

HB

387

STATE OF ALASKA



LYMAN F. HOFFMAN
REPRESENTATIVE

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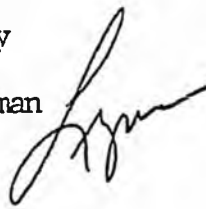
HOUSE OF REPRESENTATIVES

DISTRICT 25

AKIACHAK
AKIAK
ATMAUTLUAK
BETHEL
CHEFORNAK
EEK
GOODNEWS BAY
KASIGLUK
KIPNUK
KONGIGANAK
KWETHLUK
KWIGILLINGOK
MEKORYUK
NAPAKIAK
NAPASKIAK
NEWTOK
NIGHTMUTE
NUNAPITCHUK
OSCARVILLE
PLATINUM
QUINHAGAK
TOKSOOK BAY
TUNTUTLIAK
TUNUNAK

MEMORANDUM

TO: Senator Jay Kerttula
Chairman, Senate Judiciary

FROM: Representative Lyman Hoffman 

DATE: March 23, 1988

RE: Scheduling of CS HB 386/387

Attached please find complete backup for CS HB 386/387.

Please schedule this alcohol legislation at your earliest convenience.

If there are any questions concerning this information or the legislation, please do not hesitate to contact my office.

Thank you.

BACKUP INFORMATION FOR CS HB 386 and CS HB 387

- 1) HB 386 and HB 387
- 2) CS HB 386(Judiciary) and CS HB 387(Judiciary)
- 3) February 24th House Judiciary Committee Report
- 4) March 14th House Finance Committee Report
- 5) March 21st House Floor Action CSHB386/CSHB387
- 6) Summary analysis for CS HB 386/387
- 7) Public Safety description of W.A.A.N.T.
- 8) Public Safety Fiscal Note/Position Paper
- 9) Health/Social Services Fiscal Note/Position Paper
- 10) ABC Board Fiscal Note
- 11) Newsweek article, "Alaska's Suicide Epidemic"
- 12) Anchorage Daily News articles,
"Haven for Bootleggers"
"St. Marys loses a life in frustrating battle"

HB 237

against a child, but also to homicides where the victim is a child and to cases involving unlawful exploitation of children."

HB 237 is in the Finance Committee.

HB 386

The Judiciary Committee has considered:

HOUSE BILL NO. 386

"An Act relating to rewards to promote the apprehension and conviction of certain offenders; and providing for an effective date."

and recommends it be replaced with the following committee substitute:

CS FOR HOUSE BILL NO. 386 (Judiciary)

"An Act relating to enforcement of alcoholic beverage control laws; and providing for an effective date."

Recommending do pass (7): Sund (Chairman), Ulmer, Gruenberg, Barnes, Navarre, Cotten, Taylor

A zero fiscal note was published February 24, 1988.

HB 386 was referred to the Finance Committee.

HB 387

The Judiciary Committee has considered:

HOUSE BILL NO. 387

"An Act making a special appropriation to the Department of Public Safety for a reward program to promote the apprehension and conviction of persons who violate certain alcohol control laws; and providing for an effective date."

and recommends it be replaced with the following committee substitute:

CS FOR HOUSE BILL NO. 387 (Judiciary)

"An Act making a special appropriation to the Department of Public Safety for enforcement of alcoholic beverage control laws and for a reward program to promote the apprehension and conviction of persons who violate certain alcohol control laws; and providing for an effective date."

Recommending do pass (7): Sund (Chairman), Ulmer, Gruenberg, Barnes, Navarre, Cotten, Taylor

HB 387 was referred to the Finance Committee.

HB 386

The Finance Committee has considered:

HOUSE BILL NO. 386

"An Act relating to rewards to promote the apprehension and conviction of certain offenders; and providing for an effective date."

March 14, 1988

HOUSE JOURNAL

2557

HB 386

and recommends it be replaced with the following committee substitute:

CS FOR HOUSE BILL NO. 386 (Judiciary)
(page 2333)

Recommending do pass (6): Pourchot (Vice-chairman), Goll, Swackhammer, Boyer, Rieger, Wallis

A zero fiscal note with analysis was published March 14, 1988.

HB 386 was referred to the Rules Committee for placement on the calendar.

HB 387

The Finance Committee has considered:

HOUSE BILL NO. 387

"An Act making a special appropriation to the Department of Public Safety for a reward program to promote the apprehension and conviction of persons who violate certain alcohol control laws; and providing for an effective date."

and recommends it be replaced with the following committee substitute:

CS FOR HOUSE BILL NO. 387 (Judiciary)
(page 2333)

Recommending do pass (6): Pourchot (Vice-chairman), Goll, Swackhammer, Boyer, Rieger, Wallis

HB 387 was referred to the Rules Committee for placement on the calendar.

HB 386

The following was read the second time:

HOUSE BILL NO. 386

"An Act relating to rewards to promote the apprehension and conviction of certain offenders; and providing for an effective date."

with the:

Judiciary Committee report	p. 2333
Zero fiscal note published 2/24/88	p. 2333
Finance Committee report	p. 2556
Zero fiscal note with analysis published 3/14/88	p. 2557

Representative Gruenberg moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 386 (Judiciary)

"An Act relating to enforcement of alcoholic beverage control laws; and providing for an effective date."

There being no objection, it was so ordered.

CSHB 386(Jud)

Representative Gruenberg moved and asked unanimous consent that CSHB 386(Jud) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHB 386(Jud) was read the third time.

The question being: "Shall CSHB 386(Jud) pass the House?"
The roll was taken with the following result:

CSHB 386(JUD)

Yeas: 39 Adams, Barnes, Boucher, Boyer,
Brown, Cato, Cotten, Davidson,
Davis, Donley, Ellis, Frank,
Furnace, Goll, Gruenberg,
Grussendorf, Hanley, Herrmann,
Hoffman, Hudson, Koponen, Larson,
Martin, Menard, Miller, Navarre,
Pearce, Pettyjohn, Phillips,
Pourchot, Rieger, Shultz,
Springer, Sund, Swackhammer,
Taylor, Ulmer, Wallis, Zawacki

Nays: 0

Excused: 1 Collins

Absent: 0

And so, CSHB 386(Jud) passed the House.

Representative Gruenberg moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 386(Jud) was referred to the Chief Clerk for engrossment.

HB 187

The following was read the second time:

HOUSE BILL NO. 387

"An Act making a special appropriation to the Department of Public Safety for a reward program to promote the apprehension and conviction of persons who violate certain alcohol control laws; and providing for an effective date."

HB 387

with the:

Judiciary Committee report	p. 2333
Finance Committee report	p. 2557

Representative Gruenberg moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 387 (Judiciary)

"An Act making a special appropriation to the Department of Public Safety for enforcement of alcoholic beverage control laws and for a reward program to promote the apprehension and conviction of persons who violate certain alcohol control laws; and providing for an effective date."

There being no objection, it was so ordered.

CSHB 387(Jud)

Representative Gruenberg moved and asked unanimous consent that CSHB 387(Jud) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHB 387(Jud) was read the third time.

