

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

HB 361 cont. , HB 367 345

13. How many different times have you used marijuana?

	No times	1-2 times	3-5 times	6-9 times	10-19 times	20-39 times	40+ times
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 2. Cocaine.**

Cocaine, which is called "coke," "loot," "blow," or "snow," or other names, is a white powdery substance that is usually sniffed or smoked.

14. Have you ever had a chance to try cocaine?  No  Yes

15. Have you ever tried cocaine?  
 No (Go to Section 3)  
 Yes (Continue)

16. How did you use it? (Check all the apply to you.)  
 I have sniffed it  
 I have smoked it  
 I have injected it (shot it up)  
 I have used it in freebase form

17. How old were you when you first tried it? \_\_\_\_\_

18. Have you ever been high on cocaine to the point where you were pretty sure that you had experienced its effect?  
 I never got high  Have gotten high more than once  
 Have gotten high once  I get high almost every time I use it

19. How many different times have you used cocaine?

	No times	1-2 times	3-5 times	6-9 times	10-19 times	20-39 times	40+ times
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 3. Crack**

Another type of cocaine is called "crack." This form of cocaine looks like a piece of rock or soap, and is smoked.

20. Have you ever had a chance to try crack?  No  Yes

21. Have you ever tried crack?  
 No (Go to Section 4)  
 Yes (Continue)

22. How old were you when you first tried it? \_\_\_\_\_

23. Have you ever been high on crack to the point where you were pretty sure that you had experienced its effect?  
 I never got high  
 Have gotten high once  
 Have gotten high more than one  
 I got high almost every time I use it

24. How many different times have you used crack?

	No <u>times</u>	1-2 <u>times</u>	3-5 <u>times</u>	6-9 <u>times</u>	10-19 <u>times</u>	20-39 <u>times</u>	40+ <u>times</u>
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 4. Stimulants ("Uppers")**

Stimulants or amphetamine drugs, known as "uppers," "speed," "crystal," "bennies," "dexies," "pop pills," "crosstabs," "crossroads," and "crisscross," among other names, are used to make one feel more alert, energetic, or to obtain a high. They are usually taken in pill form.

25. Have you ever had a chance to try stimulants?  No  Yes

26. Have you ever tried stimulants?

- No (Go to Section 5)  
 Yes (Continue)

27. How old were you when you first tried any? \_\_\_\_\_

28. Have you ever been high on a stimulant to the point where you were pretty sure that you had experienced its effect?

- I never got high  Have gotten high more than once  
 Have gotten high once  I get high almost every time I use it

29. How many different times have you used stimulants?

	No <u>times</u>	1-2 <u>times</u>	3-5 <u>times</u>	6-9 <u>times</u>	10-19 <u>times</u>	20-39 <u>times</u>	40+ <u>times</u>
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 5. Hallucinogens**

Hallucinogens, which are also called psychedelics, consist of such substances as LSD ("Acid"), Mescaline, and PCP, among other substances. Some of the slang names for hallucinogens are "mushrooms," "ecstasy," or "angel dust," "window pane," and "blotter acid." These substances are used to experience hallucinations, or to alter how things are seen, change one's mood, feelings, or level of awareness.

30. Have you ever had a chance to try hallucinogens?  No  Yes

31. Have you ever tried hallucinogens?

- No (Go to Section 6)  
 Yes (Continue)

32. How old were you when you first tried any? \_\_\_\_\_

33. Have you ever been high on an hallucinogen to the point where you were pretty sure that you had experienced its effect?

- I never got high  Have gotten high more than once  
 Have gotten high once  I get high almost every time I use it

34. How many different times have you used hallucinogens?

	No <u>times</u>	1-2 <u>times</u>	3-5 <u>times</u>	6-9 <u>times</u>	10-19 <u>times</u>	20-39 <u>times</u>	40+ <u>times</u>
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 6. Depressants ("Downers")**

Depressant or "downer" type drugs, known as barbiturates, one of which is called Quaalude, are chemical substances used to calm oneself down or to get a high, much like using alcohol. Such drugs are usually taken in pill form, and are called "barbs," "blues" or "blue devils," "yellow jackets," "purple hearts," "soapers," or "Judes."

35. Have you ever had a chance to try depressants?  No  Yes

36. Have you ever tried depressants?

- No (Go to Section 7)  
 Yes (Continue)

37. How old were you when you first tried any? \_\_\_\_\_

38. Have you ever been high on a depressant to the point where you were pretty sure that you had experienced its effect?

- I never got high  Have gotten high more than once  
 Have gotten high once  I get high almost every time I use it

39. How many different times have you used depressants?

	No <u>times</u>	1-2 <u>times</u>	3-5 <u>times</u>	6-9 <u>times</u>	10-19 <u>times</u>	20-39 <u>times</u>	40+ <u>times</u>
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 7. Heroin**

Heroin, which is sometimes called "H," "horse," "junk," "Mexican brown," or "smack," can be a white or brownish powdery substance that can be injected (shot up), sniffed, or smoked.

40. Have you ever had a chance to try heroin?  No  Yes

41. Have you ever tried heroin?

- No (Go to Section 8)  
 Yes (Continue)

42. How old were you when you first tried it? \_\_\_\_\_

43. Have you ever been high on heroin to the point where you were pretty sure that you had experienced its effect?

- I never got high  Have gotten high more than once  
 Have gotten high once  I get high almost every time I use it

44. How many different times have you used heroin?

	No <u>times</u>	1-2 <u>times</u>	3-5 <u>times</u>	6-9 <u>times</u>	10-19 <u>times</u>	20-39 <u>times</u>	40+ <u>times</u>
In your lifetime .....	—	—	—	—	—	—	—
During the last 12 months .....	—	—	—	—	—	—	—
During the last 30 days .....	—	—	—	—	—	—	—

**Section 8. Inhalants**

Inhalants are chemical substances, such as gasoline, kerosene, aerosol sprays, paint, glue, and other chemicals, or drugs such as nitrous oxide or amyl nitrate, that are sniffed or inhaled to induce a high.

45. Have you ever had a chance to try inhalants?  No  Yes

46. Have you ever tried any inhalants?

- No (Go to Section 9)  
 Yes (Continue)



55. Have any of the following ever happened to you as a result of your experience with any type of drug?  
(Check all that apply to you.)

	<u>Never</u>	<u>Once</u>	<u>2-3 Times</u>	<u>4 or more Times</u>
Gotten into trouble with your teachers or principal. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had it get in the way of school work. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gotten you in trouble with your friends. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gotten you in trouble with the police. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had a bad trip. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resulted in an accident or injury to you or others. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Been suspended from school. ....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Continue below)

56. Do you think the use of any of the substances listed below has increased in your school during the past year? (Please check all the ones you believe have gone up.)

<input type="checkbox"/> Alcohol	<input type="checkbox"/> Cocaine	<input type="checkbox"/> Stimulants
<input type="checkbox"/> Tobacco	<input type="checkbox"/> Crack	<input type="checkbox"/> Depressants
<input type="checkbox"/> Marijuana	<input type="checkbox"/> Hallucinogens	<input type="checkbox"/> Inhalants
<input type="checkbox"/> Heroin	<input type="checkbox"/> Tranquillizers	

57. Do you think the use of any of the substances listed below has decreased in your school during the past year? (Please check all the ones you believe have gone down.)

<input type="checkbox"/> Alcohol	<input type="checkbox"/> Cocaine	<input type="checkbox"/> Stimulants
<input type="checkbox"/> Tobacco	<input type="checkbox"/> Crack	<input type="checkbox"/> Depressants
<input type="checkbox"/> Marijuana	<input type="checkbox"/> Hallucinogens	<input type="checkbox"/> Inhalants
<input type="checkbox"/> Heroin	<input type="checkbox"/> Tranquillizers	

58. About how many of your friends have tried: (Check the appropriate place)

	<u>None</u>	<u>1 or 2</u>	<u>Several</u>	<u>Most</u>	<u>All</u>	<u>Don't Know</u>
Marijuana .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cocaine .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Crack .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stimulants .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hallucinogens .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Depressants .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heroin .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inhalants .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tranquillizers .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cigarettes .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smokeless tobacco .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

59. About how many of your friends use: (Check the appropriate place)

	<u>None</u>	<u>1 or 2</u>	<u>Several</u>	<u>Most</u>	<u>All</u>	<u>Don't Know</u>
Marijuana .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cocaine .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Crack .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stimulants .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hallucinogens .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Depressants .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heroin .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inhalants .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tranquillizers .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cigarettes .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smokeless tobacco .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Part 4. The questions in this part ask about your experiences with beer, wine, and liquor.

60. Have you ever had a drink of wine, beer, or liquor - not just a sip or taste - with friends outside of your home?

- No (Go to Part 5)  
 Yes (Continue)

61. Have you had a drink of wine, beer, or liquor - not just a sip or taste - with friends outside of your home during the past year?

- No  
 Yes

62. How old were you when you had your first drink (not just a sip or taste) with friends at a party or some other kind of get together outside of your home? \_\_\_\_\_

63. How many times did you drink beer, wine, or liquor during the past 30 days?

- No time  
 1 time  
 2-3 times  
 1-2 times a week  
 3-4 times a week  
 5-6 times a week  
 Once a day  
 More than once a day

64. Think of all the times when you had beer, wine, or liquor during the past 30 days. How many drinks do you usually have?

(Think of one can of beer, a glass of wine, or a mixed drink as equal to one drink.)

- I did not drink during this time  
 1 drink  
 2 drinks  
 3-5 drinks  
 6-10 drinks  
 11 or more drinks

65. During the past year, about how many times did you drink just to feel a little high or light-headed?

- None     2-3 times     6-10 times     Twice a month  
 One time     4-5 times     Once a month     Once a week or more

66. During the past year, about how many times have you gotten drunk or very, very high?

- None     2-3 times     6-10 times     Twice a month  
 One time     4-5 times     Once a month     Once a week or more

67. During the past year, about how many times have you gotten sick (nauseas or vomiting) as a result of drinking?

- None     2-3 times     6-10 times     Twice a month  
 One time     4-5 times     Once a month     Once a week or more

68. Have you ever had any of the following happen to you as a result of drinking?

(Place a check where it applies to you for each item.)

	Never	Once	2-3 Times	4 or more Times
Got into trouble with your teachers or principal. . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Had it get in the way of school work. . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Got you in trouble with your friends. . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Got you in trouble with the police. . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Got you in a fight. . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resulted in an accident or injury to you or others. . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have driven when drinking? . . . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

69. How many of your close friends drink alcoholic beverages at least once a week?

- Most of my friends don't drink at all
- None of my friends drink at least once a week
- Some of my friends drink at least once a week
- Most of my friends drink at least once a week
- All of my friends drink at least once a week

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**Part 5. Tobacco**

70. Have you ever tried smoking cigarettes?

- No (Go to #78)
- Yes (Continue)

71. Have you smoked more than two or three times?

- No
- Yes

72. How old were you when you first tried smoking cigarettes? \_\_\_\_\_

73. How many times during the past 30 days have you smoked cigarettes?

- None (Go to #77)
- 1 time
- 2-3 times
- 1-2 times a week
- 3-4 times a week
- 5-6 times a week
- Once a day
- Two or three times a day
- More than four times a day

74. Think of all the times when you have smoked during the past 30 days. About how many cigarettes did you smoke during a day?

- 1-5 cigarettes a day
- 6-10 cigarettes
- 11-15 cigarettes
- 16-20 cigarettes
- 21 or more cigarettes

75. Would you consider yourself:

- An occasional smoker (go to #79)
- A moderate smoker (Go to #76)
- A light smoker (Go #76)
- A heavy smoker (Go to #76)

76. How old were you when you became a light, moderate, or heavy smoker? \_\_\_\_\_

(Skip to #79)

77. If you have stopped smoking, was it for any of these reasons? (Check all that apply to you.)

- Just didn't feel a need to smoke anymore
  - Fear of damage to my body
  - Parents disapproved
  - Friends disapproved
  - Because of something I learned in school
  - Other: \_\_\_\_\_
- (Go to #79)

78. If you have never smoked, was it for any of the following reasons? (Check all that apply to you.)

- Just don't feel a need to smoke
  - Fear of damage to my body
  - Parents disapproved
  - Friends disapproved
  - Because of something I learned in school
  - Other: \_\_\_\_\_
- (Go to #79)

79. Have you ever tried chewing tobacco or smokeless tobacco (such as Skoal)?

No (Go to #85)

Yes

80. How old were you when you first tried smokeless tobacco? \_\_\_\_\_

81. How many times during the past month (30 days) have you used either chewing or smokeless tobacco?  
(Check the columns that apply to you for both types of smokeless tobacco.)

	Chewing Tobacco	Smokeless Tobacco
None.....	_____	_____(Go to #84)
1 time.....	_____	_____
2-3 times.....	_____	_____
1-2 times a week...	_____	_____
3-4 times a week...	_____	_____
5-6 times a week...	_____	_____
Once a day.....	_____	_____
More than once a day.	_____	_____

82. Would you consider yourself:

An occasional user (Go to #84)

A moderate user (Go to #83)

A light user (Go to #83)

A heavy user (Go to #83)

83. How old were you when you became a light, moderate, or heavy smokeless or chewing tobacco user? \_\_\_\_\_

(Skip to Part 6)

84. If you have used smokeless or chewing tobacco but have now stopped, was it for any of these reasons?  
(Check all that apply to you.)

Just didn't feel a need to use it anymore

Fear of damage to my body

Parents disapproved

Friends disapproved

Other: \_\_\_\_\_

85. If you have never used smokeless tobacco, was it for any of the following reasons? (Check all that apply to you.)

Just don't feel a need to use it

Friends disapproved

Parents disapproved

Fear of damage to my body

Because of something I learned in school

Other: \_\_\_\_\_

Please Continue on the Next Page

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Please answer the following questions, whether you have used drugs or not, concerning some different feelings or experiences that people have. Read each item and check the statement that best describes you. Answer every item.

	Very True of me	Often True of me	Sometimes True of me	Seldom True of me	Not True of me
I would enjoy being a famous person.	—	—	—	—	—
I don't really have fun at parties.	—	—	—	—	—
I often act without thinking.	—	—	—	—	—
I enjoy being alone.	—	—	—	—	—
I am pretty cautious.	—	—	—	—	—
I daydream about doing hard tasks.	—	—	—	—	—
I care what others think about me.	—	—	—	—	—
I do not give up easily on a problem.	—	—	—	—	—
I feel that I have a lot of control over my future.	—	—	—	—	—
I often wish I had more good friends.	—	—	—	—	—
My daydreams often cheer me up when I feel sad.	—	—	—	—	—
I almost never ask for help or advice.	—	—	—	—	—
Being successful is important to me.	—	—	—	—	—
I like to tell others how to do things.	—	—	—	—	—
I try not to take life very seriously.	—	—	—	—	—
When I want something - I want it now - not later.	—	—	—	—	—
I'm afraid I'm not very popular.	—	—	—	—	—
I am not interested in anything unless it is exciting.	—	—	—	—	—
My feelings are easily hurt.	—	—	—	—	—
I sometimes question the reason why I do things.	—	—	—	—	—
Sometimes I take myself too seriously.	—	—	—	—	—
Being successful at what I do is important to me.	—	—	—	—	—
What others think of me is not important to me.	—	—	—	—	—
I like to feel free to come and go as I please.	—	—	—	—	—
I am not easily pressured by my friends.	—	—	—	—	—

This is the end of the questionnaire.

