

SB

246

COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT
MARCH 27-28, 1996
JUNEAU, ALASKA

WEDNESDAY, MARCH 27, 1996
Alaska State Capitol - Governor's Conference Room

The meeting was called to order at 10:05 a.m. by Persenia Whittern.

Council members present: Persenia Whittern, Chair, public member; Evie Smith, public member; Del Smith, Department of Public Safety; Yvonne Chase, Department of Health and Social Services; Laurie Otto, Department of Law; Barbara Thompson, Department of Education; Mary Pete, public member.

Council staff present: Jayne Andreen, Executive Director; Marcia McKenzie, Program Coordinator; Errol F. Arnaud, Secretary.

Others present in Juneau: Tyrnee Orme; Sandra M. Stone; Judy Steffel; Kari Robinson; Heather Flynn; John Leque; Cindy Smith; Odette Foster; Val Revard; Annette Coggins; Amber Ala; Stephanie Morris.

Teleconference sites included Anchorage, Fairbanks, Barrow, Bethel, Cordova, Delta Junction, Dillingham, Eklutna, Glenallen, Homer, Kenai, Ketchikan, Kodiak, Kotzebue, Mat-Su, Metlakatla, Nome, Petersburg, Point Hope, Seward, Sitka, Tok, Valdez, Wrangell, and Unalaska.

Item: STATEWIDE TELECONFERENCE - THEME: GOVERNOR'S DOMESTIC VIOLENCE PREVENTION ACT OF 1996

Whittern introduced the Governor's Domestic Violence Prevention Act of 1996 and indicated the Council decided to sponsor this bill because it will provide a number of new avenues to increase the safety of victims and make offenders accountable. She read an excerpt of a letter from the Cordova Family Resource Center supporting the Domestic Violence Prevention Act.

Lt. Governor Fran Ulmer: She believes this is an important issue, although she wishes the bill, the Council, and the conversation about domestic violence were not necessary. We have a very long way to go before we are truly a civilized society. It is important to change the picture of what is acceptable behavior in our society. This is not a problem unique to Alaska, and the bill comes as a result of work done by many people in other states; it is a model code that has been recommended to the states for adoption, and is a reflection of the best thinking on how to make a difference for victims and the communities in which we live. She cited State and national statistics. The National Council of Juvenile and Family Court Judges formed a task force to evaluate the status of the laws on domestic violence and to consider what kind of legislation should be passed to try to deal with the problem; this gave rise to the model code. It addresses law enforcement, prosecution, the Court System, and the Department of Corrections. Law enforcement will be able to take possession of deadly weapons used or possessed by a defendant during the commission of the domestic violence act. Peace officers will be required to give victims more information about domestic violence, including their rights, what legal options are available to them, and what resources are available.

Peace officers are also required to look at the long-term situation, including past complaints and arrests. Prosecutors will be required to make reasonable efforts to notify the victim when the offender is released from custody, and they will be required to consult with the victim before a plea agreement is entered into. After an arrest, the defendant must talk to a judge or magistrate before being released from jail, which ensures that each situation will receive some degree of scrutiny. The court will have to consider the safety of the victim and the family, in addition to the safety of the public, when considering the release of an offender. Additional conditions of release will be available to be imposed upon the defendant. In child custody cases, the court is required to consider the safety and well-being of the child and the parent who is a victim of domestic violence; it will be required that they consider the perpetrator's history of causing physical harm, bodily injury, assault, or reasonable fear of harm or injury. The Department of Corrections must notify the victim of any change in the status of the prisoner (e.g., possibility of release, different custody level, or different location). The Parole Board will be able to add conditions of parole, and will be required to revoke parole if the offender violates the conditions. The Department of Corrections, with the approval of the Council on Domestic Violence, will develop a statewide standard for batterer intervention programs. The Department of Public Safety is to develop and maintain a central registry of all domestic violence restraining orders, which will allow the courts and police officers to look up the current and past status of a case.

The following people testified from Anchorage:

Janet Helen Gamble: She is the past chair of the Older Alaskan Commission. She listed the people present in Anchorage: Diana Heard, AWRC; Brandon Carmon, BIG; Jacqueline Oglesby, a survivor of child sexual abuse and domestic violence; Dr. Mark Peterson; Candice Miller, AWAIC; Kim Adelia Leff; Regina Manteufel, victim.

Candice Miller: She has been Program Director for AWAIC for approximately two years. Prior to that she was employed by the Alaska Women's Resource Center in their domestic violence recovery program for ten years. Last year AWAIC provided 13,760 safe nights to 656 women and 729 children. They responded to 11,500 calls on their crisis line and provided services for 554 women who were non-residential clients. This bill is of great importance in protecting the survivors and victims of violence. The significant importance of the domestic violence prevention act portion is that it provides a registry which will provide crucial information about prior acts of violence committed by offenders. Another crucial component is the mandatory training of all professionals who deal with domestic violence, which ensure that all parts of the system who come in contact with a victim will be giving them the same consistent message "You are the victim of a crime. It is not your fault, and you have a right to be safe."

The following people testified from Juneau:

Sandra Stone: She spoke on behalf of Advocates for Victims of Violence in Valdez. Many of her comments were already covered by Lt. Governor Ulmer. As a shelter program, day in and day out, they see the system working against battered women and their children. Often victims believe that they have backup within the system and then find the system is not there. Many victims return into abusive situations because they feel the system is working against them. Recently they have noticed that more and more batterers understand the ins and outs of the laws and know all the loopholes.

whereas the victims don't. AVV encourages that the Domestic Violence Prevention Act of 1996 be looked at very seriously because it closes the loopholes and provides great safety for women and children.

Val Revard: She is Executive Director of Sitkans Against Family Violence. She has worked in this field for most of her adult life, but never chose it as a career option. She feels it chose her when, at 4-1/2 years old she watched a man she loved very much strangle a woman she loved very much until the woman passed out. Since that time she has seen many women with strangulation marks and bruises on their necks, and she has seen more black eyes than anyone should have to. Over the years, great strides have been made in legislation and we have laws to protect victims in many ways. But enforcement is spotty from community to community. The courts treat things slightly differently. She believes this legislation is important because it will help standardize and follow the national model to work with these difficult situations. She believes the changes to the orders for protection are extremely important and will be extremely valuable in moving forward.

Kari Robinson: She is a family law attorney practicing in Juneau. This new legislation is desperately needed in Alaska to ensure that women and children's safety needs are being met. Four million women in the U.S. are beaten every year, yet we still lack adequate policies and resources to effectively respond to domestic violence. Domestic violence often results in the woman's death. At least 70% of men who batter their wives also sexually or physically abuse their children. In 1995 the AWARE Shelter provided crisis intervention to 1,097 victims of domestic violence and 202 victims of sexual assault. The Act provides much needed revisions to domestic violence laws. One of the most important factors in deterring domestic violence and protecting women and children's safety is when the justice system coordinates its efforts between the police, prosecutors, magistrates, judges, attorneys, probation officers, parole officers, and battered women's advocates. The Act would ensure a comprehensive and coordinated response to domestic violence by expanding the existing protection order provisions, creating a central protective order registry which is important in ensuring a coordinated and effective response to domestic violence, providing for mandatory arrest which is an important first step in curbing repeated abuse, clarifying who is to be arrested (the primary aggressor, not the victim trying to defend herself), and prohibiting mediation in child custody and divorce cases where a domestic violence order is in effect. She urges the Legislature to pass this legislation quickly and provide the necessary protection for women and children.