The question being: "Shall CSHB 387(Jud) pass the House?"
The roll was taken with the following result:

CSHB 387(JUD)

Yeas:	38	Adams, Barnes, Boucher, Boyer, Brown, Cato, Cotten, Davidson, Davis, Donley, Ellis, Frank, Furnace, Goll, Gruenberg, Grussendorf, Hanley, Herrmann, Hoffman, Hudson, Koponen, Larson, Martin, Menard, Miller, Navarre, Pearce, Phillips, Pourchot, Rieger, Shultz, Springer, Sund, Swackhammer, Taylor, Ulmer, Wallis, Zawacki
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Nays:	0
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March 21, 1988

HOUSE JOURNAL

2653

CSHB 387(Jud)

Excused: 1 Collins

Absent: 1 Pettyjohn

And so, CSHB 387(Jud) passed the House.

Representative Gruenberg moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 387(Jud) was referred to the Chief Clerk for engrossment.

SUMMARY ANALYSIS

CS HB 386 (Judiciary)

- Section 1. Will include alcohol with drug enforcement. Will primarily focus on investigation, apprehension, and conviction of bootleggers in local option communities.
An annual detailed report will be delivered to the Legislature on the activities of drugs and alcohol enforcement.
- Section 2. The establishment of a reward program, and grant system for villages for reward programs, leading to apprehension and conviction of bootleggers who violate local option laws.
- Section 3. Effective date - July 1, 1988.

SUMMARY ANALYSIS

CS HB 387 (Judiciary)

- Section 1. An appropriation of \$250,000 from the general fund for enforcement of local option laws.
- Section 2. Unused funds would lapse to general fund 6-30-89.
- Section 3. This Act will take effect on the effective date of CS HB 386 (Judiciary).

Description of Combined Drug and Alcohol Enforcement Unit

There is presently a program within the Alaska State Troopers that is responsible for providing assistance to local agencies and villages in Western Alaska with their drug enforcement efforts. The program is called the Western Alaska Narcotics Team (W.A.N.T.). One state trooper drug investigator is responsible for coordinating primarily narcotics investigations; he assists in bootlegging investigations as time and resources allow. W.A.N.T. was established in late 1982.

Based on the area of responsibility and the vast travel requirements, the W.A.N.T. trooper investigator works out of Anchorage. The W.A.N.T. area includes communities located along the Alaska Peninsula and the Aleutian Islands, and those communities in Bristol Bay, the Kuskokwim Delta, Norton Sound, Seward Peninsula, and the Kotzebue Sound. The investigator's role is to provide leadership, guidance, assistance, direction, informants, undercover agents, buy money, expense funds, and to act in undercover capacities whenever possible. The investigator's office is located at the Anchorage airport, which allows increased effectiveness in disrupting the flow of drugs to Western Alaska.

In the five years of its existence, the Western Alaska team has seized over a million dollars worth of drugs and made over 300 arrests for drug and alcohol violations in its area.

Because a single trooper is responsible for covering such a large area, he can give his attention to a certain area for only a short period of time. He must divide his efforts so as to provide, on a rotating basis, enforcement in as many different communities as possible. Generally, his concentration has been on drugs first and alcohol second. In either case, he encourages those communities with enforcement resources to conduct their own investigations with his assistance and some AST funding. Consistent and continuous clandestine investigative pressure on drug and alcohol violators is simply not possible under current staffing levels, even though such an effort is badly needed.

The alcohol problems in Western Alaska need to be addressed on a full-time basis, and in combination with full-time drug enforcement efforts. The procedures for conducting investigations for either type of violation are very similar. The best way to address this problem would be the development of a team of investigators who can concentrate 100 percent on west coast alcohol and drug problems. The

team members should be capable of working undercover either together or singly, be able to deal with interdiction at the airports, provide assistance and guidance in clandestine operations, share intelligence information, conduct training for law enforcement officers, VPSOs, and VPOs, and participate in school and other prevention programs.

A joint drug and alcohol investigative unit would support local law enforcement efforts. A no-cost alcohol and drug information hot line could be established to receive confidential tips from citizens. This information can be evaluated, and payment from a "reward fund" awarded to individuals based on their participation and the reliability of their information.

We suggest the creation of a full-time Western Alaska Alcohol and Narcotics Team (W.A.A.N.T.). We suggest the addition of one trooper investigator and a clerk typist to the existing one-trooper W.A.N.T. unit. The scope of the unit's enforcement efforts would then be expanded to include full-time ongoing investigation of alcohol violations.

The desirability of having two investigators dealing with related problems and working in the same area of Alaska was well illustrated by the recently concluded enforcement effort in Western Alaska. That effort was conducted by the W.A.N.T. unit trooper investigator, local officers, local troopers, a VPSO, VPOs, and two additional state trooper narcotics investigators temporarily assigned to assist the W.A.N.T. unit.

The following costs are anticipated (based upon the level of funding now proposed in HB 386):

Personal Services:

A. Investigator I (PFT - Range 77A)		
Salary	\$42,880	
Overtime (225 hours per year)	7,250	
Benefits	<u>18,211</u>	
Investigator I Cost		68.4
B. Clerk Typist II (PFT - 7A)		
Salary	\$18,540	
Overtime (150 hours per year)	2,150	
Benefits	<u>9,185</u>	
Clerk Typist II Cost		<u>30.0</u>
Total Personal Services		\$98.4

Travel:

Extensive travel would be necessary to conduct investigations, oversee undercover operatives, and coordinate with local law enforcement authorities.

In-State Transportation	10.0	
In-State Per Diem	<u>10.0</u>	
Total Travel		20.0

Contractual:

Much of the unit's activities will involve conducting undercover operations. Costs include informant pay, buy funds, establishing a reward program for alcohol related information, and expense funds. These costs are paid outside the normal state purchasing system to assure the confidentiality of the operations.

Professional Services	100.8	
Communications (telephone, etc.)	6.0	
Printing/binding - training and school instruction material	8.0	
Miscellaneous (clothing allowance, etc.)	<u>2.0</u>	
Total Contractual		116.8

Supplies:

Office supplies (stationery, etc.)	4.0	
Professional supplies (ammunition, etc.)	3.0	
Miscellaneous	<u>1.0</u>	
Total Supplies		8.0

Equipment: (First Year Cost Only)

Desks (2)	1.1	
Chairs (3)	1.0	
Bookcase	0.4	
File cabinet	0.6	
Firearms	0.7	
Word Processor (shared)	<u>3.0</u>	
Total Equipment		<u>6.8</u>

Total Cost		\$250.0
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FISCAL NOTE

REQUEST

Revision Date: 1/29/88
Title: "An Act relating to alcohol."
Sponsor: Rep. Hoffman
Requestor: House Rules

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Detachments

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JNR KS
2/19/88

Prepared by: Francis C. Allan *G.C.A.*
Division: Alaska State Troopers

Phone: 269-5691

Date: 1/29/88

Approved by Commissioner: Arthur English *D.A.H.*
Agency: Public Safety

Date: 1/29/88

Distribution: (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FEB 26 1988

BILL NO: CSHB 386 (Jud) and
CSHB 387 (Jud)

DATE: 2/25/88

TITLE: "An Act relating to
enforcement of alcoholic
beverage control laws..."

