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NUNAPITCHUK
JOINT SPECIAL COMMITTEE ON LOCAL OPTION LAWS
November 20, 1985

Present: Rep. John Binkley, Chairman
Rep. John Sund
Laurie Otto, legal counsel
Adolph Lewis, translator

Binkley: I would like to open up the hearing this morning. This is the hearing of the special House and Senate Joint Committee on Local Options. We're holding the hearing this morning at Nunapitchuk. The Legislature wanted us to come out to some of the communities in Alaska to find out what some of the problems are with alcohol, and more specifically, what some of the problems are with the local option laws that were enacted by the Legislature in 1980. We know that there are not only problems with alcohol but with other drugs similar to marijuana and some of the other drugs. We've heard that from other people in other villages. This hearing is more specifically to deal with the problems of alcohol and how we can effectively pass legislation that might help these communities with alcohol. We'd appreciate it if you could in your testimony speak more specifically to alcohol than other drugs in general.

Most communities, including the community of Nunapitchuk, have chosen to ban the importation of alcohol and the sale of alcohol. Many of the people that I've talked to have said that this simply does not work, that you can not enforce a ban on the importation of alcohol. One of the proposals that the committee is considering is allowing the communities to ban possession of alcohol within the communities. We would like to hear what your thoughts on that are; if you're in favor of allowing communities to ban possession within the villages; if you think that would be a good idea, a bad idea, would that help the problem, or would it create more problems. What are some of your ideas? We'd also like to hear some of the specific problems that alcohol creates in the communities, what some of the effects of alcohol are. Does it cause crimes in the community? Does it cause people to fight among each other? Does it break up families or cause neglect with children? One of the things that we would like to do is hear specific testimony. We all know that alcohol is a big problem, but what we need to do in order to build the record on this legislation is to have specific facts about alcohol and the problems that are caused by it. To introduce ourselves, this is Representative John Sund, who's from Ketchikan in southeastern Alaska. Laurie Otto is the legal counsel for the committee. Adolph

Lewis is our translator, and I'm Representative John Binkley from this area. Feel free to testify in either English or Yupik, whichever you are most comfortable with. Adolph will translate, if you testify in Yupik, into English for the record. We have a sign-up sheet that we've sent around for people who would like to testify and we could send that around again. Maybe we could start off with the mayor. If there are people who need to travel back to the other villages, we could have them testify first.

Lloyd

Andrew:

(As translated by interpreter) I want to point out two constitutional laws, one having to do with transportation. We know today that airlines transport anything to different places. Another thing is the privacy act. People can't just go over to another person's house and make searches or take anything from that person. Those two are the main problems that the villages are going to run across when they're trying to deal with the alcohol problem. I encourage this group to listen carefully so things won't be repeated too much.

Binkley:

Mr. Mayor, what are some of the problems that alcohol causes in the village of Nunapitchuk, for instance?

Andrew:

When somebody has already imported alcohol to the village there's nothing you can do about it. Because of the way local option law is interpreted, they have problems dealing with offenders.

Binkley:

When people do have alcohol in the village and start to drink, what sometimes happens when people get drunk? Are there crimes that are committed sometimes as a result of the alcohol?

Andrew:

Alcohol isn't our everyday drinking substance. The people don't know how to handle it, especially within the younger age group. Sometimes when they are intoxicated they cause disruption within their families and within the community. They no longer show respect to their elders and even if they're requested to stay in the house, they still go out and cause disruption within the community.

Rep. Sund:

Just one question, Mr. Mayor. Have there been any deaths within the last year or two that are specifically as a result of drinking alcohol?

Andrew:

Ever since alcohol came to this area, there have been problems with drownings. Drowning is a major problem around here, not just within this village, but the surrounding villages too. The past two weeks we've been searching for a guy that drowned in the open water. We who believe in God need to put him first in everything

and now I'd like to say a short prayer before we go any further. By the way, this is our traditional way of starting any meetings that are conducted in villages.

Binkley: Adolph, for the people here, note that every day in the legislature, we also start every day in Juneau with a prayer.

