

Webinar Transcript: Background Investigations Overview and Considerations for Law Enforcement Personnel in Alaska Native Villages

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Matt Lysakowski: Hello and welcome to this webinar: Background Investigations Overview and Considerations for Law Enforcement Personnel in Alaska Native Villages. My name is Matt Lysakowski. I'm the COPS Office's Senior Advisor for Tribal Affairs and I will be the moderator for today's webinar.

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Matt Lysakowski: Today we'll be focusing on background investigations and basic academy training for village and tribal police officers, including what background investigations are, and why they are important. This webinar is being recorded and will be available for future viewing on the COPS Office website. We are very excited to host this important webinar on background investigations and the basic academy for village and tribal police officers.

Last July, Attorney General William Barr declared a law enforcement emergency in rural Alaska and the COPS Office has responded not only with awards for officer positions for Alaska Native villages, but also technical assistance activities such as this webinar. While the COPS Office has heard from tribes and the law enforcement community in general about the challenges of recruiting and retaining officers, hiring highly qualified personnel for these positions of trust is important to building effective partnerships and support with the community.

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Matt Lysakowski: The COPS Office recently began requiring background investigations for officers funded through our Tribal Resources Grant Program and our COPS Hiring Program.

Tribal Resources Grant Program funded officers are also required to attend a basic law enforcement training academy program. The costs for these activities are an eligible expense under the Tribal Resources Grant Program. We have developed a frequently asked questions document that is available at the link on this slide. We developed this webinar to assist not only our Tribal Resources Grant Program and COPS Hiring Program grantees, but also any Alaska Native village looking at hiring officers in their community. Our goal is to provide an overview of background investigations, including what background investigations may cover and how they may be conducted as well as to inform you about basic academy options for VPOs and TPOs in Alaska.

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Matt Lysakowski: We are honored to have three subject matter experts joining us today, all of whom bring many years of experience in these topics to share their knowledge and expertise. Our first presenter will be Bob Griffiths. Bob is the Executive Director of the Alaska Police Standards Council. Prior to his current position with the council, Bob was an officer for Anchorage Police Department for nearly 20 years and served as chief of police in Cordova and Haines, Alaska.

Next, we will have Sergeant Dave Willson present. Sergeant Willson joined the Alaska State Troopers in 2001, and has served in many roles including as patrol trooper, burglary suppression unit investigator, DPS Training Academy instructor, major crime Sergeant, child abuse investigation Sergeant, technical crimes unit Sergeant and is currently assigned to the recruitment unit.

Finally, Fannie Black will be our last presenter. Fannie is currently the Director of Programs for the Yuut Learning Center in Bethel, Alaska where she coordinates the Village and Tribal Police Officer Training Academy. Fannie was raised in Bethel and prior to her current position she worked for the National Indian Child Welfare Association and Northwest Health Foundation. Each presenter will have about 15 minutes to speak and at the conclusion of the presentations there will be ample opportunity for questions and answers. Anytime during the webinar you may type in your question into the question pane and we'll review and answer them during the question and answer period.

In addition to myself and the panelists, we also have Melissa Harrington and Clara Pesiri from the COPS Office, Grant Administration Division with us today to assist with any grant related questions you may have. That covers the logistics and introduction to the webinar and now I'd like to turn it over to our first presenter, Bob Griffiths. Bob, the floor is yours.

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Bob Griffiths: Thank you Matt, and good day to all of you out there. I want to thank everyone for taking the time to participate in our webinar today or to view it later online. You're taking a big step towards improving public safety in our communities by assuring only individuals deserving of our trust and respect are placed in positions of authority. Police officers are seldom if ever called because life is going great. They're usually called in times of crisis, injury, crime or victimization. The officers who do show up must be trained properly and capable of appropriate response. Police work is not for everybody and it's not just another job. Most career officers would tell you that it's a calling. It's a calling to protect the community and its citizens. Sir Robert Peel, who often is referred to as the father of modern policing, coined nine principles of policing.

One of these was, "the police are the public and the public are the police. The police being only members of the public who are paid to do full time attention to the duties which are incumbent on every citizen in the best interests of the community's welfare and existence." So police officers never or

very seldom ever solve crimes just by themselves. The true crime fighting, the true community protection, is a team effort and the effort relies upon the active participation of other members of the community.

Police may be key members of the team, but the rest of the team, our community residents and other officials, must participate to effectively enforce the law. Police officers must earn and maintain the respect of the other team members, their community. That was another one of Peel's principles. Our American judicial system was founded on the principle that all suspects are innocent unless proven guilty. To prove guilt requires the police officers bear witness in court to what they saw, what they heard and did during an investigation. To protect victims and carry out justice by convicting an offender in court, the judge and jury must believe the officer's testimony.

The courts and members of the jury must respect the officer and find that he has integrity and he can be believed; an officer who lacks integrity or that the community feels lacks integrity, cannot effectively do their job. Whether we like it or not, we must be able to defend our decisions as being lawful, just and based on sound principles of fairness. When we make arbitrary decisions based on personal bias or ignore obvious risks, disregard rules, regulations, policies, procedures or fail to do our due diligence in hiring and training and supervising others we subject ourselves and our organization to personal and agency liability.

Unfortunately, to protect ourselves and our organizations, we must conduct and document competent background investigations or background checks on our officers. In the dark ages of policing cops were regarded as brutish, uncaring, authoritarian enforcers of law who maintained order through instilling fear in the population. Fortunately, police work began to become a profession beginning as back as the early 1800s in Sir Robert Peel's time. However, police professionalism did not truly gain full momentum until the mid 1960s. Following Congress's passage of the Law Enforcement Assistance Act in 1965.

Across America, states adopted minimum hiring and training standards and created certifying bodies such as the Police Standards Council in Alaska and the federal government sponsored training and funded college education of our officers. Now, in 2020, many states require ongoing in service training to maintain proficiency and professional certification. Those of us who've dedicated much of our lives to this profession want to make certain that we protect its integrity.

Our entire profession is tarnished when one of us violates our oath of office, commits a crime or brutally victimizes another. News articles, exposing patterns of disqualified officers being hired by communities harms the entire profession and needlessly confounds our officer recruiting and retention efforts. Many of you may be receiving grant funds to hire and train officer. Having managed federal grants in the past. I know that the grantee must abide by federal and state law.