CONTACT: Arthur English
Commissioner
465-4322

Bob

"An Act making a special
appropriation for
enforcement of alcoholic
beverage control laws..."

DEPARTMENT OF
PUBLIC SAFETY

The Department of Public Safety strongly supports CSHB 386 (Jud), An Act relating to enforcement of alcoholic beverage control laws, and its companion bill CSHB 387 (Jud), An Act making a special appropriation to the Department of Public Safety for enforcement of alcoholic beverage control laws and for a reward program.

The illicit importation and sale of alcoholic beverages in communities which have adopted "local option" laws to restrict the sale or possession of alcoholic beverages is a major law enforcement and public safety concern in many parts of rural Alaska. The consumption of alcohol and illicit drugs is a contributing factor in a very high percentage of the crimes committed in rural Alaska, especially violent crimes. The consumption of "bootlegged liquor" has contributed in many cases to abuse and neglect of children, disruption of the family unit, suicide, fatal accidents, assaults, and murder.

CSHB 386 (Jud) would broaden the scope of the present Alaska State Trooper's statewide Drug Investigative Unit to include both drugs and alcoholic beverages. The bill also authorizes the Department to establish and administer, and provide grants to municipalities and villages to establish and administer, reward programs for persons who provide information leading to the arrest and conviction of bootleggers.

CSHB 387 (Jud) makes a special appropriation to the Department to carry out the investigative duties and reward program described in CSHB 386 (Jud). A detailed description of the combined Alcohol and Drug Investigative Unit, and the way in which the appropriation would be spent, is attached.

The Department believes that passage of CSHB 386 (Jud) and CSHB 387 (Jud) will provide the State Troopers with valuable tools that can be used to help curtail the destructive flow of bootleg liquor to rural Alaska.


Arthur English, Commissioner

POSITION PAPER
ON
HOUSE BILL NO. 386

"An Act relating to rewards to promote the apprehension and conviction of certain offenders; and providing for an effective date."

The Department of Health and Social Services is fully supportive of House Bill 386. The human and financial costs associated with illegal alcohol sales in rural Alaska are significant, and have been repeatedly documented by a variety of sources. According to the Department of Public Safety 1986 Crime in Alaska Report, 1800 persons age 18 and over, and 1039 persons under age 18 were arrested for liquor law violations. Bootlegging arrests are included as liquor law violations in this report.

Providing a financial incentive for reporting illegal alcohol sales should improve upon the present situation. Because of the vast distances in rural Alaska, the capability of law enforcement officers is limited. In hub communities the problem becomes overwhelming; bootleggers are smart, and arrests with sufficient evidence for convictions are frequently difficult to obtain.

House Bill 387 is a companion bill to House Bill 386 and will provide a \$250,000 appropriation to the Department of Public Safety to establish this program.

Myra M. Munson

Myra M. Munson
Commissioner

Matthew C. Felix by Lynn

Matthew C. Felix
Coordinator

2/18/88

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version: House Bill 386
Publish Date: _____

REQUEST: _____

Revision Date: _____
Title: "An Act relating to rewards to promote the apprehension and conviction of certain offenders; and providing for an effective date."

Agency Affected: Health & Social Services
BRU: Alcoholism & Drug Abuse

Sponsor: Hoffman
Requestor: N/A

Components: Alcohol Abuse Grant

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Matthew Felix by George Mundell Phone: 586-6201
Division: Alcoholism and Drug Abuse Date: 2/16/88

Approved by Commissioner: *Mina M. Munson* Date: 2-17-88
Agency: *Matthew Felix by George Mundell*

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

FISCAL NOTE

REQUEST:

Revision Date: 03/01/88
Title: "An Act relating to enforcement of alcoholic beverage control laws; ed
Sponsor: House Judiciary
Requestor: House Finance

Agency Affected: Revenue
BRU: ABC BOARD
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Patrick L. Sharrock, Director Phone: 277-8638
Division: Alcoholic Beverage Control Division Date: 03/02/88
Approved by Commissioner: Hugh Malone Date: 03/02/88
Agency: Department of Revenue

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: 03/02/88
 Title: "An Act making a special approp. to the Department of Public Safety for enforcement of alcoholic beverage control laws and for a reward program to promote the apprehension and conviction of persons who violate certain alcohol control laws; prov. for effective date.
 Sponsor: house Judiciary
 Requestor: House Finance

Agency Affected: Revenue
 BRU: ABC BOARD

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Patrick L. Sharrock, Director Phone: 277-8638
 Division: Alcoholic Beverage Control Division Date: 03/02/88
 Approved by Commissioner: Hugh Malone Date: 03/02/88
 Agency: Department of Revenue

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

"Moonlighting's" producers won't divulge what specific 3-D tricks they have in mind; odds are good, however, that someone will throw an object toward the viewer, an effect that has graced every 3-D movie from Three Stooges shorts to "Kiss Me Kate." The proclivity for projectiles, in fact, may explain the appeal of the newest 3-D gadget. The SegaScope 3-D video game comes with rakish black wrap-around liquid-crystal glasses, which plug into the game console and render the on-screen action 3-D. The effect is convincing: in "3-D Missile Defense," for example, attacking missiles seem to zoom straight from the screen and explode dramatically when blasted.

Robot eyes: Many experts doubt that 3-D will become more than a novelty. "You might put on glasses to watch 'House of Wax' for a couple of hours," says Glenn Kenny, an editor with Video Review, "but as a way of life, it's not going to work." But there are some practical applications for 3-D video. Lenny Lipton, president of StereoGraphics in San Rafael, Calif., has invented a sophisticated 3-D television camera that provides the eyes for a robot now cleaning up the Three Mile Island power plant. He also sells 3-D computer monitors to engineers and scientists for drawing aircraft or analyzing scientific data.

Lipton, who has written a textbook on 3-D cinema, is a true believer: He's convinced that eventually 3-D will become as accepted on the screen as stereo sound is in high-fidelity equipment. "We could have 3-D television in the home the day after tomorrow, if only an RCA or a Sony would get behind it." But he is realistic enough to know that a poor showing on "Moonlighting" next May could set his cause back another decade.

