations. Walt said that he would like to see the draft language come from the Commission.

Wilson asked whether the following language contained in the work group's recommendations envisions tribal governments: "A future APSC may want to examine standards for non-government security organizations to insure any contracting communities are adequately protected." Walt said that the idea was initially about outfits like NANA and Doyon security. However, the larger idea is that as private security organizations increasingly take on public safety roles, APSC ought to keep an eye out for developing applicable standards for such entities.

Gail asked what implications for public safety and law enforcement may flow from the Governor's goal to cut \$150M in the budget. Walt replied that the Governor said that she does not want to curtail public safety.

Walt said that APSC meets twice per year, in May and December, but actions can be taken in the interim.

Bruce noted that an individual or entity can petition a state agency to adopt regulations. The Commission can petition APSC. The agency then has 30 days to deny or schedule a public hearing. The agency is free to make changes to the proposed regulations. Ideally, the petition would contain suggested regulatory language. It would be beneficial for the Commission to petition APSC prior to going to Juneau.

Walt volunteered to work on a draft that will be circulated to the Commission. It would be nice to get someone in the Department of Law to do an informal critique of the draft. Walt will speak with Terry Vrabec of APSC to see if there are any other models

out there to work off of. Walt hopes to have the draft soon and he will email the Commission when he has a working document.

Walt said that he is not aware of any other state that is doing this. Other communities have community safety officers, or the equivalent, but they are not incorporated except maybe on a department by department basis.

It is the Commission's desire to adopt recommendations at the February meeting in Juneau.

Alcohol

Gail went through the Alcohol Work Group's recommendations with the Commission.

Regarding recommendation 3, liaison in state government for tribal court juvenile proceedings, Walt suggested whether this could be looked at as an Alaska Native Youth Court. Donna noted that there used to be about 10 agreements in this area, with the Department of Law signing on.

Regarding private interdiction recommendations, there is an issue about what constitutes state action. Loretta noted that Nome could probably get volunteers to search but would need research regarding permissible boundaries. A few sniffing dogs at the main airports, that occasionally go to the smaller airports, would be a big help. There are two issues here: interdiction at the major hubs and interdiction in the rural areas.

Regarding recommendation 6, revenue sharing incentives, there is a possible a fairness problem with this recommendation. In addition, what impact would this recommendation actually have?

Talis mentioned that the Department of Law is working on drafting some of the alcohol work group's recommendations. He will send out a draft prior to the February meeting.

Regarding recommendation 9, extending local option law to encompass public intoxication, the Commission believes that this has been struck down by the courts.

Regarding recommendation 14, database for shipment of written orders, Walt thinks this would be extremely difficult. Bruce noted that the Alcohol Beverage Control Board was enthusiastic about the idea. Costs may be covered by the increased ABC fees. Walt thinks that there are staffing and technological problems with the recommendation, and thinks that it is better addressed through Title 4 revisions.

Regarding recommendation 21, the double jeopardy statute, this recommendation mainly concerns Metlakatla.

Recommendations 22-25 concern jurisdiction. The suggestions include: 1) interdiction zones with language that the zones should not be construed as Indian country and allowing tribes to impose civil sanctions; 2) circuit courts with the suggestion that the idea is tried as a pilot project; 3) full faith and credit; and 4) compacts.

ICWA MOU

Jim explained that the group's idea was to reach consensus. The facilitator of the work group, Donna Goldsmith, sent the Commission a cover letter along with the MOU.

Jim's hope is that the Commission adopt the MOU and recommend that the rules committee adopt the proposed changes to the CINA rules.

Work group members Mark Regan and Jan Rutherford joined the meeting telephonically. Mark provided a memorandum to the Commission regarding the registration and enforcement of tribal CINA orders. Mark said that the work group is most concerned about Section 11(b) of the MOU. He asked that the Commission work with the rules committee. The committee meets on January 30, 2007.

