

INVESTIGATIVE REPORT REGARDING THE ANCHORAGE POLICE DEPARTMENT'S E-911 EMERGENCY RESPONSE TO THE PATRICIA GODFREY RESIDENCE

Date of incident: August 3, 2002
APD report number 02-039245
OVR complaint no. 02-004

The Alaska Office Of Victims' Rights

In 2001, the Alaska legislature enacted a law that created a new agency called the Alaska Office of Victims' Rights (OVR). The OVR's purpose is to help victims of crime obtain the rights they have been given under the Alaska constitution and statutes with regard to their contacts with criminal justice agencies in this state. The OVR was created in the nature of an Inspector General's office within the legislative, rather than the executive branch, as a way of avoiding conflicts within state government. It was also to ensure that the director and his staff would have the necessary independence to investigate criminal justice agencies, provide opinions regarding the proper functioning of such agencies and make appropriate recommendations in their effort to help crime victims and their families. The law, which may be found in Alaska statute (AS) 24.65.010-.250, went into effect on July 1, 2002.

The OVR has undertaken an investigation of the complaint filed by Mrs. Patricia Godfrey regarding the Anchorage Police Department's (APD) emergency response on August 3, 2002, to the Eagle River residence of Glenn and Patricia Godfrey located at 22953 Eagle River Road. This report contains the OVR's opinions, findings and recommendations and is published pursuant to AS 24.65.160. Mrs. Godfrey has consented to disclosure of her name and other pertinent information about this incident and has provided written authorization allowing for the publication of this report per AS 24.65.150.

Patricia Godfrey's Complaint

Patricia Godfrey has filed a written complaint with the OVR regarding the response by APD to her home after her husband Glenn Godfrey Sr. was murdered and she was shot four times and seriously wounded by Karen Brand who then committed suicide. The primary issue raised by the complaint is the delay in providing immediate medical assistance to Mrs. Godfrey.

The second basis for her complaint regards release of confidential information relating to her home address and telephone number, as well as her daughter's home telephone number, in the E-911 tape and transcript released by APD to the media at a press conference on August 22, 2002.

Information Reviewed By The OVR

AS 24.65.120 provides that during an investigation, the OVR is authorized to “make inquires and obtain information considered necessary; hold private hearings; and notwithstanding other provisions of law, have access at all times to records of justice agencies...” necessary to protect victims’ rights. AS 24.65.130 authorizes the OVR to subpoena documents and objects, and to command the appearance of persons who may have relevant information about a matter under investigation to give sworn testimony.

In accordance with these laws the OVR subpoenaed records from the APD as well as the Municipal Office of Management and Budget. Additionally, records, data, and information were subpoenaed from Resource Data Inc. (RDI), an Anchorage computer software applications developer that had contracted with the APD to improve the accuracy of the E-911 database. Altogether, approximately 4,105 documents were subpoenaed and reviewed during this investigation.¹ The OVR also heard sworn testimony from APD Chief of Police

¹ Notations citing “BATES” references indicate the page of the record provided by the Municipality of Anchorage in response to OVR’s subpoena.

Walt Monegan and Deputy Chief Mark Mew.² The Municipal legal department cooperated with OVR subpoenas and requests for information.

The OVR interviewed numerous private individuals who have relevant information about the facts of the Godfrey incident, as well as the inner workings of the APD dispatch unit. Individuals interviewed included the Godfrey's neighbors, members of the public and other witnesses as well as representatives from Alaska Communications Systems (ACS) and the Matanuska Telephone Association (MTA). Finally, the OVR considered information within the public domain.

Finding Number 1

Release Of Confidential Information By The Anchorage Police Department Violated Victims' Rights

The Anchorage Police Department violated both Patricia Godfrey and her daughter's statutory right of confidentiality when they improperly released private information, her home address and telephone number, and her daughter's home telephone number. This violation occurred during a press conference held in the Chief's conference room at APD on August 22, 2002. Both Mrs. Godfrey and her daughter are considered victims as that term is defined in AS 12.55.185(16). AS 12.61.110 provides for confidentiality regarding the location of a crime victim's residence address and telephone numbers.

The law relating to release of such information is clear. Whenever a report, paper, picture, photograph, court file, or other document that is in the custody or possession of a public officer or employee relates to a crime and contains the residence or business address or telephone number of a victim or witness, that person may not make it available for public inspection unless the residence and business addresses and telephone numbers of all victims and witnesses have been

² Notations citing "Depo" pages refer to their Deposition.

deleted. Neither the written transcript of the E-911-dispatch tape, nor the audiotapes released to the media, were edited to remove this confidential information prior to release to the public as required by law. During his testimony Deputy Chief Mark Mew could not give an explanation for why the phone numbers were not redacted from the transcripts given to the press. [Mew Depo 147-149].

Finding Number 2

APD's Delayed Emergency Response Violated Patricia Godfrey's Right To Immediate Medical Assistance

The evidence in this case establishes that APD's response to Mrs. Godfrey's E-911 call for help violated her statutory right to immediate medical assistance. The evidence shows that moments before calling E-911, Mrs. Godfrey had been shot four times by Karen Brand. While speaking to the APD call taker, Mrs. Godfrey heard additional gunfire within her home.³ This and other information concerning the shootings that had just occurred was communicated to the police call taker. The APD dispatch log shows arriving officers made contact with Patricia Godfrey at 1:18 AM. Her E-911 call was placed at 12:29 AM, some 49 minutes earlier. Crime victims have a right to immediate medical assistance as provided in Alaska statute (AS) 12.61.010(a)(7).

While the delayed response by police and paramedics was due to a combination of different factors that are discussed immediately below, they were all foreseeable difficulties that could have been prevented. It is the Municipality's responsibility to maintain the E-911 system and keep it updated. See AS 29.35.131--29.35.137; AMC 26.65.010. The evidence is clear that the APD emergency dispatch system was simply inadequate and unable to quickly pinpoint the correct physical location of the Godfrey residence. The situation was

³ The evidence gathered later by police shows that Karen Brand fired another round into Glenn Godfrey Sr., who had already been wounded and lay dying, and then took her own life.

aggravated further when dispatch personnel did not react promptly and decisively once it became apparent, or should have become apparent, that the system was in active failure. These combined errors significantly delayed commencement of the rescue effort and unnecessarily aggravated Patricia Godfrey's already serious medical condition. Her life was thereby endangered to an even greater degree, and her physical recovery may have been prolonged by these failures.

APD's response in this case has raised serious questions about how this could have happened, and whether it could happen again. This report examines these and other important questions. At the conclusion of the report the OVR offers several recommendations, which are intended to avoid a reoccurrence of this unfortunate incident. This has always been Mrs. Godfrey's sole objective in filing her complaint against APD.

The evidence subpoenaed from the Municipality shows that as soon as her E-911 call was answered at APD, Patricia Godfrey told the dispatcher that she had just been shot four times, that her husband had also just been shot, that the shooter was still in the residence and that she needed immediate medical assistance. Significantly, she did not tell the call taker from where she was calling. Rather, the call taker asked her to confirm that her address was "22953 Eagle River Road." [E-911-transcript p.3] Mrs. Godfrey replied "that's right" and elaborated that she was at "mile 4.6 Eagle River Road". [E-911-transcript p.3]. The address information relayed to the call taker's computer was correct, but APD's computer database contained an error that prevented the program from accepting the address as a valid, existent address. As will be explained in greater detail below, the computer instead suggested an alternative address of "Eagle Glacier Loop" and the call taker, in his haste to get help to Mrs. Godfrey, accepted the computer's suggestion.