James

Berlin: In the past you sometimes heard that alcoholism is a disease. But from what I've been observing all my life, I think it is not a disease, but the cause of all the disruption that goes on in the community. I can remember when I was a younger man there were hardly any deaths relating to alcohol. People were hardly dying. There was no real terminal illness going on. Today young adults are dying. The death rate is increasing. There are a lot of alcohol related deaths within a year. The local option law was passed here in the village but they're facing another problem and that's the constitutional right of a person. Once that person imports alcohol and takes it to his house, there's nothing the village can do to stop that person. A lot of times, problems come up as a result of persons importing alcohol and consuming it in their homes.

Binkley: Do you think it's worth invading that person's right to privacy in his own home for the good of the whole community to be able to ban possession of alcohol?

Berlin: Because our constitutional rights are already written on paper, they can't violate that right and just go into the house to deal with the person. When the person is drinking in their home, there's nothing you can do about it until something has already happened.

Binkley: But do you think that if you had a scale and a balance, that the problems of alcohol in the village and the problems that it causes, some of the deaths that it causes, do you think for the good of the whole community that that is heavier or weighs more than that individual's right to have alcohol in his own home?

Berlin: If the constitutional law, in regard to our rights was changed, then they could deal with the person without any problem. Because of the way it's written now, there's nothing we can do unless the law was changed to being able to do something about that person in their own home.

Binkley: John, do you think that banning possession in the village would help the problem here?

- Berlin: Yes, I think so. People who believe in God, their job is to talk to people. But then the problem is when the community members are abusing, they affect the people who are working in the field of church activities. They suffer as a result of somebody abusing. Christianity teaches that a prson abstain from drinking.
- Binkley: So those people drinking alcohol affects innocent people?
- Berlin: Yes.
- Binkley: Would you like to testify now?
- Tsikoyuk
Andrew: (As translated from Yupik) He says that he has always been looking for a way to deal with the alcohol problem that exists in the community and he wants to let you know that he is praying not just for the group here but the people who work for the people, like senators and representatives, to give you wisdom. He says that he prays for you every morning and he thinks that his prayers are being answered now by you coming in and gathering information and dealing with how to find a better solution for dealing with the alcohol problem. When you came here on campaign you stated that you would try to help the people find answers to our alcohol problem. He's giving the committee his support and encourages the villagers to do likewise. He has a son who lives right next door to him and the son uses alcohol and when he comes into the village after being away the other young adults tend to gather in that house. The only people who gather in that house are those who use alcohol. Once in a great while he would come into that house and find a lot of people and would say "There's too many people here". One by one the people start leaving when he comes into the house. They start to feel uneasy and start to leave. Yesterday one of his sons was calling him. Each time he asked God to give him the right words to say. He did the same thing just before he came up here. Sometimes he steps out of his house and sees a couple guys standing right outside of his son's place. When he does that one of the guys will go back and try to avoid being seen. So he stands right outside of his house until the people start leaving his son's house. He wants to encourage the rest of the villagers to keep going, to try to find answers for the alcohol problem. What he would like to see before he dies is the solution to the alcohol problem. He thinks this is just the beginning here in finding that solution. He hears about the word city, but he doesn't understand what the word means at all. He says the reason we have more problems here is because laws are not being enforced. Back when he was a young man laws were enforced,

offenders were dealt with, but today you hardly see enforcement and people who were put in jail for something they have done can get out of jail by paying bail. A lot of time offenders who were in jail come back to the village and feel that nothing serious will happen to them even if they continue to drink. This goes in cycles. A lot of times offenders end up doing something more serious. A lot of people are dying in this day, especially this year there seems to be more deaths and the year isn't over yet. This is the result of not enforcing the law. The condition is worse. He tries to work with the council. Some of the council members are not cooperative. They're not ready to give help except Robert Nick. Robert Nick helps him a lot. He requested a trooper to come into the village through Robert and that trooper came. Again, he wants to thank you for being here and meeting what you had promised to do in trying to deal with our present alcohol problem.

Binkley: It's a very very difficult problem and it's a very large problem. I don't know if it's something I can solve in my lifetime. But I'm concerned about it and working hard on it and other legislators are too.

