

LEG. FINANCE - BILLS 1977 - 1978 728

HB 456 thru HB 463 am

Sec. 22.27.050. RETIREMENT OF JUSTICES AND JUDGES. (a) A justice, judge, or magistrate shall be retired on the date that he reaches the age of 70. He is eligible for retirement pay if he has had five or more years of service at the time of retirement as a justice, judge, or magistrate.

(b) A justice, judge, or magistrate may be retired for incapacity as provided by law. He is eligible for retirement pay if he has had two or more years of service at the time of retirement for incapacity. The effective date of retirement under this subsection is the first day of the month coinciding with or after the date upon which the governor with respect to a justice, or the supreme court with respect to a judge or magistrate, files with the commissioner of administration a written declaration to the effect that a designated justice, judge, or magistrate was retired for incapacity. A duplicate copy of the declaration shall be filed with the judicial council.

(c) A justice, judge, or magistrate who served for a period of five years, and who believes that he has become so incapacitated as to prevent him from efficiently performing his judicial duties may file with the governor a written application for retirement which contains a sworn statement of his service and of his incapacity. When an application is filed, the governor shall appoint a board of three persons to inquire into the circumstances, and may, upon the board's recommendation, retire the justice, judge, or magistrate. The effective date of the retirement shall be as provided in (b) of this section.

(d) A justice, judge, or magistrate may voluntarily retire at any time and has a vested right to his accrued retirement pay if he has served five or more years. Retirement pay shall not commence until he has reached age 60, except that an actuarially equivalent retirement pay may be commenced after he has reached age 55 or upon his serving 20

1 years as a justice, judge, or magistrate. The provisions of (b) of this
2 section are an exception to this rule. A justice, judge, or magistrate
3 desiring to retire under this subsection shall file with the commis-
4 sioner of administration a notice of his desire. If a justice, judge,
5 or magistrate is eligible to receive retirement pay at the time of his
6 retirement, his retirement pay shall commence on the first day of the
7 month coinciding with or after the date the notice is filed with the
8 commissioner of administration. If a justice, judge, or magistrate is
9 not eligible to receive retirement pay at the time of his retirement,
10 his retirement pay shall commence on the first day of the month he
11 reaches age 60 or the month he becomes eligible for an actuarial equiva-
12 lent if he has applied for this option.

13 (e) In the computation of service for retirement under this
14 chapter, the time served by a justice, judge, or magistrate of any court
15 of the state is added to the time served by him, if any, on any other
16 court of the state.

17 Sec. 22.27.060. RETIREMENT PAY. A retired justice, judge, or
18 magistrate eligible for retirement pay shall receive from the date of
19 his eligibility until his death monthly compensation equal to five per
20 cent per year of service, to a maximum of 75 per cent, of the monthly
21 salary authorized for justices, judges, and magistrates, respectively,
22 at the time each retirement payment is made.

23 Sec. 22.27.070. SURVIVORS' BENEFITS. (a) Upon the death of a
24 justice, judge, or magistrate who has served for at least two years, the
25 surviving spouse is entitled to receive monthly compensation equal to 50
26 per cent of the monthly retirement pay the justice, judge, or magistrate
27 would thereafter have been entitled to receive if retired at the time of
28 death. If at death the justice, judge, or magistrate was not yet en-
29 titled to retirement pay, or was or would have been entitled to less

1 than 60 per cent of the monthly salary authorized for his office, the
2 surviving spouse is entitled to monthly compensation equal to 30 per
3 cent of the salary authorized for justices, judges, or magistrates,
4 respectively, at the time each monthly payment is made.

5 (b) To be eligible for the survivors' benefits, the surviving
6 spouse must have been married to the justice, judge, or magistrate for
7 at least two years immediately preceding the death of the justice,
8 judge, or magistrate. The benefits continue until the remarriage or
9 death of the surviving spouse.

10 (c) If there is no surviving spouse, or if the surviving spouse
11 does not meet the requirements of (b) of this section, or upon the
12 remarriage or death of the surviving spouse, the surviving dependent
13 child or children of the justice, judge, or magistrate are entitled to
14 receive in equal shares 50 per cent of the amount of the survivors'
15 benefits specified under (a) of this section.

16 (d) The surviving child or children are entitled to the survivors'
17 benefits under (c) of this section during the period of their dependency.
18 Dependency exists with respect to any child of a justice, or judge, or
19 magistrate who is either (1) a minor under the laws of Alaska, (2) under
20 the age of 23 and is a student attending on a full-time basis an ac-
21 credited educational or technical institution recognized by the Depart-
22 ment of Education, or (3) so mentally or physically incapacitated as to
23 be unable to provide for self-care.

24 (e) If there are both an eligible surviving spouse and surviving
25 dependent children, but who reside in separate households, the surviving
26 spouse and dependent children are entitled to share equally in the
27 benefits payable under (a) of this section.

28 Sec. 22.27.080. TAX EXEMPTION. Benefits paid under this chapter
29 are exempt from state and municipal taxes.

1 Sec. 22.27.090. EMPLOYER CONTRIBUTIONS. (a) The employer shall
2 make contributions to the system in accordance with the rate established
3 by the commissioner of administration. That rate shall be based upon
4 the results of an actuarial valuation of the system. The results of the
5 actuarial valuation shall be based upon actuarial methods and assumptions
6 adopted by the commissioner.

7 (b) The contribution rate shall be a percentage which, when
8 applied to the covered compensation of all active members of the system,
9 will generate sufficient contributions to properly support, in conjunc-
10 tion with employee contributions, the benefits of the system.

11 Sec. 22.27.100. ACCOUNTING. (1) The contributory judicial
12 retirement account is established to which all appropriations made for
13 the purpose of funding the retirement system under this chapter shall be
14 credited.

15 (b) An individual account shall be maintained for each justice,
16 judge, or magistrate to which the amount of his mandatory contributions
17 collected under this chapter shall be credited as of the date of deduc-
18 tion or payment, as the case may be. On June 30 and December 31 of each
19 year, beginning with June 30, 1979, this account shall be credited with
20 interest by applying one-half of the prescribed rate of interest to the
21 balance in the account as of that date.

22 (c) Upon commencement of retirement pay to a justice, judge, or
23 magistrate, the balance in his individual account shall be transferred
24 to the contributory judicial retirement account.

25 Sec. 22.27.110. REFUNDS. Upon termination of judicial service,
26 application may be made for a refund of the balance in the individual's
27 account. Upon withdrawal of the balance, all rights to benefits ter-
28minate.

29 Sec. 22.27.120. PRIOR SERVICE CREDIT. If a justice, judge, or

1 magistrate who has withdrawn the balance of his individual account
2 returns to permanent active service, he shall receive credit for his
3 prior period or periods of service only if he repays within one year of
4 the date of return all refunded contributions with interest at the
5 prevailing prescribed rate.

6 Sec. 22.27.130. MEDICAL BENEFITS. Each person who is entitled to
7 receive a monthly benefit from the retirement system under this chapter
8 shall be provided with major medical insurance coverage. Coverage shall
9 become effective on the same date as retirement benefits commence and
10 cease when the retired employee or survivor is no longer eligible to
11 receive a monthly benefit. The level of coverage for persons over age
12 65 shall be the same as that available before reaching age 65 except
13 that the benefits payable shall be supplemental to those afforded under
14 the federal old age survivor and disability insurance program, if any.

15 Sec. 22.27.900. DEFINITIONS. In this chapter, unless the context
16 clearly indicates otherwise,

- 17 (1) "commissioner" means the commissioner of administration;
18 (2) "judge" means a superior court or district court judge;
19 (3) "justice" means a supreme court justice;
20 (4) "magistrate" means a district court magistrate;
21 (5) "full-time magistrate" means a magistrate who receives
22 remuneration for his services as a magistrate on the basis of no less
23 than 37.5 hours per week.

24 * Sec. 2. This Act takes effect July 1, 1978.

3882

Vanna

Introduced: 4/7/77
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY MALONE

2 HOUSE BILL NO. 456

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a contributory judicial retirement
7 system; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 22 is amended by adding a new chapter to read:

10 CHAPTER 27. CONTRIBUTORY JUDICIAL RETIREMENT SYSTEM.

11 Sec. 22.27.010. APPLICATION. Each justice, judge, or full-time
12 magistrate appointed before July 1, 1977 accrues benefits under the
13 provisions of ch. 25 of this title. Each justice, judge, or full-time
14 magistrate appointed after that date accrues benefits under the system
15 provided in this chapter.

16 Sec. 22.27.020. ADMINISTRATION. The commissioner of administra-
17 tion is responsible for the administration of the system.

18 Sec. 22.27.030. REGULATIONS. The commissioner may adopt regula-
19 tions to implement the provisions of this chapter. Regulations adopted
20 by the commissioner under this chapter relate to the internal management
21 of state agencies and their adoption is not subject to the Administra-
22 tive Procedure Act (AS 44.62).

23 Sec. 22.27.040. EMPLOYEE CONTRIBUTIONS. While participating in
24 the system each justice, judge, and magistrate shall contribute seven
25 per cent of his compensation to the retirement system.

26 Sec. 22.27.050. RETIREMENT OF JUSTICES AND JUDGES. (a) A justice,
27 judge, or magistrate shall be retired on the date that he reaches the
28 age of 70. He is eligible for retirement pay if he has had five or more
29 years of service at the time of retirement as a justice, judge, or

1 magistrate.

2 (b) A justice, judge, or magistrate may be retired for incapacity
3 as provided by law. He is eligible for retirement pay if he has had two
4 or more years of service at the time of retirement for incapacity. The
5 effective date of retirement under this subsection is the first day of
6 the month coinciding with or after the date upon which the governor with
7 respect to a justice, or the supreme court with respect to a judge or
8 magistrate, files with the commissioner of administration a written
9 declaration to the effect that a designated justice, judge, or magistrate
10 was retired for incapacity. A duplicate copy of the declaration shall
11 be filed with the judicial council.

12 (c) A justice, judge, or magistrate who served for a period of
13 five years, and who believes that he has become so incapacitated as to
14 prevent him from efficiently performing his judicial duties may file
15 with the governor a written application for retirement which contains a
16 sworn statement of his service and of his incapacity. When an applica-
17 tion is filed, the governor shall appoint a board of three persons to
18 inquire into the circumstances, and may, upon the board's recommenda-
19 tion, retire the justice, judge, or magistrate. The effective date of
20 the retirement shall be as provided in (b) of this section.

21 (d) A justice, judge, or magistrate may voluntarily retire at any
22 time and has a vested right to his accrued retirement pay if he has
23 served five or more years. Retirement pay shall not commence until he
24 has reached age 60, except that an actuarially equivalent retirement pay
25 may be commenced after he has reached age 55 or upon his serving 20
26 years as a justice, judge, or magistrate. The provisions of (b) of this
27 section are an exception to this rule. A justice, judge, or magistrate
28 desiring to retire under this subsection shall file with the commissioner
29 of administration a notice of his desire. If a justice, judge, or

1 magistrate is eligible to receive retirement pay at the time of his
2 retirement, his retirement pay shall commence on the first day of the
3 month coinciding with or after the date the notice is filed with the
4 commissioner of administration. If a justice, judge, or magistrate is
5 not eligible to receive retirement pay at the time of his retirement,
6 his retirement pay shall commence on the first day of the month he
7 reaches age 60 or the month he becomes eligible for an actuarial equiva-
8 lent if he has applied for this option.

9 (e) In the computation of service for retirement under this
10 chapter, the time served by a justice, judge, or magistrate of any court
11 of the state is added to the time served by him, if any, on any other
12 court of the state.

13 Sec. 22.27.060. RETIREMENT PAY. A retired justice, judge, or
14 magistrate eligible for retirement pay shall receive from the date of
15 his eligibility until his death monthly compensation equal to five per
16 cent per year of service, to a maximum of 75 per cent, of the monthly
17 salary authorized for justices, judges, and magistrates, respectively,
18 at the time each retirement payment is made.

