

SCOMM

#52:11

Lawmakers will hold hearings on alcohol possession controls

By DEAN FOSDICK
The Associated Press

JUNEAU — Lawmakers are to begin hearings in mid-November to study whether Alaska's local option laws should be strengthened to ban the possession of alcohol.

If approved next session, the changes would take enforcement "right inside the house" in rural Alaska, Rep. John Binkley said Monday.

Municipalities currently can ban the importation of alcohol, but existing law does not allow the communities to ban personal possession, the Bethel Republican said.

"There are very few families or people out here who haven't been affected by alcohol or by the destruction it brings," Binkley said.

"In villages, the problem is more acute than what you'd see in a city," he said. "People are very close. It's difficult to get away from alcohol when it's introduced."

"It's kind of like being around a community well that's been poisoned."

In order to enact a law that will stand up under a court challenge, legislators must show that a public health need exists, Binkley said.

The interim committee is to hear testimony from people across rural Alaska and review recent studies on alcohol. The data it collects, the findings it makes and the legislative intent that results will make it easier for the courts to uphold such a measure, he said.

Alaska's current local option law, passed in 1980, simply doesn't work, Binkley said.

"A community can vote itself dry but can't do anything about arresting people who cause alcohol-related problems because they've managed to get the booze some way," he said.

"They call in troopers, but the troopers can't make any arrests if there's no proof the alcohol was imported," he said. "We want to ban possession if the village votes for it."

Conviction under present law calls for up to a year in jail and a \$5,000 fine, he said.

"We're considering that

penalties under possession include a fine instead of a jail term," Binkley said. "We're trying to get the communities to take responsibility for themselves."

"It would relieve the pressure on troopers and on our crowded court calendars," he said. "By being able to levy a fine, communities could just

confiscate the liquor and collect the cash."

Binkley serves on the House side of the committee with Reps. Katie Hurley, D-Wasilla, and John Sund, D-Ketchikan.

John Sackett, R-Ruby, Edna DeVries, R-Palmer and Vic Fischer, D-Anchorage, represent the Senate.

Alcohol ban bill deserves scrutiny

Citizens could vote for a complete ban on alcohol in their communities if a bill sponsored by Bethel Rep. John Binkley becomes law. Leaders in several western Alaska villages are pushing for the new law to deal with frightful levels of alcohol-related violent crime, accidents and suicides. While no law can eliminate those problems, this one could help by curtailing a substance that all too often fuels them.

Nearly 90 percent of all crime and most accidents and suicides in the Bush involve alcohol, Alaska State Troopers say. That's why the state's local option law now allows communities to ban the sale or importation of alcohol, if voters approve. But leaders in some of the nearly 60 villages that have tried those options say they don't work.

Bootleggers manage to keep the insistent drinkers supplied, albeit at a stiff price. Catching bootleggers takes lots of time and effort by understaffed troopers, who often must deal with more immediate cases. After clandestine buying, people can drink openly because just having alcohol is not illegal. A ban on possession itself would make enforcement easier and discourage bootleggers' customers.

Banning alcohol does have its limits, of course. A successful ban demands that police enforce it, district attorneys prosecute violation of it, and courts hand out serious sentences to violators. All that will require money.

A total ban also could run afoul of the Alaska Constitution's privacy protections, which allow personal use of small amounts of marijuana. A ban on alcohol may need a similar exemption on small quantities.

Another drawback is that a ban can't distinguish between the drinkers who create the problems and those who drink in peace. For that reason, many people may be reluctant to vote for a total ban on alcohol. One thing is certain: Rep. Binkley's bill is sure to engender much discussion when public hearings on it begin next month. It should; the marriage of alcohol and violence is one of the most pressing problems facing Alaska.

LOCAL OPTION

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THE ALASKA LEGISLATURE WANTS TO KNOW:**

- 1. WHAT ARE THE ALCOHOL-RELATED PROBLEMS
IN YOUR COMMUNITY?**
- 2. SHOULD THE LOCAL OPTION LAW BE CHANGED TO
LET COMMUNITIES BAN POSSESSION OF ALCOHOL?**
- 3. SHOULD OTHER CHANGES BE MADE TO THE
LOCAL OPTION LAW?**

**PUBLIC HEARINGS
ON ALCOHOL AND THE LOCAL OPTION LAWS
WILL BE HELD:**

**TOGIAK COMMUNITY HALL
10 AM NOV. 25**

**DILLINGHAM CITY COUNCIL CHAMBERS
2 PM NOV. 25**

**FOR MORE INFORMATION CALL THE LOCAL OPTION OFFICE IN BETHEL AT:
543-3573**

**JOINT SPECIAL COMMITTEE ON LOCAL OPTION LAWS, REP. JOHN BINKLEY, CHAIRMAN. COMMITTEE
MEMBERS: SEN. JOHN SACKETT, SEN. VIC FISHER, SEN. EDNA DEVRIES, REP. KATIE HURLEY, REP. JOHN SUND.**

Alcohol local option up for review

A series of town meetings throughout the state have been scheduled in an effort to find out how people feel about local option laws. Meetings will be held in Togiak and Dillingham Nov. 25.

The meeting in Togiak, a dry community, will be at 10 a.m. in the community center. The meeting will shift to

the Dillingham City Hall at 2 p.m. the same day.

The meetings are being held for the benefit of the legislative interim joint special committee on local option laws.

The group is gathering testimony to find out if local option laws are working and whether people would like to change them, said Laurie Otto, a Bethel lawyer hired by the committee to help it with legal issues involved in tampering with the laws.

The committee will report on findings from the three weeks of meetings to the legislature this session, Otto said. Whether changes are recommended depends on the testimony.

At issue is whether local option laws

are doing what they were designed to do. The legislative amendment gave communities four options to increase restrictions Otto said; banning liquor sales, banning sale and import of liquor, restricting type of liquor sold, and restricting sales by allowing only community-owned stores to sell liquor.

Since local option was introduced, 68 communities have gone dry, Otto said, but that hasn't stopped alcohol from being a problem. In areas where importation is illegal, possession is not, and banning liquor altogether poses constitutional problems, she said.

If the testimony at the meetings is incriminating enough, it could show a purpose to banning alcohol, she said.

Local Option

Is it working for your community? The Alaska Legislature wants to know.

1. What are the alcohol related problems in your community?
2. Should the local option laws be changed to let the communities ban the possession of alcohol?
3. Should other changes be made to the local option laws?

Public hearings on alcohol and the local option laws will be held in:

*Shishmaref
Community Hall
10:30 - 1:30 p.m.
Dec. 10

*Nome
City Council Chambers
3-7 p.m.
December 10

*Gambell
Municipal Building
10-2 p.m.
December 11

*Selawik
Community Hall
9:30 - 12:30 p.m.
December 12

*Kotzebue
City Hall
1:30 - 4:15 p.m.
December 12

for more information, call the Local Option Office in Bethel 543-3573

The Joint Special Committee on Local Option Laws:

Representative John Binkley, Chairman;

Representative Katie Hurley

Representative John Sund

Senator John Sackett

Senator Vic Fischer

Senator Edna Devries

Lawmakers may allow prohibition in villages

By TOM KIZZIA
Daily News reporter

Five years ago, the state legislature passed a law allowing cities and villages to ban the sale and transportation of liquor. More than 70 rural villages have since passed laws that make bootlegging a felony crime, but a growing chorus of critics says the measure has failed to solve the booze problem in the Bush.

Now a legislative commit-

tee is preparing to go a step further. A bill is in the works that would allow villages to make it a civil violation to drink or possess alcohol.

Rep. John Binkley, R-Bethel, says a prohibition law faces a tough constitutional obstacle in Alaska, where the right to privacy is so strong the state Supreme Court allows personal possession of small amounts of marijuana.

The legislature will have to prove that the danger of alcohol to public safety and welfare outweighs the individual's right to privacy, Binkley said.

Binkley, chairman of a special joint House-Senate committee created last session, held hearings in southwest Alaska on the local option laws last week. The committee will meet in Anchorage Monday and in arctic and Interior villages later this month.

Binkley said that in addition to hearing horror stories about the damage wrought by alcohol, the committee has

been told the existing law against importing booze is difficult to enforce.

"It's really impossible to catch someone," he said. "The program started to work initially, but then people started to understand how limited villages were in enforcing the law."

Baggage arriving on Bush airplanes cannot be searched without a search warrant. With penalties up to a \$5,000 fine and a year in jail, villagers are often reluctant to turn neighbors over to the troopers for bootlegging, Binkley said.

"The state local-option system pre-empts the communities from passing their own laws," said Laurie Otto, a

former Bethel district attorney who is now a staff member for the joint committee. "People are frustrated because there's no local system of law enforcement. That's what's surprising me, more than anything."

Under the legislation being formulated by the committee, Binkley said, villages could outlaw possession of alcohol by passing a local ordinance. Violators would be subject to fines, as with traffic tickets, Binkley said. They would also be forced to forfeit their contraband liquor.

"We don't want to add a burden to an already overloaded judicial system," he said. Fines could be contested

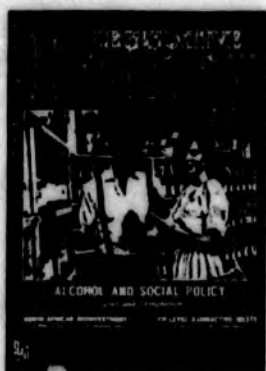
at a hearing before a magistrate, he said.

One reason for the December hearings, Binkley said, is to find out if there is an "overwhelming public safety consideration" in banning possession of alcohol in small villages.

Hearings have already been held in Dillingham, which has no local alcohol laws, in Bethel and Aniak, which have outlawed sale, and in Emmonak, Tooksook Bay, Nunapitchak, and Togiak, which have outlawed both sale and importation.

The Anchorage hearing begins at 1:30 p.m. Monday at the legislative information office, 1024 West Sixth Ave.

DAVID KIZZIA



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CONTENTS

Winter 1985

Cover photo by Chip Henderson/Woodfin Camp, Inc.

- 4 **1985: What's Ahead in the States**
by Melinda Franklin
- 11 **Taxes and Alcohol**
by Morris E. Chafetz, M.D.
- 14 **Small Business Legislative Agenda for the States**
- 22 **The Low-Level Radioactive Waste Policy Act: An Overview**
by Glenn W. Sorensen, Jr.
- 29 **Government Competition with Private Enterprise in the States**
by The National Federation of Independent Business
- 33 **South African Disinvestment**
By John H. Chettle
- 39 **Groundwater Policy: The State Solution**
by Paul T. Langerman
- 46 **Competitive Ratemaking in Workers' Compensation Insurance**

DEPARTMENTS

- 26 **Rising to Speak**—John A. Murphy on Excise Taxes
- 37 **Unitary Update**—Why Are States Rejecting the Unitary Tax?
- 44 **Initiative Update**—A Look at What May Happen in 1985
- 53 **Campaign Report**—Election Results in the State Legislatures

ber how sweet it was to rebel against authority by engaging in activities and behaviors deemed surely to be the mark of an adult. The resourcefulness of young people, like that of the inhabitants of skid row, never seems to falter.

Raising the price of alcohol to limit availability will unfortunately drive from the market those buyers who can take it or leave it. The resulting pricey product, therefore, will substantially reduce the numbers of desirable role models and leave relatively unaffected the consuming power of two groups: the buyer with alcohol problems and the young inexperienced drinker.

Excise taxes levied to reduce the consumption of alcohol have a great potential for mischief. Prohibition taught us how much harm can be done in the guise of doing good, not the least of which is inflicted on people with alcohol problems. During Prohibition alcoholic people were either neglected entirely or languished without help or mercy in county jails and psychiatric hospitals.

There are, therefore, some serious flaws in the design of a tax policy on alcohol that, among other things, discourages use in positive role models, makes alcohol more attractive than it should be to young people, and is unsympathetic to the care of sick people. As a matter of fact, the proponents of limited consumption contend that too much emphasis is already placed on alcoholic people.

Suggestions are afloat to levy additional or dedicated alcohol taxes meant to pay for specific services, such as treatment programs and enforcement activities. Dedicated taxes are usually based on the thesis of user responsibility. The thesis of user responsibility promotes the belief that buyers should help defray the costs to society brought about by the product's misuse. Obviously the belief system of "sin" taxes, which operates with alcohol, makes passing and collecting additional taxes a piece of cake.