*Thank you for filling it out.*



UNITED STATES DEPARTMENT OF EDUCATION  
THE SECRETARY

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Wednesday, December 16, 1987

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WILLIAM J. BENNETT  
U.S. SECRETARY OF EDUCATION

Address to  
The White House Conference  
for a Drug-Free America

\* See Page 7: Use + Lose Concept Discussion.

Marriott Marquis Hotel  
New York, New York  
December 16, 1987

It is an honor to address this White House Conference for a Drug-Free America.

I have said on previous occasions that the foremost responsibility of any society is the nurture and protection of its children. This is the standard, I believe, by which a civilization must ultimately be judged. And in America today, one of the most serious threats to the health and well-being of our children is drug use.

Having served as Secretary of Education for almost three years now -- after having discussed the problem of school-age drug use with parents, educators, and narcotics officers and after having seen firsthand how drugs can destroy schools -- I am more convinced than ever of the dangers to our children from drugs. When it comes to drugs in schools, my message is a simple one: get them out. In some cases, it may require very tough measures on the part of teachers and principals; for example, it may necessitate expelling students who are drug pushers. Drugs should have no place in the lives of our children.

In the efforts to curb drug use in our schools (as well as drug use among adults), I do think we have some grounds for hope, some reason for cautious optimism. We have, as a nation, finally become serious about drug prevention. It is now an issue of high national priority. It is now an issue that has the attention of our young people. It is an issue that has brought groups together -- parents, teachers, school

boards, law enforcement personnel, local, state, and federal officials -- to send a consistent, firm, and morally sound message: Drug use is wrong; drug use is dangerous; and drug use must be stopped. Drugs undermine learning, shatter families, and take lives. This message is having an effect.

An article from last month's Baltimore Sun entitled "The New No Generation: Pendulum is Swinging Away from Drug Use Among Teenagers" helps illustrate my point: "The alliance that seemed so inalienable only a decade ago -- the alliance of illicit substances and youth -- is beginning to dissolve. Abstention has acquired cool. The war on drugs is finding allies not only among the old guard but also among the youthful avant-garde." National surveys indicate that in general, drug use by high school seniors has declined between 1981 and 1986.

Why did these changes occur -- and more importantly, how do we sustain and extend them? Any discussion of drug prevention in America must begin, of course, with the First Lady, who has worked tirelessly against drug use by children and, in so doing, has drawn national attention to the problem. President Reagan has done much in this area as well. Last October, he signed the Anti-Drug Abuse Act of 1986, providing \$1.7 billion in federal funds to supplement the \$2.2 billion already spent each year, to improve enforcement, treatment and education programs. The Anti-Drug Abuse Act also toughened sentences for drug violators. As Mark Moore, a

professor of criminal justice policy at Harvard University's John F. Kennedy School of Government has said, "The Administration has been remarkably successful in changing attitudes and norms. The President's public role has legitimized the drug issue."

At the Department of Education, we have taken several steps to help get drugs out of schools. In September 1986, we released Schools Without Drugs, a handbook that provides practical information for parents, teachers, principals, and community leaders in combating the problem of drugs among our young people. I'm proud to say Schools Without Drugs is now one of the most popular books in federal publishing history (1.7 million copies distributed), and many of its recommendations have been adopted by schools throughout the country. To help with the implementation of local anti-drug measures we have followed up Schools Without Drugs with "The Challenge Campaign," a cooperative program of 14 national organizations to help schools and communities apply the proven methods set forth in Schools Without Drugs. And we are now developing a similar program for colleges and universities.

With the passage of the Anti-Drug Abuse Act, our department also implemented 15 programs and disbursed \$200 million designed to lend support to sound anti-drug efforts in our schools. So, here and elsewhere in the federal government, we're helping schools and communities to put an end to drug use.

More importantly, Americans themselves are turning the tide in the battle against drugs in our schools. The methods that have been used and the actions that have proven effective are no mystery. We know what works. We know that drug use can be stopped. We know what needs to be done. And we have provided the financial resources to do the job.

Of course, there is more to be done. Drug use among our students is still unacceptably high, still outrageously high. Over one-half of last year's high school seniors used illegal drugs and, unlike the decline in the use of most other drugs, cocaine use has shown no appreciable decline. Seventeen percent of last year's seniors had used cocaine. Drug-related crimes still plague our society, and strain our courts, social service agencies, and police. Experience tells us that in the end, curbing drug use among the young will depend -- as it depends in so many areas of life -- on the active involvement of adults, speaking and acting in a manner that conveys to young people the message that drug use is wrong and harmful and should be avoided.

Ladies and gentlemen, this is not a time to rest, or to lose clarity about what needs to be done, or to grow weary in our war against drugs. This war is not over. It is a time instead to take the next step. It is time, in short, to attend to the unfinished business of ensuring "a drug free America."

Let me be more specific. Curbing drug use depends on two

things -- reducing supply and cutting demand. As we continue to expand our efforts at interdicting the drug supply, we must also insist on a proportionate effort at reducing demand. Let me be candid: On the demand side, we still have much to do. We have paid too little attention to the principle of user responsibility. This country still consumes 80 percent of the cocaine coming out of Latin America. This demand feeds the web of criminality that disrupts life in these foreign countries as well as destroying lives in this country. In Colombia, guerrilla organizations such as the Colombian Revolutionary Armed Forces guard fields and landing strips for producers, while the National Liberation Army and the terrorist group M-19 cooperate with traffickers. American users are funding terrorism and insurgency when they buy cocaine and marijuana.

At home, we read all too frequently of neighborhoods that have been virtually taken over by the drug trade; neighborhoods that have become unsafe for children as well as adults.

We must send the message to young people -- and to all adults -- that they are responsible for their actions. We have not done enough to establish the principle of user responsibility when it comes to drugs. Holding users accountable is a necessary element in establishing a community in which drug use is not tolerated. We need to enforce greater user responsibility for adults, and there is much that

we should do to promote greater responsibility among young people. School districts in particular need to adopt drug policies that are fair, but tough -- tougher, I believe, than we now see in many places. Let me give you an example of one school district that has put into place a particularly sound drug policy.

In Anne Arundel County, Maryland, the school district has developed its current policy in response to particularly serious drug-related incidents in the 1979-80 school year. Today, when a student is found using or carrying drugs in Anne Arundel County schools, strong and effective steps are taken. First, the police and parents are notified and the student is suspended from one to five school days. Next, the special assistant to the superintendent meets with both parents and student, and the student, in order to gain readmission to school, is asked to tell from whom he got the drugs. At the same time, the student must choose either to take part in the district Alternative Drug Program at night, while going to school during the day, or enroll in evening courses. He must also take five hours of counseling while accompanied by his parents. Failure to complete the Alternative Drug Program results in automatic enrollment in evening courses. Second time use or possession brings expulsion.

Anne Arundel's approach works because it has tough rules that are strictly enforced. Drug offenses have declined by 58 percent (from 507 offenses in 1979-80 to 211 in 1984-85).

Here is an example of an approach -- a tough but fair approach -- that works. We need to study the success stories like Anne Arundel County, to publicize them, to replicate them, and to fashion policies that foster similar success.

Also, we can establish other measures that deter drug use by young people. Laws that take away or delay the privilege of driving a car if a young person is caught using drugs are one such deterrence. New Jersey, Missouri, and Oregon already have laws like this. Other states are considering them and I hope more states will enact such denial laws.

The key to effective prevention programs is the determination of local educators, parents, students, and communities to remove drugs from their schools and the lives of students. If that determination is lacking, no federal program can substitute for it. But in some instances there is also a need for specific resources to establish greater security within and around schools and to get comprehensive prevention efforts up and running. Federal funds are now being provided to all schools to supplement state and local resources.

But I am aware that in some instances even the expanded federal help may not be enough. So today I want to take this opportunity to announce that I am making available some \$2 million from my discretionary funds for proposals to assist schools that face a serious immediate threat from illegal drug use, and that lack the resources to address this threat. If

the forces of inertia or unresponsive local and state education bureaucracies are standing in the way of getting drugs out of a school, we stand ready to help principals overcome these obstacles. We want to provide resources and technical assistance where they are needed. Funds will be available to support prevention activities involving law enforcement officials, parents, school personnel, students, and community organizations. So: If a school has a drug problem and federal resources are needed to help, I invite the principal to call the Department of Education. Call: (202) 732-3566, tell us what you need, and we will work to see that resources and assistance are provided up to the limits of our legal authority.

In most neighborhoods, the work of committed adults can make a difference. We're seeing a shift in thinking across America principally as a result of the work that many of you here today are doing. We must continue this effort, with more emphasis on making users responsible for the damage they cause both here at home and abroad.

We are making progress on the war on drugs. We have seen fundamental changes in attitude, and even changes in the levels of drug use. But we must do more. We have to finish the job we have begun in the war on drugs. Drugs are striking down too many of our children. We have to strike back. There are few more important tasks before us.

# State of Washington

## FINAL BILL REPORT

HB 1482

C 148 L 88

Distributed by  
Representative Bill Hudson  
April 28, 1988

BY Representatives Rasmussen, Dorn, Winsley, Crane, Holland, Holm, Cooper, Walker, Betrozoff, Rayburn, Scott, Hargrove, Grant, Kremen, Unsoeld, Barnes, Baugher, Doty, Moyer, Wineberry, Anderson, Jesernig, Jones, Brough, Basich, Meyers, Ballard, P. King, May, Taylor, Miller, Spanel, Silver, Ferguson and Butterfield

Revoking or suspending juveniles' drivers licenses for violation of certain drug or alcohol laws.

House Committee on Judiciary

Senate Committee on Law & Justice

### SYNOPSIS AS ENACTED

#### BACKGROUND:

Juveniles under the age of 18 convicted of driving while intoxicated are, on the first conviction, subject to a suspension of driving privileges for 90 days or until age 19, whichever is longer. A second conviction results in a one year revocation, and a third or subsequent conviction results in a two year revocation.

The Liquor Control Act makes it illegal for a person under the age of 21 to possess, consume, purchase or attempt to purchase alcoholic beverages. The Controlled Substances Act makes it illegal for any person to possess, manufacture or sell controlled substances. The Legend Drug Act makes it illegal for a person to possess, distribute or manufacture prescription drugs without a prescription or without authorization. The Imitation Controlled Substances Act makes it illegal for a person to sell or represent a substance as a controlled substance.

#### SUMMARY:

The driving privileges of a juvenile between the ages of 13 and 18 who is found to have violated the provisions of the Liquor Control Act, the Controlled Substances Act, the Legend Drug Act or the Imitation Controlled Substances Act will be revoked by the Department of Licensing. The court or juvenile diversion unit must notify the department within 24 hours after the judgment is

entered or the diversion agreement is signed. For the first conviction or agreement involving an alcohol or drug offense, the juvenile's privilege to drive will be revoked for one year, or until the juvenile is 17, whichever is later. For a second or subsequent offense the revocation will last until the juvenile is 18 or for one year, whichever is later.

A juvenile who has been found to have committed an alcohol or drug offense by a court may petition the court for reinstatement of his or her driving privileges. The juvenile's privilege to drive may not be reinstated earlier than 90 days after the judgment, for the first offense, or earlier than one year after the judgment for a second or subsequent offense.

If the juvenile signed a diversion agreement, the diversion unit must notify the department when the juvenile completes the agreement. The department may not reinstate the juvenile's driving privileges until 90 days after the agreement was signed for a first offense, or until one year after the agreement was signed for a second or subsequent offense.

VOTES ON FINAL PASSAGE:

House	93	4	
Senate	48	0	(Senate amended)
House	90	3	(House concurred)

EFFECTIVE: June 9, 1988

# State should pick 'official mom'

OLYMPIA — Washington has an official bird, an official flower, an official tree, an official this, an official that.

One thing we don't have, quite yet, is an official mom.

So I nominate Marilyn Rasmussen, the state representative from little old Eatonville.

She has a knack for mothering bills through the Legislature. And generally, the bills have something to do with her favorite subjects, "kids and cows" — her label for education and agriculture.

Just recently, she got the House and Senate to pass a bill suspending the driving privileges of anybody under the age of 18 who is nailed for partaking of illegal drink or drugs.

And this punishment applies regardless of whether the offender was driving when caught.

Rep. Rasmussen's objective is not simply to keep drunks and dopers out from behind the steering wheel. She also wants to discourage our kids from abusing alcohol or drugs in the first place.

And being the mom that she is, she realized that nothing strikes fear into the heart of a teen-ager like the threat of having to walk instead of drive.

The message she wants to send is that "no" means "no" — and not "please don't."

I think that's what counselors call tough love.

Marilyn Rasmussen clearly loves kids, even though she has seven of her own, plus two grandchildren, and probably had half of Eatonville's kids traipsing through her house.



**Dave Workman**

Daily News special writer

Sometimes I wonder if she's a walkaway from the set of the Waltons, Earl Hamner's '70s TV show about the ideal American family.

She and husband Don operate a 360-acre dairy and timber farm.

She's a member of the Washington State Dairy Federation, American Agri-Women, the Ohop Grange, the Washington State Dairy Wives and Women for Survival of Agriculture.

She spent six years on her school board.

In her spare time, she runs a household.

And now, she's also a legislator.

Other than that, she has nothing to do.

She once described what it's like commuting from the farm to the Capitol during legislative sessions. "I wear my barn boots in the mornings before work, and in the evenings I put them back on. I am still the same farm lady," she said.

I believe it, but the farm lady is getting to know her way around the political barnyard, too. In 14 months, she has several legislative victories to her credit — more than some legislators achieve in years.

It took only two tries to win passage of her

alcohol and drug bill, which suspends an under-18 offender's driving privileges for one to two years, depending on the offender's age and number of offenses.

And last year, she won passage of a bill authorizing the superintendent of public instruction to spend money from something called the Clearinghouse for Educational Information; plus a bill allowing cooperative associations to sell milk through a marketing agent; and a bill regulating the use of veterinary biologics (viruses, serums, toxins and so forth) for inoculating animals.

