

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672
1392 SCOMM 52 JOINT SPEC. COMMITTEE ON LOCAL OPTION LAWS 1985-86

they're gone, and they're afraid of what's going to happen when they come home. They're lonely because they have no one to talk to. This is a secret, what's going on in their homes. And they're tired because they've stayed up all night and watched mom and dad fight, taken care of little brothers and sisters and whatever it has taken them to get through the night. And that is how they start every school day. What will become of these children? Without help these children will become teenage pregnancy statistics, runaways, high school dropouts, some will amass criminal records or end up in poverty. Some will function with severe emotional disabilities and still be compulsive high achievers. Many will end up divorced. They will suffer anxiety and eating disorders, they will attempt to complete suicide, they are tomorrow's drunk drivers, child abusers and alcoholics.

How can we stop this? Right now ninety-five out of one hundred children of alcoholics will receive no professional help. They deserve that help. And it should include the following, which are also in my recommendations: A safe place in the community for children to go when home life is unbearable; Support groups in schools so transportation is not a problem for them; Special programs on alcohol and drug education and life skills for these children; and all adults caring for the COAs, be they physicians, police officers, nurses, preschool workers, teachers or neighbors, must be taught to identify and help these children of alcoholics. These children will not come to us for help. For you see they live by three simple rules. They don't trust you or me, they don't feel, and they don't talk, ever. These rules remain intact, even after the child is an adult. And that's what makes the end of my testimony so difficult for me. Two summers ago I sat down and wrote the story of what it was like to grow up with two alcoholic parents who died. It's a book and it will be published in February. It's been nominated for a Pulitzer Prize. And I called it Potato Chips for Breakfast because that's what I had to feed my little brother when he was a baby and I was only seven and my parents spent all their time drinking. Thank you. Any questions.

Rep.
Binkley:

Susan Susan, I have a quick question dealing with some of your experiences out in the communities. Do you think that, as far as a restriction on the access to alcohol in some of those rural communities, that that helps in the amount of alcohol that's consumed and, in turn, some of the impacts it causes on the children?

Scales: I will not comment on that question. I prefer to

have my supervisor, Carolyn Peter, speak to an official position on that. I would question, if you are going to put a fine, where will that revenue go?

Rep.

Binkley: Well, I guess that's one aspect that we haven't really dealt with. What would your suggestion be?

Scales: The children.

Rep.

Binkley: It could be, I guess, if it were a local ordinance that the community adopted, then those funds would at least stay within that community and maybe that community could decide then where the funds would go within that community.

Otto: Right. And one of the things that we've been talking about is leaving the options that exist as they are, violations of State law, which would provide the ultimate threat that Tom Lonner was talking about, and then allow communities to adopt different ordinances, a fifth option which would be banning possession, which would be a violation of municipal law, and it goes back to the municipal government.

Rep.

Binkley: Any other questions? Cindy, thank you very much. I look forward to reading your book. Carolyn.

Carolyn
Peter:

I'm Carolyn Peter, the Program Director at the Alaska Council on Prevention of Alcohol and Drug use. In response to the question you've just asked, I believe that the heart of that problem lies in the communities and the solutions also lie within those communities. I would really like to see a system set up, if it's not already, that would allow those communities to come up with some solutions. It's like working with young people. We often develop programs to throw at them. And some of them have their own solutions. And I think we need to spend more time listening to those solutions.

Rep.

Binkley: That's one thing we're attempting to do in our travels to all the villages, is to get input from the communities.

Peter:

I was asked to just give a brief thing on the "Here's Looking at You" program. Because it was one of the first prevention efforts funded in the State. And what happened was, there was an Alaska Statute, A.S. 47.37, that was amended in 1979 that stated that alcohol and other drug education material be developed for school age youth, kindergarten through

twelfth, and training be done. And that did happen. Hundreds of teachers have been trained. Thousands of youth have received the curriculum. Some of the problems that lie with that are the high turnover of teachers, tracking trained teachers, the way people move around the State, and I'm talking about the people within those communities too. So just finally this year, even though we've been working on it for a number of years, the Department of Education has agreed to work with us in somehow getting that on a computer of some sort, so that we can find out early in the year where the trained teachers are. It was a little bit frightening when we started out because we would hear "Here's Looking at You" used as kind of the end all, that this would take care of our alcohol abuse problems. And I just want to state that a school-based education is a tiny portion of what needs to happen, a very small part of what has to happen. We believe that the other problem that lies with the delivery is that, it was stated that these materials would be as developing teachers trained, and that goes on the assumption that once that happens, then it will be implemented. And yet there has been no directive that these will be taught. And we have a problem within the schools of Alaska that the whole area of health education is kind of the step-child in that it doesn't get, it's "we do that if we have time, we do that if we money", but it's not a high priority. And we've seen that starting to change through the years and we hope that that will be a change. But it becomes a real question in education, who's going to teach it, if there isn't a health curriculum within the school. And that varies from community to community and school district to school district also. The curriculum has continued to change. When it was first started it was an alcohol education curriculum, a three-week curriculum. And then it changed to a combined alcohol and other drug curriculum. And the third revision will be coming out in the fall. And that's taking those eight risk factors that they know to play an important part in a student's use or non-use and building lessons and skills around those, which deals heavily with things like children of alcoholics like Cindy was discussing. We believe that a school-based program in a community is one thing that needs to happen. But also communities need to look at community standards, at moderation measures within their own communities, support groups for both youth and adults, and intervention programs--employee assistance programs and student assistance programs. Public information campaigns, maybe at a state-wide level are important. Alternative programs for young people, and then the whole business of passing