Tsikoyuk
Andrew: (As translated from Yupik). He knows the alcohol problem will always exist but he looks forward to the time when a better solution will be found.

Binkley: Thank you for your wisdom and your prayers too.

Otto: I just wanted to clarify, when you were speaking about deaths earlier, were those alcohol related deaths?

Tsikoyuk
Andrew: (as translated by interpreter:) Some of the deaths were alcohol related. The incident that he can remember the most was the airplane crash in Red Devil which was alcohol related.

Paul
Jenkins: Who sent out a survey? IRA received the papers, state law, I think there is a state law or federal law which includes marijuana and alcohol, are written in those laws. What we don't like, we scratch them and we change them, IRA. We received them. Who sent it out?

Binkley: I don't know. You mean you received a copy of the laws?

Jenkins: Yes. They surveyed all the villages I guess.

Binkley: Maybe Community and Regional Affairs. I don't know. AVCP?

Jenkins: IRA received them. Most of it was on drugs and

marijuana and what we didn't like we scratched out.

Binkley: And changed the law the way that you...

Jenkins: Changed the law. I thought you knew about it, that's why I asked you.

Binkley: I don't know exactly what you're talking about, Paul, I'm sorry.

Jenkins: This is important that you come out and survey the villages. I believe you are going to survey the rest of them too?

Binkley: We're going to be having hearings like this. We've been holding them around the Yukon-Kuskokwim Delta, and we're also going to go to the Kodiak area, down in Dillingham and Togiak, Nome and Kotzebue.

Jenkins: The villages have a right to make their own laws. Everything is not impossible. Some ways it is possible for us to control the situation in the villages. Now we have the most important part that I see in the villages is marijuana. My son, I don't have to mention it, there's some I know using the marijuana. Sometimes when I look at it, it seems to me they're not in the right position. They're off, but we're supposed to stand. The marijuana in the villages is happening. There's a possibility for you and for other senators or judges. If the airlines, I can order something I want from Anchorage, that's free to me to order, but when I worked for the airlines, I used to send most of it back, because the people, I knew them. Then later when I got out from the airlines work, I went back to village and most of the villagers start receiving liquor from Anchorage. I know this law that we can not touch .. and the way the law said it, there's a possibility to stop it. You see the bush pilot is not supposed to carry liquors into the community of Nunapitchuk. I don't know where they get the marijuana. Marijuana seems to me to be worse than liquor because the marijuana is for the young people. Their mind can't think straight. That's the main thing that I don't like. I don't like liquor too. Happening here once in awhile in the springtime and summertime and any time they have it. I cannot tell you some people who are happening. Every time I hear of the people who have accidents, I never see them with my own eyes. If I had seen them with my own eyes I would tell you. But I heard that so many times they're under liquor. That's a real problem, it's a danger for us. You see, the Eskimos have strong blood. They can stand the winter. But when they take the liquor, they take it. They can't

stop, until sometimes they're passed out. They cannot control themselves. The white man has light blood. I believe that I have light blood. They can control, but Eskimos can take as much as he can until he passes out. That's the dangerous part for Eskimos in the wintertime. In the summertime driving a boat. It's happened in our river once, maybe twice. All I know is once when it happened in our river. One died, one survived. That's the main parts that I want to tell you about. There's a possibility to fight state law. They say that we cannot search but one thing that the village should have is one person or police, or state police, city police, should have search warrants...to go into the house or take the liquors and destroy them I believe our police don't have any search warrants. I don't know how that works. You should know better than I do because you're a white man. Then I don't know how they get it. They should get it to villages. That's a problem that we cannot go into the house and search for liquor in the house. If the person has a search warrant, then he can go in. I think that would be the best way to handle the behavior of people. That's all I have to say.

Binkley: Paul, thank you very much.