That last one has a personal touch.

Being dairy farmers, the Rasmussens have used the usual veterinary biologics to immunize their critters. And one of their daughters became paralyzed, possibly from exposure to the biologics, although nobody knows for sure.

These bills didn't just pass through the Legislature. They passed with votes like 96-0 and 84-3 in the 98-member House, and 47-0 and 48-0 in the 49-member Senate.

Talk about motherhood and apple pie.

Come to think of it, she probably makes a pretty good pie, too.

I doubt that Marilyn Rasmussen, with her just-off-the-farm folksiness, ever expects to be one of the legislative power brokers. And she probably won't knock anybody's socks off in debate.

But Eatonville's farm lady legislator brings a touch of freshness that the Capitol needs. She is probably pretty much what the framers of our state constitution had in mind when they created a part-time citizen Legislature.

Earl Hamner could have done worse.

**The Pierce County Herald** welcomes letters reflecting all viewpoints within the community. However, only those letters which are signed and bear the writer's address and telephone number will be considered for publication. The addresses and telephone numbers will be used only for verification purposes and will not be published. Except in rare circumstances, letters are published on a first-come, first-served basis. The Herald reserves the right to edit all letters for libel purposes and length.

## Penalties may hamper drunks

Second District Democratic Rep. Marilyn Rasmussen was ecstatic that her bill to deter teen-agers from drinking and driving by suspending violators' driver's licenses overwhelming passed both houses of the Legislature last week. It now awaits only the almost certain signature of Gov. Booth Gardner to become law.

But Rasmussen was almost as happy about another aspect of her bill, the portion that raises the penalties of those using false identification to purchase beer and wine.

As a result, the Eatonville legislator's bill vows to step up the penalties for minors using fake ID to buy alcohol from \$25 to \$225 and could result in the suspension of their driver's licenses for a year or more.

Those convicted of selling beer to minors can be fined hundreds or thousands of dollars and have their establishments closed for days.

It's no secret that a large percentage of all alcohol-related traffic accidents involve teen-agers or minors. Almost anything we can do to make them more responsible drivers, or at least get the drunken abusers off the road, is justified.

# The *Morning* News Tribune

Tacoma, Washington

Serving Puget Sound from Sea-Tac to the state capital

## Teen drug-alcohol use could cost driver's license

Tues., March 8, 1988

By Matt Miaterek  
The News Tribune

OLYMPIA — Rep. Marilyn Rasmussen doesn't want to be a party pooper. She just wants youths to stay off drugs and booze.

The Eatonville Democrat's proposal to take away the driver's license of teenagers caught in drug- or alcohol-related crimes is an eyelash away from becoming law.

The bill has been passed by the House and Senate and requires only the signature of Gov. Booth Gardner to become law. Gardner claims to support the premise of cracking down on juvenile offenders by revoking their driver's licenses, Rasmussen said.

Rasmussen said the measure isn't intended to block youths from frat-

ernizing and having fun; it simply aims to save lives by deterring youths from starting or continuing drug and alcohol habits.

"I'm not out to headhunt," she said. "I just want to put out a clear message to young people that they're going to be held accountable."

A handful of legislators have voted against the bill.

"It all comes down to the punishment fitting the crime," said Rep. Dick Nelson (D-Seattle), who opposed the bill.

The bill does clamp down on youths more than adults, Rasmussen said. Juveniles would be stripped of their licenses for selling drugs, buying drugs, or trying to purchase liquor with phony identification. Adults, however, only lose their licenses for driving while intoxicated.

Eventually, Rasmussen said, her bill should be extended to adults, but an immense backlog in the court system makes that unlikely.

After a first offense, the juvenile



**I'm not out to headhunt. I just want to put out a clear message to young people that they're going to be held accountable.**

— Marilyn Rasmussen

would lose the license for a year or until age 17 — whichever is later. Driving privileges would be lost for two years — or until age 18 — for a second offense. Youths can petition the court for reinstatement of the license 90 days after the judgment.

If a teen as young as age 13 commits a drug or alcohol offense, driving rights are delayed a year.

"Teenagers choose how to wear their hair, what clothes to wear, and which friends to hang around with," Rasmussen said. "Why not also give

them an incentive to make the decision not to do drugs?"

The idea for the bill was triggered by a similar law in effect in Oregon, Rasmussen said. Her nieces and nephews in Oregon told her the law keeps them substance-free, since they cherish their driving privileges.

She sought input from many young people in regular schools, alternative schools and youth groups, she said.

"They were dead quiet when I asked 'who opposes this?'" she said.

The only opposition came from one youth who said the bill would not be potent enough to thwart serious drinkers and drug abusers.

Last year, Rep. Seth Armstrong (D-Seattle) killed the bill in the House Judiciary Committee. The proposal seemed unfair because it revoked driver's licenses for unrelated, non-automobile crimes, according to Armstrong.

He still has the same concerns, but soaring drug and alcohol problems have persuaded him to support

the bill.

"The threat is larger and it's enveloping our whole society," he said.

Rasmussen had the bill refined over the interim to make certain it was constitutional and in accordance with Washington statutes. Oregon's statute has been able to withstand constitutional scrutiny, she said.

Fellow Democratic Rep. Randy Dorn, Eatonville High School principal, said Rasmussen's bill would help combat drug and alcohol abuse in the schools. Students now who are caught drinking or using narcotics are kicked out of school for a few days.

"I'm extremely proud of Marilyn for working this bill so hard," Dorn said.

Rasmussen praised Pierce County prosecutors and law-enforcement officials for helping get the bill through the Legislature.

"I might have quarterbacked it, but Pierce County officials took the ball and ran with it," she said.

LEGISLATURE '88



# House of Representatives

Democratic Communications

(206) 786-7748



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FOR IMMEDIATE RELEASE -- Mar. 1, 1988

OLYMPIA -- Teenagers are about to get a new reason to stay away from drugs and alcohol, said Rep. Marilyn Rasmussen, D-Eatonville.

Rasmussen's House Bill 1482, which would suspend the driver's licenses of teenagers convicted of drug or alcohol violations, was approved by the Senate, 48-0, today, and now requires only a signature from the Governor before becoming law.

"Telling kids that alcohol and drugs are bad for them isn't always enough," said Rasmussen, a mother of seven. "Taking away a kid's driver's license backs up our words with action. It gets kids' attention and shows them we are serious when we say we want them to leave drugs and alcohol alone."

HB 1482 would suspend a juvenile drug offender's driving privileges for one to two years depending upon the age of the offender and the number of offenses they have committed.

Rep. Randy Dorn, D-Eatonville, and the principal of Eatonville High School, is a co-sponsor of HB 1482.

"Students with drug and alcohol problems are at a real disadvantage in school, and in life," said Dorn. "Turning them away from drug and alcohol now is the best thing we can do to further their educations and prepare them for adult life."

"This approach works," said Rasmussen. "We know it works because it has already been tried in Oregon, and the number of their teenage drug and alcohol crimes have gone down."

-- more --

Rasmussen's bill has been supported by Mothers Against Drunk Driving, Students Against Drunk Driving, the state Parent-Teacher's Association and numerous other civic and law enforcement groups.

"This bill is the product of a lot of work by a lot of people," said Rasmussen. "I can't tell you how many classrooms full of kids, and how many law enforcement groups and parents' groups I have talked to in the last year and a half about this idea. I can tell you, they have all supported this bill."

"Most teenagers believe in accountability. This legislation is about accountability. It says driving privileges are a reward for responsibility and that using drugs and alcohol is irresponsible behavior that can lose you that privilege."

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Pierce County  
Herald 2/19/93

## Meridian Street Beat

# My proposal: Abolish teen-age drivers

**Gordon Koestler**



Second District Democrat Marilyn Rasmussen is on the right track: Hit teen-agers who abuse drugs and alcohol and then drive where it affects them most — right behind the wheel.

Rasmussen is the prime sponsor of a bill in the state House that would revoke the driving privileges of those teen-agers convicted of a drug- or alcohol-related offense.

"There is a lot of concern about the way alcohol and drug abuse are increasing among our kids," states Rasmussen in the House Democratic news organ. "It makes sense to tie driving privileges to drug and alcohol violations because driving, beside being a privilege, is a responsibility. Using drugs and alcohol is irresponsible."

Judging by the crowded streets surrounding most east-county high schools these days, Rasmussen makes sense when she says, "Telling a kid they can't drive is a great way of getting their attention." Kids love their cars. Cars take students' minds off boring stuff, like studying.

However, many fatal traffic accidents, if not the majority, involve young drinking drivers. While Rasmussen's bill addresses the problem of young drinking or drugging drivers somewhat, her plan resurrects a two-pronged solution I have advocated for some years. Some will like it. Some will hate it. Some will say it's impossible, but here it is.

Part 1 is the more controversial argument of the two. Since the use of alcohol and its effects is so celebrated in our culture, and since most teen-agers don't have access to it unless they raid Mommy and Daddy's secret stash, why not take the limitations off the sale and use of alcohol? Sell it to anyone over 12 who walks into a liquor store or tavern. Make it available at the dinner table every night like they do in France, Italy or other countries where com whiskey doesn't have the storybook allure it does in America.

The idea is that children would either learn to deal with the effects of alcohol, learn that to be drunk in public is not grown-up or funny, or leave it alone altogether. It would be like your parents catching you smoking for the first time and then sitting down to watch while you chain-smoked half a pack. Yech! No more experimentation.

Absurd? No. Un-American? Absolutely, given our traditional homage paid to the shrine of John Barleycorn. Unworkable? Europeans, who lack our Puritanical/hypocritical streak, and those in other parts of the world don't have near the social problems we have with alcohol. Either way, I don't hold out any hope that the Boy Scouts' annual jamboree will serve white table wine this year or any other. I'm more attached to Part 2 of the plan.

Marilyn Rasmussen's bill would suspend the driving privileges of any teen-ager caught driving under the influence for one year, two years, or until the driver is 18, if caught the second time.

A wrist-slap, I say. For starters, I don't think children, which is what they are, should be allowed to drive until they are 21, maybe 25. For one thing, that would force most to learn how to

use the school and public-transportation system to get back and forth to school or jobs. For another, since my deregulation-of-alcohol suggestion is likely to fall flat, not permitting kids to drive until they are 25 would take kids who drink illegally off the highways until they figure out how dangerous drinking and driving is.

Maybe, if the Pierce County's public-transportation system pulls itself together and adds enough routes to become useful, some people would never drive. My Grandma Maudie, who lives in Tacoma, has a learner's permit. She never applied for a driver's license and hasn't driven a car in about 50 years. She takes the bus everywhere, only relying on my mother, uncle or my sister for special trips.

So it can be done, and should be done. But taking teen-agers off the road won't be done in our lifetimes because of America's continuing passionate love affair with the automobile and the country's hypocritical deifying of Demon Rum.

Good bill, Marilyn. And yours probably stands a better chance of passing the House than mine would.

### Sticks and stems —

All supporters of good music pay attention, please: Gary Johnson and Peggy Burrough need our help. The Washington State Music Educators Association has asked the Puyallup School District to host the All-State Mixed Choir and All-State Treble Choir. The "cream of the crop" choristers will rehearse at Puyallup High School for three days prior to a Monday, Feb. 15 performance in Tacoma.

The kids need a place to stay, however, Friday, Saturday and Sunday evenings. Two students — boys or girls — would stay with Puyallup-area residents for the three days for \$8 a day or a total \$24 housing fee, says Burrough, who adds that those

their housing fee to her Ayleen Boys Choir fund to pay for the local students' trip to Indianapolis this summer. (Peggy never misses a trick, does she?)

Johnson, Puyallup School District music coordinator, notes that the All-State students are good young people and will give local hosts a chance to share Puyallup hospitality while they learn about life in a different part of the state.

Let's give the kids a hand, people. For more information, call Ayleen Junior High, 841-8723.

This is National Child Passenger Safety Awareness Week, according to the folks at the Washington State Safety Restraint Coalition, which urges parents to buckle in their children before driving, whether it's in seat belts or safety seats.

Good idea. I had the unnerving experience about four years ago to be in a head-on auto accident on Interstate 5 west of Fife. It was rainy, and a woman's car had spun out in the lane to my left and headed back at me. Both our vehicles had slowed sufficiently by the impact so that the crash wasn't severe. Though I was not injured and the woman driving the other car was unhurt, her small children were banged up pretty good because they were not buckled in to a safety device.

She also had no insurance, but that's a pet peeve to be stroked on another day.

Puyallup's Cynthia Zenner made the Dean's List last semester at the University of Idaho, which reminds me of the times I spent across the border in Moscow, home of the U. of I. and eight miles due east of Pullman, home of Washington State University, my alma mater.

Say hello to all the guys at John's Alley for me, Cynthia.

Gordon Koestler is senior staff writer for the Pierce County Herald. His column appears every

# Teens fear no license

Just wait until the teen-agers hear about this.

A new state law to be signed by the governor this week (effective 90 days later in June) takes away a 16- or 17-year-old's driver's license for a year if he/she is caught in an alcohol- or drug-related offense.



**Steve Lachowicz**

WILLAMETTE  
7.1.88

Editorial Page Editor

Let's make this clear. This does not apply just to drinking and driving. It applies to simple possession and use of alcohol or drugs even when a car is nowhere in sight. As Rep. Marilyn Rasmussen, D-Eatonville, (the prime sponsor) describes it, it's a substance abuse bill, not a road hazard bill. The main purpose is to discourage drug and alcohol use by young people at all times, not just when they get behind the wheel. If someone is under driving age when they get caught, the restriction applies as soon as they're old enough to apply for a license. Get caught with alcohol or drugs at 13 or 15 and you'll wait an extra year to get your driver's license when you hit 16.

Rep. Rasmussen (with seven children of her own) has amazing insight into the workings of the teen-age mind. She knows it will be a lot easier for teen-agers confronted with alcohol or drug-use dilemmas to stand up to peers and tell them they don't want to risk losing their driver's license than it will be to tell them they're worried about what mom and dad might say. That driver's license is so important to the sense of independence and maturity of teen-agers that Rep. Rasmussen believes the threat of losing it will prove an effective deterrent to drug and alcohol use.

Oregon authorities, where a law like this has been on the books since 1985 and where it already has survived a court challenge, say it is extremely successful. Now the states of California, New Jersey, Missouri and Georgia are also considering it.

Here's how it works. If juveniles (anyone under 18) are found at a party with a keg of beer or a quantity of marijuana, everyone nailed for illegal possession of alcohol or drugs could lose their driving privileges for a year. The only way the one-year provision can be shortened is if the juvenile offender meets terms and conditions of a juvenile diversion agreement or a Juvenile Court disposition.