Whatever do you think would happen if the "sin" element attached to alcohol could be extrapolated to other

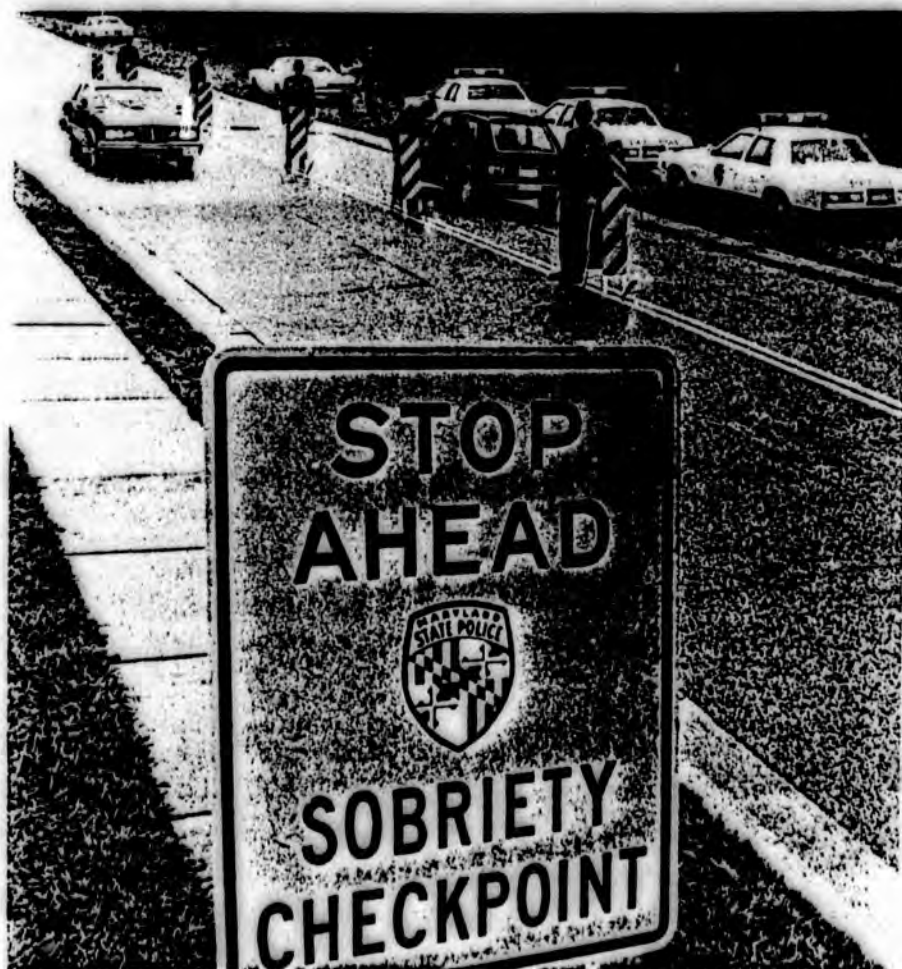
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Another aspect of the taxes-for-treatment issue that legislators face is health insurance for the treatment of alcoholism. Many hospital and medical costs are related to alcohol problems which often accompany other diagnoses. Alcohol problems are a general health problem and as such should be covered by all health insurance carriers. If we ever hope to make society view alcohol problems the same as any other health problem, then support for treatment should come from general funding, not dedicated taxes.

The most currently visible aspect of the drive to reduce the role of alcohol in today's society is reflected in the movement to ban beer and wine advertising from broadcast media. (Distilled spirits have elected not to advertise.) Arguments against advertising are part of the growing crescendo to control availability.

Availability is considered to impact especially hard on the young. In fact the impetus driving this movement stems from the belief that alcohol beverage advertising is designed to appeal to heavy drinkers and young people. Two states, Mississippi and Oklahoma, have already banned broadcast advertising. (A recent U.S. Supreme Court decision denied Oklahoma that right.) In lieu of success, proponents of the broadcast ban want to make advertising costs a non-business expense and to force the beer and wine industry to pay for counter advertising that shows the risks of alcohol.

Claims that state the use of broadcast media is the source of many social ills are not new. Visibility invites scapegoating. Furthermore, the enormous sums of money spent on advertising signifies proof to a doubting public that advertising is the root





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Taxes and Alcohol

by Morris E. Chafetz, M.D.

In the current political climate, there is a push to further increase taxes on alcohol beverages. The need for this increase is explained as a strategy to control availability and to raise money.

It was about 200 years ago that the federal government first tested its right to tax the states. During the Whiskey Rebellion of 1794 farmers in western Pennsylvania rebelled against federal efforts to enforce an excise tax on distilled spirits. The purpose of the tax was two-fold: to raise money to help pay for the national debt and to assert the power of a fledgling federal government. Secretary of the Treasury, Alexander Hamilton, saw the tax as the first test of federal strength against local defiance.

Considering the political climate in the waning years of the 18th century, some observers saw the Whiskey Rebellion as a plot to weaken the muscle of the federal government. In the political climate of the waning years of the 20th century, some observers see the ready availability of alcohol as a plot to weaken the fiber of society.

The long history of duality of purpose which underlies the tax policy on alcohol beverages helps make the legislator's task easier and salves the consumer's guilty conscience. Consequently, the levy of taxes on alcohol implicitly represents what is known as "a safe harbor." This dual purpose lets the legislator feel free to exploit the consumer's willingness to pay "sin" taxes.

The first article in this 4-part series on America's preoccupation with alcohol revealed a ubiquitous sense of ambivalence and guilt associated with its use. The second article talked about the consuming interest in two issues: drunk driving and age of purchase. This third article examines the implications that go beyond the obvious ones of the effects of taxes and advertising on the consuming public.

Sophistication and usage aside, conflicting feelings continue to persist about the role of alcohol in American society. Guilt, rooted in our Puritan ethic, nourishes the feeling of ambivalence associated with the use of alcohol. Indeed, it is the exploitation of this guilt about alcohol that makes us feel and behave like penitents.

The general notion that "sin" taxes help to protect people from temptation permeates much of the philosophy of alcohol policy. This idea is especially useful where it pertains to groups of vulnerable people such as alcoholic people and young people. No one doubts that price has a direct corollary to use. For most people the use of alcohol is price sensitive, except for two groups: young people, who tend to get it anyway by hook or by crook, and people with alcohol problems, who need it.

Let me elaborate on this plan to reduce consumption for the good of the country. If the rising cost of alcohol impinges on the use of discretionary funds, most people (those who can take alcohol or leave it), will either stop buying it or will plan to consume less of it. In most instances, alcohol remains a pleasant accompaniment to a variety of social activities and life experiences. But when purse strings tighten, buyers become cautious and seek less expensive diversions.

Now in these enlightened times only Neanderthals can believe that people who suffer from alcohol problems have the freedom of choice. (Who of us would choose to be alcoholic if we had a choice?) A look at the incidence of alcohol problems in our society shows that choice is not an issue in this instance. Need and compulsion are.

For people with alcohol problems price is not a deterrent. For them, alcohol is a psychological and physiological necessity. Witness the lowly plight of the inhabitant of skid row. No matter how severe the impoverishment, alcohol is obtained and consumed.

It is unfortunate, but true that something in today's society makes alcohol compulsively attractive to the young. More and more we manage to shape the lure of alcohol into a configuration that resembles a rite of passage into adulthood.

Those among us who occasionally reflect on their adolescence remem-

ber how sweet it was to rebel against authority by engaging in activities and behaviors deemed surely to be the mark of an adult. The resourcefulness of young people, like that of the inhabitants of skid row, never seems to falter.

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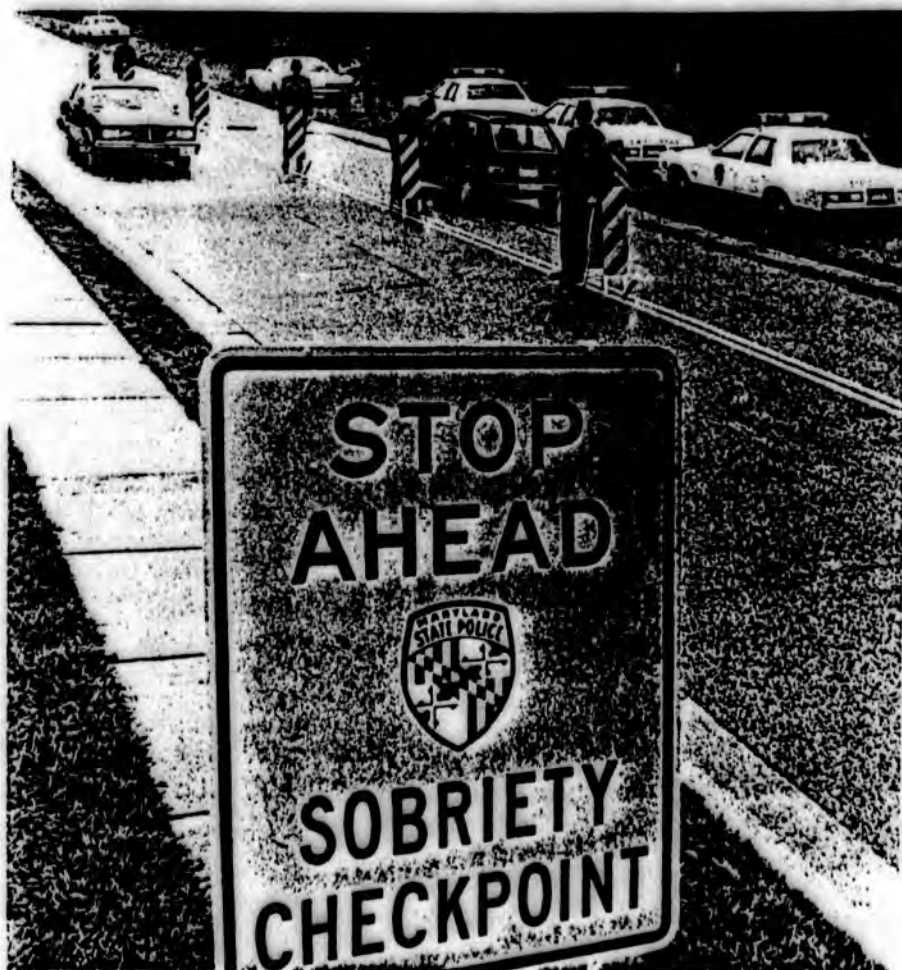
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Claims that state the use of broadcast media is the source of many social ills are not new. Visibility invites scapegoating. Furthermore, the enormous sums of money spent on advertising signifies proof to a doubting public that advertising is the root





of alcohol misuse. When the public hears and sees alcohol extolled as an intimate part of the good life, the successful sophisticated life, the natural cauldron of suspicion and temptation begins to bubble among perennial scapegoaters.

However, there is a huge chasm between words and actions. If we said what we thought and did what we said, we'd get into a lot of trouble. An example of how we incriminate advertising is illustrated by a study of youngsters in an elementary school in Connecticut. The students were asked to spell the word "relief". When most of the children reeled off the letters of an antacid advertised extensively on television, their responses were cited as an example of how TV corrupts the young.

However, the crucial telling point here is not the youngsters' automatic repetition of a catchy phrase, but whether any of these youngsters went out and bought the product.

The consensus of studies examining behavior response to alcohol beverage advertising shows the potential an ad has to make viewers switch brands but not the potential to make viewers drink more than intended. For the heavy and problem drinker, however, no such inducement is necessary. Studies correlating alcohol beverage consumption and young people show the models for most drinking behavior are not found on television but in the home.

Most findings reveal that parents

are the role models for the young; alcoholic parents are at greater risk of having alcoholic children; heavy drinking parents generally produce heavy drinking children; moderate drinkers produce moderate drinkers, and so on. And social codes to guide young people in drinking practices are set forth in such a way as to befuddle them.

If advertising does not increase consumption, why does smart business spend so much money on it? Advertising works, but not in the ways we imagine. The competition in the marketplace is ferocious; the fickleness of the public high. When faced with a forest of products, brand name familiarity is essential to making a decision. In the beer marketplace, for example, a 1 percent change in market shares is worth \$232 million. Therefore, it makes abundant economical sense for beer marketers to advertise both to maintain or increase their market share.

The catchiness of advertising can be illustrated by the following two anecdotes. First, the *Washington Post* recently reported the results of a poll that asked how many people knew Vice President Bush's first name. Sixty-five percent answered Anheuser. Second, because of the poor quality and high price of fresh oranges, I decided to buy a carton of orange juice. From the bounteous array of cartons on the shelf, I chose a brand whose name I remembered from an advertisement.

The belief that advertising contributes to alcohol problems is belied by the fact that the Soviet Union, which has the highest per capita consumption and incidence of alcohol problems in the world, has banned advertising since the Russian Revolution of 1917.

Alcohol, taxes, advertising, and even the support of treatment programs are the outcome of a complicated, complex set of variables. Legislators are bombarded by suggestions for solutions that, on the surface, seem eminently sensible. It's hard to realize that broadcast advertising didn't exist when the country, so beside itself about alcohol problems, adopted the Prohibition amendment. And Prohibition, at a simple level, made sense: if alcohol caused alcohol problems then the solution was to ban its manufacture and sale.

Unfortunately, things did not work out that way, and unintended outcomes from Prohibition continue to plague us to this day.

The fourth and final article will be devoted to a prevention approach.

Morris E. Chafetz is president of the Health Education Foundation, former chairman of the Education and Prevention Committee of the Presidential Commission on Drunk Driving, and founding director of the National Institute on Alcohol Abuse and Alcoholism.

