

By Commissioner Marc Antrim  
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Governor Murkowski recently vetoed \$461,900 that the Legislature had added to the operating budget to have Alaska State Troopers begin transporting Anchorage municipal prisoners to court. Since then there have been threats of lawsuits and heated statements by municipal officials about the state not taking care of its responsibilities. The Governor's veto was based on sound public policy and was the right thing to do. Here's the rest of the story.

The Anchorage Police Department arrests suspects for violations of municipal ordinances and takes them to the Anchorage Correctional Complex. The municipality pays the Department of Corrections for the time suspects stay there awaiting trial on city charges. If the person is convicted and given a jail sentence, the city pays for the time spent in jail. Prosecutors employed by the Municipality of Anchorage handle the criminal cases and, if the person pays a fine, that money goes to the municipality.

In other words, persons arrested for violating municipal law are treated as municipal prisoners, and it's the municipality's responsibility to handle the case and pay the cost of incarceration. This whole brouhaha boils down to one minor point: Should the state transport municipal prisoners to and from court? For this one purpose, and this one purpose only, the municipality wants to treat these persons as state prisoners, but there is no getting around the fact that this is the responsibility of the Municipality of Anchorage.

This is the same situation in all cities in Alaska that charge persons with violations of city ordinances. This administration has been working with municipalities to take on more responsibility, not less, for public safety in their communities. It would be inconsistent and unfair for the state to pay for transportation in Anchorage – but nowhere else.

When the Knowles administration entered into an agreement with the Municipality of Anchorage regarding the operation of the new Anchorage Jail, language regarding prisoner transport was included. I'm sure the municipality can hire expensive lawyers who will spend lots of city money arguing about what the agreement means. But the intent of the agreement was to reflect how prisoners were being transported at the time the agreement was signed.

The contract intended the state to transport state prisoners to and from court, the Municipality of Anchorage to transport municipal prisoners to and from court, with the Department of Corrections transporting municipal prisoners to and from medical appointments at no extra cost to the city. The agreement was not intended to change anything and, after it was signed, the Municipality of Anchorage continued to transport municipal prisoners to court as it had always done. The city's interpretation that the state is now somehow responsible for transporting municipal prisoners is not consistent with the way the agreement was originally implemented.

That same agreement specifies that the Municipality of Anchorage will pay the Department of Corrections a flat rate per year to house all municipal prisoners charged with violations of city ordinances. But this doesn't begin to cover the state's costs. The fact is that the state already is subsidizing the actual costs to house prisoners for Anchorage to the tune of an additional \$3 million dollars per year.

There have been very few discussions on this topic between the state and the municipality, so it's hard to understand how municipal officials can say this is a "dispute" that can only be resolved through a lawsuit. The Department of Public Safety, the Department of Corrections and the Anchorage Police Department are solid partners in law enforcement in Alaska, and will continue to work cooperatively as we have in the past, if only the rhetoric is dialed down.