Upon proper completion of such an agreement, the driver's license could be reinstated after 90 days. There is no provision, however, for an occupational driver's permit such as adult drivers sometimes are granted when loss of driving privileges might work an undue hardship on an offender's job. And if it's a second offense, the full year is mandatory.

How does this new law for juveniles compare with existing law for adults?

According to District Court officials in Chelan County, anyone 18, 19 or 20 caught for illegal possession of alcohol has ball set at \$110 on the citation the officer writes. If the offender takes the time to appear in court, the fine is most often dropped into the \$75 to \$90 range. If the crime is just possession of alcohol — not drunken driving — there is no corresponding penalty at all related to the offender's driver's license. The offender keeps it.

Adults picked up for driving under the influence of alcohol or drugs are supposed to have their driver's license automatically suspended at least 90 days. In reality, many offenders get an occupational permit which lets them drive again after only 30 days.

From the voting, it's clear almost everyone in the Legislature believes it is fair to be tougher on juveniles when it comes to drugs and alcohol. The new law passed the House 93-4 and cleared the Senate on an even more lopsided 48-0 vote.

If we're not careful — and if this law works as well as hoped — we're going to have our teen-age children setting good examples for adults instead of the other way around. Come to think of it, it wouldn't be the first time.

## An idea worth borrowing

**S**late Rep. Marilyn Rasmussen knows how to borrow a good idea.

After learning that Oregon has had good results from a law that takes driver's licenses away from youths convicted of drug or alcohol violations, the Eatonville Democrat introduced similar legislation in Olympia last year. Rasmussen's first try went nowhere, but this year's version fairly sailed through both houses and now needs only Gov. Booth Gardner's signature to become law.

The premise is simple: your typical teenager would rather die than lose his driver's license. What better way to discourage drug and alcohol offenses than by punishing them with the loss of driving privileges? Under the bill, youths under 18 caught selling or buying drugs and trying to buy liquor with phony identification will lose their licenses for a year. Offenders too young to drive would have to wait an extra year to earn their licenses.

The bill's supporters acknowledge that it is tougher on teenagers than it is on adults, who lose their licenses only for driving while intoxicated. But it provides a powerful incentive for teenagers to steer clear of drugs and alcohol until they're old enough to fully appreciate the risks. The governor should put this one on the books.

# Teen-agers, beware: That drink could cost you your driver's license

There are times in life when you've got to crack down on your kids, says Democratic Rep. Marilyn Rasmussen, who raised seven children on the family dairy farm near Eatonville in Pierce County.

She looks across the state and sees the devastating consequences of kids between the ages of 13 and 18 using drugs and alcohol. "It's time to get tough," she said.

Rasmussen is going to hit 'em where it hurts — right in the driver's license.

Her proposed legislation is based on the assumption that teen-agers cherish their driver's license more than just about anything else in life.

Her bill says that any teen-ager between 13 and 18 who is convicted of any alcohol- or drug-related crime will lose his or her license until the age of 17 or for one year, whichever is longer. If, for example, a 13-year-old were convicted of possession of alcohol, that teen-ager would not be able to get a driver's license until age 17.

"We need to get their attention," Rasmussen said. "We need to let them know that the state, just like their parents, is not going to condone use of alcohol or drugs.



Mike  
Oakland

"It's a privilege to have a driver's license at 16 in this state — it's not a God-given right. And with the privilege of driving goes certain responsibilities," Rasmussen said.

House Bill 3631 got mixed reviews at the Olympia High School campus earlier this week.

"I think it's good," said Gerda Malizio, 18, a senior. "Having a license is supposed to show responsibility. Using drugs or alcohol is not showing responsibility."

Nearby a student poster proclaimed, "Traffic crashes are the number one killer of people between the ages of 5 and 34 and alcohol is involved in at least half of those crashes."

Rasmussen is right when she says that

a driver's license is key to a student's life.

"It means more freedom and mobility and the fact that I won't have to rely on other people so much," said Raul Hayes, 15, a sophomore who longs for the day just a few months away when he can get his driver's license.

"Without a driver's license I couldn't have my ID for my bank account," said Jennifer Locken, 17, a senior. "I'd have more trouble getting to work and school, church functions, all kinds of things. There's no way my mom could take me everywhere I want to go. It would really bind me up."

"I think this would be a huge deterrence to use of drugs and alcohol," Malizio said.

But senior Rick Connell, 17, thinks Rasmussen's bill is too harsh and raises an objection that surely will surface in the Legislature.

"The punishment doesn't fit the crime," Connell said. "If a person is driving and drinking, I understand it. But losing a license if you're just sitting back having a beer at a (football) game is too severe a punishment. A driver's license to a teen-ager is too important. It has a lot to do with life at this age."

Won't Rasmussen's legislation deter kids from using drugs or consuming alcohol then?

"No way," Connell said. "Kids are going to say, 'I'll take that risk.' I know quite a few people driving without a license right now. It will deter the people I call the lightweights — the kids who only drink on occasion. But for people who do drink, they'll ignore it. They don't realize how severe it is until they get caught and then it's too late."

Is her bill too harsh?

"If I was 15 or 16 again, yes it's harsh," Rasmussen said. "But it's a harsh consequence for a harsh crime."

What about the punishment not fitting the crime? What about the case where a kid is having a beer at a football game and has no intention of driving? Should he lose his license?

"Yes," Rasmussen said. "At home, my punishment didn't always fit the crime. What did shoveling manure have to do with coming home half an hour late from a date? Nothing. But I laid down the law. The kids knew the rules because the commandments were posted on the refrigerator," Rasmussen said.

House Bill 3631 gets a public hearing on Tuesday at 7 p.m. in House Hearing Room A of the House Office Building. It's Rasmussen's top legislative priority and a high agenda item for House Democratic leaders. But it could fail in a fit of partisan politics.

The so-called denial bill also is a top priority of Sen. Linda Smith, R-Hazel Dell. The Republican majority in the Senate may want Smith to get credit for the legislation while the Democratic majority in the House wants Rasmussen's bill to win. A standoff could result in which neither version would pass.

"It's good legislation," Smith said. "Marilyn is my friend and I don't think either one of us would let it stoop to losing it over partisan bickering."

"It's my bill," Rasmussen said, noting that Smith signed on as a co-sponsor of her bill last year. "I'd hate to see it get caught in the political ball game because the losers would be the kids."

Olympian Political Editor Mike Oakland's column appears in the Local section on Tuesdays, Wednesdays, Thursdays, Fridays and Sundays.

A-4, The Dispatch, Wed., March 4, 1987

# Opinion

OUR OPINION

## HB 799 should pass

Hundreds of bills are introduced each year during the state legislative session.

Most of them don't survive the review and voting process that eventually puts them on the governor's desk for the signature that makes them law.

A bill introduced by Second District Representative Marilyn Rasmussen of Eatonville deserves to survive the winnowing process. It's likely to save the life of more than one teenager.

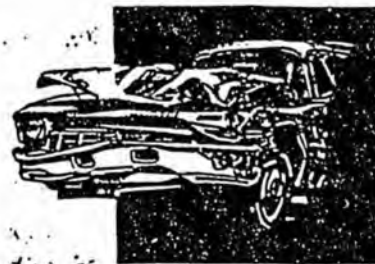
House Bill 799 will not cost the state taxpayers a penny and will have some dampening affect on teenage consumption of drugs and alcohol.

If a teenager is convicted of possession, use or abuse of drugs or alcohol the bill provides that they lose their license to drive for one year.

That's it.

No plea bargains with soft-headed judges. No weasling out of this one. No ifs, no ands or buts. Break the law that says you can't drink before age 21 or use controlled substances regardless of age and you lose your license.

The feeling is that the loss of driving privileges may be one of the few things teenagers will consider serious enough to think about an extra second before heading down the road with a car full of friends and beer. The only thing more dangerous on the road than a drunk or stoned adult is probably a drunk and/or stoned teenager who starts with less experience behind the wheel and less sound judgement anyway.



This bill will help to make the roads a little safer.

It will introduce the concept of consequences for actions to a teenage population which accepts altogether too little responsibility for their activities as it is.

It may keep a delinquent drinking problem from becoming an adult criminal problem.

The bill was heard before the House Judiciary Committee last week.

It has still to be voted out of the Rules Committee before coming up for debate and vote on the house floor and state floor.

# Bill would detain license of teen for drugs, alcohol

By **MARCIA WOLF**  
The Columbian

**OLYMPIA** — Teen-agers caught with drugs or alcohol could take a hit where it hurts the most — in the driver's license.

A bill in the House Judiciary Committee would punish juvenile drug and alcohol offenders by withholding their driver's license for at least a year. It would be two years on a second offense.

The penalty would apply to any drug or alcohol offense, not just driving while under the influence. But no one at a hearing Tuesday questioned whether the punishment fit the crime.

The bill drew support from Ann Olson, spokesman for the state Parent-Teacher-Student Association; from Thurston County Sheriff

Gary Edwards, spokesman for the Washington Association of Sheriffs and Police Chiefs; from Gerri Wolff of Mothers Against Drunk Driving; and from Mike Redman, spokesman for the Association of County Prosecutors.

"It gives the kids a real reason to say no and gives them a reason to avoid that peer pressure," said Edwards.

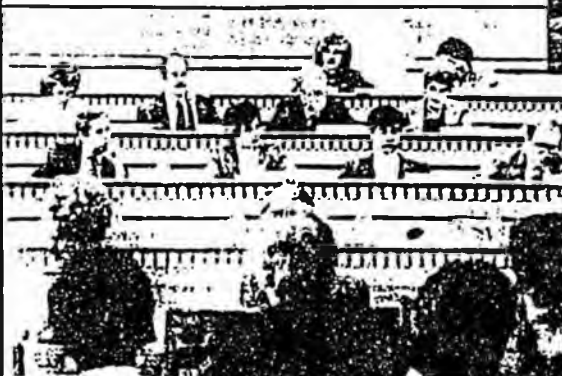
Tim Milton, spokesman for an association of gas station dealers, had another reason for supporting the bill. He said it would make the under-age purchaser of alcohol in such stores as 7-11 and Mini-Marts as responsible as the store owners.

"There's nothing more important to a teen-ager than the right to drive," said Wolff. "It would be a real deterrent."

THE COLUMBIAN 1/20/88

## Testimony on HR 799 to suspend teen driving privileges

*South Pierce County Dispatch 3/1/87*



Members of the House Judiciary Committee hearing testimony on HR 799, a bill introduced by Rep. Marilyn Rasmussen to help curb teen drug abuse. Front row left to right, Michael Heavey, Jean Marie Braugh, Gary Locke, James Hargrova, second row, Karen Schmidt, Chairman Seth Armstrong, Ernest Crane, Pat Scott, third row, Jance Niemi, An Wang

See Story on Page 2

2nd District Rep. Marilyn Rasmussen "...we'll get their attention by denying what teenagers prize most."



Robert Groezinger, Graham, president of Parent Resources Institute on Drug Education (PRIDE). "Where there is one beer, there is another."



## Rasmussen introduces bill to curb teen drug and alcohol abuse

Saying, "If we're really concerned about controlling substance abuse among our young people, we'll get their attention by denying what teenagers prize most," Representative Marilyn Rasmussen, D-Eatonville, testified before the House Judiciary Committee Thursday, Feb. 26, in support of her bill to suspend driving privileges of minors who abuse drugs and alcohol.

"This bill would give youths another good reason to say no to drugs," said Rasmussen, prime sponsor of House Bill 799.

The bill would apply to minors 13 to 18 years old who have violated any law involving the possession, use or abuse of drugs or alcohol. The juvenile court would notify the Department of Licensing, which would then suspend the minor's privilege to drive for one year or until the youth reaches 17,

whichever is longer, for the first conviction. For the second and any subsequent convictions, privileges would be suspended for one year or until age 18.

HB 799 would not change current law, but would add to it. Current law reprimands juvenile drug and alcohol offenders by making them do community service, make restitution, get counseling or education and pay fines. But these methods usually don't faze the kids, said Rasmussen, who has seven children.

"The purpose of this bill is not only to provide a stronger punishment, but also give kids a better incentive to get treatment. Doing community service or paying a fine isn't doing that," said Rasmussen.

Many parents and teachers who testified for the bill this week said a driver's license has a direct

connection to substance abuse crimes.

"The kids had to get to that game, and it was probably by car. And usually where there is one beer, there is another," said Robert Groezinger, Graham, president of Parents Resources Institute on Drug Education (PRIDE).

Groezinger pointed out that an informal poll of Bethel High School students showed that 19 out of 30 favored the law.

Rasmussen added that safety is the most important reason for denying the privilege of driving as punishment for substance abuse.

"We must teach our kids that drugs and driving just don't mix. The extent of drug and alcohol abuse among teenagers today makes them a generation at risk for many problems in the future. We must reach these kids right now or make room for them in our jails a decade

*S. D. Co. Dispatch 7/14/87*

# Like weather, teen drinking just another topic for 1987 Legislature

The problem: Teen-agers drinking and driving.

The state statistics:

- Teens between 16 and 20 years old represent 7.6 percent of all drivers but accounted for 16.9 percent of all alcohol-related traffic accidents in 1985.

- Drivers 19 and under were involved in 132 fatal accidents in 1985, killing 147 people. In those fatal accidents, the teen-age driver had been drinking 38 percent of the time.

- Teen-age males are twice as likely as females to be involved in a fatal accident.

- The most dangerous hour of the day for teen-agers is between midnight and 1 a.m.

The solution: It all depends on who you talk to.

Rep. Marilyn Rasmussen, D-Eatonville, thought she had the solution when she proposed a bill that would take away a teen-ager's driver's license for six months to a year for drinking or drug-related crimes.

But the bill was killed in committee. "You've got to hurt the kids where it hurts," said Rasmussen, the mother of seven children. "For most kids, their driver's license is very, very important. Talk about taking it away and you've gotten their attention."

Rasmussen's proposal, House Bill 799, would have denied driving privileges to



Mike  
Oakland

people 18 and under who were convicted of possessing, purchasing or attempting to purchase liquor or drugs.

"It meant that if a kid showed up drunk at school, whether it was at a dance or a football game, or had drugs in school or was dealing drugs, he would have had his license removed for up to a year," Rasmussen said.

For teens without a driver's license, for those 13 to 16, the same punishment would apply. Those convicted of alcohol- or drug-related crimes would have to wait a year (until they were 17) to get their licenses.

"The kids are starting at a very early age. This bill shows them that driving is a privilege and not a right and if they want to drive they had better behave themselves," she said.

Rasmussen knows she has one high-placed supporter.

Late last week she was scurrying around the House chambers with a news-

paper tucked under one arm. One story quoted Education Secretary William Bennett saying that an appropriate penalty for teens caught selling or using drugs would be to yank their driver's licenses.