Herbert Olson gets 75 years to serve for rape, murder

Herbert Olson, convicted of murdering a Hooper Bay man and raping a Hooper Bay woman in separate incidents in one week in April, 1985, was sentenced on January 24 to serve a total of 75 years for the crimes.

Superior Court Judge Christopher Cooke gave twenty-six-year-old Olson 75 years with 15 years suspended to serve for the April 19 axe-murder of Leo Smart.

Cooke sentenced Olson to 15 years with no time suspended for a rape he committed just five days after that murder.

Olson's arrest for the assault led to his arrest for the murder as well.

Cooke ordered Olson to serve the two sentences consecutively, or one after the other. The fifteen year rape sentence is a presumptive sentence, with no possibility of parole. The sentence for murder is subject to normal parole eligibility.

Olson was convicted of entering the home of Leo Smart, 41, on April 19, and killing him as he slept with a single blow of an axe to the side of the neck.

Five days later, he broke into the home of a woman who was alone and forced her to have intercourse.

Troopers said that Olson had been released from jail just two weeks before the murder. He was in jail at that time for a second degree sexual assault.

On the day of the Smart murder, according to the district attorney's office, a party began at 10am at the Olson residence, where five people consumed 10 gallons of home brew. The day was marked by several incidents stemming from that party, a spokesperson for the DA said, including fights, participants placed in protec-

tive custody for intoxication, and a snow machine accident severe enough to result in transport of the driver to Anchorage for medical attention.

The DA's office said that sometime between 7:30 and 11:30 on that day Olson left his house carrying a small camp axe. He entered Smart's house, they said, still carrying what Olson himself

described as "a small axe," found Smart asleep on a small fold-up bed in front of the television, and struck Smart once on the side of neck with sufficient force to cause death. Olson then blacked out and doesn't remember leaving, the spokesperson said.

Olson was next seen at his residence at approximately 11:30pm that night.

In sentencing Olson, Judge Cooke recommended that Olson serve his sentence in the state of Alaska, and that while he is incarcerated he undergo alcohol rehabilitation, educational and vocational training, and sex offender treatment.

"You never know what is enough unless you know what is more than enough."
William Blake

File
LOCAL
ACTION

Friends remember Trader at chapel's prayer service

by Paul Jenkins
Associated Press

As police tried to sort out the final hours of Francis Trader's life, his family and friends jammed a tiny downtown chapel Wednesday for a prayer service.

The small room was packed. In the front, Trader's plain, gray wood coffin. Children fidgeted in their chairs. A

man with an unkempt beard and hair sat with tears in his eyes. In the rear, a news camera took it all in.

"The way it happened, that's what makes it so hard for the family," said Tony Olivera, Trader's brother-in-law. "It's disgusting. It never should have happened."

Trader, a 40-year-old native
See Trader's, page A-12

Trader's death still under investigation

ported they got Trader up on his feet and told him to go to the nearby shelter.

At about the same time, a mechanic at a nearby service station saw the two police cars in the alley, Otte said. He saw one leave, but went back inside the service station and did not see the second car leave, Otte said.

More than an hour later, a customer told the mechanic Trader was in the alley, and the mechanic called police shortly after 9 a.m., Otte said.

Iverson called again at about 9:30 a.m. She said she believes she asked for a paramedic in at least one of her calls. No ambulance or patrol car was dispatched.

Iverson called the Community Service Patrol after 10 a.m., and the patrol's van took Trader to the hospital.

found. "He was out, that guy, on the floor," Obeidi said. "I called building security at about 10 p.m. and they got him out of the building."

Obeidi said he next saw the man shortly before 1 a.m. He was in the street screaming.

Obeidi said he called an operator for the number of the Salvation Army Community Services Patrol. He said he since has learned he probably called the wrong number.

He said he then called police, shortly before 1 a.m., and went home.

Otte said officers did not respond to that call. "We're still investigating why," he said.

Another state worker, Pat Iverson, called police about Trader at about 7:30 a.m. Officers arrived a few minutes later. Patrolman Ronald Brechon re-

in the community expressing their concerns and opinions about this thing."

Trader's death has stirred controversy about police actions. Before he died, Trader sprawled for hours in a downtown alley by a building housing state offices. Witnesses say police received at least four calls about the man in about eight hours, but responded to only one.

Two patrolmen saw Trader three hours before he finally was picked up by a Salvation Army Community Services Patrol van. They told him to go to a nearby shelter — closed at that time of day.

Trader was first noticed the night before he was found. Samir Obeidi, a state employee working the night shift, said he saw a man believed to be Trader in the building alongside the alley where Trader eventually was

om Emmonak, died last week at the Alaska Native Medical Center as doctors treated him for hypothermia.

He was hospitalized Jan. 23 with a body temperature of 82 degrees. Doctors said he died of cardiac arrest.

Some police say they are being blamed unfairly for Trader's death. Other officers say they are growing weary of the press attention the case has received.

"I'm just getting real tired of responding to individual articles and individual quotes," said Deputy Police Chief Ron Otte.

"I would say a good portion of each day is spent on this. In addition to the press and to officers here, there have been a tremendous number of calls from people

Pat
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Dr. L. O. Pessano
New York
Sept 1891

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Holes in the system

Agencies, city try several ways to aid the helpless

By LARRY CAMPBELL
Daily News reporter

As he leaned against a downtown bus stop sign Wednesday, Tom remembered the last time he ended up sleeping it off in an alley. It was only a few weeks ago, behind the Palace Hotel.

"I was pretty drunk, yeah," he said. He just couldn't walk any more that night and wasn't having his usual luck finding a warm haven off the street.

His glassy eyes looked down at his scuffed work boots, and he seemed embarrassed about such questions. "I was gonna go to the shelter. I was goin' over there. I don't know what happened. What are you asking for, anyway?"

Tom, a street person who wouldn't give any other name, said he knew Francis Trader, a 40-year-old street

See Page C-3, AGENCIES

Agencies, municipality provide several services in their attempts to aid helpless people

Continued from Page C-1

anderer who died last week after spending at least three hours in a cold downtown alley. Tom figured Trader got into the same predicament he did a few weeks ago, but was less fortunate.

"If you don't get off the street, it can get pretty serious," Tom frowned.

Since Trader's death last week, the city's social service network has wrung its bureaucratic hands and outraged citizens have demanded accountability for a death they believe never should have happened.

Investigations are trying to determine the exact cause of death and whether police and other agencies mishandled the case.

But it took no investigation to prompt city health and safety officials this week to admit that people like Tom

and Trader fall through a serious hole in the system.

Ten years ago, Anchorage had a drunk tank, a place where police could take intoxicated people to let them sleep it off away from the street. When the city decided being drunk was no longer a crime, it found another use for the tank. But city officials think now that one is needed.

"A few years ago someone dying because they'd been out in the cold was a matter of course, and we would wait until spring and simply make a count," said Jewell Jones, director of the city Department of Health and Human Services. "Then we got the Brother Francis Shelter and Bean's Cafe. Those things were really saving lives."

"And yet, we look at Francis Trader and say, 'What happened?' Somebody fell through the cracks."

Jones cited a study two

years ago by University of Alaska-Anchorage professor Dennis Kelso that said Anchorage needed an interim "sobering center," a place where inebriates could be taken when other facilities turned them away.

Right now, a drunken person who can no longer take care of himself has several possible guardian angels — police, paramedics, the Salvation Army's Community Service Patrols and various shelters and health facilities.

Anchorage police probably see more inebriates than anyone else simply because they are on the streets all day. Police see the ones who don't accept help from the others.

If the person is breaking no law, and is walking about on his own, police do nothing, according to Deputy Police Chief Ed Rhodes.

"If they don't want help from us, we

alone," Rhodes said earlier this week. "There is currently no drunk-in-public law."

Even if there were such a law, police would be hard pressed to find jail space for all the drunks they find. Still, police do take drunks to jail when, in the officer's opinion, that person would be better off out of the night. City officials said this week that Trader had been picked-up by police 12 times last year and taken to a jail cell simply to sleep off alcohol.

Only when a person is obviously sick or injured will medics be called. The Community Service Patrol is the only other agency watching out for drunks.

Last summer, the service was cut back from 24-hour patrols to 16 hours, from 10 a.m. to 2 a.m., because of city funding cuts, director Joan

Booth said. "We'd patrol the alleys, we knew all the hiding places, we'd find these people," Booth said.

Earlier this month, the service applied for funding from the state in hopes of reinstating round-the-clock patrols, she said.

The patrol service sometimes takes drunks to the Salvation Army's detoxification center at Point Woronzoff, although that facility has only two or three beds for one-night sleepers, Booth said. Other times, inebriates can be taken to area hospitals if they need minor medical attention.

Currently, drunks are discouraged at places like the Brother Francis Shelter.

Next month, Jones said her department will seek proposals to implement the sobering center concept.

with Trader himself," Jones said. "But the system is supposed to be there for those who can't help themselves. For that portion of it, we probably did fail him."

Even if the system's failures are corrected, however, those who work with the street people every day say it won't buy insurance against a seemingly needless death.

"There was a guy just a few days ago who was in here and drinking coffee and was fine," said Bill Preslar, manager of Bean's Cafe. "He said he wanted to go out for some air and smoke a cigarette."

"He didn't come back after a while and someone came in later and said he was on the ground. He'd died."

"You know, it's sad, too. It's like with Trader — it seems like the nicest, quietest, most peaceful of these folks are the one's that get it

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Thinking about Local Option

by Tim Troll

"A funeral is for the living," he said, "a ritual that helps us, family and village, to accept a new life for ourselves, a life without this young man who was once a part of us." Father Joe's were the words of sympathy, but they were broken, uneven and could not disguise a voice riddled with rage. His priestly decorum would not allow him to speak freely. He continued, speaking of heaven and God's love for the young; but his voice intoned: "how many more...how many more..." This funeral was not transition; it was our penance. The village had sinned.

Alcohol is an albatross around the neck of Alaska; it is a statewide burden but its weight bears most heavily on our rural Native villages. It is no exaggeration to state that if alcohol was not present rural Alaska could be virtually crime free; instead,

tends to review the most recent policy effort enacted to deal with the problem of alcohol in our rural communities—the Local Option Law. This law passed in 1981 gives communities a choice of four options to control local alcohol use. There are two ways to think about the Local Option Law at the State level; one as a law about control of alcohol abuse, and the other as a law about community control.

I. THE LOCAL OPTION LAW AS A LAW ABOUT ALCOHOL

When a legislature passes a law its intent is usually to bring about some desirable condition. If the desirable condition sought from the Local Option Law is the reduction of alcohol abuse in rural Alaska, some measure will be needed to determine whether the law is in fact

alcohol related crime and tragedy. Many of these communities now perceive a resurgence of the same alcohol related crime and tragedy. There are certainly facts to support these perceptions. A recent editorial in the *Tundra Drums* reported that Western Alaska had more murders and almost as many rapes as Anchorage in 1984 despite having one tenth the population. Most of the crimes involved alcohol even though 33 of the 58 villages in the region have now enacted Option 4 and Bethel, the regional center, prohibits the sale of alcohol. If the measure of effectiveness is a lower rate of alcohol related incidents, or even if the measure is a more abstract test of village perceptions under either measure, the law is probably failing.

See OP-ED page 27.

The problem with viewing the local option law as a law about alcohol is that our desire to measure effectiveness may lead us into what James Q. Wilson in his book *Thinking about Crime* labels the "falacy of root causes." Alcohol abuse appears to have all the characteristics of an enduring social problem; like poverty or crime its root causes are buried within the human condition. Change comes if at all only as a result of broad and slow social processes. If we assume a problem like alcohol abuse is not adequately addressed unless its causes are eliminated, Wilson says, we risk committing ourselves to futile acts.

Root causes by their very nature are immutable or not subject to change in short time periods. However, such problems being unsolvable in the short run and manifestations of deeper social problems continually demand priority on the public agenda. Our political system is impatient and usually cannot wait for the broad and slow social processes to work their course. There will always be pressure to revise laws that operate in these enduring problem areas. It is the wise legislator who does not become too enamored with root causes. Laws often are

important for reasons other than altering the root causes of social problems. The Local Option Law may or may not significantly reduce alcohol abuse. Debate about this issue is likely only to produce more debate; it is not likely we will ever have irrefutable facts about the causes of alcohol abuse. This uncertainty about the positive effects of the law, or even apparent failure of the law to produce the desirable effects intended does not necessarily make the law defective.

II. THE LOCAL OPTION LAW AS A LAW ABOUT LOCAL CONTROL

The issue whether the Local Option Law is the most effective way to attack alcohol abuse is not necessarily relevant to the question whether the law should remain the law. The Local Option Law can be viewed not so much as a policy about alcohol but as a policy recognizing the community is the proper place for laws about alcohol to be made. Effectiveness from the State's perspective may be simply a measure of the popularity of the law. Questions of propriety, whether the law is right, may have equal or more weight than questions of effectiveness.

