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SHISHMAREF
JOINT SPECIAL COMMITTEE ON LOCAL OPTION LAWS
December 10, 1985

Present: Rep. Johne Binkley, Chairman
Senator Vic Fischer
Rep. Katie Hurley
Laurie Otto, legal counsel

Rep. Binkley: We'll open the public hearing of the Local Option Committee here in Shishmaref, on Tuesday, the tenth of December, at 12:48. Our first witness today is Chuck Newburg.

Chuck Newberg: My name is Chuck Newberg. I'm City Clerk for the City of Shishmaref. I've been a resident of Shismaref since 1977, and a resident of the state since 1972. Local Option Law, initially the concept was a good idea. It was good to see the law in effect because it was good to see some people sober for awhile. We found out they were good people when they weren't able to bring it in as frequently and as often as before. The local option law didn't stop the importation or legal sale. It slowed it down. It slowed it down considerably. However there is still importation but we've found that it's the same group of people basically that continue with the importation. And the Alaska State Troopers have been very helpful in handling the importation cases. The airlines have been helpful also in tracking down possible importers, that type of thing. The possible cut for Alaska State Trooper funding will indeed hinder the assistance given and the actions that local police departments are able to take. Because if we lose the Trooper assistance,there won't be as many judgments or sentences, I think. As that are going on now. One problem, it's not a large problem, but there is importation through the mail system. And that has happened occasionally. Of course it is against the law, etc., etc., but it still happens. And there is some of that importation. One problem is not so much now the importation or sale of alcoholic beverages, it's the home brew. There's nothing in the books against home brew. There's a federal law that states you can brew X number of gallons of this or X number of gallons of that, but the State, according to the Troopers, there's no way

the Troopers can enforce anything on that. You can brew it as often as you like and who keeps track of how many gallons of brew per year of this or that? And the home brew is a whole lot more wicked than anything you can buy at a liquor store in Nome unless you get to the 100 proof, 200 proof shelf. And it seems that if there is a disturbance with home brew, it seems to be a little more violent than with regular importation. That occurs. That's what I've seen since living here. If something can be done on the home brew. It's not the importing, but the alcohol is still there. And it's not hard to run to the store and buy raisins.

Rep. Binkley: How do they generally brew home brew here?

Newberg: I don't know. I've never made it. There isn't a secret recipe that's passed along from person to person. I think it's generated from the Yukon Jack, they call it Raisin Jack. I know there's been a lot of home brew going on for years and years and years all over bush Alaska. But since the importation law has gone into effect, the local home brew has started. God knows what's in it once it's brewed up. I don't know what the answer would be. It would almost have to be a ban of alcohol, or the possibility that each respective village could vote on the ban of possession altogether. There's something a little more...The law as it is now sort of ties the law enforcers' hands in areas, where they can enforce it here but they can't enforce it here. They can enforce it there but they can't enforce it over there. So it's done good. It's been good since it's been passed, but then it hasn't quite done the job. If there was an intent for it to cure all the problems I don't know.

Rep. Binkley: I don't know if we'll ever get anything that's going to cure all the problems, Chuck, but banning the possession might be something that would continue to restrict the alcohol consumption in the village and cut down on some of the violence and problems that are associated with alcohol?

Newberg: It's a possibility. Of course I would assume and think that would have to be voted on by each municipality, just as the local option law was voted on. I know some of the villages have voted to go with the local option law, and then voted to not go with the local option law. And have voted to go back to the local option law. So you can see right there that it has worked but it hasn't quite worked.

Rep. Binkley: From your perspective, Chuck, as the City Clerk, one

possibility we're looking at is, if there were a ban on possession as an option that a community could choose, would be to have that a local ordinance the community adopted, and instead of having it a jailable offense, having it an offense that would be one of simply a fine and a confiscation of the alcohol. That fine then going to the local municipality, or in lieu of the fine, some kind of community service work. From your perspective as the City Clerk, how would you see that?

Newberg: It would depend on who's setting the fine. Who's enforcing that ordinance. We have no magistrate system here. All fines and sentences are set by the judge in Nome.

Rep. Binkley: This would be envisioned that the fine schedule would be set by the Legislature, presumably, and then you would adopt that schedule, that violation schedule, similiar to when you get a speeding ticket or you get a parking ticket, you would forfeit the alcohol, and then you would have to pay that amount of money. If you contested it, then you would have the opportunity to go before a magistrate and plead your case before a magistrate. But otherwise you simply pay the fin , the alcohol is confiscated, and there's no...

Newberg: The way I understand it is that all sentencing and confiscation and such would be done on a local level. There'd be no Trooper involvement or any district involvement at all.

Rep. Binkley: Right.

Newberg: That would depend a lot on the village's respective police department.

Otto: How about here?

Newberg: Currently, yes. I feel that it could be handled. However when you're in a village such as this, it's a small village, it's a confined, I don't want to abuse the world isolated, because we don't feel very isolated here, but in the sense to somebody from Anchorage, we may be an isolated village. Everybody knows everybody. Everybody's related to everybody. And working on the police department is a very hard job. It's a difficult job. We're very lucky to have the staff that we have now and they have been a stable staff. We have had them for a couple of years now and that's the longest we've had a stable police department for quite a while now. It depends on how

much pressure the State wants to give on each respective police department in each respective village. A lot of villages only have a VPSO. And a lot of the VPSOs are not experienced, don't have enough years of experience. And that's going to create a lot of pressure on that particular person. My personal feeling is you can't just say "Okay, we're going to slap your hands and leave everything on the local level". There has to be some Trooper involvement, some involvement of the Troopers. I go back to the Troopers because I hear that the funding may be cut. I think that would be disastrous to bush villages, because that enforcement, that back-up, the confidence you get from, "I can't handle this, they're not listening to me, they're not listening to the Council, let's call the Troopers." And when you have the Troopers come in everybody knows that "I better stand up and listen. This man means business." When you're talking to your cousin or your brother or your wife's uncle or something, you don't think as seriously about it as you do when Trooper Charleton or Trooper Ballard comes in. Then you realize, well "I goofed up. This man means business. I best listen to him." I don't think just putting everything on a local level's going to take care of anything.