But Rep. Seth Armstrong, D-Seattle, kept his foot on the bill and did not let it come up for a vote in the House Judiciary Committee that he chairs.

Armstrong's alternative is to push for an interim legislative study to determine whether lawmakers should pursue Rasmussen's idea next year.

"I think the bill may be the best deterrent to drug and alcohol crimes," Armstrong admitted. "But at the same time, there is not a history in this country's legal system of imposing penalties that are unrelated to the crime.

"If you had a kid with drugs or alcohol and he wasn't driving, how can you justify taking away his license? The punishment doesn't fit the crime," Armstrong said.

Rasmussen bristles at that criticism. She argues that her bill makes as much sense as the legislation passed in 1986 forcing cigarette smokers to pay for the cleanup of Puget Sound.

Another objection to the proposal is raised by Olympia Police Chief John Werner.

"We have an awful lot of unlicensed drivers driving now. Is (Rasmussen's so-

lution) going to cure the problem or add to it," Werner asked.

"I think society has a problem, but I think prevention is the solution. I think the prevention end is as important, if not more so, than the punishment end," Werner said.

His solution is to start a Drug Abuse Resistance Education program in fifth grade classrooms in the Olympia School District this fall. A uniformed officer will visit all 18 fifth-grade classrooms, 17 times each year with the message that it is OK to say no to peer pressure to use drugs or alcohol.

But Rasmussen does not think education alone is the answer.

"We're spending millions of dollars on drug and alcohol education and where has that gotten us," she asked. "Something's wrong. The crackdown isn't there."

Tim Hamilton, executive director of 1,398 gasoline retailers known as the Automobile United Trades Organization, attacks the problem of drinking teens from another direction.

He introduced a bill that would prohibit the sale of beer and wine at gasoline outlets.

The bill would create a two-year moratorium on the issuance of liquor licenses to gasoline outlets and ordered the state Liquor Control Board to monitor the ef-

fect of the moratorium on alcohol-related motor vehicle accidents.

Hamilton backed up his bill with two studies. One study found that 36 percent of the 15- to 18-year-olds have purchased beer or wine and of that number 97 percent bought the alcohol from convenience stores.

The police in Tampa, Fla., ran a sting operation in local convenience stores for the second study. They used two underage youngsters and made 200 illegal purchases. "They had 97 percent buy rate or in other words they were only asked to show identification 3 percent of the time," Hamilton said.

But like Rasmussen's bill, Hamilton's proposed measure never made it to the floor for a vote.

That frustrates Rasmussen.

"The drunk driving legislation just isn't here this session," said freshman Rasmussen. "This session is devoted to the budget, education, health care and welfare reform. But as we approach the end of spring and get into summer, the problem of kids drinking will be back before us in the form of newspaper stories about kids who drink and drive and die."

Mike Oakland's column appears in the Local section on Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday

THE OLYMPIAN  
FEB. 1987

Tacomans give Nicaraguan priest a helping hand

Religion A-4



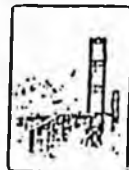
Did Bermuda Triangle yield this plane?

B-13



Foster senior hoops it up with 69 points

Sports B-1



# The Tacoma News Tribune

Founded 1883 — Our second century of service

Weather forecast



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Tacoma, Washington

104th Year, No. 327

25

## Teen law? Use drugs, lose driver's license

By MARILYN JONES  
The News Tribune

OLYMPIA — State Rep. Marilyn Hasmussen thinks she has a way to get the attention of teenagers who reach for the bottle or other drugs. Take away one of their most valuable possessions — their driver's license.

The Eatonville Democrat and mother of seven said at the beginning of her first legislative session that helping youths would be one of her top priorities. She thinks her idea is a good way to help teenagers say "no" to alcohol and drugs. "I am proposing that we authorize courts to deny driving privileges to teenagers convicted of substance abuse

crimes," she said. "The extent of drug and alcohol abuse among teenagers makes them a generation at risk." Hasmussen's bill would be an additional deterrent to substance abuse under the juvenile code, said Margie Keanz, coordinator of the Juvenile Code Education Project. The bill would direct the Department

of Licensing to suspend a minor's license for one year for a first offense. Under the current juvenile code, a minor must be found driving while intoxicated and then is subject to a 90-day license suspension or suspension until the age 19.

One legislator who signed on as a co-sponsor of the bill, was not convinced

suspending a teen's driver's license is the best remedy.

"I have trouble seeing the connection between a kid having a beer at a football game and suspending his driver's license," said Rep. Mike Healy (D-Seattle). "I have a concern between the

Continued on back page

USA  
Today  
2/28/87

### 'Just say no, or no driving'



BENNETT: Take driver's licenses

WASHINGTON — Education Secretary William Bennett wants USA governors to help in the fight against drug abuse by yanking the driver's licenses of teens caught selling or using drugs. Given teenagers' "great affection for the automobile," Bennett said Tuesday, "my guess is that the attraction of experimenting with drugs would take second place by a long shot." Drug pushers should "never get their licenses" back, he said, and those of drug users could be suspended "six months or a year."

### Drugs Continued from Page One

sanction and the crime." But many parents and teachers who testified for the bill this week said a driver's license has a direct connection to substance abuse crimes.

"The kids had to get to that game, and it was probably by car. And usually where there is one beer, there is another," said Robert Groezinger, father of two and president of Parents Resources Institute of South Pierce County. Groezinger said he informally interviewed 30 students at Bethel High School this week to get their opinions on such a law. He said he found 19 out of 30 students favored the law.

"A driver's license to young people is a status symbol, and they said they didn't want to have to explain to their date on Friday

night why they couldn't drive," he said. "A few kids said the law would offer another tool to say 'no' to drugs."

"I think this would be an additional way for kids to say 'no' and it wouldn't be because mom or dad said 'no' or society said 'no,' but because they could lose a privilege."

Jurley Paddock, principal of GATES, an alternative high school in the Franklin Pierce School District, said 90 percent of GATES students have severe substance abuse problems. Many of the students are under the influence of some drug at all times and this includes when they are driving, she explained.

"This law would not be the total answer to the abuse problem," Paddock said, "but it would help."

# Oregon Says "No" To Driving By Minors Who Use Drugs

By H. Wesley Smith

*When H. Wesley Smith was a school principal in Albany, Oregon, he led the movement to enact the 1983 Oregon law that suspended the driving privileges of teenagers who violated alcohol and drug laws.*

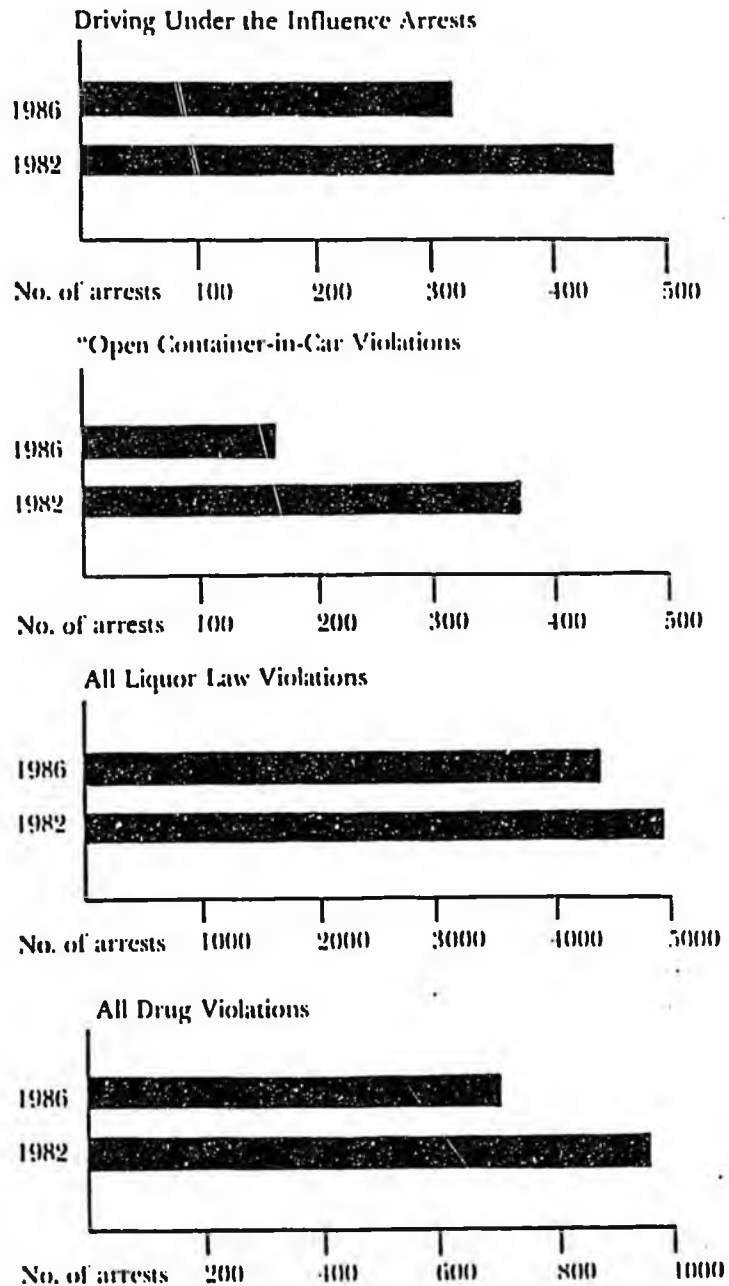
**I**n 1983 I was principal of a school that was considered to have an outstanding drug education program. And yet, the students were still using drugs.

I felt there had to be a way to motivate young people to stop using drugs. I thought that students might be encouraged to stay away from drugs to protect their privilege of driving. Receiving a driver's license is important to a teenager.

With this in mind, I exercised my right as an Oregonian to submit a proposal to the state legislature. My proposal stipulated that 13- to 17-year-olds found in violation of any drug or alcohol laws would lose their driving privileges for 1 year or until age 17, whichever was longer. The violator would be unable to apply for a license during the penalty period. In the case of a 13-year-old violator, the youth would have to wait until age 17 to apply, invoking the 1-year penalty after the youth became eligible at the age of 16. This penalty would be imposed whether or not a motor vehicle was involved. A second violation would require the suspension of driving privileges for 2 years or until age 18, whichever was longer. The proposal also provided an appeals procedure.

After much deliberation, the "Oregon Denial Law" was passed in 1983. The law was credited with

## Denial Law Causes Sharp Decline in Drug Use



reducing juvenile drug arrests 22 percent by the end of 1984 and an additional 7 percent by the end of 1986. Open-container-in-vehicle violations were reduced 45 percent by the end of 1984 and an additional 19 percent by the end of 1986.

The most persuasive arguments in favor of the law's concept were:

- It helped youth by giving them a reason to say "no" which was acceptable to their peers.
- It gave judges an effective tool to use in responding to drug violators.
- In contrast to traditional prevention programs, this penalty program was nearly cost-free to the state.
- It provided positive reinforcement to drug-free teenagers by maintaining their eligibility to drive.
- It demonstrated society's commitment to fight drug use by taking firm legal action.
- It provided an absolute consequence to drug violations.
- The law supported parents, schools, and others fighting drug abuse.

Passage of the law was not without struggle. Although opponents of the bill criticized it as harsh, and possibly in violation of the state constitution, we answered those criticisms. Oregon courts have upheld the law.

Public response to the law has been overwhelmingly positive. To obtain more information about the law, write to H. Wesley Smith, Assistant to the Superintendent, Greater Albany Public Schools, 718 Seventh Avenue, S.W., Albany, OR 97321 or telephone (503) 967-4515.

## Oregon Denial Law Upheld

In April 1987, the Oregon Court of Appeals upheld that state's "Denial Law," which had been challenged on state constitutional grounds. In affirming the constitutionality of the statute, the court held that:

- The law meets its two intended goals—deterrence of drug and alcohol possession and use and promotion of highway safety; and
- A teenager's interest in possessing a driver's license is outweighed by the state's goals in this instance.

The court also rejected the claim that enforcement of the law constituted cruel and unusual punishment, that it treated minors unconstitutionally as a "suspect class," and that the license suspension penalty is out of proportion to more serious conduct.

The statute also survived an earlier court challenge based on arguments that it denied students their rights to equal protection under the state constitution.

## States Follow Oregon's Lead

Several states have been actively considering proposals similar to Oregon's "denial" law. Here's a progress report from around the country:

New Jersey's new anti-drug law, effective since July 1987, contains provisions that relate drug use to driving privileges. New Jersey minors face a \$550 fine and a 6-month license suspension if caught with even one marijuana cigarette. Students found in possession of drugs before receiving a driver's license will have to wait 6 months past the normal date of eligibility before applying for a driver's license.

Missouri students will be subject to provisions of that state's new "abuse and lose" law scheduled to take effect on September 28, 1987. In Missouri, students under age 21 who are convicted of drunk driving or drug violations stand to lose their driving privilege for 1 year. Those under 16 would face a 1 year suspension beginning on their 16th birthday. These strict penalties also apply to students convicted of falsifying identification cards or carrying such cards.

The California legislature is considering a bill that would suspend or delay driving privileges of residents under 21 who are convicted of drug violations. Conviction for any drug or alcohol violation would result in a mandatory 1-year suspension of driving privileges for those with licenses. Students under 16 would be penalized by delaying their eligibility to drive for 1 year. The bill passed the California Senate by a vote of 21 to 4 and has been forwarded to the Assembly for further consideration.

In Georgia, Representative Thomas E. Wilder has introduced a bill in the General Assembly to deny auto licenses until the age of 17 to persons convicted of misdemeanors while under the influence of alcohol or drugs.

Wilder plans to seek passage of the bill in the next session of the General Assembly.

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2

HOUSE BILL NO. 361

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to suspension and revocation of a  
7 minor's license to drive and the definition of driv-  
8 er's license; and providing for an effective date."

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

10 \* Section 1. AS 28.15.181(c) is amended to read:

11 (c) Except for court revocation of a minor's license to drive  
12 under AS 28.15.185, a [A] court convicting a person of an offense  
13 described in (a)(5) or (8) of this section arising out of the opera-  
14 tion of a motor vehicle for which a driver's license is required shall  
15 revoke that person's driver's license as provided in this subsection.  
16 The revocation may be concurrent with or consecutive to an administra-  
17 tive revocation under AS 28.15.165. The court may not, except as  
18 provided in (e) of this section, grant limited license privileges for  
19 the following periods:

20 (1) not less than 90 days if, within the preceding 10  
21 years, the person has not previously been convicted of an offense

22 (A) described in (a)(5) or (8) of this section; or

23 (B) under a law or ordinance in another jurisdiction  
24 with elements substantially similar to an offense described in  
25 (a)(5) or (8) of this section;

26 (2) not less than one year if, within the preceding 10  
27 years, the person has been previously convicted of one offense

28 (A) described in (a)(5) or (8) of this section; or

29 (B) under a law or ordinance in another jurisdiction

1 with elements substantially similar to an offense described in  
2 (a)(5) or (8) of this section;

3 (3) not less than 10 years if, within the preceding 10  
4 years, the person has been previously convicted of more than one of  
5 the following offenses or has more than once been previously convicted  
6 of one of the following offenses:

7 (A) an offense described in (a)(5) or (8) of this  
8 section; or

9 (B) an offense under another law or ordinance in  
10 another jurisdiction with elements substantially similar to an  
11 offense described in (a)(5) or (8) of this section.

