

LEG. FINANCE - BILLS 1977 - 1978 729

HB 463 am cont., thru HB 471 189

# HOW I STOPPED BEATING MY WIFE

Bill M. was a self-confessed "woman beater" from his teens into his late twenties. Now 41, he recently became a part-time social worker counseling newly released prisoners as well as victims of family violence. Because he claims he never caused any serious injury, he has trouble identifying with more violent cases in the headlines and, typically, blames his culture—and especially drink—for his past behavior. Hearing one man's view of the motivations at work in such situations, however revealing, should not obscure the fact that studies show that batterers come from all classes, and alcohol, though often a component of family violence, is seldom the cause.

"It was as though I were somebody else. I'd strike out blindly and then later not believe I'd done it. The closest I'd come to being jailed for hitting was when she called the police one night. She didn't press charges, and the cops didn't take me in. They just walked me around the block and the next day I was back on her sofa thinking, Jesus, here we go again. I finally did leave, but the process was gradual. It took me a long time.

"I was born in Brooklyn, the middle one of nine kids. My father used to beat my mother at home, in front of us. We kids would intervene so she wouldn't get hurt. You grow up thinking you ought to protect a woman, but still you've seen the beatings. I got confused signals.

"Between fourteen and twenty I took up with the gangs, and in order to be one of them, to feel accepted, I went along with their way of doing things. That meant giving a girl a slap once in a while, asserting your manhood and your position, nothing serious. The guy was supposed to be the all-powerful one and if you couldn't get the point across verbally you tried to physically.

"Once I got out in the world as an adult, the frustrations really began. You're forced to make something of yourself and you've got kids in the house and your wife can't maintain

herself as well any more because there aren't any funds, and a guy can't dress the way he'd like to because he's got to pay the bills. So one day you find yourself looking at another woman and you feel trapped just thinking about how you're going to get out of it all.

"I had married for the first time at eighteen, three weeks before I got sent to prison for robbery. In jail I had no concept of paying rent because the state took care of that. Immediately on getting out and finding a job, I was the target for every charge plate in the world. I had no sense of responsibility, so I ended up in debt. I'd got my high school equivalency certificate, but the only two jobs I'd ever held for any length of time were as a shipping clerk and machinery maintenance man. I felt I could do better.

"A guy starts out blaming the world and in a month he's blaming his wife, maybe without even realizing it. Naturally he'll take the easy way out, which is turning on someone weaker—or at least he figures women are the weaker sex. He doesn't deal with the question that he needs some mental help. He's lying in bed thinking, What can I do and where can I go? and not knowing any of the answers.

"There isn't any particular thing that would set me off. Drinking had a lot to do with it. The alcohol justifies any action. After you've slapped a woman around a few times it's no big deal. The woman may be desperate, and the guy doesn't understand that. I'd wonder why a woman would provoke me when she knew what was bound to happen. 'This woman must be crazy,' I'd say. 'She wants me to knock her down.' And I know women who are really aggressive, who throw hot water or stab a guy.

"My second wife and I got into the habit from the beginning of the marriage. It always happened in the bedroom and it usually ended up with us making love. I wanted to own her; she was a gorgeous woman. I wanted the

personal satisfaction of coming back after we'd fought and she had thrown me out. I had to wake up to that to be able to love and it's hard because it's a continuing thing.

"Eventually it dawned on me: 'I'm my pops all over again.' And I went back to the beginning to see what happened. I count myself lucky for that. I had to say to myself, 'Hey, you're hitting on a woman; you're acting like an animal. If you want to be a fighter, go down to the ring and put some gloves on.' Don't ask me how I got to that point. But the amount of energy expended in those violent scenes could propel you into doing a lot of constructive things if you stop to think about it. You have to deal with yourself and what you want. I'm capable of sharing now, but I had to learn to make allowances.

"Unless a man has serious mental problems, there is no personal gratification from seeing someone close to you that's black and blue, with busted lips and a knocked-out front tooth, trying to hide it with dark glasses. That man's clothes, his house, are all in a mess, too, because how do you keep things in decent order when you're fighting all the time. So many seemingly small things contribute to his anger. And more than one life is damaged in the process. The kids get knocked around and they grow up with this mental attitude too.

"What the solution should be to this I don't know, but one obvious way is to talk openly and not sweep such matters under the rug. At least the kids now have got more going for them; they are dealing less with specific male and female roles. And going to a mental health center no longer is a stigma.

"There ought to be a place to go to think things over if either party wants to leave home. Leaving is the solution, or at least owning up to the truth that this kind of life is not what you want." —Bill M. was interviewed by Ann Gencimes, a free-lance writer based in Washington.



Wife of a Methodist minister, Pittsburgh, Pa.

A WIFE MAY LOVE  
A HUSBAND WHO  
NEVER BEATS HER,  
BUT SHE DOES NOT  
RESPECT HIM—  
RUSSIAN PROVERB

Alcohol is often associated with wife abuse, but the nature of the connection is not at all clear. Does drinking provoke the violence or do those who are violently inclined drink? Sociologist Richard Gelles suggests that some men may drink when they feel like beating their wives. "Drinking is a disavowal technique," he says. "Husbands know they will be released from responsibility both by their wives and by the rest of society."

Pregnancy and abuse may also be related. In a study of 80 New Hampshire couples, Gelles found that in almost one-quarter of those families that were violent, the wife was attacked while pregnant. Many others dealing with the battered-wife syndrome have also observed that pregnant women are frequent victims.