Golka Maxie: (As translated from Yupik) Local option law was passed here in the village, thinking it would solve the problem with alcohol. But it never worked and he says that he thinks more problems were surfacing after local option law was passed. Right next door to his house is a house that is like the center of drug activity. When a lot of guys gather in that house at nighttime, he doesn't sleep, sometimes all night. The reason why he doesn't sleep sometimes is that he's afraid that somebody from that next door house might come over and disturb him. He says that he's not able to defend himself if some aggressive person comes over and bothers him. A lot of the villagers when they come, they tend to come to that house. He sees a lot of people in that house when he looks out through the window. His house is on the other end of the village.

Binkley: Do they drink alcohol at that house?

Maxie: Sometimes there's drinking going on. The situation has improved now but before there was a lot of drinking going on. He's not lying when he says he stays up during the night worrying that some drunk person might go in and bother him because he's weak and can't defend himself. He thinks the best solution is to start enforcing the law. A lot of times young people come into the village looking innocent but

they're still importing alcohol and drugs. If there was some way to stop that and start enforcing, the problem with alcohol would improve. When there are a whole bunch of people right next door to his house, he sometimes goes without food because he worries and when that happens he doesn't feel like eating. It affects him. The people next door make him worry.

Henry

Tobeluk:

(as translated by interpreter) He's encouraging the village to talk to people that have alcohol problems, people that have emotional problems. He went on to explain that when Jesus was on earth, he came to earth to try and save the people that were lost. That was his mission. He wants to encourage the people to start talking to those that are lost in alcohol, or somebody that is just depressed. People won't be of any help if they gossip about that person, or put down that person. But they will help if they just start talking to them. That's basically what he was talking about. He was encouraging the group to start doing that.

Binkley:

Thank you. Evan Alexie?

Alexie:

(As translated from Yupik) He's saying that when he first became aware of policemen, he thought that they were enforcing the law. They arrested people that were drunk in Bethel. Back then there were no VPSO's in the village, there were no police in villages. But that's what the police were doing in Bethel. They were working, they were enforcing what needed to be enforced. From what he's been observing, when a young man drinks a small amount of alcohol, and mixes it with marijuana, he seems to act crazy. He's more aggressive in a negative way, doesn't show any respect. He's not afraid to do anything. He says when people mix alcohol and marijuana, that's what happens. And then he went on to say something about his kids. He can't make them stay home. The kids leave the house and abuse marijuana. That causes disrespect to the elders. Marijuana is a drug that's hard to find on a person, comparing marijuana with alcohol. Young persons who just abuse marijuana, their attitudes begin to change. They're not afraid to do anything. They just don't show respect to elders. Just marijuana alone can do that, he says. That's all he wanted to say and he wanted to thank you for being here. He's hopeful that some solution will be found to deal with the present problem we're having today.

Binkley:

Thank you. John Wassillie.

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May I interrupt? We thank you very kindly for this

opportunity to witness government in action. The high school class must return. Thank you sir.

Binkley: We appreciate the participation of the high school class and are glad you could come here today. John Wassillie, Sr. is the next one.

Wassillie: (As translated from Yupik) He's aware of the alcohol problem existing in the community. And he knows local option law has been passed here, but states that it's not working. People don't show respect to the law. He knows that the village is against importation but it's becoming worse, the problem is progressing in a negative way. Then he shared that one of his daughters died in a fire, not here but in Bethel, and that the fire was alcohol related. After the local option law was passed, there was another death here in the village. A young girl was drowned and that death was alcohol related. Another incident that happened last year was a stabbing. This was alcohol related but there was no death. Thank you. He wants it pointed out that one of his sons abuses alcohol and when he's under the influence he plays with firearms and sometimes shoots a live round right here within the village boundaries. He caught him twice in the house when he played with a rifle and heard at one time the same guy shot a live round at another house.