Annette Coggins: She is the Director of AWARE in Juneau. She has spent about fifteen years working in the field of domestic violence and sexual assault, working with perpetrators of domestic violence as well as with victims. Batterers perpetrate because they can, our system allows them to get away with it, and they know they can get away with it, and they continue their behavior because of this. She asked that the Legislature hear this bill; it's a bill that would bring Alaska in line with model codes that have been found to be the most effective means of curbing domestic violence and that give a strong message to offenders that we're not going to tolerate this in our communities. In Alaska, where we have a higher rate of domestic violence than other states, it's very important that we give a strong message that this is not going to be tolerated.

Amber Ali: She is representing Senator Donnelly, who supports the Domestic Violence Prevention Act. Senator Donnelly has submitted Senate Bill 197 to protect victims of domestic violence. It

prohibits insurance companies from discriminating against victims of domestic violence. SB 197 has a hearing today; it has received strong opposition from insurance companies.

Stephanie Morris: She is a counselor with a background in family therapy. She believes this is a very important bill. She is particularly concerned about arrangements regarding visitation for minor children and the safety of children and victims. The children need to have protection and monitoring in these kind of situations and this bill seems to address that very well. She supports the bill.

Testifying from Anchorage:

Regina Manteufel: She is from Fairview in Anchorage, which is considered to be one of the poor neighborhoods with violence due to the high poverty rate. On June 18 she was a victim of domestic violence. Police officers tend to not listen. They did not look at the beer cans to see that the perpetrator was drunk. The officers left. The offender caught her and her arm was dislocated and she received a black eye. If the police officers had done their job, she would not have been hurt. She was unable to obtain a copy of the police report. At the emergency room, a police officer denied her ice for her eye and told the doctor he could not come in. She is the Women's State Boxing Champion, undefeated, and is quite able to defend herself. It is hard for her to say that she has been hurt, but if she does not stand up for herself, this will go on and on. She was stalked; it was reported 15 times and a stalking report was never put out on the perpetrator.

Testifying from Fairbanks:

Karen Simon: She is a survivor of domestic abuse. She was married for 22 years, 17 of which she endured mental, emotional, and physical abuse. They had two children and her son was abused by his father. When her son was 13, she discovered that her husband had been abused as a child, and both of his parents came from families that where domestic abuse had existed. Her daughter was married a year ago and she has watched her go through domestic violence. Her son is now married with a child, and knows where his reactions come from. When she was married and police officers were called, they told her that they had no sympathy for her because she could get out of the situation any time she wanted. They went through years of counseling. Everyone, including the counselors, had the attitude that this was a means of communication that needed work. She was kicked out on the street on Christmas Eve 1987. When her daughter was first abused as an infant, nothing was done; the paperwork had dropped through the cracks. Until people understand why women stay in abusive situations, they can never help them get out of them.

David Tyler: He is the Fire Chief of the Chena Goldstream Fire Department. He supports this Act. Being part of an emergency response organization, they have the need to respond to these type of situations. We need to give the tools necessary to approach this problem to the police and victims to try and stop this. This legislation is not going to eliminate domestic violence, but it will give a better handle to the people who are trying to control it. Domestic violence is preventable. If we can stop domestic violence, it will lessen the impact on emergency services and police, and will reduce the risks to people responding.

Testifying from Barrow:

Jeanne Cross: She is the Executive Director at the Arctic Women in Crisis Program in Barrow. She has also worked at the police department and court system. She thinks the bill has some good things in it. She believes training police officers is important; many times a victim does not seek help again because the officer doesn't immediately see a bruise. She thinks advising the victim of her rights is a wonderful idea, especially the way it is written. In Barrow they have one Assistant District Attorney; last week he had to prosecute a case where a woman was killed as a result of domestic violence, and there was a conviction. However, there are two Public Defenders, numerous Office of Public Advocacy attorneys, and numerous private attorneys. The cases are screened from Fairbanks. If there are going to be mandatory requirements, they have to have the tools to work with. AWIC is constantly overwhelmed and the DA's office is overwhelmed. Without prosecution in the early stages of domestic violence, they will get nowhere. The judges must have training. As a victim's advocate, she sees victims in the emergency room and cares for their injuries. They have to have judges and magistrates who don't close their eyes to the seriousness of these matters. There has to be a DA to prosecute. It is a wonderful plan, and we have to have the resources to implement it.

Testifying from Bethel:

Generosa Tall: She is a survivor of domestic violence. She supports the expansion of protective orders. This bill would help a lot of victims be protected. She sees a lot of women who are protected for a total of 110 days, but after the Domestic Violence Injunction is over the women and children are left again with no protection. We also need to have officers take the DVI seriously; too many times victims are left unprotected. She believes it is important that perpetrators be registered when a victim calls for a DVI. She has heard perpetrators say, "Who cares if you've filed a DVI? Who is going to stop me from beating you?"

Helen Sorenson: She is a survivor of domestic violence and is now an advocate. She believes training is important in the field of domestic violence, because domestic violence affects all of us. She supports the training provision of the bill. She supports the Council overseeing the content of what will be required for training, because it will be able to make it more thorough in helping victims. She supports training for teachers, hospital workers, prosecutors and judges, because they will be more aware of what to look for and recognize signs of domestic violence so they can make referrals to the providers or shelters. She supports prosecutors talking to victims about plea agreements prior to entering agreements, so the victims can have a say in regard to the perpetrator's conviction. She supports the Department of Corrections and Parole Board giving expanded notice to victims when someone is being released from custody, so the victim will be able to be more protected from being hurt. She supports the officers telling the victims where they can get help.

Testifying from Suka:

Angie Barber: She is a victim of sexual assault. She supports this legislation, especially with regard to restraining orders. She feels this bill will do a lot for victims, especially victims who are not related to the perpetrator.

Testifying from Valdez:

Katherine Vaara: She works for AVV in Valdez. She supports this bill. It makes offenders responsible for their actions. It puts pressure on law enforcement to make arrests, and it gives law enforcement the tools to help the victims. Having offenders past records in court provides a better understanding of the danger the victims are in. She agrees with the previous speaker who said this is a very good bill, but we need the resources to follow through. We need domestic violence education within all agencies and departments that deal with the issue.

The following people testified from Ketchikan:

Robert Neswick: He is a member of the WISH Board, a retired State Trooper, and a former Police Chief for the Annette Island Reserve. He wholeheartedly supports this Act. He has worked throughout the State for the past 22 years. He believes the mandatory arrest policy is definitely needed for uniformity. A lot of times the victims beg the police officers not to make arrests. This is not a problem that is going to go away, and until a person gets into the system they won't stop even though they say they will. The Act will let law enforcement and the criminal justice agencies work together for a better life for victims of domestic violence and sexual assault.

Patrick Foy: He is employed in human service work. He strongly supports the bill. He agrees with Mr. Neswick that this is not a problem that will go away and it is something that will take a never-ending amount of work. He feels that domestic violence orders are sometimes used as a tool in fighting for custody of children. He has filed for divorce and would like custody of his children (two boys), but the minute he filed for divorce there was a domestic violence restraining order filed on him, after he had already given his wife the house and everything but his clothes. Asking for the kids for a period of time seemed to upset his wife. He suggested that a study be done regarding the misuse of domestic violence orders.