The radio traffic log indicates that uniformed officers were dispatched to 22953 Eagle Glacier Loop at mile 4.2 Eagle River Road. [Dispatch log p.1]. The address that officers were dispatched to did not exist. Mrs. Godfrey waited 49

agonizing minutes before help arrived, all the while pleading for assistance and even offering directions and landmarks by which to find her residence, all to no avail.

Twenty-one officers prepared written reports in the Godfrey case. The majority of the reports list the location of the incident as “22953 Eagle Glacier Road”; “22953 Eagle Glacier Loop Rd”; “27593 Eagle River Rd”; a minority of reports list the correct address, “22953 Eagle River Rd”. Every police report generated in the case however indicates that the officers were as frustrated as Mrs. Godfrey at the lack of clear address information given to them by the dispatcher and the time it was taking to find the residence. Eventually, it was an off duty police detective who heard the sirens, saw the confusion and called dispatch to inquire. He then quickly helped officers on the scene locate the Godfrey residence.

It is clear from the transcript of Mrs. Godfrey’s E-911 call that the call taker and dispatcher were aware of her correct street address. It is clear that Mrs. Godfrey confirmed her street address and provided the exact mile marker. It is clear that Mrs. Godfrey, when desperate for help, repeatedly asked the call taker to call her daughter for directions and provided the dispatcher landmark information such as “it’s a mile past P & M gardens” to no avail [E-911-transcript p.24]. The call was never made to her daughter. During his Deposition OVR asked Chief Deputy Mew why the dispatcher or call taker did not call Mrs. Godfrey’s daughter as she repeatedly requested. Chief Deputy Mew stated that the call taker “did not recognize the potential that such a call might further satisfy or answer the address problem.” [Mew Depo 137] He did say that policy bars death notifications to be made over the phone, and that was what the call taker focused upon. The call taker did pass the information to his supervisor who instead of calling Valery, tried to keep Mrs. Godfrey lucid and talking on the telephone. Ultimately the decision was made not to call Valery Godfrey.

This investigation has focused on attempting to answer some basic questions presented by APD's response in this case. Why did dispatchers send police to 22953 Eagle Glacier Loop Road when the Godfrey residence is located on Eagle River Road? How could APD dispatch officers to an address that doesn't even exist? What is the protocol for checking the reliability of the E-911 database information? Does one exist? Why didn't APD simply use the Internet to find the house when it became apparent to dispatchers who were encountering difficulties locating the Godfrey dwelling?⁴ Who bears responsibility for the many errors that occurred in this case? Has this ever occurred before? Can the people of Anchorage feel safe and assured that this will never happen again?

Finding Number 3

The Delayed Response In This Case Was Not An Isolated Event

The situation that occurred in the Godfrey case is not an isolated event. In the weeks following the Godfrey incident, several cases came to light that involved similar errors. For example, on August 19, 2002, a Mountain View resident called APD to report a possible burglary in progress at the Mayfield Cleaners. The caller stated the business was located next to the Louis Mizelle Memorial Park in Mountain View; the call taker assured the caller that she knew of the location. When the dispatcher looked up Mayfield Cleaners, the APD Tiburon database gave her the address for Mayfield's Quality Cleaners on DeBarr and Columbine.⁵ The burglary was occurring at Mayfield's drop off location in Mountain View, which has two names out front, E & S Diversified and Mayfield's Quality Cleaners

⁴ Directions to the Godfrey residence were easily available on search engines used by real estate agents and even by the general public. The writer quickly located the Godfrey residence on a publicly accessible database called www.anchoragelive.com and the city's GIS portal, <http://gisweb.ci.anchorage.ak.us/webportal/mainframe.htm>.

⁵ The Municipality maintains a computer database called Tiburon, purchased from Tiburon Inc. in the mid 1990's as part of an E-911 system upgrade. Tiburon uses a geographical database that maps by plats based on information from the Municipal Public Work's database.

– but is only listed in Tiburon as E & S Diversified. Police were on scene within six minutes – but it was the wrong location. Police were eventually directed to the correct location some 35 minutes later when the burglar alarm triggered a response. APD attributed that incident to human error.

Another APD dispatch error occurred on October 10, 2002, when dispatch received a call about a body in the JC Penney Garage in downtown Anchorage. Police were sent to the caller’s location rather than the location of the decedent. The computer trace on the location of the call was correct – but the dispatcher did not listen to the caller who told her that the incident occurred at a different location - the JC Penney Garage. The failure of the dispatcher to carefully listen to the caller resulted in a one hour delayed police response to the correct scene. According to documents provided by APD, these types of data errors occur frequently, at least once a week, but usually more often than that. Mrs. Godfrey’s call was the first one that was a grave emergency. [BATES 4018]

In order to understand how the series of errors occurred in the Godfrey case, as well as others, it is helpful to discuss APD’s E-911 system operation.

- **The E-911 System Is Within Municipal Jurisdiction**

The Municipality has jurisdiction over the emergency E-911 system pursuant to AS 29.35.131--29.35.137 and has proclaimed in its own Municipal code that:

The establishment, operation and response to calls utilizing the system is a part of the Municipality's coordinated effort to provide emergency aid to its residents and visitors. As such, **the processing and response to a E-911 call is considered by the Municipality to be an integral part of providing emergency care or counseling.**

[Emphasis added] AMC 26.65.060, AO 93-109.

Further, the Municipality has directed phone and emergency service providers that:

Any wire line or wireless telephone company providing service within the Municipality shall, together with the police department,

fire department and other emergency service providers using the system, cooperate in the establishment of an enhanced E-911 emergency reporting system to serve the entire Municipality. The assembly hereby designates the entire Municipality as the enhanced E-911-service area for the Municipality under AS 29.35.137(1).

AMC 26.65.010.

- **Telephone Surcharges Pay For The Municipal E-911 System**

As part of the establishment and maintenance of the E911 system, the Municipality assesses a “surcharge of \$0.50 cents per month per local access line and for each wireless telephone number that is billed or sold to customer with an address within the Municipality” AMC 26.65.050. The surcharge is “collected to fund the enhanced E-911 system [and] shall be reviewed annually to determine whether the level of surcharge is adequate, excessive or insufficient to meet the anticipated enhanced E-911 system needs.” AMC 26.65.050. Eagle River is a part of the Municipal police service area. AMC 27.30.130. The E-911 system was operational in Eagle River and three patrol units were stationed in the area on August 3, 2002. Yet it took officers 49 minutes to arrive at the Godfrey residence. It is the Municipality’s responsibility, by its own regulations, to provide emergency aid to its residents, which necessarily includes maintenance of the E-911 database.

- **An Explanation Of How The Data Is Processed**

When a phone call comes into the E-911-dispatch center, through one of the telephone companies, the data works it’s way through the various wire lines and switches as a seven-digit number. The number hits the East Wire Center in Anchorage and is checked against the Master Street Address Guide (MSAG), a database fed by Municipal Public Works’ data. The data then gets electronically relayed to another computer housed at APD, the HP3000, which then appends the

name of the account holder and the address information known to the Automatic Location Identification and Automatic Name Identification (ALI/ANI) database. That information is then transferred to the call taker's computer screen and is checked against APD's Tiburon data.