Anesia
Hoover:

(As translated from Yupik) She stated that the alcohol problem is increasing, not just in one village but within the whole region. It's becoming a major problem. And not only alcohol; marijuana and other drugs are starting to flow into villages. She knows that marijuana is just the same as alcohol, causing problems worse in the people who abuse it. And many are starting to abuse these drugs here. People who import alcohol and other drugs are hard to find because they import it secretly. The substance is not out in the open. It's packed somewhere. They don't know until they hear about it in the village that there is a problem with somebody abusing. She says that alcohol will never go away. It will continue to be a problem. Children who are abusing, even her children who are abusing, show no more respect. It affects the family. A married couple is separated because of alcohol. A lot of times the couple who are separated don't care about their kids. Their kids are also suffering. She says that those who are suffering are non-abusers. A lot of times they're sad and unhappy and uneasy because of that problem. We try to talk to our kids about the way of life. There's not

one parent in the whole wide world that doesn't give direction to their kids. Everybody tries. This is what she does as much as she can. Back when there was no local option law, when there was an abuser in the village, the council went to their house and talked to that person. But now people know about the constitutional law. The Constitution protects that person. That's because they know that, so the problem with alcohol is progressing. She mentioned again talking to kids. Even if they don't listen, just keep talking to them. As long as alcohol is made, people will continue to drink it. Because of white culture invading the small community, they no longer can deal with their own problems like they used to when constitutional law wasn't heard of that much. But now because people have some knowledge in that the problem of enforcement has increased a lot. Unless there is some way to stop making alcohol, people who abuse it, if it's not available, they will stop suffering. Alcohol is like a whiplash. Elders are being emotionally beaten because of alcohol. A lot of times when her children that abuse alcohol go out of the village, either to Bethel or Anchorage, she's at home worrying that something's going to happen. And that's all she wants to talk about.

Binkley: Thank you Anesia. Oscar Nick?

Nick: My name is Oscar Nick from...council member. (as translated from Yupik) The Yupik culture can't become white. We can't become white people even if we're being educated the other culture way and because Yupik never made alcohol we will continue to have that problem. Alcohol never existed in our culture. The parents, if they have a child who's an abuser, they don't readily report that abuser to the authorities. In our culture the child can remain with the family for as long as he likes. A lot of times when that child is causing problems in the family, the parents tend to run out of the house. In your culture that isn't a problem with the parents running out of the house because of the child getting drunk in their home.

Otto: Where do the parents go?

Nick: (As translated from Yupik) Away from the house. They leave their home. When he goes into Bethel he sees a lot of drinking activities. Just recently when he was coming home from Bethel he was standing outside of some terminal and found this and thought it was a hat or something but when he looked closer he

found it was a pipe used for smoking. If the community got together and said that they no longer want alcohol or drugs in their communities, and send that letter, how would that affect the community?

Binkley: It would help, just like the testimony that we're getting today helps. That's why we're here--to gather the facts and the information so that we can take it back down to Juneau and present it to the legislature. A resolution from your council, letters from people, testimony on the record, that all helps us to let other people know what some of the problems are and to build up the record so that we can justify any laws that we enact.

We're also running kind of late, so I don't know if we're going to be able to get to everybody that wants to testify today. If we don't, you can send a letter in, it doesn't have to be a long one. And you can call Laurie and talk to her about what to talk about in the letter and when you send the letter to her it will be entered as an official part of the record that goes into our report to the legislature. I know one person we wanted to hear from is the village police officer so that we could get for the record some of the specific crimes and problems that you see from a policeman's standpoint, so maybe you could testify please.

Andrew

Wassillie: I'm Andrew Wassillie, village police officer. (As interpreted from Yupik) There's more alcohol problems within the community. One good thing about working as VPSO now is that people can call for help over the telephone or TV. One time when they were making arrests on somebody they took their bottle and found that he had a bag of marijuana with him. When people are mixing those two substances they're more aggressive. They're not afraid. They can fight back. When there are cases like an abuser being arrested in the community, Council meets with that person and talks with them. What they do is practice confidentiality. After the meeting is over, Council doesn't go out and talk to the community, they don't give out the names of abusers. Whereas in Bethel, when you look at the "Drums", you find a lot of names of the people who were arrested. That's why people in the community think that the Council isn't doing anything or doing their job. It's because they don't talk about it and make public what they did with the abuser. He knows Local Option Law was passed in Bethel but it's not working. People who go into Bethel import alcohol to here. When he makes the arrests, he fills out a form and on that form there

are several questions. If the form isn't filled out and if he doesn't have a witness and go to court, most of the time the case is dismissed, even if the person has done something serious. If there's not enough evidence and if he doesn't have a witness, most of the time the case is dismissed.