The idea is that a custody order may be registered in Alaska, notice then goes out to parties giving them 20 days to object, then Alaska state court would issue a registration order that can be enforced. The rules may not provide for expedited enforcement of tribal orders generally. The rule committee is working on transfer cases, but it is really the same as what the MOU orders are so there is a good reason to dovetail.

If the MOU is completed but the CINA rules are not completed, then the UCCJEA mechanisms could be used.

Mark does not see any reason that the rules committee would not accept orders under the MOU in the same way that it accepts post-transfer orders. He is concerned about the delay in the drafting of the rules. The committee may be waiting for the outcome of current litigation.

Jim ran through the substance of the draft MOU with the Commission. The MOU is a jurisdiction sharing agreement. It contains a scope disclaimer and is entered into in accordance with federal law.

Jim handed out the new proposed definition of "impartial tribunal." The work group will proposed a substitute definition.

Jim noted that Section 11 which Mark spoke to is not the subject of disagreement within the work group, but rather of incompleteness.

Regarding tort liability, Jim noted that possible resolutions include: 1) tribes could become child placement agencies; 2) the problem could be dealt with as it arises; or 3) the Kawerak pass through money idea. This is a state, rather than federal, issue.

Jim prepared a memorandum regarding the tort liability under the proposed MOU. Page 2 contains possible solutions. A tribe and the federal government could enter into a contract/compact with a FTCA provision, and only a tribe with such an agreement could enter into the MOU. Bruce asked about the state amending its tort act to exempt decisions regarding placement.

Jim will go through the impartial tribunal definition and work on the indemnification issue before the February meeting. Jim will probably ask Donna for some help.

The Commission agreed that Mark Regan may speak at the January 30, 2007 rules committee meeting from the consensus of the workgroup but not from the position of the Commission.

Technology – Telecommunications Act

If the Commission has the opportunity to testify before the Commerce committee, then it should do so. The general idea is to expand subsidies and expand uses. Karen will send around draft language amending the Act.

Future Meetings

The Commission will meet February 15, 2006 in Juneau. Teleconferences will be held in March/April. Meeting prior to any scheduled legislative committee hearings.

Senator Stevens is coming to Alaska over President's Day weekend. Ideally the Commission will have some time with the Senator.

The Commission has been invited to speak at this summer's Rural Providers Conference in Cooper Center. The Commission would like to attend, but has to wait and see if there is money.

Adjournment

The meeting adjourned at 3:30pm.

Alaska Rural Justice and Law Enforcement Commission

April 3, 2007 Meeting Minutes

Telephonic

4:00 pm – 6:00pm

Commissioners Present: Nelson Cohen , Gail Schubert, Bruce Botelho, Loretta Bullard, Patrick Anderson, James Torgerson and Wilson Justin,

Commissioners Absent: Talis Colberg, Charlotte Brower

Staff: Karen Bitzer and Monica Jenicek

Call to Order

The meeting was called to order at 4:08 pm , Nelson Cohen, presiding.

Roll Call

Roll call was conducted and a quorum established.

Approval of Agenda

Commissioner Anderson moved for the approval of the agenda with Commissioner Monegan providing a second to the motion. Karen asked permission to make several additions to the agenda. She requested to add Working Group Members Certificates and Rural Providers Conference under Old Business and that Future Meeting Dates be added to discussion Items. Commissioner Torgerson requested that Special Assistant Contract be added to the Discussion Items, with the possibility that the Commission may move into Executive Session. Agenda approved with additions.

Commissioner Reports/Announcements

Approval of Minutes

Commissioner Torgerson moved for the approval of the February 7, 2007 meeting minutes and Commissioner Monegan moved for the approval of the February 15 minutes. Both motions were seconded and the minutes were approved by acclamation, with Commissioners Anderson and Botelho abstaining from the vote.

Old Business

State Legislature

Monica updated the Commission on behalf of Atty General Colberg who testified on behalf of ARJLEC before the Senate Commerce Committee SB128 hearings on

March 28, 2007. Commissioner Bullard also testified before the Committee and Karen prepared general testimony attaching the Commissions latest technology working group recommendations and submitted those remarks in writing to the committee. Commissioner Monegan reported that he was also in Juneau at the time of the hearing and after meeting with the Atty. General and expressing his concerns regarding the data base portion of the bill, he declined testimony.