MICHAEL ROGERS



BERNARD GOTTFRYD—NEWSWEEK

A controversial drug: Ritalin

Alaska's Suicide Epidemic

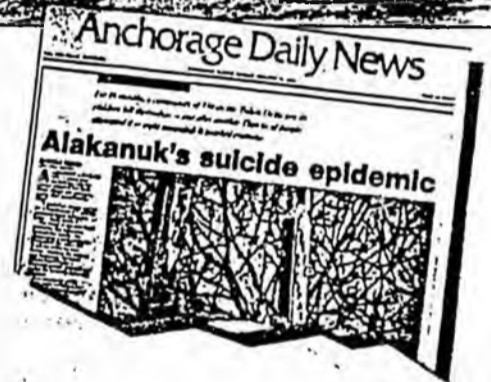
BY MICHAEL PENN—ANCHORAGE DAILY NEWS

The obituaries led to the story

It was an old story, the kind to which most editors didn't give a second thought. After all, Alaska is frontier country, and alcoholism—with its attendant ills—comes with the territory. But all that changed last winter, when a new report by the state epidemiologist revealed massive underreporting of Alaska's suicide statistics, particularly in rural areas. About the same time, several reporters from the Anchorage Daily News followed up that study by re-examining the ostensibly routine obituaries of Alaskan Eskimos, Indians and Aleuts. After they discovered that many had not died of natural causes, managing editor Howard Weaver put almost every reporter he had on the story. The extraordinary effort paid off. For 10 days last month, the paper held the state's attention with a searing series of reports describing the epidemic of largely liquor-induced suicide, crime and violence that was wreaking havoc on rural Alaska.

As with all good reporting, the impact of the series grew out of the powerful accumulation of details. The paper showed how in one 16-month period, the small village of Alakanuk (population: 550) suffered eight suicides, dozens of attempted suicides, two murders and four drownings. In 44 separate stories, the News described the widespread despair and self-destruction: native men 20 to 24 committed suicide at 10 times the national average; alcoholism was rampant; so was the sexual assault of children. "It's a wrenching series," says Howard Simons, the head of Harvard's Neiman Foundation who also publishes a small Alaskan weekly. "For the paper to pick this tab and expose it is stunning."

'Stiff price': It's the kind of gritty reporting that Weaver hoped to direct when he became editor in 1983, replacing Katherine Fanning, who left to run the Christian Science Monitor. He spared no resources: 30 reporters and photographers—almost the entire reporting staff—traveled 28,000 miles across Alaska to piece together the tragedy afflicting the close-knit native population. "It was a stiff price," says Weaver. "The news reporting was thinner for a period of about six months." That kind of reporting has paid commercial dividends.



'Wrenching series': Checking for bootlegging (top), dramatic front page

With the solid backing of the McClatchy Newspapers chain, which bought the daily in 1979, the News has steadily raised its circulation from 12,000 to 55,000, surpassing its rival The Anchorage Times in 1983 to become the largest paper in the state.

Judging by the hundreds of calls and letters, nine to one in favor of the series, Alaskans were shocked but profoundly moved by what they read. Two days after the series began, Gov. Steve Cowper rewrote his annual state-of-the-state speech to address the "unconscionable" rate of suicide, alcohol and drug abuse in the rural areas. The Alaska Legislature is considering new laws raising penalties for bootlegging, prohibiting mail-order liquor sales and increasing funding for alcoholism programs. But most important, according to Doug Modig, an Anchorage alcohol-abuse counselor, the News series has opened the problem up for discussion and change. "Instead of holding the shame inside, people are beginning to talk," says Modig. "When you don't talk about living in terror in your own villages, you cannot heal."

JENNIFER CONANT with bureau reports

Anchorage Daily News

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A SPECIAL REPORT

Moving booze to the Bush can mean big profits if you know how to play the game and don't spend much time fretting about the well-being of your clientele.

Haven for bootleggers

By HAL BERTON
Daily News reporter

BETHEL — On a damp Sunday in October, two youthful brothers from a village along the Kuskokwim River motored up to Bethel for whiskey to drink with the second game of the World Series. To make the bootleg buy, they didn't have far to go.

They pulled up their boat on a beach littered with empty plastic bottles of Windsor Canadian and walked across a sandy boardwalk to a collection of plywood shacks and A-frame huts.

One of the two disappeared into a hut, then reappeared a few minutes later. He had a bottle hidden under his clothes, his brother said. They hopped back into the boat and turned downriver for the half-hour trip home.

Such sales are the mainstay of Alaska's bootleg liquor industry, and Bethel is its capital. Bootleggers find the city's tentative approach to prohibition — allowing the importation of alcohol, but not its sale — and its role as an air and river crossroads, an ideal climate.

The cases of liquor that arrive each day from Anchorage are sold, bottle by bottle, from riverfront shacks, the trunks of taxi cabs, abandoned freezer vans or the backpacks of teen-agers. Law enforcement

officials estimate the illegal trade at \$2 million to \$5 million a year.

"Right now we see pallets, literally pallets of alcohol arrive at the airport," said Bethel Police Chief Kevin Clayton. "We know where it's going. We know what's going to happen with it, but we're powerless to stop it."

Much of the liquor is sold to local residents or the people who visit Bethel from the villages that dot the broad delta of the Yukon and Kuskokwim rivers. Some are social drinkers, but many are binge alcoholics unwilling to wait for liquor to arrive by air freight from Anchorage. They want their whiskey immediately, and will pay up to \$40 for a \$7 bottle of it.

Other bootleggers use Bethel as a base from which to smuggle booze into villages where both importation and sale are banned. In the "dry" villages, that same \$7 bottle can sell for \$120.

Aniak, a village along the middle Kuskokwim River that also allows unlimited importation of liquor, is another distribution hub for bootleggers. Cargo and passenger planes bring in daily shipments of booze, which a half-dozen bootleggers sell to local clients or send up and down the river.



Anchorage Daily News/Don Price
A bottle near the Bethel camera

See Page A-3, BOOTLEG



Anchorage Daily News/Don Price
With the village of St. Marys in the background, Francine Ella holds a picture of her boyfriend, Willie Fancyboy, who committed suicide.

St. Marys loses a life in frustrating battle

By RICHARD MAUER
Daily News reporter

ST. MARYS — Nov. 22, 1986, was a Saturday that seemed like a turning point for St. Marys.

Larry Ledlow, an Alabamian reputed to be one of western Alaska's biggest bootleggers, was sitting in jail on felony liquor sale charges. In the cell with him was his alleged runner, Paul Johnson Jr.

Willie Fancyboy, a 20-year-old with a responsible job, a future, a girlfriend and an alcohol problem he was

starting to control, had put them there.

Come the following May, everything was upside-down. Ledlow and Johnson were walking the streets as free men, all charges dismissed because of error and inattention by officials.

And Willie Fancyboy was dead, the victim of months of harassment, of neglect by the authorities he helped, and finally of a shotgun he himself wielded.

See Page A-10, ST. MARYS

A PEOPLE



IN PERIL

TODAY

Though more than 70 villages have sought to control alcohol consumption by enacting dry laws, their efforts are often foiled by bootleggers. Our stories for Feb. 15th day of the Daily News 10-day series on bootlegging in the Bush are part of the "The Law" — "The Ground Industry," a forerunner to the Prohibition era.

Reporter Hal Berton focuses on Bethel, Western Alaska's regional hub, where bootleggers operate with impunity from freezer vans, trucks and sheds around town. From St. Marys, a dry village on the Yukon River, reporter Richard Mauer tells of how the justice system is spinning its wheels in a never-ending bootlegging game, leaving one young man dead and a village shunned in its efforts to control whiskey.

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Anchorage Daily News/Bob Halverson

Brass Buckle nightclub only sells soft drinks, but it is still a major gathering place for drinkers in Bethel.