The E-911 information relayed from the phone company is called ALI/ANI. The "ANI" is the caller's name and the "ALI" is the caller's location, similar to a caller ID system but with address data as well. The information relayed from the phone companies is based on the information that the homeowners give the phone companies. Phone companies do not, and are not required to verify address data or even to check for data accuracy against any other source. As Deputy Chief Mew put it during his testimony, "garbage in, garbage out. I don't have the authority to make the phone company do business the way I want them to do business. This is the phone company's data, it's not mine." [Mew Depo 40]

When asked whose responsibility it is to audit the system's data to make sure it is not garbage, Mew explained that, given the loose terms of the existing contract with ACS which does not clearly define that aspect of data management, it would be difficult to hold phone companies responsible. [Mew Depo 41] But, he added, "I would maintain it's ACS's responsibility. ACS may give you a different view of that." [Mew Depo 41]

Mary Ann Pease, Vice President of Investor Relations was the ACS representative designated to speak with OVR. Ms. Pease explained that ACS has not had a signed agreement with the city in over two years, but nonetheless continues to provide service under the expired version of the contract. The contract that ATU (currently ACS) and APD entered into years ago was a contract for raw data only – no checks or verifications of accuracy were contemplated. Any given phone company cannot claim ownership of ALI data because Federal Communication Commission (FCC) regulations prohibit one phone company from owning another company's customer data. She did add that APD has the capability to correct the ALI data.

As mentioned above, the Municipality maintains a computer database called Tiburon. The city also maintains a GIS website containing maps of all the taxable real property in the Anchorage area. The property tax assessor's website had the correct data for the Godfrey residence, while the E-911 emergency response database did not. The error that blocked the Tiburon program from accepting the Godfrey address was not present in the city's other websites and mapping programs. When asked to explain that ironic flaw in the system, Deputy Chief Mew expounded on the subject.

Mew explained that in 1995 when APD set up the current version of the E-911 system, the computer gurus and the city manager made the decision that the official database for the city was going to be RoadNet, maintained by the Department of Public Works. The tax assessors, on the other hand, use a database called CAMA. CAMA, Mew explained, is known to be very good with mailing addresses but not necessarily with physical addresses because the tax assessors main concern is to get tax bills to taxpayers, "So what is important to them is knowing where to send your mail, not necessarily where your house is." [Depo 45]. CAMA data is sold to many private companies that add their own information to it as well. Mew also testified before the OVR that the Anchorage Fire Department relies on CAMA to an extent as well. In this case, CAMA had the correct information for the Godfrey house, but Mew stated that its error rate is generally high.

GIS maps of the entire city are readily accessible on the Internet by private citizens through the city's GIS portal at <http://gisweb.ci.anchorage.ak.us/webportal/mainframe.htm>. Yet, dispatchers did not have access to such information at their call taker stations on the night of the Godfrey shootings. The Municipal intranet contains real property information and GIS maps of Anchorage based on real property taxes and were derived from the Municipal zoning and planning department. The Municipal intranet is accessible from each computer terminal in the dispatch unit. Until the Godfrey incident occurred, dispatchers were

unaware that their computers had access to such information. [BATES 3999]. However, because they were not trained on how to access the information, in a high pressure setting it is doubtful they would have been able to navigate through the information even if they knew that they had that capability.

Finding Number 4

The E-911 Database Contained An Error That Caused The System To Non-Verify The Godfrey Address

When asked how long the system has been “broken”, Deputy Chief Mew testified “the system is not broken, the data is broken ... the data has always been broken.” [Mew Depo 161]. Dispatch relies on two main sources to confirm addresses – the Tiburon CAD system and the map book. In this case, both contained erroneous information. Chief Monegan testified that when Tiburon was originally placed into service it was only 45% to 50% accurate. [Monegan Depo 14]. While officials state that Tiburon now operates at 95% accuracy, they have also conceded that part of the problem is the difficult process by which APD corrects the address errors that come to their attention. According to Deputy Chief Mew, when APD identifies a problem, “There is a process in dispatch, they write it up, they give it to data systems people, the data systems people call Public Works and/or the phone company, depending on what the nature of the problem is. They correct it, the underlying databases are fixed, and then ... they update the systems. And then the new system has, for instance if they do it monthly, then a month's worth of errors get fixed in one upload.” [Mew Depo 22]. Many of the remaining errors in the Tiburon database are in the Eagle River area.

The Tiburon database and the Public Work's RoadNet database are both mapping systems used by E-911 for address verification. These programs maintain their records in range data format. Range data takes a map and separates it in to segments, each representing a block or street, and containing a numerical

range of addresses that exist on that block. For example, Tiburon will display 22643-23123 Eagle River Road, but will not show exact lot or plot lines. If an address is within the numeric range of possible addresses, in this case between the numbers 22643-23123 on Eagle River Road, the computer verifies the address. If the database does not recognize the address as valid, it will display other similar sounding and possible choices based on the first three letters of the street name. So, for Eagle River Road, Tiburon uses “Eag” and one could expect to see choices like Eagle River Loop, Eagle River Lane or Eagle River Spur. The call taker must make the decision to either take one of Tiburon’s suggestions or override Tiburon and enter in a non-verified address.

In this case, the Tiburon program could not verify 22953 Eagle River Road as an existing address due to a data error that affected 14 lots adjacent to the Godfrey residence. An error unknown to APD until this incident occurred resulted in an overlapping segment in the database. The computer had overlapped or hidden a string of addresses on Eagle River Road, so that when an address within that range was entered for verification, it was rejected as outside the realm of possible addresses. The computer then did a soundex search for similar sounding street names whose address range data could contain that address. However, the expected alternative names did not appear; instead it came up with Eagle Glacier Loop.

Making a split second decision based on his training, call-taker Miller chose to override the Eagle River Road address initially given by the computer in favor of the suggestion provided by the Tiburon program. This allowed the Tiburon address of Eagle Glacier Loop to become the address sent to the dispatcher’s computer. The dispatch supervisor on duty, Jeri Wallin did not catch the error. Dispatcher Welling, who picked up the call, dispatched all available units to “22953 Eagle Glacier Loop”, an address that unbeknownst to him did not exist.

To further complicate the problem, the map book that APD officers carry with them in their patrol cars incorrectly labeled the Godfrey residence as well.

The Godfrey residence was marked as “22993”. While there was not a “22953” on Eagle Glacier Loop, the map book showed an unmarked vacant lot on that road. That map book is not produced by the city, rather by a private company and is used mainly by taxicab companies. Officers can purchase the book themselves to carry in their patrol cars and many do so. Officers deduced that the unmarked lot was the house they were looking for and that the map book was not up to date. Even if officers had been looking for “22953” on the blocks adjacent to Eagle River Loop, which would include Eagle River Road, the Godfrey residence was not clearly marked with a legible address. The address written with a marker on the mailbox next to the Godfrey’s driveway was worn, faded and would have been difficult to see. However, the homes on either side of the Godfrey residence were clearly marked and the addresses were in sequential order.

Chief Deputy Mew attributed much of the problem in the Godfrey case to the ALI information and the manner in which MTA enters the address data. [Mew Depo 141]. The Godfrey residence is located at mile 4.6 Eagle River Road, in the Glacier View Heights subdivision. The address data sent from the phone company showed an address of “22953 Eagle River Road #Glacier.” Jackie Whitstine of MTA explained that it is not uncommon for MTA to place a pound sign after an address and add the subdivision name as a way to help repair techs find a customer. MTA maintains that they have consistently entered their data in that manner and have not had any problems. It is possible that had the “#Glacier” not been in the main address line, the Tiburon program would not have keyed into that word. Chief Deputy Mew explained that the method in which MTA enters their data is not only contrary to the way other phone companies enter data, it is “not the standard that Tiburon recognizes...what Tiburon is using and what MTA is using is different.” [Mew Depo 141]. While the format that MTA used to enter the Godfrey address information did not alone cause the address verification problem, it is probable that when Miller looked at the address and saw “#Glacier”, he accepted the Tiburon “Eagle Glacier Loop” address more readily due to the

similarities. One may also speculate as to the other address possibilities the computer would have given had the “#Glacier” not appeared in the address field.