*You get into things like this one step at a time. It's not a big step from abandoning your preference in movies to going along with your husband's preferences emotionally. My husband knew I could beat him verbally; he had fists and economic power. When he was out of verbal ammunition, he'd hit me. I had no comparable resource. I was in psychoanalysis and group therapy and at no time did the group take seriously what was happening to me. It was: What had I done? What had I said? The problem was my self-improvement. Twice, I called the police. They came, put their arms around his shoulder and asked him, 'What seems to be the trouble?' I said I wanted him out. They said, 'He's your husband, isn't he?' The second time, they told me I could get an order of protection in the morning. But the problem isn't the next day. Women are killed in their homes because no one takes seriously that they are in danger. . . . I think the men get into it because there are no checks on it—and they know it.*

—Ingrid, 34

The laws that can be invoked to protect women from assaultive husbands vary from state to state. In every state it is against the law to physically attack another person, but if the assailant is married to his victim the law is unlikely to be enforced. Though "domestic trouble" complaints constitute the majority of all calls

for police assistance, police policy dictates that these calls result in few arrests. The International Association of Chiefs of Police training bulletin states, for example, that most family disputes are "personal matters requiring no direct action." The bulletin goes on to recommend that "once inside the home, the officer's sole purpose is to preserve the peace . . . attempt to soothe feelings, pacify parties . . . the power of arrest should be exercised as a last resort." In a number of cities, including New York, Oakland, California, and New Orleans, police have been specially trained in mediation and conciliation techniques for use in family cases. While these tactics seem to reduce the number of injuries police incur while responding to domestic dispute calls, their protective value to the abused wife is debatable. "In one case that I know of, the cops asked the husband to walk around the block and cool off," says social worker Fleming. "The husband walked around the block. When he came back, he murdered his wife."

Although a study by the Kansas City, Missouri, police department revealed that 90 percent of the city's family homicides had been preceded by at least one "domestic disturbance" call, police generally do not treat these calls as high priority items. In Detroit, for example, a woman who calls 911 is advised to report to the station house on the next business day if her assailant is her husband and no lethal weapon is involved. Even in localities where there is no official policy of screening out "nonurgent" family offense calls, lawyers cite case after case of police avoiding arrest in situations where there would be no doubt of arrest if the people involved were not husband and wife. Some police departments have informal "stitch rules": they will arrest a husband only if the wound he has inflicted is severe enough to require a specific—and considerable—number of stitches.

Police point out that the officer responding to a domestic dispute call is involved in one of the more perilous areas of law enforcement. According to the

(continued on page 94)

This and future surveys by First Children magazine stand with more or less in a technological binder

FBI, 149 policemen have been killed between 1965 and 1974 responding to "disturbance" calls. The officer does not know what to expect when he or she arrives—or which of the warring participants' charges and countercharges to believe. Many officers admit they are reluctant to arrest violent husbands for fear that a night in jail will only provoke them to harsher attacks upon their wives. "Women's groups have been too quick to condemn the police," argues New York City psychologist Morton Bard, a former policeman who is helping police forces across the country to develop family crisis intervention techniques. "These situations are fraught with dilemmas. A cop has got to have the wisdom of Solomon and still maintain order. Even if he suspects that a homicide could take place, can he deprive a man of his liberty on the basis of a prediction?"

Many lawyers insist that the failure to arrest in wife-abuse cases is frequently based on police predictions that the women plaintiffs will eventually drop the charges. "Of every hundred altercations that we get, 99 percent don't prosecute anyway," complains one Michigan official. "Arrest just makes more paperwork for us." It is true that wives often withdraw from the cases, but Jennifer Fleming, like many other feminists, points out that "the attitude of cops and prosecutors conspires to get a woman to do just that. If she doesn't drop the charges, she's made to feel she's vindictively persisting in something that doesn't belong in the courts in the first place."

At every turn, the abused wife must confront a legal system that is indifferent—if not downright hostile—to her need for protection. Women who have been assaulted are often advised to seek a restraining order or writ of protection, a document issued by a civil court which subjects the husband to contempt of court charges if he violates the order by attacking his wife again. The process of obtaining such an order can be time-consuming, expensive, and humiliating. "I had waited a long time to go to court and my bruises had healed," says Nanette, a teacher who sought an order of protection while her divorce was pending. "The probation officer pointed to a woman with bandages swathed around her head and told me not to come back and bother her unless my skull was broken."

Even after she has survived the red tape and attorney's fees involved in getting the order and having it served on her husband, a woman is likely to find that her efforts were futile when she seeks to have it enforced. If she calls the police, she may be told to call her attorney, and even if she succeeds in hauling her offending husband before a judge she is unlikely to obtain relief, for judges rarely imprison men for beating their wives. "A judge isn't going to put a guy who makes a living in jail and his wife on welfare," says Washington, D.C., attorney Carol Murray. "In terms

of the respective values of our society, his earning money outweighs her possible physical injury." From the cops to the courts the criminal justice system operates to reinforce the husband's belief that he has committed no crime and to intensify the wife's feeling of helplessness. "The assaulted wife is in a Catch-22 situation," lawyers Eisenberg and Micklow conclude. "She is caught in a vacuum of nonresponse."

Official tolerance of wife beating has its roots in tradition and the law. Legal historians trace the expression "rule of thumb" to the ancient right of the husband to chastise his wife with a stick no thicker than his thumb, and the hoary notion that a wife is the property of her husband is still entrenched in many areas of law affecting the rights of married women. In every state husbands are immune from prosecution for the rape of a wife.

Most feminists insist that wife beating must be treated as a crime if the practice is ever to be eliminated. But this is a dismaying prospect for people who believe that the criminal justice system is not a proper remedy for society's ills. "Historically, arrest has been used as an establishment tool against minorities," explains San Francisco lawyer Susan Jackson. "The struggle against discrimination has often taken the form of a struggle against arrest." But Jackson believes that in the area of family violence, the criminal justice system is using the failure to arrest as a tool to discriminate against victimized women. "The well-intentioned, civil-libertarian opposition to the arrest and prosecution of wife beaters is a knee-jerk, clenched-fist, liberal reaction," she says. "Arrest is not the issue; the issue is equal protection under the law."