Continued from Page A-1

In both towns, the bootleggers operate just out of sight, often using "runners," some as young as 12 years old, to make the actual sales. The runners dispense bottles from small packs, then turn over the cash, minus a \$5- to \$10-a-bottle commission, to the bootleggers.

Bootleggers who sell directly to customers protect themselves by refusing to deal with strangers.

In the early '80s, some of the biggest bootleggers were ethnic Albanians from Yugoslavia.

"I remember when Albanians from Bethel came in they would buy about 10 cases of Windsor whiskey in plastic bottles," recalls Edith Turkington, a former employee of Party Time Liquor in Anchorage. "That is 10 cases for each person."

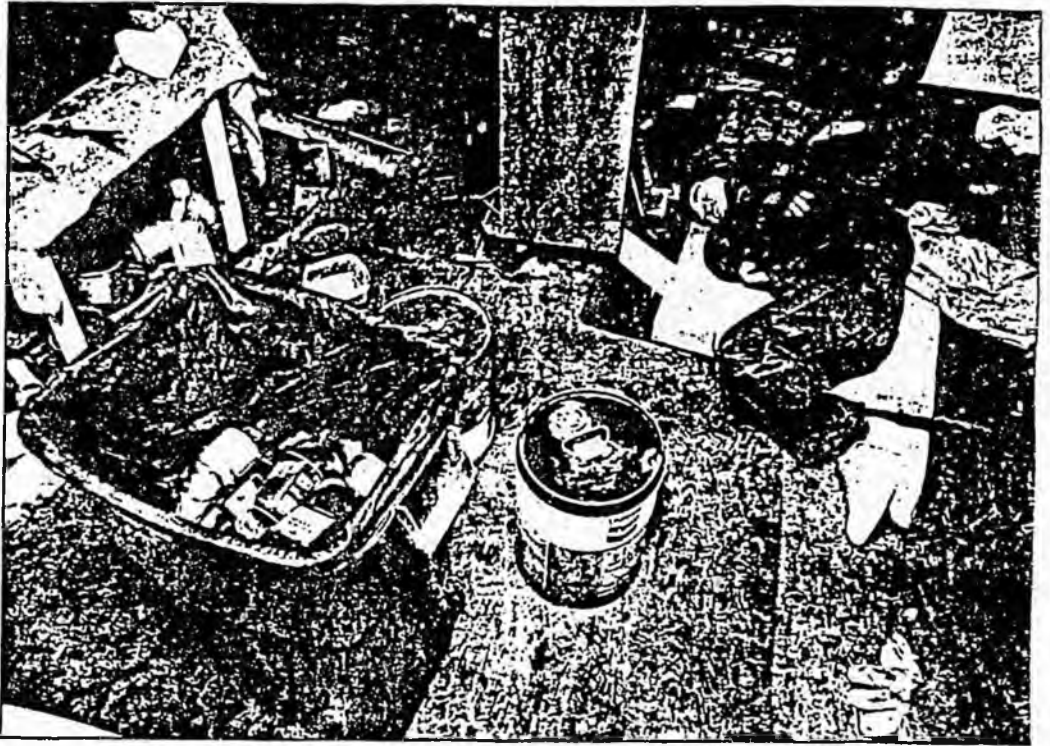
A BIG MARKET

"There's plenty of business for all," said one bootlegger in his early 20s, who agreed to be interviewed only if his name were withheld. He is a handsome man who would look more at home on a California surfing beach than the snowy tundra of the delta. He had a 9-to-5 job, he said, but bootlegging proved more alluring, first as a way to earn quick cash, and then as a full-time occupation. Today he peddles whiskey from a small freezer van in the seedy section of town known as Bootlegger's Alley.

"I just kind of got into this and things started working out real good," he said.

He spoke on a Friday evening while at the Bethel airport awaiting a shipment of beer. The order was for another bootlegger, who planned to smuggle it into a dry village.

The young man said he



Anchorage Daily News/Bob Halverson

The party is over: A man sleeps on the floor of a house in Bethel where a party had been going on.

launched his bootlegging operation two years ago with a special introductory offer: \$25-a-bottle whiskey, which he hoped would quickly attract a core of customers. The price created "quite a bit of conflict" with other bootleggers, he said, so he raised it to \$30.

Now, in a good day, he may sell two 12-bottle cases of whiskey at a profit of more than \$500. Less enterprising bootleggers, the ones he calls "subsistence bootleggers," order only a half-dozen bottles at a time, earning just enough to support their own alcohol habits.

At first, he said, he used his van as both an illicit liquor store and a tiny, one-room apartment. But last fall he finally tired of drunken clients pestering him through the night — even after the booze was all gone — and moved out. Now he operates only part of the day from a different van. But that approach has caused him other hassles: "I've had problems with break-ins three or four times. And my windows have been shot up."

He also had trouble with alcoholic runners who drank his booze instead of selling it. Now he uses only sober ones. In early October, his three runners were aged 16, 17 and 25.

Despite the problems, he estimates he earned more than \$20,000 last year. "When I didn't drink," he said, "it was really quite profitable."

Sales of bootleg booze peak in July as hundreds of fishermen converge on Bethel to sell their catches. On the Fourth of July alone, he said, he earned more than \$2,000. Demand stays strong through the summer, then drops off sharply as villagers stalk moose in September. As permanent fund dividends begin to arrive in October, business picks up again and remains brisk through New Year's.

On a typical weekend, he gathers with other bootleggers in the parking lot of the town shopping mall. They smoke, drink, talk and watch for potential clients across the street at the Brass Buckle, a low, ranch-style building that serves as the delta's only nightclub. By midnight, the Brass Buckle is jammed with Eskimo, Indian and white rock 'n' rollers.

The bar can't sell alcohol, just soft drinks, but that isn't obvious from the customers. Many are staggeringly drunk. On the crowded dance floor, two women argue over a man; across the room, two men fight over a woman, or would, if they were sober enough to manage a serious scuffle.

"It's a hot spot," the bootlegger said. "People don't go there unless they're really f---ed up."

At 1:30 a.m., as closing time approaches, the action shifts outside. Around the back of the building, amid a clutter of 55-gallon drums and fuel

tanks, a young Eskimo woman sips from a cup. "I'm getting drunk and looking for a good piece of a—," she says with a laugh.

Out front, the parking lot of the Brass Buckle looks like a giant block party. "I'm on shruums," says one woman who apparently has been eating psilocybin mushrooms. A young man standing nearby pulls out a plastic bottle of Windsor Canadian "from his blue-jean jacket. When he draws a few stares, the bottle quickly disappears behind his back.

A half-dozen cabs ring the parking lot, the drivers ready to make quick runs for booze, and the ever-present, backpack-clad runners wander through the crowd.

The bootleggers stay as long as there is money to be made.

THERE'S NO FUTURE

"People will beg you and beg you," the bootlegger said. "They pay in food stamps ... everything they got. One guy gave \$65 in food stamps for one bottle." Sometimes they trade ivory.

Asked whether he worries about the ravages of alcohol on his customers and their community, he replied: "When it gets to the younger neighborhood kids, that makes you feel kind of bad. Knowing you are f---ing these kids' lives up."