Adding another layer of difficulty, APD’s Tiburon database had not been updated at all in the four months prior to the Godfrey incident, meaning that even if the data error had surfaced prior to Mrs. Godfrey’s E-911 call, it would not have been repaired in the computer. At Municipal Public Works, the practice calls for weekly database updates. APD has no regular practice of updating their data. The update prior to the Godfrey call was done in April 2002. Prior to that an update was done in November 2001. While the goal was monthly updating, the reality was that updates were done only a couple of times a year. [BATES 4004]. APD has been trying to pilot a project to put computers in patrol cars and that project has taken manpower away from database updating. [BATES 3982]. After the Godfrey case, APD did a scan of all the Eagle River addresses that were rejected by the computer and found roughly 320 Eagle River addresses that did not verify. [Mew Depo 35].

Finding Number 5

The Shortage Of Employees In The Dispatch Unit Contributed To The Delayed Response In The Godfrey Incident

The dispatch unit is authorized to employ 56 non-sworn employees and one sworn supervisor. The last time dispatch was at near to full staffing levels was in 1999. In 2001, dispatchers worked over 13,000 hours of overtime, much of it ordered due to lack of personnel. [BATES 222]. The dispatch center was in critical condition. In an internal APD memorandum from the Director of Employee Relations, David Otto, to Chief Monegan dated August 31, 2001, Otto explained that the understaffing “has caused a very evident decline in morale, the result of being held over or ordered in early for a shift on a regular basis, or ordered to work on one’s days off. It has also had a severe impact on employees’

families and lifestyles. More employees are using sick leave due to exhaustion and stress-related causes. Others are openly discussing or actively seeking employment elsewhere where more predictable hours are the norm.” [BATES 204]. APD and the Municipality were at odds over what measures could be taken to raise employee morale, increase retention and recruitment levels, while saving money and pursuing the Mayor’s goal of doing more with less.

The excess overtime has strained dispatchers and resulted in careless errors that could be avoided. Deputy Chief Mew stated, “our dispatchers are incorrect in not paying attention. They should listen to what people say, they should either follow their instructions or compare with the data and make a reasonable decision...I’m seeing a trend where we are too willing to rely on electronic information and too unwilling to ... rely on the human information ... or [to] lend credibility to it.” [Mew Depo 67, 69]. But dispatchers are so overworked, “reasonable” becomes a relative term and it is not hard to understand how they operate on “auto-pilot”, unable to carefully listen and fully absorb the information from callers. The incident involving the body found at the JC Penney’s parking garage discussed above is a good example. The caller told the dispatcher the correct location of the body: the JC Penney parking garage. But the dispatcher directed responding officers to a nearby garage: the Municipal Bus Accommodation Center, the caller’s location as displayed on the dispatcher’s monitor.

According to records provided by the city, in the two weeks prior to the Godfrey call, the four people who handled the call as call takers and dispatchers had logged 20-70 hours above and beyond a standard 80 hour pay period. Jeri Wallin worked 152.5 hours; Billy Miller had worked 102; Louise Dunn had worked 100 and Eric Welling had worked 101. [BATES 3982]. Given overtime hours of that magnitude, it is not hard to understand how errors of judgment could occur.

Lieutenant Kris Miller supervised the technical services section at APD, which encompassed dispatch, data systems, the crime lab and the property and evidence room. In an Assembly Public Safety Committee Meeting on September 10, 2002, Miller told assembly members that dispatch was having a difficult time getting people to apply for open positions. She explained that the long hours and forced overtime do have a noticeable and understandable effect on the rate of human error. She said that ultimately, the solution was more personnel. Assembly member Fay Von Gemmingen related a story about a friend of hers who was a college graduate who applied for a dispatcher position in May and as of October still had no definite offer of employment. Miller explained that it was likely due to lack of available Field Training Officers (FTO's) to supervise the new hires. Ms. Von Gemmingen answered "Well, obviously if you are shorthanded to the point where it's critical, shouldn't somebody find some Field Training Officers? ... Just don't say we don't have them available". Lieutenant Miller responded, "Anybody have a better idea, I would love to have it because we are really in a crisis." The assembly asked Lieutenant Miller if more money would help to which she replied, "I can honestly say I don't know."

On September 13, 2002 Lieutenant Miller was informed that, effective September 16, she would be transferred back to the patrol division. Chief Monegan replaced Lieutenant Miller with Lieutenant Stephen Smith. He explained that while the decision to move Miller out of dispatch was not directly related to the Godfrey response, he was "getting frustrated with the pace ... of her making the transition. ... Steve [Smith] was a better tool to get it done quicker than Kris was." [Monegan Depo 12]. Lieutenant Miller had headed up the dispatch unit for roughly a year.

Finding Number 6

City Government Knew That The APD Dispatch Unit Was In Trouble Over A Year Ago

On November 13, 2001, in an address to the Municipal Assembly, the Mayor proclaimed that: “Public safety has been, will be and is the highest priority for this administration.” However, a month later the Mayor vetoed a provision that would have added money to APD’s budget in order to hire more dispatchers. At the December 12, 2001, meeting of the Municipal assembly, the assembly contemplated the Mayoral veto of item 3.A.15. Overriding the Mayor’s veto would have added about \$160,000 to APD’s budget, earmarked to fund support staff in the dispatch unit and the crime lab.

Assemblyman Tesche recognized the crisis of manpower in APD, as well as severe shortages in dispatch and the crime lab. He cautioned that, “The phrase ‘meltdown’ has been used too many times to describe the support staff and the situation at the Anchorage Police Department.” He felt this was a critical public safety amendment that should be restored to the budget and urged a “yes” vote on the override of the Mayor’s veto. Chairman Traini agreed, stating that he had recently met with the support staff and they indicated that this area was being stressed to the breaking point. Ms. Clementson said she appreciated the fact that they were hiring new dispatchers. She supported the concept of it, but not the funding source. APD Officer Rob Heun urged the assembly to prioritize the need as opposed to the funding source.

Chief Monegan then told the assembly that APD had hired seven dispatchers during the summer. He explained that the process to train a dispatcher was to put them through an eight-week academy followed by hands-on training with other dispatchers. Six to eight months was required before a dispatcher could work on their own he said. The Chief stated that he only had a finite number of trainers and with 11 dispatchers in the queue they would be overwhelmed. He said

APD could hire more dispatchers, but they would not be utilized. On December 12, 2001, the assembly voted against overriding the Mayor's veto and no additional money was directed towards hiring additional dispatchers.

Finding Number 7

The Municipal Project To Clean Up Database Errors Was Never Completed

In early 2000, the Municipality published a "Request for Proposal" (RFP) term contract soliciting companies to submit bids for a project that would "provide additional resources as necessary to respond to a variety of GIS related projects and general technical support." [BATES 407]. A company called Resource Data Inc. (RDI) won the contract that was capped at \$180,000 over a two-year period. The RFP indicated that there are 250 known address *ranges* that did not contain all of the valid addresses of the corresponding street segment. Those errors affected an unknown number of actual addresses. The errors existed in the RoadNet database. The RFP was designed to identify and correct the address range problems before they are found through the process of attempting to enter them into either the CAD or Records Management System at APD. Deputy Chief Mew indicated that the contract was intended to clean up the Tiburon geofile because it contained "more errors than we were comfortable with." [Mew Depo 18-21].