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20 justice, judge, or magistrate who has served for at least two years, the
21 surviving spouse is entitled to receive monthly compensation equal to 50
22 per cent of the monthly retirement pay the justice, judge, or magistrate
23 would thereafter have been entitled to receive if retired at the time of
24 death. If at death the justice, judge, or magistrate was not yet en-
25 titled to retirement pay, or was or would have been entitled to less
26 than 60 per cent of the monthly salary authorized for his office, the
27 surviving spouse is entitled to monthly compensation equal to 30 per
28 cent of the salary authorized for justices, judges, or magistrates,
29 respectively, at the time each monthly payment is made.

1 (b) To be eligible for the survivors benefits, the surviving
2 spouse must have been married to the justice, judge, or magistrate for
3 at least two years immediately preceding the death of the justice,
4 judge, or magistrate. The benefits continue until the remarriage or
5 death of the surviving spouse.

6 (c) If there is no surviving spouse, or if the surviving spouse
7 does not meet the requirements of (b) of this section, or upon the
8 remarriage or death of the surviving spouse, the surviving dependent
9 child or children of the justice, judge, or magistrate are entitled to
10 receive in equal shares 50 per cent of the amount of the survivors'
11 benefits specified under (a) of this section.

12 (d) The surviving child or children are entitled to the survivors'
13 benefits under (c) of this section during the period of their dependency.
14 Dependency exists with respect to any child of a justice, or judge, or
15 magistrate who is either (1) a minor under the laws of Alaska, (2) under
16 the age of 23 and is a student attending on a full-time basis an ac-
17 credited educational or technical institution recognized by the Depart-
18 ment of Education, or (3) so mentally or physically incapacitated as to
19 be unable to provide for self-care.

20 (e) If there are both an eligible surviving spouse and surviving
21 dependent children, but who reside in separate households, the surviving
22 spouse and dependent children are entitled to share equally in the
23 benefits payable under (a) of this section.

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25 are exempt from state and municipal taxes.

26 Sec. 22.27.090. EMPLOYER CONTRIBUTIONS. (a) The employer shall
27 make contributions to the system in accordance with the rate established
28 by the commissioner of administration. That rate shall be based upon
29 the results of an actuarial valuation of the system. The results of the

1 actuarial valuation shall be based upon actuarial methods and assumptions
2 adopted by the commissioner.

3 (b) The contribution rate shall be a percentage which, when
4 applied to the covered compensation of all active members of the system,
5 will generate sufficient contributions to properly support, in conjunc-
6 tion with employee contributions, the benefits of the system.

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8 retirement account is established to which all appropriations made for
9 the purpose of funding the retirement system under this chapter shall be
10 credited.

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12 judge, or magistrate to which the amount of his mandatory contributions
13 collected under this chapter shall be credited as of the date of deduc-
14 tion or payment, as the case may be. On June 30 and December 31 of each
15 year, beginning with June 30, 1978, this account shall be credited with
16 interest by applying one-half of the prescribed rate of interest to the
17 balance in the account as of that date.

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19 magistrate, the balance in his individual account shall be transferred
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29 the date of return all refunded contributions with interest at the

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3 receive a monthly benefit from the retirement system under this chapter
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8 65 shall be the same as that available before reaching age 65 except
9 that the benefits payable shall be supplemental to those afforded under
10 the federal old age survivor and disability insurance program, if any.

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12 clearly indicates otherwise,

- 13 (1) "commissioner" means the commissioner of administration;
14 (2) "judge" means a superior court or district court judge;
15 (3) "justice" means a supreme court justice;
16 (4) "magistrate" means a district court magistrate serving
17 the state on a full-time basis.

18 * Sec. 2. AS 22.28.130 is repealed.

19 * Sec. 3. This Act takes effect July 1, 1977.

ALASKA STATE LEGISLATURE

TENTH.. Legislature FIRST.. Session

HOUSE BILL..... NO. 456

By MALONE.....

"An Act establishing a contributory judicial retirement system; and providing for an effective date."

Contributory jud. retire. system

Introduced in the House 4-7-, 1977..

HISTORY IN THE HOUSE

19 77

Apr. 7

Read first time and referred to Committee on Judiciary and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

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PASS	Effective Date
Yeas	Yeas
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Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:

Failed to concur in Senate amendment; asked Sen. to recede

Senate receded from amendment

Senate failed to recede from amendment

FCC appointed by House

FCC appointed by Senate

FCC adopted

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James A. Smith
Signature of Camera Operator

2/14/90
Date

Introduced: 4/11/77
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 460

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Lake
7 Peninsula Regional Educational Attendance Area for con-
8 struction of additional school space for the village of
9 Kokhanok; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. The sum of \$200,000 is appropriated from the general fund to
12 the Lake Peninsula Regional Educational Attendance Area for construction of
13 additional school space for the village of Kokhanok.

14 * Sec. 2. This Act takes effect July 1, 1977.

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"An Act making a special appropriation to the Lake Peninsula Regional Educational Attendance Area for construction of additional school space for the village of Kokhanok; effective date."

COMMITTEE REPORT

HOUSE

5/18/77

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 460 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

_____ Chairman

"An Act making a special appropriation to the Lake Peninsula Regional Educational Attendance Area for construction of additional school space for the village of Kokhanok; and eff. date."

COMMITTEE REPORT

4-11-77

FINANCE

HOUSE

5-18-77

Date

Mr. Speaker:

The Committee on HESS has had HB 460 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass

(and) recommends it be referred to the _____ committee

reports it back without recommendation

AND attaches a report of its intent

(other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

W.D. Or DO PASS

T. Buchholt Do Pass

Walter Barnes do pass

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

J.V. Chatterton recommends: No Recommendation

Sam Cox recommends: NO REC

R. L. Bell recommends: No Rec

Don Bennett no Rec

Charl. H. Pennoke no Rec

Charles H. Pan
Chairman

3950
Vasson

Introduced: 4/11/77
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 460

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Lake
7 Peninsula Regional Educational Attendance Area for con-
8 struction of additional school space for the village of
9 Kokhanok; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. The sum of \$200,000 is appropriated from the general fund to
12 the Lake Peninsula Regional Educational Attendance Area for construction of
13 additional school space for the village of Kokhanok.

14 * Sec. 2. This Act takes effect July 1, 1977.

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 460

By ANDERSON

"An Act making a special appropriation to the Lake Penninsula Regional Educational Attendance Area for construction of additional school space for the village of Kokhanok; and providing for an effective date."

Add'l schl. space Kokhanok

Introduced in the House 4-11-1977

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on HESS and Finance												
Apr. 11	Reported back with recommendation that												
	Read second time and												
	Read third time and												
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CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
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SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

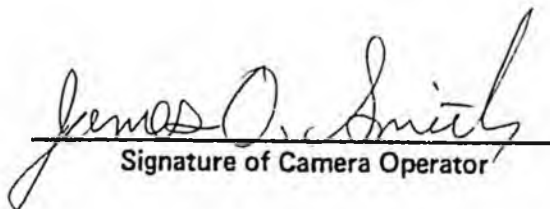
19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

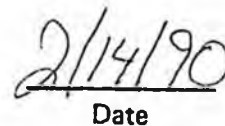


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

"An Act making a special appropriation to the Bristol Bay Regional Development Council; effective date."

COMMITTEE REPORT

5/19/77

HOUSE

5/19/77 _____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 462

under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for HB 462 and that CS for _____ do pass

(and) recommends it be referred to the _____ committee

reports it back without recommendation

AND attaches a report of its intent

(other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

[Signature] _____

[Signature] _____

[Signature] _____

[Signature] _____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

[Signature] recommends: [Signature]

[Signature] recommends: [Signature]

_____ recommends: _____

[Signature]

Chairman

Original sponsor: Anderson

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 462

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Bristol
7 Bay Regional Development Council; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. The sum of \$64,500 is appropriated from the general fund to
11 the Office of the Governor for the Bristol Bay Regional Development Council.

12 * Sec. 2. The unexpended and unobligated balance of the appropriation
13 made by this Act lapses into the general fund June 30, 1978.

14 * Sec. 3. This Act takes effect on the effective date of a version of an
15 Act entitled: "An Act extending the term of the Bristol Bay Regional Develop-
16 ment Council; and providing for an effective date."

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FORM 02-001BC
FOR BRIEF COMMUNICATIONS
MAY BE HANDWRITTEN

MEMORANDUM

TO: Legislative Affairs Agency

State of Alaska

DEPT. _____
DIV. _____
SEC. _____

DATE : May 19, 1977

FROM: Anne Lindbeck, Secretary
House Finance Committee

SUBJECT: Preparation of
Committee Substitute

Please prepare a CS for HB 462 as per the attached copy.
Thank you.

Introduced: 4/11/77
Referred: Commerce and Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 462

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Bristol
7 Bay Regional Development Council; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. The sum of \$^{64,500}~~72,000~~ is appropriated from the general fund to
11 the Office of the Governor for the Bristol Bay Regional Development Council.

12 * Sec. 2. The unexpended and unobligated balance of the appropriation
13 made by this Act lapses into the general fund June 30, 1978.

14 * Sec. 3. This Act takes effect on the effective date of a version of
15 an Act entitled: "An Act extending the term of the Bristol Bay Regional
16 Development Council; and providing for an effective date."

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Alaska State Legislature
House

JUNEAU ALASKA

MEMORANDUM

DATE: May 13, 1977

TO: Rep. Steve Cowper, Chairman
House Finance Committee

FROM: Rep. *NAA* Anderson, Jr.

SUBJECT: HB 461 & HB 462

I have attached for your information and for your file copies of resolutions passed by four village councils and the Bristol Bay Native Association. All resolutions point out the need for the continuation of the Bristol Bay Regional Development Council.

I am hereby requesting that HB 461 and HB 462 be placed on the agenda when your committee next resumes its operations.

Thank you in advance for your consideration. If I can be of assistance to you in this matter, please let me know.

Attachments

NAA:AGW:agw

MAR 17 1977

RESOLUTION NO. 77 - 01

WHEREAS: the Bristol Bay Regional Development Council was formed by the Alaska State Legislature to Assist villages in Bristol Bay to overcome constant occurring economic hardships, and,

WHEREAS: the Bristol Bay Regional Development Council has assisted villages in the past, and,

WHEREAS: there are many ongoing projects that would stop if the Council is not funded,

NOW THEREFORE BE IT RESOLVED by the Village Council of Chitka Point that the Bristol Bay Regional Development Council be kept active and continue to be funded by the State of Alaska.

Joseph L. Clark
Village Council President

ATTEST:

James M. Clark
Secretary,

BRISTOL BAY NATIVE ASSOCIATION

P. O. BOX 179
DILLINGHAM, ALASKA 99576
PHONE (907) 842-3322

March 15, 1977

Representative Nels Anderson, Jr.
Pouch V
Juneau, Alaska 99811

Dear Representative Anderson:

In 1974 the Bristol Bay Regional Development Council was formed to assist villages in Bristol Bay to overcome hardships that frequently occur due to poor fishing. I would like to point out to you what we have accomplished in the past year and what we hope to accomplish in the coming year.

We have assisted the City of Dillingham in securing funding from EDA to reconstruct a city owned cold storage facility. This facility was ill designed from the start and could not freeze the designed 25,000 pounds of fish per day. This has been completely redesigned, enlarged and presently 65-70% complete. The design is to freeze 80,000 pounds of fish per day. This will allow fisherman to receive a higher price per pound than commercial canneries. Local employment will increase as well as additional markets for salmon. EDA had made a 100% cost overrun grant in the amount of \$650,000.00. This project is to be completed by June 1, 1977 in time for the 1977 season.

