

Alaska DCRA Implementation Plan

Alaska law enforcement works in a uniquely collaborative manner due to the rural nature of many communities. In some rural locations, there can be as few as one or two local officers. Therefore, within the Alaska Department of Public Safety, the Alaska State Troopers (AST) handle almost all death-in-custody investigations in the state.

Alaska does not currently have a statutory obligation to report death-in-custody data to a state entity.

There are 45 non-federal law enforcement agencies, 13 state correctional facilities, and 15 city jails. The city jails are located in the communities of Utqiagvik, Cordova, Craig, Dillingham, Haines, Homer, King Salmon, Kodiak, Kotzebue, Petersburg, Seward, Sitka, Valdez, Unalaska, and Wrangell. There are no state run or contract boot camps. There are a total of six juvenile correctional facilities in the state. All agencies currently actively participate in the state's DCRA data collection.

AST has regular direct and indirect contact with police agencies and correctional facilities regarding deaths in custody. AST completes reporting for the smaller departments that aren't reporting independently. The AST conduct almost all in-custody death investigations and almost all officer-involved shooting investigations in the state. This leaves very few cases that AST is not intimately involved in.

Training and technical assistance is not provided on a regular basis due to the simplicity of Alaska's death-in-custody reporting processes but would be provided if an entity requested. No TTA is needed from BJA. Alaska does not have an independent death in custody reporting website.

The primary point of contact for death-in-custody investigations and reporting is the Major Crimes lieutenant, currently Lieutenant Shayne Calt. The Captain of Major Crimes, currently Captain Tony Wegrzyn, is the secondary point of contact.

AST regional Major Crimes units report incidents within their area of responsibility to the Major Crimes Lieutenant. The AST Public Information Office (PIO) works with the Alaska Department of Corrections (DOC) PIO. When DOC reports a death, they notify the AST PIO which will then notify the Major Crimes Lieutenant.

In addition, an email is drafted quarterly to major police departments and to the DOC. This email also goes to a DOC intelligence analyst who works in the AST fusion center which is housed at the AST headquarters building in Anchorage. The email is not sent to smaller police departments for whom the AST is responsible for investigating death-in-custody cases, because AST will report on those cases directly.

Please see copy of email below:

“I’m reaching out to all police departments, investigative units, and correctional facilities in the state in an effort to collect some data regarding the federal reporting requirements of the ‘The Death in Custody Reporting Act of 2013.’ This act requires states that receive allocations under specific provisions of the Omnibus Crime Control and Safe Streets Act of 1968 to report certain information regarding the death of any person in law enforcement custody. This may include individuals who are detained, arrested, enroute to incarceration, or incarcerated in state or local facilities. This also includes Officer Involved Shootings (OISs).

As there are many investigations that occur daily, including ones of such magnitude where sometimes the loss of life occurs during interaction with law enforcement, it’s tough for any one entity/agency to keep track of it all. This is the reason I am reaching out to you all in the hopes you don’t mind giving me hand in keep track of such incidents that happen in your respective area(s) of responsibilities that have occurred between XXXX through XXXX. We must do this 4 times a year and this is for the XXX quarter.

I’ve attached the updated excel form that will need to address the reporting requirements for each incident. Again, I’m just asking you to help report incidents that meet the criteria in your area of responsibility and possibly neighboring smaller departments and forward that info to me”.

As AST receives responses to the email, DCRA data is entered by members of the AST Alaska Bureau of Investigations. Further, AST monitors both DOC and DPS department press releases and command notifications to proactively identify potential reportable deaths.

One challenge is the obscurity of what needs to be reported. The name “Death in Custody Reporting Act” would seem to suggest that it includes only in-custody deaths. Yet, the direction given is a scenario where a criminal is fleeing in a vehicle and crashes into a tree that results in a fatality for the assailant. Even though the individual was not in custody, no law enforcement officer had ever touched them, and they died exclusively because of their own actions, this is considered a death in custody. Using this example, a state with a high elderly population in DOC will have a much higher rate of death in custody than a state with a lower elderly population. To overcome those challenges, states would benefit from a less ambiguous definition of ‘in custody’. Otherwise, the statistics become watered down and meaningless. Another challenge is having a clear roadmap of the reasons for reporting, exactly what to report, and how reporting can impact funding. Not all agencies across the country understand exactly why reporting is needed and how it impacts funding; if this was better communicated, it would make DCRA reporting more of a priority for smaller agencies and would make it easier for State Administering Agencies to receive the information.

The primary method of data collection is through email and Report Management System (RMS). The RMS is a police report writing and report management system that is used by several police agencies in the state, including the Alaska State Troopers. Agencies submit records into it during the normal course of their business typing police reports. In-custody deaths are reported to BJA using the data import feature.

DPS does review and clean records prior to submission to BJA by researching the data submitted to DPS using subject identifiers and descriptors in the Alaska Public Safety Information Network. All agencies in Alaska use the Alaska Public Safety Information Network – APSIN, and DPS does review decedent data prior to submission to verify the identity of the decedent. DPS also reviews the circumstances of death using police reports and press releases. Because there are so few deaths to report, DPS has the ability to verify the identity of all decedents.

Any records that are open for pending investigation are followed up on by the Alaska Bureau of Investigations, regardless of which police agency the open investigation is occurring in. Once concluded, the Alaska Bureau of Investigations Major Crime Lieutenant updates any open or pending investigations.

Alaska has a very collaborative relationship with all law enforcement agencies in the state. The smaller agencies rely heavily on AST for manpower, training, transportation and major crime investigations. There has not been a deficiency identified in the death in custody reporting process to bring significant improvement. If any agencies do not respond to the email requesting a report, the Major Crimes Lieutenant will follow up with that agency directly. If an agency ever developed a habit of not responding, the chain of command for that non-reporting agency would be contacted to resolve the situation, however, there are no repercussions that AST can implement if a local agency does not report.