Thomas D. Lonner and J. Kenneth Duff in a State-funded report to the Legislature entitled "Village Alcohol Control and the Local Option Law" issued in 1983 expressed the opinion "What is achieved by the local option law may not be control over alcohol but control over community." The selection of Option 4 may ultimately be more important for a particular community as a symbolic act; or as Lonner and Duff note "a gesture made by the community to itself and about itself." The law becomes an affirmation of an existing status in which being dry really means "not condoning alcohol use" as opposed to "having no alcohol or alcohol problems."

The results village residents expected from a local option election may vary as much as their reasons for voting in favor of a restrictive option; few probably considered their vote merely a symbolic gesture. By emphasizing the symbolic aspect of enacting Option 4, or any other restrictive option, I do not mean to avoid legitimate questions of policy concerned with manipulating variables that can add or detract from the effectiveness of the law; variables like degree of enforcement or willingness to prosecute. We should not, however, allow debate about these variables, or the ultimate effectiveness of the law statewide, cloud the symbolic importance of the law for local communities. It is important to recognize that alcohol abuse in rural Alaska will not be solved in the short run; that the symbolic aspect of the law may have an important though

not measurable affect on the root causes of the problem. A local option election galvanizes community attention to the alcohol problem; as long as the community remains "extra dry" alcohol is perceived as a problem and continues as a focus of community attention and discussion. Concern about alcohol means concern about community. A meaningful community may not exist if alcohol is not controlled.

Lonner and Duff noted that many Native village residents they interviewed felt "that village control over alcohol will not, in the long run, derive from the local option law but from a more wholesale recovery of lost authority." In many communities the local option law has fostered or is part of a rekindling awareness of the importance of native traditions. In the four years since the passage of the local option law and the widespread adoption of Option 4 we have seen more emphasis put on the role of community elders, renewed interest in traditional dancing and skills, construction of community halls and a reassessment of important laws like ANSCA that will shape the future of the Native village.

The local option law should be appraised as a law about local control; questions of effectiveness to the extent they arise are appropriately local questions. Alcohol abuse will never be eliminated; the important questions relate to its socially tolerable limits. These limits will vary from village to village as they are bound

up on such other factors as culture, community size and relative isolation. Only at the local level can weight be assigned to all factors and a reasonable assessment made of the extent to which alcohol abuse must be reduced.

III. THINKING ABOUT THE ULTIMATE OPTION -- NO POSSESSION

Johnne Binkley, chairman of the committee assigned to review the Local Option Law, has indicated his committee will consider making no-possession of alcohol available as an option under the law. It can be expected if such an "extra-extra dry" option is made available many communities will move immediately to adopt it. The popularity of the option can be predicted from an important observation of Lonner and Duff:

The villages' concern with alcohol is less a moral judgment or worry about the individual personal health implications of ingesting alcohol than with the death of village members, particularly death among the young men. The deaths of young men, while terrible personal and family tragedies, constitutes a major cultural concern. Many respondents consider that the future of their culture is dependent solely on the traditional values and caliber of the future community leaders, that is, the

young men of the community.

Residents who carry this deeper cultural concern are not likely to be satisfied with a law that doesn't prevent the manufacture of home brew or prevent the importation of small quantities of alcohol. As long as alcohol in any form is still available young people will be considered at risk.

At the village level the Local Option Law is unquestionably a law about alcohol and the village should have as much freedom as possible to manage its problems with alcohol abuse. For this reason I cannot object to the State making a no-possession option available. However, I caution villages from readily adopting no-possession if it does become available. There are several reasons for my reservations. First, the law will inevitably be challenged and, unlike Option 4 which was also challenged, no-possession is far more likely to fall to constitutional objections. Unless the Legislature makes provision for this possibility, communities that enact a no-possession option could find themselves with no enforceable law on alcohol.

Second, no-possession is an extreme invasion of a person's private life and an attempt or even successful enactment of the option may push to the limit the village residents' willingness to submit to community control. The effort may backfire and result in the defeat of the no-possession option making it difficult for any other option to again become law.

"Local Option"

On Feb. 23, 1986, at 7:00 p.m., in the Dillingham City Council Chambers, interested people, especially visiting villagers attending the Bristol Bay Native Convention, are invited to attend a workshop that will examine the "local option" laws pertaining to the importation and sale of alcohol in Bristol Bay communities.

The workshop is being held to "clear-up" any uncertainty and misunderstandings that relate to the local option laws. Information will also be provided on proposed legislation dealing with the possession of alcohol and

enforcement problems in the local communities.

Guest speakers in the workshop will be:

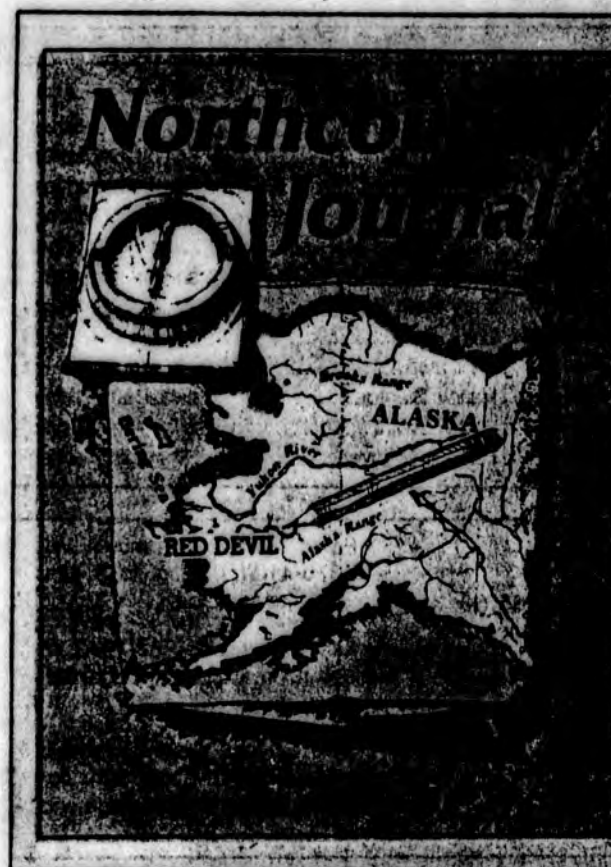
Mike Black and Chow Taylor of the State Division of Community & Regional Assistance Office in Dillingham.

Deborah Tennyson, Executive Director of the Bristol Bay Native Association.

Jeff Comfort, Magistrate.

Charles Merriner, District Attorney.

Additional information on the workshop can be obtained by contacting Show Taylor at 842-5135.



Liquor store on the Kuskokwim

Deaths prompt drive to put lid on Red Devil trading post

By TOM KIZZIA
Daily News reporter

RED DEVIL — The curious thing is that everybody in the Kuskokwim Mountains really seems to like Bob Vanderpool. His relatives live up and down the river. He's been a bush pilot in the area for years and helped a lot of folks.

But they are doing everything they can to put him out of business.

Vanderpool runs a trading post at a place called Red Devil. He has carried on a thriving business over the years thanks to a single commodity: booze.

Times were especially flush when the mercury mine nearby was going full bore. But the mine closed more than a decade ago, leaving behind a community of 138 people, a slang name for the reddish ore in which mercury is found, and the trading post, doing business as the Mercury Inn.

The Mercury Inn has closed its bar and stayed alive by selling booze from a wilderness package store to the people of small villages like Sleetmute,

Crooked Creek and Stony River. The villages are spread along a 130-mile valley where the Kuskokwim River carves a winding course through the hills.

It is a valley afflicted with violent crime, broken families and epidemic alcoholism, according to local residents.

Residents of Sleetmute, two bends up the river from Red Devil, have counted 85 local deaths caused by alcohol since the Mercury Inn opened in 1955. Village laws making it illegal to bring in booze had little effect.

People tell of drownings and alcoholic diseases, of Red Devil customers who succumbed to hypothermia and never made it home.

There have been parents judged too drunk to keep custody of their children, others sent to jail away

□ Daily News reporter Tom Kizzia is writing about what he has found in his travels in the northcountry.

See Back Page, **NORTHCOUNTRY**

NORTHCOUNTRY JOURNAL: Move to close Red Devil liquor store

Continued from Page A-1

from their families for crimes committed under the influence. They tell of a Sleetmute couple who made a drunken mistake in a river skiff, fell overboard, and drowned while their six young children watched from the beach.

"Why do they keep selling it, even though so many died, so many are in jail, so many families were broken up?" said Sleetmute resident Moxie Alexie. "The only people that can answer it is them."

At the urging of Sleetmute and other villages, the state is trying to shut down the Mercury Inn by revoking its liquor license. The owners have appealed the state's effort.

I decided to visit Red Devil.

I called ahead to the settlement's only satellite telephone and left a message at the post office for the Vanderpool family. I told them when I would be coming and left a number they could call if there was a problem.

The sun was just reaching down into the valley the morning I landed at the Red Devil airstrip and stepped out amid piles of plowed-up snow. It was 20 below. The postmaster met the plane and gave me a ride on his snowmachine sled to the post office, where I got directions to the Mercury Inn.

A half-mile down the river, two red buildings looked out at the sun rising over the frozen river. On the left was a grocery store — built, I had been told, in the past year. A sign in the door said the store was open from 9 to 6, seven days a week, but a hand-scribbled note said the store would be closed all day on this particular day "for inventory." Nobody was inside.

The other building appeared to be a lodge on the left side and a private home on the right. A Sesame Street swing set in front of

the house was covered with snow. I pulled off my outer mitts, knocked on the door, waited, and knocked again. The curtains were drawn in the house, but I could hear people moving around inside. After 10 minutes, I gave up.

I walked to the river to take a picture of the trading post and suddenly the door flew open.

"What the heck are you doing?" a dark, heavyset woman called out. "I don't want any pictures taken of my store. Give me the film."

I called out that I was looking for the Vanderpools. Was she Mrs. Vanderpool? She said no.

I asked if I could talk to her.

"My kids are sick. I don't want to talk to anybody today," she said, and slammed the door.

I walked back to the house and knocked again. Perhaps she would open the door if she thought she might get the film from me. She didn't. Finally I gave up and walked back to the neighborhood of houses around the airstrip.

The neighbors said the senior Vanderpools lived downriver in an old mining settlement called Georgetown. The store was being run by Robert Vanderpool, Bob's son, and Robert's wife, Gail. That must have been Gail at the door, they said.

She probably didn't want to talk to a reporter after all the troubles, they said.

By troubles they meant the plane crash last summer, the one cited by the state alcohol board in its complaint against the Mercury Inn.

On the night of July 29, a pilot named George Neck flew all the way from Bethel to buy booze in Red Devil because the sale of alcohol in Bethel is illegal. The Mercury Inn, 140 miles away, is the nearest liquor store.

Three other people were passengers on the

trip to Red Devil that night.

The state troopers said when George Neck got to Red Devil he awakened the Vanderpools, and purchased four bottles of Scotch and four boxes of wine.

Neck and his passengers climbed back into a small plane full of beer cans. They crashed just after takeoff, killing everyone on board.

An autopsy measured the pilot's blood alcohol at .33, more than three times the legal limit for driving a car. Investigators say he was drunk when he arrived at the Mercury Inn. The dead passengers had been sober.

The neighbors all remembered the incident, of course. They said the plane took off in a heavy fog, apparently turned and was coming back, either to land or to pass overhead. The crash was just off the airstrip after midnight. Nobody even heard it.

The wreck was discovered by a local pilot taxiing down the runway next morning. Neighbors said one of the passengers, Neck's 22-year-old daughter, had lived long enough to crawl away from the wreckage, even though her leg had been torn off.

"We knew there had been other accidents because of alcohol," one neighbor said. "But this was the worst, because it happened here in Red Devil and people saw it."

Some people in Red Devil and up in Sleetmute said the liquor store had been shut down since the accident last summer. Others said they were still in business, but keeping a lower profile.

A few said controls over who could buy liquor had grown slack in the several years since Robert and Gail took over from Robert's father.

I was waiting for the afternoon mail plane out of Red Devil, having a bowl of clam chowder at the home of Dick Wilmarth, when we heard a truck drive up. Wilmarth is a miner who won the first Iditarod race. His

girlfriend is Bob Vanderpool's daughter.

In walked Bob Vanderpool.

He didn't seem happy to find a reporter sitting there. But he sat down.

Even at 70, Vanderpool was a big, rocky-looking man. He had been flying, mining and trapping in the Kuskokwim Mountains since the 1940s. He'd owned the Mercury Inn since 1967.

He set his elbows on the table, propped his fist in front of his jaw, and listened to my questions about the history of the mercury mine. I was genuinely curious, but my interest sounded faked. So I asked about the liquor store.

He wouldn't say if the store was still in business, except to note that the liquor license remained good during the appeal.

Red Devil had voted down a local attempt to ban the sale of alcohol. He didn't think another village should be able to tell Red Devil what to do.

