



STATE OF ALASKA
Department of Public Safety
MEMORANDUM



To: All Personnel
Department of Public Safety

Date: March 16, 2005

Telephone: 907-269-5086

From: William L. Tandeske
Commissioner
Department of Public Safety

Subject: Commissioner's
Directive C-05-01
Towing Services

Effective March 16th, 2005 the following revision to OPM Section 209.090, TOWING SERVICES, supercedes the existing OPM Section 209.090, TOWING SERVICES.

209.090 TOWING SERVICES

A. *The minimum requirements to be on the rotational list.* The following will be the minimum requirements a towing service must have to be on the Department's rotational lists:

1. A current State of Alaska Business License for operating a towing service.
2. Minimum "On hook" insurance in the amount of \$50,000.00 or more.
3. "Garage Keepers direct primary coverage" insurance based on the number of state impounded vehicles in the lot at any one time. One to fifteen vehicles would require \$400,000.00 in insurance, sixteen or more would require One Million Dollars in insurance.

B. *Background checks of the owners.* The owners and persons with a financial interest in the towing company will have their criminal histories checked. Convictions for the following shall preclude someone from being used by the Department:

1. "Honesty crimes," theft, burglary, perjury, false report, embezzlement, etc.;
2. "Obstruction of justice crimes," escape, destruction of evidence, harboring a fugitive, etc.;
3. Drug offenses.

C. *Posts may establish certain local requirements.* Posts may establish reasonable local requirements in addition to those outlined in this section for the towing services on the Department's rotational lists. Examples of some requirements would be; fencing of the impound yard, the towing service's vehicle identification requirements (permanent vs. non-permanent), whether or not multiple business licenses allow a towing service multiple slots on the rotational list, whether the towing company must file a fee schedule with the Post, etc.

D. *Utilization of all services.* Except where the Department has entered into a contract for towing and impound services the Department shall fairly and equitably utilize all towing services available that meet the requirements of State Statutes and Regulations, and this policy. If the Department must select a service, a rotational call list maintained by the department will be used. No member shall recommend a particular towing service.



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E. *Disposing of abandoned vehicles.* The sale of abandoned vehicles that are not claimed from the towing service is outlined in AS 28.11.070.

F. *Funds from the sale of abandoned vehicles.* After deducting impound, advertising, and selling costs, the towing service shall remit the net proceeds of sale to the Department to be placed in the Abandoned Motor Vehicle Fund or disbursed to the owner/lien holder. [Ref. AS 28.11.110]

MEMORANDUM

State of Alaska

TO: All Commissioned Personnel
All Holders of DPS OPM

DATE: 5/16/2003

FILE NO:

FROM: William Tandeske
Commissioner
Department of Public Safety

TELEPHONE NO: 465-4322

SUBJECT: Commissioner's
Directive C-03-01
Court Service Officers as
'primary escorts'

This Commissioner's Directive is effective immediately and remains in effect until rescinded, revised by later Commissioner's Directive, or until the November 1, 2002 OPM is superseded.

The purpose of this modification to the OPM is to allow, when circumstances dictate, for Court Service Officers to act as "primary escort" for transport of prisoners outside the state.

This directive replaces OPM Sections 216.030 and 121.050 with the following revised language:

216.030 ESCORT QUALIFICATIONS

- A. *Intrastate escort qualifications.* Alaska State Troopers, Deputy Fire Marshals, Court Service Officers, or municipal police officers may perform prisoner escorts within the State of Alaska. Retired members may be used as the second escort for transports requiring two officers. (Escorts must have the required documentation to complete the escort to include escort identification and prisoner documents.)
- B. *Interstate escort qualifications.* For all transports outside the state the primary escort must be a current Alaska State Trooper or Court Service Officer. In addition to current Alaska State Troopers or Court Service Officers, individuals from the following groups may be used as secondary escorts at the discretion of the JS Unit Supervisor or the Warrant/Fugitive Section Supervisor; Municipal police officers (armed), Deputy Fire Marshals (armed), retired Alaska State Troopers (unarmed), and corrections officers. (Escorts must have the required documents to complete the escort to include identification and prisoner documents.)
- C. *Non-DPS personnel must be familiar with DPS policy.* Prior to beginning any trip, non-departmental personnel must be familiar with DPS escort procedures; specifically OPM 107 and OPM 216.040.
- D. *Escorts to view training video.* All escorts must view the Department's training video pertaining to prisoner escort and civil aviation.

121.050 OUT-OF-STATE PRISONER TRANSPORTATION

Court Service Officers may be authorized to conduct out-of-state prisoner transports subject to the following limitations:

1. The CSO must be issued a Special Police Commission [Ref. AS 18.65.010] so that he may travel armed with a concealed weapon. These Special Police Commissions are limited to the duties and responsibilities for the purposes of prisoner transports outside the State of Alaska.