Work began on the contract in December of 2000. At the outset of the RDI project, 15,062 errors were detected. As of January 23, 2001, 1,900 errors remained. The contract did not expire until October of 2002 but work on the contract ceased before all the errors were fixed. All work ceased even though there was \$72,495 dollars, and several months left in the contract term. There remained an unknown quantity of errors left in the database as well. RDI had proposed to "declare victory over bad address files" explaining that "it is reasonable to assume that in the future there may be addresses that will not properly geocode. We suggest that a set of procedures for fixing these be set up

for APD/DPW staff to consider.” Such procedures were not at work in this case, since such geofile errors contributed to the delay in the Godfrey case. Deputy Chief Mew explained that the RDI project was put on the back burner when the individual responsible for oversight of the contract retired from APD. He was unaware of the status of the project at the time of OVR’s Deposition.

Finding Number 8

Police Response Time Calculations Published In The Citizen’s Guide To The Budget Are Inaccurate And Misleading

The Municipality produced a document called Investing for Results! A Citizen’s Guide to the Budget which was posted on the Municipal website on October 1, 2002. The document purports to explain the budget process to the citizens of Anchorage and assure them that they are getting their money’s worth of public services. On page 14 of that document, there is a chart that depicts average police response time claiming an average response time of six minutes in the first quarter of 2000. However, contrary to that claim, there is no way to track police response time according to Deputy Chief Mark Mew. [Mew Depo 30-32] APD can only keep a record of when an officer arrives on a scene. However, the dispatch system always assumes that they arrived at the correct location. According to Deputy Chief Mark Mew, there is no way for APD to track whether the officers have responded to the correct location or not.

In the Godfrey case, for instance, the first officer radioed in to the dispatch unit that he was on scene within 7 minutes of the call being dispatched. However, that officer, as well as all the others who told dispatch that they were “on scene” were not actually at the Godfrey residence until nearly 49 minutes had elapsed. When APD’s computers run a record of response time, the Godfrey case will reflect a response of only 7 minutes rather than the actual response time of 49 minutes.

Deputy Chief Mew testified, “My personal opinion is the response time numbers are not good, and they tell you essentially nothing important. And I have cautioned on a number of occasions that City Hall should not use those measures. And I have sent City Hall several scholarly reports on the foolishness of relying on response times to tell you anything about -- anything useful about your police service. However, we are going to report response times.” [Mew Depo 31]. The Municipality has published the numbers in an effort to show the people of Anchorage that their city government works and that, should they need a police officer, the response time will be minimal. But the numbers mean nothing, are misleading, and merely create a false sense of security in the minds of voters who are being asked to pay taxes. Even more troubling, as testified to by Deputy Chief Mew, City Hall has been made aware that the response time claims are inaccurate but continues to use them.

Finding Number 9

The Municipality Does Not Follow The Law Mandating Review Of The E-911 Surcharge

As part of the establishment and maintenance of the E911 system, the Municipality assesses a “surcharge of \$0.50 cents per month per local access line and for each wireless telephone number that is billed or sold to a customer with an address within the Municipality” AMC 26.65.050. According to the Municipal Code, the surcharge is “collected to fund the enhanced 911 system [and] shall be reviewed annually to determine whether the level of surcharge is adequate, excessive or insufficient to meet the anticipated enhanced 911 system needs.” AMC 26.65.050. The annual review of the E911 surcharge is required to be conducted by the chief of police and the office of management and budget. AMC 26.65.075. The review of the “revenues generated from the surcharge and the expenses incurred for operation, maintenance, and upgrade of the enhanced 911

system” is for the purpose of “determin[ing] whether the level of surcharge is adequate, excessive or insufficient to meet the enhanced E911 system needs.” AMC 26.65.075. Chief Walter Monegan testified he has not done such a review in the year and a half that he has held the position of Chief. [Monegan Depo 7]. Nor was the Municipality able to produce any such report ever prepared by APD or the Municipal Office of Management and Budget.

It is a cause of concern that there is no report to show where the surcharge revenue goes or what it is spent on, especially because the State Legislature recently broadened the E-911 surcharge to allow collection of the 50-cent surcharge on wireless phones. This will result in even greater revenue flowing to the Municipality with no way for the public to determine where the money goes.

In October, APD proposed another bond measure to the Assembly that, if approved, will ask the voters for another \$1,750,000 to add to the E-911 project. [Mew Depo 11]. Deputy Chief Mark Mew summarized the situation stating, “It’s a massive project. And it’s one that we have known for some time that we needed to do”. [Mew Depo 11] Mew testified that he had hoped to use the revenues collected from the 50-cent wireless surcharge towards the E-911 system upgrade. Due to budget problems in city government, the surcharge revenues are now directed towards offsetting the dispatch unit’s operating budget instead of towards a system upgrade. [Mew Depo 79].

Finding Number 10

APD Is In Need Of New Computer Equipment

In early September 2002, the month following the Godfrey incident, a group of three private citizens were appointed by Mayor George Wuerch to observe APD dispatch and make recommendations for improvement. The appointment followed several critical media reports concerning APD’s delayed response to Mrs. Godfrey’s E911 call for help. The three individuals were a reporter for the

Associated Press, a local community activist and an individual who owns a database address service called “Motznik” that is sold to collections agencies, investigators and some law enforcement agencies. (APD purchases search time from “Motznik” database for \$50.00 an hour.) It is unknown what criteria were used to select the three individuals or how they were selected.

The observation team spent roughly three to four days observing the dispatch unit and individual police officers on “ride-alongs”. Deputy Chief Mew testified that he estimated that the team might have spent 20 hours each on their project for a total of 60 hours of research. [Mew Depo 89-90]. The team was also asked by the Mayor to determine whether he should appoint an “oversight committee” to monitor dispatch operations long term. Instead of preparing a written report, which could have been available to the public, the three individuals gave an oral report to the Mayor, according to Deputy Chief Mew. [Mew Depo 90]

Mew testified that the team advised against appointment of a permanent “oversight committee.” The team also concluded that there was nothing wrong with the computer technology. The Mayor was quoted in an article in the Anchorage Daily News dated October 13, 2002, as saying “We keep chasing this technology thing. I mean you can spin your wheels and a whole lot of the public’s money unnecessarily. Are we delivering the service? That’s the bottom line.” In truth, the bottom line is that the Municipality is not delivering E-911 services as well as represented to voters nor as well as such critical services must be delivered. Part of the problem is the outdated equipment that supports the E-911 system that is at the end of its useful life and will soon be obsolete.

While the Mayor’s office indicated that it does not see the need to devote resources towards the acquisition of new hardware and software, it is a need APD has been aware of for some time. According to Deputy Chief Mark Mew, APD was told back in 2000 that the E-911 system they were using was outdated and “couldn’t be purchased anymore, it was too old”. [Mew Depo 9]. It had grown to

be a “cobbled-up, aged system that wasn’t as streamlined as it ought to be.” [Mew Depo 13]. The contractor hired to study the E-911 system and make recommendations for its improvement, indicated that the HP3000 ALI host computer must be replaced as a priority explaining that the “platform is obsolete and will soon lose maintenance support.” [BATES 323]. He also declared that the existing “telephone workstations are now obsolete and should be replaced with current generation equipment.” [BATES 324].

In addition, the FCC has mandated that E-911 providers must soon become capable of tracking calls from cellular phones and have ordered the process to be well underway by 2005. Anchorage is not close to achieving this technology. At the current time, cellular calls come in with ANI data only, and there is no ALI data associated. This means that there is absolutely no way to track a cellular call to E-911 other than relying on the caller to know where they are. Implementation of wireless E-911 tracking will require an entirely new way of handling E-911 calls, requiring new hardware and software. [Mew Depo 108].