The Commissioners discussed with Commissioner Monegan his concerns that the data base may not be as effective as other strategies. He would prefer to capitalize on strategies to prevent alcohol from ever reaching the villages. He has engaged his IT folks to talk about the logistics of such a tool, the server, being able to manage entries in a timely fashion, especially from those entities that do not have computer or internet capability to log entries, Alcohol Board capacity, etc. Commissioner Monegan would like to see a delayed start date of about 1 year. Commissioner Bullard suggested that there may be unspent VPSO monies from that may be able to be expended in this direction.

Ms. Jenicek also added that the draft bill produced by the Department of Law included a provision regarding the use of plastic shipping containers, but that was eliminated in the version that was introduced by the Senate.

Karen was directed to follow up on the bill's progress and a house version as well.

ICWA MOU progress

Commissioner Torgerson reporting making a presentation with Joann Gibbons and Jan Rutherford of the Department of Law to the OCS State Tribal Collaboration Meeting which includes OCS and tribal ICWA workers. These entities have been meeting and working together for a number of years to ensure their work is as collaborative as possible. This collaboration works to provide information on how ICWA workers can function within the State system.

The threesome presented the current Draft MOU and attendees were interested in our work and pleased to hear of it. One request was that the tribes that signed an agreement with the State in the past - those signors be informed of the work and the progress the Commission has made in the drafting of this model MOU. The initial MOU talked about the process to be used for all cases going through the State court.

The Collaboration expressed a desire to have been made aware of the Commission's working group. It asked the Commission to identify those signors of the original MOU be identified and that a letter from the co-chairs be sent, indicating that Commission wants them to be aware that this process in under way.

Karen was directed to find out who the signors were on the original MOU and draft a letter for the Commission to consider.

Commissioner Justin briefly commented on his participation in the original MOU authoring group . The work bogged down with a change in administration and having to address the issue of jurisdiction. Several camps emerged – some who continued on without having the jurisdiction issue address and those who wanted to have the jurisdiction issue resolved.

At the last meeting Commissioner Torgerson received permission to send a letter to the CINA rules committee. He indicated he had not yet drafted that letter, but would be working to complete the draft.

Certificates

Karen reported that two versions of a certificate acknowledging and thanking members of the current working groups had been circulated to the Commissioners. She wanted a decision on which was the preferred style so that these could be completed and prepared for signature at the May meeting. A style was chosen by consensus.

Rural Providers Conference

The Commission has been asked to offer a panel discussion at the Alaska Rural Providers Conference, June 7 at 10:30 am. Commissioner Justin will be offering a keynote address on the same day. Final paperwork needs to be completed for the Conference agenda and publications. The organizers need to confirm the Commission's participation and who from the Commission would be involved in the presentation mostly concentrating on the alcohol initiatives of the Commission. Commissioners Botelho, Justin and Anderson would be willing to present with Commissioner Botelho taking the lead. Commissioner Wilson would be in touch with the organizing Committee to adjust the date/time of the presentation to insure his participation. The Rural Providers Conference is in Copper Center this year.

Discussion/Action Items

Federal Telecommunication Act

Karen wanted to update the Commission regarding the progress of the Telecommunications act and the revisions being supported by the Alaska Federation of Natives.

Commission Funding

DC trip Update: Several of the Commissioners were in Washington DC last month to attend the National Congress of American Indians Convention and to testify with AFN regarding the telecommunications Reform Act. Commissioner Bullard had an

opportunity to talk with Liz Connell of Senator Steven's office regarding the designated appropriations for this funding cycle. Ms. Connell reported speaking with Regina Scofield of the Department of Justice and she thought that Regina was open and supportive to the Commission's need for funding. A follow up trip to DC was made a couple weeks ago and again, Commissioner Bullard met with Ms. Connell. Liz relayed that Senator Stevens had also visited with the Department of Justice regarding our need for funding and that it probably would not be beneficial for the Commissioners to meet with Ms. Scofield at this time

Denise Morris of the Alaska Native Justice Center had also talked with Regina when she was in Washington DC. . Loretta talked with Denise who reported talking with Regina for 2-3 minutes, their conversation not being specific to the Commission's funding. Karen was asked to make inquiry with Denise as to when the funds might be available.