Otto: Except, this is the scheme and I guess I'm asking for your response, how it would work in Shishmaref if it were implemented. That the local option laws as they exist right now would still exist. Importation would be against the law. It would be a misdemeanor. It would be obviously subject to Trooper back-up. Sale would be against the law. It would be a misdemeanor or felony depending on the quantity subject to Trooper back-up. All the other criminal laws would exist. But what's under discussion is adding, as a supplement to the existing local option scheme, a village ordinance, which would prohibit the possession of alcohol, which would be punishable only by fine, that would be set by a uniform bail schedule. The people could pay the fine, forfeit the booze, or contest it and go before the magistrate. So the Troopers would be involved if it were an importation case, the Troopers would be involved if it were a sale case, and of course Troopers would be involved if there were any other criminal offense, like even conceivable disorderly conduct if your Troopers get involved in misdemeanors that are at that level. But as a supplement to the existing statutes, would it make things better in Shishmaref to allow you to have a village ordinance prohibiting possession of alcohol?

Newberg: That's sort of a difficult question to answer because we've not had a magistrate here before. I know that's not what you're talking about, but talking about it, putting it into effect and actually doing it after you all go home is a different thing. If there was a magistrate here and that were put into effect, I think it would be for the better.

Otto: No. Not with a magistrate here. With the existing judicial system. But as a village ordinance. If people wanted to deal with it locally, they didn't want to contest it, they'd just pay the fine. The money would then come back to the municipality. If they wanted to contest it they'd have to go to where the nearest magistrate is.

Rep. Binkley: Like a parking ticket or speeding ticket. You know, generally if you get caught for speeding or you get a parking ticket, it's pretty rare that you contest those.

Newberg: It might work. It depends on the time of the year and if you have the money. There's no economic base here. And that would all really depend on the time of year and if they happen to have the money and what the fine might be.

Rep. Binkley: What would you think a fair fine would be in Shishmaref?

Newberg: I don't know if I could answer that right now. I would have to see examples.

Rep. Hurley: But I thought there was a discussion that it wouldn't have to be money. The fine could be community service in lieu of, because of the fact that a lot of places don't have an economic base.

Newberg: The program that's in effect right now that they have in Nome...

Rep. Binkley: You could have them shovel snow or haul water or whatever, to work off that fine.

Newberg: That might be a workable idea. I'd sort of like to sit on that and let the police department answer that as such, because they're a little more knowledgable on that than I am.

Senator Fischer: I have a somewhat related question. Do you have some sort of a dog control ordinance?

Newberg: There's a generic dog control ordinance. It's a general ordinance, I call it generic, because every village has a standard set of ordinances that's basically the same that's been received and passed through the Department of Regional and Community Affairs. Those who want to improve it go ahead and do so.

Senator Fischer: What happens if somebody violates an ordinance here?

Newberg: If somebody violates an ordinance? Not much. A warning. It depends on the ordinance.

Otto: Ever?

Newberg: If it's something that falls under State law, then there's actually State.

Senator Fischer: I'm looking for something city.

Newberg: Something city? I don't know if the ordinances have really ever been enforced. And I don't think we're much different than a lot of other bush communities in western Alaska in that question. Warnings have been given that this is against the city ordinance. A lot of people don't realize that what they've done is against the city ordinance. But none of the city ordinances have been really violated to the point that...There's been nothing major. Some minor violations I guess.

Senator Fischer: You mentioned that the airlines had been cooperative in slowing down importation of alcohol. How do they do that?

Newberg: That's another one I'd sort of like to let the Police Chief answer. Basically, if they think the party is semi-intoxicated and they believe he may have alcoholic ibeverages in his luggage they have the right to search that luggage at the air terminal.

Otto: Is that Ryan that checks them?

Newberg: I believe it's all of them. At least they had before. I've seen it done in Nome.

Otto: The airlines can search whoever they want to search. They're private, not subject to the search and seizure laws.

Rep. Binkley: A scheduled air carrier can search you? Search your bags?

Otto: That's right. The State can't ask them to do it. If the State asks them to do it, then it's State action and against search and seizure laws.

Rep. Binkley: But Alaska Airlines can go in and search your bags? I didn't realize that.

Otto: Yes. There's all kinds of regulations about what you can't take in your baggage, and if they think you've got it in...

Senator Fischer: Maybe you ought to get testimony on that someday, somewhere, as to authority of the airlines.

Otto: I'll write you a legal memo.

Senator Fischer: In the meantime, I have another question. What kind of problems does alcohol cause in Shishmaref. What kind of troubles?

Newberg: Basically domestic.

Senator Fischer: Domestic violence?

Newberg: It has come to that at times. That's another question I'd rather have the police department answer. I'm sure they're more knowledgable and able to answer it better than I could. Maybe Davis could be after me and answer all these questions.

Rep. Binkley: Okay. Chuck, thanks a lot. Appreciate it. Davis, come on up here.

Davis Sockpick: My name is Davis Sockpick. Present Chief of Police of Shishmaref Police Department. I'm going to start off with the local option election ordinance that was adopted in January 1983 to ban the sale or importation of alcoholic beverages in Shishmaref. The only thing that it states in there is that it shall be unlawful to sell or import alcoholic beverages in Shishmaref. That's the only enforcable ordinance attached in there. Nowhere in this ordinance is there a law where it says the possession of alcohol to be illegal. That's one of the major problems that we are running into in our work in the police department. There's no law banning the possession. I worked for the police department for the past year now. Most of the problems that we run into, the major problems, charges and stuff that are

filed, are alcohol related one way or another. If I could give you a percentage, it would be between eighty-five to ninety-five percent of all the cases that we worked on are alcohol related. In some cases there's violence involved in a call. And with this present law we have it's very difficult to enforce this ordinance, this option law where we are unable to search baggage or things like that. Once in awhile out of ??, sometimes we get a call, somebody calls in to inform us that so and so is coming in and possibly carrying some alcohol. In that case we have the option of either having the person sign away for search, which normally, about one hundred percent of the time they don't agree to, or we could confiscate their baggage and lock them up in the police department, and require a search warrant, which takes a lot of time. And in order to get a search warrant we have to contact the district attorney in Nome, the judge, and set up a hearing through telephone. And it takes a lot of time.

Rep. Binkley: Have you ever done that?