Briefly last summer, he said, he feared a police bust.

Then the heat slackened off. "Bootleggers are winning the war now. ... It seems like nobody cares," he said.

Does he ever think about quitting? "I just got into this and things started working out real good." He thought about it some more. "This is so easy. ... But there's no future."

THE 'BUSH AIR COMPLEX'

Carl Berger spends much of his time trying to heal the wounds caused by alcohol. The Yukon-Kuskokwim Health Corp., which he directs, provides suicide prevention and rape counseling, and helps villages cope with accidental death and acts of violence.

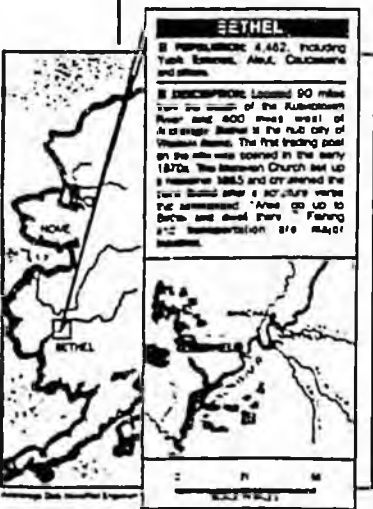
From the second-story window of his riverfront office, Berger can look down at the beachfront conglomeration of A-frames and shacks with a reputation as one of the town's most notorious bootlegging sites.

Locals call it "the Bush Air complex" because of the air taxi headquartered there.

During the fishing season, Berger recalled, he watched in frustration as village seiners, their pockets stuffed with cash from salmon sales, lined up to buy bootleg whiskey and then scattered up and down the river to drink.

Some headed down the beach toward the neighborhood of state Sen. John Binkley, a forceful

See Page A-9, BOOTLEG



SOURCE: Alaska Department of Commerce, Development and Tourism, "The State of Alaska 1988"

In a part of the state where bootlegging is rampant and prosecution often ineffective or non-existent, the case of Fancyboy and Larry Ledlow is more than the story of a tragic young man who fell apart under pressure, or of a middle-aged man who got lucky. It is an illustration of the frustrations faced by the people who want to combat the effects of alcohol as an agent of death and despair in the Bush.

"It's demoralizing the community, because nothing can be done," says St. Marys Mayor Andrew Paukan. "We know who the people are, but we can't get them."

Ledlow, a pilot with his own plane, is chief among them, Paukan said.

St. Marys is a regional hub on the Yukon-Kuskokwim Delta, a village of 563 people with a huge barge dock on the Yukon River, a jetport five miles out of town, two general stores, a three-man police force, one state trooper and a courthouse staffed by a part-time, resident magistrate.

It is also a place where the sale and importation of alcoholic beverages have been banned since a village-wide referendum on Sept. 22, 1981.

"I don't miss any chance I get to flaunt that law, because I don't believe in it," Ledlow says. "No matter what the authorities do in attempting to enforce importation, you can't take just a small area, like the village of St. Marys, and surround it with a barbed wire fence and keep all the avenues of approach out. When people want it, they'll find ways to get it."

'EXCITING DAYS'

Six months after the charges against him were dismissed, Ledlow was wintering with his family in a small town near Montgomery, Ala., while others were taking care of his business in St. Marys.

In a telephone interview, he said the charges against him were unjustified because he doesn't sell booze. But over the years, his name has been associated with whiskey. Ledlow, 55, is the son of a Baptist minister. Both his parents are teetotalers. He arranged to be interviewed at a pay phone so his parents wouldn't overhear him talking about whiskey and his trouble with the law.

He first came to Alaska during the post-war years as an Air Force signals specialist. As a civilian, he followed the military White Alice communications system to Aniak. The place was booming and wide open, two conditions that appealed to Ledlow.

"Yeah, those were exciting days. When I first came there, there was only one or two marshals for the whole area. I tell you what, a man could do about anything he was man enough to defend his ground on."

That's just what he was doing in 1969 or 1970, when a preacher armed with a movie camera tried to get evidence he was bootlegging. Ledlow had just returned from a booze run to the Red Devil liquor store upriver when he saw the preacher "tip-toeing" around his plane, trying to film the liquor inside.



Larry Ledlow's home in St. Marys

Anchorage Daily News/Edith Peterson



St. Marys Police Chief Bob Bullard with evidence seized when Larry Ledlow was arrested.

Anchorage Daily News/Edith Peterson

"I went out and hollered at him. When I saw what he was doing, I was going to get the camera and bust it up. I started chasing him and he took a swing at me with the camera, and the strap on the camera broke from his wrist. The camera hit the ground, so I gave it a couple kicks and figured that was probably good enough."

Ledlow moved to St. Marys in 1971. He set up an air taxi service and eventually a commuter airline to Bethel. The Internal Revenue Service seized his business in 1983 for failure to pay taxes. He hasn't worked a regular job since.

On July 2, 1985, just before the big Fourth of July weekend and the usual drunken bashes that accompany it, a cargo supervisor at the Seair terminal in Bethel noticed some damaged baggage come off a flight from Anchorage. There were five large Styrofoam containers labeled frozen foods, and they were checked by a passenger flying on to St. Marys.

Three of the containers were smashed. The supervisor looked inside. They were filled with R&R Canadian whiskey, one of the popular Bush brands. He called the troopers.

SMUGGLING CHARGE

Ledlow turned out to be the passenger who had checked in the whiskey, but he denied it was his. The troopers didn't believe him, and he was charged with smuggling liquor into St. Marys, a misdemeanor punishable by up to a year in jail.

The trial was originally set for Nov. 12, 1985. But Ledlow complained of ailments and the trial was reset and reset again. On Oct. 15, 1986, the charges were dismissed by the district attorney's office when, two days before trial, prosecutors realized they didn't know how to find one of their main witnesses, an ex-trooper.

People in town marvel at the luck and economic well-being of a man whose sole apparent business is a one-car taxi company and some rental property. Said Bob Bullard, the village police officer: "He has no employment, his wife doesn't work. They just put new siding up on the house. He owns his own plane, a Cessna 207. He just remodeled the apartment. He owns six houses, including his own. In '85, he went overseas to visit some relatives, and he took his whole family there."

Ledlow acknowledges his reputation as the biggest bootlegger on the Yukon Delta. "I go about my business and let those rumors go right on over my head," he said.

He agrees that he seems to be well off for someone who doesn't work. He says the airplane belongs to his brother-in-law, though his brother-in-law doesn't have a pilot's license. Ledlow attributes his well-being to frugality, "a subsistence-style life," and state assistance programs that subsidize energy consumption for Bush residents. Because he still owes about \$70,000 to the IRS, he said, he wouldn't provide any details of his personal finances.

"It all just adds up from all over," he said. "I always got some kind of little something going on."

SETTING UP A BUST

The authorities in town suspect Ledlow made as many as two booze flights a week, bringing in five to 10 cases of whiskey at a time, perhaps from Nome or Galena, maybe from as far away as Anchorage. At \$60 a bottle, the going price in St. Marys and surrounding villages, that would produce a gross weekly profit of \$3,000 to \$6,000.