The council has undertaken and completed a feasibility and a preliminary engineering study for (5) five office or "village affairs" buildings in the Bristol Bay area. We are presently pursuing funding for these buildings. This will create employment both temporarily and permanent. Total project cost is estimated at \$1,200,000.00. The villages involved have consented to contribute land and to maintain the buildings once they are constructed. The funding is being sought at a 100% grant from EDA.

We have completed (2) two publications (1) "Bristol Bay The Fishery and The People" and (2) "Bristol Bay Its Potential and Development". We have also contributed to "Bristol Bay An Overall Economic Development Plan" both in planning and funding.

We have been working closely with the Department of Community and Regional Affairs, Division of Community and Rural Development resulting in saving and implementing various RDA grants.

At present we are working very closely with the Corps of Engineers to have a small boat harbor constructed in the Chignik area. We expect the Corps to travel to the area and begin preliminary planning in the very near future.

Representative Nels Anderson, Jr,
March 15, 1977
continue page 2

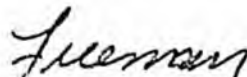
Another area we are looking at quite closely is Fish Hatcheries. You are well aware that this valuable and at present only renewable resource in the Bay. I recently returned from a tour of Fish Hatcheries in Southeast Alaska and am convince hatcheries would greatly enhance the Fisheries in Bristol Bay.

There are many areas we are looking at, to mention a few - Reindeer herding, Arts & Crafts, Small Scale Log Milling, and Hydro Electric projects.

We are therefore asking your assistance in continuing this program for Bristol Bay. This could also be construed as a model type for other areas of Alaska. S far its working.

Very truly yours,

BRISTOL BAY NATIVE ASSOCIATION, INC.



Freeman A. Roberts
Bristol Bay Regional Development Council

FAR/db

BRISTOL BAY NATIVE ASSOCIATION
BOX 179
DILLINGHAM, ALASKA 99576

RESOLUTION NO. 77-20

WHEREAS: the Bristol Bay Native Association exists to benefit the people of Bristol Bay, and,

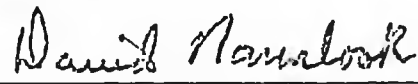
WHEREAS: the Bristol Bay Regional Development Council has been working under the leadership of Bristol Bay Native Association, Inc., and has been working to the betterment of the people of Bristol Bay,

NOW THEREFORE BE IT RESOLVED by the Executive Board of Bristol Bay Native Association, Inc., that the Bristol Bay Regional Development Council continued to be funded by the State of Alaska.

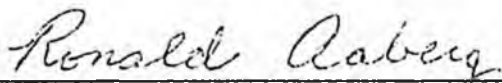
SIGNED:



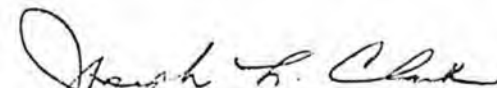
President, Nick Gregory



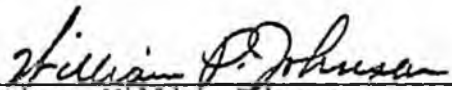
Vice President, David Nanalook



Secretary, Ronald Aaberg



Treasurer, Joe Clark



Member, William Johnson

MAR 18 1977

RESOLUTION NO. 77 - i

WHEREAS: the Bristol Bay Regional Development Council was formed by the Alaska State Legislature to Assist villages in Bristol Bay to overcome constant occurring economic hardships, and,

WHEREAS: the Bristol Bay Regional Development Council has assisted villages in the past, and,

WHEREAS: there are many ongoing projects that would stop if the Council is not funded,

NOW THEREFORE BE IT RESOLVED by the Village Council of Chisana
Bay that the Bristol Bay Regional Development Council be kept active and continue to be funded by the State of Alaska.

Thomas Perkins
Village Council President

ATTEST:

Thomas D. Linnert, Jr.
Secretary,

1977 22 1577

RESOLUTION NO. 77 - 4

WHEREAS: the Bristol Bay Regional Development Council was formed by the Alaska State Legislature to Assist villages in Bristol Bay to overcome constant occurring economic hardships, and,

WHEREAS: the Bristol Bay Regional Development Council has assisted villages in the past, and,

WHEREAS: there are many ongoing projects that would stop if the Council is not funded,

NOW THEREFORE BE IT RESOLVED by the Village Council of Egegik that the Bristol Bay Regional Development Council be kept active and continue to be funded by the State of Alaska.

Nick D. Gregory
 Village Council President

ATTEST:

Archie L. Myers
 Secretary,

RESOLUTION NO. 77 - 1

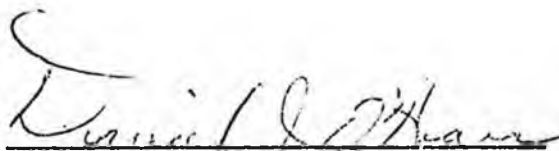
MAY 02 1977

WHEREAS: the Bristol Bay Regional Development Council was formed by the Alaska State Legislature to Assist villages in Bristol Bay to overcome constant occurring economic hardships, and,

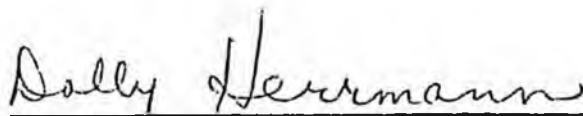
WHEREAS: the Bristol Bay Regional Development Council has assisted villages in the past, and,

WHEREAS: there are many ongoing projects that would stop if the Council is not funded,

NOW THEREFORE BE IT RESOLVED by the Village Council of Naknek
Alaska that the Bristol Bay Regional Development Council be kept active and continue to be funded by the State of Alaska.


Village Council President

ATTEST:


Secretary,

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUST

Bill/Resolution No. HB 462
Title An Act Making a Special Appropriation to the Bristol Bay Regional Develop. Council
Requested by Anderson Date _____

II. FISCAL DETAIL

Agency Affected Office of the Governor
Program Category Affected General Government
Budget Request Unit(s) Affected Division of Policy Development and Planning

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		72.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		72.0				

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND		72.0				
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME		0				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

These funds will be sent to the Department of Commerce and Economic Development, Division of Economic Enterprise, via an RSA. The Department will distribute the funds to the Council in accord with the attached sheet, with \$64,500 being granted to the Council and \$7,500 being paid directly by the Department for travel and per-diem of council members.

IV. DATE April 12, 1977 PREPARED BY [Signature]
AGENCY Office of the Governor - Budget Management
Original: Legislative Finance PHONE 465-2294
cc: Budget and Management
Prime Sponsor (First Legislator Named)

FISLOR BAY REGIONAL DEVELOPMENT COUNCIL PROGRAM

BUDGET FY '78

Project Director

12 months @ \$1,900 month \$22,800.00
Benefits @ 22% 5,000.00

Secretarial Support

12 months @ \$575 month 6,900.00

Accounting Support

12 months @ \$350 month 4,200.00

Executive Director Consultant Fees

@ \$100 per day
5 days per month x 12 months 3,600.00

Audit Fees

1,200.00

Transportation

Travel - Project Director 3,800.00
Per Diem - 50 days @ \$50.00 per day 2,500.00
Travel - Council Members 2,800.00
Per Diem 6 members - 3 meetings
4 days @ \$50.00 per day 3,200.00
BBMA Board Travel (Regional Fish Hatcheries) 1,500.00

*Council
Travel*

Rent & Utilities

12 months @ \$250 per month 3,000.00

Commodities

Stationary, Office Supplies 500.00

Telephone & Postage

1,000.00

Printing & Advertising

3,400.00

Professional Fees

Contractual -Pre-engineering & Architectural 5,000.00

Contingencies

1,600.00

TOTAL BUDGET

\$72,000.00

Introduced: 4/11/77
Referred: Commerce and Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 462

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Bristol
7 Bay Regional Development Council; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. The sum of \$72,000 is appropriated from the general fund to
11 the Office of the Governor for the Bristol Bay Regional Development Council.

12 * Sec. 2. The unexpended and unobligated balance of the appropriation
13 made by this Act lapses into the general fund June 30, 1978.

14 * Sec. 3. This Act takes effect on the effective date of a version of
15 an Act entitled: "An Act extending the term of the Bristol Bay Regional
16 Development Council; and providing for an effective date."

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RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/14/90
Date



Alaska State Legislature — House

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3797

LETTER OF INTENT FOR HB 463

It is the intent of the House Health,
Education, & Social Services Committee
that the money appropriated in HB 463
go to the non-profit corporation,
Abused Women's Aid in Crisis (A.W.A.I.C.).

Charlie Parr, Chairman
House Health, Education
& Social Services
Committee

COMMITTEE REPORT

SENATE

4/30/77

_____ 77 Date

Mr. President:

The Committee on FINANCE has had HB 463 an special appropriation to Dept. of C & RA for pilot program to establish shelter under consideration. A majority of the members of the Committee for battered women and children

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) Admitted to House of Representatives

MEMBERS SIGNING THE MAJORITY REPORT:

John Adams _____
Tommy _____
John Meland _____
John _____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

John recommends: no
John recommends: " "
_____ recommends: _____

Chairman
Chairman

HB 463

SOME ORDER OF THE PAPERWORK ATTACHED:

A.W.A.I.C.'s proposal and budget

testimony by Kit Evans, A.W.A.I.C.

exerpt from The Status of Women in Alaska

C&RA's fiscal note

excerpts from Women in Transition

excerpts from Ms. Magazine

letters in support from: Alaska Federation of Natives
Department of Housing and Urban Development, Anchorage
Dr. William M. Larson, Anchorage
Anchorage Neighborhood Health Center
Frances Handon

petition in support signed by Anchorage people .

PROPOSAL SUMMARY

Abused Women's Aid in Crisis (A.W.A.I.C.) is a non-profit corporation formed to provide services and to establish a shelter for abused women and their children. Our program will emphasize self-help and increased self reliance to enable women to assume personal responsibility for their choices and their lives. We intend to provide services that avoid incurring program dependency and recipient attitudes. The shelter will provide space for ten women and their children with an expected average of thirty to thirty-five residents. Trained staff will be present on a twenty-four hour basis; programs will include crisis intervention, secure shelter, food, medical and legal assistance, professional and para-professional counseling for individuals and families, resource referral, community outreach and research.

The budget and program outline are designed to reflect start-up and one year's operation. The amount requested is \$216,000.00.

I. INTRODUCTION

Who we are, what we have done, what we are doing, and who we are working with is outlined on the attached blue and yellow sheets.

II. PROBLEM STATEMENT

In all cases of domestic homicide investigated by the Anchorage Police Department, police records showed they had been called regarding domestic violence at least once before the actual murder took place. Anchorage police estimate they receive 3.3 calls per day involving wife beating just from within the old city limits and Spenard. Two staff members of Alaska Legal Services estimate that 70-75% of the women seeking legal advice acknowledge being beaten by their husbands. Studies elsewhere indicate that for every battered woman who seeks divorce or calls the police there is one who does neither and remains a statistically unknown and hidden victim. Another study found that in 57% of the homes where men beat their wives, the children are also beaten.

III. PROGRAM OBJECTIVES

TO open and operate a residential shelter for assaulted and battered women and their children which will provide safe accommodations from one to ninety days.

TO establish a network of volunteer homes to supplement the permanent shelter.

TO provide supportive services for both residents and non-residents. Non-residents are those women who do not reside in the shelter, as well as family members of those women who do.

TO advocate for change within those systems responsible for providing services to assaulted women, and battered women and their children.

TO establish reciprocal information and referral services with all existing community services, public and private.

IV. METHODOLOGY

Who will be served: Any woman who is legally emancipated (married, of legal age, or emancipated by the court) and who has been subjected to physical abuse, sexual assault or forced imprisonment by a member of her household.