Sockpick: Yes we have. Sometimes we've done that, and like I said, it takes a lot of time to require a search warrant, and in the meantime, a person in Shishmaref, while we're going through that process, the contrabands are usually either consumed or taken somewhere where we can't find them. And the search warrant is so very specific. It can only be like, it can only be on a person, or a person's residence, or the other warehouses and stuff like that are not included in it, because they are not in immediate possession of the person, and police search the person or the building. A lot of time, we know that contrabands were removed from a house and another thing that pertains to this is, Chuck Newberg was talking about a fine or system like traffic court. Working in the police department in Shishmaref and other places I believe if some kind of resolution passed where a fine system was set up, I don't think that alone will stop the importation that people do. My own opinion is that this could be amended where it would be easier to enforce and at the same time set penalties for, like in drunk driving cases, there's a mandatory sentence of seventy-two hours or something like that. I believe, my own opinion is, that if penalties could be set something similiar to drunk driving law or a mandatory sentence to be served by the person plus the fines and community work and stuff like that, I think alcohol importation would slow down maybe fifty percent or more. I've worked in other police departments on the fine system. It

works with most of the people but there are some cases where it doesn't work. It depends on, if this alcohol option law is amended where the penalties are so ?, where the person isn't fined, I don't think that's going to stop alcohol coming into town. Like take myself for instance. If I decided, for instance, that this is only a fine system. If I decided to bring in a bottle or something, in my own opinion, I don't think that would stop me too much, because the occasional ? sentence or anything law. If I would have to serve, ? money ? (unintelligble). That's my own opinion.

Rep. Binkley: You think people would just take the chance then? They'd say, well, I might get fined a couple hundred bucks but it's worth it to me to try and get a bottle in?

Sockpick: Right. It seems like that's the way it works at present. Like I said, this option law, most of the time we don't hear about it until a day, two days, even a week later. This makes it hard to enforce this law. The first offense, if the person is given a sentence of seventy-two hours on the first offense, I think that would help a lot of that coming in. And the next offense ten to thirty days, something like that. And possibly the third offense, maybe make it class A felony with the judge's discretion.

Senator Fischer: This is for what, for possession or for sale?

Sockpick: For importation. My opinion is that possession of it, I think there should be some law on that too, where there's a fine or jail sentence or something like that. What I'm concerned about is the importation. If the person imported and there was some kind of a mandatory sentence.

Rep. Binkley: Well right now there is, what's the fine? $5,000 and a year, for importation?

Otto: But it's discretionary with the judge.

Rep. Binkley: Right now the maximum penalty for conviction under importation is a five thousand dollar fine and one year in jail.

Sockpick: I realize that. A lot of cases we turn into for assistance, in some cases the person is given just

twenty hours of community work sentence. And some times they're sentenced to five days. On the penalties, if we could set up some kind of a mandatory sentence to be served on a first offense or anybody, to slow it down a little bit.

Rep. Binkley: So what you're saying is presumptive sentencing, then. Which means that it takes the discretion away from the judge. He doesn't get to decide how much time. If you're convicted, the first time you get seventy-two hours, the second time 10, 20 , 30 days, whatever, felony.

Sockpick: I think, my own opinion on that is that it would work a lot better if the law was set up like that. Another thing we have a problem with is the home brew. At present there is no state law nor city ordinance restricting that. The only restriction that is put on that, the federal government, where a couple can brew up to two hundred gallons of home brew. A single person can brew up to a hundred gallons. There's no ? ? that it is not sufficient.

Senator Fischer: How is home brew made?

Sockpick: Home brew is made any way a person makes it, I guess. I haven't seen one yet. Word I'm getting from Tom is that some people make it with rice, beans, whatever they can get their hands on. Raisins, whatever.

Rep. Binkley: Do you put it all in a bucket?

Sockpick: Bucket or whatever. I think the most popular one is the five gallon buckets that they use to brew home brew in.

Rep. Binkley: Those white five gallon buckets?

Sockpick: That's what I understand.
Now if you place some kind of a restriction on that, legislation on home brew, and at the same time make it an illegal offense or something like that, I'm not sure how it would go. Some of the problems arise from home brew too. Violence, other things arise from it. And it's just not, for instance, a small rural community like this, when alcohol is present it's very hard to enforce. Not only is it hard to enforce but there's a lot of people kill themselves that arise from it. In our case being a police officer and working on a case for importation and stuff like that, we get a lot of pressure, not only from the person, the immediate person, but it seems like the whole community itself because

communities like Shismaref are real closely related. And that's one of the major problems that we run into, is too may pressures that we are getting. Not only is it directed to the police officers, but to the police officer's immeditaei family. And I guess that results in the constant turnovers of police officers in small villages like Shishmaref. That's my own opinion. That if, on the basis of these continuous turnovers, not only of city police, but VPSO positions, and all of the communities, at least alcohol related issues.

Senator Fischer: I have a question. If Legislature, or if there were some kind of a law, restricting home brew, how could you enforce that? People make it in their own homes.

Sockpick: You'd have to do legal research on that. Possibly there's some legal ?? or something like that. I'm not really sure. If the only way that we enforce home brew is if something happens as a result of a drinking party where a person got violent, then we handle that like any other case. But home brew itself, there's no restriction, there's no law.

Senator Fischer: But if there were.

Sockpick: If there were then I assume we'd work with it like that importatio law we now have. Get statements and things like that, which takes a lot of time.

Rep. Binkley: Does it sometimes happen, Davis, that you know that something's going on, somebody's having a big party or there's drinking going on someplace, maybe home brew, and you're aware of it but there's nothing that you can do about it?

Sockpick: Yes, it's happened quite a few times.

Otto: And then things get out of hand later?

Sockpick: Under the precent law we have, if a person is doing something in their own homes and nobody complains about it, there's nothing we can do. If we know there's a party at so and so's house there's nothing we can do, unless they complain abou it, such as loud noises.

Rep. Binkley: What if somebody does complain there's loud noises?

Sockpick: On things like that there's nothing we could do.

Rep. Binkley: Go up and knock on the door?

Sockpick: Go knock on the door and tell them the ~~Natives~~ neighbors are complaining about loud noises coming out of the houses, and disturbing the privacy in their own homes. Then you go ahead and tell those people to cut the noise down then.

Rep. Binkley: What if they don't cut the noise down? What if they keep on partying?

Sockpick: In that case it's very difficult. Under the present laws we have, we could charge people for disorderly conduct. Which was State law. But now on the home brewing it's the rights of the peson to do it. Nobody violated any laws. There's no law on that.

Rep. Binkley: Laurie, I've got a question. If that case happened and he came up to the door and he saw home brew there, what appeared to be home brew in the house. He knocked on the door, the people opened the door, he said, neighbors have complained and we want to find out what's going on here, and in the course of that he saw what appeared to be home brew in the house, would he then have to go back and get a search warrant, or would there be?

Otto: Which side of the doorstep is he on?