For example, in 28CFR-3207, which is part of the Indian Child Protection and Family Violence Prevention Act of 1990 there are certain criminal offenses that disqualify an individual from being placed in any position where they would have regular contact or control over Native children. Certainly tribal officers will be placed in a position like this.

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Bob Griffiths: So Yogi Berra, the famous New York Yankee once quipped, "if you don't know where you're going, you might end up somewhere else."

Most of you represent communities or organizations where you're looking to hire officers, perhaps even start your own criminal justice agency. It's critical that everyone involved in that effort understand where you're headed and what the goals are. Presumably the goals include a safer community being policed by trained officers who are respected by most of the community because of their integrity and fair treatment of others. It is critical in this process that you establish minimum qualifications for those you want to hire for those positions of trust. Take the time to document and share minimum qualifications and standards you set before beginning your hiring. If your qualifications have some bonafide relationship to the job requirements, they're easily defensible.

If you must eliminate an applicant for past conduct or for not meeting those qualifications, it's much simpler to defend that position if you have the qualifications written and published. Consider publishing minimum qualifications as part of your job announcements during recruiting efforts, et cetera. Most common qualifications are citizenship, age, education, literacy, physical abilities, lack of drug use, and lack of disqualifying criminal convictions. If you'd like examples of these, the Police Standards Council has standards setup for village police officers who we certify. You are free to use those, modify them, adapt them or adopt them however you'd like to do it. Just simply contact me and I'll make sure you get a copy of those.

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Bob Griffiths: As discussed in the last slide; As we begin evaluating a perspective officer and assessing their suitability, You first set your criteria, then you must gather information from the applicant that will allow you to assess if they are a good fit. Because a background investigation involves gathering information about a person from many sources, we must first obtain their written authorization to do so. This is usually done as part of the job application process. If you obtain a written application and signed waivers of release of information forms, or ROIs as we refer to them, this will allow you to get that information. Sergeant Willson will be going into more detail. Your job application process should include personal history questions that address things like personal references.

These would include your former domestic partners, family members, as well as friends and associates. We want to look at residence and employment history. We know that past job performance is a strong indicator of future performance and attention to detail. Former landlords, roommates and neighbors can provide information about the applicant's personal responsibility and their respect for others. Criminal history questions are also important. Please understand that most applicants have had prior police contact and many have had prior arrests at one time or another. This should not be an automatic disqualifier. If it were, quite frankly, we'd have very few police officers in Alaska.

It's only certain convictions that automatically disqualify a candidate. Generally speaking, we're looking for candidates who openly admit their mistakes and have learned from them. On the other hand, if they omit prior police contact, arrests or convictions from their applications, can they really be trusted to be honest as an employee? If you set your job qualifications properly, evaluating if a person's criminal history might disqualify them should be a relatively simple process. If you wish, APSC has a suitable form that you could use for the purposes of gathering this information. We actually have two forms; for most applications or most positions we certify in Alaska, we have a very extensive F3 form, we refer to it as a Personal History Statement.

This comprehensive form is designed for the state and the municipal officers and our state corrections officers. For most of your purposes, though, we recommend that you use or consider using our F3 for village police officer applicants only. This form is much easier to complete. It's much shorter and it should meet your needs. We found that in rural settings when possible, it's often worthwhile to sit down with an applicant and help them fill out their application. This is often something new to them and gentle guidance, encouragement, and clarification about some questions can result in a far more complete application. A retired police chief from Nome once shared with me that if he helped an applicant interpret and complete his personal history questionnaire as part of the hiring process, he had more than halfway completed his background investigation by the time the paperwork was done.

When the applicant has completed their application, it should be reviewed for completeness and any obviously disqualifying information. The next slide will provide you with some resources you can use for this purpose.

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Bob Griffiths: So the Alaska Police Standards Council, APSC, can provide you some advice and support even if the officers you're hiring do not fall within our jurisdiction, such as tribal officers.

If you're hiring a city or a village officer, then you should coordinate with us and document your actions with the appropriate forms. Our website includes a User's Guide that you might find helpful. One free resource that we rely here on a daily basis is the Alaska Court Systems online Court View public records system. While you cannot find out-of-state matters on the system, you can find nearly every Alaska court action a person has ever been involved in. Look yourself up sometime. I know I'm in there.

Many of your communities, maybe members of the Alaska Municipal League or the AML. AML provides services to its members and very low cost services to other communities. You may wish to consider using them to conduct a background investigation on your behalf. The Joint Insurance Agency of the Alaska Municipal League or as we refer to it, AML-JIA, is a membership-based insurance pool for Alaska communities. AMLJIA routinely does background investigations for its members because it helps the insurance pool reduce their exposure to liability. If your community or group is a member of AMLJIA consider asking them for help. Thank you so much for your time and good luck on all you do and I'll now hand this off to Sergeant Willson. Thank you.

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Sgt. Dave Willson: Good morning. First of all, I wanted to thank those who are attending and listening in for the work that you're going to be doing. This is important work and we need good people who are dedicated to do it well. So, let's dive right into the concepts we'd like you to consider when conducting a background investigation. First of all, as most people can understand when we're doing a background investigation, the reason, the basic reason we're doing one is because we believe that past behavior is the best indicator of future behavior. Employment decisions are very important. We look at people and we hope that they will do excellent work for us in the job, but we have to do our due diligence and make sure that they're qualified for the position and able to perform well, especially in a job that's as important as public safety.

And the way we do that is we look at what their skills and abilities have been in the past and how they've performed in similar circumstances. And if they haven't done police work before, then it's very difficult to do that. So we've got to be very careful about how we look at the background information and make judgements about how they're likely to perform in the future. And that decision, in the end is made by an impartial decision maker and the background investigator through the process should try and eliminate any bias they have and look for evidence, look for the evidence of what the behavior has been in the past in relevant situations.

So that's kind of the big concept that a background investigators should have at the forefront of their mind is to find evidence that shows how their past behavior and similar situations was conducted so that the final decision maker can make the determination about whether or not they do well on this job, and whether or not they meet the minimum qualifications that you've set forward for the position.