Commissioner Torgerson has drafted a letter for the co- chairs to sign and send to The Alaska Native Justice Center regarding the notification of funding awards and agreed to circulate the letter to Denise and can circulate to the Commission for the Co-chairs to sign. Nelson has been in contact with the person in the executive office and has not been able to get any good answers through him or inquiries

He has made on our behalf. The department seems to be completely consumed with what is going on with the ATTY general and the firings of the US Attorneys. He will continue to try to find out info. Commissioner Botelho suggested that it might be helpful to also send a letter to Alaska's Depart of Justice liaison in Washington Dc and that we might find out who that would be from Jon Katz.

Plan of Work Update

Karen provided a copy of the Commissions last plan of work, revised in January 2007, with updates and reminders and requested permission develop an electronic newsletter for the Commission to improve stake holder communication. The Commission authorized the development of an electronic newsletter and requested that the plan of work discussion be placed on the May meeting agenda for review and updating.

Future Meetings

The Commission has set April 18 as a teleconference meeting to discuss Budget and Budget related issues and May 30 for a face- to - face meeting in Anchorage.

Special Assistant Report

Karen presented her report in writing (see attached) and request questions. She added that a former Anchorage Daily News reporter is doing an article for Alaska Magazine and would like to have a conversation with someone on the Commission. Commissioner Monegan will be the contact for the Commission.

Adjournment

Co-Chair Cohen, hearing no other business to come before the Commission at this time, requested a motion to adjourn. Motion to adjourn was made by Commissioner Monegan, Approved by acclamation. Motion adjourned at 5:38 pm.

Respectfully submitted,

Karen Bitzer

Alaska Rural Justice and Law Enforcement Commission
Regular Meeting
May 31, 2007 Meeting Minutes
Conference Room of Heller Ehrman LCC
510 L Street Suite 500
Anchorage, Alaska

Commissioners Present: Talis Colberg, Bruce Botelho, Charlotte Brower, Jim Torgerson, Gail Schubert, Wilson Justin, Walt Monegan
Nelson Cohen , Patrick Anderson

Commissioners Absent: Loretta Bullard

Staff: Karen Bitzer and Monica Jenicek

Guests: Melissa Kassier, Senator Murkowski's Office

Call to Order

The meeting was called to order at 10:10 am, Co-chair Colberg, presiding.

Roll Call

Roll call was conducted and a quorum established.

Approval of Agenda

Commissioner Botelho moved for the approval of the agenda with Commissioner Justin providing a second to the motion. Agenda approved with no additions.

Note: Commissioner Monegan joined the meeting at 10:20am.

Approval of Minutes

Commission Botelho moved for the approval of minutes of April 3. Commissioner Torgerson requested an amendment to the language of the minutes of April 3 surrounding the involvement of Commission Cohen. It was also noted to reflect Commissioner Monegan being in attendance. Commissioner Colberg asked for objection to the approval of April 3 minutes with amendments. No objection. Minutes of April 3, 2007 approved.

Commissioner Justin moved for the approval of the April 19 minutes. Commissioner Torgerson seconded and requested that the minutes reflect that the *ICWA MOU is a product of the working group and is in a process of its continued evolution*

Minutes approved with change by acclamation.

Note: Nelson Cohen has joined the meeting at 10:30 am.

Financial Statement

Karen presented a financial statement specific to the Commission's budget through the cost-sharing agreement with the Department of Public Safety. The financial statement was accepted by acclamation of the Commission.