I could tell he felt he was being unfairly singled out. Closing the Red Devil trading post wouldn't stop the flow of booze into Sleetmute, he said — people would just order booze by mail plane from McGrath.

"There was a guy in Bethel last week who staggered into the street and was hit by a truck," he said, mumbling a bit. "They carried him away and you never heard anything about that."

Vanderpool didn't stay long. But I appreciated the fact that he would sit down at the table with me.

He didn't seem a man given to thinking in sociological terms about alcohol illness. Everybody I talked to said he was respected along the river as a man of old virtues, a man who took responsibility for his own actions. Maybe he expected people who drank his booze to do the same.

Study links drug, alcohol abuse to personality, peers

By SUZANNE WETLAUFER
The Associated Press

BOSTON— Abuse of drugs, alcohol and cigarettes is strongly influenced by personality and friendship patterns identifiable in adolescence, and can be predicted and prevented, according to a 12-year study released Thursday.

Other factors, including role models, peer pressure and the availability of drugs, also influence decisions to drink, smoke and take illegal drugs, said the author of the study, Gene Smith, a psychol-

ogist at Massachusetts General Hospital and an associate professor at Harvard Medical School.

But personality and friendship patterns that begin to develop early in childhood can strongly influence later decisions regarding drug use, said Smith.

"I believe, therefore, that early education by parents, teachers and other role models, such as athletes, stars and musicians, can play a very important role in deglamorizing these substances, particularly cocaine, the use of which

is becoming a horrendous problem," Smith said.

Smith's research, conducted between 1969 and 1981, concludes that adolescents who go on to drink, smoke and take drugs as teen-agers and young adults are usually impulsive, pessimistic, unambitious and have poor study habits. They also admit a willingness to lie, cheat and hurt others.

Those youngsters who shun alcohol, cigarettes and drugs through their early 20s tend to be law-abiding, self-sufficient and ambitious. They

also like school and feel valued by their peers, teachers and other people.

"Personality is a significant piece of the puzzle as to what leads to substance abuse," said Smith.

"We are dealing here with probabilities, not certainties," he said of the study's conclusions.

Smith studied 300 predominantly white, middle-class junior high school students in the Boston area. The adolescents were asked 400 ques-

See Back Page, DRUG

DRUG, ALCOHOL ABUSE: Linked to personality, peers

Continued from Page A-1

tions about themselves and then were rated by their peers on 20 personality traits.

Smith studied most of the same group in the early 1970s and again in 1981, investigating the extent of the participants' alcohol, cigarette and drug use. He found that heavy users in high school continued on that path through their 20s, and adolescent non-users stayed non-users.

In the drug category, the study measured the use of marijuana, hashish, cocaine, stimulants, sedatives, LSD, PCP (phencyclidine, sometimes called "angel dust") and heroin.

Smith released preliminary



results of his study in 1981 and 1983, but said the conclusions released Thursday represent a nearly complete analysis of the data. He said if he receives additional funding, he would like to study the participants when they reach their 30s.

The research, funded mainly by the National Institute on Drug Abuse, was published in February issue of the magazine Comprehensive Therapy.

TUNDRA The Drums

AK ALCOHOL & DRUG ABUSE
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OUR WE CHARTER TO CHARTERS



Defending the Delta

Participating in military training exercises this week are 700-some guardsmen throughout the Yukon-Kuskokwim Delta. Above photo was shot in Kipnuk Monday, March 3. See photos and story pages 24 and 25.

(Photo by Burt Neimeyer)

Task force calls for state review of PATC

by Michael Fagan

Phillips Alcohol Treatment Center (PATC) is one very hot potato.

City Manager Ivan Widom continues to argue for its transfer out of city hands. And an assistant attorney general has opined that PATC's state supervisory agency, the State Office of Alcoholism & Drug Abuse (SOADA), has abdicated its statutory responsibility by failing to provide an emergency shelter for intoxicated persons (less politely referred to as a "drunk tank").

(A separate story about state Ombudsman John Chenoweth's report to SOADA appears elsewhere in today's *Drums*. This story focuses on action taken Friday, Feb. 28 by the Bethel Task Force on Alcohol, Violence & Crime.)

In an attempt to straighten out continuing confusion related to PATC (it has experienced high staff turnover in the past few months) and to set a constructive course for the city agency, the task force offered last week two recommendations to the Bethel City Council:

- It recommended that the council ask the state to finance an independent review of PATC management effectiveness in personnel practices, administration, and program performance, and that the review offer advice as to whether the agency should remain a department of the city of Bethel, and

- It recommended that the council establish a PATC Advisory Board by March 31. The board, they sug-

gested, should have seven total directors and should not have as members any representative of social service agencies.

Bethel prison records more than half of state's noncriminal bookings

On a related matter, Yukon-Kuskokwim Correctional Center (YKCC) Director Dan Carothers told the task force at its afternoon meeting -- held at Kuskokwim Community College -- that the Bethel prison's total 1985 non-criminal bookings amounted to more than one-half of all like bookings recorded in the entire state of Alaska. (YKCC's noncriminal bookings -- which primarily refer to persons taken into protective custody for alcohol-related reasons -- totaled 1,221 in 1985; the total bookings last year in Alaska amounted to 2,298; second highest in 1985 bookings among state prisons occurred at Fairbanks, with a comparatively low figure of 498.)

(The statistic can be misleading due to the fact that most -- if not all -- other state prisons in Alaska do not provide emergency shelter for those taken into protective custody; other SOADA-funded agencies, like PATC, provide that service.)

The startling statistics served to reinforce the task force members' already secure impression that the YK Delta's alcohol-related problems are serious and are not necessarily on the decline. The statistics also served to remind the task force volunteers of the vital importance of the troubled

PATC

Widom told the task force, chaired by Diane Carpenter, that he had asked the council to charge them with searching for another agency to oversee PATC. Noting that the councilors "got off on a tangent on ... an advisory board," Widom added that the councilors made no commitment to his idea. In comments offered near the start of the 3:30 p.m. meeting, he said that "Something needs to be done about PATC management." PATC's troubles "don't reflect on me yet," he added, implying that any future troubles surrounding the agency will be attributable to him as city manager.

Widom, conveying the message that he would still like to see the agency transferred out of the city's hands, commented that the "seawall and erosion problems are enough to keep the city busy for a long time."

YKHC studies PATC takeover

In response to that comment offered by Widom, Yukon-Kuskokwim Health Corporation (YKHC) Health Director Carl Berger told

the task force that his board has directed YKHC staff to conduct a feasibility study which would consider the

see PATC page 8

Bering Straits files Chapter 11

ANCHORAGE (AP)—The Bering Straits Native Corp. has filed for protection under Chapter 11 of the bankruptcy code, the first of 13 ANCSA regional corporations to do so.

Officials said the Nome-based corporation has lost more than \$50 million since ANCSA was passed in 1971. It lost \$1.9 million for the year ending in June.

Officials said the corporation has been struggling for years to make up for debts due to poor investments during the early 1970s. Pressures from village corporations added to the financial troubles.

Lack of funds may close daycare

Unless this year's deficit of \$150,000 is made up, the Bethel Community Services day care center may be forced to close at the end of the month, according to BCS director Mary Whittaker.

Whittaker said the day care center brings in \$248,000 from a variety of sources, but costs have mounted to \$400,000 for fiscal year 1985-86.

A major source of funding is fees for services which range up to \$400 per month, depending on income. However, the payment for the 80 daycare students averages about \$230 per child, Whittaker said.

She said while fees can be raised a certain amount, it actually costs \$800 per month to care for the children, who range from six weeks to eight years of age. She said it would be unrealistic to expect parents to pay that amount of money.

Whittaker said there were a number of funding sources including the Bureau of Indian Affairs and CETA which dried up by the end of 1983. She said at one time, the city provided aid for the day care center.

Whittaker said the state of Alaska has no money available for the program. The center staff is asking the city to help make up the budget deficit. It will also seek funds from community organizations and other interested parties.

Mt. Village blames fish processor for financial problems

by Mary Lens

Spokesmen for Mt. Village's Asachorok native corporation blame the company's financial difficulties in part on a Bellingham, Washington fish buyer, whom they say has not paid the corporation for fish purchased over the past few years.

But fish buyer George Schenk, who has worked for

see MT. VILLAGE page 9

Future of Bethel airport aired tonight at KuCC

Officials with the state Department of Transportation & Public Facilities (DOT&PF) are slated to discuss tonight (Thursday, March 6) future expansion plans for the Bethel airport.

The meeting, scheduled to occur at 7:30 p.m. at

Kuskokwim Community College, is open to the public. It is the final opportunity for members of the public to offer input to state officials about the future of the airport before the existing Bethel Airport Master Plan

see AIRPORT page 12

Ombudsman on Bethel: drunks belong in treatment center, not in jail

by Michael Fagan

In a report released Feb. 21, Alaska Ombudsman John Chenoweth announced that the Yukon-Kuskokwim Correctional Center (YKCC) (as a division of the state Department of Corrections and the Department of Public Safety) "is not obligated to provide for the care of incapacitated persons in protective custody."

The opinion, which does not carry with it the weight of law, would indicate to observers of Delta alcohol issues that the Phillips Alcohol Treatment Center (PATC) in Bethel should be providing "drop-in" care for intoxicated individuals taken into protective custody by local law enforcement officials.

PATC, a rehabilitative treatment facility, does not now care for intoxicated persons "PC'd" (taken into protective custody) by police. Instead, they are taken to jail to YKCC.

In a memo dated Feb. 7 written by Assistant Ombudsman Michael Huelsman to his boss, Chenoweth, Assistant Attorney General Mike Stark is paraphrased as saying that "SOADA (State Office of Alcoholism & Drug Abuse) had abdicated its statutory responsibility (in providing for emergency shelter for intoxicated persons)." Continues the report by Huelsman: "More recently, Mr. Stark told me recently that he has proposed to the Governor's Office that SOADA fund more emergency services in Bethel." (Status of the latter statement is unknown at

this time.)

SOADA is the state's funding and supervisory agency of PATC.

The reports by the Ombudsman's staff are a result of separate complaints lodged there about care provided by YKCC and SOADA (through PATC) to persons taken into protective custody. It is unknown who lodged the complaints.

In his preliminary findings, Chenoweth determined that YKCC is not at fault for any of the complaints. In fact, Chenoweth's hard-hitting report found that "Mr. Huelsman's investigation suggests that the current situation is not in accordance with law, not clearly more effective, and possibly the most expensive of several alternatives for provision of emergency services."

Chenoweth recommended that:

- "SOADA comply with AS (Alaska Statute) 47.37.130 by assuring that needed emergency services are provided in Bethel, extending treatment-based supervision of persons needing protecting custody," and that

- "SOADA evaluate the applicability of AS 47.37.190 to Alaska's problems with public intoxication and, if appropriate, propose a modification of the law."

In Huelsman's 16-page, single-spaced, typewritten report, he states that "the practice of incarcerating intoxicated individuals is due to a local decision." SOADA Coordinator Matt Felix "was of the opinion that incarceration [as opposed to treat-

ment at a non-jail facility] is an effective solution to Bethel's problems."

Felix is quoted as saying that SOADA "has sufficient funds to provide emergency services in Bethel. While he agrees that incarceration of incapacitated persons at YKCC does not conform to the law, he supports the use of incarceration at YKCC because he thinks it is the best solution to Bethel's alcohol abuse problems."

Interviewed in Juneau via telephone earlier this week, SOADA Coordinator Felix said that he "certainly doesn't agree with (Chenoweth's) interpretation." Felix opined that the applicable statutes are not clear and that the ombudsman's interpretation is "one of many available." Felix added that he plans to respond to the ombudsman's report within the next several days.

PATC had emergency drop-in services up until 1983 when then-Director Jack Flood "recommended to the city council [successfully evidently] that all emergency services be eliminated." That recommendation followed information received by Flood that the agency's FY 1984 budget was slated to be slashed by 16.7 percent, or about \$175,000.

Although Huelsman includes in his report references which show that the YKCC incarceration program helped to measurably decrease the Bethel crime rate, he concludes that SOADA - through PATC - could reach the same end more effectively and less ex-

pensively. He also argues that the current arrangement does not meet the design of state statutes.

According to Huelsman, who quotes state statutes, "treatment facilities can hold a person against his will longer [than a prison], up to 48 hours, can hold people who are not incapacitated but are intoxicated and potentially violent, and can accept people who may come from a nonpublic place."

In his preliminary findings, Huelsman stated that:

- "The Uniform Alcoholism and Intoxication Treatment Act favors dealing with alcoholism and alcohol abuse problems as a public health matter rather than as a criminal justice matter; the Act calls for the development of a comprehensive treatment program which includes emergency services for individuals incapacitated by

alcohol;

- "The community of Bethel does not have a comprehensive treatment program; the community fails to provide emergency protective custody services for incapacitated or intoxicated persons needing protective custody;" and

- "Redirection of available funding to support an incarceration-based service model rather than a treatment-based model is contrary to AS 47.37.130 and AS 47.37.170(b)."