Rep. Binkley: The outside.

Otto: He'd have to go and get a search warrant.

Rep. Binkley: If they invited him in?

Otto: He can take it and charge them. You see, he needs a search warrant to get into the house. Once he's in, if there's contraband that's in plain view, he can seize it. But to get in, to go over the doorstep, he either needs to have permission of the owner, or he needs a search warrant.

Sockpick: If it's home brew, I don't know.

Otto: Well, not right now.

Rep. Binkley: What we're saying, if there is a law that said you couldn't have home brew, you could have possession only.

Sockpick: Right. Then we'd have something to work on. On this importation law we have, the same thing happened, loud noise coming out, partying, we knock on the door, say the neighbors are complaining, then we see an empty bottle or half full bottle of alcohol or something like that, we've got a right to confiscate that. We know that it's imported by somebody. Who, we don't know. And that's one of the problems that we run into. The possession, it goes back to the possession of alcohol. There's no law in that

Rep. Hurley: If possession is illegal, if there was an ordinance that said possession, you still could not destroy home brew without a search warrrant?

Otto: As a basic principle. Let me go back to the basics for a second. Our constitution says people have a right to be protcted from unreasonable searches and seizures. The courts say an unreasonable search and seizure is one that takes place without your permission or without a warrant. That means that you don't have a right to go into somebody's house as a police officer, or a state agent, to take anything, because that is without a warrant and without pemission, per se unreasonable. So to get into he house, to seize it, even if you see it, you need to have a search warrant.

Rep. Hurley: What if their ? is doing harm at that very moment?

Rep. Binkley: You still have the search and seizure problem. But what if you did this Laurie. What if you illegally confiscated the alcohol. And then of course they would say, and you charged the person with possession. They would contest it and go before the magistrate. The magistrate would say there was illegal search and seizure. Throw this case out. Now what happens? Does the guy go back and say give me my booze back?

Otto: Well, if it is contraband, you don't need to give somebody back contraband. So the police illegally seize marijuana now or cocaine now, and the police suppress the evidence. They don't build a case up, tne court suppresses the evidence. Then a person can't go up to Davis Sockpick and say Davis Sockpick, give me my half ounce of cocaine back, because you illegally seized it. That's preposterous. If home brew were contraband or alcohol were contraband because of a ban on possession, it's the same thing. It's illegal...

Rep. Binkley: So you couldn't make the case but you would have

precluded the party from proceeding without alcohol.

Otto: Certainly if you seize it people won't be able to drink it.

Rep. Hurley: I wanted to ask a question about, for young people in the community is it a big problem amongst the young people?

Sockpick: Mostly the last cases we have, home brewing, tend to be made by these young people that just recently turned twenty-one. Some cases, somebody younger. And like we were just talking about the rights of a person. Illegal search and the right of a person. In a case like that, if a case gets thrown out from a court, and it was illegal search, I believe the police officer or officers that handled that case are subject to suit from that person.

Otto: Yes. And that's a good point.

Sockpick: Because we've invaded their privacy, constitutional rights they have. Enforcing this law is so difficult right now because all these people, ? have suits, things like that. (unintelligible). The police officer, where somehow it would be easier for police officers to enforce, set up some mandatory sentences and such things. I think helps the problem be taken care of. Everybody ? ? serve seventy-two hours for just plain boozing, not myself or none of those. I think that eliminates some real problems. People start thinking, I'll take my chances, I might get caught and spend a few days.

Rep. Binkley: Looking at the importation is having, the presumptive sentencing you were talking about, separating that from the actual possession, if you had a local city ordinance that banned possession of alcohol, including home brew in Shishmaref, what about the penalties for just possession.

Sockpick: Possession penalties I believe could be some kind of a fine system. Possession of alcohol, alone, not importation. I would recommend that some kind of a fine instead of a jail sentence or something like that. Unless that same person that possessed it.

Rep Binkley: If you could prove the importation?

Sockpick: Right. There's some cases that we worked with on the past where possession of alcohol which somebody else imported. There is no law against that person.

Rep. Binkley: What do you think, Davis, would be a fair fine for possessing alcohol in Shishmaref?

Sockpick: I'm not sure, but we worked previously with one hundred dollars on up. I think they were (weren't?) (unintelligible) appropriate. Two hundred dollars. I believe the fine was traditionally set too low and they have the same problems we have, ??? I think if the fine system is set up to hurt them maybe they'll stop it. I believe ? ? Still under this option law, under recommendations about, if I had my own way, and said to State Troopers, like in Nome or Kotzebue or wherever alcohol is legal, if they search the baggage of people. A person departs from Nome, Kotzebue or whatever and the police officers or State Troopers, take somebody that has imported alcohol before, automatically that person is subject to be searched upon departure from Nome or something like that. If some kind of a law elected or something like that would solve, there would be no more of the problem. That way alcohol would be confiscated before it gets to the villages. It gets to the villages, is passed on and consumed, and that's where the problems begin. Everybody in Shishmaref and small communities, it's a closely related place and even though we have the same authority the Troopers do, within our jurisdiction, the people don't think of us like we were the Trooper. The Trooper, they don't know who the guy is, he's in uniform, and the guy doesn't have to live in the same town you do. So that's the reason why ?, have the Troopers search villagers who depart from points where alcohol is legal for sale. And another thing that I've noticed is that before this alcohol option law becomes law, there used to be no home brew in Shismaref that I can think of. Might have sometime in the past but not like the brew now, simply because they're not written in the law. Still like imported alcohol, we're seeing an effect in the same problem. People don't take it seriously, feel like if there's some kind of restriction on it, not only in Shishmaref, but other villages, some of these problems would be taken care of.

Otto: How serious a problem is alcohol here? (end of tape).

Sockpick: At least quite serious. As a result there's a lot of problems and a lot of ill feelings. Sooner or later some major problem will arise from it, in my own opinion. It's mostly things like ? ? without, a lot of times a big problem. Just improving rural communities like Shishmaref, there's fines, as a

result of a person consuming alcohol. So if we could eliminate this problem from Shishmaref and other communities some of the problems would be gone.

Otto: How long have you been involved in law enforcement?

Sockpick: On and off better than twelve years.

Otto: All in Alaska?

Sockpick: All in Alaska.

Otto: What other communities?

Sockpick: Nome, Pt. Barrow, Shishmaref now. I worked for the State of Alaska as security officer for the airports, mostly in Anchorage. Worked on that for over a year. And I put in some work with security outlets working on the pipeline. And the job description that we have to do is the same thing, law enforcement.

