

[TAB 16]

**Complaint (Remand) 24-06-CD,
Donald Handeland v. Kelly Merrick**

Presented By:

John Whitlock, Paralegal



TO: APOC Commissioners
DATE: April 27, 2026
FROM: John Grover Whitlock, Paralegal III
SUBJECT: Supplemental Staff Report on Remand, Complaint 24-06-CD,
Donald Handeland v. Kelly Merrick

Supplemental Staff Report on Remand

At its January 16, 2025 meeting, the Alaska Public Offices Commission (Commission) considered complaint 24-06-CD against Kelly Merrick, including allegations relating to her use of a fire engine at a campaign picnic.¹ In an order issued January 24, 2025, the Commission remanded to staff to investigate the availability of the engine for candidate events and to issue a supplemental report “addressing the fire truck allegations, with proposed findings and recommendations on whether the Commission should find a violation and impose a civil penalty and, if so, in what amount.”² In its order, the Commission agreed with staff that the dispositive question is whether the Anchorage Firefighters Union Local 1264 (Local 1264) “makes the fire truck available to all candidates for a particular office” as use of a union fire truck might otherwise be prohibited.³

The Commission directed staff to determine whether Local 1264 provides the fire truck on an equal basis to all candidates by asking: (1) whether Local 1264 offers the fire truck for events or accepts requests or both (and what occurred in this case); (2) whether Local 1264 has ever declined to provide the fire truck for an event and if so, why; (3) whether the fire truck is available to "all candidates for a particular office" or only ones

¹ [Complaint](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26377), <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26377>.

² [Order Resolving Complaint in Part and Remanding One Issue to Staff](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26568), <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26568>, pp. 10-11.

³ *Id.* at p. 8; *see also*, [2 AAC 50.990\(7\)\(C\)\(vii\)](#).

that Local 1264 endorses or supports; (4) whether Local 1264 has ever actually provided the fire truck for a campaign event for a candidate it does not endorse or otherwise support; and (5) approximately how many times Local 1264 has lent the fire engine for candidates' campaign events.

Through Local 1264's responses,⁴ APOC staff has determined:

- Local 1264 does not have a written request system for the fire engine. Requests typically come from individual firefighters, outside organizations, and community members. The process of requesting the engine is the same for political campaigns and community events;

- Local 1264 does not recall how the request was made for Senator Merrick's event;

- There is no policy, rule, or history of denying access to the engine based on political views; the only limitations have been logistical considerations such as maintenance, weather, or unavailability of certified operators, but never for reasons related to political views or affiliations;


- Local 1264 does not recall an instance where a non-endorsed candidate has requested use of the engine and does not have a policy addressing the use of the engine by non-endorsed candidates. However, Local 1264 regularly engages with campaigns that they do not endorse and continue to offer themselves as a resource for public safety issues. The engine has been made available to a wide range of community events across political and social perspectives and it has been viewed as a tool for positive community engagement not tied to any one political viewpoint;

- Over the last 15 years, the engine has been used for at least 1, but sometimes 2 or 3 campaign events during an election cycle but it is primarily used during the summer and holidays for non-political community events.

⁴ Exhibit 1, staff request for information dated Dec. 16, 2025; Exhibit 2, Local 1264 response to staff's request dated Dec. 29, 2025.

Based on this information, staff concludes the fire engine is tantamount to a community resource that can be used by both community organizations and candidates. Because there has never been an instance where a candidate was denied use of the engine because they were not endorsed by Local 1264, staff finds that the fire truck is made available to all candidates for a particular office and the use of the engine would not be considered a contribution from the union to a candidate due to its broad availability.⁵ Accordingly, Staff recommends the Commission find no violation.

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered as indicated to the following:	
Donald Handeland 8709 Plumas Circle Eagle River, AK 99577 donald@handeland.us	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail
Kelly Merrick PO Box 773631 Eagle River, AK 99577 contact@kellyforakstatesenate.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail


Signature

04/27/2026
Date

⁵ [2 AAC 50.990\(7\)\(C\)\(vii\)](#).



December 16, 2025

Via Email

Justin Mack
President
IAFF Local 1264
jmack@iaff1264.com

Re: APOC Case No. 24-06-CD, *Handeland v. Merrick*

Dear Mr. Mack:

Earlier this year, a matter involving the use of your union's fire engine came before the Alaska Public Offices Commission (APOC). The Commission's subsequent Order (enclosed) directed APOC staff to provide a supplemental investigation report concerning the allegations. Thank you in advance for any assistance you can provide.