The ombudsman's report is especially timely because architects are now drawing up plans for a planned expansion of PATC. The plans do not call for an emergency drop-in center, or more commonly called a "drunk tank." Monies for the \$1 million-plus project have already been approved by the state.

PATC from page 1

idea of consolidating all of Bethel's alcohol treatment services under one umbrella, perhaps under YKCC.

PATC Director George Ives, present at the meeting along with about 30 others, opined that the YKCC proposal is a "viable solution."

Carpenter, in an apparent reaction to Widom's suggestion that the city transfer PATC to a separate agency, said that there was "nothing inappropriate" about PATC operating under the city's wing. "It's (a) premature (idea) that the city should not be the (supervisory) agency."

The city manager continued to hammer home his point, however. Widom called PATC a "financial burden," and predicted that the city will be forced soon to cut back on various services. "My feeling is that alcohol treatment is an extraordinary service we're providing." (Widom has argued before that the city agency is used Delta-wide by many non-city residents.)

Also present at the meeting was Laurie Marum, director of YKCC's Southwest Regional Training Program. Referring to a call made by former PATC employees and others to investigate the agency, she

suggested that the task force might take a role in that effort.

Speaking to that topic, Widom told the task force that he is on a "fact finding mission. I cannot do an investigation because I am a part of the city." He said further that the task force cannot assume that role either, because it also is part of the city. Widom has opined before that the "city cannot investigate itself."

Following the task force's unanimous call asking that the council facilitate a review of PATC, Carpenter commented that "This is a really positive thing. It will help it get out of the level that it is in right now, which isn't helping anybody."

"Advisory board needs to be in place yesterday" - Marum

Prior to the task force's decision which asked the council to establish an advisory board, Berger commented that advisory boards are a "state requirement. It's an important issue. The program is vulnerable" without a board.

Marum also pushed for its establishment. "The issue has come up before and it's tabled every time. That board needs to be in place yesterday."

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Alaska native teens are nation's highest risk suicide group

by Mary Lenz

Native teenage boys are more likely to commit suicide than any other group of people in Alaska or the United States, the Alaska Native Health Board says.

The board's Suicide Evaluation Project shows the number of suicide attempts in rural Alaska has climbed over the past two decades.

And it says the age of native suicide victims has declined steadily, until teens are the most likely victims.

The study was sparked by the Alaska legislature's concern over the skyrocketing statewide suicide rate - which reached its peak in 1976 at the height of social changes related to oil exploration and development.

Over the past two decades, the suicide rate in the U.S. as a whole has averaged 10 to 12 per 100,000 citizens. In peak years, the rate for Alaska natives has climbed at times as high as 43.6 per 100,000. By 1982, the rate had dropped to 23.5 per 100,000.

In the Yukon Kuskokwim Delta, with a population base of roughly 18,000, there were 10 known suicides between January and September 1985, State Troopers said.

That works out to a rate of about 55.5 per 100,000 - or double the most recent statistic available on the rate of suicides among Alaska natives statewide. That makes the suicide rate in the Yukon Kuskokwim delta five times higher than the rate nationwide.

Many experts believe the actual suicide rate is far higher than reported and that many of Alaska's accidental deaths are suicides.

Researchers said their work was hampered by poor

record keeping and inadequate statistics, but as much information as possible was contributed by more than 110 rural Alaska communities, and five urban centers.

Keys to fighting the problem cited in the report include more money for community suicide prevention programs, more jobs for village residents, better coordination among health care agencies and better record keeping so that areas plagued by especially high suicide rates can be pinpointed.

In addition, the study found that alcohol played a significant part in the rural suicide picture.

"Alcoholics or problem drinkers may represent a group at much greater than average risk," the study said.

State Troopers said alcohol was a contributing factor in nine out of ten YK delta suicides in 1985.

High risk

The suicide report revealed the following:

- During the late 1960s and early 1970s, the people most likely to commit suicide in this state were 25-to-34-year-old Alaska native males. By the early 1980s, the highest at-risk group was 15-to-24-year-old native males.

- Today, Alaska native teenage males and females are counted in the group most likely to be at risk for suicide attempts.

- While the number of suicide attempts in urban Alaska doubled during the 1970s and early 1980s, suicide attempts in rural Alaska quadrupled.

Researchers also found the overall rate of suicide statewide has dropped since 1976, but rural suicide is on the upswing. The number of

suicide attempts in rural Alaska is twice as high as in urban areas.

The suicide study and a parallel study on rural health issues in general strongly criticized the state and federal governments for failing to react more quickly to the plague of alcohol-related suicide and violence problems in the bush.

Officials said they found "major glitches" in Alaska's rural health care system, which they criticized for its "crisis" approach to dealing problems only after they have become severe.

The study showed that: - Between 1960 and 1980, the U.S. suicide rate was about 10-to-12 per thousand. The Alaska rate was 10-to-18 per thousand.

- Between 1960 and 1976, suicide rates for Alaska natives ranged from 10.8 per 100,000 to 43.6 per 100,000. After 1976, the rate declined from 43.6 to 23.5 per 100,000.

- Although overall rates for suicides declined from 1976 to 1980, there are some areas of the state where suicide completions have increased since the early 1980s.

- It appears that suicide attempts doubled between 1982 and 1984.

The Native Health Board said that the number of suicide attempts may be

"greatly under reported" because of inadequacy of the data system, and fear of families and communities over social pressures.

It said that while suicide attempts often do not result in death "the effect of a suicide attempt on a family or community can be devastating. Attempts can leave victims partially or totally and permanently disabled."

In attempting to profile the at-risk group for attempted suicide, the report cited a 1981 study on adolescent suicide attempts among Alaska Psychiatric Institute patients.

The study showed that 70 percent of the API attempters were from broken homes; 38 percent were neglected; 28 percent were victims of child abuse; 15 percent were victims of incest; and 28 percent of the incidents were drug or alcohol related.

see SUICIDE next page

Booze remains rural Alaska's worst health problem, study says

by Mary Lenz

Alcohol abuse has replaced tuberculosis and other epidemic diseases as the most serious health hazard facing rural Alaska, the Alaska Native Health Board said.

The Native Health Board said alcohol was involved in 64 percent of the state's murders; 79 percent of its violent felonies; 77 percent of the domestic violence; 41 percent of the aggravated assault; 34 percent of rapes; and 33 percent of the cases of child abuse and neglect.

The 1984 legislature funded two major studies including the Rural Health Issues Study and the Statewide Suicide Evaluation Project. They were recently published by the Native Health Board.

The studies found major weaknesses in the state's health care delivery system, including conflicts and overlaps among various local, state and federal programs. The Rural Health

Alcohol

The board cited studies indicating alcohol may be involved in half or more of the suicide attempts in Alaska. It found that alcohol was believed to have been present in 53 percent of Alaska native male suicide deaths in 1982 and 77 percent in 1983.

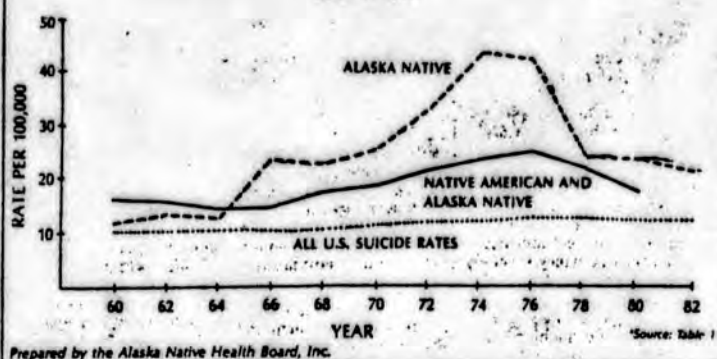
Alcohol is believed to have been present in about two-thirds of the suicide attempts by Alaska native males, and nearly three-fourths of suicide attempts by Alaska native females.

The board said the climbing native suicide rate has been paralleled by a climbing rate in homicides, accidents and deaths due to alcohol.

Researchers were informed that the reported level of violent deaths in Alaska may be 30 percent below the actual rate.

see HEALTH next page

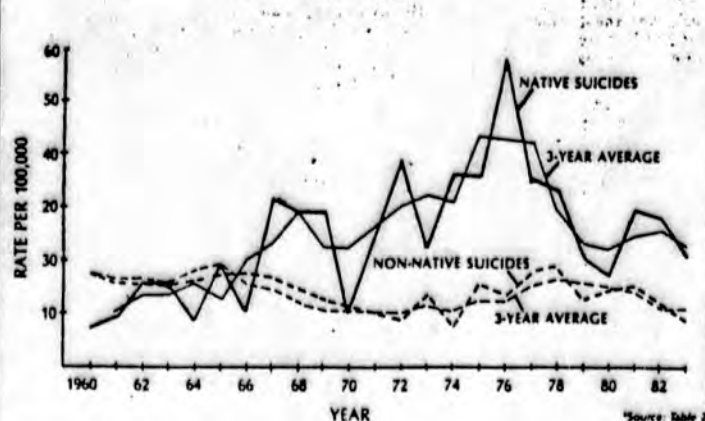
Figure 4
ALASKA NATIVE AND NATIVE AMERICAN SUICIDE RATES*
3-YEAR AVERAGES
1959 - 1982



Prepared by the Alaska Native Health Board, Inc.

*Source: Table 1

Figure 3
CRUDE SUICIDE RATES: ALASKA NATIVE AND NON-NATIVE*
3-YEAR AVERAGE SUICIDE RATES
1959 - 1982



*Source: Table 2

The study said both the state and federal governments have "systematically failed" to fund appropriate health care for more than 30

see HEALTH next page

HEALTH from page 4

years, and this has contributed to rural Alaska's death and drinking crisis, as well as the high rate of suicide.

The rural health issues study said bush Alaska's wrestling match with alcohol has also manifested itself in depression, mental illness, child abuse and neglect, birth defects, domestic violence, murder, sexual abuse, truancy, school drop outs and a high rate of accidental death.

"No single event in our state exacts such a high toll as alcohol abuse, both in monetary terms and needless human pain and suffering," the study said.

The study said:
— In 1980, alcohol abuse was the fourth leading cause of time spent by patients in Indian Health Service hospitals.

— In 1981, over two thirds of all deaths in Alaska were alcohol related.

— A "significant number" of the state's suicides are alcohol related.

— Accidental death is the leading cause of death for all Alaskans, and a substantial number of those accidents are alcohol related.

"Today, rural Alaskans suffer needlessly high rates of injury and death from voluntary and involuntary acts of violence... in association with alcohol and drugs," the study said.

The bulk of both federal

and state resources have been deployed for a myriad of medical emergency response, judicial and other activities that do not provide services until after alcohol has been abused and resulted in an "accident, illness or crime," it said.

The board urged agencies to adopt a preventive approach to the problem, with a high emphasis on education and community involvement.

"Alcohol abuse is closely tied to low self-esteem and lack of appropriate coping skills. It is a community issue... Prevention methods should include teaching culturally sensitive parenting skills, community-based prevention and public education," the study said.

It also urged better coordination among programs which deal with rural social problems—since everything from child sexual abuse and battering to accident prevention relates back to alcohol abuse.

The Alaska Native Health Board said better data collection about alcohol abuse, suicide and other rural health issues is needed. More statewide networking would also help.

The study said rural Alaskans in general suffer from poorer health than that enjoyed by urban Alaskans and the general U.S. population.

The study said as diet

changes, Alaska natives are beginning to suffer from health problems similar to those in the rest of the United States.

The study said rural residents are getting less exercise and choosing to smoke. Diseases like cancer and diabetes are on the increase among Alaska natives.

Cancer is currently the third most frequent cause of death among Alaska natives, following accidents and violence (in first place) and heart disease.

Meanwhile, infant mortality rates for rural Alaska continue to be considerably higher than for urban areas. The access of pregnant women to good prenatal care and hospital deliveries could definitely be improved, the study said.

The study said that an Alaska native infant mortality rate 2.5 times higher than that for non native residents, and a post birth death rate 3.5 times higher is "not acceptable."

It urged that early and continued prenatal care be provided, estimating that proper pre-natal care may save as much as \$50,000 per baby.

The health study said smoking, alcohol abuse and poor nutrition play their part in low birth weight, the leading cause of infant mortality in Alaska.

"To prevent infant death and disabilities, travel funds must be allocated so prenatal care and hospital deliveries are universally accessible," the study said.

SUICIDE from page 4

Researchers also looked at the problem of suicide rates among indigenous people throughout the world. They discovered that in Micronesia in the South Pacific, suicide rates have climbed among males 15-to-24-years of age. The at-risk South Pacific teenagers were residents of small rural communities where a cash economy has replaced a subsistence economy in the years since the 1960s.

The Alaska Native Health Board said "rapid socioeconomic changes, combined with forced acculturation and the changing traditional ways" have led to social and psychological problems.