Testifying from Palmer:

Pam Sandvik: She is Executive Director of the Valley Women's Resource Center. Domestic violence isn't just a private family member; it affects the safety of the whole community in which it occurs. None of us want our children to go play at the houses where we know domestic violence occurs. We don't feel safe when we live next door to a family where we think a gun might go off. She strongly supports House Bill 454 and Senate Bill 246 relating to domestic violence. Domestic violence is addressed at a number of levels in both bills, which is mandatory for any kind of effective intervention. The victims shelters and services can't do this job alone. The comprehensive base of this legislation is exactly the kind of approach that is needed to eradicate domestic violence in our communities. She supports some of the specific training mentioned for various people, such as educators, health and social service providers, and police. She's not sure it is enough, but it is much better. She supports the idea for a clearinghouse for protective orders. Although somewhat vague, the continued education for court system employees is essential. It is especially important in Mat-Su, where they have tried to engage the judiciary in receiving education, which has been declined for many years. She is concerned this legislation will be lost because of partisan politics that are happening. She urged the House and Senate majorities to set aside partisan issues and battles; the next woman to be murdered might be your daughter or your sister or your mother. She urged that this crucial legislation be passed. We can no longer fall back on the old question, why doesn't she

leave? We know that 75% of the women who are murdered by their intimate partners are murdered at the time or after she leaves.

Testifying from Tok:

Rose Isaac: She is Director for Tanana Chiefs Conference. She strongly supports House Bill 454 and Senate Bill 246. She agrees that all the legislators should put their differences aside and pass this bill. She has seen many domestic violence cases. She feels the current laws are not very strong. The judges are very lenient, and merely slap the perpetrators hands and let him walk the streets. She was recently directly involved with a client; the client was asked to file a restraining order, and she stated: "Why should I? It's not going to help me anyway. All they're going to do is put him away for one night. He'll be back on the streets and I'll be running for my life more so than ever." She believes the current law needs to be strengthened to help the victims. Victims need to be educated to rights at the time the violence occurs. There seems to be a great deal of shame regarding domestic violence, and nobody wants to talk about it. She would like to see these bills pass.

The following people testified from Homer:

Walter Gauthier: He has nothing but sympathy for victims of domestic violence, but he believes the entire bureaucracy is over-funded now and out of control. He quoted from an October 18 Anchorage Daily News article regarding Jennifer Bell Davis being sentenced for the embezzlement of money from the AWARE Shelter in Juneau. He objected to the proceedings of the Council; the Legislature created the Council on Domestic Violence to oversee and administrate programs for women who are abused. They did not create the Council to lobby for specific legislation. He stated that he intends to file complaints and requests for investigation with the Internal Revenue Service against every women's shelter grantee of the Council who has testified today; all of their charters specifically forbid them from advocating or influencing any particular legislation or lobbying.

Laurentia Chamblee: She has worked with victims of domestic violence for over 12 years. She has known women who never felt safe the rest of their lives, fearing for their lives. She has known of over 13 cases where fetuses were aborted because of domestic violence, and no charges were ever brought. It is important that this bill is supported and passed. She supports the bill in its entirety.

Testifying from Cordova:

Carol Peckham: She is with the Cordova Family Resource Center. She supports the Governor's Act. She believes that increasing the length of restraining orders from 90 days to indefinitely will make a difference in the victims' willingness to obtain an order. She believes that requiring the Department of Public Safety to maintain a central registry of all orders will make a difference in how the courts proceed in cases. She thinks it is very necessary to require prosecutors to consult with victims before a plea agreement is entered into. Prosecutors need to be in closer contact with the victims throughout the entire process. In Cordova, they have one visiting prosecutor whose work load covers Cordova, Palmer, Wasilla, and other towns, that one person can't possibly focus on each case in the manner that is needed. Money needs to go into this area. More prosecutors are needed, or at least more help for the prosecutors.

The following people testified from Kenai:

Brenda Wieffering: She is Executive Director of the Women's Resource and Crisis Center in Kenai. She thanked Governor Knowles, Lt. Governor Ulmer, Senator Salo and the Council for supporting these important improvements to Alaska law. We need more effective intervention for crimes of domestic violence and sexual assault, and increased safety for victims. They recently had a domestic violence related death in their community; that is not acceptable. She wonders if that death could have been prevented if this legislation had been in place. She echoed Pam Sandvik's comments. She is disappointed in the Legislature and thinks they need to hear these bills, because safety is much more important than partisan politics.

Jody Johnston: She has been involved in social services for over 17 years. This bill changes the focus of our problem and question from "Why isn't she leaving and why isn't she doing something?" to understanding domestic violence and sexual assault is a crime, focusing on the offenders, and supporting the system that holds them accountable for those crimes. She told of a method of killing a wolf in the Arctic. She hopes that we can re-establish our pride and go forth supporting victims of domestic violence by passing this bill.

Testifying from Sitka:

Bridget Ganey: She strongly supports this bill and believes it makes a lot of the gray areas much more black and white for the victims. It doesn't blame the victim; it makes the agencies work together to make that victim safer. She agrees with police officers documenting in writing why an arrest is not made. In small communities, the police officers may know the perpetrator or victim and excuses are a lot harder if they have to be documented in writing. There is a lot of gray area in child custody cases, and this bill requires the court to consider the safety and well-being of the child and the parent who is the victim of domestic violence. She thinks the statewide standards for batterers intervention programs will be good; the standards the Council already has are great and it would be good to put that into legislation.

Testifying from Anchorage:

Dr. Mark Peterson: He is a family physician from Juneau. He feels that Lt. Governor Ulmer stated the problem very adequately. He was particularly moved by her description of the feeling of powerlessness that women have. Many times he has dealt with battered women and advised them of their options, and they respond numbly saying, "He said he'd find me. He's done it before; he'll do it again. I don't have any place I can hide." The proposed legislation improves the woman's chance for safety and protection. It decreases some of the sense of powerlessness that many of the women have. Domestic violence is a very complex problem and requires a multi-disciplinary approach for solutions. He sees this legislation as one component of an ultimate solution, but it is a very important component that will lead to some solutions for domestic violence. He echoed the prior sentiments about setting aside partisan politics to address this bill for the good of all Alaskans.

Testifying from Fairbanks:

Sandy Samaniego: She is the Executive Director of the Women in Crisis Counseling Assistance Program. She spoke in favor of these bills. Domestic violence is no less a problem in Fairbanks than anywhere else in Alaska. In the last fiscal year, their shelter provided almost 7,000 shelter nights to over 800 women and over 400 children. She doesn't know whether the problem is growing or people are just becoming more aware. Laws reflect what society will and will not tolerate and accept. She believes the majority of our society accepts domestic violence as acceptable acts. We need to let abusers know we will not tolerate their abusive behavior and that there will be consequences. Passage of this bill would relate that message better than any one thing that has been done in the past. Enactment of this bill will save lives, and the sooner it is enacted, the more lives will be saved. The message needs to get to the Legislature that this bill must at least be heard.

Stella Hamilton: She works for Tanana Chiefs Council in Fairbanks as Coordinator for Domestic Violence and Sexual Assault. She will be training family and youth specialists from the villages and the village public safety officers who are in direct contact with domestic violence in the villages. She has 43 villages that she will be working for. She supports House Bill 454 and Senate Bill 246. She will also be working with the State Troopers. She is a survivor of domestic violence and used her education as a vehicle to get out of that situation.

Testifying from Metlakatla:

Floyd Guthrie: He is Family Services Director. He has clients for mental health purposes. What he has found to be most effective has to do with the police officers. They have one police officer who is very sensitive to victims' pain and because of that they're able to be more focused and discharge a lot of the feelings they have inside. He is hoping that will be clarified that police officers cannot be insensitive to the victims. Another issue is that safe homes are a real need; in Metlakatla they have some families that are willing to take someone in if need be. In remote villages, everybody knows everybody's business so it is very important to protect the families who provide safe homes. They have one victim who was severely beaten, and the guy got away with just 20 days in jail and is now back in the community. Fortunately, the police officers are familiar with the case and are protecting the victim. He supports this bill.