Commissioner Reports/Announcements

Co-chair Colberg asked Commissioners for individual reports and announcement. Commissioner Justin shared his plans to attend the Rural Providers Conference in Copper Center on Wednesday (June 6) to join Commissioner Botelho is sharing a presentation to the Commission's activities with conference participants. Rural Providers Conference first began in 1986, and he was then a featured speaker of the Conference. He will be keynoting again this year in addition to the presentation.

Commissioner Brower shared that she has obtained her Bachelor's Degree. She has joined the North Slope Borough School Board and is pleased to hear that Atty General Colberg will be visiting Barrow in September. Barrow has begun a special project entitled Healthy Initiatives and she will be participating on behalf of the Commission and reporting back on progress made there. She is pleased to see SB128 pass and would like to talk with the Department of Public Safety regarding alcohol distribution site issues in Barrow that may be helpful to those starting in Bethel and Kotzebue. Charlotte shared that she comes from the small village of Selowik and has seen the outcome of bootlegging, meth and huffing is very prevalent and believes the State need good outreach to small villages.

Co-Chair Cohen reports receiving an email from Karen Bitzer regarding the BYRNE grant funds. He has made contact with the Department of Justice and they are looking for the Commission to prepare an application for funding under the BYRNE Supplemental Funds Grant program. He would also like to report that we are within several weeks of launching the cross-designation program between postal inspectors and the Department of Public Safety. Commencing June 19-20, six to eight Alaska State Troopers will be trained. This is a first of this kind of project in the Nation. The Postal Inspection Service will be sending up its chief counsel for the Western part of the United States to participate in the training.

Note: Patrick Anderson has joined the meeting in person and Melissa Kassier from Senator Murkowski's office has joined telephonically 11:15 am.

He also reports that "good work is being done between the Federal entities and the Department of Public Safety". They now have a full time prosecutor in the office in cooperation with the State of Alaska Department of Law to prosecute the most violent offenders in the state. This is a good collaboration which is having a great impact on the community in a short period of time.

Commissioner Torgerson reports that the he is hopeful that progress on the ICWA MOU will start to move forward again. There are a couple of significant issues regarding liability that are left to work through. He is hopeful that this exercise will be useful to communities around the state.

Commissioner Schubert reports ANSCA Presidents concern about cheap Meth getting into the villages through private air carriers. This may be a potential work group for the Commission to gain the cooperation of small air carriers that are TSA exempt to provide some sort of inspection or security.

Commissioner Anderson reported on the upcoming NCAI meeting in Anchorage. There is much activity regarding meth among tribes in lower 48 as well and AFN is developing a strategic plan to align itself with the lower 48's approach.

Commissioner Monegan reports the passage of Senate Resolution 7 calling for the continuation of the VPSO task force and has appointed both he and Atty General Colberg to serve. The first meeting is scheduled for September and is hopeful to complete its work by year's end. Senator Olson is expected to chair the task force. There is currently a VPSO summit being planned for the Northwest Boroughs in Kotzebue, currently scheduled for August, 2007. The Federal program which supports the VPSO program has suspended the funds because the state has not expended the entire award. The suspension of funds is being appealed by the State of Alaska Department of Public Safety.

Commissioner Torgerson expressed concern that the Alaska Native Justice Center be prompted to pay reimbursements as expeditiously as possible. Commissioner Justin agreed to follow up with ANJC.

Commissioner Torgerson moved that the Commission encourage the Board of the Alaska Native Justice Center to consider the proposed Memorandum of Understanding. Commissioner Botelho seconds the motion and requested that staff prepare a letter to the ANJC Board Chair. No further discussion. Motion passes by acclamation.

Commissioner Botelho also moved for the ratification of the FY2008 Appropriation request submitted on behalf of the Commission to the offices of Senator Ted Stevens and Senator Lisa Murkowski. Commissioner Torgerson seconded the motion. Hearing no opposition, the motion carries.

Commissioner Cohen moved for authorizing the preparation of a BYRNE Discretionary Fund grant proposal on behalf of the Commission to be submitted by June 25, 2007. Seconded by Commissioner Botelho. Motion passes unanimously

Commissioner Colberg reported that SB128 has passed the Legislature and is awaiting transmission to the Governor's Office. It does contain the data base provision. There are approximately 14- 19 different alcohol wholesalers who regularly do bush orders. The effective date for the data base is June 1, 2008.