12 \* Sec. 2. AS 28.15 is amended by adding a new section to read:

13 Sec. 28.15.185. COURT REVOCATION OF A MINOR'S LICENSE TO DRIVE.

14 (a) A person who is at least 12 years of age, but not older than 17  
15 years of age who is convicted, or adjudicated by a juvenile court, of  
16 having committed one of the following offenses shall have the person's  
17 driver's license revoked:

18 (1) misconduct involving a controlled substance (AS 11.71);

19 (2) possession or consumption of alcohol (AS 04.16.050);

20 (3) driving a motor vehicle while intoxicated (AS 28.35.-  
21 030);

22 (4) refusal to submit to a chemical test (AS 28.35.032).

23 (b) The court shall impose the revocation as follows:

24 (1) for a first conviction or adjudication, the revocation  
25 shall be for one year or until the person reaches 17 years of age,  
26 whichever is longer;

27 (2) for a second or subsequent conviction or adjudication,  
28 the revocation shall be for one year or until the person reaches 18  
29 years of age, whichever is longer.

1 (c) Upon conviction or adjudication of an offense listed in (a)  
2 of this section the court may, upon petition of the person, review the  
3 revocation and may restore the driver's license, except a court may  
4 not restore the driver's license for a period of

5 (1) 90 days for the first conviction or adjudication;

6 (2) one year for second or subsequent convictions or adju-  
7 dications.

8 \* Sec. 3. AS 28.40.100(a)(5) is amended to read:

9 (5) "driver's license" or "license" when used in relation  
10 to driver licensing, means a license, permit or privilege to obtain a  
11 driver's license, whether or not a person holds a valid license issued  
12 in this or another jurisdiction, to drive a motor vehicle under the  
13 laws of this state;

14 \* Sec. 4. AS 47.10.080(g) is amended to read:

15 (g) Except for purposes of driver's licensing under AS 28.15.-  
16 185, an [NO] adjudication under this chapter upon the status of a  
17 child may not operate to impose any of the civil disabilities ordi-  
18 narily imposed by conviction upon a criminal charge. nor may a minor  
19 afterward be considered a criminal by the adjudication, nor may the  
20 adjudication be afterward considered [DEEMED] a conviction, nor may a  
21 minor be charged with or convicted of a crime in a court, except as  
22 provided in this chapter. The commitment and placement of a child and  
23 evidence given in the court are not admissible as evidence against the  
24 minor in a subsequent case or proceedings in any other court, nor does  
25 the commitment and placement or evidence operate to disqualify a minor  
26 in a future civil service examination or appointment in the state.

27 \* Sec. 5. AS 47.10.090(a) is amended to read:

28 (a) The court shall make and keep records of all cases brought  
29 before it. The court's official records may be inspected only with

1 the court's permission and only by persons having a legitimate inter-  
2 est in them. All information and social records pertaining to a minor  
3 and prepared by an employee of the court or by a federal, state or  
4 city agency in the discharge of the employee's or agency's official  
5 duty, are privileged and may not be disclosed directly or indirectly  
6 to anyone without the court's permission, except for traffic offenses  
7 and driver's license action taken under AS 28.15.185. Traffic of-  
8 fenses and driver's license action may not be disclosed without the  
9 court's permission, except as specified in AS 28.15.151. However, a  
10 state or city law-enforcement agency shall disclose information re-  
11 garding a case which is needed by the person or agency charged with  
12 making a preliminary investigation for the information of the court.  
13 The court shall forward a record of adjudication of a violation of an  
14 offense listed in AS 28.15.185(a) to the Department of Public Safety.  
15 Within 30 days of the date of a minor's 18th birthday or, if the court  
16 retains jurisdiction of a minor past the minor's 18th birthday, within  
17 30 days of the date on which the court relinquishes jurisdiction over  
18 the minor, the court shall order sealed all the court's official  
19 records, information and social records pertaining to that minor, as  
20 well as records of all criminal proceedings against the minor and  
21 punishments assessed against the minor except for traffic offenses and  
22 driver's license action taken under AS 28.15.185(a)(1), (3), or (4).  
23 A person may not use these sealed records for any purpose except that  
24 the court may order their use for good cause shown or may order their  
25 use by an officer of the court in making a presentencing report for  
26 the court.

27 \* Sec. 6. This Act takes effect September 1, 1988.

HB

367

# HOUSE COMMITTEE REPORT

(11),

Date referred: 2/15/88

FURTHER REFERRALS:

DATE: 2/24/88

The Finance Committee has considered HB 367

"An Act altering the composition, membership, and duties of the Alaska Police Standards Council; providing for certification of probation and parole officers and correctional officers by the Alaska Police Standards Council; and providing for an effective date."

**RECOMMENDS:**

- replace with CS HB 367 (Jud.)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact
- zero fiscal note
- zero with analysis
- same as previous fiscal note published 1/29/88
- same as previous zero fiscal note published \_\_\_\_\_

**SIGNING DO PASS:**

ADAMS Al Adams

POURCHOT Bob Pourchot

LARSON Ronald Larson

GOLL John Goll

SWACK-HAMMER John Swack-Hammer

BOYER Mark Boyer

RIEGER Steve Rieger

WALLIS Kay Wallis

DAVIS Althe Davis

**SIGNING OTHER RECOMMENDATIONS:**

FRANK Frank no rec.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Al Adams  
Chairman's signature

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 367(HESS)  
PUBLISH DATE: HOUSE 1/29/88

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act Altering the Composition,  
Membership and Duties of the APSC  
Sponsor: Representative Swackhammer  
Requestor: \_\_\_\_\_

Agency Affected: Public Safety  
BRU: Alaska Police Standards  
Council  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		30.1	30.9	31.7	32.6	33.5
TRAVEL		7.1	7.1	7.1	7.1	7.1
CONTRACTUAL		4.4	4.4	4.4	4.4	4.4
SUPPLIES		.5	.5	.5	.5	.5
EQUIPMENT		5.6				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	47.7	42.9	43.7	44.0	45.5

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	47.7	42.9	43.7	44.6	45.5
FEDERAL FUNDS						
OTHER						
TOTAL		47.7	42.9	43.7	44.6	45.5

POSITIONS:

FULL-TIME	0	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No inflation factors are included in these cost calculations.

Program implementation is scheduled to begin July 1, 1988. Initial costs will include funding for a Clerk IV position (Range 9A) with salary and

Prepared by: Jack W. Wray, Executive Director Phone: 465-4378  
Divis. in: Alaska Police Standards Council Date: 12-28-87

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Agency: Public Safety

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

ANALYSIS CONTINUED:

benefits calculated at 30.1 for the first year, and the purchase of data processing and office equipment at a one time cost of 5.6. Space is currently available in the Alaska Police Standards office, utilities communication, and commodities are estimated for the classified position. Travel cost increases are a result of the addition of two new council positions, plus the increase in staff travel to conduct compliance inspections and attend administrative hearings.

Position Title <b>Clerk IV</b>		No. of Positions <b>1</b>	Range/Step <b>9A</b>	Barg. Unit <b>CCU</b>
Time Status <b>PFT</b>	Staff Months <b>12.0</b>	Location <b>Juneau</b>		Election District <b>4</b>
Type of Expenditure		Justification		
1	2	3		
Salary	20.8	<p>This position will provide clerical support needed through the typing and filing of correspondence, maintenance of personnel and training files, and responding to requests for library and training materials.</p> <p>Support costs include minimal contractual and supply costs and one time purchase of data processing equipment.</p>		
Benefits	9.3			
Premium Pay				
Other				
<b>Total Personal Services</b>	<b>30.1</b>			
Travel				
Contractual		3.4		
Commodities		.5		
Equipment		3.3		
Other				
<b>Total Cost</b>		<b>37.3</b>		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	37.3		
GF Program Receipts	1005			
Other				

**Request For  
New Position**

Agency Public Safety  
 BRU Alaska Police Standards Council  
 Component \_\_\_\_\_

Page 3 of 3  
 Revised Date \_\_\_\_\_

**FY 89**

BILL NO: CSHB 367

DATE: February 11, 1988

TITLE: "An Act...providing for certification of probation and parole officers and correctional officers by the Alaska Police Standards Council..."

CONTACT: Jack W. Wray  
Alaska Police Standards Council

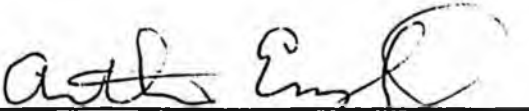
DEPARTMENT OF PUBLIC SAFETY  
POLICE

House Bill 367, introduced by Representative Swackhammer, expands the responsibilities of the Alaska Police Standards Council (APSC) to include the certification of Probation, Parole, and Correctional Officers.

It is characteristic of most professions and many vocations that practitioners be licensed to practice. Licensing or certification is required for doctors and lawyers, school teachers and nurses, and electricians, barbers, and plumbers just to name a few. It is certainly reasonable for the public to expect that its police, parole, probation, and corrections officers be adequately trained and certified to function in their professional capacities.

If this legislation is passed it will enable the APSC to adopt job related regulations that will establish minimum selection, training and retention requirements for probation, parole, and correctional officers. Certification by the APSC will indicate that an officer has met all of the established requirements for that position.

The APSC supports this bill, and is willing to accept the responsibility for its implementation. The Department of Public Safety also supports this bill.

  
Arthur A. English  
Commissioner

Original sponsors: Swackhammer, Gruenberg,  
Rieger, et al.

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 367 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act altering the composition, membership, and

7

duties of the Alaska Police Standards Council; pro-

8

viding for certification of probation and parole

9

officers and correctional officers by the Alaska

10

Police Standards Council; and providing for an effec-

11

tive date."

12

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

13

\* Section 1. AS 18.65.130 is amended to read:

14

Sec. 18.65.130. POLICY. The administration of criminal justice

15

affects the health, safety and welfare of the people of this state,

16

and requires education and training of a professional quality. It is

17

a primary public interest that applicants meet minimum standards for

18

employment as police officers, probation and parole officers, and

19

correctional officers, and that criminal justice education and train-

20

ing be made available to police officers, probation and parole offi-

21

cers, and correctional officers serving in a probationary capacity and

22

police officers, probation and parole officers, and correctional

23

officers already in regular service. It is of secondary public inter-

24

est to encourage the establishment of preliminary training programs

25

for persons seeking to become police officers, probation and parole

26

officers, and correctional officers.

27

\* Sec. 2. AS 18.65.150 is amended to read:

28

Sec. 18.65.150. COMPOSITION OF COUNCIL. The council consists of

29

the following persons:

1 (1) four chief administrative officers or chiefs of police  
2 of local governments;

3 (2) the commissioner of public safety or a designee of the  
4 commissioner;

5 (3) the commissioner of corrections or a designee of the  
6 commissioner;

7 (4) one probation or parole officer;

8 (5) [(3)] four members of the public at large with at least  
9 two from the communities of 2,500 population or less.

10 \* Sec. 3. AS 18.65.160 is amended to read:

11 Sec. 18.65.160. APPOINTMENT. The commissioner of public safety  
12 or a designee and the commissioner of corrections or a designee shall  
13 serve during each [THE] commissioner's continuance in office. Other  
14 members of the council shall be appointed by the governor for stag-  
15 gered terms of four years, except that a member may not serve beyond  
16 the time the member holds the office that established eligibility for  
17 appointment. A vacancy on the council shall be filled for the remain-  
18 der of a member's unexpired term in the same manner as the original  
19 appointment.

20 \* Sec. 4. AS 18.65.220 is amended to read:

21 Sec. 18.65.220. POWERS. The council has the power to

22 (1) adopt regulations for the administration of AS 18.65.-  
23 130 - 18.65.290;

24 (2) establish minimum standards for employment as a police  
25 officer, probation or parole officer, and correctional officer in a  
26 permanent or probationary position [POSITIONS] and certify persons to  
27 be qualified as police officers, probation or parole officers, and  
28 correctional officers under AS 18.65.130 - 18.65.290;

29 (3) establish minimum criminal justice curriculum

1 requirements for basic, specialized, and in-service courses and pro-  
2 grams for schools operated by or for the state or a political sub-  
3 division of the state for the specific purpose of training police  
4 recruits, [OR] police officers, probation and parole officers, and  
5 correctional officers;

6 (4) consult and cooperate with [BOROUGHES,] municipalities,  
7 agencies of the state, other governmental agencies, universities,  
8 colleges, and other institutions concerning the development of police,  
9 probation and parole officer, and correctional officer training  
10 schools and programs of criminal justice instruction;

11 (5) employ an administrator and other persons necessary to  
12 carry out its duties under AS 18.65.130 - 18.65.290;

13 (6) investigate when there is reason to believe that a  
14 police officer, probation or parole officer, or correctional officer  
15 does not meet the minimum standards for employment; in connection  
16 with the investigation the council may subpoena persons, books, re-  
17 cords, or documents related to the investigation and require answers  
18 in writing under oath to questions asked by the council or the admin-  
19 istrator.

20 \* Sec. 5. AS 18.65.230 is amended to read:

21 Sec. 18.65.230. [POLICE] TRAINING PROGRAMS. The council shall  
22 establish and maintain police training programs, probation and parole  
23 officer training programs, and correctional officer training programs  
24 through those agencies and institutions that the council considers  
25 appropriate.

26 \* Sec. 6. AS 18.65 is amended by adding new sections to read:

27 Sec. 18.65.242. STANDARDS FOR CORRECTIONAL, PROBATION, AND  
28 PAROLE OFFICERS. (a) The council shall establish qualifications for  
29 employment of persons as correctional, probation, and parole officers,

1 including

2 (1) minimum age, physical and mental standards, citizen-  
3 ship, moral character, and experience; and

4 (2) minimum education standards.