Testifying from Unalaska:

Desiree Harris: She works with Unalaskans Against Sexual Assault and Family Violence. She supports the Governor's Domestic Violence Act. They recently opened a shelter in Unalaska serving the Aleutian/Priofloff region. They projected 100 safe nights for fiscal year 1996; they have already met those 100 safe nights in the first quarter. Historically, victims have not been supported or even believed. Comprehensive victim assistance has been long overdue.

Lorraine Sweeney: She is a survivor of domestic violence and is supportive of the Governor's bill because it will provide greater protections for victims of this crime.

Testifying from Ketchikan:

Gigi Pilcher: She is Executive Director of Women in Safe Homes in Ketchikan. She became involved with WISH at the beginning in 1977 and has been working with victims of domestic

violence and sexual assault for almost 19 years. Her interest started because she has had three family members who were murdered in domestic violence situations. Since becoming involved with the program in Ketchikan, she has known several people who have been murdered as a direct result of domestic violence: Darlene, Diane, Linda, Lisa, Lila, Justin, and Police Officer Hogard. She believes this Act will do a great deal to address what is going on in all of our communities with domestic violence, and especially how it affects children. A lot of the kids in youth detention centers, who drop out of school, that become pregnant, or are in treatment centers for other problems have come from families where there has been a great deal of domestic violence. She believes the costs of domestic violence to children who are our future should far outweigh anything else. She urged both the House and Senate to support this Act.

Testifying from Bethel:

Connie Tromble: She is a Legal Advocate at the Tundra Women's Coalition in Bethel. She strongly supports this bill. She believes it is a comprehensive approach to protect victims of domestic violence. She thinks many times we believe that once the woman leaves the home she is safe from the violence, but in child custody issues especially the victimization can continue. Many of the problems women run into when they're trying to obtain custody is that male control comes through intimidation and subtle gestures which threaten a woman, especially in the court room. This bill will help judges and other people involved in the child custody process to realize that these are elements of domestic violence, and that the woman is not unstable even though she may appear so in court, but that there are other subtle issues going on beneath the surface. She has worked with two women in the past year where domestic violence has been an issue in child custody, and both women have run into problems of judges and guardian ad litem who refused to listen to the elements of domestic violence going on in the relationships; they are being threatened with having their children taken away. She believes this bill will go a long way in protecting those women.

The following people testified from Anchorage:

Tony Cosant: He feels this bill needs a lot of study. You never know what goes on between a man and woman, especially when they're married. He realizes that a lot of women have been battered. He was a paralegal for Alaska Legal Services for two and a half years and he interviewed many people who had domestic violence problems. In a lot of cases, a man reacts with violence in response to a woman's actions of humiliation. The Legislature has got to begin getting to the root problem. There are a lot of men in the State who are not too sophisticated and cannot take a lot of verbal and emotional abuse, and they react with violence. The legislation is trying to be comprehensive. He doesn't think the Legislature is addressing the causes of some of this violence. It takes a lot more study and a lot more protection on both sides. He discussed times when a woman calls her husband and invites him home even when there is a protective order because she misses him. A lot of men are too easily manipulated by their wives and girlfriends. He doesn't see any protection for any men.

Jacqueline Oglesby: She asked what she does if her 13 year old son crosses paths with her ex-husband who broke her neck. Her son says he wants to kill her ex-husband, and she tells him that he's not worth killing. She doesn't know what to do. She is a survivor of nine years of child sexual abuse and five years of domestic violence. The State of Alaska let her step-father, the child

molester, adopt her son. She has since married her son's real father and got her son back. Her ex-husband tried to kill her a lot of times because of her CIRC stock. She is still scared to go out and do anything, such as attend CIRC meetings, because he is a stockholder and might be there. She is afraid to go out of her house, seven years after the divorce. She had a seizure on March 19 and is trying to find out the cause, and is wondering if it is from the beatings she got.

Virginia Allen: She spoke in support of opening the dialogue for the Governor's bills. The emotional testimony has been hard to take. She really resents the majority holding the Governor's package hostage and turning domestic violence into a political issue.

Janet Helen Gamble: She stated that there are 14 people in the Anchorage office and all seem to be in support of House Bill 454 and Senate Bill 246. She will be attending the Healthy Futures Project in Anchorage which begins on Friday.

The following people testified from Fairbanks:

Julie Smith: She is a family law attorney in Fairbanks. She believes it would be hard for anyone not to support heightened protection for victims of domestic violence anywhere in the world. She thinks it is imperative that, if we're going to look at legislation that does as much as this legislation does, we also need to look at the likely outcomes of that legislation. Her primary concern is in the area of child custody. She is concerned with the statutory presumption in the legislation which would say that any finding of domestic violence against a person at any point in the past would create a presumption that that parent not share legal custody or sole physical custody of a child. She has gone through many domestic violence hearings and has had many clients who would be called perpetrators of domestic violence, as well as many clients who are the victims of domestic violence. It appears to her that there are many levels of domestic violence. A push or a shove or a slap in a moment of anger is domestic violence. In some families, that's all there is and a domestic violence order resulted from that allegation. In her opinion, children will not benefit from being deprived of access to a parent who, in a moment of anger, shoved or pushed their partner. She is concerned that this legislation will significantly increase the cost of domestic violence actions and child custody actions. If the legislation passes, she, as an attorney, would be responsible for ensuring that her client had a full hearing in a court of law on domestic violence actions. At this time, DV actions might consist of a 15 minute hearing to an hour long hearing on average. She also believes the judges who are listening to the hearings will require a higher standard of proof on the person alleging domestic violence because the judge will know that a finding of domestic violence will create a presumption in a custody case, and will be unwilling to create that presumption unless they're pretty sure that it happened. In Fairbanks at this time it is fairly easy to get a domestic violence order. Usually there isn't a lot of proof that domestic violence occurred because there are usually no witnesses. In some ways, the legislation may hurt the victims of domestic violence, and it will certainly hurt the people who have isolated incidents of minor violence against their partners.

Mike Corhill: He is the statewide President of the Alaska Peace Officers Association and a law enforcement officer with over 19 years of experience in the State of Alaska. The Alaska Peace Officers Association is comprised of over 1,100 federal, state, and municipal peace officers from throughout the State. They unanimously support all language in the bill as it applies to peace officers. A great deal of the police departments and State agencies already have mandatory arrest

as part of their policies and procedures. He also instructs peace officers on domestic violence at the Academy and local levels. The current mandate of four hours minimum training is not sufficient to address the problem, but the language in the bill of 12 hours will adequately address this for officers and should be maintained through the Alaska Police Standards Council records.

Jennifer Schmidt: She is a public health nurse at the Fairbanks Regional Public Health Center. They provide a number of services to clients in the clinic, and have two home visiting teams, one which works with families with chronically ill adults and children, and another that follows families for maternal/child concerns. About 10 months ago, two of the nurses at the health center decided to do a survey on the rate of domestic violence within the community. It was an anonymous survey which was handed to people as they registered for any services. In two and a half weeks, over 400 people filled out the survey; no one refused to do it. The preliminary results show that 50% of the people who filled out the survey had experienced violence sometime in their life; 20% were experiencing it now. Two things appear to be trends: there was a higher educational level than they thought; there were people who checked up to eight abuse indicators who did not feel they were being abused. She believes there needs to be a tremendous amount of public education, both in the media and the schools, about what abuse is. Abuse starts really early in the schools with just general harassment, pushing and shoving, and nobody saying that type of behavior is not appropriate. We also need professional education. She believes dating behavior among teens is pretty abusive.