Otto: And as I understand it you were the police chief in Nome for awhile.

Sockpick: I was police chief in Pt. Barrow in 1970. And worked in Nome most of those years. I worked as acting police chief in Nome two or three times.

Otto: In your experience in the other communities, how serious a problem is alcohol? How much of the law enforcement problems in those communities are related to alcohol?

Sockpick: Even Shishmaref, I figure from seventy-five percent to eighty percent, something like that, is problems we have where alcohol is related. There's no alcohol or cases where booze, in court the number would be real low.

Rep. Hurley: Is the problem worse since the local option, or do you think it's a drinking problem where alcohol?

Sockpick: I believe, my own opinion is that alcohol has always been a problem. Option law and all those things, I believe that nothing can ? ? I know that alcohol will always be a problem unless we combine our efforts with some stiff rules where we can control it easier, and more efforts to ? ? compound, alcohol related problems. In Shishmaref they don't have all the things they have in the bigger cities like Nome. Like Chuck said earlier, every time we work on a case where alcohol is consumed or is imported, we work on the case for the district attorney who in turn

presents it to the court, and as a result a summons is issued to that person. Having no magistrate in town that person has to pay his own round-trip fare to Nome to go to court. And a lot of town that person doesn't have money to report to court in Nome, he doesn't have money for his round-trip fare. If he has a magistrate in town, it would be easier for the police department to ? itself to. I believe that if we do have a magistrate people tend to start thinking of ways that ? ? now. Simply the presence of the magistrate and police officers could possibly bring the crime rate now. It seems to me that if a person can be immediately sentenced or whatever is necessary.

Senator Fischer: Did Shishmaref ever have a magistrate?

Sockpick: Shishmaref never did have a magistrate. And looking at past records the council members and the city clerks have been trying to get a magistrate for Shishmaref starting way back in the early seventies. The City of Shishmaref is just about the size as Savoonga where they have a magistrate down there. If a magistrate was assigned to Shishmaref, not only say Shishmaref but the small communities like Williams, Grayling, Kettle, ?.

Rep. Hurley: The population is it the same, pretty stable all these years or is it growing.

Sockpick: I believe the population is pretty stable. It's not rising a lot. The City Clerk should know.

Rep. Hurley: Did you hear my question? Has the population changed much over the years or is this about, ten, twenty years ago was it still the same?

Newberg: The population ten years ago was about two hundred and eighty, two hundred and sixty four. Current population, this summer's census is four hundred and twelve. And probably forty-five percent of the population is twenty-one years or younger.

Otto: What is the crime rate here? Are there felonies? Or is it all misdemeanors?

Sockpick: There are felonies that we work on. I don't know the exact number though.

Otto: What kind of felonies?

Sockpick: Assault with weapons and sexual offenses and such

things like that. And cases I know about are alcohol related.

Otto: All the felonies are alcohol related?

Sockpick: Right.

Otto: If the Legislature added an additional option that communities could ban sale, importation and possession. And sale and importation would stay the same as they are right now and possession would be punishable by a fine, but there'd be all three. Do you think that would be adopted in Shishmaref?

Sockpick: I'm pretty sure it would be no problem.

Otto: Do you think people would want to have it?

Sockpick: I don't know exactly what the people would want, but I assume that they want to make a better case of it, and I assume that they...

Otto: Would that law make your job easier?

Sockpick: It sure would.

Rep. Hurley: Is there counseling going on for those who have a problem with drinking?

Sockpick: Very little. We don't have any counselors in town other than at the school. Once in a while a judge will say as one part of the sentencing they'll require them to go to social services or such things like that.

Rep. Binkley: Davis, thank you very much. We appreciate your testimony. Just let me explain what we're doing here. I see we've got a lot more people from when we started. Let us introduce ourselves. I'm Representative Johne Binkley from the Bethel area. This is Senator Vic Fischer from the Anchorage area, Representative Katie Hurley from the Wasilla area, and this is the legal counsel for our committee, Laurie Otto, from Bethel also. This is a joint Senate and House committee that was put into being by the resolution in the Legislature last year that instructed us to go out and to find out what's happening with the local option laws in Alaska which were adopted in 1980, to find out if they are working, what some of the problems are with those laws, and to determine to what extent some of the alcohol problems are, particularly in some of the

rural areas in Alaska. So that's what we're doing. We're taking testimony on those things and travelling to many different villaes throughout Alaska, also to Anchorage and Fairbanks to take testimony. We'll be gathering all this testimony, compiling it into a report, and presenting it to the Legislature. And then if there are some recommendations that come out of there, we'll introduce those as laws and if they do pass the House and the Senate and are signed by the governor, then they would become law. So that's what we're doing here today and I see there's a few hig school students here. We welcome you out today. We're pleased to be in Shishmaref. Of course Shishmaref is known all over Alaska as the home of the Shishmaref Cannonball, so we're very pleased to be able to be here, and also Representative Jack Fuller who represents this district is very concerned about the alcohol problem in his district. We'll be presenting a report to him as to what we found out in the communities in his district. And he passes on his best wishes. I spoke with him this morning and just wanted to introduce ourselves. Let's continue on with the hearings here. Is there anybody else here that would like to testify regarding this?

Steve Dahl: My name is Pastor Steve Dahl. I'm the pastor of the Lutheran Church here in Shishmaref. I haven't prepard any formal statements, but there are some things that have kind of come to my mind as I heard Davis testify. Some of the problems that I see in terms of alcohol use and abuse in Shishmaref, and some of the problems that I deal with are domestic violence, physical health problems, mental health problems, and family crises that are precipitated by any of those things or all of those things. I think that the young people who are here today each one could think of specific instances in their own families, maybe not nuclear families but extended families, where alcohol and alcohol abuse has had a tremendous impact on the family. One of the things that I see as a cultural difference from what I grew up with is the extended family, an emphasis on that. And I see the use and abuse of alcohol as really

threatening the whole structure of extended family, in that not only are parents sometimes afraid to have their children even in their homes, but grandparents are afraid to have grandchildren in their homes, people are afraid to have neices, nephews actually participate in that extended family life. And by the same token sometimes those who would normally participate opt out of participation in that. There is counseling available, religious counseling, for alcohol problems and alcohol related problems. Some of those that I've listed. Unfortunately those of us who are trained for ministry aren't extensively trained in chemical dependency counseling. We do have some background and some training. But for the most part people who receive counseling are either referred by the courts, and that is quite good, or they need to go outside the village to receive the kind of professional counseling that they would need to receive. That involves, if it's not mandated by the court, that involves expense that isn't always easily handled and inconvenience that really nips that kind of process in the bud. So another observation and opinion I'd like to express is that the local option as it exists now is better than no local option at all. In other words I believe that the impact, the negative impact of alcohol on the community, is less than it would be without the local option as it exists. My personal opinion and the opinion of my colleagues in Nome and Teller and ? are that, and I will speak for the collective, that we would like to see the option opened for people to choose to ban possession, or make possession illegal. Another observation as we have met as colleagues and discussed this problem, is that the impact, the negative impact of alcohol on communities, varies with the amount and energy of enforcement. In other words, the impact of alcohol on the people of Shishmaref is less than some places, because the police officers, the public safety officers, are actually willing to enforce the option as well as they are able. So I'll bring those observations and just answer any questions you might have.