Even the staunchest advocates of improved law enforcement are well aware that more must be done than simply punishing assaultive husbands. Increasingly, concerned community groups are turning their attention to the needs of the women trapped in violent marriages. Their most urgent requirement is simply a place to go—a refuge where they can marshal their determination to improve their lives. In England there are now about 50 shelters for women and their children. There are others in Ireland and Australia, and refuges are being developed in France and West Germany. Within the last few years a growing number of shelters have been set up in the United States.

It is vitally important to combat the widespread indifference toward battered wives, and this requires an effort akin to the feminist assault on rape, which in the last few years has won better treatment for rape victims. More shelters and counseling and better law enforcement are indispensable to improve the lot of the battered wife, but they will not themselves eliminate wife beating, just as rape clinics will not eradicate rape. The battered-wife syndrome is rooted in centuries of sexual inequality and will disappear only when that inequality is rooted out.

Judith Ginzold is on the staff of "Newsweek" magazine.

# GAZETTE

NEWS FROM ALL OVER

## BATTERED WIVES: HELP FOR THE VICTIM NEXT DOOR

Police Commander James Bannan of Detroit recently called on the police, the prosecutors, and the courts to "begin to view domestic violence as a 'public issue' rather than a 'private problem.'" On the inadequacy of police response, Bannan observed:

"Those of us in law enforcement, who are the first official representatives of government to respond to violence in the home, are socialized in precisely the same manner as the citizens we are expected to protect. . . . We share society's view that domestic violence is an individual problem and not a public issue. . . . Policemen, as are most males, are taught self-reliance, 'fight your own battles' philosophy from the cradle. . . . Of all the nonathletic occupations, none is so absorbed with the use of physical coercive force as that of the police officer. Nor are any more thoroughly socialized in their masculine role images. This . . . suggests to me that traditionally trained and socialized policemen are the worst possible choice to attempt to intervene in domestic violence."

Recently, there has been some effort to train police officers to deal more effectively with domestic violence. "Crisis intervention" programs have been instituted in a number of police stations around the country, sponsored by the federal Law Enforcement Assistance Administration. Although criticized for emphasizing mediation rather than arrest, these programs do train officers to regard family violence as a crime. Role-playing and counseling sessions teach officers how better to respond to family violence. The term "family fight" has been replaced by "family crisis,"

and in keeping with this more serious status, records are kept of each dispute, and statistical profiles are being compiled. Research on family violence is being disseminated by the LEAA to all participating programs.

And some police departments, reports Del Martin in her book *Battered Wives* (Glide Publications), have had success with women on patrol. "Louis J. Sherman, psychologist at the University of Missouri, found that women trainees were particularly competent in handling family disturbance calls," and evaluation of female patrol officers in Washington, D.C., and New York City confirmed that they are "often better able to defuse volatile situations."

The impetus for any real change continues, however, to come from women's groups. Ac-

tivists around the country have printed pamphlets advising women of their legal rights. In Boston, women have developed a card which lists legal alternatives and sources of help for battered women, and they've convinced police officers to distribute the cards to victims of family violence. In San Francisco, women are working to initiate a special response team that would include at least one woman to accompany the police to scenes of marital violence. Mary Vail of the Women's Litigation Unit in San Francisco is working with the city's bar association to draw up guidelines for instituting grievance procedures against the police, and women's groups in several cities are bringing suit against the police for failure to respond to the needs of battered women.

—Marcia Rockwood

Many women like Judy Hartwell—trapped in marriages in which they are beaten—are embarrassed or afraid to seek help. When help is sought, it's typically not available. Judy Hartwell had often called the police when her husband was assaulting her, but they refused to help.

One night her husband returned home drunk and threatened to forcibly perform anal intercourse on her or tie her to a bed and whip her. Hoping to scare him away and escape, Judy Hartwell grabbed a paring knife and ran for the door. He obstructed her passage and lunged at her. She panicked and stabbed him.

On March 16, 1976, a Wayne County, Michigan, jury of eight women and four men acquitted Judy Hartwell of murder charges

stemming from the fatal stabbing of her husband. The case may have established an important legal precedent; for Circuit Judge Victor Baum instructed the jury that a married woman has a legal right to forcibly resist unwanted sexual advances by her husband. The law refuses to recognize that rapes can and do occur within the marital relationship. Baum's instruction—that although a husband cannot be convicted of raping his wife, the woman has a right to refuse and resist what in fact may be a rape by him—is therefore an unexpected and significant step toward legal recognition of women's rights to control their own bodies. —Excerpted from an article by Marjory Cohen, published in the "Sun," a Detroit biweekly newspaper.

## HOW TO TELL IT TO THE JUDGE

Legal remedies available to battered women vary greatly from state to state. Not all the options listed below are available in every state, and details of remedies may differ somewhat. Therefore, this rundown cannot serve as a guide for individual use, and in every case it is important for a woman wishing to take legal action to consult an attorney.

In addition to these immediate protective remedies, a woman should seek legal advice on how to sue for damages or to file for support, custody of children, separation, or divorce.

**CIVIL AND CRIMINAL PROCEEDINGS.** A criminal prosecution is initiated by a private citizen, but the complaint itself is pursued by a district attorney who decides whether or not to prosecute. Successful prosecution of criminal charges stemming from family violence is infrequent, but can result in a more severe penalty, such as longer imprisonment, than that of a civil action. A civil suit is initiated and pursued throughout by a private citizen seeking either money damages or any of a variety of protective orders which may include limited imprisonment. (If a state has a special court to handle family disputes, cases of wife abuse are heard there—where civil rather than criminal procedures apply.)

**CITIZEN'S ARREST.** A woman choosing this recourse, the right of an individual in most states, must inform the police that she wants to make a citizen's arrest, describe the crime, and identify her assailant. In some states the woman is required to take physical custody of her assailant, although in others a simple identification is sufficient. Anyone choosing to make a citizen's arrest must accept responsibility for possible charges of false arrest. (The effectiveness of a citizen's arrest depends on police cooperation, which traditionally has been minimal.)