Old Business

DPS Update

Commissioner Monegan provided an update on several initiatives that have been in place as a result of the work of the Commission the most current is the tiered system of law enforcement as recommended by the topic specific groups which met from October to December 2006. Commissioner Monegan reported DPS is preparing the legislation necessary to amend the statute that governs APSC to allow them to develop tiers. We all ready have the different levels of officer functioning in this state, come without certification. Level 1, (comparable to a security guard) would be the employee of the community that hires them. Level 2 would be a VPSO (investigates misdemeanor cases and protects felony crime scenes) and Level 3, the Municipal Police Officer or Trooper. VPSOs would become state employees, able to receive state benefits and have their training and employment information tracked by APSC offering the opportunity of advancement. The model will be refined through the summer with the VPSO Task Force and Summit and be prepared to be introduced next legislative session.

Sub-Hubs are a concept of embedding a trooper in a village community (through a cooperative agreement) for extended periods of time rather than having them onsite for emergencies only. This was first introduced in Selawik and Selawik is described as a calm place now. The second community to enter into a cooperative agreement for this program is Chevak... Commissioner Monegan reports receiving positive feedback from Chevak. DPS is willing to place more troopers through this program but need communities who can offer support and enter into cooperative agreements with DPS.

Amnesty International has published its report on sexual assault response. It is not very complimentary of the State trooper's response in rural Alaska. The statistics would offer two observations: 1. that the rate of arrest may be actually higher in rural Alaska than in urban centers and 2. law enforcement presence is not necessarily a deterrent. Commissioner Monegan supports the need for education and advocates helping support victims. He is meeting with Amnesty International on June 12.

Melissa from Senator Murkowski's Office briefed the Commission on the upcoming Senate Committee on Indian Affairs hearings scheduled for Anchorage to coincide with the NCAI meeting. There will be 4 panels of invitees to offer testimony to the sub committee and the Commission is being considered for the Federal Panel. The Commission thanks Nathan Bergerbest and Melissa Kassier for participating in this meeting of the Commission and for their efforts on behalf of the Commission in general and in obtaining an invitation to offer testimony to the Sub-Committee.

New Business

ANDVSA Request

Karen has received a letter from the Alaska Network on Domestic Violence and Sexual assault requesting Commission support for facilitation of a meeting to help determine

actual operating costs of rural shelters and how they may collaborate to lower some of those costs. The Network would pay for Karen's expenses to participate. Commissioner Monegan moved that the Commission that we approve this request from the Network. Commissioner Botelho seconded, motion passed without objection.

Commission Justin spoke to the recent ruling by Judge Sen Tan regarding ICWA jurisdiction. He recognizes that there is always a difference between the intent of the law and application in the field and want to know what the State's position is going to be now that the ruling has been issued. Discussion between Commissioners continued with the State's not knowing its position on appealing the decision. Commissioner Torgerson commented that this conversation demonstrates on the advantages of the Commission that there can be conversation instead of litigation regarding these issues.

Alaska Federation of Natives

The Alaska Federation of Natives has contacted the Commission regarding a letter that has been sent from the Legislature to Congress requesting review of tribal status of the 231 tribes in Alaska. Commissioner Anderson, who also serves on the AFN Human Resources Committee, informed the Commission that they are not expecting there to be a consideration of change of status for Alaska Natives. The Commission should monitor the issue in the event that the status changes and AFN needs to proceed to protect tribe's status.

Supplemental Report

The Commissioners, by acclamation, authorized Karen to begin drafting a Supplemental Report of the Commission for review.

Certificates

Karen presented certificates and thank you letter for members of the October – December working groups for Co-Chair signatures.

Future Meetings

The Commission has scheduled a teleconference for June 21 at 10:00 am.

The Commission has scheduled a planning meeting for August and has requested that Karen find an appropriate place for the meeting.