Rep. Binkley: Thanks Steve. So even though, in spite of its shortcomings, the local option from your standpoint does appear to be working, and to add an additional option which might include banning possession in your opinion and that of your colleagues, would further improve the situation.

Dahl: I believe so.

Rep. Hurley: How long have you lived here?

Dahl: We've lived here for two and a half years.

Rep. Hurley: And you were the victims of the fire?

Dahl: We were the victims of a fire, yes.

Rep. Binkley: I guess I didn't hear about that.

Rep. Hurley: The church and parsonage burned to the ground last, about the year before last.

Dahl: It will be two years in March.

Rep. Hurley: I happen to be a member of the Lutheran Church in Juneau and they were having a fund-raising for you. Don't you have some relatives, or your wife has a good friend she went to school with, or somebody.

Senator Fischer: Reference has been made to home brew. Do you have any feel as to the extent of the problem or do you see?

Dahl: There's no question that home brew is a problem. And it's coming to supplant imported alcohol. That's one of the reasons why I think it's important for people to be able to consider the option of making possession illegal. I realize that that's difficult to enforce, but I also realize that there are ways that police officers and public safety officers can be helped through directives and advisory bulletins from possibly the District Attorney or the State Troopers and other interested parties. That if there are guidelines spelled out that at least it would be possible and I think that it would be, if not a very effective deterrent, at least a deterrent.

Rep. Hurley: Are there a lot of activities for people to do for relaxation here? I noticed they have bingo and I'm sure the churches have things, and the schools have, I hope, activities for the young people, but I wonder if the long winters and so forth, what...

Dahl: In terms of structured activities, we could always use more of those kind of things. Like you say there are bingo, the high school gym is open evenings for recreation. There's the recreation center across the street, and also some church activities. I believe that if we had more structured activities in the community it would possibly help to alleviate some of

the alcohol problems. But I think that the two things that would address the problem more directly would be educational campaigns and opportunities. And also the strengthening of local option laws, and review of the penalties.

Rep. Hurley: Do you have TV here?

Dahl: We have TV, and they just added cable TV.

Rep. Hurley: Because there was a move on the line that comes out here from Anchorage, RATNET, that they are not to show alcohol ads on, and I wonder whether that is happening.

Otto: Well, actually they show the ads, but then they run a disclaimer, saying this isn't our fault, we don't believe in it.

Rep. Hurley: Because I know they get programs from the States and I wondered, there's so many alcohol ads.

Dahl: I'm not in a position to say whether those ads actually would encourage or induce people to use or abuse alcohol. Maybe some of the younger people could answer that question.

Rep. Binkley: Steve, thank you very much. We appreciate it.

Tony Weyiouanna: My name is Tony Weyiouanna and I'm the City Planner for the City of Shishmaref. A lot of the things that I was going to say about the local option law here have already been mentioned by other people, but there might be some things that differ or re-emphasize what they said. Since the local option law came into State law, to ban importation, from my observation prior to this stay dry option in Shishmaref, I've seen some problems that, a lot worse probably than what we are having now staying wet. Before people used to, there'd be a lot of parties going on, everybody, a lot of people would bring in booze and have a good time and not pay attention to any other activities that they probably should. But the problem that I see with a town like this staying dry is more local like we see different people, and a lot of people they make home brew, Davis and the other people mentioned that has become a real problem since the town started going dry in 1983. It didn't take effect real quick, but after a certain amount of time it started up and that has been the main problem

locally. I think you were mentioning earlier something about the option to have fines or community service work. That could be one way to kind of curb that problem of importing and public disturbances, you know, because like home brew, that kind of stuff. Personally I think the main thing that would work in my view is community service work and like Steve said, maybe counseling or professional help if it was available. Otherwise I don't have too much to say about this, just re-emphasize what they were saying. But you have different people here, representatives from the city, church, police or school, individuals, they all have different views. But hopefully a solution will come up so that it can be helpful and useful to everyone in the long run. Although I think whatever is done I don't think it will solve all the problems that we're having now or will have in the future. Although since we went dry I think our town's lot better, but it has some drawbacks, and the main one is home brew.

Rep. Binkley: Okay, Tony, thank you very much. Any questions? Thank you Tony.

Johnson Eningowuk: My name is Johnson Eningowuk, and I'm on the City Council, and also serve on the board of directors for the Native Corporation. I also serve as chairman of the coastal management program. And I think my greatest fear for the village, if local option law is again voted by the village, that if the vote does come back, and it does pass, my greatest fear as a elder is that alcohol problem will just resume so intense that it will create a lot of problems for a short period of time. I think the present local option law, as voted by the people, has been helpful to especially the elders in that they don't see this alcohol problems in the streets and the homes create problems themselves. The present, the way it is right now, I think it could be a little bit more stronger, especially for the elders. I don't know how much more stronger it should be, like the problem of home brew, there are probably some people that don't even know how to make home brew, and I think some of the fears of the elders is that they're going to poison themselves sometime, if it's not done correctly and so forth. It could create mental health problems, and those kind of thing that relate to unhealthy process of making home brew. And I think currrently that the city and the village is much more healthier with the law and I think it's much more nice to be here. People who use alcohol, we don't see them in town. It does create, somebody has to pay an air fare. And I think my greatest fear is

if the local option law is voted again by people, if it does pass, it could become wet and for a short period of time it's going to create problems, because there's a time it should come to where people have been dry and just come back, it could really become worse. And I think that's the fears of most of the elders.

Rep. Binkley: Do you think if they had a vote today Johnson, do you think the village would go back to wet?