Binkley: What are some of the problems when people do start drinking? What are some of the results?

Wassillie: The problem is somebody else. They get mad and they get starting to drink. Sometimes they get into accidents or big trouble. The result is fights. When that happens one of the people get hurt. Some of the fights that come up don't always relate to alcohol. Because he's a public safety officer he tries to take care of the whole matter before it gets worse.

Sund: I have a question. I'm from the other side of the state, in Ketchikan, and I want to make sure that "big trouble" is the same to you as it is to me. So I was just looking for some specific examples of, say in the last month or year in this village, what's happening related to alcohol in terms of fights or accidents or child abuse? What are some of the specific instances? What do you do with them? Do you have a jail here, or how do you deal with the people?

Wassillie: Yes. We put them away. Some of the big trouble we have we call the State Trooper and the State Trooper comes up and takes them.

Sund: Have you had any instances of people abusing alcohol, getting drunk and then going through the village and destroying other property.

Wassillie: Yes, we have.

Sund: And what happens to them?

Wassillie: They brought it down to court, and they worked on it, and when more works pile up, there's delays and they release the person that was in jail maybe after three months.

Sund: We've had some testimony in some other villages that we've been in the last few days that there's some difficulty to get people in a village to testify against other people in order to get a conviction. Do you have that trouble here?

Wassillie: Yes, we have problems with that. They didn't want to make a statement. Some of those who saw what that person did, they wouldn't testify.

Martha

Keene: It's very serious. My husband was a former VPSO. he had that problem.

Sund: Would it make a difference in terms of whether the person was going to go to jail or not go to jail? Would the type of penalty make a difference of whether people would want to testify or not? I can see that I'm not sure that I'd want to testify against my brother if he was going to jail, but if there was another alternative of community service or some other type of punishment, would that make any difference?

Wassillie: (As translated from Yupik) It would probably work that way. A lot of times people don't want to testify. One reason being because they're related and another thing is because they don't want to get involved in court hearing.

Sund: I had one other question in terms of one of the prior people testifying. They stated that there seemed to be a trouble of people being convicted, then put on probation, and then sent back to the village. Some of the other villages testified that the probationary period wasn't followed up very well. Nobody ever checked on the person on probation and he just kept on going on and doing it. Is that a problem here?

Wassillie: Yes, we have sometimes a problem with that. They sometimes send us papers to watch over that guy that is on probation, by weeks, sometimes by months.

Sund: Thank you very much.

Otto: I just wondered if a law which banned possession of alcohol, which made it illegal for people to possess alcohol in the village, would help you at all in law enforcement here. Why do you think so?

Wassillie: (as translated from Yupik) It would be better. But there's another problem to it. Even if somebody's obviously carrying a bottle inside his clothes, they can't go up to him and start searching. They can't do that. It's against the law to make a search in that person's house without a search warrant.

Adolph

Lewis: Can I ask a question? Does a VPSO still need a search warrant to search a man who's obviously carrying a bottle in public?

Otto: If you can see the bottle, assuming there's a law that makes it illegal to possess alcohol, then you can take the bottle. But if it is hidden, it's not in plain view, you need a ...(comment from woman in audience.)

Otto: Right now you can't, because it's not illegal to possess alcohol. It's illegal to import it, but it's not illegal to possess it.

Binkley: They couldn't take it away from them if they didn't see it, unless they got a search warrant, which they have to call up to Bethel for. And they can do that over the phone, if they have probable cause, and then search the person or the house, whatever the case may be.

Jenkins: Another thing, the bush pilots, you should ...the bush pilots. You see the bush pilots in Bethel. That's a big part of it. If they bring out any liquor and if the village police takes that person and asks them, sitting in front of IRA or anybody, they can ask them where that... If it brings down liquor, that's a danger. If he finds out where he buys that, they can do something with the authority.

Binkley: I think if the pilot knew that the person brought alcohol into the village. But if the pilot didn't know, if the person had hidden the alcohol in his pack or in a box and the pilot didn't know...