One of the issues addressed in the complaint is whether the candidate's use of the fire engine would be a prohibited contribution from a union to a candidate. The Commission instructed staff to investigate Local 1264's practices of lending the truck to candidates. See pages 8-12 of the attached Commission Order. I have also attached correspondence from Firefighters Local 1264 that was disclosed to the commission for your reference.

To this end, would you please provide answers to the following questions:

- 1) Regarding the process: Does Local 1264 offer use of the fire truck for events, accept requests for its use, or both? In the case of Kelly Merrick's 2024 campaign, did the Merrick campaign make a request to use the fire truck or did Local 1264 offer it?
- 2) Could you please describe the process a candidate would use to request the use of Local 1264's fire engine for a campaign event? Does the process differ for community groups?
- 3) Has Local 1264 ever declined to provide the fire truck for an event? If so, why?
- 4) Is the fire engine available to all candidates for a particular office or only ones that Local 1264 endorses or supports?
- 5) Has Local 1264 ever provided a fire engine for a campaign event for a candidate it does not endorse or otherwise support?
- 6) Approximately how many times has Local 1264 lent the fire truck for candidates' campaign events?

We appreciate your help. Please feel free to contact me with any questions.

ALASKA PUBLIC OFFICES COMMISSION

John Whitlock
John Grover Whitlock
Paralegal

Encl: October 23, 2024 Correspondence with Kelly Merrick
Commission order issued on January 24, 2025 in 24-06-CD

From: [Justin Mack](#)
To: [Whitlock, John G \(DOA\)](#)
Cc: [Stone, Kim S \(DOA\)](#); [Hebdon, Heather R \(DOA\)](#)
Subject: Re: Correspondence from the Alaska Public Offices Commission (APOC)
Date: Monday, December 29, 2025 10:26:12 AM
Attachments: [251216 Letter to IAFF Local 1264.pdf](#)
[Attachment - Commission Order.pdf](#)
[Attachment - Previous Correspondence.pdf](#)

Some people who received this message don't often get email from jmack@iaff1264.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for reaching out. We take APOC complaints seriously, whether they involve us, candidates we support, or affiliated organizations. Community trust and compliance with campaign laws are priorities for us, and we respect both the political process and the role APOC plays in it.

The union fire engine has been used at community events for many years, long before my time as a member. I have been with the Anchorage Fire Department and Anchorage Fire Fighters Union for nearly 15 years, and we have never charged for its use. The engine has been made available to a wide range of community events across political and social perspectives. We have always viewed it as a tool for positive community engagement and an extension of our mission of public safety and service, which is not tied to any one political viewpoint.

Although the engine has occasionally been used at political events, that is not its primary purpose. We take care to follow campaign laws and remain mindful of our responsibilities when political activity is involved.

Below are responses to the questions raised:

1. Process for requesting the engine

We do not have a written request system. Requests typically come from individual firefighters involved with an event or from outside organizations or community members who contact the union hall. We maintain a calendar to avoid scheduling conflicts. The only hard limitation is that certified operators must be available to drive and operate the engine safely. If no certified operator is available, the engine cannot attend.

In the case of Representative Kelly Merrick, I do not recall whether the request originated from firefighters or the campaign. Requests can originate from either direction.

2. Whether the process differs for campaign vs. community events

There is no separate process. Requests may come through firefighters involved or through union committees such as the political action committee, public relations

committee, charity committee, or fitness committee. Community organizations affiliated with any of those committees may also ask. We do not use different forms, different approvals, or a different process for campaign requests.

3. Whether requests are ever denied

Yes, but never for reasons related to political views or affiliations. Denials are due to logistical constraints such as maintenance, weather, unavailability of certified operators, or scheduling conflicts. Most recently, during the holiday season, use of the Santa Claus Express became so frequent that our members were unable to use it for their own events. To address this, we temporarily limited general community requests and asked that anyone interested coordinate through a firefighter willing to manage logistics.

4. Whether the engine is available only to endorsed candidates

We have always emphasized maintaining relationships across the political spectrum. During political action committee interviews, we often state that even without an endorsement, we want to collaborate on public safety issues. The fire engine itself is not typically discussed as a resource during interviews, but it is also not described as unavailable.

We make ourselves available to participate in events where we may not endorse a candidate, because public safety conversations benefit the entire community. There is no policy, rule, or history of denying access to the engine based on political views. The only limitations are logistical.

5. Has a non-endorsed candidate ever requested the engine

To our knowledge, no. We regularly speak with campaigns that we do not endorse, and we continue to offer ourselves as a resource for public safety issues. In those conversations, the result has never included a request for the fire engine. It is not a scenario we have faced, and there is no policy addressing it because it simply has not come up.