Ledlow is hard to bust, Bullard said, because he only sells through intermediaries, and they sell only to people they know.

That's where Willie Fancyboy fit in.

On Nov. 19, 1986, St. Marys then-city manager, Gary Oba, got a tip from the vice mayor, Wilfred Stevens, that Ledlow was off on a booze run. Oba told police officer Bullard, who drove to the airport and confirmed that Ledlow's Cessna was gone.

Bullard passed on the tip to Trooper Craig Nardonald in Bethel.

That night, Fancyboy was busted for consuming alcohol as a minor. Sometime before daylight, Ledlow's plane landed at the airport.

Nardonald flew to St. Marys. He met privately with Fancyboy, and asked where he got his booze. When the conversation was over, Fancyboy had agreed to make a buy for the police.

The operation was set up for that afternoon. Bullard hid in the magistrate's office, across the street from the house of Paul Johnson Jr., 25, a suspected runner for Ledlow. Nardonald stationed himself on a hill. Another officer watched Ledlow's place.

Fancyboy had \$60 in marked money when he walked into Johnson's house at 5:40 p.m. Johnson took the money, and said he would get the whiskey, according to affidavits. The police watched Johnson get on his three-wheeler and drive over to Ledlow's house. He walked inside, then came out carrying a camouflage pack. Johnson drove back to his house and handed Fancyboy a bottle of R&R.

Two hours later, Fancyboy bought a second bottle from Johnson, the police say.

Ledlow and Johnson were arrested the next day and charged with two felony counts each of selling liquor to a minor. Ledlow also was charged with importing alcohol into a dry village. They spent two days in jail before making bail.

Normal police procedure is to conceal the identity of the "buy agent" in narcotics or bootleg busts as long as possible. But if Johnson or Ledlow had any doubt about who turned them in, it would have been erased when they were handed the criminal complaint. The police agent was identified as "W.F." Fancyboy's picture might just as well have been pasted to the complaint.

Francine Ella, a junior at the Catholic Mission High School, was out of town on a school trip when the bust occurred. When she returned, she didn't understand why people were saying bad things about her boyfriend Fancyboy.

"They were the guys who are friendly with Ledlow. They'd say things like, 'You're going with a narc. How could you do that?' I wouldn't say anything, I'd just walk off."

They were saying it to Fancyboy's face, too.

But it was more than just words. Fancyboy's snowmachine was vandalized. First the wires were ripped out. Then, in succession, the windshield was smashed, the seat cut, his helmet stolen.

Fancyboy wanted it to stop. He talked to the St. Marys magistrate. Can I change my mind about testifying, he asked. He called up Ledlow. I'm sorry, he said. He spoke to Johnson. I apologize, he said.

But mostly he wouldn't talk about it, not to his girlfriend, not to the people at work.

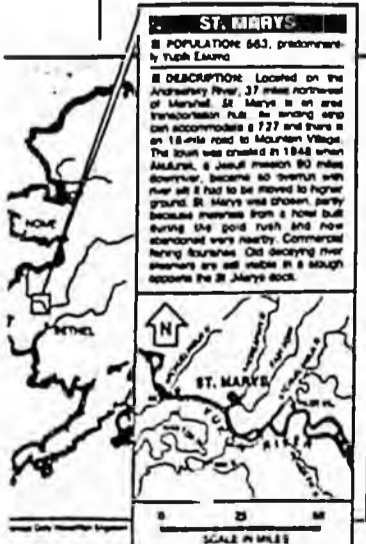
NO PLACE TO TURN

Before the bust Fancyboy thought poorly of himself, his girlfriend said, and he withdrew deeper with each passing day.

No one offered him counseling, and because he lived in neighboring Pitkas Point, he didn't have the protection of St. Marys police. Fancyboy was struggling with alcohol too. Francine said. Still, he held a responsible job — assistant grocery manager at the Yukon Traders general store.

At the same time, the bust was starting to go wrong. In January, the police and

See Page A-11, ST. MAR



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Continued from Page A-10

witnesses assembled in Bethel for a session before the grand jury. The troopers were seeking a felony indictment against Ledlow and Johnson.

"Everyone was there and was sober," Macdonald said. But five minutes before the case was to be presented, District Attorney Bryan Schuler walked into the room and announced that it would be prosecuted as a misdemeanor, Macdonald said. Schuler gave no reason, he recalled.

In a recent interview from his new home in Honolulu, Schuler said he couldn't remember why he reduced the charge.

The case went back to St. Marys, and the DA's office promptly forgot about it.

Magistrate Denise Beans, a non-lawyer, re-arrested the pair on the misdemeanors on Feb. 18. She set a trial date in April. She didn't realize that April was too late under Alaska's speedy trial rule.



Willie Fancyboy

Beans said she thought the speedy-trial clock started ticking when the pair was arraigned on the reduced charges. No one told her she was wrong — that the clock starts with the initial arrest. In this case, November. When the defense attorneys brought it up, it was too late to fix. The charges were dismissed April 20.

"We should track those kinds of things, but we're handling 1,300 cases a year," Schuler said.

Ledlow said he would have won the case anyway. There was no evidence he sold whiskey to anyone, he said.

In an interview, Johnson said he was drunk and couldn't remember what happened that day.

A DEADLY OUTBURST

On May 2, Wilfred Stevens, the vice mayor who provided the tip on Ledlow, committed

suicide. He was Francine Ella's brother-in-law and a good friend of Fancyboy's. Stevens had been severely depressed since his brother Eddie drowned the year before. Eddie's birthday would have been the next day.

"It was hard on Willie," Francine said. "After that happened, he hardly ever talked."

Two weeks later, on a night that was supposed to be a celebration, a grand reunion for graduates of the St. Marys Mission School, Fancyboy got terribly drunk and frightfully angry. He shoved his girlfriend into the dirt, went home and threatened his family with a shotgun. Then he turned the weapon on himself and blew out his guts.

How much of a part did the Ledlow bust play in his death? The troopers, police and officials who have an opinion say it played a role, but no one knows how much.

Ledlow blames Fancyboy's death entirely on the police. "They forced him into doing something he didn't want to do," he said. "They should have put him in a counseling program and accepted the fact that he's underage. They ultimately caused him to get in such a mental state that he ended up committing suicide."

The failure of either of the Ledlow cases to even reach trial has proved frustrating for St. Marys officials.

Bethel-based troopers say the problems encountered in St. Marys are repeated all over the huge region they patrol.

Trooper Simon Brown, who investigated Fancyboy's death, said most agents used by police to buy alcohol and drugs don't understand the depth of the problems they will face, even if those problems are explained beforehand.

"A lot of men I talk to, they'll never talk to a cop again after they make a buy. It turns them off to police, to the whole system, and we lost them."

PROBLEMS IN DA'S OFFICE

Macdonald said police agents frequently are harassed by the subjects of a bust, or their friends who no longer have a source of liquor or drugs. "They're well aware that if they can keep the informant from talking, they can walk." Law enforcement in the Bush is so thin that there is little protection for an informant who remains in a village.