Counselors to battered women may suggest the remedy of a citi-

zen's arrest, since police officers rarely make arrests in cases of family violence. The police officer won't have an arrest warrant unless the woman has previously filed a complaint in court, and it is highly unlikely that the officer will be able to witness the crime or will decide that there is probable cause to make an arrest. (An officer unwilling to arrest for assault may agree to make an arrest on charges the officer observes, such as "disturbing the peace" or acting "drunk and disorderly.")

**CRIMINAL COMPLAINT.** In order for a woman to take her assailant to criminal court, she must file a criminal complaint. Prior to authorizing a complaint or prosecuting, a district attorney must have probable cause that the accused committed the crime and must also determine that the prosecution is in the "interest of justice." Usually it is necessary to have witnesses to the incident, evidence of serious injuries, a record of previous attacks, and a police report on file before a warrant will be issued and the accused arrested. (Subsequent proceedings can range from dropped charges to reduced charges, stemming from plea bargaining. Only a small percentage of wife-battering cases result in jury decision.)

**PROTECTIVE ORDERS.** One type is a *restraining order*, a civil action usually issued after a divorce suit has been filed, which requires the assailant to stay away from the woman or to "cease and desist" from offensive conduct for a specified length of time. A woman and her attorney must file a petition showing that the order is necessary, and that if it is not issued, the woman will suffer irreparable damage or injury. (In an emergency, a *temporary restraining order* may be issued until a hearing can be held.) When a restraining order is violated, a woman and her attorney must petition the court for a contempt order (a misdemeanor) to ensure further compliance or to punish the violator.

Another type of protective order is a *get out or vacate order*, with which a judge instructs the husband to remove himself from the family home. The judge may also require the husband to post a *peace bond*, a sum of money as "security to keep the peace," and warn that he will forfeit the money and be prosecuted if he assaults his wife again. However, many attorneys feel that peace bonds can violate the accused's right to equal protection under the law. —Marcia Rockwood

## SCREAM QUIETLY

Since I wrote "London: Battered Wives" (*Ms.*, June, 1974), much progress has been made in England. There are now some 50 refuges all over Great Britain, many of them operating under the banner of the National Federation of Women's Aid.

Chiswick Women's Aid, the pioneering group set up by Erin Pizzey five years ago, has grown stronger and stronger as an independent organization. In addition to maintaining the Chiswick "crisis" refuge, the group took over an empty, condemned hotel outside of London last spring as squatters. They've now been assured that the 80 women and children living there can stay until a suitable, permanent building of the same size is found.

In the past year, they have also set up 21 "second stage" homes for longer-term housing of more than 500 women and children. An anonymous donor has helped them buy and equip their own school for the "very special education," says Pizzey, that "children of violence need." They've established a workshop to train and employ some of the extremely disturbed teenage sons of battered women—an effort to break what could become an environmental chain of violent behavior. They're also about to open their first house for batterers—those men, says Pizzey, who genuinely

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

1 IN THE HOUSE

BY MALONE AND RUDD

2 HOUSE BILL NO. 463 am

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 Depart-  
7 ment of Community and Regional Affairs to conduct a  
8 pilot project to establish a shelter for assaulted and  
9 battered women and children; and providing for an  
10 effective date."

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

12 \* Section 1. The sum of \$216,000 is appropriated from the general fund to  
13 the Department of Community and Regional Affairs for the purpose of providing  
14 funds to be available for grant to a nonprofit organization to provide  
15 personnel, materials, and rental of space for the operation of a shelter for  
16 assaulted and battered women and children in the municipality of Anchorage.  
17 The Department of Community and Regional Affairs shall administer the grant  
18 of funds as a pilot project in accordance with the authority granted under AS  
19 4.47.050(3).

20 \* Sec. 2. The Department of Community and Regional Affairs shall report  
21 to the legislature by April 1, 1978 on the effectiveness of this pilot  
22 program.

23 \* Sec. 3. The unexpended and unobligated portion of this appropriation  
24 lapses into the general fund June 30, 1978.

25 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
26 070(c).

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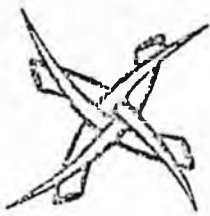
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# COOK INLET NATIVE ASSOCIATION

P. O. Box 515  
Anchorage, Alaska 99510

PRESIDENT Jeanmarie Larson  
SECRETARY Tanya Gularte  
TREASURER Lillian Demoski

7

April 18, 1977

Representative Charles Parr  
Chairman, Health, Education and Social  
Services Committee  
Alaska State House of Representatives  
Juneau, Alaska 99801

Dear Mr. Parr:

One of the most tragic gaps in public services in this state is the total lack of a refuge for women who are the victims of assault by their husbands. No existing agency has the mandate to provide emergency shelter for these women. A group of alarmed and concerned women in Anchorage have organized themselves this winter for the purpose of increasing awareness and mobilizing resources to help women who are being physically mistreated. This group, which now calls itself A.W.A.I.C. (Abused Women's Aid in Crisis) was initially organized through a joint effort of Cook Inlet Native Association staff and members of the Anchorage Women's Resource Center. CINA presently provides A.W.A.I.C. with office and meeting space.

Cook Inlet Native Association would like to go on record as expressing our strong support for H.B.463, the bill which would provide an appropriation for a pilot project to aid assaulted and battered women and their children. The social problem that this bill addresses has been "swept under the rug" for many years, much as the subject of divorce or illegitimate children used to be. Public funds, combined with local fund raising efforts are the only real solution to this very poignant and distressing problem. Your help in getting H.B.463 passed will be greatly appreciated.