MEMORANDUM

State of Alaska

TO: All DPS Personnel

DATE: July 23,2003

FILE NO:

FROM: Bill Tandeske
Commissioner
Department of Public Safety

TELEPHONE NO: 465-4322

SUBJECT: Signing BATF Forms
OPM Section 199.310

Effective 7-23-03, the following revision to OPM section 199.310, Signing BATFE Forms, supersedes the existing OPM section 199.310:

199.310 SIGNING BATFE FORMS

The Department of Public Safety shall accept for review Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) forms during normal state business hours. BATFE forms may include those forms necessary for transfer and registration of fully automatic firearms, silencers, short-barreled rifles, short-barreled shotguns as well as destructive devices (explosives).

Employees shall accept the forms only from an applicant 21 years of age and older and appearing in person at a DPS office and only after satisfactory photo identification has been provided to establish that the person presenting the form is the applicant on the BATFE form. A legible copy of the acceptable form of photo ID shall be made and included with the documentation described below.

Forms will only be accepted from those persons whose primary residence is within an area where AST serves as the primary police agency.

Employees accepting the forms shall conduct an APSIN/NCIC criminal history check and an APSIN case involvement inquiry on the requesting person and attach the results to the form even if the results indicate no criminal history or case involvement. The form, legible copy of identification and APSIN/NCIC criminal history and case involvement printouts will be provided to a commissioned person at the rank of Sergeant or above. The commissioned person will review the information for consideration of approval.

If no information exists to indicate that the person will use the firearm for other than lawful purposes and no information exists that the receipt of the firearm would place the person in violation of state or local law, it will be the policy of the department that the BATFE form will be signed by a commissioned person at the rank of Sergeant or above.

Under the guidelines established by this policy, all commissioned DPS personnel at the rank of Sergeant or above are delegated the authority to sign these forms on behalf of the commissioner. In order to fully comply with the BATFE instructions for completion of the form an indication of the delegated authority must be made on the line titled "Signature and Title of Chief Law Enforcement Officer" in section 17 of the form. The employee signing the form must print the name and title of the commissioner of DPS, followed by the word "by" and the full signature and title of the person signing under the delegated authority. Additional information may be obtained by reading section 2(e) of the instructions provided with the form.

If no commissioned person at the rank of Sergeant or above is available at the submitting location, the employee accepting the form will inform submitting persons of potential reasonable delays in transmitting the forms to another location for review and approval. The submitting person will be provided an estimate of the time involved and the name and number of a contact person who will be able to provide information as to the status of the forms.

If approved, a copy of the signed form along with the legible copy of identification and APSININCIC criminal history and case involvement printouts will be forwarded to the Alaska Concealed Handgun Permits office at Anchorage headquarters where the records shall be securely retained for a period of 5 years. A copy of the signed BATFE forms only will be forwarded to detachment headquarters. The signed form only will be provided back to the submitting person. Do not provide the APSIN/NCIC criminal history and case involvement printouts to the submitting person.

If record checks present information that suggests that a denial of DPS sign-off is appropriate, the forms and supporting documentation will be forwarded to the detachment commander for a final decision. A reasonable time, normally not to exceed three business days, may be allowed for the detachment commander's review. Documentation supporting denial will be retained in the same manner as approved requests.

A submitting person with any sort of criminal history or case involvement should receive careful review prior to approval of BATFE forms. If there is anything in the person's record that makes the person ineligible to possess a weapon under state or federal law the form must be submitted to the detachment commander for consideration of denial. Some examples of circumstances that might disqualify a person from being eligible to possess a weapon would be:

- 1) Any felony conviction including those convictions that were later set aside under AS 12.55.085,
- 2) Any conviction for a crime involving domestic violence as defined in AS 18.66.990
- 3) Illegal alien status.
- 4) Fugitive from justice status.
- 5) Subject to a domestic violence protective order.
- 6) Dishonorable discharge from the military.
- 7) Current or previous judicial commitment for or adjudication as a person with a mental disorder.
- 8) Any case involvement suggesting that the applicant is an illicit substance user or involved in the illicit substance trade.

The ACHP office will receive the forms and documentation as indicated above, mark them with a date received and file them in a secure area. Additionally, ACHP will record the information on the forms into a local Access database that will allow for the ready retrieval of the record by person, weapon, denial approval, accepting post and accepting detachment.

No fee will be charged for this service.

cc: Deputy Commissioner Bachman
Ms. Gretchen Pence, Special Assistant To The Commissioner
Ms. Nita Hensley, Special Assistant To The Commissioner