Conditions for Service: Residents: 1) Residents will be required to share in household management and maintenance; 2) Residents will be charged on a sliding scale according to accessible income. Non-residents: 1) Women and family members will pay for services on a sliding scale, based on accessible income; 2) Non-residents will be required to honor all specific requirements of those programs in which they have chosen to participate.

Services: Safe housing in the shelter or volunteer home in the community.

Emergency transportation to medical facilities, the shelter or to a volunteer home.

Twenty-four hour crisis line.

Legal assistance for those not eligible for Legal Aid.

Direct-Service Advocates (volunteers) to assist and support women as they work through the various stages resulting from their choices - court, welfare, job rehabilitation or placement, legal aid, medical service, etc.

Counseling for battered and assaulted women and their children - crisis, family, marital, individual and group. Counseling for other family members, including the batterer, as requested.

Resource consultants from existing community services who meet regularly with groups of women to explain their services, requirements and how to utilize them.

Food and clothing.

BUDGET

I. PERSONNEL

TOTAL \$124,205.

A. Salaries & Wages

Administrative Director	\$2,000/mo x 12mo.	\$24,000.
Counseling Director	\$1,750/mo x 12mo.	\$21,000.
Family Coordinator	\$1,230/mo x 12mo.	\$14,770.
Counselor	\$1,000/mo x 12mo.	\$12,000.
Counselor	\$1,000/mo x 12mo.	\$12,000.
Counselor	\$1,000/mo x 12mo.	\$12,000.
Accountant	\$1,200/mo - part time	\$ 8,850.
	sub-total	\$104,620.

B. Fringe Benefits

FICA, ESC, Health Insurance for all employees,
approximately 18.5% of salaries \$19,105.

C. Consultants

Auditor \$30/hr x 16 for
independent audit \$480.

Total \$124,205.

II. NON-PERSONNEL

TOTAL \$91,795.

A. Space Costs

1) Rent or mortgage	\$2,300/mo x 12mo	\$27,600.
2) Maintenance	250/mo x 12mo	3,000.
3) Utilities	400/mo x 12mo	4,800.
4) Security System	installation full alarm system & 24 hr monitor	2,500.

B. Office Supplies 1 typewriter, soft
supplies 1,000.

C. Phone \$300/mo x 12,
installation of 3 lines 3,600.

D. Postage 500.

E. Printing annual report, brochure
or services 645.

F. Insurance

Workman's Comp.	1,000. per year	1,000.
Liability	250/mo x 12	1,500.
Household Contents fire,	300 per year	300.
one automobile	750 per year	750.

G.	<u>Travel</u>		
	Administrative	2 trips to Juneau @ \$200./trip	400.
H.	<u>Staff Training</u>	\$3,000 per year	3,000.
I.	<u>Food</u>	\$100. per person . per month	36,000.
J.	<u>Start-up</u>		
	Service hook-up, deposits, legal work, (administrative costs for this period appears above under Personnel.)		1,000.
K.	<u>Renovation</u>		
	To bring facility to code for group home, replace hollow-core outer doors with solid core.	6 doors @ \$200 each	3,000. 1,200.
			Non-Personnel Total \$91,795..

SHELTER & PROGRAM TOTAL \$216,000

OTHER INCOME

Comments: An in-kind estimate was submitted. It was suggested that we delete the professional services of attorneys as legal aid could supply that. It is our experience that this is not always the case due to income level requirements.

It was also suggested that the shelter might also derive monies from Social Services upon a contract basis for referrals. This is a very definite possibility but no agreement has been reached.

The sliding fee scale for services and shelter will provide some income but such fees are expected to be low and are based upon accessible income. Any such monies would go into a direct service fund that would supply small amounts to help women start up a new household if that were her choice.

BUDGET NARRATIVE

I. PERSONNEL

A: The administrative director is responsible to the A.W.A.I.C. Board of Directors for the 1) administration of the overall program ; 2) for all personnel and volunteers; 3) for instituting and maintaining all procedures necessary for the success of the shelter and compliance with regulations; 4) for budget and program reporting to the administrative state agency; 5) community relations - the salary correlates to an Administrative Officer I, Step 17 @ \$21,000 per year. The budget reflects 14 months which includes two months of organizing prior to opening the shelter, to locate a suitable facility, prepare for occupancy, and hire/orient staff, for a total of \$24,000; and 6) for seeking and securing continual and additional funding sources for the facility and the programs.

The counseling director is responsible for and will plan and implement all counseling programs, will provide in-service training for all staff, will supervise all counselors, will be responsible for all volunteers who have direct client contact, and will refer individuals to specific psychiatric programs in the community as needed. The salary correlates to a Youth Counselor Supervisor, Step 17 for a total of \$21,000 per year.

The family coordinator is responsible for assuring that the needs of children are met while the mothers are engaged in shelter programs, counseling and making contact with community services; for establishing and implementing all services for the children (school transportation, participation in community school activities, etc.); and for observation and evaluation of special needs of individual children; and in conjunction with the counseling director, for the supervision and training of all volunteers assisting in serving the children. The salary correlates to a Youth Counselor III, Step 14 for a total of \$14,700 per year.

The three (3) counselors will be para-professionals trained by the counseling director and responsible for intake, crisis intervention, direct volunteer supervision on each shift (3). The salary correlates to a Youth Counselor I, Step 11 for a total of \$12,000 per year per counselor.

The accountant is responsible for all fiscal record keeping and for coordinating with the auditor at all time for improved budget accountability and will work with the administrative director as an advisor on the compilation of all fiscal reports. The salary correlates to the state range for the lowest level for accountants working without direct supervision at a salary of \$1,200 per month. The accountant would be part-time for a total of \$6,000 per year.

II. NON-PERSONNEL

A. Space, maintenance, utilities, and protection figures are all researched estimates with input from professional brokers and directors of other

II. NON-PERSONNEL cont'd

residential self-help service programs and the State of Community and Regional Affairs, Anchorage.

- 4) Protection/Security System includes installation @ cost of \$1,500 for complete wiring of all windows and doors, an audible alarm to alert residents to security breaches, two interior manual hand-pull panic units and twenty-four hour central monitoring and emergency phone line. The yearly cost for maintenance is approximately \$800-1,000.00
- C. Phone - the shelter and its services will be open to residents state-wide. The phone will be a primary factor in making contact with family members and services in areas outside of Anchorage as well as in making arrangements for individuals wishing to return to homes in the lower 48. One line will be used only for incoming crisis calls; two are provided for returning calls and conducting business.
- E. Printing will cover annual reports and brochure describing agency, program, and services.
- H. Staff Training - The figure budgeted is meant to cover the minimal essential training for all appropriate staff and volunteers in crisis intervention, para-professional counseling and child care. It includes additional management training as provided locally, and participation in one national and one regional workshop for residential program administrators. It allows for the counseling director to attend special skill-increasing workshops locally and/or on the West Coast.
- I. Food - Actual food costs can be expected to \$36,000 to \$40,000 yearly based on 30 persons @ 3 meals a day, minimum \$1/day or approximately \$100/day. These estimates were verified by other residential programs serving adults and children.



Com. 47

Alaska State Legislature ~ House

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3797

LETTER OF INTENT FOR HB 463

It is the intent of the House Health,
Education, & Social Services Committee
that the money appropriated in HB 463
go to the non-profit corporation,
Abused Women's Aid in Crisis (A.W.A.I.C.).

A handwritten signature in cursive script, appearing to read "Charlie Parr".

Charlie Parr, Chairman
House Health, Education
& Social Services
Committee

HB 463

A. W. A. I. C.

co-ordinator: Kit Evans

abused women's aid in crisis

670 W. Firweed
Anchorage, Alaska 99501
278-4641 ex 143

I know that each of you is familiar with some of the aspects of violence in the home. Child abuse is something that, sadly enough, we are all too well aware of. And to add to our burden of trying to save these children and their families, another area of violence against people in their own home has come to light. Although it has existed for centuries, we are just now having to take a long and painful look at it. It is the beating and assaulting of women by the people they live with. And again we must ask, what is a family, what is its importance to us and our communities, what minimal rights and protections should a woman have in her home, what kind of environment is necessary for the physical and mental survival of the children, and what is the role of a government, charged with providing for the safety of its citizens?

These are the questions we should think about today, and continue to think about. They are part of a much longer process that you and I, and many others, are engaged in as we try, individually and together, to make our communities more solid, more safe, more healthy. But here we are also dealing with something that has immediate urgency. As we speak, a woman may be losing her vision, the temporary or permanent use of a limb, or perhaps receiving a bruising that will make her unable to move without pain for days. And a child may be watching - and learning.

I think we all have long assumed that since the physical assault of a citizen is a crime, that women beaten in their home have the same

protection as the man on the street. It is an assumption that has proven fatal for many women. It has only been in the past few years that doctors, lawyers, social and mental health workers, and the women themselves have come forward to testify that this has never been so, nor is it now. Every woman in Anchorage murdered in her home by her spouse, lived in a household where family disturbances were recorded previously in police records. From within the old city limits and Spenard alone, the police receive an average of 3.3 calls a day for such disturbances.

The reports from rural women, where often there are no police available, reveal further, without statistics, the enormity of the problem. "Most of my friends had the same problem - there isn't much you can do out there. Dad beat on Mom for 30 years. I didn't want my life to be like that, but I wasn't too surprised. He started hitting me around pretty soon after we were married. I was 16 then."

Aside from the personal suffering and pain of the women who have no way out of a battering home, there is the deep and lasting harm to children who grow up in that home, witnessing a savagery between their parents for which in other circumstances our society imprisons people. Children who grow up believing that violence against other humans is acceptable, grow up to spread that violence into their own homes, and into the streets of our communities.

The bill before you, HB 463, is one of the steps we can take now. This bill provides for an appropriation for a pilot project to establish a temporary shelter for assaulted and battered women and their children. Shelter is a necessity. Safe shelter is the greatest assistance that we can give to these families now. Without its existence the problems a woman faces in trying to remove herself from a battering home prove

insurmountable.

For instance: to provide herself and her children safe shelter she must have on hand cash money for first and last month's rent, food, medicine, and clothing. Even temporary welfare monies are unavailable for 30 to 45 days. And even if she is employed, her income is likely less than half than that of her husband. If he was also employed she will now be trying to start up and exist on 50% less money than the family previously had to use, with almost exactly the same expenses. If the woman is not employed, she must somehow survive for approximately 45 days, or immediately get a job. But how can she look for a job or get job training with no place to live and no money for food? And the woman who placed a high value on being with her children, who does not wish to leave them in day care (if it is available) or unattended while she works may have to pay the highest price of all for physical safety.

In short, if a woman leaves, where will she go, how will she feed herself or the children, how can she protect herself or them from a person who is perfectly willing to use violence on them? And, if she also wishes to try and save the marriage, how can the vicious cycle of beating ever be halted long enough to think, to work out the mutual and individual problems that are destroying the marriage, the children, and actually threaten their continued physical existence?

The individual problems are serious and severe. What brings us before you today is the incredible magnitude, the overwhelming number of families where violence is directed against the woman, and often the children as well. When A.W.A.I.C. first started, it was decided that we would keep a very low profile, that we would not become part of the referral system until we could build our services and resources. A few

calls still came through, about nine the first month. The number began increasing until last week when we received 14 calls from women as far away as Kenai. In each case, the women needed counsel, some also needed medical attention, clothing, transportation, and two needed someone to come and give moral and physical support in the actual moving out process. All were afraid, all but one had children, all but two needed a place to go. This Monday we received our first request for shelter by 8:30 a.m.

Working with these women, using their resources and ours, it has been possible in each instance to provide desperately needed assistance. A network of volunteered safe homes, private residences, are available in Anchorage. Unfortunately, most of them are only for two or three days, most cannot take children. Four attorneys have volunteered their skills on a limited basis, and a number of volunteers stand ready to provide transportation, clothing, help in dealing with the system, and apartment hunting. Cook Inlet Native Association has donated office space and phones. And a trained psychologist has volunteered, on a full time basis, group counseling, individual counseling, as well as interviewing all volunteer homes, all volunteers, and forming a referral liason with the mental health community.

