

S B

143

POSITION PAPER

Senate Bill No. 143

"An Act making solicitation of a prostitute by a patron a crime of prostitution punishable as a class B misdemeanor."

Senate Bill No. 143 would make the act of soliciting another person to engage in prostitution a Class B misdemeanor. The maximum jail sentence for a Class B misdemeanor is 90 days of confinement. However, convictions for prostitution most often just result in a fine, rather than a sentence of confinement. It is assumed the same sentencing practice would be applied for those convicted of soliciting another person to engage in sexual conduct by offering to provide monetary or other compensation. Therefore, the impact on the Division of Adult Corrections is considered to be negligible.

Recommended by: for Roger C. Lange
Roger V. Endell, Director
Division of Adult Corrections

Date: April 20, 1983

Approved by: Robert London Smith
Robert London Smith, Ph.D.
Commissioner

Date: 4/26/83

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST
 Bill/Resolution No.: Senate Bill No. 143
 Title: "...solicitation of a prostitute.."
 Sponsor: Senator V. Fischer
 Requestor: State Affairs Committee

II. FISCAL DETAIL
 Agency Affected: Health & Social Services
 Program Category Affected: Justice
 BRU, Program of Subprogram(s) Affected: Adult Confinement

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not Applicable

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376
 Division: Adult Corrections Date: April 19, 1983

Approved by Commissioner: Robert Gordon Smith, Ph.D. Date: 4/26/83
 Department: Health & Social Services

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

IV. ANALYSIS:

A. Assumptions

This bill would make the act of soliciting another person to engage in prostitution a Class B misdemeanor. The Department of Law estimates approximately 50 cases per year would be prosecuted, excluding Anchorage.

The maximum jail sentence for a Class B misdemeanor is 90 days of confinement. However, convictions for prostitution most often just result in a fine rather than a sentence of confinement. It is assumed the same sentencing practice would be applied for those convicted of soliciting another person to engage in sexual conduct by offering to provide monetary or other compensation. Therefore, the impact on the Division of Adult Corrections is considered to be negligible.



STATE OF ALASKA
OFFICE OF THE GOVERNOR

ALASKA COMMISSION ON THE STATUS OF WOMEN
338 DENALI STREET, SUITE 850
ANCHORAGE, ALASKA 99501

ACCOMPLISHMENTS OF THE COMMISSION

The following is a partial list of the accomplishments of the Alaska Commission on the Status of Women since its inception in October of 1978. Thousands of women have been contacted, heard and given the opportunity to address their needs and concerns to the Commission. Issues of importance to the women and girls of the state have been identified through the Commission's advocacy, study and action. In addition to the accomplishments listed here, the Commission plans to continue this year with an active program that will include: legislative advocacy; regional and rural conferences; continuation of the media campaign to combat sexrole stereotyping; Phase I of a baseline data study on the needs of Alaska Native Women; continued lobbying for improvement of the State's data sources on women's employment status, and the state's affirmative action goals; further development of the informal network of women's organizations which has been fostered through the Commission's prior work; and, updating current information about women's health needs.

ADVOCACY

Active member of Ad Hoc Training Committee for the Office of the Federal Inspector, re: opportunities for women on the pipeline. (6/81)*

Member of Equity Coordinating Council for Alaska, assisting school districts to implement the new Sex Equity in Education law.

Member of Interagency Task Force which wrote regulations for implementation of the state's new Sex Equity in Education law.

Alternate to Board of Directors of Alaska Plan Policy Board, working to open opportunities for women in non-traditional jobs.

Member of Advisory Board, Center for Alcohol and Addiction Studies, University of Alaska, Anchorage. Addressing concerns of Commission regarding women and alcohol and rural alcohol problems.

Testifying before numerous committees regarding affirmative action in public and private sector and other issues regarding Women and Employment.

*(Dates in parentheses refer to Commission meeting where discussed, if appropriate.)

ADVOCACY (Continued)

Speakers provided for community efforts such as:

Senior Citizens' Law Day, Fairbanks.

End Violence Against Women and Children Month, Rallies and Marches, Anchorage and Fairbanks.