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Sgt. Dave Willson: So, these are the lists in broad generalities about what should be considered in the steps of a background investigation. There should be some sort of application and APSC provides a couple options with the two variants of the F3. They're an excellent starting place.

And a physical fitness test. We're going to talk about the importance of a physical fitness test that when you're doing an application process, you want to make sure that people meet minimum qualifications. You have to be able to test those things. And physical fitness is one of those things we recommend that you test. An oral board interview, very important aspect of the application process and some sort of screening. Psychological and polygraph screening is very commonly used in police employment screening and very useful for the reasons we'll talk about shortly.

And then finally, the final hire approval should be made from an impartial decision maker. Someone separate from the actual person conducting the background investigation. So, let's look at the reasons for the application.

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Sgt. Dave Willson: Okay. So there's a couple of big reasons why we want to see an application in really any sort of employment, particularly though with a public safety position, when you have an individual who's tasked with public safety in rural areas, quite often they're operating by themselves. So they don't have the advantage of working in big teams that you find in larger municipal departments where if one person makes a mistake, the person next to them may be overseeing that and say, "Hey, you forgot to do this thing or that thing."

So as a kind of solo operator with little or no support, it's very, very important for the applicant to have demonstrated excellent attention to detail. Much of what law enforcement officers do is document things, look for evidence, and if they don't find something, then that might be an attention to detail issue, but it's even worse if they find something and fail to document. So attention to detail is a very important characteristic in law enforcement work and an application is an initial, pretty much the first chance, that a background investigator, potential employer gets to look at that demonstrates an applicant's attention to detail.

How well was the information placed on the form according to the directions there, were all the blanks filled in correctly, were they legible? Was there adequate explanation for any inappropriate behaviors that were mentioned in there? Absolutely essential that you measure attention to detail. The application is the first chance to do it, but if you don't have an application then you don't have a chance to actually gauge this quality and it's very, very important that you'd be able to evaluate this in the application process.

Also, of course it gives you a starting place for an investigation. When you conduct the investigation, one would think, well what do we do? Well like we've mentioned before, you're trying to measure previous performance in similar situations in order to guess whether or not they'll perform well in this job and how do you do that? Well, you need to contact people who've got evidence, personal contact, employment related contacts, supervisors and coworkers that have had experience with this individual and can give you a good assessment of the capabilities in these areas.

And the application is where the applicant will put down that information, contact information of significant others, supervisors, coworkers and personal references they'll put down education, history and residence history and of course the contact information for those institutions so that you can actually confirm the information placed on an investigation.

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Sgt. Dave Willson: The physical fitness test. Physical fitness is an essential requirement for the job of law enforcement officer. While the vast majority of contacts in police work are of a non-physical nature, and the vast majority involve communication skills and documenting things in general, problem solving, deterrent presence.

Unfortunately, sometimes physical fitness does come into play when arrests are made or intervention has to be taken in order to protect another individual or the police officer themselves. So physical fitness is a basic job function and those basic job functions need to be assessed during the application process. The way that it's generally done, is there some sort of physical fitness standard established by the hiring entity and that applicant must meet that physical fitness standard? There are lots of resources available for what those standards might look like.

And also there are many resources online for other police agencies and what their physical fitness standards are and it's pretty well accepted that if they're not capable of handling the physical requirements of the job then they're not going to perform well in the position and that's going to lead to problems for the community. Additionally, physical fitness does something more than just maintain the requirements of the job and the functions of the job. It's simply good for the officer who's in the position. It reduces the incidence of injury due to off duty problems, respond quickly to recovering from injury or sickness, ability to make good judgment decisions, and the ability to act quickly with confidence in critical situations.

We don't like to use deadly force in law enforcement. And of course, we want to protect the public, all of the public whenever possible. And when an officer is physically fit and able to use good judgment and act well in a critical situation, they are able to respond in ways other than using deadly force quite often, which we'd definitely want to see. And of course it provides an excellent relief from stress. When law enforcement officers are contacting multiple people in the course of the day who are not having a good day, generally people don't call for law enforcement officers to be on a scene unless something's gone wrong.

And when that happens multiple times over the course of a day, a law enforcement officer can have a significant amount of vicarious trauma that builds up, and we want to see healthy coping mechanisms for those kinds of difficult days. And getting on a treadmill or doing some pushups or going on a run is definitely an excellent coping mechanism, far better than some of the unhealthy coping mechanisms that sometimes creep into any sort of stressful individuals lifestyle after hours. So, we definitely want to have physical fitness be one of those good choices.

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Sgt. Dave Willson: The oral board interview. Oral board interview is a commonly used practice in law enforcement screening for a couple of different reasons.

First of all, as I mentioned before, law enforcement officers spend most of their day communicating with the public, talking to people, whether it's to gather information about something that may have been an alleged criminal offense, perhaps it's a civil problem, perhaps it's something that's developing in an urgent emergent situation. Getting those communication skills into our law enforcement officers toolbox is very, very important. And one of the most critical things that we advise potential applicants on is if you want to be a law enforcement officer, it's great to be in shape. It's great to have all kinds of

police related interests and even education. But the most important thing is to develop the communication skill. Most of what police officers do is talk to people and then write it down in a police report. And in there, there should be good listening skills as well.

Those listening skills are essential at ascertaining the perspective of the public of the complaint in a case, et cetera. So how in the background investigation process can we measure communication skills? Well, an oral board interview is an excellent way to do that because it entails multiple people often. Sometimes it's just one, but often multiple people in a board situation asking questions of the applicant that they didn't know in advance. So they have to deal with a question coming from someone that maybe they haven't even met before asking about some job related scenario or experience.

We'd like to see behavior based questions on these oral boards where they're asking the applicant, tell us about a time when this happened or tell us about an example of when this sort of thing happened. What'd you learn from it? How does that apply to the job you're doing now? How would that apply to your employment with our agency or our village or our tribe? How would your experience make you qualify for this position sort of thing. Those verbal skills are measured in this process because they have to listen to a question so that you test those listening skills. Sometimes the question is in multiple parts.