Jenkins: If he knows, the pilot should stop it right there.

Martha Keene: (As translated by interpreter). She was saying that they have this problem within their families; she shared what she's experiencing now with one of her children. When the child comes home under the influence, they don't stay in the house. And sometimes they don't sleep in the house because of that. Unless something is done with this problem, it will continue to be a problem. She knows people that sell alcohol and marijuana, but she's afraid to turn that person in to authorities. She says there is a law protecting the abuser.

Binkley; We're going to have time for only one more. Maybe we could get Ivan, from City Council, to testify. For those of you who didn't have time to testify today, I apologize for not having enough time. But you can write the things down and send them to Laurie Otto to that address, or call collect to that number, and she'll tell you the direction that we're trying to go in these committee hearings and she can give you that address again in case you forget it or didn't write it down.

Jenkins: Tell her that I reject the person that has carried liquor in his house. Everybody rejects him.

John

Alexie: (As translated from Yupik) Even if we do send in our reports to you, it won't make any difference unless we in our own village do something about it.

Binkley: That's exactly right.

Alexie: (As translated from Yupik) If small villages are given the opportunity to vote with the City of Bethel on the options, the problem of alcohol in the village would increase if we don't cut it off from the stem, the stem being the transportation of alcohol from the City of Bethel.

Ivan

Wassillie: My name is Ivan Wassillie. I'm a City Council member. All the words from the previous testimonies were taken out of my mouth and I agree with all of the elders that have spoken before me. This Local Option Law, since it was enacted back in 1979 or 1980, it seems like when we adopted this Local Option Law the City Council had their hopes tied up in one of the provisions of the Local Option Law. That is the local control of the substances, alcohol and drugs. I think that they got their hands tied in that and they couldn't control it locally. The problems of alcohol in the small villages are just like the way the elders have been talking about: respect and family relations and it's costing lots of people jobs. People in small villages are closely related even though they're not family members. Some of this alcohol and drug abuse causes lots of people's attitudes to change. They get temperamental. That breaks up family or social relations. Or families with lots of children are living in constant fear whenever their children go to Bethel or come back from Bethel or they're thinking that they may be bringing in alcohol. And we voted this Local Option Law saying that importation of alcohol is illegal. But then they bring it along with them, putting it way down under the sacks or boxes or whatever they brought, and then they come in looking innocent. There's no way of finding out who's bringing in the alcohol until it starts to make some noise in that house or from that person. I think this Local Option Law and alcohol problems are not coming from the village itself. The problem does not arise from the village itself, or the people who bring it in from other villages, like Bethel. I think just like John Alexie said, it stems from Bethel. That's where it should be cut off I think. Like importing liquor into Bethel or getting those bootleggers off the street in Bethel. I think they're making too much money out of this hard-earned money in bush areas where it's much needed. These people are living with most of their children in the same household with

their parents, even though they're eighteen or twenty-seven years. These families have machines, one snow machine belonging to the same family, or motor belonging to the same family. Once this abuser uses that machine they just abuse it or sometimes break them down and then that leaves the family with no transportation sometimes. It's alcohol arrests or it's Local Option Law. Criminals cannot be arrested because the policemen have to have lots of evidence to nab these offenders. Just like somebody said that these policemen, these village policemen, seem to be living within the Constitution, which is a privacy act or whatever it may be called, and then it seems like whenever these laws were made for offenders, it seems like the law or whoever's working in the court, leans more toward the offender instead of on the law in the courts. And that's what they're afraid of, I think. Lots of people didn't want to witness any arrests that are made. They don't want to be witnesses just because they don't want to stand up in public. I think that Local Option Law penalties are too severe for the village. The enforcement is also a problem because the State Troopers are too slow in responding with Local Option Law when there's no criminal offenses. Maybe we should suggest that under the law, Local Option Law, the penalties should be lightened and they come to the local authorities to work on it. I think that local government should be given a chance to make an ordinance to set up the fines or penalties for offenders. ^{That's pretty} ~~in~~ the case from the very beginning I think the State put, before the State of Alaska becomes a state or even before it becomes a territory. I think that this banning of alcohol in the options ~~4~~ could be the case that would help out the problems or reduce some of the problems, alcohol related problems in the villages. I myself have been a heavy user of alcohol in past and maybe right now maybe once or twice but I'm not constantly using it anymore and I think that these people, because they're closely related, they would be not too severe on their own people. They would be working with some solution that would be workable to make more penalties more understandable to them. It's causing all kinds of troubles like family members being lost or drowning or just like...and right now there's some kids going down about one and a half miles downriver and went into a hole and we heard that person was carrying a couple of bottles too. And that's all I have. City Council had written a letter to ~~Sheffield~~ ^{Sheffield} over the past year and to John Binkley on this to vote on a region-wide basis on an election district. And this one here is subsection C to subsection 04.11.502 Procedure for Local Option Elections. Section C to read as follows: C: ~~the~~ Lieutenant Governor, whenever thirty-five percent of