The women requesting shelter are seeking two fundamental things. First and foremost is physical safety. The second is a chance to think. Safety provides a chance for the woman to look at her options realistically. To make some decision about her life and marriage. It may be the first time she or her husband have had a chance to examine how they have been living. What their marriage means to them. Discussion and decisions can take place without the blows which only complicate matters and

resolve nothing. Every woman who has contacted us describes a feeling of being immobilized, unable to think, being driven by fear, desperately afraid of the next beating, but almost more afraid of leaving, not knowing what to do or where to go. Some women have lived this way for over 20 years.

This bill will provide more than a place of physical safety for these women and their children; the staff will be able to provide information for all parties regarding their options and possible consequences. Information concerning community resources, where mental health counseling is available, about alcohol programs, legal assistance, and medical services. It will offer on the spot crisis intervention, assistance with welfare requirements, job counseling and marriage counseling. The women will have a chance to talk with other women who have had the same fears and problems, who have also finally said, "I'm not going to be beaten anymore, I am a person. No one, not even my husband has the right to tear out my hair or blacken my eyes, and I will never again allow my children to live in terror, or to be beaten themselves for trying to help me."

The last thing I feel I need to share with you is that the women who need this shelter are your neighbors, they come from all walks of life. Wife battering is no more common among one group than another - there are no racial distinctions, no economic class is more affected than another. The stereo types that exist are because the people are racially mixed, low income neighborhoods often have only the police to turn to. They do not have the kind of money that affords privacy. The walls of the homes of the well to do are much thicker, but they contain just as much family violence - just as many beaten women.

IN SUMMARY:

Wife beating is a critical and massive problem. Available records show it to be more prevalent than either rape or child abuse. It cuts across all social, racial and economic lines. Children raised in violent homes suffer severe mental and often physical abuse. These children often go on to rear still more children in violence. It is impossible, in almost every case, for a woman without any immediate personal income to find safe shelter for herself or her children. Women stay in battering homes, despite the physical abuse and pain, often despite the possible danger to the children, because they have no place to go. Men and women who live together in a battering/abused pattern can seldom find another way of dealing with marriage or personal stress as fear of battering and the actual assaults become the centrally perceived problem.

BATTERED WIVES

FACTS

NO AGENCY PRESENTLY MAINTAINS STATISTICS ON THE INCIDENCE OF WIFE BEATING, BUT ESTIMATES FROM POLICE REPORTS OF FAMILY DISTURBANCE AND DISORDERLY CONDUCT CALLS INDICATE APPROXIMATELY 3.3 WIFE BEATINGS PER DAY INVOLVING POLICE CONTACT IN ANCHORAGE.

WIFE BEATING OCCURS IN ALL ECONOMIC CLASSES.

TWENTY-TWO PERCENT OF THE POLICE OFFICERS KILLED ON DUTY IN 1974 WERE RESPONDING TO A FAMILY FIGHT CALL.

A WOMAN ASSAULTED WITH A DEADLY WEAPON BY A STRANGER CAN OBTAIN COMPENSATION FROM THE VIOLENT CRIMES COMPENSATION BOARD; A WIFE SIMILARLY ATTACKED BY HER HUSBAND CANNOT.

ISSUES

SHOULD POLICE DEPARTMENTS BE REQUIRED TO KEEP STATISTICS ON THE INCIDENCE OF WIFE BEATING?

SHOULD DOCTORS, SOCIAL WORKERS AND OTHER PROFESSIONALS BE REQUIRED TO REPORT INCIDENTS OF WIFE BEATING, AS CHILD ABUSE IS CURRENTLY REPORTED?

SHOULD THE ALASKA STATUTES BE AMENDED TO

1. ALLOW FOR PROBABLE CAUSE MISDEMEANOR ARRESTS BY POLICE OFFICERS IN CASES WHERE ONE ADULT MEMBER OF A HOUSEHOLD ASSAULTS ANOTHER?
2. ELIMINATE EXCLUSIONS FROM THE VIOLENT CRIMES COMPENSATION BOARD STATUTE SO THAT BATTERED WIVES WOULD BE COVERED?

SHOULD MORE FEMALE PATROL OFFICERS BE HIRED TO BE AVAILABLE TO RESPOND TO WIFE BEATING CALLS?

SHOULD POLICE ADOPT SPECIAL CRISIS INTERVENTION PROGRAMS, IN CONJUNCTION WITH TRAINED MENTAL HEALTH PROFESSIONALS, FOR USE IN DOMESTIC DISTURBANCE CASES?

SHOULD DISTRICT ATTORNEYS CONTINUE TO DISCOURAGE OR REFUSE TO PROSECUTE WIFE BEATING ASSAULT AND BATTERY CASES ON THE GROUNDS OF STATISTICAL PROBABILITY THAT THE WIFE WILL EVENTUALLY DROP THE CHARGES?

SHOULD MORE SEVERE SENTENCES BE IMPOSED IN THE AVERAGE WIFE BEATING CASE?

SHOULD SHELTERS FOR BATTERED WIVES BE ESTABLISHED?

CHAPTER III - BATTERED WIVES

The subject of battered wives was not originally included in the justice system chapter of this study. Despite severe limitations on time and financial resources, however, the topic would simply not be ignored; it surfaced repeatedly in the literature acquired, the telephone calls and interviews conducted for different parts of the study, and the concerns of local community groups. Battered wives need the Legislature's and the public's attention and assistance. The dilemma of these women, and of their children, is presented by Jones in the section on mental health. This chapter explores some of the practical binds confronting battered wives and the legal system's inadequate response to their plight.

A. The Extent of the Problem

The exact number of wife-beatings per year is unknown. Based on police reports and family court statistics, U. S. News and World Report estimates approximately one million cases each year.¹ Murray Straus of the University of New Hampshire states:

that a marriage license is for many people a hitting license, that physical violence between family members is probably as common as is love and affection between family members, and that if one is truly concerned with the level of violence in America, the place to look is in the home rather than on the streets.²

Statistics from various parts of the country show:

An estimated 650 incidents of wife beating in Montgomery County, Maryland (one of the nation's most affluent areas) in one year;

More than 800 calls in a year to a New York City crisis line open two hours a day;

Calls averaging about 45 a day, or 18,000 a year, in Boston; and

A Citizens' Dispute Settlement Center in Dade County, Florida handling nearly 1,000 cases involving beatings of women in nine months.³

In 1973 in New York there were 4,764 reported rapes; about 14,000 wife abuse complaints reached the family court during the same period.⁴

In Anchorage, Captain G. Weaver of the Anchorage Police Department says that no statistics are maintained on the incidence of wife beatings. It is not a separate crime, but may be involved in a police call ultimately classified as a "disturbance" "family disturbance", "disorderly conduct", "assault and battery" or "brandishing of firearms".⁵ Computations derived from family disturbance and disorderly conduct calls suggest that in 1975 Anchorage police responded to approximately 1,232 wife beatings in the old City of Anchorage and the Spenard Service Area.⁶ This figure reduces to 3.3 reported wife beatings per day, in only a portion of the Anchorage Municipality.

Most wife beatings, however, go unreported.⁸ Other indicia of the rate of wife abuse are, therefore, necessary. Particularly telling is the fact related by Jones, that 70 to 75 percent of the women seeking legal assistance of any kind from Alaska Legal Services acknowledge being beaten by their husbands.

The medical community has further information. Mona Ravin, Assistant Professor of Community Health Nursing, and President of the Alaska Nurses Association, says that registered nurses "frequently encounter" battered wives in hospitals, doctors' offices, clinics and community or home settings.⁹ And these are only the more serious cases.

There is evidence, thus, that wife-beating occurs in Alaska as elsewhere. Police departments should be required to keep statistics revealing the incidence of wife abuse in order that sensible approaches to the problem can be taken. Captain Weaver seemed to believe that it would be too time-consuming to ask police officers investigating disturbance calls routinely to note if a wife beating has occurred. Police Statistician Patricia Shanks seems to think it would be impossible to find space on her classification papers to record such information.¹⁰ Legislation may be necessary to compel the recording of this data. And legislation should be considered to require doctors, social workers and other professionals to report incidents of wife beating, much as child abuse is reported.¹¹ The wives' anonymity, however, might have to be preserved.

B. Societal Underpinnings of Wife Beating

1. Acceptance of Wife Beating

Social scientists beginning to look at wife-beating see it as a norm, as behavior deemed an integral -- and acceptable -- part of married life. The husband's "right" to beat his wife may have been graphically demonstrated in an experiment conducted by three psychologists from Michigan State University. They staged a series of fights for unsuspecting passersby. Male witnesses rushed to the aid of men being assaulted by men or women and also helped women being hit by other women. But not one male bystander interfered when a male actor "beat" a female victim.¹² Straus hypothesized that,

it is possible that male bystanders did not come to the aid of a female victim of a male assailant because they inferred that he was the woman's husband. This, in fact, is the reason given for not intervening by a number of those who stood by as Kitty Genevese was murdered.¹³

The normalcy of wife-beating is even reflected in literary works. In "The Killing of Sister George", a play about a lesbian couple, when June makes threatening moves towards Alice the dialogue proceeds:

Alice: Don't touch me. You've got no right.
 June: I've got every right.
 Alice: I'm not married to you, you know.¹⁴

This hands-off attitude towards wife beating is implicit in law enforcement's response to the problem. According to Nancy Brewster, in "Wife Beating" Male Enforcement of Status and Property Rights":

Very often the police and others in the system feel they should not intervene in domestic scenes; outsiders feel it is none of their business, or that it is acceptable for the head of the family to exercise this kind of force to keep things in order. It is what allows wife beating to exist outside the law, and allows the

man a certain amount of immunity. The authority invested in the head of the family often serves as immunity from the sanctions or intervention of the law of the state.¹⁵

2. Myths About Wife Beating: "It's a lower class phenomenon," and "She Could Leave if She Wanted To".

Myths about who is beaten and why the beatings continue reinforce the laissez-faire attitude towards these victims of crime. Many people believe, for example, that wife-beating is essentially restricted to a small portion of society located entirely within the lower economic classes. Captain Weaver shares this attitude.¹⁶

In fact, however, this is a crime that cuts across class lines, although middle class women may be especially reluctant to call the police. In one case, a man beat his wife with his golf club. As one social worker asked, "What could be more middle class than that?"¹⁷ In Fairfax County, Virginia, a wealthy suburb of Washington, D. C., police received 4,073 family disturbance calls in 1974; they estimate that Fairfax County wives seek an average of 30 assault warrants a week.¹⁸

A survey conducted for the National Commission on the Causes and Prevention of Violence by Louis Harris and Associates in 1968 found that:

The poor and less educated are not more likely than the middle class to resort to physical forms of aggression. We have assumed that middle-class persons vent their hostilities through more sedate channels; i.e., they are supposed to be more verbally violent. Actually, physical violence is reported as equally common among all income groups and education levels. This finding is also true for frequency of physical violence. The middle class is not only as likely as others ever to have engaged in physical aggression, but have done so as often.¹⁹

Battered wives from middle class families are emerging in Anchorage. Several of the middle -- and in fact, occasionally, upper-class women interviewed in connection with the divorce segment of this study -- reported serious and repeated beatings from their husbands.

The women encountered by Nurse Ravin were also frequently middle class.²⁰ It seems plausible that, as Brewster writes:

The only reason more wife beating is reported to the police in lower socio-economic families is because they have less privacy in their neighborhoods and violence is more likely to become a police matter. The police are more a part of their daily lives than they are in the upper strata.²¹

It is an unfortunate commentary on our society that only when middle class women bring wife-beating out of the closet and into the open, the problem begins to gain recognition.