So sometimes the employer will provide a tablet with paper and a pen so they can write down the question, measuring their ability to take notes, which is important in law enforcement work. And then they'll consider the question and, develop a response and articulate that, and that's very important for their ability. Measuring the ability that o communicate with the public. Eventually perhaps their ability to testify in a court setting or they're asked questions and have to answer. So this is an excellent measure of communication skills in a critical scenario.

And it also helps assess an applicant's ability to use these communication skills in a stressful environment, which is really what law enforcement work is. When we get a call to go to a scene, to deal with a problem, often things are not going well. And that's why the law enforcement officer's called to the scene. So to go there and then have to exhibit these communication skills in a stressful environment. Well, that's really kind of what the oral board is because that's one of the things that we've found in the application process that is most challenging for an applicant is their fear of going before an oral board.

It's not something that people practice very often. They might do a lot of pushups in practicing for a physical fitness test, but they don't encounter situations similar to an oral board where they have people asking them questions in an environment like that, that they have to give answers to. That stress that it measures will show you how this applicant performs in a stressful situation when they're required to speak. And that is an excellent barometer for their ability to adapt to the job of a law enforcement officer where they're often under stress and have to exhibit those communication skills.

And that's really what a background investigation is part of, is how well did they do these sorts of things. To see if someone who's applying for a job is capable of performing the job. You want to mimic those sorts of tests in the application process, that will give you the information necessary for that final decision maker to make the choice about whether or not the applicant will be successful.

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Sgt. Dave Willson: Next step is a polygraph psychological screen. Not every law enforcement agency provides a polygraph screening. Some use other methods of detecting deception.

Some do not use a method of detecting deception in the process. The vast majority in my experience, do however, use a psychological screening and these are the reasons why that these are an excellent step to consider in your investigation process. First of all, when there is some sort of deception tests in the course of the process and the applicant knows that ahead of time.

The utility of having that is that the applicant notes that the information they put on the application is going to be tested not just by a background investigator who's looking to verify that information, but ultimately by a polygraph or perhaps a voice stress analysis or other detection method to test the validity of the information they put down on there that encourages the applicant to be truthful and application in the first place and helps improve the quality of the information that's put down on that application.

The psychological screening is an excellent way of determining if someone has the basic qualities necessary to handle a stressful job like this. One of the most difficult things to do is to take someone who might be performing very well in a job and decide whether or not they would do well in a police profession. It's really hard to find professions that mimic the stress that is encountered by police officers on a daily basis. And so one of the ways we do that as we lean on professionals who have gathered lots and lots of data through psychological written screenings and applied that to police officers on duty and determined what kinds of answers and responses on these written tests often are associated with people who performed well on the job and those who didn't perform well on the job.

You don't always know why an answer to certain questions leads to certain sorts of performances on the job, but they do have these very close associations with some excellent statistics and we and other agencies have found that it's an excellent determiner of on the job performance. Also, whether or not someone is likely to have misconduct on the job. So the screening of a psychological professional is absolutely essential in making good decisions in this regard. Fortunately, what seemed to be a difficult thing in rural areas of Alaska nowadays with the technology that's available, it can all be done over the internet through a written test that's really not a written test.

It's actually performed on a computer and then the information is submitted to the psychological screening agency and then an interview is conducted much like this webinar with a visual and audio teleconference with the doctor. Generally the process is, the test itself is a few hours, two to three hours on the computer. That information is then transmitted to the agency and the interview is scheduled and the doctor has an interview to corroborate the data that they get and talk to those applicants in person through the computer.

And that takes usually less than an hour. If you're interested in providing psychological screening, the costs have gotten quite reasonable and there are a number of agencies that can provide that through the teleconference method and Mr. Griffiths said APSC has information on who you can contact to

consider that step. I highly recommend both a polygraph and psychological screening, but if you can't do both, I definitely recommend you do the psychological screening and it's excellent for determining suitability.

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Sgt. Dave Willson: Let's look at trends. This is an important reminder for the background investigator to look at what prior performance has been conducted by this applicant, and how that might relate to the actual job. Remember past behavior's likely to predict future behavior.

And really that's all we have to go on as an employer is how well have they performed in similar situations in the past. It's very risky to take someone who has performed poorly in a similar situation in the past. And it's also very risky to take and hire someone when you have no measure whatsoever of how they performed in a similar situation.

So, close scrutiny of these areas is very important. So the first one there listed is law enforcement officers hold a position of power. So the natural question would be, "How have they done in previous situations where they've held a position of power?" Have they been in a position of power in the domestic relationship? And has there been domestic violence in that relationship? Regardless of whether or not any charges arose from it. That's something to consider in the application process as to whether or not there are allegations or evidence of domestic violence. How about in a supervisory role when a, an applicant has had power over somebody else in the workplace that's very similar to when they have power over someone in the public who asks for help or is at a scene when they respond.

A law enforcement officer has more power over other individuals acting in their job role, and so we need to evaluate how well have they handled those positions of power in the past? How about leadership roles in the community? Very important to discuss what has this person done when they had power over someone else. Have they been judicious in the use of that power or have they misused it? Very important consideration there. Also, emotional situations, how well have they handled emotional situations?

Do they have experience responding to scenes as a first responder, an EMT, medical professional, something that measures how well they can handle when people are going through very difficult circumstances, and maybe experienced even some physical trauma. Have they been able to act responsibly, and as a leader in that situation? Managing crises, have they exhibited good self-control? Can they stay even keeled and calm a scene well? And they speak in a fashion that brings people to a lower state of stress rather than a higher one.

And self-discipline and how well they plan. Very, very important. What are their personal finances like? While it's not a make or break minimum qualification sort of stuff. It's really important to think what has this person done when they've had power financially? Have they been able to meet their commitments, tell themselves "no" when they want something but can't afford it. Personal finances are an excellent indicator of long-term planning and self-discipline, both of which are very important in law enforcement work.

You have to maintain training and fitness levels. And you have to make good decisions and think about long-term consequences, and that's all very important to evaluate. Prior job performance is absolutely essential. Contact supervisors, contact coworkers, ask if they're the kind of individual who came in early, and stayed late and was willing to work on their days off. Because a public safety officer's job is really pretty much 24/7, every day of the week. They need to be the kind of individual who performs well even when it's not the normal work day. And of course self-discipline is demonstrated in their physical fitness level as well.

