

**CITY OF UNALASKA
UNALASKA, ALASKA**

RESOLUTION 2016-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNALASKA, IN SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.

Whereas, State of Alaska Statute AS 12.55.135 Sentences of Imprisonment for Misdemeanors establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, defendants convicted of assaulting or harassing port and harbor employees in several recent cases have received sentences well below the minimums established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, the City of Unalaska supports Alaska Association of Harbormaster and Port Administrators efforts to strengthen the deterrent to unlawfully assault or harass port and harbor employees throughout the State of Alaska;

Now therefore be it resolved that the City Council of the City of Unalaska supports the addition of port and harbor employees to the list of employees covered by State of Alaska Statute AS 12.55.135 Sentences of Imprisonment for Misdemeanors, which establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS 22th DAY OF NOVEMBER 2016.


MAYOR

ATTEST:


CITY CLERK



MEMORANDUM TO COUNCIL

TO: MAYOR AND CITY COUNCIL MEMBERS
FROM: PEGGY MCLAUGHLIN, PORTS DIRECTOR
THRU: ERIN REINDERS, ACTING CITY MANAGER
DATE: NOVEMBER 22, 2016
RE: RESOLUTION 2016-73: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNALASKA, IN SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135

SUMMARY:

This resolution would be an endorsement from the Unalaska City Council to add harbor employees to the list of public safety employees, emergency responders, and peace officers listed in Alaska Statute AS 12.55.135. By adding harbor employees to the list of sentences of imprisonment for misdemeanors, defendants convicted of assaulting or harassing a harbor employee would carry the same penalty as if they had assaulted a peace officer, firefighter, correctional employee, emergency medical technician, paramedic, ambulance attendant, or other emergency responder or medical personnel.

PREVIOUS COUNCIL ACTION:

No previous Council Action

BACKGROUND:

This is a resolution of support for the Alaska Association of Harbormasters and Port Administrators in its attempt to include Harbor employees in Alaska State Statute AS 12.55.135.

DISCUSSION:

State of Alaska Statute AS 12.55.135 Sentences of Imprisonment for Misdemeanors establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals

Port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians

paramedics, ambulance attendants or other emergency responders or medical professionals. In Unalaska, our Harbor Officers are in uniform and will often assist with various Public Safety calls. Many times they can be the first on the scene of incident. The Alaska Association of Harbor Masters and Port Administrators believes that Port and Harbor employees should be included in the Alaska Statute AS 12.55.135 so that misdemeanor assault and harassment on a harbor employee acting in the capacity of support for peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professional carries the same penalties already established.

The Alaska Association of Harbormasters and Port Administrators believes that harbor employees are often acting in the capacity of Peace Officers throughout the State and the Association is championing the efforts to include this in the State Statute. This is the second effort of the Association to bring this forward, and we are hoping that, with the nod of support from the local councils and assemblies, we will be successful and add a layer of respect for harbor employees and hopefully a deterrent to assault and harassment. The Alaska Chiefs of Police Association also support this effort and we are asking for the support of the Unalaska City Council.

ALTERNATIVES:

- 1) Council could fully support Resolution 2016-73
- 2) Council could choose to not support Resolution 2016-73

FINANCIAL IMPLICATIONS:

This has no financial implication to the City of Unalaska.

LEGAL: N/A

STAFF RECOMMENDATION:

Staff recommends approving this Resolution

PROPOSED MOTION:

I move to approve Resolution 2016-73

CITY MANAGER'S COMMENTS:

I recommend passing this Resolution