5 (b) The council shall

6 (1) prescribe the means of presenting evidence of fulfill-  
7 ment of the requirements set out in (a) of this section; and

8 (2) issue a certificate evidencing satisfaction of the  
9 requirements of (a) of this section to an applicant who

10 (A) satisfies the requirements of (a)(1) of this  
11 section; and

12 (B) meets the minimum education standards of (a)(2) of  
13 this section by satisfactorily completing a training program for  
14 correctional, probation, or parole officers established under  
15 AS 18.65.230 or a course of instruction in another jurisdiction  
16 equivalent in content and quality to that required by the council  
17 for approved correctional, probation, or parole officer education  
18 and training programs in this state.

19 (c) In the evaluation of applicants against the mental standards  
20 developed under (a)(1) of this section, the council shall use  
21 evaluation methods that do not discriminate against applicants of  
22 different ethnic origins.

23 Sec. 18.65.245. DENIAL OR REVOCATION OF CERTIFICATE. The coun-  
24 cil may

25 (1) deny a certificate to an applicant for a correctional  
26 officer certificate or a probation or parole officer certificate if  
27 the applicant does not meet the standards adopted by the council under  
28 AS 18.65.242(a);

29 (2) revoke the certificate of a correctional officer or a

1 probation or parole officer who, having been issued a certificate,  
2 fails to meet the standards adopted by the council under AS 18.65.-  
3 242(a).

4 Sec. 18.65.248. EMPLOYMENT OF CORRECTIONAL, PROBATION, AND  
5 PAROLE OFFICERS. (a) A person may not be appointed as a correctional  
6 officer or as a probation or parole officer unless the person has a  
7 valid certificate issued by the council under AS 18.65.242.

8 (b) The provisions of (a) of this section do not apply to a  
9 person employed on a probationary basis, except that employment on a  
10 probationary basis may not exceed the period authorized for probation-  
11 ary employment determined by the council.

12 \* Sec. 7. AS 18.65.280 is amended by adding a new subsection to read:

13 (c) A municipality that employs persons in a municipal correc-  
14 tional facility may, by ordinance, require that those persons meet the  
15 requirements of AS 18.65.130 - 18.65.290 that are applicable to cor-  
16 rectional officers.

17 \* Sec. 8. AS 18.65.290 is amended by adding new paragraphs to read:

18 (4) "correctional officer" means a person employed by the  
19 state in a correctional facility established for the custody, care,  
20 and discipline of persons charged or convicted of offenses against the  
21 state or held under authority of state law to control those persons;

22 (5) "parole officer" means a person appointed by the com-  
23 missioner of corrections to supervise a prisoner's parole under  
24 AS 33.16;

25 (6) "probation officer" means a person appointed to super-  
26 vise probator who has the duties assigned by AS 33.05.040.

27 \* Sec. 9. APPLICATION TO PERSONS WHO ARE CURRENTLY EMPLOYED AS CORREC-  
28 TIONAL OFFICERS. (a) Notwithstanding AS 18.65.248, added by sec. 6 of  
29 this Act, a person employed by the state as a correctional, probation, or

1 parole officer on the effective date of AS 18.65.248, may continue to be  
2 employed as an officer without a certificate issued by the Alaska Police  
3 Standards Council.

4 (b) A person continuing in employment under the exemption provided in  
5 (a) of this section who terminates that employment after the effective date  
6 of AS 18.65.248 may be reemployed by the state as a correctional, pro-  
7 bation, or parole officer only if the person holds a valid certificate  
8 issued by the Alaska Police Standards Council.

9 \* Sec. 10. AS 18.65.248, added by sec. 6 of this Act, takes effect six  
10 months after the date on which the Alaska Police Standards Council adopts  
11 regulations establishing training programs for correctional, probation, and  
12 parole officers under AS 18.65.230, as amended by sec. 5 of this Act, and  
13 defining qualifications for employment as those officers under AS 18.65.-  
14 242, added by sec. 6 of this Act.

15 \* Sec. 11. Except for AS 18.65.248, added by sec. 6 of this Act, this  
16 Act takes effect July 1, 1988.

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

Senate CS For CS  
BILL VERSION: For HB 367 (HESS)  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: April 12, 1988  
Title: An Act Altering the Composition,  
Membership and Duties of the APSC  
Sponsor: Representative Swackhammer  
Requestor: Senate HESS

Agency Affected: Public Safety  
BRU: Alaska Police Standards  
Council  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		30.1	30.9	31.7	32.6	33.5
TRAVEL		9.1	9.1	9.1	9.1	9.1
CONTRACTUAL		4.4	4.4	4.4	4.4	4.4
SUPPLIES		.5	.5	.5	.5	.5
EQUIPMENT		5.6				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	49.7	44.9	45.7	46.6	47.5

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	49.7	44.9	45.7	46.6	47.5
FEDERAL FUNDS						
OTHER						
TOTAL		49.7	44.9	45.7	46.6	47.5

POSITIONS:

FULL-TIME	0	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No inflation factors are included in these cost calculations.

Program implementation is scheduled to begin July 1, 1988. Initial costs will include funding a Clerk IV position (Range 9A) with salary and

Prepared by: Jack W. Wray *Jack W. Wray* Phone: 465-4378  
Division: Alaska Police Standards Council Date: 4-12-88

Approved by Commissioner: Arthur English *A. English* Date: 4-12-88  
Agency: Public Safety

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

RECEIVED

APR 13 1988

LEGISLATIVE FINANCE

ANALYSIS CONTINUED:

Benefits calculated at 30.1 for the first year, and the purchase of data processing and office equipment at a one-time cost of 5.6. Space is currently available in the Alaska Police Standards Office; utilities, communications, and commodities are estimated for the classified position. Travel cost increases are a result of the addition of four new council positions, plus the increase in staff travel to conduct compliance inspections and attend administrative hearings.

Position Title Clerk IV		No. of Positions 1	Range/Step 9A	Barg. Unit GGU
Time Status PFT	Staff Months 12.0	Location Juneau		Election District 4
Justification				
Type of Expenditure			Amount	
1	2	3		
Salary	20.8			
Benefits	9.3			
Premium Pay				
Other				
Total Personal Services		30.1		
Travel				
Contractual		3.4		
Commodities		.5		
Equipment		3.3		
Other				
Total Cost		37.3		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	37.3		
GF Program Receipts	1005			
Other				

This position will provide clerical support needed through the typing and filing of correspondence, maintenance of personnel and training files, and responding to requests for library and training materials.

Support costs include minimal contractual and supply costs and one time purchase of data processing equipment.

**Request For  
New Position**

Agency Public Safety  
 BRU Alaska Police Standards Council  
 Component \_\_\_\_\_

Page 3 of 3  
 Revised Date \_\_\_\_\_

**FY 89**

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Jack Wray, APSC Director

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(Partial of Nov. 13, 1987 Meeting)

SECTIONAL ANALYSIS

FISCAL NOTES

CORRECTIONAL STAFF CERTIFICATION LEGISLATION,  
HOUSE BILL 367

REPRESENTATIVE  
C.E. "SWACK" SWACKHAMMER

# Alaska State Legislature



## House of Representatives

SOLDOTNA  
P.O. BOX 417  
SOLDOTNA, ALASKA 99669  
(907) 262-7863  
JUNEAU  
BOX V  
JUNEAU, ALASKA 99811  
(907) 485-2689

### MEMORANDUM

TO: All Interested Parties  
FROM: Rep. C.E. Swackhammer *Swack*  
DATE: December 15, 1987  
TOPIC: Certification of Correctional  
and Probation/Parole Officers

-----

This packet contains House Bill 367 which places the hiring and training requirements of Probation/Parole and Corrections Officers under the purview of the Alaska Police Standards Council. Also attached, are supporting documents.

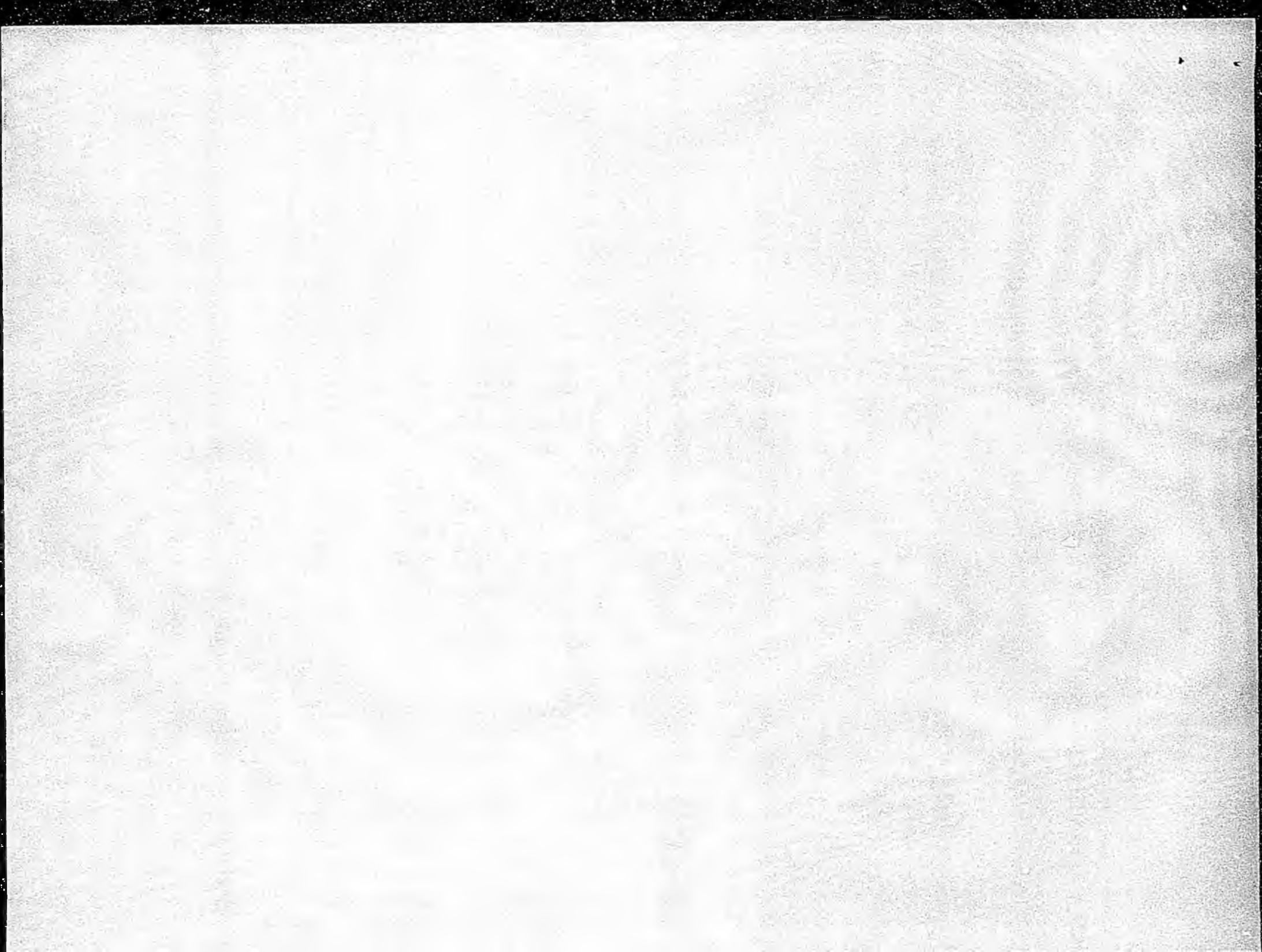
The opening of Spring Creek Correctional Center, in Seward, represents the return of Alaska's long term, hard core offenders. Spring Creek is Alaska's first maximum security prison.

It seems logical that the hiring and training requirements for custody staff fall under the auspices of the Police Standards Council. The certification process will instill pride and proficiency and will help to develop long term, professional staff.

Probation/Parole Officers will also realize the advantages of certification. Many of these individuals work daily as investigative and arresting officers. Hiring standards and applicable training will enhance their ability and improve their safety.

For these, and the attached reasons, I respectfully request your support.

CES/cn



### History

Police officer standards and training councils or commissions were developed in the 1960's in response to a national recommendation that every state appoint a body that would set mandatory police training, education and selection requirements and/or standards.

At the present time most if not all of the 50 councils or commissions perform the same major functions, they: adopt regulations establishing mandatory minimum standards governing the selection of police officers; establish mandatory minimum training standards; certify police officers; make inquiries and conduct investigations to determine compliance with selection and training regulations and standards.

A recent national survey conducted by the International Association of Directors of Law Enforcement Standards and Training revealed that the commissions and councils collectively expend 150 million dollars per annum in carrying out their duties. They oversee the administration and delivery of over 1,200 recruit basic training courses per annum, oversee the introduction of 300,000 new entrants per year and make possible tens of thousands of in-services and continuing education programs nation-wide.

### Background

The Alaska Police Standards Council is a regulatory and quasi-judicial body that was created by Senate Bill 1, Chapter 178, sponsored by Senator Bill Ray and enacted by the 2nd Session of the 7th Alaska State Legislature, effective July 7, 1972.

The Legislature granted the council the power to adopt regulations establishing minimum selection and training standards for employment as police officers, as well as other regulations for the

administration of the act. The council is composed of nine members appointed by the Governor and they meet formally at least twice each year.

#### Current Status and Organizational Structure

The Council Office is staffed by the Executive Director (0082) and a Secretary I (0084). From their office located in the Public Safety Building in Juneau the Council monitors the employment status of village police officers, municipal police officers and Alaska State Troopers. The Council maintains complete personnel and training records for 1,200 to 1,300 police officers, reviews for compliance all requests from officers for certification, certifies all police training conducted in the state, monitors the personnel files of recruit officers to determine if training and certifications schedules are being followed, provides basic and in-service training, investigates and when appropriate, files civil actions to deny or revoke police officer's certifications. The council also provides limited assistance in locating employment for persons seeking police officer positions and maintains a lending library of training films and publications.

#### Accomplishments

The council, working closely with the various law enforcement agencies and organizations, has directed the activities of the APSC in such a manner as to ensure that the law enforcement community and the citizens of the State of Alaska receive maximum benefits from this program. Some of the council's accomplishments include:

- A major revision of the original regulations that established minimum selections and training standards for employment as a police officer. The result of the revision was the

establishment of comprehensive guidelines for departments and agencies to use in determining an applicant's eligibility for hire.

- Conducting a statewide job analysis study of the police patrol officer positions. The data collected in this project resulted in the expansion of the basic police training academy curriculum from a six week course to a validated eight week course, led to the establishment of a two week mini-academy for officers that have received their training in other states, and provided physicians conducting pre-employment physical examinations with a relevant description of job activities and working conditions that an officer may encounter.
  
- The development and funding through state funds and federal grants of specialized and in-service training for police officers in the subject areas of : Instructor Development, Line Supervisor, Management, Interviewing and Interrogation, Rape Investigation, Criminal Investigation, Sexual assault of Minors, Crime Scene Investigations, Search and Seizure, Alaska Criminal Code; Radar Operation, Field Training Officer, Traffic Accident Investigation, Traffic Accident Reconstruction and Traffic Enforcement Management.
  