Sincerely,

Jeanmarie Larson  
President/Executive Director

JML:gi



# 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

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 Handor

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 independant audit	\$480.
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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. <u>Office Supplies</u>	1 typewriter, soft supplies	1,000.
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C. <u>Phone</u>	\$300/mo x 12, installation of 3 lines	3,600.
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D. <u>Postage</u>		500.
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E. <u>Printing</u>	annual report, brochure or services	645.
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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 continuous 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

BUDGET NARRATIVE cont'd.

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. cy

# 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

## A. W. A. I. C.

co-ordinator: Kit Evans

## abused women's aid in crisis

670 W. Fireweed  
Anchorage, Alaska 99503  
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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

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.<sup>4</sup>

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".<sup>5</sup> 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.<sup>6</sup> 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.<sup>8</sup> 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.<sup>9</sup> 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.<sup>10</sup> 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.<sup>11</sup> 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.<sup>12</sup> 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.<sup>13</sup>

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.<sup>14</sup>

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.<sup>15</sup>

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.<sup>16</sup>

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?'"<sup>17</sup> 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.<sup>18</sup>

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.<sup>19</sup>

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.<sup>20</sup> 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.<sup>21</sup>

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?"<sup>22</sup> 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.<sup>23</sup> 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.<sup>24</sup>

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.<sup>25</sup>

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.<sup>26</sup> 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."<sup>27</sup> 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.<sup>28</sup>

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."<sup>29</sup>

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.<sup>30</sup>

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.<sup>31</sup> 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.<sup>32</sup> 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.



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:

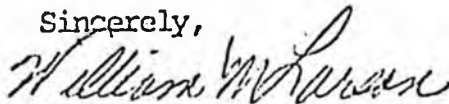
I am writing in support of House Bill Number 463, to provide a shelter for Battered Women and their children. I am a physician practicing in Anchorage and have worked the emergency room at local hospitals. I have noted an increasing number of women who appear with injuries with the complaint of having 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 10<sup>th</sup> 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  
Project Director

TELEGRAM

PCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

FONRAD, ALASKA 99801

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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

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 474 Newcastle, Anchorage, Ak.
- Sandy Stubb 957 Westinghouse Dr. Anch. Ak. 99503
- Ruth Anderson Box 8114, Anch. AK 99508
- Jan Gustafson 717 Elm, Anch. AK 99501
- Louise Chungy PO Box 4-086 Anch. AK 99501
- Marianne Peterich 3800 Larson Lane Anch 99504
- Jo Follows-Swanson 2614 E. 42nd Anch. 99504
- David A. Conkuff 1227 Conkuff Anch. 99501
- Bob Sprague 7401 Spruce Road Apt 4 Anchorage 99507
- Renee Murray 3324 Montrose Ct., Anch. 99503
- Lee, Lee 3354 Montrose Ct., Anchorage, AK 99503
- Maryann VandeCastle 1330 West 25<sup>th</sup> Anchorage, AK 99503
- Hana S. Erickson 3807 Northwood Anchorage Ak. 99508
- Margaret J. Rowitz 2915 W. 35th Anchorage 99503
- Julia Larsson 2650 E 50 Anchorage 99501
- Eric J. Gledhill PO Box 4-131 " 99509
- Richard Birman 1204 N. S. " 99501
- Mary A. Stumpen 3001 DeWanna " 99507
- Charles L. Eric U. Bragaw " 99504
- Tanya Pasternak G.P.A. Box 612 Anchorage 99507
- Ruthie C. Zuckerman 1017 E. 1st St. Anchorage AK 99501

Poling, John	4200 North Star #3	Anch. 99503
Patty Juvenile	SRH 1458 E	Anchor 99502
Julia L. Kraschew	SRA Box 1730	Anchor 99507
Dorothy Jones	SR Box 5203	Eagle River
Bernie Bidler	8620 Klune, #1	Anchorage 99504
Beverly Tom Saden	3701 Eureka Sp 9D	Anch. 99503
Lynne Woods	4815 Malibu Rd.	Anch. 99503
Lysanne Alonaki	5400 W. Diamond D-14	Anch. 99502
Catherine M. Fisher	1564 Glendon St.	Anchorage 99504
Jenna Pearson	4701 Kuyvenaf	Anchorage 99507
Dan Barclay	349 E. 24th Apt. 4	Anchorage 99502
Chris Smith	4340 North Star #2	Anch. 99503
Jean A. Tucker	113 B Hukana	TT. 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 and say 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

An Act making a special appropriation to the Dept. of Community and Regional Affairs to conduct a pilot project to establish a shelter for assaulted and battered women and children effective date.

# COMMITTEE REPORT

## HOUSE

4/21/77

4-21-77

Date

Mr. Speaker:

The Committee on FINANCE has had HB 463

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: No Rec

\_\_\_\_\_ recommends: \_\_\_\_\_

\_\_\_\_\_ recommends: \_\_\_\_\_

\_\_\_\_\_

Chairman

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

1 IN THE HOUSE

BY MALONE AND RUDD

2 HOUSE BILL NO. 463

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 Depart-  
7 ment of Community and Regional Affairs to conduct a  
8 pilot project to establish a shelter for assaulted and  
9 battered women and children; and providing for an  
10 effective date."

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

12 \* Section 1. The sum of \$216,000 is appropriated from the general fund to  
13 the Department of Community and Regional Affairs for the purpose of providing  
14 funds to be available for grant to a municipality or nonprofit organization  
15 to provide personnel, materials, and rental of space for the operation of a  
16 shelter for assaulted and battered women and children in the municipality of  
17 Anchorage. The Department of Community and Regional Affairs shall administer  
18 the grant of funds as a pilot project in accordance with the authority  
19 granted under AS 44.47.050(3).

20 \* Sec. 2. The unexpended and unobligated portion of this appropriation  
21 lapses into the general fund June 30, 1978.

22 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-  
23 070(c).

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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 A. Smith  
Signature of Camera Operator

2/14/90  
Date

Introduced: 4/13/77  
Referred: Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 466

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 Department  
7 of Health and Social Services to survey the need for a  
8 hospital in the Lake Peninsula rural educational  
9 attendance area; and providing for an effective date."