6. How often the engine is used for campaign events

Over the past 14 to 15 years, we have been generally involved in at least one campaign event per cycle, sometimes two or three. We have limited political resources and choose where we can be most effective. Endorsing a candidate does not automatically mean we offer financial resources, volunteers, or use of the engine. The engine's use is a small fraction of its overall functions; most of its activity occurs in non-political seasons such as summer and the holidays, when we attend many more community events than campaign-related ones.

Closing

It is important to us that we fully understand and comply with APOC's interpretations regarding union resources. The political action committee is the entity that handles political involvement and donations. The Anchorage Fire Fighters Union, IAFF Local 1264, owns the engine but does not directly conduct campaign activity. For both entities, our intention is to

remain compliant. We will follow any recommendations or rulings APOC provides and welcome guidance.

We appreciate the opportunity to respond and are available for follow-up by email, phone, or in person. Our goal is to engage correctly in the political process, communicate about public safety, remain accessible to our community, and adapt to guidance as it evolves. Please let us know if additional clarification is needed.

Sincerely,

Justin Mack

President, Anchorage Firefighters Union, IAFF Local 1264

907-947-1082

On Dec 16, 2025, at 12:17 PM, Whitlock, John G (DOA)
<john.whitlock@alaska.gov> wrote:

Dear Mr. Mack,

Please see the attached letter.

Thanks,

John Grover Whitlock
Paralegal

Alaska Public Offices Commission
2221 E. Northern Lights Blvd., Rm. 128
Anchorage, Alaska 99508
Phone: (907) 276-4176
Fax: (907) 276-7018

CONFIDENTIALITY NOTICE: This communication with its content and any attachments may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

May 15, 2026

Via Certified Mail and Email

Donald Handeland
8709 Plumas Cir.
Eagle River, AK 99577
donald@handeland.us

Sen. Kelly Merrick
PO Box 773631
Eagle River, AK 99577
contact@kellyforakstatesenate.com

RE: Commission Meeting Notice

To Whom it May Concern:

The Commission will review the Staff Report in the matter *Handeland v. Merrick*, 24-06-CD at its June 2-3, 2026 Commission Meeting in Anchorage, Alaska.

Currently, the matter is scheduled to be considered at **11:00 a.m. on Wednesday, June 3, 2026**. The meeting will take place at the offices of the Alaska Public Offices Commission located at 2221 E. Northern Lights Boulevard, Room 128, in Anchorage, Alaska, by telephone (1-907-202-7104, Conference ID: 269 275 710#), or remotely via [Microsoft Teams](#) (Meeting ID: 226 535 332 612 23, Passcode: wZ9Uy9wz).

If you do not attend the meeting, staff will send you a final order notifying you of the Commission's decision.

If you have any questions, please contact our office.

ALASKA PUBLIC OFFICES COMMISSION

John Whitlock
John Grover Whitlock
Paralegal III

Encl: Supplemental Staff Report

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Donald Handeland 8709 Plumas Circle Eagle River, AK 99577 donald@handeland.us	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail
Kelly Merrick PO Box 773631 Eagle River, AK 99577 contact@kellyforakstatesenate.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail

Cari Rousselle

05/15/2026

Signature

Date

Rousselle, Cari J (DOA)

From: Microsoft Outlook
To: donald@handeland.us
Sent: Friday, May 15, 2026 3:06 PM
Subject: Relayed: Commission Meeting Notice

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

donald@handeland.us (donald@handeland.us)

Subject: Commission Meeting Notice



Commission
Meeting Notice

Rousselle, Cari J (DOA)

From: Mail Delivery System <Mailer-Daemon@c119309.sgvps.net>
To: contact@kellyforakstatesenate.com
Sent: Friday, May 15, 2026 3:06 PM
Subject: Undeliverable: Commission Meeting Notice

This message was created automatically by mail delivery software.

A message that you sent could not be delivered to one or more of its recipients. This is a permanent error. The following address(es) failed:

contact@kellyforakstatesenate.com
mailbox is full: retry timeout exceeded

From: postmaster@outlook.com
To: ["krmerrick@hotmail.com"](mailto:krmerrick@hotmail.com)
Subject: Delivered: RE: Commission Meeting Notice
Date: Monday, May 18, 2026 2:19:43 PM
Attachments: [RE Commission Meeting Notice.msg](#)

Your message has been delivered to the following recipients:
'krmerrick@hotmail.com' (krmerrick@hotmail.com) <mailto:krmerrick@hotmail.com>
Subject: RE: Commission Meeting Notice