- The council in cooperation with the Attorney General's Office has published and distributed the Alaska Field Manual for Police Officers now in it fourth printing.
  
- Development of a training needs survey document that is used by the council to conduct a yearly survey of all agencies. The results of this annual study establishes training priorities, aids training providers in planning their activities and to a degree measures the effectiveness or impact of the prior year training.

- Development of an audit system to compare the departments or agencies personnel roster with that maintained by the council. This review is conducted once yearly and any discrepancies found are corrected immediately.
  
- Joining with the Department of Public Safety, State Parks Department and Anchorage Airport Security in supporting the Island Community College, Pre-Employment Law Enforcement Basic Training Program.
  
- The review and approval of a total of 2,783 basic certificates, 581 Intermediate certificates, 402 advanced certificates, 616 permanent instructor certificates, 221 temporary instructor certificates and approval of over 750 law enforcement training courses.
  
- Investigation into matters that resulted in the formal denial or revocation of 17 police officer certificates.

#### Conclusion

The primary goals of the council are to improve the delivery of training, ensure that employment standards are job related and work toward further increasing the professionalism of officers throughout the state.

In Alaska there are currently 1,052 active, full-time police officers and approximately 250 active permanent instructors who must meet the minimum employment and/or training requirements established by the council. Attrition requires continuous effort on the part of the council to assist state and local agencies by ensuring that entry level requirements are adhered to and that the training remains job relevant and available.



## SUPPORT RATIONALE

Although certification will have specific benefits to both correctional officers and probation/parole officers, there are also general advantages to the certification process. It lends consistency to hiring, training and discipline.

The aforementioned issues are beneficial to both the employer and the employee. Developing stringent guidelines for qualifications reduces the time needed for the initial selection process. The employer will be able to be selective, based on the criteria and the potential employees will be able to do a self evaluation as to whether or not s/he is eligible for employment.

Once the initial selection is completed, uniform training policies and procedures will aid in assuring each individual receives adequate and appropriate training that specifically relates to the job assigned.

Certification will also give esteem to the employee. This esteem, stemming from meeting stringent criteria, should reflect on work performance and self-confidence. These two attributes are necessary in all lines of work, but is critical in the correctional setting.

Corrections is an element of the criminal justice system, the welfare and safety of the public rests with the correctional officer, as well as those professionals in probation and parole services.

Putting the certification process under the auspices of the Alaska Police Standards Council offers another important facet. Not only will the council be comprised of law enforcement and correction personnel, if this legislation is passed, it already includes scrutiny by council members from the public at large. Public input will impact on the way corrections operates by providing nongovernmental viewpoints.

Above and beyond the standardizing of screening policies and procedures, consistent training policies and general input into the operations of corrections, are the specific values to the officers.

More specifically, correctional officers are dealing with known and convicted offenders. Their demeanor and performance of duties must be accomplished within the "letter of the law;" some will be responsible for armed supervision of offenders. The legal impact of the use of deadly force is monumental. Certification will not only train the officers in correct performance, it will also aid

greatly in the selection process of whom is psychologically fit to be called upon to perform in life threatening circumstances.

A constitutional mandate of corrections is the reformation of the offender. The criteria of certification will assist the officer in providing appropriate supervision to enhance rehabilitation.

The screening process is important for correctional officers because history has proven that less than favorable personal and work histories of officers can lead to unlawful acts. This can be manifested by illicit relationships between officers and offenders, as well as unlawful acts that jeopardize the safety of society and the institution.

The probation/parole officer, too, has a great deal of responsibilities in performance of his/her duties. Besides offering supervision of offenders in the community, these officers, oftentimes, must act as arresting officers actually making physical arrests.

Training in supervision and arrest of offenders is critical to assure proper procedures are followed to aid in compliance with legal mandates. Likewise, training will also help greatly in protecting the officers in life threatening situations.

Besides critical situations, certification will simply lend itself toward promoting professionalism. Stringent hiring criteria, exhaustive training and physical/mental mandates provide the common bonding necessary to assure professional delivery of services. This is essential for complying with the constitutional mandate of protecting society and the reformation of the offender.



ALASKA POLICE STANDARDS COUNCIL

48th Meeting: November 13, 1987  
Alaska Vocational Technical Center  
Seward, Alaska 99664

MINUTES

November 13, 1987

A.P.S.C. Members Present

Louis A. Bencardino, Chairman  
Seward Police Dept.

E.L. Mayfield, Council Member  
Willow, Alaska

Shirley Robards, Council Member  
Sitka, Alaska

Ronald L. Otte, Chief of Police  
Anchorage Police Dept.  
Council Member

Kevin C. Clayton, Chief of Police  
Bethel Police Department  
Council Member

John L. McKibben, Chief of Police  
Palmer Police Department  
Council Member

Floyd H. Richmond, Council Member  
Ketchikan, Alaska

A.P.S.C. Staff Present

Jack W. Wray  
Executive Director

Vicky L. Hesse  
Secretary I

Visitors Present

Billy Andrews  
Special Agent  
FBI/Anchorage

Stephanie Joannides  
Assistant Attorney  
General

Chief Duane S. Udland  
Soldotna Police Dept.

Chief Richard A. Ross  
Kenai Police Dept.

C.E. Swackhammer  
Representative  
Soldotna, Alaska

Lt. Lonnie Kalar  
Kenai Police Dept.

Charles Kopp  
Anchorage, Alaska

Lt. Shirley Warner  
Anchorage Police Dept.

The meeting adjourned for a break at 10:59 a.m.

The meeting reconvened at 11:16 a.m.

APSC STATUTE CHANGE - Chairman Bencardino introduced Representative Swackhammer. Representative Swackhammer informed the Council that he Chairs the Subcommittee on Corrections and the comments he will be addressing is more in terms of policy and procedures.

Listed below are some of deficiencies the Committee has found in Corrections.

1. Poor screening policy & procedures.
2. Lack of consistent training policies.
3. Retention policy based on disciplinary action was not consistent over a period of time.
4. Total lack of public input into the way Corrections is run, its strictly administration.

Representative Swackhammer stated he felt a certification process for corrections and probation/parole officers would be appropriate. He stated he also felt it would be an appropriate function of the APSC.

Representative Swackhammer felt that through a certification process it would establish good screening procedures in the hiring of corrections officers, and provide consistent training standards for Corrections.

Representative Swackhammer stated that he would not introduce legislation unless he had the support of APSC. If he had the Council's support he felt he could get legislation passed through the second session.

Discussion followed regarding corrections officers, and the probation/parole officers being certified.

John McKibben stated that he felt irregardless whether this Council's oversees it, he thinks it is definitely needed. He personally supports this Council doing it, but he would support any Council doing it.

Chairman Bencardino asked if there were any objections in this Board taking on this obligation of being able to certify corrections officers as well as police officers.

John McKibben made a motion that we support the assumption of those responsibilities by this board and support legislation that will enable us to do so. Floyd Richmond seconded.

Chairman Bencardino asked if there was any further comments on this motion.

John McKibben was interested if there was any audience comments regarding APSC certifying Correctional Officers.

Chief Ross stated his concern was that APSC resources have been inadequate in the last several years. He also felt if this legislation is proposed there would be a need for a realistic fiscal note with it to provide for the resources not only to put the regulations together, but implement training, and if that fiscal note did not go through, then he would not want to see it under this board.

Chairman Bencardino called for a vote on the motion, all were in favor, the motion passed unanimously.

Representative Swackhammer suggested the Council meet in Juneau in January to hold a special meeting.

Representative Swackhammer informed the Council that both the Commissioner of Corrections and Public Safety support this concept.



STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

MEMORANDUM

January 15, 1988

SUBJECT: Sectional analysis of HB 367  
TO: Representative C.E. Swackhammer  
FROM: Jack Chenoweth  
Legislative Counsel

The following is a sectional analysis of HB 367.

Section 1 restates the current statement of policy applicable to the Alaska Police Standards Council by incorporating reference in it to "probation and parole officers and correctional officers," the two personnel groups that are subject to certification under the amendments proposed by this legislation. (AS 18.65.130)

Section 2 changes the membership of the Alaska Police Standards Council, adding two to the current nine members, and specifying that the new members shall be the commissioner of corrections (or the commissioner's designee) and a probation or parole officer. (AS 18.65.150)

Section 3 specifies that the commissioner of corrections serves a member of the Council for the duration of his or her term, and that a designee of the commissioner is to serve for the duration of the service of the commissioner who made the designation. (AS 18.65.160)

As to probation and parole officers and correctional officers, section 4 adds to the powers of the Council:

- \* the responsibility to establish minimum standards for their employment in permanent and probationary positions;
- \* certification of individuals as qualified for employment in these positions;
- \* the responsibility to establish minimal criteria for requirements for basic training courses for these positions;
- \* authority to consult with local governments and others designated concerning development of training programs for these positions; and,

\* authority to investigate an applicant for one of these positions in order to assure that the applicant meets the minimum qualifications for the position. (AS 18.65.220)

The change in the caption to AS 18.65.230 made by section 5 reflects the additional responsibility given the Council for establishing and maintaining training programs for probation and parole officers and correctional officers in this section. (AS 18.65.230)

Section 6 adds new codified sections that

\* direct the Council to establish qualifications for employment of persons as correctional officers; prescribe the means of providing evidence that an applicant meets the prescribed qualifications; and provides for issuance of a certificate evidencing that the applicant meets the prescribed standards; (AS 18.65.241)

\* direct the Council to establish qualifications for employment of persons as probation and parole officers; prescribe the means of providing evidence that an applicant meets the prescribed qualifications; and provides for issuance of a certificate evidencing that the applicant meets the prescribed standards; (AS 18.65.243)

\* spell out the circumstances when the Council may deny a correctional officer certificate or a probation or parole officer certificate to an applicant or revoke a correctional officer certificate or a probation or parole officer certificate previously issued to an applicant; (AS 18.65.245)

\* limits the employment of persons as correctional officers to persons who hold valid correctional officer certificates, with exception made for those employed on a probationary basis, for a period as determined by the Council; (AS 18.65.247)

\* limits the employment of persons as probation and parole officers to persons who hold valid probation and parole officer certificates, with exception made for those employed on a probationary basis, for a period as determined by the Council. (AS 18.65.249)

The new material added by bill section 7 authorizes, but does not require, a municipality to require that persons employed in a municipal corrections facility meet the requirements of this chapter that are applicable to correctional officers. (AS 18.65.280)

Representative C.E. Swackhammer  
Page 3  
January 15, 1988

I have provided definitions for the three classes of employee covered by this bill in section 8. (AS 18.65.290)

The remainder of the bill are uncodified sections that cover effective dates and transitional provisions.

Section 9: Subsection (a) makes an exception to those employed as correctional officers on the effective date of the Act; those persons may continue to be employed and are not required to secure a certificate from the Council. However, under subsection (b), if a person who has the benefit of the exception under (a) ceases to be employed after the effective date of the Act, that person may only be employed again as a correctional officer if he or she first secures a certificate from the Council.

Section 10: Subsection (a) makes an exception to those employed as probation and parole officers on the effective date of the Act; those persons may continue to be employed and are not required to secure a certificate from the Council. However, under subsection (b), if a person who has the benefit of the exception under (a) ceases to be employed after the effective date of the Act, the person may only be employed again as a probation or parole officer if he or she first secures a certificate from the Council.

In the main, section 13 would make the bill take effect July 1, 1988. There are exceptions: section 11 delays the effective date of AS 18.65.247, the provision requiring that a correctional officer obtain a valid certificate as a condition of employment, to a date six months after the Council adopts pertinent regulations; section 12 likewise delays the effective date of AS 18.65.249, the provision requiring that a probation or parole officer obtain a valid certificate of employment, to a date six months after the Council adopts pertinent regulations. The intent underlying both sections is to impose these additional employment-related requirements only after the Council has had fair opportunity to develop and adopt standards and initiate related training opportunities for persons seeking certification under AS 18.65.130 - 18.65.290.

JBC:bb  
WKB1/063



STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: \_\_\_\_\_  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act Altering the Composition,  
Membership and Duties of the APSC  
Sponsor: Representative Swackhammer  
Requestor: \_\_\_\_\_

Agency Affected: Public Safety  
BRU: Alaska Police Standards  
Council  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		30.1	30.9	31.7	32.6	33.5
TRAVEL		7.1	7.1	7.1	7.1	7.1
CONTRACTUAL		4.4	4.4	4.4	4.4	4.4
SUPPLIES		.5	.5	.5	.5	.5
EQUIPMENT		5.6				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	47.7	42.9	43.1	44.0	45.5

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	47.7	42.9	43.7	44.6	45.5
FEDERAL FUNDS						
OTHER						
TOTAL		47.7	42.5	43.7	44.0	45.5

POSITIONS:

FULL-TIME	0	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No inflation factors are included in these cost calculations.

Program implementation is scheduled to begin July 1, 1988. Initial costs will include funding for a Clerk IV position (Range 9A) with salary and

Prepared by: Jack W. Wray, Executive Director Phone: 465-4378  
Division: Alaska Police Standards Council Date: 12-28-87

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Agency: Public Safety

Distribution (by preparer):

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

ANALYSIS CONTINUED:

benefits calculated at 30.1 for the first year, and the purchase of data processing and office equipment at a one time cost of 5.6. Space is currently available in the Alaska Police Standards office, utilities communication, and commodities are estimated for the classified position. Travel cost increases are a result of the addition of two new council positions, plus the increase in staff travel to conduct compliance inspections and attend administrative hearings.

Position Title <b>Clerk IV</b>		No. of Positions <b>1</b>	Range/Step <b>9A</b>	Barg. Unit <b>GGU</b>	
Time Status <b>PFT</b>	Staff Months <b>12.0</b>	Location <b>Juneau</b>		Election District <b>4</b>	
Type of Expenditure		Justification			
		<p>This position will provide clerical support needed through the typing and filing of correspondence, maintenance of personnel and training files, and responding to requests for library and training materials.</p> <p>Support costs include minimal contractual and supply costs and one time purchase of data processing equipment.</p>			
Amount					
1	2				3
Salary	20.8				
Benefits	9.3				
Premium Pay					
Other					
Total Personal Services					30.1
Travel					
Contractual					3.4
Commodities					.5
Equipment					3.3
Other					
Total Cost					37.3
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	37.3			
GF Program Receipts	1005				
Other					

**Request For  
New Position**

Agency Public Safety  
 BRU Alaska Police Standards Council  
 Component \_\_\_\_\_

Page 3 of 3  
 Revised Date \_\_\_\_\_

**FY 89**