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Sgt. Dave Willson: The final hiring decision should be made by an entity or a group of people that are separate from the background investigator themselves. Here's why. As a background investigator goes through the process of learning about an applicant and testing the information that's placed on the application and administering the different steps it's very easy for someone to form an opinion about that person based on the information that's gathered, and that might be a good opinion that creates a bias wanting to hire the person. Or it could be a negative opinion that creates a bias not wanting to hire the person.

The hiring decisions should always be made on evidence gathered. And that not just eliminates some potential liability in the process, but allows the leader who's detached from the situation to have full control over the situation and the hiring process without being biased certainly in one way or the other. That doesn't serve the interests of the entity making the decision. You got to have someone charged to make that final call who didn't do the background investigation. Certainly they will do so based on recommendations by the background investigator. But those recommendations would certainly be made based on evidence that was gathered in the background process.

So it's really important to insulate the different steps of the process as much as possible. The investigation is separate from the hiring decision. Investigation is to determine suitability based on evidence that's gathered and whether or not the individual meets those minimum qualifications. But the background investigators should not make the hiring decision.

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Sgt. Dave Willson: We'll turn over to the next person Fannie.

Fannie Black: Thank you all for joining us today. I'm going to be giving just a brief background on Yuut Elitnaurviat and our programs and then we'll focus specifically on public safety. But Yuut has been around since 2002, providing training in our region, and we're going to be celebrating our 20 year anniversary pretty soon, but our mission is to train people to fill a lot of jobs that we have here in Bethel and the surrounding communities.

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Fannie Black: Here sits our campus. It's a one acre campus right, right outside of city sub and Bethel. We provide housing, cafeteria for all of our students. So all of our students are able to stay on our campus, and all their needs can be met here on campus. And for public safety specifically, all of those students, regardless of where they live, even if they're local to Bethel, are required to stay on our facilities, simply because our VPO academies run almost like a boot camp. Your days start pretty early and go into the evening. And we also want to make sure that our students aren't distracted by anything else going on in the community.

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Fannie Black: So Yuut has six different program departments: adult education, aviation maintenance, construction trades, driver education, healthcare and public safety. While we have students here, and it doesn't matter what training they're here for, we do stress the importance of getting a driver's license. So for our public safety students, our last cohort of students, we actually had two students out of that class get their driver's license. So being able to drive in your community if you have roads, can be very important if you have to respond to incidents throughout the day. And any other programs, if students need help with improving their reading or improving their math, regardless of what program they're in, we do provide those services as well to them.

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Fannie Black: So our VPO academies are anywhere from 15 days for our VPO/TPO Academy. And our advanced academies are 10 days. The VPO/TPO academies altogether cost \$6,600. So it's \$4,500 for tuition, \$2,100 for room and board. This does not include travel expenses for airfare. So that's something to consider as well if you plan on attending our academies. For those of you receiving COPS grants, some of you will be able to use your training funding to pay for this. For those that do not have a training line item in their budgets, the Association of Village Council Presidents does provide financial aid to cadets that live within the Bethel area.

So whether you're from Bethel or a surrounding village, you can apply for a scholarship from that organization. For those organizations outside of the Bethel region, your local tribe, your city or your corporation can help provide financial support to attend. One of the requirements, we do have a number of requirements for the VPO and TPO academies, we do require a high school diploma. As Sergeant Willson mentioned, communication is very important in public safety. So being able to have effective verbal and written communication skills is very important to public safety in documenting incidents. So that is one of the requirements we have for attending any of the trainings here at Yuut. We do require a high school diploma or GED.

We also do background checks for TPOs, Tribal Police Officers. We use court view, the state database to check up people's criminal histories. For Village Police Officers, they are required to go through a background check, they have to provide fingerprints and then those are submitted to the Alaska Police

Standards Council along with their applications. So TPO applications are a pretty short, quick application, for Village Police Officers though there are additional attachments required, the F2, F3 and F4 forms provided by the Alaska Police Standards Council. And those applications actually get submitted to and vetted by the Police Standards Council and not by Yuut.

Slide 21

00:39:45

Fannie Black: Along with the training, we also provide equipment to each of the cadets that come to our training. We provide uniforms including BDUs, shirts, pants, a jacket, caps along with boots, tactical belts and OCS and the carrier. So we provide mace to all of the cadets, a baton and a holster, handcuffs and a handcuff case, a flashlight and a flashlight holder, digital camera and recorder, and a notebook for the reports. So all cadets leave fully equipped, and with these things to provide public safety in their village.

Slide 22

00:40:23

Fannie Black: So some of the topics that we provide training on, we do a little bit of fire safety training. This does not prepare anyone to become a firefighter, but we do teach students how to operate a fire extinguisher. They do actually put out a small fire in a contained area. We do talk about protective equipment when responding to a fire. We do not provide students with protective equipment, but they do know exactly what they'll need if they have to respond to a fire in their community. We also provide medic first aid, CPR training, and also operating an AED device. So in case you have to jump start someone's heart, we also have some training on that. You learn how to do chest compressions. So if you are arriving on a scene with an unconscious person, you will know how to respond to that situation.

We also give training on Miranda rights on arresting, when and where you can arrest, and report writing. This is one very important aspect of our application process as well. We not only incorporate an over the phone interview to assess someone's oral communication skills, but we also ask for a small writing sample as part of the application, so that we can assess their writing skills as well. We also talk about patrol procedures and rural DUI procedures.

Slide 23

00:41:39

Fannie Black: Some other topics that we go over in the training are evidence procedures. We talk about search and rescue, criminal codes, criminal complaints, search and seizure, interview techniques, crime scene investigation, and some of these topics that we go over actually use real life examples and create scenarios to where you might be entering a crime scene, and how do you assess the crime scene, making sure that you're not tampering with any evidence in the crime scene. All the cadets go through these role play scenarios, so that when they go back to their communities, they'll have at least had some experience dealing with crime scenes, and will know how to respond to different crime scenes that they might come across.