Lynn Levensgood: He is an attorney in Fairbanks who handles a lot of family law cases, including domestic violence. Most of the cases involve custody actions. He understands there is a directive that precludes judicial officers and persons within the judicial system from commenting or testifying concerning this legislation. He suggested that newspapers contact these people and ask their opinion on this legislation. He has been contacted by a number of judicial employees who indicated opposition to this legislation. The opposition is because of the presumptions and the violation of the constitutional rights and the ultimate clogging of the court system that would result from enactment of this legislation as written. It violates the constitutional rights of children and parents by expanding the definition of domestic violence to include, among other things, all levels of assault, trespass, and harassment. He has been involved in cases where a DV order was issued based on a phone call which allegedly put the complainant in fear. The person who placed the DV order would be able to take possession of the dwelling, regardless of whose house it is, have the person the order is issued against pay for their house and transportation, and the person who the order is issued against would be required to surrender any and all deadly weapons, which are undefined, but could possibly include vehicles, kitchen knives, etc., and be required to surrender any firearms, regardless of their occupation. This legislation needs much work before it deserves legislative action.

Testifying from Manokotak:

Loumy Hautap. He is with the Manokotak Police Department. He agrees with statements made by Tony Cosanty and Lynn Levensgood. He asked how much of the 67% of homicides related to domestic violence cases come from rural areas. In his two and a half months of work in his position, he has had cases where a wife filed charges against her husband and the next day dropped the charges because she wanted him back.

Andreen explained that the information was that 67% of all homicides investigated by the Alaska State Troopers in 1995 were domestic violence related. They have to assume some of those were rural cases, as the Troopers do not as a rule cover the municipalities.

Testifying from Juneau:

Judy Steffel: She is a Sergeant with the Juneau Police Department, a member of the Board of Directors for AWARE, a member of the Board at Tongass Community Counseling Center, and on the Domestic Violence Task Force. This legislation wouldn't change anything in the assault laws. Fourth degree assault encompasses putting someone in fear of imminent bodily injury already, and it is already covered under domestic violence laws. Deadly weapons are defined under Alaska law, and it doesn't include kitchen knives or automobiles; those are defined as dangerous instruments. She was asked to attend this hearing by her Chief, who supports this legislation. He is concerned about the fiscal side of this legislation; it is going to cost more money. Juneau already has a mandatory arrest policy and has had it for at least three years. As Training Coordinator at the Juneau Police Department, she stated that if they are short on funds the first place the money comes from is training.

Testifying from Anchorage:

Virginia Allen: She noted that Senate Bill 197 is also a domestic violence bill that people should be aware of. It is Senator Donnelly's bill on assuring that insurance companies do not discriminate against domestic violence victims because they are "accident prone".

Deora Sherman: She is from the Alaska Women's Resource Center. She strongly supports this bill. She works directly with victims. It is very difficult to convince victims that they do have rights when they cannot get follow-up with the police department or the courts. A lot of court people and others who come in contact with victims are not trained appropriately, which sometimes revictimizes the victim and keeps her continually victimized. She believes people need to be held responsible for their behavior and that domestic violence be treated like any other crime. If 67% of the murders in 1995 were domestic violence related, that is obviously where we need to do a lot of work.

Whittem thanked the 44 people testifying for their comments. The teleconference was adjourned at 12:20 p.m.

March 27, 1996

Cordova Family Resource Center
P.O. Box 863
Cordova, AK 99574

Dear Members of the Council:

We want to urge you to support the Governor's bill, HB454, the Domestic Violence Prevention Act of 1996.

The bill goes a long way toward placing the burden of responsibility for crimes involving domestic violence on the perpetrator instead of the victim. The bill requires training regarding domestic violence for those who respond to the calls from victims, and education for those most likely to come into contact with victims. The bill enables police officers to arrest the perpetrator based on probable cause, without having to actually see the crime in progress. It also allows police officers to remove deadly weapons from the scene, and requires perpetrators to see a judge before being released from jail. The judge must consider the safety of victims first, before allowing the perpetrator's release from jail.

In short, this bill takes many steps to decrease domestic violence, de-escalate scenes involving domestic violence, protect victims, and educate the public regarding this crime.

As the economy in Alaska, and in Cordova, a fishing community, goes through yet another downturn, we are expecting that the hard times may be easily reflected in our client load. In 1995 our center served 72 clients, a 40 percent increase over the number served in 1994. We think sensible, long needed bills such as this one, could help keep the statistics down.

Thank you,

Paula White
Board Member



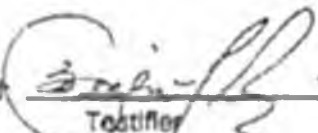
Alaska State Legislature

Please enter into the record my testimony to the Dept. of Public Safety
committee name

committee on HB 454 SB 246 . dated 3-27-96 .
bill/subject

I strongly support Governor Knowles Domestic Violence act of 1996. This important legislation is more important than partisan politics. It's about lives & childrens futures. Please help take it out of its' current "holding pattern" and have it heard.

Thank you for your attention to this.

Signed  - Vickie L. Williams
Testifier

Advocate for Victims of Violence
Representing (Optional)

PO Box 524 Valdez, AK 99686
Address

907-835-2980
Phone No.

Teleconference 60587

465-3027

(4)



Alaska State Legislature

Please enter into the record my testimony to the DEPT. OF PUBLIC SAFETY
committee name

committee on SB 246 and HB 454, dated 3-27-96
bill/subject

I strongly support these bills! I hope that they will not be held hostage but rather pushed into hearings!

Victims safety is more important than legislative politics! Please put your differences aside and get these bills into hearing.

Thank you!

Signed: Cassie Welch
Testifier

Advocates for Victims of Violence (Valdez)
Representing (Optional)

P.O. Box 524 - Valdez, AK 99686
Address

835-2980
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Janet James
committee name

committee on HB 454 - SB 246, dated 3/27/96
bill/subject

*Please urge the House Committee to hear
the Governor's Bill on Violence Against Women.
This is about safety and needs to be
addressed now.*

Thank you.

Catherine Vaara

Signed: Catherine Vaara
Testifier

AVV - Valdez
Representing (Optional)

P.O. Box 2878 Valdez
Address

835-4420
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Robert Taylor
committee name

committee on HB 454 SB 246, dated 3/27/96
bill/subject

This bill is very important. Please put aside politics & urge this bill be heard.

I support this bill & believe that it will be effective in changing attitudes that have up until now tolerated domestic violence

Signed: Patience Vaasa
Testifier

Representing (Optional)

P.O. Box 2875 Valdez
Address

835 - 4420
Phone No.

(Jacqueline R. Oglesby) survivor 9 yrs child sexual abuse 5 yrs domestic violence
 B. Date 3-20-64 age 32 yrs old. Ph # 333-2841

1. What do I do if my 13 yr old son crosses paths with my ex husband who beat me between 1985 + 1989? He was age 3 and saw him beat me until he was 6 yrs old.

My son has told me he wants to kill the man who beat me. I told him he is not worth going to jail + not worth killing that he will pay in time.

Harold Sanguinetti was very abusive, an alcoholic + he often called me his ex wife's name Terry when he beat me.

Harold has called my step father ^(when he was drunk) and asked him "Why does Jackie hate me so much?"

My stepfather molested me after my mothers death in 1971 I was 8 yrs old, the incest continued until I was 16, I was in + out of foster homes at ages 13 thru 17. I was returned to perpetrator's home at 17.