Finding Number 11

The Attempted Improvements In The Dispatch Unit Have Not Proven Successful

In an effort to improve working conditions within the dispatch unit, APD switched to 12-hour shifts for dispatchers, which reduced operating costs, allowed employees to work an assigned schedule without the fear of being ordered to work on their days off, and resulted in voluntary rather than forced overtime. [BATES 215-216] Even with this step in the right direction, in August of 2002, there were 38 employees and 1 supervisor, rendering the unit understaffed by 32%. In September 2002, the dispatch center was down to 32 employees, 4 supervisors and was preparing to loose one employee and one supervisor by the end of that month. [BATES 204, 246]. In the same month, dispatchers worked 448 hours of overtime,

70% voluntary, 30% involuntary overtime. [BATES 3708]. Further, an employee survey given in June of 2002 indicated that 75% of dispatch center employees found 12-hour shifts easier to manage with regard to personal schedules and appointments; 72.4% said 12-hour shifts are mentally more demanding; 46.6% stated their stress levels were unchanged; and 32.1% found their stress levels higher with 12-hour shifts. [BATES 239]. Between January 2002 and August 2002, APD lost four veteran dispatchers and there is still a shortage of replacement candidates. While remedial measures have been taken, the dispatch unit remains gravely understaffed.

In response to increasing concerns over understaffing, APD sought applicants for call taker positions, as opposed to dispatch trainees, and the positions were reclassified so as to hire a broader range of applicants. But with the reclassification came a new pay scale and APD advertised call taker positions with salaries that start at just \$13.00 an hour. Viewing the starting salaries juxtaposed with 12-hour shifts, grueling pace, emotional and mental stress and difficulty of the work, it is not hard to see why APD is having trouble soliciting quality applications.

Effective August 28, 2002, and in response to the Godfrey incident, APD issued a directive relating to non-verifiable E-911 caller locations. The directive indicated that APD could expect to continue to experience database errors and deficiencies in mapping and addressing systems for an unknown period of time. [BATES 999]. Because of this, a new policy to deal with unverified addresses was created. The policy directed dispatchers and call takers to “restate the location to the caller, rechecking for transposed numbers, correct street suffixes...if the location given by the caller is still not accepted...the user shall use the *Override* option...then immediately consult a map book and obtain from the caller directions...”. [BATES 999]. While this procedure seems fairly intuitive, up until the Godfrey incident, there was no such directive in place.

In response to the Godfrey incident, APD installed a computer in the dispatch room that has Internet capabilities and that contains several new searchable databases. Personnel were told that the computer should be used “to locate/identify caller, especially for E911 calls with incorrect or missing ALI information.” [BATES 1149]. In a series of e-mail messages back and forth, one senior dispatcher asked: “Who do I contact to train me?” The response from the dispatch center Sergeant was “Anyone in the room who has been trained.” To which the senior dispatcher replied “Nobody [has been trained] but some have played with it, is that the same thing?” The answer: “In my book, yes”. The reply from the senior dispatcher was “Aaaaauuuuuggggghhhhh.” That sense of frustration is warranted given the confusion, bureaucracy and inertia thwarting positive changes within APD’s E-911 system.

Office of Victims’ Rights Recommendations

A. Follow Recommendations Enumerated in The Doolittle Study

Chief Monegan testified that APD did realize that their E-911 system was reaching the end of its useful life and because of this engaged the help of an independent consultant. APD hired Doolittle & Associates, to “advise the Municipality on its E-911 plans and replacement plans and to advise the Municipality on how to proceed with ushering in wireless E-911” according to Deputy Chief Mark Mew [Mew Depo 8]. William Doolittle started work in February or March of 2002 on the project after being selected in late 2001. His written report was completed August 14, 2002.

Doolittle made a series of recommendations to APD that would result in a streamlined, efficient and technologically sound E-911 system. The study estimated that the Municipality would need to spend \$1.6 to \$2.4 million dollars to upgrade the E-911 system effectively. Chief Deputy Mew stated that he has \$1

million left over from a 2001 bond measure passed by the voters. He estimates asking the voters for another \$1.75 million in 2002.

The study made recommendations for 20 separate improvements ranging from operational configuration changes to legislative measures. For example, Doolittle indicated that the ALI host computer is obsolete and will soon lose maintenance support. In addition, he stated that the existing telephone workstations that the dispatchers use are obsolete as well. He explained, “even though the infrastructure for the Municipality’s E-911 system is currently functional, there are sufficient issues with technical support, telephone workstations, management information systems and logging recorders to justify a system upgrade as a priority project.” [BATES 324] According to Deputy Chief Mark Mew, APD plans to implement all of the recommendations in the Doolittle study and hopes to have those in place by mid 2004. [Mew Depo 13] However, Mew stated that it would be about twenty years before Anchorage has reliable locator information for cellular phones. [Mew Depo 15]. The Doolittle study recognized the need for a carefully managed, comprehensive E-911 system upgrade project. In addition to those recommendations, OVR has compiled the following list of additional upgrades that should be considered a priority.

B. Create A Centralized Standardized Database For All Users

There is a need for a consistent way throughout the Municipality to enter, maintain and manage address information. One of the best improvements that can be made is also one that Deputy Chief Mew put on his “wish list” – namely a centralized database, a master file or standard format database that could be used by APD, AFD, utilities, public works, the tax assessors and any operators who do business with the Municipality. The data would be entered in a standard format and be accessible by all subscribers. This would eliminate database discrepancies like that which occurred in the Godfrey case. This described system is the method used by the “showcase town for addressing standards, which is Cincinnati [Ohio]”

according to Mew. [Mew Depo 53]. The City of Cincinnati, Ohio created an Oracle based GIS application that has over 600 users throughout the metropolitan area. Mew hopes to see the day that Anchorage can follow Cincinnati's lead and create a "master GIS file that all other files must verify against before they could be sold, transferred, used or anything else." [Mew Depo 53].

C. More Regular Database Updates Should Be Scheduled

APD databases should be routinely audited for errors and all errors should be fixed before dispatch discovers the problem in an emergency situation. Commonplace names should be integrated to reduce the number of problems like the "Mayfield Cleaners" call of August 19, 2002. In addition, the APD databases need to be updated so that they are complete and comprehensive. At this point, trails, trailer parks and many other areas such as bike paths are not mapped at all. [Mew Depo 102]

D. Allow Members Of The Public To Verify Their Information

Deputy Chief Mew testified that there is currently no way by which the public can check their database information to ensure correctness of their ALI data. [Mew Depo 58] Documents subpoenaed by the OVR from APD indicate that in response to the Godfrey incident, APD together with the Department of Public Works, had set up a phone number where members of the public could call to verify their database address. However, that number was not widely disseminated through the media or any other means and it is not clear whether such a number exists. Deputy Chief Mew stated that he hopes to eventually establish a phone number where the public can call and have a recording tell them 'you are calling from XYZ location, if this is correct, push 1'. If there is an error, the system would direct the caller to contact the appropriate agency or company and give the applicable phone number to call and fix the problem. This would

allow for a system self check that is not susceptible to human errors such as typing ‘Street’ versus ‘street’ versus ‘st.’ and so on. OVR recommends that a permanent automated phone number be established for residents to check their ANI/ALI information, and directing callers with address errors to the correct contact agency for changes or updates to their address data.