Slide 24

00:42:19

Fannie Black: We also talk about use of force. All of the cadets do some hand-to-hand combat so they know how to respond to someone who might be physically violent. Talk about using batons, how you're supposed to use batons to potentially get a violent person to calm down, some defensive tactics so they can respond to any violent people that they may come across, along with the mace. All the cadets get maced so that they know exactly what they're doing to someone if they have to mace somebody.

We also talk about juvenile procedures. Talk about mental subjects, people that might have mental health issues, how you respond to situations where there may be somebody with a mental health issue and domestic violence as well. A lot of these, again, we create scenarios so that we have some role playing. So all of the cadets will get some experience handling these situations, and our trainers use real life situations to train our cadets. Our lead trainer is a retired state trooper who worked in this region for 20 years. He brings along with him other retired VPOs or VPSOs or people who are currently working as a VPO or VPSO in a village, in this region.

So a lot of the scenario is that they're bringing to the training are scenarios that a lot of our cadets may face when they return back to their communities. Our next training is going to be in May. May 28 to June 12, our applications are available on our website. If you do a search on Google for Yuut Public Safety, we should be the first thing that pops up on the search. And if you have any questions about any of the trainings, how to get signed up, feel free to give me a call, or an email so we can get you signed up for our upcoming training. We do provide these trainings twice a year, once in the fall and once in the late spring, we do these trainings.

And they are available not only to people within the Bethel, Yukon-Kuskokwim Delta region, but to people throughout the state. So we have had public security officers, land security officers, school security officers attend our trainings. So it's not only available to VPOs and TPOs. Any public safety officer's able to attend our trainings. And funding, if you have questions about funding, that is something we can also talk about. Our training, all these topics that we go over, our topics you will see at any police academy throughout the country. It is a shortened version of police academy training so you don't get to touch on all the topics that are provided. But our lead trainer has specifically picked these topics based on his experience working in this region, and working in rural policing for over 20 years.

Video Q&A Slide, Slide 25

00:44:56

Matt Lysakowski: Great. Thank you Fannie and thank you Sergeant Willson and thank you Bob as well for that wonderful presentation. I think that was a great comprehensive overview of background investigations, and the training opportunities that are available for TPOs and VPOs in Alaska. We're now going to begin our question and answer session.

Question 1, Slide 26

00:45:14

Matt Lysakowski: We had our first question come in and the question is related to I believe, psychological screening. So I think Sergeant Willson, the question is in general about the psychological screening aspect, I think. So if you could maybe talk for another minute or two about that particular screening criteria and it's importance that would be, appreciated.

Sgt. Dave Willson (00:45:35): The psychological screening. It's generally not meant to determine if there's undiagnosed mental illness or something like that. It's meant to determine suitability for the particular job stressors and job challenges associated with law enforcement work. So it's measuring decision making and recent inappropriate behaviors and risk taking. And the kinds of things that when you get down to the weeds make up why we do the things we do and how we react in stressful situations. And you know, that's, that's kind of a mixed bag, because it's very difficult to guess based on what someone writes down in a computer survey and how they're going to do well as a law enforcement officer.

And so the way they did that is they gathered a huge group of data from a lot of different law enforcement officer applicants, and then track those applicants into law enforcement jobs, and were able to determine correlations between the answer to a certain way on the written test and how they performed a certain way in the job later. And so those correlations are how the statisticians do their magic. And I am not a statistician nor am I a psychologist. But the way I understand it is they're able to get very, very good information to be predictive, meaning be able to make predictions about someone's behavior, based on the written examination portion of it. And the interview when conducted with the psychologist before making those determinations.

So when you're hiring someone, especially someone who doesn't have a lot of work history, it's very, very difficult to decide are they going to be good at this job. And when you're putting someone in a position where they have power over your friends and neighbors and the citizens of the area you're trying to protect, you want to make sure they're going to do a good job and they're going to protect them and not prey on them. And unfortunately in law enforcement, sometimes we've had people, wolves among the sheep and we absolutely cannot have that.

We need to do everything we can and show our commitment to public safety by picking people who are going to do a good job and going to protect our citizens. And so the psychological screening is excellent. An excellent tool, especially for people who don't have a lot of information in their background from what you can draw conclusions on how well they'll do in the job.

Question 2, Slide 27

00:47:47

Matt Lysakowski: Thanks. Sergeant Willson, there was a follow-up to that question about whether there is a fee for the webinar, psychological screening that you talked about. I think you talked about the teleconference type of opportunities that might be available for this type of screening. And I don't know if you know, if there are fees for that type of service, but Bob might be able to speak to that. That could be helpful.

Sgt. Dave Willson (00:48:07): Yes, certainly. We employ a company and the costs range depending on the companies that you're employing. And perhaps even on the number of applications to go through. So I can't speak specifically what it would cost to do. I know that the range is often between three hundred and five hundred dollars. But it's going to be depending on the services and the company that's providing it, but that's certainly a lot cheaper than even sometimes a plane ticket to go to more populated area for an applicant and hotel, et cetera. We think it's a bargain and we've been very, very happy with the under \$500 psychological screening rates that are often out there.

Matt Lysakowski (00:48:39): Great. Thanks Sergeant.

Bob Griffiths (00:48:40): Just to add one thing there, Matt. This is a test that's administered to someone after you've decided to hire them before they started work. But you're offering this kind of a last screening tool to make sure that they're a good fit. You don't give this to every applicant. You do it after you've done your investigation, and you determine that from what you've found in your background investigation, it looks like they're a good fit. And so this is kind of the last final thing that you want to do before you hire them.

Question 3, Slide 28

00:49:10

Matt Lysakowski: Great. Thank you Bob. We had another question come in, and I'll read this one. Under the COPS grant, will the training under the Yuut be acceptable to hire a public safety officer? So I believe the question there is asking whether under the COPS grant program, the training at the Yuut center is acceptable as the required training. And yes, it is acceptable for the required training under the grant program. It's one of the great opportunities to provide, as Fannie described, that sort of abbreviated training academy, in a format that is similar to what a participant would experience in a full, lengthier academy.

And given the situation in rural Alaska certainly, the Yuut training center is a great opportunity for potential officers to attend.