Fairbanks NOW, encouraging women to apply for boards and commissions.

National Secretaries Association, Palmer.

Alaska and Yukon meeting of Latin Lionesses.

American Association of University Women.

Women's Political Caucus.

Alaska Native Women's Statewide Organization. Conferences, 1979, 1981.

EDUCATION

Produced: Alaska Statewide Women's Conference, 3/82.
Approximately 70 workshops; films; guest speakers;
over 1,000 attendees.

Co-sponsored: "Women in Apprenticeship Training," 5/82, with U.S. Women's Bureau and Alaska Department of Community and Regional Affairs.

"Women and Alcohol," 4/82, with State Office on Alcohol and Drug Abuse and Salvation Army.

Workshop leaders provided for:

Petersburg B.P.W. seminar: "Horizons - A Second Look"

Anchorage Community College: "Women and the Law"

Kenai Regional Women's Conference: "Women and the Law"

Hoonah Regional Women's Conference: "Leadership Roles for Women in the Community"

Statewide Women's Conference: "Women and Self Employment;"
"Strengthening Traditional Leadership of Native Women;"
"Collective Organization: An Alternative for Women;"
"Exploring Ways of Raising Liberated Children"

EDUCATION (Continued)

Kenai Regional Women's Conference: "Women in Political Organizations"

National Association of Colored Women's Clubs, National Conference: "The Status of Women in Alaska"

Social Impact Assessment Seminar: "The Impact on Women of Resource Development"

Information Fact Sheets:

Equal Rights Amendment

Equal Rights Amendment: Once a state has ratified the ERA is rescission legal?

Abortion

LEGISLATIVE ACTION

Testimony at legislative hearings, legislative committees, special task forces and commissions on topics including the following:

Domestic Violence and Sexual Assault
Sex Equity in Education
Child Support Enforcement
Displaced Homemakers
Affirmative Action
Equal Employment Opportunity
Discrimination in the Housing Market based on Parenthood
Need for Free Legal Services
Gender-free Terminology in State Statutes

The passage of state laws providing for sex equity in education and displaced homemaker programs are accomplishments which the Commission shared with many of the women's organizations throughout the state.

The Commission has produced a Legislative Report each session and distributed it to women's organizations throughout the state. The report has tracked 40-50 bills concerning women during each legislative session.

MEDIA

Bi-monthly newsletter distributed to more than 2,000 people and organizations statewide.

MEDIA (Continued)

Media campaign to downplay sex-role stereotyping; first PSA's aired statewide beginning summer 1982.

Women's Political Leadership Project, currently underway. Will produce a booklet outlining some of Alaska's female leaders and what inspired them to accomplish what they have.

POLICY STATEMENTS

No discrimination based on veteran's preference	10/79
Family policy	2/80
White House Conference on Families	2/80
State Wealth	2/80
Older Alaskan Women	2/80
Regarding travel by state employees to non-ratified states	2/80
Abortion	4/80
	Reaffirmed 12/80
No discrimination based on sexual preference	6/82

PUBLICATIONS

A Preliminary Study: The Status of Women in Alaska	1977
*Women in Alaska's Labor Force	5/80
Women's Legal Rights in Alaska	9/81
Five Years Later: A Review of the Recommendations Contained in A Preliminary Study: The Status of Women in Alaska, 1977	1982
Conference Reports:	
*Alaska Native Women's Statewide Organization Conference	1979, 1981
Voices of Black Women in Alaska	1979
First Regional Women's Conference, Bethel	1980
Status and Problems of the Asian-American Women in Alaska	1980
Women and Poverty Conference, Anchorage, Alaska	1980

*Publications produced jointly with other organizations.