A second, devastating myth about battered wives is that these women "enjoy" or "need" the beatings. After all, if the woman did not like it or need it, so the theory goes, "she would leave, wouldn't she?"²² Taking this position, Captain Weaver pointed to a blue directory of social service agencies sitting on his bookshelf and suggested that the answers to a battered woman's plight were contained in those pages. Unfortunately, the answer is not so simple. But the myth of easy solutions breeds contempt for the battered wife from society at large and the legal system in particular. If positive attitudes toward battered wives, and constructive action to help them are ever to become realities, law enforcement officers and the public in general must be apprised of the reasons why battered wives stay.

The economic dependence of battered wives and their isolation have been described by Jones in the mental health section. Alaska's distance from other states, its transient population, and the high cost of living here can only exacerbate these problems. In addition, emotions which exist prior to the onset of beatings are not simply eliminated once the abuse starts; many women report serious conflicts because they still love their husbands.²³ Others have been encouraged to believe that they can find fulfillment only in marriage, and that failure in marriage would represent their failure as women.²⁴

Most important, however, is the fear depicted by Jones; it cannot be overemphasized.

It is difficult for people who have not been beaten to understand the fearful world that the battered woman lives in. But this is perhaps the biggest reason why beatings go unreported -- the woman cannot risk another (maybe worse) beating when the man is arrested and released.²⁵

The volitional qualities ascribed to battered women may not exist in the face of overwhelming fear. According to Brewster, "It is the woman's fear that causes irrationality that results in an inability to extricate herself from the situation. She loses her power to escape."²⁶ While she may call the police in a moment of desperation, by the time they arrive "the wife may be so terror-stricken -- so threatened and intimidated by her husband -- that she may be unable to articulate the facts about the incident and may even turn the officers away."²⁷ Fear has even driven women who had the courage to escape back into their homes. Erin Pizzey, founder of the first shelter for battered women in England, says:

Very few people understand this kind of fear. It is the fear of knowing that someone is searching for you and will beat you when he finds you. In the mind of someone who has been badly beaten, this fear blots out all reason.²⁸

In one case where a wife had obtained temporary accommodations only to have her husband find her, break in and threaten her, she returned home. She explained that it was better to be where she knew he was "than to sit night after night in fear waiting for him to catch her."²⁹

Alaska women have reported fear not only for their own welfare, but in one case, fear that the husband would follow through on suicide threats if she left, and in others, fear that he would take the children away.³⁰

Closely related to fear is the further-immobilizing lack of self-respect alluded to by Jones. Brewster describes the vicious cycle in which the woman is first economically dependent upon her husband; that economic dependence is generalized into emotional and psychological dependence; the woman loses respect for herself because of her dependence; and finally, because of her lack of self-respect, she may come to believe she deserves the beatings.³¹ Martin takes the analysis a step further, suggesting that a woman who fails to act because of her lack of self-respect thereby diminishes her self-respect still more, making escape more unlikely all the time.³² The battered woman's failure to attribute importance to her own life was poignantly portrayed by an Alaskan wife who, when asked if her husband also beat her children, answered emphatically: "No! I would have left him or shot him, he seemed to know I would not be pushed that far."

RECOMMENDATIONS

THE LEGISLATURE SHOULD ADOPT LEGISLATION:

1. PROVIDING FOR PROBABLE CAUSE MISDEMEANOR ARRESTS IN CASES WHERE ONE ADULT MEMBER OF A HOUSEHOLD HAS ASSAULTED ANOTHER; AND
2. AMENDING THE VIOLENT CRIMES COMPENSATION STATUTE TO PROVIDE COVERAGE FOR BATTERED WIVES.

THE LEGISLATURE SHOULD FUND SHELTERS FOR BATTERED WIVES.

THE LEGISLATURE SHOULD CONSIDER LEGISLATION REQUIRING THAT DOCTORS, SOCIAL WORKERS AND OTHER PROFESSIONALS REPORT INCIDENTS OF WIFE BEATING MUCH AS CHILD ABUSE IS NOW REPORTED.

THE POLICE SHOULD:

1. MAINTAIN STATISTICS ON WIFE BEATING CALLS;
2. PROVIDE IMPROVED ATTITUDE TRAINING IN RELATION TO WIFE BEATING;
3. HIRE QUALIFIED FEMALE PATROL OFFICERS TO BE AVAILABLE TO RESPOND TO CASES OF WIFE BEATING;.....
4. CONSIDER INNOVATIVE CRISIS INTERVENTION PROGRAMS OPERATED IN CONJUNCTION WITH MENTAL HEALTH PROFESSIONALS; AND
5. UPON ARREST OF A MAN IN RESPONSE TO A WIFE BEATING, DETERMINE IF BAIL NEEDS TO BE SET AT MORE THAN THE USUAL \$25.

THE DISTRICT ATTORNEYS SHOULD:

1. HIRE, WITH THE ASSISTANCE OF GRANTS IF POSSIBLE, SUPPORT PERSONNEL TO ASSIST BATTERED WIVES AND OTHER VICTIMS OF CRIME IN MEETING THEIR IMMEDIATE NEEDS AND MAKING PROSECUTION DECISIONS; AND
2. DEVELOP MORE POSITIVE ATTITUDES TOWARDS PROSECUTION OF WIFE BEATING CASES.

JUDGES SHOULD:

1. RE-EVALUATE BAIL SCHEDULES FOR ASSAULT AND BATTERY CHARGES; AND
2. ALTER SENTENCING PRACTICES IN WIFE BEATING CASES TO MATCH THE SEVERITY OF THE CRIME AND IMPROVE CHANCES OF REFORM.

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 463

Title Appropriation for Shelter for assaulted women and children

Requested by House HESS Committee Date 4/18/77

II. FISCAL DETAIL

Agency Affected Department of Community & Regional Affairs

Program Category Affected Development

Budget Request Unit(s) Affected Community and Rural Development

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

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

POSITIONS

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

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 4/10/77

PREPARED BY Reed R. Stoops
 AGENCY Community & Rural Development
 PHONE 465-4708

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION
ANCHORAGE INSURING OFFICE
334 WEST FIFTH AVENUE
ANCHORAGE, ALASKA 99501

REGION X
Arcade Plaza Building
1321 Second Avenue
Seattle, Washington 98101

April 18, 1977

IN REPLY REFER TO:

Representative Charles Parr
(Chairman
Health & Social Services Committee
House of Representatives
Juneau, Alaska

Dear Mr. Parr:

I strongly support House Bill 463, "A Law Making a Special Appropriation to the Department of Community and Regional Affairs to Conduct a Pilot Program to Establish a Shelter for Assaulted or Battered Women and Children and Providing for an Effective Date"; please give it your support also.

Emergency housing for women is practically non-existent in this area. It is almost impossible for a woman, particularly if she has children, to find interim housing when a crisis arises. Most individuals are reluctant to involve close personal friends in situations where battering has occurred.

Through personal observation, I have found many instances where women have remained in a home, where they were subjected to repeated assaults and battering at the hands of their spouse because of the lack of affordable housing; inordinately long waiting lists and waiting periods for low rent public housing; and the necessity of amassing sufficient money to pay the deposit and the first month's rent, if housing can indeed be found. Shelter now is needed for these individuals so that they may continue to live as mentally healthy, happy, productive Alaskans.

Sincerely yours,

Hattie E. Harris

HATTIE E. HARRIS
Housing Management Assistant

Alaska Center for Family Medicine

4050 LAKE OTIS PARKWAY, SUITE 207 • ANCHORAGE, ALASKA 99504 • PHONE 276-1170

Robert J. Bosveld, M.D.
General Practice

Patricia Bristow, N.P.
Pediatrics and Allergy

William M. Larson, M.D.
Pediatrics and Allergy

C. J. Little, M.D. April 18, 1977
General Practice

Representative Charles Parr
Chairman, Health and Social Services
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Parr:

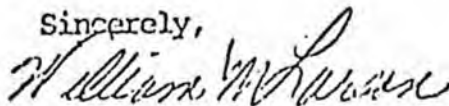
I am writing in support of House Bill Number 463, to provide a shelter for Battered Women and their children. I am a physician practicing in Anchorage and have worked the emergency room at local hospitals. I have noted an increasing number of women who appear with injuries with the complaint of having been battered or with clear-cut evidence thereof but who give other causes for their injuries.

As a Pediatrician, I am very much concerned about the effects on the children of these women observing this type of behavior as it sets a very poor role model to emulate as adults. Certainly, in many cases, the child is physically and/or mentally abused as well as the mother.

It is critical that there be a place where the woman and children can be housed while other alternatives to their unhealthy living situation can be investigated or family therapy initiated, if indicated.

I commend the Legislature on initiating this long needed program for our community.

Sincerely,


William M. Larson, M.D.



ANCHORAGE NEIGHBORHOOD HEALTH CENTER

1217 EAST 10th AVENUE • ANCHORAGE, ALASKA 99501 • 907-279-9586

April 18, 1977

Representative Charles Parr
Chairman, Health and Social Services
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Parr:

I am writing to you in support of HB 463. As the Director of a medical clinic, it has been brought to my attention that many women present themselves to the Health Center with injuries, many of them attributable to having received beatings. Often women are reluctant to state that their injuries were sustained as a result of beating, but do indicate that this was the cause when shown sympathy and supportive treatment.

The appalling nature of these brutalities make it apparent that there is a crying need for a place women and their children can seek refuge from such demoralizing and unsafe living situations.

I feel that a pilot program such as that proposed in HB 463 would enable the community to better assess the extent of this problem because women would have a viable alternative to staying at home and continue to receive inhumane treatment.

I strongly support HB 463 and will continue to provide medical treatment for victims of these unfortunate occurrences.

Sincerely,

Betty Ann Bilder
Betty Ann Bilder
Project Director

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

FUNEAU, ALASKA 99801

02028 POM ANCHORAGE AK 15 04-18 1015A AST

APR 19 1977 5 12 PM

PMS REP HUGH MALONE

JUN

THE NEED IN THIS AREA PRESSING. I URGE YOU TO VOTE FOR
SHELTER BILL 463.

FRANCES HANSON

PO BX 41246

ANCHORAGE, AK. 99509

February 26, 1977

3

TO: All Alaska Legislators

RE: Emergency Shelter for Women in the Anchorage Area

We, the undersigned, support a legislative appropriation which would help to provide temporary residential facilities for women in the Anchorage area who must leave their homes out of fear for their personal safety and/or sanity. This need is documented in the legislative report on The Status of Women in Alaska 1977, as is the almost total lack of crisis housing for women in Anchorage. Please consider this a priority issue.

Thank you.

- Rita Schmidt 4741 Newcastle, Anchorage, Ak.
- Sandy Stolt 957 Westing Dr. Anch. Ak. 99503
- Ruth Sheridan Box 8114, Anch. AK 99508
- Jan Qustra 717 Elm, Anch. AK 99501
- Lenore Claugy PO Box 4086 Anch. AK 99501
- Marianne Peterich 3800 Leroy Lane Anch 99504
- Jo. Fullow-Larsson 2614 E. 42nd Anch. 99504
- David J. Conkuff 1227 Cordova Anch. 99501
- Bill Sprague 7401 Spruce Road Apt 4 Anchorage 99507
- Renee Murray 3324 Monticello Ct., Anch. 99503
- Lee, Sel 3354 Monticello Ct., Anchorage, AK 99503
- MaryAnn VandeCastle 1330 West 25th Anchorage, AK 99503
- Anna L. Erickson 5807 Northwood Anchorage AK 99507
- Margaret J. Rowitz 3915 W. 35th Anchorage 99503
- Julia Larsson 2650 E 50 Anchorage 99501
- Eric J. Gierd PO Box 4134 " 99509
- Richard T. Brown 1204 H St. " 99501
- Henry G. Stumpen 3001 Dumas " 99507
- Ann L. L. E. U. Bragaw " 99509
- Tanya Rosterson 627 Box 61 X Anchorage 99507
- Richard C. Larson 2100 E. 11th St. Anchorage AK 99507

Polina Gull

4200 North Star #3

Anch. 99503

Peggy Gwendolyn

SRH 1458 E

Circle 99502

Julia L. Krachicko

SR# Box 1730

Anch. 99507

Dorothy Jones

SR Box 5203

Eagle River

Ernie Sediker

8620 Klune, #1

Anchorage 99504

Beverly Lundgren

3701 Eureka Sp 9D

Anch. 99503

Jynne Woods

4815 Malibu Rd

Anch. 99503

Lysianne Alonzo

5400 W. Diamond D-14

Anch. 99505

William M. Fisher

1569 Glendon St.

Anchorage 99504

James Hanson

4761 Kuylenoy

Anchorage 99507

Don Barclay

349 E. 24th Apt. 4

Anchorage 99502

Christina M. ...