Adjournment

By acclamation, the meeting was adjourned at 2:40p.m.

Respectfully submitted

Karen Bitzer

Alaska Rural Justice and Law Enforcement Commission
Minutes
Regular Meeting via teleconference
June 21, 2007

Present: Talis Colberg, Gail Schubert, Wilson Justin, Bruce Botelho, Jim Torgerson, Patrick Anderson, Loretta Bullard, Nelson Cohen

Staff: Monica Jenecik, Karen Bitzer

The meeting was called to order at 10:10a.m. by Co-chair. The agenda was approved by acclamation.

The minutes of the May 31, 2007 meeting had not been correctly circulated to all members. In the interest of time, Commissioner Torgerson moved that they be tabled until the next meeting. The motioned was seconded and carried by acclamation.

Old Business:

Funding:

Financial Report: Karen reported that she would be working with the Department of Public Safety and the Alaska Native Justice Center to finalize all stopgap funding reporting to the State of Alaska.

ANJC/ARJLEC protocols: Commission members continue to work with the ANJC for approval of protocols.

BYRNE grant: Karen reported that she has been working with Kawerak to complete the BYRNE grant application. It is due on June 25 but her plan is to have everything to Loretta so that it can be submitted by week's end.

Legislative Update:

SB128 has been transmitted to the Governor's office for signature. The data base component has a longer timeline for implementation.

Rural Providers Conference:

Commissioners Bothelo and Justin gave a presentation before attendees of the RURAL CAP Rural Providers Conference in Copper Center. It was well attended and audience engaged in meaningful discussion with the Commissioners. They would like to encourage Commissioners to take every opportunity to make presentations before their constituent groups.

ICWA MOU status: There are still several issues remaining for the ICWA MOU model to be effective. Some of those depend upon the State of Alaska's position in the recent ruling regarding ICWA jurisdiction. Commissioner Torgerson is hopeful of inviting select members of the working group to sit in on a discussion to resolve sticking

points. This will not be able to be accomplished until the next funding cycle of the Commission.

New Business

August Planning Meeting: Commissioner check calendar and offered direction as to date, time, and place for an all day planning meeting of the Commission. The August date will need to be adjusted if funding is not forthcoming. Commissioner Schubert agreed to check with the Alaska Native Heritage Center for space and recommended that this be a facilitated discussion, offering Tom Begich as someone who has effectively worked with the Commission in the past.

Hiatus plan: Karen agreed to continue to check emails and other correspondence during July and August while the Commission waits for a new funding cycle.

Hearing no other new business to come before the Commission at this time, the meeting was adjourned at 11:20 am by acclamation.

Alaska Rural Justice and Law Enforcement Commission
Regular Meeting
October 12, 2007 Meeting Minutes
Conference Room of Heller Ehrman LCC
510 L Street Suite 500
Anchorage, Alaska

Commissioners Present: Bruce Botelho, Loretta Bullard, Nelson Cohen, Jim Torgerson, Gail Schubert, Wilson Justin, Walt Monegan
Nelson Cohen

Commissioners Absent: Patrick Anderson, Talis Colberg, Charlotte Brower

Staff: Karen Bitzer

Call to Order

The meeting was called to order.

Roll Call

Roll call was conducted and a quorum established.

Approval of Agenda

The agenda was modified to move the Special Assistant's report to the beginning of the agenda and to add to it consideration of the Memorandum of Understanding between the Commission and the Alaska Native Justice Center

Commissioner Reports/Announcements

Special Assistant, Karen Bitzer reported on various initiatives she has been pursuing on behalf of the Commission. She showed the Commission a sample brochure she had prepared which she suggested could be handed out at various events by the Commission. She also reported on the status of an electronic Commission newsletter on which she had been working. She suggested the newsletter could be a good means of reaching out to constituents and letting them know of the Commission's activities. Ms. Bitzer then discussed upcoming conferences and events in which the Commission could consider participating. These included the BIA providers conference in late November and the Bureau of Justice Assistance conference in 2008. Ms. Bitzer then announced her resignation as a Special Assistant of the Commission. The Commissioners expressed their appreciation of her and her service. Ms. Bitzer departed. Ms. Shubert indicated that the Alaska Native Justice Center was willing to provide some staff support to the Commission on an interim basis.