Question 4, Slide 29

00:49:57

Matt Lysakowski: There was another question has come in about, is this webinar being recorded and if we could get a DVD copy of this training. The webinar is being recorded and it's going to be available on the COPS Office website. And we can also figure out a way to get a DVD out to the questionnaire that asked about the DVD option for the webinar as well.

Question 5, Slide 30

00:50:19

Matt Lysakowski: Another question has come in and I'll read this one. What steps would you recommend for tribes looking to start tribal police forces? Some villages have no local law enforcement at all and need feet on the ground to respond. What funding, training or other considerations should tribes keep in mind for TPOs? So I think perhaps all the panelists might have some input on this one, about what starting a police force might look like in those local villages and the training opportunities. So why don't we just start with Bob if you could respond and then we'll go down the line to everyone on this one I think.

Bob Griffiths (00:50:52): Well, you're embarking on a pretty ambitious project to start your own criminal justice agency within a tribal organization. First off, I think that you have to have a strong tribal governance, and you must look to the tribal governors, your council, to adopt council regulations, or laws that you can enforce within your community. Certainly they can adopt the state statutes if they want to, or they can take some other similar kind of actions to prohibit certain conduct that you don't want committed within your community.

But first you have to have that set of rules that you're going to enforce. And then you need to find a strong leader that you can bring on board, that can take charge of developing and implementing a criminal justice agency within the community. Then you'll finally, you'll need some sort of adjudication process for any offender that may be nabbed by your TPOs. You need to have some sort of a process for addressing that conduct, and making sure it doesn't continue. So I'll pass it on to anyone else who wants to take it.

Sgt. Dave Willson (00:51:56): Sure. I'll jump in there. Whenever embarking on a project that you haven't done before, I think it's very prudent to lean on the understanding of people who have done it before and have found success with it. So looking at similar communities that have already developed a program like this, and have encountered some of the pitfalls and problems that come with standing up something brand new, would be a great way of, learning what to do and what not to do, and get some shortcuts there so you're not reinventing the wheel. An establish organization with an advisor, there that has information about what it's like to be doing public safety work in rural areas, and they've established their training program for reasons.

And the curriculum that's there that's been approved by COPS is an excellent way to, you know, pattern what you need to start. Thinking about what to expect from your public safety agency that you're creating. So, in general terms, lean on people who've already been there and done that. And you'll get things started a lot better and without encountering all the problems that people often encounter when they try and invent things for the first time themselves.

Fannie Black (00:53:00): So the only thing I want to add is to attend the Yuut Public Safety trainings, you have to already be hired as a TPO or VPO. So you have to already have an established Public Safety program in your community to attend our trainings, because your supervisor has to sign off on your application, which in some cases has been the tribal council president. If you are in the AVCP region here in Southwest Alaska, they also have a public safety department that can be a good resource for you if you need to start a Public Safety program in your region.

Matt Lysakowski (00:53:33): Okay, great. And I just wanted to also add as far as resources go, the COPS Office has the Tribal Resources Grant Program, which is part of the Coordinated Tribal Assistance Solicitation in the Department of Justice. And that program provides officer salary and benefits, as well as equipment and training costs for the department. So that is an opportunity for resources from the Department of Justice as well. And then I'll also mention on our website, C-O-P-S-dot-U-S-D-O-J-dot-G-O-V, there are opportunities for training and technical assistance, whether it's through our online training portal for web-based learning or whether it's a request to do in person training or technical assistance, particularly through our Collaborative Reform Initiative - Technical Assistance Center where you can request technical assistance around starting a department.

You can request assistance for specific issues you might be having, whether it's substance abuse or domestic violence. So again, check out our website at C-O-P-S-dot-U-S-D-O-J-dot-G-O-V, and look for the resources that we have on there as another opportunity.

Question 6, Slide 31

00:54:36

Matt Lysakowski: We had a couple more questions come in. A follow-up to that last question is about opportunities to cross-deputize TPOs with VPOs or city law enforcement. Would that be advisable? I don't know if any of the presenters can speak to the possibility of cross-deputization and whether that's a viable option in the villages?

Bob Griffiths (00:54:56): Oh, I'll jump in there. That is a very complicated question and it's one that's being addressed across the street from me in the state legislature right now. However, I think I can point to an example, in Alaska where this is being done successfully and that is in Metlakatla. Now admittedly, and Metlakatla is a different kind of tribal entity in Alaska than most of the others, but they have adopted and reached an agreement with the state of Alaska that allows their officers to not only be tribal law enforcement officers, but also be certified Alaska police officers.

They attend the full academy, they get the full training curriculum and they're certified by my agency. They're the only ones in the state that do that. But that doesn't mean that it might not be a viable alternative for other organizations to explore. And we're always open to that kind of discussion and dialogue.

Matt Lysakowski (00:55:51): Thanks Bob.

Fannie Black (00:55:52): So the only thing I want to add was from what I understand TPOs do not have the same kinds of requirements as VPOs as far as background checks go. So in order for something like that to work, an organization or a tribe would have to make sure that their TPO standards match VPO standards when it comes to background checks and hiring practices. Because I do believe TPOs, their criminal history, while we might bar them from attending our training, a tribe sets those standards on their own, which might not be as restrictive as a VPO. That's all I wanted to add.

Question 7, Slide 32

00:56:28

Matt Lysakowski: Great. Thank you, Fannie. I think I'll move on to the next question that came in. And this one is, did you mention what personnel action reporting is required by APSC. So Bob, this one seems like it's up your alley about reporting and I assume they're talking about the VPOs there.

Bob Griffiths (00:56:44): There is going to be a distinction based on the type of position. If you're a tribal entity and you're hiring tribal officers, there is no actual mandated reporting to my agency at all. We would welcome those reports and we would track them, but they're not required. If you're hiring a village officer, which would mean you're in an incorporated city, whether you've got a population of 60, or 600, or 5,000 then you're hiring what we either call a Village Police Officer or a municipal police officer and those need to be reported to us on what's called an F4, or personnel action form.

So when you hire them, you send us the paperwork that says you hired them and if you have any sustained misconduct or serious misconduct or that you terminate the person, or they retire, or hire or quit and move on, then you just send us a form so we can track that as well.