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

11 \* Section 1. The sum of \$25,000 is appropriated from the general fund to  
12 the Department of Health and Social Services for the purpose of conducting  
13 a survey of the need for a hospital in the Lake Peninsula rural educational  
14 attendance area.

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

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"An Act making a special appropriation to the Dept. of Health and Social Services to survey the need for a hospital in the Lake Peninsula rural educational attendance area: eff. date"

# COMMITTEE REPORT

4-13-77

## HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had HB 466

under consideration. A majority of the members of the Committee

- recommends it do pass
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- (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

3962  
Guthrie

Introduced: 4/13/77  
Referred: Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 466

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

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COMMITTEE COPY

-1-

HB 466

<b>ALASKA STATE LEGISLATURE</b>	
TENTH.. Legislature	FIRST.. Session
HOUSE .....	BILL .....
By .....	NO. 466
By <b>ANDERSON</b> .....	
<p>"An Act making a special appropriation to the Department of Health and Social Services to survey the need for a hospital in the Lake Peninsula rural educational attendance area; and providing for an effective date."</p>	
Hospital in Lake Peninsula area	
Introduced in the House ..... 4-13-1977	

HISTORY IN THE HOUSE																							
19 77	Read first time and referred to Committee on Finance																						
April 13	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">PASS</td> <td style="text-align: center;">Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2" style="text-align: center;">Reconsideration</td> </tr> <tr> <td style="text-align: center;">PASS</td> <td style="text-align: center;">Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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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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	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. ....

Introduced: 4/13/77  
Referral: Finance

1 IN THE HOUSE

BY DUNCAN AND MILLER

2 HOUSE BILL NO. 467

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state income tax."

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

8 \* Section 1. For purposes of AS 43.20.031 for tax years before January 1,  
9 1976, an individual is taxable on his entire income as defined in that sec-  
10 tion except that income does not include wages earned outside the state.

11 \* Sec. 2. This Act is retroactive to January 1, 1975 and relates only to  
12 income earned or received between December 31, 1974 and January 1, 1976.

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THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill NO. 467  
Title An Act relating to State income tax.  
Requested by House Finance Committee Date 4/14/77

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_ Revenue \_\_\_\_\_  
Program Category Affected Fiscal services  
Budget Request Unit(s) Affected Audit Division

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-	-0-

FUNDING (Thousands of Dollars)

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

POSITIONS None

FULL TIME						
PAR'T TIME						
TEMPORARY						

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

See attached memo to J. R. Messenger dated 4/14/77.

IV. DATE 4/14/77 PREPARED BY *Gay Berlin*  
AGENCY Department of Revenue, Audit Division  
PHONE 465-2320  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

# MEMORANDUM

# State of Alaska

TO: John R. Messenger  
Deputy Commissioner  
Department of Revenue

DATE: April 14, 1977

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins  
Director  
Audit Division

SUBJECT: Senate Bill 317 and  
House Bill 467

The specific intent of the referenced bills is to exempt the income of taxpayers in Skagway who had income in 1975 which was earned while working on the White Pass and Yukon Railroad.

In 1975, the Alaska income tax law was amended so that the State would tax all income taxable under the Internal Revenue Code that was received by residents of the State. The intent of the law change was to tax the income earned by residents of Alaska from out-of-state sources whether in the form of salaries and wages or income from investments. The effect of this proposed law change would be to exempt any income earned by individuals traveling outside the State of Alaska in the course of their employment. This would mean that the several thousand individuals who travel away from the State on business for their employers would be permitted to file an amended return for 1975, claiming a refund for the tax paid on the salary thus exempted.

The revenue loss which would result from just exempting the people in Skagway would be in excess of \$20,000. When taking into consideration the potential several thousand individuals who could claim the exemption, the total revenue loss could amount to hundreds of thousands of dollars.

Further, there would appear to be another significant inequity created by this bill in that one class of income will be exempted from tax while other classes of income from out-of-state sources will be subject to tax. If the Legislature should choose to delay the implementation of the new law for 1975, it would seem far more equitable to delay it for all affected taxpayers rather than just a portion thereof. The individuals in the State who had income from out-of-state investments have also paid a significant amount of additional tax to the State of Alaska on that income which had previously been nontaxable.

4-13-77

# COMMITTEE REPORT

## HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had HB 467

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

3999  
Bernie

Introduced: 4/13/77  
Referred: Finance

1 IN THE HOUSE

BY DUNCAN AND MILLER

2 HOUSE BILL NO. 467

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state income tax."

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

8 \* Section 1. For purposes of AS 43.20.031 for tax years before January 1,  
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10 tion except that income does not include wages earned outside the state.

11 \* Sec. 2. This Act is retroactive to January 1, 1975 and relates only to  
12 income earned or received between December 31, 1974 and January 1, 1976.

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 467

By DUNCAN AND MILLER

"An Act relating to state income tax."

State income tax

Introduced in the House .... 4-13, 1977.

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on Finance												
Apr. 13	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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CHIEF CLERK OF THE HOUSE													

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SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

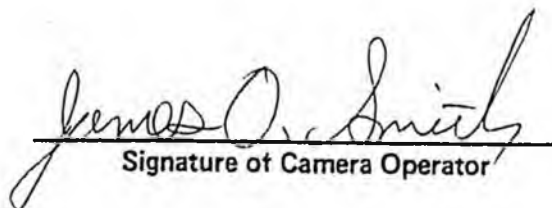
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	To enrolling
	Reported correctly enrolled
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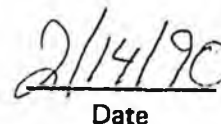


# RECORDS CERTIFICATION



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.