I was put in my stepfathers son's home at age 13 and I was raped by his son Martin Jones. All of the molestation happened in FLORIDA. No one believed me, my stepfather even shot my stepmother in the face because she knew he molested me. The domestic violence was here in Anchorage, which my ex husband moved us out of town in N. Peters Creek and Eagle River 1985-1989. He said he would change + we moved to Hawaii Honolulu where he tried to throw me from the 22nd story of our condominium, in which I had a broken left foot escaping, I moved back to Alaska I left him for good + it took me until 1991 to get a dissolution. He still wanted to stay married. I would not go back because I knew I would not live. We are shareholders of CIRI, I received approx \$10,000 last year + I am sure my stepfather wanted me dead. This State of AK let him adopt my son. Now I have found my son's real father, we are happily married + we have our son back physically but not legally. My stepfather was not happy I married his real father. He wants to be Billy's legal guardian because Billy is the heir to my CIRI stock. In N. Peters Creek Harold threw me down jumped on my neck with all his weight breaking my neck called "A Hangman's fracture." That was Aug 1986. I've found out from my 1st cousin that I am a rape child, my Mother was raped in 1963, I was born 9 months later.

Public Opinion Message

Tok Legislative Information Office (LIO)
 P.O. Box 845 • UAF Tok Center Building Tok, AK 99780 • Phone: 883-5020 Fax: 883-5021

From: Print your name and address as it appears on your voter registration card.

Mr., Mr., Mrs., Miss	First name	MI	Last name	Jr., Sr., III
	Ms. Roselyn		ISAAC	
Residence (street) address	T-9 TANACROSS, AK			Zip code 99776
Mailing address	P.O. Box 76004 TANACROSS, AK			Zip code 99776
Daytime telephone number	907-883-5181			
Group affiliation (if applicable)				

To: Write an H or an S in a Committee box; put a ✓ in a Caucus or Member's box.

Committee (enter H or S)	House members	Long	Senate members
<input type="checkbox"/> Community & Regional Affairs (cra)	<input checked="" type="checkbox"/> Avelinman (ave)	<input checked="" type="checkbox"/> Macdonald	<input checked="" type="checkbox"/> Adams (ada)
<input checked="" type="checkbox"/> Finance (fin)	<input checked="" type="checkbox"/> Barnes (bar)	<input checked="" type="checkbox"/> MacLean (mac)	<input checked="" type="checkbox"/> Dorley (don)
<input checked="" type="checkbox"/> Health, Ed. & Social Services (hes)	<input checked="" type="checkbox"/> Brice (bri)	<input checked="" type="checkbox"/> Martin (mar)	<input checked="" type="checkbox"/> Duncan (dun)
<input checked="" type="checkbox"/> Judiciary (jud)	<input checked="" type="checkbox"/> Brown (bro)	<input checked="" type="checkbox"/> Macok (mas)	<input checked="" type="checkbox"/> Ellis (eli)
<input type="checkbox"/> Labor & Commerce (l&c)	<input checked="" type="checkbox"/> Bunde (bun)	<input checked="" type="checkbox"/> Moses (mos)	<input checked="" type="checkbox"/> Frank (far)
<input type="checkbox"/> Resources (res)	<input checked="" type="checkbox"/> Davies (dav)	<input checked="" type="checkbox"/> Mulder (mul)	<input checked="" type="checkbox"/> Green (gre)
<input type="checkbox"/> Rules (rta)	<input checked="" type="checkbox"/> Davis, B. (dab)	<input checked="" type="checkbox"/> Navarre (nav)	<input checked="" type="checkbox"/> Halford (hal)
<input type="checkbox"/> State Affairs (sta)	<input checked="" type="checkbox"/> Davis, G. (dag)	<input checked="" type="checkbox"/> Nicholas (nic)	<input checked="" type="checkbox"/> Hoffman (hol)
<input type="checkbox"/> Transportation (tra)	<input checked="" type="checkbox"/> Elton (elt)	<input checked="" type="checkbox"/> Ogan (oga)	<input checked="" type="checkbox"/> Kelly, T. (kal)
<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Finkelstein (fik)	<input checked="" type="checkbox"/> Parnell (par)	<input checked="" type="checkbox"/> Laman (lam)
<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Foster (fos)	<input checked="" type="checkbox"/> Phillips, G. (phg)	<input checked="" type="checkbox"/> Lincoln (lin)
	<input checked="" type="checkbox"/> Green (grn)	<input checked="" type="checkbox"/> Porter (por)	<input checked="" type="checkbox"/> Miller (mil)
Caucuses	<input checked="" type="checkbox"/> Gruseendorf (grs)	<input checked="" type="checkbox"/> Robinson (rob)	<input checked="" type="checkbox"/> Pearce (pca)
<input checked="" type="checkbox"/> Anchorage (aga)	<input checked="" type="checkbox"/> Hanley (han)	<input checked="" type="checkbox"/> Rokoborg (rok)	<input checked="" type="checkbox"/> Phillips, R. (phr)
<input checked="" type="checkbox"/> Bush (bus)	<input checked="" type="checkbox"/> Ivan (iva)	<input checked="" type="checkbox"/> Sanders (san)	<input checked="" type="checkbox"/> Rieger (rie)
<input checked="" type="checkbox"/> Fairbanks (Interior) (int)	<input checked="" type="checkbox"/> James (jam)	<input checked="" type="checkbox"/> Theriault (thr)	<input checked="" type="checkbox"/> Sabo (sal)
<input checked="" type="checkbox"/> Matu (mat)	<input checked="" type="checkbox"/> Kelly, P. (kpl)	<input checked="" type="checkbox"/> Toohay (toh)	<input checked="" type="checkbox"/> Sharp (sha)
<input checked="" type="checkbox"/> Majority (mjr)	<input checked="" type="checkbox"/> Kohring (kor)	<input checked="" type="checkbox"/> Vazey (vaz)	<input checked="" type="checkbox"/> Taylor (tay)
<input checked="" type="checkbox"/> Minority (mnr)	<input checked="" type="checkbox"/> Kott (kot)	<input checked="" type="checkbox"/> Williams (wil)	<input checked="" type="checkbox"/> Torgerson (tor)
	<input checked="" type="checkbox"/> Kubina (kub)	<input checked="" type="checkbox"/> Willis (wis)	<input checked="" type="checkbox"/> Zharoff (zha)

Subject: Enter a bill number and check one box below OR enter a subject.

HB or SB	Bill number	and check one:	Support	OR	Subject:
HB	454	<input checked="" type="checkbox"/>	Support		
		<input type="checkbox"/>	Oppose		
		<input type="checkbox"/>	Amend		

Message: * This form MUST be completely filled out, including a phone number. You may phone, fax, or deliver your POM to any LIO. * Please PRINT. Your message cannot exceed 50 words (one word per box), and cannot contain any vulgar language.

Domestic	Violence	is	a	Crime,
social	disease	which	needs	to
be	treated	as	such.	Need
to	send a	strong	message	by
toughening	the	law.	In	twelve
years	I	have	seen	numerous
victims	especially	children	suffering	the
consequences	of	domestic	violence.	PLEASE.
support	and	pass	this	bill.

Public Opinion Message

Tok Legislative Information Office (LIO)
 P.O. Box 845 - UAF Tok Center Building Tok, AK 99780 • Phone: 883-5020 Fax: 883-5021

From: Print your name and address as it appears on your voter registration card.

Ms., Mr., Mrs.	First name	ALL	LAST NAME	P., Sr., III.
MS	Roselyn		ISAAC	
Residence (street) address			State	Zip code
T-9 TANACROSS			Alaska	99776
Mailing address			Zip code	
P.O. Box 76004 TANACROSS, AK 99776				
Daytime telephone number		Group Affiliation (if applicable)		
907 883-5181				

To: Write an H or an S in a Committee box; put a ✓ in a Caucus or Member's box.