Village jobs

The study recommended that state economic planners work with villages to develop more village-based jobs. An American Psychiatric Association review team visited Alaska in August 1985 and concluded

ed that feelings of loss of control over life and suicide may be the result of a lack of meaningful work in villages.

"An example of inappropriate economic activity was the Alaska pipeline which brought a rapid influx of outsiders and left rural residents poorly involved in employment growth," the study said.

The Native Health Board recommended that funds be allocated to start community suicide prevention projects and to assist existing projects on the suicide problem. The board said more community involvement and commitment is needed to reduce feelings of dependence on "outside experts."

The board said state policy makers must start looking at suicide prevention as equally important as primary health care and treatment.

Vietnam Suicides

BOSTON (AP)—Vietnam veterans are nearly twice as likely to commit suicide as men in the same age group who avoided the war, a new study says.

The study says Vietnam vets were 86 percent more likely than non-veterans to die of suicide in the years after the war, and they were 53 percent more likely to die in traffic accidents.

The research was based on death records of men from Pennsylvania and California, drafted between 1970 and 1972. Researchers conclude that military service during that three-year period was directly linked to an estimated 1,250 non-war deaths throughout the U.S. in later years.

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Panel to introduce beefed-up alcohol ban law

By **BRUCE SCANDLING**
The Associated Press

JUNEAU — Voters in rural Alaska should have the option of banning entirely the possession of alcoholic beverages in their communities, according to a new proposal legislators are about to unveil.

"It's the number one health and safety problem in rural Alaska," said Rep. John Binkley, a Bethel Republican who heads the six-member Joint Special Committee on Local Option Laws.

The committee will introduce legislation next week to expand the alcohol-enforce-

ment options available to village voters, he said.

Sixty-seven Alaska villages already have banned the importation of alcohol, but Binkley said such provisions don't outlaw the possession of alcohol.

That means local authorities can't confiscate alcohol unless they catch people arriving at the airport or bringing it into the village by boat or snow machine, Binkley said.

If the proposal becomes law and villagers approve a complete possession ban, authorities would have the power to seize alcohol on the spot.

Many problems could be thwarted before they get started, Binkley said.

Under the proposal, possession of alcohol would be treated much like a traffic ticket. It would not be considered a criminal offense and could not result in jail time.

But people convicted of alcohol possession could be fined as much as \$1,000, or be ordered to perform community service work, Binkley said.

"What we didn't want to do is burden the criminal justice system," he said. Cases would only go to trial when people wanted to fight a citation for alcohol posses-

sion, or appeal a conviction.

Binkley said the proposal stems from 18 public hearings held last fall.

Village elders and other leaders repeatedly told the group the ban on importing alcohol does not go far enough, Binkley said.

"The real spirit or meaning behind that is they want their villages to be dry," he said.

Binkley said proponents of expanding the local option law are prepared for an eventual court challenge on grounds that a ban on alcohol possession would violate the constitutional right to privacy.

A landmark Alaska Supreme Court case in 1975 effectively legalized the possession of small amounts of marijuana for personal use when justices said the potential dangers of the drug don't outweigh the right to privacy.

But alcohol use in rural Alaska is a different story, Binkley said.

The possession and use of alcohol by one person can affect an entire community and lead to increases in violent crime, accidental deaths and suicide, according to findings compiled in the committee's 121-page draft report.

Plan would toughen booze ban power

By **BRUCE SCANDLING**
Associated Press Writer

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REP. JOHN BINKLEY
"Number one problem"

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Binkley said the proposal stems from 18 public hearings held last fall in villages and communities around Alaska. Six legislators make up the local option committee.

Village elders and other lead-

ers repeatedly told the group the ban on importing alcohol does not go far enough, Binkley said.

Binkley said proponents of expanding the local option law are prepared for an eventual court challenge, on grounds that a ban on alcohol possession would violate the constitutional right to privacy.

A landmark Alaska Supreme Court case in 1975 effectively legalized the possession of small amounts of marijuana for personal use when justices said the potential dangers of the drug don't outweigh the right to privacy.

But alcohol use in rural Alaska is a different story, Binkley said.

The possession and use of alcohol by one person can affect an entire community, and lead to increases in violent crime, accidental deaths and suicide, according to findings compiled in the committee's 121-page draft report.

Bill would allow villages to ban alcohol possession

By BRUCE SCANDLING

THE ASSOCIATED PRESS

Voters in rural Alaska should have the option of banning alcohol possession in their communities, according to a new proposal legislators are about to unveil.

"It's the number one health and safety problem in rural Alaska," said Rep. John Binkley, a Bethel Republican who heads the Joint Special Committee on Local Option Laws.

The committee will introduce legislation next week to expand the alcohol-enforcement options available to village voters, he said.

Sixty-seven Alaska villages have already banned the importation of alcohol, but Binkley said such provisions don't outlaw the possession of alcohol.

That means local authorities can't confiscate alcohol unless they catch people arriving at the airport or bringing it into the village by boat or

snow machine, Binkley said.

If the proposal becomes law and villagers approve a complete possession ban, authorities would have the power to seize alcohol on the spot. Many problems could be thwarted before they get started, Binkley said.

Possession of alcohol would be treated much like a traffic ticket, under the proposal. It would not be considered a criminal offense and could not result in jail time.

But people convicted of alcohol possession could be fined as much as \$1,000 — or ordered to perform community service work, Binkley said.

"What we didn't want to do is burden the criminal justice system," he said. Cases would only go to trial when people wanted to fight a citation for alcohol possession, or appeal a conviction.

Binkley said the proposal stems from 18 public hearings held last fall in villages and communities around Alaska. Six legislators make up the local option committee.

Village elders and other leaders repeatedly told the group the ban on importing alcohol does not go far enough, Binkley said.

"The real spirit or meaning behind that is they want their villages to be dry," he said.

Binkley said proponents of expanding the local option law are prepared for an eventual court challenge, on grounds that a ban on alcohol possession would violate the constitutional right to privacy.

A landmark Alaska Supreme Court case in 1975 effectively legalized the possession of small amounts of marijuana for personal use when justices said the potential dangers of the drug don't outweigh the right to privacy.

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TUNDRA The Drums

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ALASKA STATE LEGISLATURE
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patient's

VOLUME XIV NUMBER 53

Bethel, Alaska 25' USPS 422-850

Thursday Evening March 27, 1986



Spring sprouts

Donna, Jennifer and Eddie Chris pose inside the sprouting new business, Seawall Haven Greenhouse. See Story, page 24.

Photo: Gregory Porter

Bethel churches schedule Easter sunrise services

Bethel churches will celebrate Easter Sunday with a variety of sunrise services.

The Bethel Community Assembly of God has invited the community to attend a pageant dramatizing the Easter Story at 7 a.m. Pastor Dale Johnson said: "the pageant will be characterized by local talent, with staging, props and backdrops by local artists."

He said there are nine people in the cast.

The First Baptist Church has set its sunrise service for 8 a.m., with a combined worship and Sunday school service at 10 a.m. The regular evening service will be held at 8 p.m.

Covenant Church will hold a 7 a.m. service with a regular worship service at 11 a.m. Sunday. There will be a special communion service at 7:30 p.m. on Friday.

The Catholic Church will hold a Holy Thursday service at 7:30 p.m. Friday ser-

vices include the Stations of the Cross at 8 p.m. and the liturgy at 7:30 p.m. A Holy Saturday Service is set for 11 p.m.

Sunday services at the Catholic Church will be held at 11 a.m. and 7:30 p.m. with a service at the hospital at 1 p.m.

The Moravian Church will hold a communion service at 7:30 p.m. Thursday, and a Good Friday worship service

See CHURCHES page 13

Yupit Nation leaders in, Richards out with AVCP

by Mary Lenz

Yupit Nation leaders scored a major victory this week, winning support from the Association of Village Council Presidents and Calista Corp. leaders for their efforts to form a regional tribal government.

They also succeeded in derailing AVCP's plans to develop a regional tribal organization on its own.

AVCP delegates turned down a staff proposal that they name a constitution writing committee, opting instead to endorse con-

sideration of the Yupit Nation's constitution.

When the dust settled after the convention, AVCP executive vice president Tom Richards had resigned, citing personal reasons.

Richards walked out of the AVCP convention session Friday, which was being chaired by AVCP board member Charlie Kairaiuk. Kairaiuk denied that there was any tension between AVCP board members and the administrative staff during the convention.

See YUPIIT page 25

City Council gives final no to day care appeal

by Bobbie Garthwaite

At its regular meeting Tuesday night, city council twice refused by a vote of four against two to grant Bethel Community Services (BCS) financial and in-kind aid for its floundering day

care centers.

In both instances, Councilors Bob Carpenter and Donna Chris voted for the assistance, and Councilors Bob Aloysius, Marge Bainton, Fran Reich and Tom Warner voted against.

See COUNCIL page 28

Binkley pushes bone dry local option for villages

By Mary Lenz

Citing acute dangers to life and health posed by alcohol in rural Alaska, Rep. John Binkley introduced a bill this week to allow communities to vote to go bone dry and ban personal possession of booze.

The bill takes the local option law, which already allows communities to ban sale or importation of alcohol, one step further. Supporters say it would allow villages to rid themselves completely of alcohol.

The bill is the fruit of extensive hearings chaired by Binkley throughout the state and a detailed report on alcohol abuse prepared by Bethel attorney Laurie H. Otto for the joint special committee on local option laws.

The bill says "dangers resulting from alcohol abuse are particularly acute in rural areas of the state, because the communities are small, isolated, without adequate law enforcement, without adequate health

care facilities. There is a strong and unmistakable correlation between alcohol consumption and poor

See OPTION page 28



Dancing is special LKSD's Very Special Arts Festival, held March 19, was foot-stompin' success. See photos elsewhere in today's Drums.

(Photo by J. Froehlich)

COUNCIL from page 1

In her initial appeal to the council, Whittaker noted that BCS had decided to permanently close the Lizzie Kameroff center, and was working on keeping the Norma Jean Center open for the months of April and May, when that center too would close down for the summer months of June and July.

To help Norma Jean survive for the next two months, Whittaker asked council for \$10,000 cash, forgiveness of a \$4,000 city utility bill, free utilities, and a \$10,000 appropriation for FY 1987.

As background for her request, she listed for council cost savings efforts BCS is making. Among them: closing for two months during the summer season, raising rates effective August 1986, closing the Lizzie Kameroff center, working to increase enrollment, selling assets, continuing funding efforts such as the Kuskokwim Ice Classic, continuing to approach local service agencies for financial support, and continuing to work with legislators for financial support.

Several members of the audience spoke in favor of BCS' request, and Patricia Zulkowsky, representing a parents' committee, appealed to the council for support.

One member of the audience noted that financial support of other service agencies in town hinged on the council's decision.

In discussion preceding their votes, some councilmembers related what they had heard from constituents on the issue. Carpenter, who said he had received more calls on this issue than any other in his history on council, said that all were in favor of supporting day care.

Warner said his calls were running 60/40 against funding day care.

Bainton indicated that most of the calls she had received were critical of day care. "The city doesn't have the money," said Bainton.

Council's first vote was on a motion by Councilor Donna Chris to donate \$10,000 to day care if that amount was matched by service agencies in town, to forgive the utilities debt, and, if other support came through, to consider a \$10,000 appropriation for the following year.

That motion was seconded by Bob Carpenter, but before council voted on it, City Manager Ivan Widom appealed to council not to grant BCS free utilities for day care.

Widom noted that he was trying to collect just such debts to aid the city in its current financial crisis. "You're asking for problems and giving me headaches in trying to deal with other people who owe the city money," he said.

The entire motion failed, with only Carpenter and Chris voting in favor of it.

Following that vote, Bob Carpenter made a motion that the city grant matching funds up to \$8,000 to BCS

for this year. Carpenter explained that his thinking was if the city could get \$8,000 from service agencies as well, they could use \$4,000 of the total \$16,000 to pay the utilities bill, and still have \$12,000 to see them through April and May.

Marge Bainton and Fran Reich spoke against that motion, Reich specifying that he had problems with the current board of directors of BCS. He said that board was the group that got day care into their present problems, and said he would not support aid to the organization until the board was restructured, opened up, and made more representative of the community.

The second motion also failed, again with only Carpenter and Chris voting to support it.

Following the vote, Whittaker responded to Reich's comments on the BCS board by noting that shortly after she began work with the organization, a vacancy was filled by Sue Martin. She noted that one of two recent vacancies has been filled by Police Chief Kevin Clayton, and that there is still one more vacancy on the board to be filled.

After Whittaker's comments, Mayor Marge Bainton called a recess. The day care issue was brought up twice more during the meeting, once after the recess and once immediately before adjournment. In both instances, audience member Linda Curda appealed to council to reconsider their decision, and work further to find some way to support day care. No further action or discussion followed her requests.