Eningowuk: I don't know. I think it would be pretty close. I really don't know which way it would go.

Rep. Binkley: Do you remember in 1983 how close the vote was?

Eningowuk: (Unintelligible). I don't remember the results.

Otto: What's your view on the Legislature giving communities the option of banning possession, including home brew?

Eningowuk: I think that I would be in favor of it.

Otto: Why is that?

Eningowuk: Then we have a say so on what we really want within the village. If there are enough people that wanted ban, I would be in favor of it. Mainly for the elders I think and for older people, better, right now are very comfortable with this law.

Otto: What happens to the elders, or with the elders when it's wet?

Eningowuk: It creates problems. The older children, who are old enough to drink, it creates problems for them.

Otto: What problems?

Eningowuk: They get embarrassed by some of their children. They can go to town or doing something, they're worried that they might get hurt.

Rep. Binkley: And they worry about them?

Eningowuk: Yes. Mostly they're worried they might get hurt. You know how old people are, they love their grandchildren and children.

Otto: In Bethel one of the doctors from the hospital testified that he saw a lot of the elders actually

getting sick, going to the hospital, and on investigation it turned out that the problem was they were worrying so much about their children and their grandchildren who were drinking. Does that happen here as well?

Eningowuk: I think it would, yes. I think in the past it has happened. They would worry themselves sick I think.

Rep. Binkley: Okay. Thank you very much John.

Reila Oikpowuk: My name is Reila Oikpowuk. I ? (unintelligible) with my two boys. You wouldn't have thought that, tried to stop that liquor in Shishmaref. Because I have one boy in jail right now. He went to Nome, came back with liquor. We tried to stop him but he can't. So we need to stop the liquor from Shishmaref. I think it's better to get the elders together, vote on that thing. Because there's too many home brews doing it right now in Shishmaref. And we want to try to stop that too. I had one boy had that problem too. I don't know how many times I stopped his home brew, dump it out. We want that home brew to stop in Shismaref.

Rep. Binkley: Do you know how they make home brew here Reila? Do they use raisins or orange juice or what do they use up here?

Oikpowuk: They use rice and raisins, that's what I find out from one of my boys.

Rep. Binkley: What, do they mix it up in the bucket?

Oikpowuk: No, they put it in a bucket, they let it stay, I don't know how many days.

Rep. Binkley: They put it by the stove or something?

Oikpowuk: I don't know where he hides it. Sometimes I find it inside the washing machine. And after that when I was looking for my bucket he said he doesn't know and I know he used it. And there were lots of white buckets at the Native store. That's what they always use for it. We want to stop that liquor too in Shismaref. Bring it to Shismaref, so that those under age start drinking in Shishmaref. We want to stop that too. I think it's better to let the elders, we used to go to Nome for Elders' Conference, that's what we used to talk about that liquor and other

things. And we don't want to let somebody get hurt or somebody get shot or something when they get drunk.

Rep. Binkley: Does that sometimes worry you?

Okpowuk: Yes.

Rep. Hurley: I want to ask a question of maybe someone out there. Do you have any visiting health people who come through, nurses, or do you have a physician's assistant or anyone, health aides here, in Shismaref. Does anyone come?

Newberg: We do have two full-time primary health aides ,? ? Health Corporation in Nome. And two alternate health aides, and scheduled visits from ? personnel, doctors, dentists, that type of thing. A bimonthly schedule.

Rep. Hurley: Well you know, there should be some kind of an educational program about how dangerous home brew is. It's made in a way, and it isn't...But that to me, young people especially need to know that they're taking a real chance with their life.

Otto: When you went to the elder's conference in Nome, are people from other villages also concerned about the problems with home brew? Has home brew gotten to be a bigger problem in the last few years?

Okpowuk: Yes. In Shismaref right now.

Otto: Is there more people, or you might not even know the answer to this, but are more people drinking home brew now here than sneaking liquor in, bottled liquor in?

Okpowuk: I really don't know. I just stay home.

Rep. Binkley: Reila, thank you very much. We appreciate it.

Albert Ningeulook: My name is Albert Ningeulook. I'm a resident of Shishmaref. I don't have any phobias about my personal ? in this. First of all, like I say, I'm glad that each of you that hvae been elected to represent people from districts have been chosen to be the panel here and why you are here. I'm sure each of you are very about the alcohol problems throughout our State. I've had the radio listening to the comments by some of the people here. And I'm wondering, I'd like to ask each of you a question:

what does the constitution say about our rights? I'd like to ask one of you to please answer that question for me.

Rep. Binkley: Well, it says we all have the right to privacy.

Otto: It's about a lot of things.

Ningeulook: Does our constitution say anything about the pursuit of happiness for each individual, those three words?

Otto: The Declaration of Independence.

Rep. Hurley: Senator Fischer was one of those who helped write the Constitution and we have a bill of rights that says, modelled after the, isn't it? Part of those words are right in there. Everywhere you're entitled to life, liberty and the pursuit of happiness.

Senator Fischer: The wording is somewhat different, but certainly the intent is that the individual and community rights are fully protected.

Ningeulook. Thank you for answering that. My main point for asking that particular question is to try and make a point here. In light of that, I know there are many things that our State is trying to do in order to protect the State citizen's health, well-being and so forth. And I can see some good points in the lcoal option laws that have been enforced or have been introduced into our State. There are also some negative sides to the local option law itself. Please understand I'm not representing the people here. I'm just representing my own self and my own opinions right now. I'm wondering are the churches in our State exempt fromt his law. Because in the holy communions they have wine in the churches.

Otto: They are exempt from the law.

Ningeulook: I'm wondering why the churches are exempt. If a minister or missionary can bring in any alcoholic beverage into a village he's like a villager too since he's serving the community. So I don't see why there's an exemption like that. I don't have anything against the church or the ministers or anything, but I just see the constitutional aspect of that in reference to our rights.

Rep. Binkley: What you're saying, Albert, is it's not fair for churches to bring in alcohol to use if everybody else can't.

Ningeulook: It's all right for religious purposes, for the holy communion or things like that, but just the fact that bringing it in by the local minister, himself or herself into the village, what I at least know is that the minister's supposed to be a representative. (unintelligible).

Rep. Hurley: Actually it's illegal for him to do that though. The only thing they're exempt from is the communion wine. That is correct. They are disobeying the law just as much as the people. They're not given any sanction for personal possession. It's the communion wine only.

Rep. Binkley: And only to be used in conjunction with.