Committees (enter H or S)	House members	Long	Senate members
<input type="checkbox"/> Community & Regional Affairs (cra)	<input checked="" type="checkbox"/> Auelerman (aue)	<input checked="" type="checkbox"/> Madia (mad)	<input checked="" type="checkbox"/> Adams (ada)
<input type="checkbox"/> Finance (fin)	<input checked="" type="checkbox"/> Barnes (bar)	<input checked="" type="checkbox"/> MacLean (mac)	<input checked="" type="checkbox"/> Conley (con)
<input type="checkbox"/> Health, Ed. & Social Services (hes)	<input checked="" type="checkbox"/> Brice (bri)	<input checked="" type="checkbox"/> Martin (mar)	<input checked="" type="checkbox"/> Duncan (dun)
<input type="checkbox"/> Judiciary (jud)	<input checked="" type="checkbox"/> Brown (bro)	<input checked="" type="checkbox"/> Masek (mas)	<input checked="" type="checkbox"/> Ellis (eli)
<input type="checkbox"/> Labor & Commerce (l&c)	<input checked="" type="checkbox"/> Bunde (bun)	<input checked="" type="checkbox"/> Moses (mos)	<input checked="" type="checkbox"/> Frank (far)
<input type="checkbox"/> Resources (res)	<input checked="" type="checkbox"/> Davlos (dav)	<input checked="" type="checkbox"/> Mulder (mul)	<input checked="" type="checkbox"/> Green (gre)
<input type="checkbox"/> Rules (rie)	<input checked="" type="checkbox"/> Davis, B. (dab)	<input checked="" type="checkbox"/> Navarro (nav)	<input checked="" type="checkbox"/> Halford (hal)
<input type="checkbox"/> State Affairs (sta)	<input checked="" type="checkbox"/> Davis, G. (dag)	<input checked="" type="checkbox"/> Nicholas (nic)	<input checked="" type="checkbox"/> Hoffman (hof)
<input type="checkbox"/> Transportation (tra)	<input checked="" type="checkbox"/> Elton (elt)	<input checked="" type="checkbox"/> Ogan (oga)	<input checked="" type="checkbox"/> Kelly, T. (kel)
<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Finkelstein (fik)	<input checked="" type="checkbox"/> Parnell (par)	<input checked="" type="checkbox"/> Loman (lom)
<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Foster (fos)	<input checked="" type="checkbox"/> Phillips, G. (phg)	<input checked="" type="checkbox"/> Lincoln (lin)
	<input checked="" type="checkbox"/> Green (gm)	<input checked="" type="checkbox"/> Porter (por)	<input checked="" type="checkbox"/> Miller (mil)
	<input checked="" type="checkbox"/> Gruesendorf (gre)	<input checked="" type="checkbox"/> Robinson (rob)	<input checked="" type="checkbox"/> Pearce (pea)
	<input checked="" type="checkbox"/> Hanley (han)	<input checked="" type="checkbox"/> Roketberg (rok)	<input checked="" type="checkbox"/> Phillips, R. (phi)
	<input checked="" type="checkbox"/> Ivan (iva)	<input checked="" type="checkbox"/> Sanders (san)	<input checked="" type="checkbox"/> Rieger (rie)
	<input checked="" type="checkbox"/> James (jam)	<input checked="" type="checkbox"/> Theriault (thr)	<input checked="" type="checkbox"/> Sabo (sab)
	<input checked="" type="checkbox"/> Kelly, P. (kkl)	<input checked="" type="checkbox"/> Toohoy (toh)	<input checked="" type="checkbox"/> Sharp (sha)
	<input checked="" type="checkbox"/> Kohring (kcr)	<input checked="" type="checkbox"/> Vozey (voz)	<input checked="" type="checkbox"/> Taylor (tay)
	<input checked="" type="checkbox"/> Kolt (kol)	<input checked="" type="checkbox"/> Williams (wil)	<input checked="" type="checkbox"/> Torgerson (tor)
	<input checked="" type="checkbox"/> Kubina (kub)	<input checked="" type="checkbox"/> Willis (wls)	<input checked="" type="checkbox"/> Zharoff (zhs)

Subject: Enter a bill number and check one box below OR enter a subject.

HB or SB	Bill number	and check one:	Support	OR	Subject:
SB	246	<input checked="" type="checkbox"/>	Oppos		
		<input type="checkbox"/>	Amend		

Message: * This form MUST be completely filled out, including a phone number. You may phone, fax, or deliver your POM to any LIO
 * Please PRINT. Your message cannot exceed 50 words (one word per box), and cannot contain any vulgar language

Domestic	Violence	needs	to	end	5
by	strengthening	current	laws	on	10
creating	new	ones	Perpetrators	need	15
to	understand	that	their	behaviors	20
is	no	longer	tolerated.	PLEASE	25
support	and	pass.	this	Bill	30
along	with	HB	454		35
					40
					45
					50



Division of Administrative Services
Delta Junction Legislative Information Office
P.O. Box 1189
Delta Jct. AK 99737
Phone: (907) 895-4231 Fax: (907) 895-5017

To: Exec. Department of Public Safety
Fax: 465-3627 Phone: _____

Date Sent: 3/26/96 No. of Pages Including Cover Sheet: 02

Thank You,

Tammy R. Hall
Information Assistant



Alaska State Legislature

Please enter into the record my testimony to the Department of Public Safety - CVOUSA
Domestic Violence committee name

committee on HB 454, dated March 22, 1996.

bill subject This bill in my opinion is just another way to dupe
people into believing that we no longer have God given, unalienable rights guaranteed
by the Constitution of the United States of America. It appears to be more
government control, a back door to suspending the Constitution, as well as the
State Constitution, and a way to disarm the Citizens so they can't protect themselves
from the reigning tyranny. (Back door Gun Control, couldn't get the way you wanted
so try another route). Government has NO BUSINESS trying to legislate regulations,
or rules for what is to take place in families. Giving power to the Women's Shelter
and/or mental health is a serious mistake. WE THE PEOPLE don't need more laws,
and especially badly rewritten laws, statutes, or regulations. You want to remember
you who advocate for these undodly bills and they pass, you will fall under them
when your no longer in office, but I feel you should be treated the same as the
people while you're in office. It appears you all believe your above the laws, regulation
and statutes your passing and unknowingly enforcing, but you aren't. There is a Double
STANDARD here that shouldn't be. All men were created equal, we all have the right to
keep and bear arms without infringements, the right to privacy, to life, liberty, property
and the pursuit of happiness, yet it appears that legislation is willing to suspend the
Constitution, and pass what ever laws necessary to usher in the NEW WORLD ORDER
with the legislations blessings. It appears that the State is following the Comm-
unist manifesto line by line to receive grants etc... from the Feds to run our State
This wouldn't be necessary if legislation didn't bow to Agencies who want more control
and bigger budgets. It appears due process and all rights are being suspended, which
basically puts all people at the Mercy of a government that has run amok. It also
appears legislators and others who take oaths are not upholding their oaths of office
which could be considered TREASON and/or Sedition which could also be considered
an act of war against the people. It also appears that legislators and various
Departments and Agencies (Department of Safety being one of them) listen to what
the people say but it goes in one ear and out the other and legislation and like
departments and Agencies do what they want their own agenda, not caring for the
people at all. (At least it appears that way). I don't agree with this bill and I don't
believe that it is in the best interest of the people of the state of Alaska or for the
few Sovereign Citizens there are throughout this state. Please stand up for the
Constitution which was part of the oath you promised to uphold. Don't continue
to sell families and people down the river for a buck. Turn from these ungodly

Restoration of Rights without Prejudice under U.C.C. 12 and tyrannical regulations
and U.C.C. 207.6 and stand up for the freedom for which this country
was based on.