Financial Statement

Commissioner Cohen noted that Ms. Bitzer submitted an invoice for her services for September and October in the amount of \$8,250. Commissioner Monegan moved and Commissioner Botelho seconded the motion asking the Alaska Native Justice Center to make a grant to the Commission of up to \$10,000 to cover the cost of Ms. Bitzer's

employment in September and October 2007 in an amount of at least \$8,250, funds due to Ms. Bitzer to be paid directly to Ms. Bitzer. The motion unanimously passed.

Future Meetings

The Commission has scheduled a planning meeting for December 5, 2007

Adjournment

Alaska Rural Justice and Law Enforcement Commission
Regular Meeting
December 5, 2007 Meeting Minutes
Conference Room of Heller Ehrman LCC
510 L Street, Suite 500
Anchorage, Alaska

Commissioners Present: Patrick Anderson, Bruce Botelho, Loretta Bullard, Nelson Cohen, Walt Monegan, Gail Schubert, Jim Torgerson

Commissioners Absent: Charlotte Brower, Talis Colberg, Wilson Justin

Staff: Denise Morris

Call to Order

The meeting was called to order at 4:47pm

Roll Call

Roll call was conducted and a quorum established.

Approval of Agenda

Commissioner Botelho moved for the approval of the agenda with Commissioner Justin providing a second to the motion. Agenda approved with no additions.

Note: Commissioner Monegan joined the meeting at 5:20 pm.

Approval of Minutes

May 31, 2007 minutes were approved as amended. October 12, 2007 minutes were approved as amended. The minutes from the June 21, 2007 meeting were not available and no action was taken on them.

Commissioner Reports/Announcements

The Commission discussed its current funding status. In sum, it has no money. It appears that the Commission will be funded again once the 2008 Department of Justice appropriations bill is passed, assuming the current earmark survives the remainder of the appropriations process. It appears that likely will not happen until sometime in early 2008.

The Commission discussed interim funding alternatives. The Commission agreed to explore whether the Rasmuson Foundation may be willing to provide a grant to the Commission. Co-Chair Cohen and Commissioners Schubert and Torgerson will meet with Ms. Kaplan of the Rasmuson Foundation to discuss.

Recognition

Co-Chair Cohen shared with the Commission the plaque that he had prepared for Ms. Bitzer. He will attempt to set up a meeting with Ms. Bitzer and possibly other current and former Commission Co-Chairs to present her the plaque.

New Business

The Commission reviewed a draft job description for the Commission's executive director and discussed generally the process for hiring a new staff person. A sub-committee, to be chaired by Co-Chair Cohen was established. The Committee members also will include Ms. Bullard, Mr. Botelho, and Mr. Cohen.

Alaska Federation of Natives

The Commission discussed the status of the Memorandum of Agreement. Ms. Morris indicated that the Board of the Alaska Native Justice Center elected not to act on the proposed MOA at its November meeting. Bruce Hilton of the ANJC Board was to meet with Ms. Bullard and discuss concerns ANJC has with the MOA. One specific concern Ms. Morris mentioned is ANJC's request that the ARJLEC identify who from the ARJLEC will work with ANJC on grant requests to the Department of Justice, assuming funding is earmarked for the ARJLEC in the DOJ budget. The Commission expressed a desire to move forward to complete the MOA as soon as reasonably possible so that it will be in place if and when additional federal funding becomes available.

Future Meetings

The Commission decided to meet again on February 20, 2007, at 10:00am in Juneau, AK. At that meeting, the Commission will have on its agenda its funding status, the status of the MOA with ANJC, the Commission's process for hiring a staff person, possibly some advocacy during the State legislative session on behalf of Commission priorities, and setting the scope and schedule for Commission activities in the future.

Adjournment