E. Implement Wireless E-911

Deputy Chief Mark Mew testified that it will “probably take 20 years before any city gets reliable, accurate cellular ANI/ALI, for a variety of technical reasons”. [Mew Depo 15]. Six years ago, the FCC mandated that E-911 providers must be well on their way to implementation by December 31, 2005. The FCC recognized that “wireless E-911 is a vital step toward applying technology to improving public safety. For many Americans, the ability to call for help in an emergency is the principal reason to own a wireless phone.” [BATES 1137]. As it stands now, the city’s E-911 system cannot recognize any area codes on wireless numbers, nor can the system track where a wireless caller is at the time of the call.

In an emergency situation, if a caller cannot talk, but manages to dial ‘911’, there is no present way for police to find the location of the caller. APD should improve the E-911 system and move towards implementation of wireless E-911 capabilities.

F. Dispatch Improvements

Qualified dispatchers should be hired in relation to need rather than whether there are FTO’s available. The training program should be revamped to accommodate constant hires rather than turning qualified applicants away while there is still a personnel shortage. Chief Deputy Mew agreed that the dispatcher-training program is too long. [Mew Depo 123] The training program needs to be streamlined in a fashion similar to the program for APD recruit trainees, e.g., the

dispatch FTO program needs to have a firm ending date for the dispatch trainees rather than the present practice of continuing FTO training for dispatchers indefinitely. The pay scale of police dispatchers and call takers should be compared with that of fire department dispatchers (who are paid at a higher hourly rate) to determine whether the job descriptions of each are comparable. If so, pay for each should be comparable, as this will ensure that the jobs are attracting the highest quality applicants. It will also reduce the temptation for experienced APD dispatchers, who are paid less for the same work, to leave APD to work for the fire department.

An additional dispatcher or two should be scheduled for on each shift in order to reduce forced overtime and allow an extra person to handle other dispatch responsibilities such as manning the 'crime stopper' phone. The Municipality should look into national dispatcher training. William Doolittle & Associates' website contains a comprehensive list of national dispatcher training centers.

G. Create A Standardized Process And Timeline For Completion Of Internal Personnel Investigations

As of October 2002, APD had not finished the internal investigation nor had disciplinary measures been taken against any of the employees involved in the Godfrey case. Deputy Chief Mew testified that sometimes internal investigations can take over a year to complete, and that there was no timeline for completion of the Godfrey internal investigation. [Mew Depo 33]. The dispatch employees involved in this case have a right to have any review of their job performance that has been questioned by their superiors resolved in an expeditious manner. Indeed, the continued pendency of APD's internal investigation, with no resolution in sight, can only serve to be a source of stress on the involved dispatchers as well as their co-workers. This additional stress can be avoided by requiring completion of investigations in a timely manner.

Another reason favoring prompt resolution of internal investigations is to promote public confidence. Public confidence in its police department is fostered when personnel investigations following an event such as what occurred in the Godfrey case are closed as soon as possible without great delay. The policy of permitting internal investigations to continue with no required timeline for completion is not in the public interest and should be changed.

H. Update Contract With Telephone Companies

The contracts that APD and ACS are operating under are outdated and need to be renewed and revisited with respect to responsibility for data accuracy.

I. Legislation Mandating Address Standardization And Better Home Identification Should Be Considered.

In 1998 the Municipal Planning Department did a survey of all the housing units in the city. The primary purpose was to update housing stock and determine where there were vacant parcels throughout the Municipality. Even four years ago, the Municipality knew that Eagle River was a problem area because of lax addressing standards. The lack of uniform addressing standards for all Municipal departments and utilities is a long-standing problem. There is a need for a land use information system that is capable of maintaining a complete and accurate record of land, property records and addresses. The Municipality should consider hiring an address standards expert to assist.

CONCLUSION

The Alaska Office of Victim's Rights finds that the actions or omissions of the Anchorage Police Department violated Mrs. Godfrey's statutory right to confidentiality as well as her right to immediate medical assistance. Both Mrs. Godfrey's and her daughter's statutory rights to keep their addresses and phone numbers confidential were impinged upon when APD released such information to

the media at the August 22, 2002 press conference. Mrs. Godfrey's agonizing 49-minute wait for medical assistance was the result of a combination of factors which were avoidable.

The delayed emergency response was not an isolated event and in the weeks following the Godfrey case, several cases came to light that involved similar errors. The Municipality of Anchorage maintains responsibility for the E-911 system operations by way of its own enactments and the system is funded through a surcharge on residential and business telephone account holders. The database that drives the emergency response system is different than that used by other municipal departments. That database contained a data error that prevented the system from verifying the Godfrey address as a valid address and it instead suggested an address that did not exist. The error that affected the Godfrey address affected the homes in the surrounding area as well. APD databases have no mechanism to check for accuracy and problems may or may not be fixed on a piecemeal basis in the event errors are discovered. Since the discovery of the error in the Godfrey case, affirmative steps have been taken by APD to implement a process to quickly find and correct errors. However, it is probable that undiscovered errors remain in the database at this time.

The first call taker who spoke with Mrs. Godfrey made an error in judgment by using the invalid address suggested by the computer rather than the correct address originally displayed on his monitor. He also disregarded the explanation of how to get to her home given by Mrs. Godfrey. That call taker had worked 102 hours in the two weeks preceding that call. The dispatch unit at APD has not been fully staffed since 1999. The unit's severe shortage of employees results in long hours of forced overtime that have a noticeable effect on the rate of human error. In response to the employee crisis in dispatch, APD implemented 12-hour shifts to reduce forced overtime and the technical services section supervisor was replaced.

City government elected not to give APD additional funds with which to hire more dispatchers in December of 2001. In addition, the project to clean up the city's database address errors was never completed, despite remaining errors, and it should have been. This was so even though there was a contract in place and money remaining under that contract to complete that vital work. The Municipality relies on inaccurate data to persuade voters that the police force responds quickly to emergencies despite the knowledge that such numbers are erroneous. The method in which the city calculates response time yields a response time of 7 minutes in the Godfrey case rather than the actual 49 minutes it took to get help to Mrs. Godfrey. Further, the Municipality does not comply with its own ordinance directing an annual review of the E-911 surcharge on telephone account holders yet APD plans to ask the citizens for \$1.7 million dollars to fund a system upgrade.

The independent consultant hired to study the E-911 system and replacement plans advised that the system be upgraded as a priority and that new hardware and software would be necessary. It is noted that the equipment utilized currently cannot accommodate wireless E-911 and the FCC has declared that E-911 service providers should have wireless E-911 underway by 2005. Yet, the team of three private citizens appointed by the Mayor to observe the dispatch unit determined that new computer equipment would not be necessary.

The E-911 system upgrade project should include adherence to all of the recommendations for improvement proposed by the consultant. In addition, the creation of a centralized database for all municipal users should be considered. Regular database updates must be scheduled and the public should have a mechanism to verify that their address is correct in the E-911 database. APD should reevaluate the terms of their contract for data with the telephone utilities and address contractual responsibility for data accuracy. The dispatch unit's training program needs to be streamlined and salaries reevaluated. Internal investigations should have a time line for completion. The need for uniformed

municipal addressing standards and possible municipal legislative action should be considered.

MUNICIPALITY’S RESPONSE TO THE ABOVE REPORT

Alaska statute 24.65.160 is the law that spells out the procedural steps that the OVR must observe in order to publish its recommendations and opinions following an investigation like the one in this case. In pertinent part, it says that “The victims’ advocate shall include with the opinion any reply made by the agency,” which in this case was the Municipality of Anchorage. In accordance with that statute, the OVR provided a complete copy of the above 33-page report to William A. Greene, Municipality Attorney, on November 8, 2002. The Municipality possessed and presumably studied, the OVR’s report for two weeks. On November 22, 2002 Mr. Greene sent the city’s reply to the OVR. The Municipality’s complete response to the OVR’s report is set forth at the foot of this document. The following comments relate to their response and is provided here to supplement the OVR’s original report.