PUBLICATIONS (Continued)

Conference Reports:(Continued)

Diqatigiich - NANA Regional Women's Conference Kotzebue, Alaska	1981
Hoonah Regional Conference	1981
Interior and Northern Native Women's Conference Fairbanks/Galena	1981
Transcript, Public Hearing, "Women in Construction"	1981
* <u>Having a Voice</u> , Pictorial Essay, First Regional Women's Conference, Bethel, Alaska	1981

PUBLIC HEARINGS

Welfare (Statewide Teleconference)	10/80
Violence Against Women (Statewide Teleconference)	10/80
Sex Bias in Education (Statewide Teleconference)	10/80
Displaced Homemakers (Statewide Teleconference)	10/80
Women In Construction (Fairbanks)	3/81

REGIONAL CONFERENCES (funded in whole or in part by the
Commission)

Alaska Native Women's Statewide Organization, annual conferences	1979, 1981
Asian-American Women	1980
Black Women of Alaska	1980
Women and Poverty	1980
Bethel, First Regional Women's Conference	1980
NANA Regional Women's Conference, Kotzebue	1981
Hoonah Regional Women's Conference	1981
Kenai Regional Women's Conference	1981

*Publications produced jointly with other organizations.

REGIONAL CONFERENCES (Continued)

Interior and Northern Native Women's Conference, Fairbanks and Galena	1981
North Slope Regional Women's Conference, Barrow	1982

RESEARCH STUDIES

Child Support Enforcement in Alaska: A Report to the Alaska Commission on the Status of Women	1979
Battered Women: A Report for the Alaska Commission on the Status of Women	1979
A Woman's Place: A Survey of Anchorage Homemakers	1979
Displaced Homemakers: Research Report	1980

RESOLUTIONS

Opposing Veteran's Preference in State Land Sales	3/79
Violence Against Native Women	5/80
Alaska Public Radio Network	12/80
Child Care in State Buildings	3/81
Requesting Congressional Delegation to Reintroduce the Equal Rights Amendment	6/82

RESOURCES/MATERIALS

Clearinghouse of information both governmental and non-governmental relating to the status of women, established according to statute.

Library of over 100 texts and other works pertinent to research, education and the general study of women's issues.

Training manuals, developed for use by women's organizations:

- Methods for Better Meetings
- Needs Assessment and Goal Setting
- Program Planning
- Grant Writing Made Easy
- Assertiveness Training
- Sex Bias in Education Workshop Packet

SUBCOMMITTEE STUDIES AND RECOMMENDATIONS

Corrections	2/80
Violence Against Women	2/80
Welfare	12/79
Sex Bias in Education	1/80
Displaced Homemakers	1/80

OTHER

Survey of participants at Alaska Native Women's Statewide Convention, 1980. Results of survey provided guidelines to Commission concerning Native women's needs.

Two meetings arranged for Anchorage women's groups to discuss issues with the Lieutenant Governor.

Efforts to address problem of alcohol advertisements being aired in rural communities where alcoholism is a serious problem and where local residents have voted "dry".

Outreach: efforts to reach women across the state have included the scheduling of meetings in diverse communities and the funding of rural women's conferences throughout the state.



ANCHORAGE POLICE DEPARTMENT

625 C STREET • ANCHORAGE, ALASKA 99501-3599
TELEPHONE (907) 279-1441



TONY KNOWLES
MAYOR

BRIAN S. PORTER
CHIEF

February 28, 1983

Senator Vic Fischer
c/o Mr. David Dye
Senate State Affairs Committee
Pouch V
Juneau, Alaska 99811

Re: Senate Bill 143

Dear Senator Fischer,

The adoption of Senate Bill 143 would bring the State Criminal Code in line with the current parallel ordinance and enforcement policy within the Municipality of Anchorage.

Some years back, Anchorage possessed a traditionally worded ordinance prohibiting soliciting for the purpose of prostitution. It was found by the Court, to be unconstitutional as it only prohibited this behavior for women and not men.

We corrected and redrafted the ordinance and used it successfully against both men and women.

A few months ago, a District Court Judge threw out this ordinance as she felt it conflicted with the intent of the State law that only includes women. While I think a wiser decision would have been to throw out the State Statute, it is now moot as her decision was overturned by the State Court of Appeals.

I support Senate Bill 143. As mentioned, I feel the current construction of AS 11.55.100 (a) is constitutionally questionable. Additionally, prohibiting both men and women from soliciting for the purpose of prostitution is a better deterrant and a much better enforcement tool.

Sincerely,

Brian S. Porter
Chief of Police

BSP:vka