Question 8, Slide 33

00:57:35

Matt Lysakowski: Great. Thanks Bob. The next question is do the individuals have to have high school diploma to get hired as a VPO?

Bob Griffiths (00:57:43): They do not. They do not require it, but it's interesting that Fannie is saying that it's a requirement to attend the academy. So there's a little bit of a disparity there, but our regulations do not require that they have a high school diploma.

Fannie Black (00:57:57): And that's something that we do talk about when people apply to our training. The reason we've required that was because of the report writing, and the need to have effective oral communication skills. We have had cadets come through without high school diplomas and they cannot write a report. Our lead trainer has actually asked us to be a little more strict on that. We do make

exceptions to that rule. We have had made exceptions and a lot of those cadets that we have made exceptions for, we end up having to send home because the reading level is just not at an adequate level to complete the training.

So while we do require it for our training, we will make exceptions in some cases, but it is a question we ask of every applicant whether they have a high school diploma or GED and if they don't, those people will fall to the bottom of our list of students when we're going through and selecting students to attend the class, attend the training.

Question 9, Slide 34

00:58:53

Matt Lysakowski: Thanks Fannie and Bob for that response. Next question has come in and I'll read it out. Since one of the presenters mentioned that we can hire an applicant even if they had a criminal history with changes for becoming a better person. My understanding was that we cannot hire anyone who has had a criminal history. Is there a form that we use to hire an individual who has had criminal history? Bob, are you able to jump in here a little bit?

Bob Griffiths (00:59:24): Certainly I'll be happy to. The requirements that we set in our regulations for hiring Village Police Officers are minimum requirements. And those minimum requirements include that the person not have been convicted of a felony at any time, and that they've not been convicted of a person crime within the past 10 years. We also look at overall history of criminal conduct. A good example would be maybe they haven't committed any crimes recently, but they have a pattern of assaultive behavior, and alcohol abuse and other related offenses. The bottom line is if they have a recent conviction for any assault or related offense, then they're going to be disqualified. And any felony or domestic violence offense will disqualify them.

Question 10, Slide 35

01:00:13

Matt Lysakowski: Great. Thanks Bob. The next question has come in and it's around the hiring process and it says, can you clarify that a TPO who is currently working under the tribe cannot be hired under the COPS grant. So this one is a little more grant implementation related. So I do know there is a non-supplanting requirement for the COPS grant so that the grant funds have to be used to supplement the existing monies that are allocated to public safety, and the positions that you currently have.

So if you do have someone who is currently functioning as a TPO, they generally would not be able to be paid for out of the COPS grant moving forward. You would have to hire a new position in addition to that current one that is working. There are some special exceptions. If you're going to be, for instance, laying that position off, there could be some discussions around that and what kinds of fiscal distress might be going on at your particular Native village or tribe. And I would advise you to reach out to your Grant Program Specialist to discuss those issues, if those come up during the implementation period of the grant.

Question 11, Slide 36

01:01:19

Matt Lysakowski: We had one final question come in around understanding the need to do background investigations for hiring public servants, and asking if there was anything that the state could do to help with this issue in a FTEP type of training. I'm not familiar with that acronym, but perhaps one of you are and asking if we could reach out. So I don't know if any presenters have a response to that, but we can definitely reach out to this individual after the webinar, perhaps hook him up with you, Bob or Sergeant Willson, about coordinating with the state efforts.

Sgt. Dave Willson (01:01:51): I can speak to that just very briefly. The FTEP is the Field Training and Evaluation Program that law enforcement officers go through in order to take their academy training and apply it to the job in their environment. And there's a lot of different ways to go about administering a Field Training and Evaluation Program and I'm sure that the Alaska State Troopers could. you know, give me a call, I could relay those questions to our FTEP coordinator and give them some guidance on where they could find resources to help administering their own program.

Matt Lysakowski (01:02:20): Wonderful. Thanks Sergeant Willson.

Final Statements Slide 37

01:02:23

Matt Lysakowski: I want to give each of the presenters an opportunity to conclude with any final remarks they might have. So Bob, if we could start with you on any final remarks that you might have for us.

Bob Griffiths (01:02:33): Well, I want to thank everybody for paying attention to this issue and being willing to take the steps needed to professionalize public safety in your communities. We're all interested and we all have ownership in making sure that rural Alaska has adequate public safety. We're dedicated to that. We want to support that. And if you have any needs or questions, if we can be of help in any way, please don't hesitate to contact us.

Matt Lysakowski (01:03:01): Great. Thanks Bob and Sergeant Willson.

Sgt. Dave Willson (01:03:04): Certainly I want to echo Bob's statements about reaching out to us if you have any questions at all, we'd be happy to answer those questions, and lend our, our experience to you. This is an important job. It's important work, and finding and selecting someone who can protect your communities. I mean they're really...I can't think of more important jobs so I know you'll take it seriously and do excellent work in finding qualified candidates and we really want to be able to help. So please give us a call. You've got our phone numbers and email addresses. Don't try and reinvent the wheel like I said before.

Anything difficult, you know, definitely lean on the people who've done a little bit, and your circumstances might be very different from ours. But we probably have some things we can share that'll make things a lot easier for you and you're not alone in this. You've got allies for sure.

Matt Lysakowski (01:03:45): Great. Thank you Sergeant Willson. And finally, Fannie, any final concluding comments for you?

Fannie Black (01:03:50): Yeah, public safety affects or touches almost every part of our lives. AN important aspect of our communities and is very, very challenging, especially in rural policing. So I just commend all of you that are taking this on. You're needed and appreciated a lot, especially in our region here.

Matt Lysakowski (01:04:07): Great, thank you. So, at this point I want to wrap things up. I do want to especially thank all of our presenters today. You all did an excellent job in covering this challenging and important topic. All of our contact information is on this slide, so please feel free to reach out to any of us with questions you may have.

The COPS Office is committed to improving public safety in rural Alaska and we look forward to providing additional technical assistance and resources to aid in this effort. I want to thank our presenters and I especially want to thank all of our participants today for taking the time to join us for this webinar. Thanks again, and this concludes the webinar.

TRT: 01:04:41