- The Municipality’s Response Is Inadequate

The OVR’s investigation was prompted by a police response that was frightening to all of Anchorage’s citizens; a response that might easily have ended with yet another death but for Ms. Godfrey’s courage. Indeed, that she has survived seems a miracle to many. The goal of the OVR’s investigation and the report that followed, was an effort to identify the underlying causes for that failed police response. OVR additionally endeavored to suggest remedial steps that could be taken by the city to rehabilitate the E-911 system in order to avoid a reoccurrence.

Even though the Municipality had two weeks to work on it, their extremely short response has simply failed to meaningfully explain to the public what occurred in this case. It is inadequate to claim without explaining, as the city does, that APD’s “delay in locating Mrs. Godfrey’s home was caused by a unique and

unprecedented confluence of electronic, data and human errors in the police emergency response system.” (Response p.1) What were those “unique and unprecedented” errors? How did they mesh with the “electronic, data and human” errors? And what were the “errors” which the city refers to? None of those claims were explained. No effort was made in their report to provide information that could have contributed to a constructive dialogue amongst Anchorage’s citizens about how to improve an essential service that can make the difference between life and death to those who call for help, even though that service is so plainly in need of improvement.

The Municipality’s report is simply not commensurate with the seriousness of the subject matter at hand. Moreover, it also fails to respond to any of the specific findings or recommendations made by the OVR in its public report. The recommendations made by the OVR were based upon the testimony of witnesses and a careful study of thousands of documents subpoenaed from the city as well as outside sources.

While many broad and sweeping claims are made in the Municipality’s response, not one of them is supported with specific citations to the record or any explanation or detail. For instance, the broad claims are made that the OVR’s “Report contains many factual errors, is materially incomplete and presents slanted and misleading information. It is legally incorrect in several respects and arrives at unsupported and erroneous conclusions.” (Response p. 1) But the report does not spell out what the “many factual errors” are, or why the OVR’s report is “incomplete”. The claimed “slanted and misleading information” is not identified nor is any explanation provided to explain why or how the OVR’s report is “legally incorrect.” Moreover, even though the claim is also made that “The [OVR’s] report violates the very statutes that direct and control the OVR’s activities” the author of the Municipality’s response does not identify which statutes he is referring to or how the OVR’s report violates any statute.

In the midst of all these unsupported claims attention must remain on the focus and purpose of the investigation: the report is not about the OVR but about the events of August 3rd and the reasons why it took APD officers almost 49 minutes to arrive at the Godfrey home. Because the Municipality has failed to respond to the 9 specific findings discussed above, the OVR recommends that the Municipal Assembly adopt a resolution requiring the administration to provide the citizens of the Municipality a full and detailed explanation of the events surrounding the police response in this case and to describe with particularity the steps which will be taken to avoid a reoccurrence.

Prepared by Tamara de Lucia, Associate Victims' Rights Advocate and Stephen Branchflower, Victims' Rights Advocate.

Publication is authorized pursuant to AS 24.65.160.

Published on November 26, 2002



George P. Wuerch,
Mayor

Municipality of Anchorage

Office of the Municipal Attorney

Civil Division



November 22, 2002

VIA E-MAIL & FACSIMILE

Original to follow

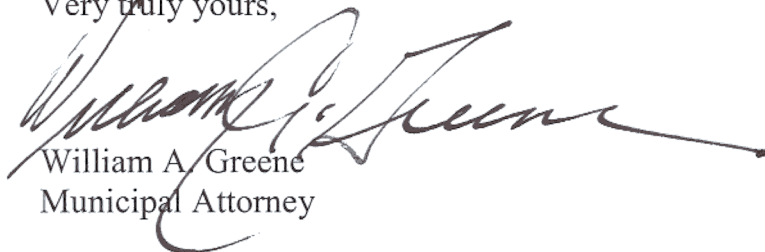
Stephen E. Branchflower, Director
Alaska Office of Victims' Rights
1007 W. 3rd Ave., Ste. 205
Anchorage, AK 99501

Re: Municipality of Anchorage's Response to a Draft Report by the Office
Of Victims' Rights' on the Anchorage Metropolitan Police Department's
August 3, 2002 Emergency Response to a Tragic Murder, Suicide and
Critical Gunshot Injury at an Eagle River Residence

Mr. Branchflower:

Enclosed is the Municipality of Anchorage's above-referenced response.

Very truly yours,



William A. Greene
Municipal Attorney

Enclosure

**MUNICIPALITY OF ANCHORAGE'S RESPONSE TO A DRAFT REPORT BY
THE OFFICE OF VICTIMS' RIGHTS ON THE ANCHORAGE
METROPOLITAN POLICE DEPARTMENT'S AUGUST 3, 2002 EMERGENCY
RESPONSE TO A TRAGIC MURDER, SUICIDE AND CRITICAL GUNSHOT
INJURY AT AN EAGLE RIVER RESIDENCE**

November 22, 2002

On August 3, 2002, a tragic delay occurred in locating the residence of Patricia Godfrey, an Eagle River resident. Mrs. Godfrey was a victim of multiple gunshot wounds and the murder of her spouse by an intruder who committed suicide during the incident. The Municipality has readily acknowledged from the outset that errors occurred during its response to this incident. The Municipality deeply regrets the trauma and suffering experienced by Mrs. Godfrey while waiting for assistance as well as the great anxiety and distress this event has caused her family as well.

The Anchorage Metropolitan Police Department's ("APD") delay in locating Mrs. Godfrey's home was caused by a unique and unprecedented confluence of electronic, data and human errors in the police emergency response system.

The draft investigative report ("Report") of the Office of Victim's Rights ("OVR") states that Mrs. Godfrey's sole objective in seeking the assistance of that office has been to insure that this kind of incident never recurs. The Municipality clearly supports Mrs. Godfrey's objective. However, the Report, issued by the newly created OVR led by an experienced criminal prosecutor, does not constructively contribute to the future protection of important victims' rights nor to improvements to the Municipality's E911 system.

The Report violates the very statutes that direct and control the OVR's activities. The Report contains many factual errors, is materially incomplete, and presents slanted and misleading information. It is legally incorrect in several respects and arrives at unsupported and erroneous conclusions. It unjustifiably criticizes APD and the Municipality and unfairly degrades the dedicated efforts of APD officers and personnel. It fails to credit the Municipality as the source of most of its recommendations and fails to recognize the extent to which its recommendations have already been implemented. It is premised on the faulty legal conclusions. It violates the OVR's own authorizing statutes requiring "confidentiality with respect to all matters and the identities of the complainants or witnesses" except insofar as necessary to carry out duties or support recommendations. It discusses in detail matters that have no conceivable relationship to any violation of victims' rights or to improving the Municipality's emergency response capability. It attempts to portray conflict and controversy where it is clear none exist. The Report falsely accuses the Municipality and its elected officials for inattention to and under-funding of the system and misdirecting the use of E911 revenues.

In all, the draft Report is so slanted, inaccurate and irrelevant to the legitimate goal of the OVR that the Report does very little to further Mrs. Godfrey's and the Municipality's

shared goal to advance the rights and interests of crime victims in general and prevent the occurrence of a similar event in the future. The Report is fundamentally counterproductive. In creating the OVR, the Alaska Legislature envisioned an office that, through its advocacy and investigative powers, would participate in a cooperative process to improve the way crime victims are treated by State justice agencies. It is unfortunate that, in this instance, the Alaska Legislature's vision has not been realized.