  
Signature of Camera Operator

  
Date

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 471

Title An Act relating to the decentralization of the Executive Branch

Requested by Legislative Finance Committees - Jay Hogan Date April 5, 1978

II. FISCAL DETAIL

Agency Affected Executive Branch - all

Program Category Affected all

Budget Request Unit(s) Affected all

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES		0	0	0	0	
200 TRAVEL		0	0	0	0	
300 CONTRACTUAL		87.4	1.1	1.2	1.3	
400 COMMODITIES		0	0	0	0	
500 EQUIPMENT		0	0	0	0	
600 LAND & STRUCTURES		0	0	0	0	
700 GRANTS, CLAIMS, ETC.		0	0	0	0	
TOTAL		87.4	1.1	1.2	1.3	

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

See attachment

Contractual: 86.4      Consultant fees, one time only  
1.0                      Printing fees, ongoing, 8% inflation

IV. DATE 4/14/78

PREPARED BY Frank Spargo  
AGENCY Office Of the Governor - Budg. & Management  
PHONE 465-4242

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

House Bill No. 471  
Analysis of Fiscal Impact

Sec. 44.07.010

No fiscal impact.

Sec. 44.07.020

The fiscal impact will be determined by the plans developed in Sec. 44.07.030 and 44.07.040. Enabling legislation and appropriations will be needed to implement the plans.

Sec. 44.07.030

No fiscal impact. Effort will be absorbed by current staffing levels.

Sec. 44.07.040

Assumption: Only five agencies (Departments of Administration; Labor; Health and Social Services; Education; and Transportation and Public Facilities) require a large reorganization effort. The remaining departments require less effort for developing reorganization plans.

Assumption: All costs for developing the plans will occur in the first year. No ongoing costs.

Assumption: the reorganization effort required does not entail massive functional reorganization. Units which could be placed in regional offices are assumed to be identifiable under current departmental organizations.

Contractual Services Analysis

Development of departmental plans can be accomplished by hiring a management consultant team (3 persons for 3 months) to coordinate the effort.

Consultant fees @ \$50/hr per person	=	\$ 8,800/month
3 consultants for 3 months		\$ 79,200
Clerical assistance \$1200/month		
2 persons for 3 months		\$ 7,200
Travel and office space are included in consultant's fees		

---

contractual Services (Sec. 44.07.040) \$ 86,400

Note: Opportunity Costs

For 5 agencies, two people will be tied up for 3 months, or 30 man months, at a cost of \$50,000/year (salaries and benefits), for a total cost of \$175,000. For 12 agencies, one person will be tied up for 1 month, or 12 man months, at a cost of \$50,000/year (salaries and benefits), for a total cost of \$50,000.

This opportunity cost of \$175,000 represents the cost of Commissioners and/or Deputy Commissioners who will be working with the management consultants on developing the plans.

Sec. 44.07.050

\$1000 contractual services for printing costs.

Sec. 44.07.060

The fiscal impact will be determined by the plans developed in Sec. 44.07.030 and 44.07.040. Enabling legislation and appropriations will be needed to implement the plans.

Sections 44.07.070 through 44.07.090.

No fiscal impact.

Introduced: 4/14/77  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY PARR, BRADLEY AND LETHIN

2 HOUSE BILL NO. 471

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the decentralization of the execu-  
7 tive branch of the state government; and providing for  
8 an effective date."

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

10 \* Section 1. AS 44 is amended by adding a new chapter to read:

11 CHAPTER 7. DECENTRALIZATION OF EXECUTIVE BRANCH.

12 Sec. 44.07.010. LEGISLATIVE FINDINGS. The legislature finds that  
13 there is a growing tendency to centralize decision making at the top  
14 levels of the principal executive departments, that such centralization  
15 results in increased numbers of intermediaries between commissioners and  
16 the state officers and employees who directly render services to the  
17 public, that this results in inefficient, time-consuming, expensive, and  
18 often unnecessary review and approval procedures and discourages the use  
19 of initiative by state officers and employees. The legislature further  
20 finds that centralization results in an overly-large number of state  
21 officers and employees in the state capital and a corresponding in-  
22 sufficiency at the regional, district and local offices where services  
23 are directly rendered to the public. The legislature finds it necessary  
24 and in the public interest to mandate a decentralization of decision-  
25 making authority to regional, district and local offices and to limit  
26 the number of state officers and employees in the headquarters offices  
27 in the state capital.

28 Sec. 44.07.020. EFFECTIVE DATE OF DECENTRALIZATION. After June 30,  
29 1981 no more than 15 per cent of the total number of state employees

1 may be employed in the headquarters offices of the principal executive  
2 departments in the state capital.

3 Sec. 44.07.030. DETERMINATION BY THE GOVERNOR. Within 180 days of  
4 the effective date of this chapter the governor shall prescribe, for  
5 each department of the executive branch, the number of employees who may  
6 be employed in the state capital. The governor may from time to time  
7 amend this directive.

8 Sec. 44.07.040. DEPARTMENTAL PLANS. (a) Each department shall  
9 prepare a plan for the phased decentralization of its activities to meet  
10 the ceiling imposed by the governor. Each plan shall include:

11 (1) the location of each regional, district, or local office  
12 now established or to be established;

13 (2) the scope of authority of the state officer or employee  
14 in charge of the office;

15 (3) the scope of the decision-making authority reserved to  
16 the commissioner or his immediate subordinates in the state capital; and

17 (4) recommendations for legislation needed to carry out the  
18 provisions of this chapter.

19 (b) Plans required under (a) of this section shall be submitted to  
20 the First Session, Eleventh Legislature, no later than 10 days after it  
21 convenes.

22 Sec. 44.07.050. REPORT BY THE GOVERNOR. The budget submitted by  
23 the governor for fiscal year 1980 and fiscal year 1981 shall be accom-  
24 panied by a report of the progress made in implementing this chapter.