the registered voters residing within a fifty-mile radius from the 3,000 people municipality or village petition the Lieutenant Governor to do so, shall place upon a separate ballot ~~the~~ question or combination of questions that adversely affects the region set out in Alaska Statutes 04.11.492-04.11.500 which constitutes the subject of the petition. Twenty-five mile radius, 12 ~~persons~~ ^{persons}. Oscarville, Napaskiak, Napakiak, Atmautluak, Nunapitchuk, Akiachak, ~~Quigluk~~ ^{Kwethluk}, Akiak, Kasigluk, Bethel 1, Bethel 2 and Bethel 3. Fifty mile radius, 16 ~~persons~~ ^{persons}. Oscarville, Napaskiak, Napakiak, Atmautluak, Nunapitchuk, Akiachak, ~~Quigluk~~ ^{Kwethluk}, Akiak, Kasigluk, Tuntutuliak, Eek, Bethel 1, Bethel 2 and Bethel 3. Lower Kuskokwim School District 25, 24 ~~persons~~ ^{persons}. Akiachak, Akiak, Atmautluak, Bethel 1, Bethel 2, Bethel 3, Chefnak, Eek, Goodnews Bay, Kasigluk, ~~Takotna~~ ^{Kongiganak}, Kwethluk, Kwigillingok, Mekoryok, Napakiak, Napaskiak, Newtok, Nightmute, Nunapitchuk, Quinhagak, Toksook Bay, Tuntutuliak and Tununak. State of Alaska Election Districts, 14 Senate districts.

- Otto: Could I have a copy of that?
- Wassillie: Yes. We sent one to you last year ^{int} to Governor Sheffield.
- Binkley: If we could get another copy of that and then that modification that you suggested there too.
- Otto: We need to have that as part of this committee record. I have a question. Did the Local Option Law have any effect on the way you drank?
- Wassillie: I think so, because since that local option law I was kind of afraid to bring any liquor any town and then that greatly affected my drinking because I was real down maybe a couple of times...I used to be a constant, like problem drinker myself. Since that Local Option Law came, for some reason I slackened down on that.
- Sund: Not so much a question as just an observation. I just want to say I appreciate the opportunity to be here. I was born and raised in Ketchikan, which is on the other side of this state, probably 1000 miles away from here, and this is the first chance I've ever had to be in the Kuskokwim-Yukon area and we've travelled in the last two days to Aniak and Akiachak and yesterday were in Emmonak and Toksook and today here and in Bethel and it's really given me an opportunity to see a different area of the state and meet some of the people here and see some of your problems and I

think it helps a little bit in being a legislator and knowing a little bit about what flatland looks like. If you want to see mountains come down to my town. And if you want to see some rain...It's been very beautiful weather here the last two days and I think I have a much better understanding of what the alcohol problem here in this area is versus what the issues are down in southeast Alaska. Again I say thank you and we have two more hearings today in Bethel so we have a long day ahead of us. We appreciate it.

Wassillie: Another thing ^{would} I ~~should~~ have mentioned is that ~~these~~ ^{would have been} case hearings ~~was~~ dispersed to each village in the Kuskokwim-Yukon district.

Binkley: We would have liked to have been able to go to every village...(end of tape).