4340 North Union #2

Circle 99503

Jean A. Tucker

113 B Melkann

T. Rich 99505

WOMEN IN TRANSITION

A Feminist Handbook on Separation and Divorce

WOMEN IN TRANSITION, INC.

Charles Scribner's Sons, New York

Beatings: The All-American Pastime?

Roman law held that a man's family was his property, and in some ways things haven't changed much since then. In our three years at Women in Transition we have discovered that wife-beating is almost as much of a national pastime as baseball. We have had calls from women whose husbands locked them naked in a room all day until they came home, accompanied, of course, by beatings. One woman whose husband had thrown her against a wall, causing spinal damage which necessitated a back brace, called us when he threatened to put her into the street rather than pay her medical expenses. Some women who have always believed it was their husband's right to beat them called us believing that divorce was the only means available to them to stop beatings.

Habitual domestic violence often occurs when the husband is drunk. Men who have a respectable image outside the home often take out their frustrations and anger on their wives and children--and it is only a small step further to express that anger in beatings. Men *and* women frequently believe that domestic violence is the husband's right, or that it is part of the "for better and for worse" aspect of marriage. Often when beatings continue over months and years it may be part of a pattern within the relationship; some middle-class women accept being beaten as part of a complex system of punishments and rewards--two days after the beating their husband may be "sorry" and "make it up," especially if they have a position in the community that would be endangered if word got out. Poor and low-income women, besides having little legal recourse, may live in communities where beatings are taken as a matter of course, where it is assumed by everyone that a woman accepts and perhaps even enjoys such demonstrations of marital possessiveness. We have found that domestic violence cuts across all class, racial, and ethnic lines.

Laws and procedures concerning domestic violence differ in various states and localities, but until recently the assumption has been that wife-beating incidents are merely part of lovers' quarrels, and have no legal consequences. Very often a woman who actually does resort to the police will drop the charges when she is made to feel guilty or intimidated. If a man repeatedly attacked his co-workers, he would be considered dangerous or insane and would be imprisoned or referred to psychiatric help. But a man who comes up before a male judge for assaulting his wife is likely to get a lighter punishment (if any) than a street

mugger. There are agencies which deal with the problems of battered children, but very little is being done to help battered wives.

The logical extension of domestic violence, murder, occurs once out of every four times within the family. Half of these homicides are by spouses murdering spouses. Or so the *FBI Uniform Crime Reports* tell us. In New York, Miami, Louisville, and Charlotte, North Carolina, Crisis Intervention police groups have been trained to begin to deal with domestic violence. Usually the teams are male and female, and their primary goal is to separate the husbands and wives and to get them to talk to someone else about their quarrel. In most cases they attempt to refer the man and woman to counseling services rather than arrest anyone. Since arrests have always been infrequent anyway, it may be an improvement.

For women whose marriages have already proved intolerable, what can be done depends on where you live and what your economic and social standing is. Most women who are beaten are ashamed and frightened. Very often they are too guilt-ridden or embarrassed to talk to anyone about being beaten. It is desperately important--a matter of life or death, in fact--that if you have been beaten you speak with friends, family, or even a minister or priest or doctor about the situation. For too long the privacy of married life has served as a cover for abusive and violent treatment of women. Unbelievable as it may seem, it is highly unlikely that you are the only woman in your community to be faced with this problem.

In general, there are limits to the legal remedies available to you, but the police and courts may be more responsive to you than we have suggested here. Middle-class and professional women are more likely than low-income women to get response from the police and courts. This is also true of women who live in small towns, although it can work the other way if your husband is an influential member of the community. Many middle-class men do not wish their standing in the community to be jeopardized, and can be effectively threatened by legal action. Divorce is not the only or best solution to the problem of beatings. Divorce may be the answer to the other problems within your marriage, but don't overlook your other legal options to prevent domestic violence.

Here are some suggestions about what to do if your husband, ex-husband, boyfriend, or ex-boyfriend is beating you.

Practical Steps

If you are not living together or if you are and you want to keep him out, change the locks on your door. If you know when he is likely to come, have friends, neighbors, or relatives there. Or have a prearranged signal so that you can call them quickly when he comes. The best solution is to never see him alone, but if this is not possible, try to keep self-defense tips in mind (see the self-defense section of this chapter) for when the situation occurs. If you have no intention of using self-defense against him, of course, it makes no sense to attempt to learn the techniques.

If your house or apartment is in your name and he comes in without your permission, he is trespassing. If he breaks in, he is breaking and entering. He may think he has a right to be there. Even the police may think he has a right to be there, but legally, he does not. If the house or apartment is in his name also you do not have a legal right to keep him out, but you can try practical things like changing the locks to "discourage" him. If this doesn't work, you may have to stay with friends or relatives at the times you expect him to appear.

If he gets in and is threatening you or actually beating you, call the police if you can. Or have a friend call. Yell "FIRE" or "THIEF" as loud as you can. Other people may call the police. Whoever calls the police should not mention that the person who has broken into your place is someone they know (or you know)--the police will be less likely to come. In some neighborhoods, of course, they just won't come. If you know that that is the case in your neighborhood, or you don't want them to come, then you must depend on friends, neighbors, prevention, and/or self-defense.

If your beatings are part of a pattern and you can know in advance when he is likely to come and beat you, you can go to the precinct near you and speak with the head policeman. Tell him, "You are supposed to be here to protect me. I have been beaten before and I have good reason to think he will be coming again on _____ at _____ and I would like you to be sure he doesn't get in and beat me again." Your success will vary depending on where and who you are, but in general you have a better chance than if you called them at the time the beating was occurring.

What the police will do when they come will vary also. They will not want to arrest your husband for beating you

up. They are more likely to arrest a stranger, an ex-boyfriend, etc. They are more likely to arrest if weapons are involved or if you are badly hurt. The usual procedure is to take him for a walk. He stands a greater chance of getting arrested if he already has a record, especially if there are weapons offenses. Otherwise, he will either not be arrested, or be out in a few hours without having to put up bail. This leaves you with a very angry man on your hands, and it would be wise to get yourself out of the immediate situation if you can.

In short, calling the police is no long-term solution, but is sometimes a good idea if you are desperate, if he's anxious not to get in trouble with police, if he already has a record, or if he has a reputation within the community that he is anxious to protect. Whether the police come or not, you should not be alone. Have your closest friends or relatives come and stay with you for a while after he leaves. He will be less likely to return, and you can tell your story to them and they will help you remember what happened later if you press charges.

Pressing Charges

Procedures for pressing charges are different from place to place, and if you are being beaten frequently you should check on the procedure in your area. You have to make the decision whether it is worth the trouble to prosecute him. Again, if he is afraid of the law or has a reputation to protect, just the threat of prosecution may be effective.

Pressing charges will take a lot of your time and energy. You will have to tell your story over and over again to the police and court personnel. Your husband may not show up for hearings so you may have to go to court repeatedly. He does not have to have been arrested in order for you to file a private criminal complaint. Go to your municipal building or city court and tell them that you want to file a complaint. Usually it costs \$10-\$15, but it is free if you are on welfare and bring down your card. You *do not* need a lawyer to file the complaint, but it may be a good idea to speak with one as the prosecutor who is representing you may never speak with you at all.

It is important that you go down to the court right away. Don't wait more than a day to complain. You need to show evidence of his actions--bruises, broken limbs, scars, whatever. Before you go to the court get the story fixed.

in your mind. Tell it to friends, and practice telling it to them as if you were telling it to a district attorney or judge:

What time did it happen?

Exactly where were you?

Did he say anything? Threaten you with anything?

Did you try to get away from him? How?

If not, why not?

Did you call for help? If not, why not?

Take a friend with you to any and all meetings with district attorneys, judges, and police officers. She can give you a lot of support even if she doesn't say anything. Better still, if you're nervous or expecting to get a hard time, take along a social worker you trust, or another professional--minister, doctor, lawyer, etc.

If, on the day of the court trial, he does not appear, the court will issue a bench warrant for his arrest. This means that he will be able to be arrested by any policeman who comes across him. The charge is contempt of court, which usually carries a fine and perhaps a period of imprisonment.

If He Is Found Guilty

If he is found guilty he'll probably be put on probation, with a condition of his probation that he's not allowed to go near you (or at least not to beat you up again) or he'll go to jail. Sometimes he'll also have to post a bond (sometimes called a "peace bond") of perhaps \$200 which he will forfeit if he beats you up again. You should have a certified copy of the probation order and keep it handy. If he comes back you can show it to the police when they come; then they will be more likely to arrest him.

Other Legal Preventions

Other legal preventions you might take include getting a lawyer and having him make up a peace bond which insures your husband will forfeit money if he violates the conditions of the agreement. You might also go to court and

have them issue a "restraining order," which orders him to leave you alone or face contempt of court.

You might also get him to sign a separation agreement like the one in the legal chapter. It may be that all you need is the first few paragraphs, including the one about promising not to molest each other, and to leave each other alone. If he violates this, you will have more to back you up in court, and you may give the police more reason to arrest him by showing them the agreement.

The Way From Here

As we have said, divorce is generally not the solution to domestic violence. One of the disadvantages of any legal action you can take as a woman in transition is that your case may not come up for months, and you may have to live at home with the man you are taking to court but are probably financially dependent on. If this is your situation, try to get him to leave. Change the locks. Stay with relatives or friends as a last resort. Remember not to leave without your children--you don't want them to take the beating for you.

Many women stay in intolerable situations for years because they would have a hard time supporting themselves and their children on a low income or welfare. In London, England, a center has been set up where women can go to get away from their husbands until they can get established on their own. It is likely that similar centers will eventually be established in this country, but we don't know of any yet. Some women's centers do provide emergency housing for women in transition on a short-term basis.

If you are in transition, you may find that your husband takes the opportunity during child visitation to beat you. If this is your situation, go to the court anyway that you want the visitation under court supervision. Work out arrangements where he meets the children somewhere else, or at the least, have someone with you when he comes. If he beats you after you have made this agreement in court, he can be charged with contempt of court and arrested.

The best self-defense is prevention, especially since many women do not have the time or energy to learn self-defense, and others cannot bring themselves to apply it. If you are concerned with learning martial arts or self-defense techniques, you might investigate the section on self-defense

in this chapter. Remember that in order for self-defense to be effective, it must be disabling. You don't want to make your husband just angry enough to hurt you worse. If you can use any of the legal or preventive techniques in this chapter, they may be a better solution to your problem.