Signed: Testifier
Jeanne Marie, Phigor (Phigor)
Representing (Optional)
Fourth Judicial District
66 Prospect Ave 544
Delta Junction, Alaska Republic
Phone No. (907) 895-4805

I'd also appreciate hearing
from this department to try
and understand why it feels it
necessary to destroy freedoms
that the Constitution and State
Constitution guarantee.

Senator Judith E. Salo

Alaska State Legislature

MEMORANDUM

TO: Senator Robin Taylor, Chair
Senate Judiciary

FROM: Senator Judith E. Salo *JES*

DATE: March 11, 1996

SUBJECT: Senate Bill 246

.....

I am respectfully requesting a hearing on Senate Bill 246, The Domestic Violence Prevention Act of 1996. I am very interested in this legislation and hope you will consider it for a hearing very soon.

A considerable amount of work has gone into the rewrite of the statutes relating to Domestic Violence - a more workable law in this area can be the result of this work and that done in the committee process.

I became interested in this subject by attending a workshop in Kenai sponsored by law enforcement and the Council on Domestic Violence and Sexual Assault. At that workshop a prosecutor from San Diego convinced me and others that we could and should improve our handling of domestic violence cases.

Again, I urge your consideration of hearing this bill, and I would be willing to help in any way possible when you do work on it.

South Anchorage • Lower Hillside • Ocean View • Klatt • Kenai • Nikiski • Kalifornsky Beach

*↳ During Session: State Capitol • Juneau, AK 99801 • (907) 265-3930 • (907) 265-3766 FAX
↳ Interim Anchorage: 716 W 4th, Suite 350 • Anchorage, AK 99501 • (907) 258-8183 • (907) 258-5571 FAX
↳ Interim Kenai: 145 Mainstreet Loop • Kenai, AK 99611 • (907) 283-7996*

Senator Judith E. Salo

Alaska State Legislature

MEMORANDUM

TO: Senator Robin Taylor, Chair
Senate Judiciary

FROM: Senator Judith E. Salo

DATE: March 18, 1996

SUBJECT: Senate Bill 246

.....

I am again respectfully requesting a hearing on Senate Bill 246, The Domestic Violence Prevention Act of 1996. I am very interested in this legislation and hope you will consider it for a hearing very soon.

There have recently been two very serious domestic violence cases in Alaska that have resulted in the murder of two women allegedly by their abusers. Both cases had a history of domestic violence and in at least one case the woman had done everything in her legal power to protect herself, and the system failed her. I believe that SB 246 would add some additional tools to help provide a better public safety net for domestic violence victims.

Please consider this legislation for a hearing. It truly is a matter of life and death for some people. I have attached two articles from today's paper. Please let me know what your intentions are for Senate Bill 246.

South Anchorage • Lower Hillside • Ocean View • Klatt • Kenai • Nikiski • Kalifornsky Beach

└─ During Session: State Capitol • Juneau, AK 99801 • (907) 465-2940 • (907) 465-3766 FAX

└─ Interim Anchorage: 716 W 4th, Suite 250 • Anchorage, AK 99501 • (907) 258-8183 • (907) 258-5571 FAX

└─ Interim Kenai: 135 Mainstreet Loop • Kenai, AK 99611 • (907) 283-7996

Sterling man pleads not guilty to murder

By JANIE LAWLEY
Peninsula Clarion

3-19-96

A Sterling man accused of killing Susan Michele Overbeck on March 5 plead not guilty Friday in Kenai Superior Court.

Alan R. Burton, 39, was arraigned in court on Friday and his attorney, Public Defender Brian Easton, entered the not-guilty plea and requested a jury trial. Judge Jonathan H. Link scheduled the trial for early June.

Earlier on Friday, Burton was indicted on a charge of first degree murder by a grand jury.

Alaska State Troopers arrested Burton on March 5 and charged him with first degree murder in Overbeck's death. Troopers were called to the residence of Burton and Overbeck shortly after midnight on that day. The caller, who identified himself as "Al," told troopers that he needed someone to come out and get him and that he had just killed "S.O." and was going to kill himself too.

When troopers arrived at the home, Overbeck was found severely injured on the floor of the home. A 12-gauge shotgun was found on the porch. Trooper investigators described Overbeck's wounds. They said that she was shot in the

See PLEA, back page

...Plea

Continued from page 1

side of the face. The bullet then exited her throat area, entered her upper body and exited again from the side of her chest, damaging her arm.

The charging document stated that Burton told a trooper upon his arrival on the scene that Overbeck had shot herself. A trooper investigator examined Overbeck. He said that there was no indication that Overbeck had been holding a firearm and that the injury was consistent with her arm being at her side at the time of the shooting.

Crews from Central Emergency Services provided medical aid to Overbeck, but she died at the scene.

Burton is being held at Wildwood Pretrial Facility on \$100,000 cash-only bail.

First degree murder is an unclassified felony. If convicted, Burton faces a \$75,000 fine and 20 to 99 years in prison.

DEATH: Stabbing death in hands of jury

Continued from Page D-1

Brady held up Willa's copy of the order for the jury to see. The yellow form, now sheathed in plastic and marked with an exhibit sticker, is soaked with her blood.

Pritchard, who testified in his own defense last week, said he was drunk on Budweiser and doesn't remember much of the attack. He recalls forcing his way into his wife's Midtown trailer, despite three young men who were there to keep him away. He remembers taking her to the kitchen, where, he says, she pulled a knife on him and they struggled. He says he remembers her crying out that her neck was cut, but doesn't remember plunging the knife into her heart or through her torso.

Brady argued that Pritchard intentionally killed his wife and thus was guilty of first-degree murder. Beer may have clouded his judgment, but

he managed to stab her through most of her vital organs, Brady said.

"Now, that is excellent eye-hand coordination for a man who says he was drunk," the prosecutor said.

Pritchard's lawyer, Jim Gould, did not discuss alcohol much in his closing argument. Instead, he gave the jury a new defense to chew on: heat of passion.

Pritchard, Gould said, was rejected by his mother and left to be raised by an aunt and uncle. He loved Willa, but she, too, was rejecting him. He went to her trailer to talk to her, but she didn't want to talk. Then, in the kitchen, she pulled a knife on him. He was frightened, overwhelmed by emotion, and he lost it, Gould said.

"The law recognizes that people are people and that we sometimes lose control," the defense attorney said.

If the jury accepts the heat-of-passion defense, it could convict Pritchard of manslaughter, which normally results in a five-year sentence.

Willa Pritchard was raised in Southeast Alaska, mostly in Yakutat, her aunt said. To the family, she was "a sunshine person": witty, upbeat, outgoing, Piccard said.

Willa's 5-year-old son is living with relatives who love him, Piccard said, but sometimes asks when his mother is coming back.

"He's still waiting for her to come get him," Piccard said.

Stabbing death goes to the jury

By LIZ RUSKIN

Daily News reporter

Jan Piccard attended nearly every day of the trial, sitting behind the prosecutors, sometimes weeping quietly for her niece, Willa Jean Pritchard, who was stabbed to death by her husband last September.

She was here to learn the details of how Willa was killed, hard as they were for her to hear.

"I'm here for Willa," Piccard said, outside the courtroom. She was there, too, for Willa's 5-year-old son. Someday, Piccard said, the little boy will ask how his mother died, and she will have to be ready with the answers.

On Monday, a Superior Court jury began deliberating the first-degree murder case against Leo Pritchard, 34.

In closing arguments, Assistant District Attorney Kevin Brady recounted how Willa Pritchard had tried to protect herself from the violent man she'd been married to for three months. A week before she was killed, she went to court for a restraining order to keep him away.

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DEATH: Stabbing death in hands of jury

Continued from Page D-1

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