In a statement issued the following day by Whittaker, the BCS director thanked Chris and Carpenter for their "attention to the main issue" and their efforts to provide aid to day care. She said she is bitterly disappointed in council's refusal to help, noted that the issue was the well-being and safety of the community's children, and said, "We will not go down without a fight."

Whittaker said BCS would continue to seek help from parents, service organizations, businesses, and the state. "City government may not be interested," she concluded, "but we are convinced that this community is interested and cares very deeply for its children."

The city manager's report and the public's right to know

A discussion on the council's legal obligation to conduct its business in public was sparked by City Manager Ivan Widom's decision to make his manager's report in written form to council members only.

When asked by a member of the press to verbally make the report for the benefit of the public, Mayor

LOCAL OPTION from page 1

health, fetal damage, suicide, domestic violence and crime."

The bill would allow villages to ban personal possession of all alcoholic beverages, including home brew. It makes an exception for sacramental wine for religious purposes.

The liquor would be confiscated and the penalty for breaking the law would be a fine not to exceed \$1,000, which could be paid by community service instead of cash.

Money to pay the fine could simply be mailed in, much like a parking ticket and there would be no criminal record.

Opponents are expected to argue that U.S. Constitutional rights and the right to privacy would make such a bill illegal.

Supporters of the bill argue that overwhelming evidence of the havoc created by alcohol in rural communities gives the state the power to ban its possession, just as personal possession of heroin or LSD is banned.

Obliterating a culture

"The severity of Alaska's problems with alcohol can not be over emphasized or exaggerated... Alcohol is not just making people miserable, it is obliterating a culture," the Otto report said. "Alcohol-induced tragedies have become a reality of daily life across the entire state. Every possible tool must be available for use in combatting the threat."

Otto said villagers repeatedly told the committee that they want the power to completely prohibit alcohol.

The Otto report points out that the law needs more flexibility, since alcohol control approaches effective in Anchorage and Juneau don't necessarily work in small native villages, and vice versa.

The report says it would be highly unlikely that voters in Anchorage or Fairbanks would ever approve a personal possession ban, but the bone dry option would help villages fight an overwhelming problem.

Elders suffering

"Village concerns about alcohol are not based on moral judgments about drinking or a desire to intrude on the power of individuals to make decisions about their personal health," the Otto report said.

"The primary reason people want to ban alcohol is because it is intimately related to the deaths of villagers. The deaths of young people are of particular concern because many villagers believe that the survival of their culture is completely dependent on the caliber of future com-



State Reps. John Sund of Ketchikan and John Binkley of Bethel, with Bethel attorney Laurie Otto and Clara Kelly during a local option hearing.

munity leaders, many of whom are dying in alcohol-related incidents," the report said.

The report also notes the rise of the incidence of "elders suffering from mental anguish, (a problem) frequently encountered at the Bethel hospital... Elders come into the hospital with vague complaints - aches and pains that do not fit into any recognized syndrome."

The report said lengthy discussions with the patient, usually reveal the underlying cause to be worry about a son or daughter who is drinking.

Alcohol was prohibited in many areas of Alaska either by law or by traditional authority of village leaders until about 20 years ago, the report said.

Present laws do not allow villages to ban alcohol completely, and even the limits on importation or sale are difficult to enforce. The Otto report said that means villages are caught between laws which do not allow village councils to exercise the traditional forms of social control - and a justice system which forces them to rely on "state troopers and a remote legal process which appeared to take action against a person only after an incident of serious criminal behavior."

Enforcement erosion

The Otto report said that the controls available under the current local option laws have indeed been successful - up to a point.

They resulted in a significant reduction in "alcohol related dangerous behavior," including "less public drinking and public drunkenness, declines in the amount of alcohol related interpersonal violence and accidents, and marked improvements in the physical appearance and scholastic performance of the children of drinking parents," it said.

The report also said that by implementing the law through an election, the burden of responsibility for the law shifted away from the council and village leaders to the entire voting population. That made enforcement easier.

The problem is that over time, the positive effects of the local option laws eroded. The Otto report said

another problem is that the village public safety officers who must deal with the law are often working without sufficient trooper support, community support or adequate training.

Conclusions reached in the Otto report include the following:

- Alcohol abuse seriously interferes with public health and safety, especially in remote rural areas without adequate law enforcement. Public health and welfare will continue to suffer if abusive use of alcohol is not controlled.

- The level of danger to health and safety is related to the level of alcohol consumption, and that directly relates to availability of alcohol. Thus, total prohibition of alcohol is an effective tool for controlling alcohol abuse in rural Alaska villages.

- Alcohol abuse exacts a high toll in terms of escalating violence and crime, damage to children and elders, and economic costs to the justice and social welfare systems.

- A significant number of rural communities want the authority to ban possession of alcohol. Denying local governments this authority undermines efforts at self government.

- Present laws to ban sale and importation are not enforceable because possession of alcoholic beverages, including home brew, is permitted.

In addition to pushing the bone dry law, the local option committee also recommended that alcohol and drug abuse education be a mandatory part of the curriculum at all grade levels in the public schools, with elders and community leaders participating in the education process.

The committee also recommended more funding for troopers working in rural Alaska and village public safety officers.

Local option committee members included Binkley, Sens. John Sackett, Vic Fischer and Edna DeVries, and Reps. Katie Hurley and John Sund.

Hearings were held in Aniak, Akiachak, Emmonak, Toksook Bay, Nunapitchuk, Bethel, Togiak, Dillingham, Anchorage, Shishmaref, Nome, Gambell, Selawik, Kotzebue, Minto, Barrow, Arctic Village and Fort Yukon.



Watching for signs of spring breakup from banks of Kuskokwim River in Bethel, Alaska

Prohibition in Alaska's bush

Villagers, tired of drinking crime and violence, push for option to ban alcoholic beverages

By Mark Baumgartner
Special to The Christian Science Monitor

Anchorage, Alaska

Last summer, a private pilot grabbed some beers and rounded up three people for a late-night flight to the nearest liquor store, 140 miles from his Bethel, Alaska, home.

He made his purchase from innkeepers in the town of Red Devil, then he and his passengers climbed back into his small plane for the flight home. They never made it. The plane crashed on takeoff and all aboard were killed. An autopsy showed the pilot was drunk.

The incident drew attention to Red Devil, a Kuskokwim River mining town with about three dozen year-round residents.

Red Devil is one of the few places where liquor is sold in the Kuskokwim Valley, in western Alaska. This is because most of the dozens of predominantly Yupik Eskimo villages along the river have exercised an option under current state law which allows them to ban local sale and import of alcohol.

But the law has not halted the alcohol-related crime and violence that residents of the villages say terrorizes their communities, breaks up families, and destroys their culture.

Many villagers point to Red Devil and other liquor outlets as the reason, despite their wishes, that they've been unable to stem the flow of alcohol to their communities.

So natives in the region and elsewhere

in Alaska have pleaded with the Legislature to strengthen the state's local-option law: They also want the authority — by majority vote — to make possession of alcohol illegal within a community.

The Legislature is expected this spring to approve a bill, supported by the governor, giving rural communities the ability to ban alcohol possession, an aide to state

Sen. John Sackett says. Senator Sackett, an Athapaskan Indian and a powerful member of the Legislature, traveled to 18 communities this past winter to listen to residents discuss solutions to communities' drinking problems.

Village residents say prohibition is the key to reasserting local control over alcohol use, and its advocacy is seen as an acknowledgment that government

programs have failed to deal effectively with the problems alcohol causes.

Alaska has one of the world's highest per capita rates of alcohol consumption. Average annual consumption in Alaska in the last 25 years has increased by 80 percent, double the rate for the period in the rest of the country. Alcohol abuse is widely considered to be the No. 1 health problem in rural Alaska, says Bill Richards, who counsels Eskimo and Indian drinkers in Anchorage.

To reduce drinking, Alaska officials have launched nonprofit social services with an array of educational, legal, and prevention programs, Mr. Richards says, but he adds, "Despite the good programs and the raised consciousnesses, Alaska's

Please see ALASKA next page



JOAN FORBES — STAFF



Bethel, Alaska, a village where sale of alcohol is prohibited, turns muddy with spring thaw

ALASKA from preceding page

alcohol problems haven't abated."

Rural Alaska is one of the nation's most impoverished areas. In the view of Mr. Richards and others, Alaskan Native drinking is a result of demoralization and loss of control and of traditional roles and values. It is indistinguishable from "poverty drinking" in urban ghettos, they say.

Villagers' attempts to prohibit access to alcohol is seen by University of Alaska researcher Stephen Conn, an expert on rural legal problems, as part of the grass-roots effort to reassert local autonomy.

The villagers' call for the prohibition option has more to do with their desire for local control than for an external answer to the problem, according to Tom Lonner, who while a professor at the University of Alaska conducted a study on rural alcohol use three years ago for the state Legislature.

According to the study, village elders can recall the time, before Alaska statehood, in 1959, when the federal government prohibited Native Alaskans from possessing alcohol.

Alcohol abuse was not much of a problem then, Professor Conn said, because there was little money in the Bush and no organized distribution network. The drinking that occurred was closely controlled within the communities, which operate like a large family.

Alaska has one of the world's highest per capita rates of alcohol consumption. Alcohol abuse is widely considered to be the No. 1 health problem in rural Alaska.

But Conn says going back to this type of existence is not possible. Modern communications and transportation have made villages in Alaska less isolated. As long as places like Red Devil decline to ban alcohol sales and are easily accessible to neighboring villages, prohibition is unlikely to work, Conn says.

Rather than leave alcohol control to individual villages, Conn advocates regional solutions. He proposes giving state health officials authority — on the basis of crime and public health statistics — to declare

a regional alcohol-related emergency which would involve a crack-down on bootleggers and trading posts supplying the affected villages.

"The obligation would rest with the state to put down the emergency. They'd throw their resources into suspending sales, possession, and use until the crisis passed," he says.

Legal challenges to the bill that would allow villages the option to ban possession of alcohol are expected.

Alaska's constitution has a strong right-to-privacy provision that was used to establish the right for adults to possess small amounts of marijuana in their homes for personal use.

"The [state] Supreme Court said [alcohol] consumption is not a fundamental right; it can be regulated if the government can show an unmistakable link between alcohol and things like poor health, suicide, violence, and child neglect," Conn says.

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Alcohol ban sought for Alaska villages

By MARK BAUMGARTNER

Christian Science Monitor

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The Legislature is expected this spring to approve a bill, supported by the governor, giving rural communities the ability to ban alcohol possession, an aide to state Sen. John Sackett says. Sackett, an Athabascan Indian and a powerful member of the Legislature, traveled to 18 communities this past winter to listen to residents discuss solutions to communities' drinking problems.

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Christian Science Monitor

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"The (state) Supreme Court said (alcohol) consumption is not a fundamental right; it can be regulated if the government can show an unmistakable link between alcohol and things like poor health, suicide, violence, and child neglect," Conn says.

Bill would allow alcohol possession ban

by James D. Wasserman
Times Juneau Bureau

JUNEAU — The House passed a bill Thursday that would give Alaska villagers a new weapon in their fight against problem drinking — the ability to ban possession of alcohol.

The bill, introduced after a study by a six-member legisla-

tive committee, would allow villagers to decide in the voting booth whether they want to ban alcohol.

Though many villages in northern and western Alaska have local ordinances banning the sale and importation of alcohol, nothing prevents people from drinking in their homes.

Rep. John Binkley, R-Bethel, chairman of the Joint Special Committee on Local Option Laws, told the House Thursday before the vote: "Some of you may say it's an extreme step, that this is going too far.

"I agree it is an extreme step, but sometimes the problem is so extreme and so destructive that

extreme steps are necessary."

If villages banned alcohol, it would affect people inside city limits, in the case of incorporated municipalities. In unincorporated areas, it would affect an area five miles around a village.

Possession of alcohol would not be a crime under the new bill. Instead, it would be an infrac-

tion, punishable by fines up to \$1,000 or community service, valued at \$5 an hour.

The committee, which held hearings in 18 communities last November and December, heard many stories about alcohol-related murders, accidents and assaults in the villages.

See Bill, page A-10

Bill would allow alcohol ban

Continued from page A-1

"People came up time after time after time to give us examples of the problems that it (alcohol) causes," said committee member Rep. John Sund, D-Ketchikan.

Rep. Robin Taylor, R-Wrangell, said, "This is not just a village bill. This is a group of people out there who've asked

for self-destiny. That's what Alaska is all about."

Rep. Andre Marrou, L-Homer, argued against the bill, saying a ban on alcohol possession wouldn't solve the problem.

"It's not going to work," he said. "We only have to read history to know it doesn't work."

When the vote was tallied at 38-2 in favor of the bill, Marrou was joined in opposing it by Rep.

Steve Frank, R-Fairbanks. Frank said he voted against the bill because he thinks it is an infringement on personal privacy.

Binkley said the bill and the committee grew out of concern among his western Alaska constituents who wanted some new way of dealing with the problem alcohol was causing in their communities.