Other followers of the case harshly criticize Schuler, who held the post of DA from February 1985 until he was caught shoplifting more than \$100 worth of stereo tapes on



Mayor Andre Paukan: "We know who the people are, but we can't get them."



A mistake by Magistrate Denise Beans resulted in freedom for Larry Ledlow.

July 2, 1987. The city of St. Marys twice complained to the attorney general's office about his conduct in office, but got no serious response, said Mayor Paukan and Gary Oba, the former city manager.

"There was a consistent dissatisfaction with his reluctance or refusal to prosecute cases coming out of St. Marys," said Oba, now in the foreign service of the U.S. State Department. "In the early stages, it seemed to be friction between Mr. Schuler

and our police officer. We worked with Mr. Bullard and attempted to get him to follow the procedures that Mr. Schuler set down, and it didn't seem to make any further difference."

Schuler seemed to demand such high standards of evidence gathering that he would take only sure cases, "nothing that would require any effort to prosecute," Oba said.

The problems in the DA's office were not lost on

criminal defendants. "You see, these people are getting smart," Ledlow said. "They know now there's only so many cases that can be tried in the Yukon-Kuskokwim Delta. And so they're entering a plea of not guilty, no matter whether they're guilty or not. This puts a further load on the district attorney's office. If they end up with the ones they can plea bargain away, well they do, and the ones that they can't, a lot of times they go and dismiss them, and the ones they can take to trial, they do."

Schuler said his office went from a three-attorney staff in 1985 to just himself in 1986. That made a tough job tougher.

"We had historically about 10 times the national homicide rate. We had no roads. Not only did a lot of our witnesses not speak English, but it's not their fault, but it's not exactly like being in rural Indiana," Schuler said.

For the St. Marys residents trying to follow the example set in 1981 by Patrick Beans Sr., who initiated the movement to make it a dry village, the recent past has been filled with frustration.

"We'd like to see it dry, but the bootleggers are bringing the booze in," said Mayor Paukan. "We're helpless in getting the bootleggers caught because they're so smart. We're frustrated about the law. We can't do nothing."

State law allows communities to restrict flow of booze

By DON HUNTER
Daily News reporter

Carrying a hip flask of brandy — or any kind of liquor, wine or beer — into many Alaska villages can get you up to a \$1,000 fine or a year in jail.

The penalties are the product of a decade of legislative wrangling with Alaska's No. 1 rural public safety problem: alcohol abuse and the self-destruction it brings to Bush villages.

In 1980, lawmakers passed a bill that allowed villages to control alcohol use in four ways:

- The community can select a particular private licensee to sell liquor;

- The village government can set up a government store to sell liquor;

- The village can forbid the sale of alcoholic beverages, but still allow liquor to be brought in for private use; or

- The village can vote to prohibit both the sale and importation of alcoholic beverages.

In 1986, the law was expanded. Now, villages can vote to forbid even the

possession of alcoholic beverages.

To date, more than 60 villages have prohibited importation of alcohol. At least eight — Anaktuvuk Pass, Atkasuk, Fort Ledge, Gambell, Mekoryuk, Nulituk, Nuiyatchuk and Togiak — have gone dry. An exception is made for wine for religious purposes, but even that must be limited and closely controlled.

Once a village votes to ban alcohol, the state Alcoholic Beverage Control Board, which regulates alcohol sales in Alaska, cannot issue, renew

or transfer a liquor license to the village, or to an unincorporated area within five miles of the village.

Violations of the local option laws are Class A misdemeanors, punishable by a maximum sentence of a year in jail and a \$1,000 fine.

The crime escalates to a Class C felony, however, if the importer or seller brings more than 12 liters of liquor or wine, or more than 45 liters of beer, into a dry village. Class C felonies carry penalties of up to five years in prison and a maximum fine of \$50,000.

Violating the possession ban is a civil offense — similar to a speeding ticket — punishable by a fine up to \$1,000. The violator may pay off the fine through community work at a rate of \$5 an hour.

Subsequent convictions for the same offense are still misdemeanors, unless the amount of liquor involved exceeds the 12-liter ceiling.

The local option law also allows the state to seize cars, boats, airplanes or any other equipment or materials used to make, transport, sell or store liquor.

ALCOHOL IN ALASKA: A CHRONOLOGY

■ Late 1700s-Early 1800s: Initial contacts between Natives and Russian traders and American whalers, who often use alcohol as a trading commodity with Alaska Native people.

■ 1847: The United States buys Alaska from Russia.

■ 1884: The First Organic Act specifically prohibits the importation, manufacture and sale of liquor in Alaska. But in practice whites do not prosecute other whites for violations. The Alaska Commercial Co. continues to trade liquor for furs and successfully undermines the prohibition by withholding supplies from enforcement personnel.

■ 1885: A territorial Indian police force is established to promote "cleanliness, sobriety and good order among the Indians."

■ Late 1880s: For whites, prohibition is replaced by high license fees, but Natives, intoxicated persons or habitual drunkards are still prohibited from buying or selling liquor.

■ 1918: The territory of Alaska votes approval of the "Bone Dry Law," primarily because of the problems of Natives. The same year, the

territorial legislature passes a law making it a misdemeanor to sell or give alcohol to a Native.

■ 1919: The National Prohibition Amendment passes. It forbids manufacture, importation, exportation, transportation or sale of alcoholic beverages anywhere in the United States.

■ 1933: National prohibition is repealed. The 1915 territorial law forbidding the sale or gift of liquor to Natives remains in effect.

■ 1953: Federal laws prohibiting drinking by Indians are abolished. (From the purchase of Alaska by the U.S. in 1867 until 1953, alcoholic beverages were banned in villages, Alaska was treated as an Indian reservation.)

■ 1980: The Alaska Legislature passes a local option law that allows villages to vote to prohibit the sale of alcohol, prohibit the sale and importation of alcohol, limit liquor licenses, or limit alcohol sales to community-owned liquor stores.

■ 1986: Legislature passes a law allowing villages to vote to impose a complete ban on alcohol.

A PEOPLE IN PERIL: SERIES AT A GLANCE

Sunday	Assaults: the village that endured a terrible series of suicides
Monday	Death and disaster reach every corner of Alaska
Tuesday	Rage and alcohol turned the 15-year-old boy into a murder killer
	A death brings temporary harmony to Sleetmoot
Wednesday	Fatal Alcohol Syndrome victimizes the urban
Thursday	The legal river of booze to the Bush
	Native's effort to restrict the flow of booze
TODAY	Willie Fancyboy, Larry Ledlow: One is dead, the other a free man
	How bootleggers get booze to the Bush
Saturday	Venues have fought the importation of liquor for years
	Three communities — one wet, one dry, one damp
Sunday	For 12,000 Native residents, Anchorage is a different village
	Five lives that show the diverse customs of Anchorage natives
Monday	"Closest sobriety" leaves Kaska a troubled town
	Alutaians and the long, hard road to sobriety
Tuesday	A sobriety movement grows throughout Alaska