Ningeulook: But the alcohol itself, right, is made by humans. It's all fermented. I know places where they make wine. But home brew is made by anyone. It can be made by anybody. That's another subject, but I'm thinking about the wine itself is man-made, then how can it be defined to be, it's a very complex question actually. I shouldn't even bring it up. The main reason I'm bringing this particular subject up is because of the importation of it to a village where it's legally not supposed to be brought in. So the importation of it is legally permissible by allowing a minister to hand carry the wine or whatever they have to use for communion. Is that right?

Rep. Binkley: I guess so.

Ningeulook: That's one thing I don't see about the local option law itself, that particular subject. And another particular area is that there is a lot of home brew being made. And I've heard it has some serious complications if it's not propely made. Now do I understand it correctly that you are thinking about introducing or making a local option law against home brew too?

Rep. Binkley: Yes. We're considering it.

Ningeulook: After that, what type of subject will be made into local option law?

Rep. Binkley: Lysol, vanilla. No, just kidding.

Rep.

Hurley: No, possession.

Rep. Binkley: Yes. Possession of alcohol, whether it be home brew or commercial.

Otto: I'm curious. Instead of you asking them questions, I'm really curious what you think. Do you think that the local option law is bad? Do you think that the Legislature should not pass a law letting villages ban possession of alcohol? What's your point of view on the issue?

Ningeulook: My point of view is I think the villages be given the opportunity to have another election. Because we've seen how the local option law has been affecting the village so far (end of tape).

Rep. Binkley: A couple different ways that you can get it on the ballot. One, the city council can put it on the ballot, by a majority of the members on the council, or you have to circulate a petition and enough people sign that, is it fifteen percent of the registered voters that voted in the last election? Sign the petition then you can have it put on the ballot.

Otto: I'm not exactly sure.

Rep. Binkley: Something to that effect anyhow.

Rep. Hurley: But the question would have to be to repeal.

Otto: Do you think that it should be repealed? Do you think that Shishmaref should not be dry?

Ningeulook: That's the main thing of having another election is that would answer your question.

Otto: But what do you think?

Ningeulook: I don't have anything against the local option law itself, but frankly I don't like it at all.

Otto: So you'd get rid of it?

Ningeulook: No, I'm not saying that. I think it should be revised so that all the parties are the people in the villages can assess better what would be resulting from such an action.

Otto: How should it be revised?

Ningeulook: I don't have too much thinking to do about this until just now. That's the reason I have my nots with me so. Anyway, I hope I can answer it by reading my notes here. One of the things that I'm concerned about is a lot of people in other villages and here in the village who have been incarcerated because of the law, law-abiding citizens. I don't like to mention the villages' names or places or whatever, but there's been some people who are respected in their own villages who have been caught bringing in their own alcoholic beverages so they can peacefully consume it in their own home. I don't know how they were caught but because of this law they have been incarcerated. Whereas if it wasn't in effect they wouldn't be. People who are responsible for themselves and are mature. I'd like to know what other problems have you had so far in your hearings? What is the overall reaction?

Rep. Binkley: We've gotten quite a good reaction. I think the reaction we got in most of the testimony you heard earlier is pretty typical of what we heard around different communities.

Ningeulook: One of the suggestions that I wrote down is to have a survey made to find out exactly how the people feel about it. A non-partisan type survey. Not sponsored by the Legislature or whatever, but the Legislature probably can appropriate some funding to have surveys made in each village to get a feel of how the people feel. Another of the things that I have written down, and that we all have our own observations of the law, and I think the result of the hearings should be compiled and very carefully looked at before you make any suggestions for the Legislature, and not to get one-sided opinions, but to try and get as many opinions from people like myself or in the villages all the time. And it seems like the local option law on the surface is really working well. Just like it's the law and we all have to abide by it. But at the same time there's a lot of turmoil under the law, drugs, home brew, things like that that are not being mentioned too well. But the one thing that's always coming back with those other problems is the local option law. And I think that you have to keep on pursuing local option laws. We have to make local option laws even for home brew and drugs. It's just started hard drugs in the region now. It's never been actually surfacing up until the law came into effect. I don't know. It's just my own opinion. I'm not speaking for the village. It's my own opinion. And I believe that the local option law can not be used as a crutch to deny or eliminate

human rights as villagers who are living in a village. Like in Anchorage or Juneau or anyplace, cities have a different environment, whereby our own villages have their own laws. And I really appreciate the local policemen and the local authorities who are trying to neutralize. But there's some negative aspects to the local option law. It had to be addressed I think. I would encourage you to go back to the Legislature and have some more funding appropriated to open some regional corporations so they can have more programs and more education. I believe that education is the best tool to try and help our own people. I don't know how much money was allocated to make some appropriation for organizations, but more funding should be appropriated in this budget, so that programs should be instigated. This is all I have on my notes here.

Senator Fischer: You mention the drugs. We have testimony in at least one other case where it was suggested that the local option laws, the prohibition on importation, has sort of tended to get people to import drugs because this is so much easier to conceal. Do you think the same situation is true here. Because alcohol importation is restricted, it's prohibited, that more drugs have been coming in?

Ningeulook: I can't speak for myself. I would have to do more research in order to answer you truthfully. As to exactly what's going on. But as a villager I'm aware that in the region, and I'm not mentioning villages, but in our region here in the Nome area, that there are more drugs because of the local option law. In those ways I believe the best answer to your question I hope.

Rep. Hurley: We've heard that before in several villages. What I wanted to ask you, when we were in Dillingham, which is a wet city, and Togiak, which is a village which is dry, they say the people go into Dillingham to drink. Does that happen here that people go to Nome to party, and get lost and so forth, and hurt while they're in there.

Ningeulook: That's another very hard question to answer. Being a village resident here. You need to ask the village policemen or the mayor or the people in charge here. Because personally myself I don't want to be involved in any...I'm just representing my own self. But I would suggest that in the future such hearings can be publicized more so that there be more input from the people. So that people who are interested, not just people who represent the whole village.

Rep. Binkley: Albert, thank you very much.

Rep. Hurley: There is an opportunity for a teleconference in January. Won't we have a teleconference?

Rep. Binkley: Yes, probably sometime in January.

Rep. Hurley: Do you have teleconference equipment here?

Ningeulook: I don't know.

Rep. Hurley: But you can dial in.

Rep. Binkley: Is there anybody else here today wishing to testify. If not we'll go ahead and officially close the public hearing here in Shishmaref.