25 Sec. 44.07.060. BUDGET PREPARATION. No budget for 1982 or suc-  
26 ceeding fiscal years may propose to employ more than 15 per cent of the  
27 total number of state employees in the principal executive departments  
28 in the state capital.

29 Sec. 44.07.070. REGIONAL, DISTRICT OR LOCAL OFFICES IN THE STATE

1 CAPITAL. Nothing in this chapter shall prohibit the establishment of a  
2 regional, district or local office of a principal executive department  
3 in the state capital if there is a clear functional division between it  
4 and the headquarters office. Employees in the regional, district or  
5 local office shall not be counted against the ceiling prescribed by the  
6 governor under sec. 30 of this chapter.

7 Sec. 44.07.080. EXCLUSION OF DEPARTMENTS. Departments of the  
8 executive branch which on the effective date of this chapter have their  
9 headquarters offices located in a city other than the state capital are  
10 excluded from the computation of total number of state employees under  
11 sec. 30 of this chapter.

12 Sec. 44.07.090. INCLUSION OF DIVISIONS. Divisions which on the  
13 effective date of this chapter are located in a city other than the  
14 state capital shall be included in departmental plans for phased decen-  
15 tralization of activities required by sec. 40 of this chapter.

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

COMMITTEE REPORT

HOUSE

4/4/78

FURTHER: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on FINANCE has had HB 471  
"An Act relating to the decentralization of the executive branch of the state government; effective date."

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 \_\_\_\_\_  new title               same title
- AND attaches a Letter of Intent               New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_  
Chairman

"An Act relating to the decentralization of the executive branch of the state government; eff. date."

# COMMITTEE REPORT

4-14-77

FINANCE

## HOUSE

April 3, 1978 Date

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 471 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:

<u>[Signature]</u>	<u>Joe McKinnon</u>
<u>ADD [Signature] DO PASS</u>	<u>B. Niles - Do Pass</u>
<u>[Signature] - No Pass</u>	
<u>Tom Kelly</u>	<u>Do Pass</u>

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

\_\_\_\_\_ recommends: \_\_\_\_\_

\_\_\_\_\_ recommends: \_\_\_\_\_

\_\_\_\_\_ recommends: \_\_\_\_\_

[Signature]  
Chairman

3976  
Bradley

Introduced: 4/14/77  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY PARR, BRADLEY AND LETHIN

2 HOUSE BILL NO. 471

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the decentralization of the execu-  
7 tive branch of the state government; and providing for  
8 an effective date."

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

10 \* Section 1. AS 44 is amended by adding a new chapter to read:

11 CHAPTER 7. DECENTRALIZATION OF EXECUTIVE BRANCH.

12 Sec. 44.07.010. LEGISLATIVE FINDINGS. The legislature finds that  
13 there is a growing tendency to centralize decision making at the top  
14 levels of the principal executive departments, that such centralization  
15 results in increased numbers of intermediaries between commissioners and  
16 the state officers and employees who directly render services to the  
17 public, that this results in inefficient, time-consuming, expensive, and  
18 often unnecessary review and approval procedures and discourages the use  
19 of initiative by state officers and employees. The legislature further  
20 finds that centralization results in an overly-large number of state  
21 officers and employees in the state capital and a corresponding in-  
22 sufficiency at the regional, district and local offices where services  
23 are directly rendered to the public. The legislature finds it necessary  
24 and in the public interest to mandate a decentralization of decision-  
25 making authority to regional, district and local offices and to limit  
26 the number of state officers and employees in the headquarters offices  
27 in the state capital.

28 Sec. 44.07.020. EFFECTIVE DATE OF DECENTRALIZATION. After June 30  
29 1981 no more than 15 per cent of the total number of state employees

COMMITTEE COPY

1 may be employed in the headquarters offices of the principal executive  
2 departments in the state capital.

3 Sec. 44.07.030. DETERMINATION BY THE GOVERNOR. Within 180 days of  
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8 Sec. 44.07.040. DEPARTMENTAL PLANS. (a) Each department shall  
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10 the ceiling imposed by the governor. Each plan shall include:

11 (1) the location of each regional, district, or local office  
12 now established or to be established;

13 (2) the scope of authority of the state officer or employee  
14 in charge of the office;

15 (3) the scope of the decision-making authority reserved to  
16 the commissioner or his immediate subordinates in the state capital; and

17 (4) recommendations for legislation needed to carry out the  
18 provisions of this chapter.

19 (b) Plans required under (a) of this section shall be submitted to  
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28 in the state capital.

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2 regional, district or local office of a principal executive department  
3 in the state capital if there is a clear functional division between it  
4 and the headquarters office. Employees in the regional, district or  
5 local office shall not be counted against the ceiling prescribed by the  
6 governor under sec. 30 of this chapter.

7 Sec. 44.07.080. EXCLUSION OF DEPARTMENTS. Departments of the  
8 executive branch which on the effective date of this chapter have their  
9 headquarters offices located in a city other than the state capital are  
10 excluded from the computation of total number of state employees under  
11 sec. 30 of this chapter.

12 Sec. 44.07.090. INCLUSION OF DIVISIONS. Divisions which on the  
13 effective date of this chapter are located in a city other than the  
14 state capital shall be included in departmental plans for phased decen-  
15 tralization of activities required by sec. 40 of this chapter.

16 \* Sec. 2. This Act takes effect July 1, 1977.  
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**ALASKA STATE LEGISLATURE**

TENTH Legislature FIRST Session

HOUSE BILL NO. 471  
By PARR, BRADLEY AND LETHIN...

"An Act relating to the decentralization of the executive branch of the state government; and providing for an effective date."

Decentralization of Exec. branch

Introduced in the House ..... 4-14-1977.

HISTORY IN THE HOUSE													
19 77													
Apr. 14	Read first time and referred to Committee on State Affairs and Finance Reported back with recommendation that												
	Read second time and												
	Read third time and												
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	Reported correctly engrossed Signed by Speaker Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE													
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	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. ....