Rape

Who Gets Raped And Who Does The Raping

To be a woman and to fear rape are almost synonymous in the United States. And for good reason: Forcible rape is the most frequently committed violent crime in this country today. Fear of rape is one of the conditions that keep women from developing as active, independent people. As a woman in transition, alone perhaps for the first time, you may have reason to think again about all the fears and dangers you have been faced with since childhood. One important factor is, of course, that you now have to depend on *yourself* primarily for your safety and development as a person. Another factor is that, as a woman alone, you may be concerned with developing new relationships with men, and the likelihood of your avoiding rape depends a great deal on your common sense, ability to anticipate dangerous situations, and understanding that rape is not something that only happens to other people, on the street, by a stranger.

The Federal Bureau of Investigation Uniform Crime Report says that there were 49,430 forcible rapes in 1972. These rapes were reported, but the majority are not. Some sources estimate the number of unreported rapes as high as ten times the reported total. Each year, the total of reported rapes grows higher. It has been said that there is a universal curfew on women in this country. But it is, in many ways, an international situation. Only in a few countries (China is one) are women relatively free from fear of rape. Freedom from rape is *not* acquired by living in a "safe" neighborhood, dating the right sort of men, or by virtue of age, social status, or marital status. Any woman, of any age, living anywhere is a potential victim of rape.

The myths about rape are just that, myths. Most women who are legally (forcibly, without consent) raped are attacked by men of their own race, usually men who are *not* legally "insane" (in fact, rapists, with the exception of child molesters, are considered the most "normal" of prison



Alaska State Legislature House of Representatives

POUCH v
JUNEAU, ALASKA 99811

TO: All Members
House HESS Committee

DATE: 4/18/77

FROM: Hugh Malone

RE: HB 463

In order to give some idea as to why a shelter for abused women and children is needed, I had a packet of material forwarded to the Committee. However, as the material is so extensive, I will try to set down here a summary of those reasons. I would recommend, however, that you review the excerpt by Joan Katz from A Preliminary Study: The Status of Women in Alaska which is enclosed in the packet of information.

No statistics are kept by either the police or the medical profession on the number of wife beatings in Anchorage. However, the police estimate from the number of family disturbances reported in just the old city of Anchorage and the Spenard Service area that 3.3 wife beatings are reported per day. Alaska Legal Services estimates that 70 to 70% of the women seeking any kind of legal advice acknowledge being beaten by their husbands.

Social scientists see wife beating as an established norm. Neighbors and police, outsiders, feel like it is none of their business or "that is acceptable for the head of the family to exercise this kind of force to keep things in order". (pg. 230 Preliminary Study) They will not interfere, or in the police's case, they try to patch things up, leaving the wife with the husband. If the wife asks that her husband be arrested, he is normally able to post \$25 bail and then returns home madder than ever.

There are two myths about the practice of wife beating that widely persist. The first is that it is just a lower class phenomena. A survey conducted for the National Commission on the Causes and Prevention of Violence by Louis Harris and Associates in 1968 found that this was not true. The incidents of wife beating extend across class levels. It seems that it is a lower class problem possibly because privacy is usually lacking in lower class housing and therefore is more likely to become a police matter.

The second myth is that women enjoy the beatings or need them because if they didn't they would leave. There are many reasons as to why this is not true. The first is economic dependence. A woman with two or three children and no money has no where to go. Even if her husband makes a good living, he is not likely to give her much. The second is the emotional involvement that still exists. Many women admit to still loving their husbands. Another is that society has taught many women to believe that they can only find fulfillment in marriage and that if the marriage fails, they have failed as women.

The last and most important reason is set out in the following quotes from the Preliminary Study:

"It is difficult for people who have not been beaten to understand the fearful world that the battered woman lives in. But this is perhaps the biggest reason why beatings go unreported - the woman cannot risk another (maybe worse) beating when the man is arrested and released." (pg. 231)

"Very few people understand this kind of fear. It is the fear of knowing that someone is searching for you and will beat you when he finds you. In the mind of someone who has been badly beaten, this fear blots out all reason." (pg. 232)

Unfortunately, wife beating does exist and can and has resulted in death. The shelter is one way to temporarily help until social attitudes about wife beating can change. It provides a place for the battered woman to turn to and find help in starting a new life.

cc: Rep. Lisa Rudd

APR 15 1977

1419 West 13th
Anchorage, Alaska

April 12, 1977

Representative Hugh Malone
Pouch V
Juneau, Alaska 99811

Dear Representative Malone:

I am writing to you to express my support for funding emergency shelters for battered wives and children.

As an attorney in private practice, I have had occasion to be familiar with domestic situations where the wife has been in fear for her safety from her husband with good reason. In such cases, she is forced to depend on the availability of help from churches or friends or relatives. All too often all three are either inadequate or hesitant to provide such shelter because of the potential violence such assistance may bring to their home or premises.

It must be remembered, that although many women work, many do not, and never have. The result is that they have neither the financial wherewithal or the self confidence to face the "outside" world independently. In short, they are "trapped" in a situation where they have few or no choices. Going to the police is not a "viable" alternative when you have to live with your attacker.

While I am in general a foe of government agency proliferation and have little faith in government, I sincerely believe this is one area where government action is essential and long overdue.

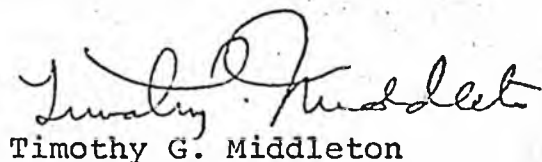
Once the shelter is able to provide temporary haven perhaps other presently existing community resources can be utilized to either save the marriage or to give the wife a helping hand toward establishing a new and independent life.

The real test of a just and compassionate society is not what it can and will do for the strong,

Representative Hugh Malone
April 12, 1977
Page Two

the fortunate, the politically effective and powerful,
but what it can and will do for the silent, the few
in number and the more unfortunate members of its
whole.

Sincerely,



Timothy G. Middleton

TGM:vf

TELEGRAM

PCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

FUNEAU, ALASKA 99801

APR 19 1977 APR 13 PM 5 12

02028 POM ANCHORAGE AK 15 04-13 1015A AST

PMS REP HUGH MALONE

JUN

THE NEED IN THIS AREA PRESSING. I URGE YOU TO VOTE FOR
SHELTER BILL 463.

FRANCES HANDON

PO BX 41246

ANCHORAGE, AK. 99509

MOST AMERICAN VIOLENCE HAPPENS IN THE HOME

"ONE OF THESE DAYS"

R



W M

RIGHT IN THE KISSES**

ABUSE AND HONOR

Victim stated the first argument started over a pack of cigarettes. Victim stated accused (her husband) held her against the bathroom wall by the hair and continued to beat victim with his right hand. Victim is six months pregnant at this time. Victim stated accused kept telling victim, "Bitch, you are going to lose that baby," and then accused would beat victim in the stomach again. After the assault in the bathroom, accused told victim to cook dinner. Victim stated the accused picked up a butcher knife and put it to the victim's throat and told victim, "I am going to kill you and you know I can do it too, don't you?" Victim answered, "Yes," and accused laid the butcher knife down on the table and turned around and hit the victim on the face with his fist and knocked victim to the floor. . . . Victim stated she blacked out. . . . Victim stated when she regained consciousness, the accused was still beating her.

4.1 Assault, Felonious, File #41, Complaint #13626. July, 1974. Washtenaw County Sheriff's Department, Ann Arbor, Michigan.

easy to dismiss. Surely beating wives, like burning witches, is an archaic aberration, a cruelty only the deranged could commit or endure.

In fact, wife beating is among the most commonplace of crimes. For many women, even arguments over such minor items as misplaced cigarettes, unmade beds, or delayed dinners may end in blood and bruises. Complaints like #13626 routinely fill the files of city precincts and rural police stations.

Nevertheless, the plight of the abused wife has generally been ignored in our society. Assaulted wives have been convinced their ordeal is freakish and shameful—or their own fault. Increasingly, however, these women are beginning to realize that they are not singularly cursed but victims of a crime more prevalent than rape—and just as misunderstood. (For example, there were 4,764 reported rapes in New York State in 1973, according to the FBI. About 14,000 wife-abuse complaints reached the Family Courts during a comparable period.)

*from "The Honeymooners"

Reports like this are atrocious, inhuman, and all too

A SPANIEL, A WOMAN AND A WALNUT TREE, THE MORE THEY'RE BEATEN THE BETTER THEY BE - OLD ENGLISH PROVERBS

In our culture, the attitudes toward abused wives and rape victims are strikingly similar. Just as the rape victim is supposedly a seductive temptress who asked for what she got, the abused wife has provoked her husband into beating her. Secretly, the woman is supposed to enjoy being beaten, just as the rape victim is accused of relishing violent sex. A woman who attempts to charge a man with either crime is assumed to be vindictive; skeptical police and prosecutors must be convinced that she is indeed a "worthy" victim. Though the penalties for assault are less severe than those prescribed for rape, judges are reluctant to impose them when the assailant is married to his victim. "In seven years of practice," reports Ann Arbor attorney David Goldstein, "I've never once seen a husband put in jail. Never once."

Wife abuse has been incorrectly considered a lower-class phenomenon. In fact, it is a crime that cuts across class lines, although middle-class women may be especially reluctant to call the police. A special task force in Montgomery County, Maryland, one of the nation's wealthiest areas, reported an estimated 650 incidents of assault by husbands in a one-year period. And Philadelphia social worker Jennifer Fleming, of Women in Transition, Inc., who counsels 300 battered wives each year, finds that her clients are as likely to be from the suburbs as from the inner city. "One man beat his wife with a golf club," she declares. "What could be more middle-class than that?"

Marital violence sometimes ends in divorce, sometimes in murder, but for many women it is a way of life that goes on and on. Often the beatings are a daily, weekly, or monthly ritual instituted early in the marriage and increasing in frequency and brutality over the years. Michigan lawyers Susan Eisenberg and Patricia Micklow conducted extensive interviews with 20 abused wives who had been punched, slapped, kicked, thrown across rooms and down stairs, struck with brooms, brushes, and belts, threatened with knives and guns—frequently after verbal disputes over trifles. "His bad mood precipitated the fights," one of the victims declared. "He got mad over little things, like dinner not being ready when he came home from work or that I don't think before I speak." Two of the women were attacked while they slept.

The women suffered injuries ranging from bruises, lacerations, swellings and soreness, to fractured jaws,

concussions, and miscarriages. "I would cover my head with my arms and crouch in the corner," said one woman. "I was too afraid to fight back." Those who did retaliate agreed that they were more severely beaten as a result. Humiliated by their husbands, they dreaded the further humiliation of others finding out.

Why do women endure years of such terror and degradation? In large part it's because they feel they have no other choice. Their economic dependence on the men who abuse them usually keeps them in their place. Even the many women who are employed outside the home are keenly aware of their limited earning power. In a country where the courts are notoriously unable to extract child-support payments from unwilling husbands and where female household heads and their children constitute more than 80 percent of all welfare recipients, many women don't see divorce as a possible solution.

Psychological pressures add to the economic constraints to leaving. "Women have been raised and socialized to believe they must make their husbands happy," argues Marjory Fields, an attorney with the South Brooklyn Legal Services Corporation. "So, they not only take the beatings; they tend to feel responsible for them. Their guilt feelings prevent them from getting out." Nevertheless, many abused wives do eventually seek separations or divorces. But they do so after years of waiting for kids to get bigger, or husbands to change, and years of struggling with a sense of shame. [For services for battered wives, see the Ms. "Gazette," pages 95 to 98.]

The literature on child abuse presents strong evidence that the abused child grows up to become the abusive parent, and the few studies that have been made of marital violence suggest that it, too, is transmitted from one generation to another. Not surprisingly, men who abuse their wives may also abuse their children, and women who are beaten by their husbands sometimes end up expressing their rage at their children—the only people in the family less powerful than themselves.

Marital violence may be kept secret from the neighbors, but chances are that the children know. One mother grimly admits that her six-year-old tried to overrule her attempts to put him to bed by threatening to "call Daddy to hit you."

(continued)