legislation, which I know that you're all hit with from time to time and what we're discussing right now. We do believe that the caps for these programs are too low with the magnitude of problem. That we're just passing it from year to year. And we're trying to think of better ways we can interface so that a lot of different groups aren't out doing the same sort of thing but maximizing these efforts. There is a State prevention plan that's being developed, but I hope that there would be, in long range planning, funding to support this plan that would be available through the State Office of Alcohol and Drug Abuse. I'd be happy to answer any questions.

Senator
Fischer:

I have a question sort of off to the side. To what extent are churches and is religious outreach an element in dealing with problems of alcohol abuse?

Peter:

I can only speak to the programs that we're involved in. When we go in to do a training we examine what the community resources are within that given village or city, wherever it is. And the churches are always listed as a resource there. I think it varies from church to church. I was recently meeting with a church group state-wide who said they wanted to do more in this area, or at least to interface better with what was being done.

Lawner:

It varies by nature of the church itself, not just who the person is--deacon, minister, but also what the philosophy or approach of that church might be. There's big differences between Moravians, Catholics and so on, just in terms of their attitudes toward alcohol and the degree to which they exercise control over their members.

Rep.
Binkley:

I see Joan Hamilton in the back. Looks like she's got a response to that. Joan, you want to comment on that?

Joan
Hamilton:

I was just going to answer your question about churches' involvement in alcohol and drugs. In the interior, the Episcopal church is starting education type sessions in villages where they gather participants from other villages to enter into a community and they just mainly do education of alcohol and drugs and how you can recognize the signs and symptoms and what you can do about them, and also creating village support groups.

Rep.
Binkley:

Doug Modig, from RuralCAP.

the survival of the village. In this society each family is on their own and is responsible to maintain their own household. In a time not too long past it was a village project to get fuel for the village, as an example. In the case of wood or other fuel for heat or light there seems to no longer be a need for this human resource once you buy electricity and oil. As a result people tend to overlook the state of being. Or the being state of change. This goes even further in relationship to subsistence and economics. Laws regarding taking of fish and game, limited take base, not only use in the village but on the overall needs of the State. In relation to the issue of subsistence I do not wish to engage in debate as to the relative merits of this issue. But I do want to point out that in relation to villages, it is a factor that effects the well-being of their community. In the absence of a stable subsistence economy villages are faced with the choice of breaking the law to maintain their lifestyle or resorting to welfare and food stamps. Unfortunately welfare and food stamps in villages come at the price of the cultural heritage. A stabilizing force, but even more it comes at the price of personal pride in contribution. As an example, in several of the villages I've been to, there are persons who are identified by their ability to hunt and/or fish. With the passing of ANCSA and other fish and game laws they were limited to their take, but even more importantly, they were limited to their contribution to the community. On a personal note concerning this kind of experience, when I used to longshore for a living and there was no work, I cannot remember a time when I felt more helpless, angry and frustrated. My final response was to get into another line of work. But in the villages there is no work. And when one cannot work in their own villages they begin to experience a slow but sure loss of pride and identity proceeded by feelings of hopelessness, anger and frustration. This then leads to feelings of meaninglessness, which in some resulted in alcoholism and/or suicide. The introduction of technology to Native villages is both a gift and a limitation. There was a time in the early 1930's that available technology made life easier for a community. As an example, cutting wood with an ax and saw lessened the time needed to prepare for winter or build new homes. This freed up enough time to create perfect balance in the community. Unfortunately advancing technology can also create an excess leisure time, which created idle time. That problem exists today in our society as a whole. An inordinate amount of time is spent watching television or other pursuits not necessarily productive. That same impact was felt with the

introduction of guns and motors, each having a relative value, but at the same time exacting a toll in cultural value. In the instance of education, education in our cultural path was a vehicle whereby knowledge was passed along to younger generations. This was mostly through story teaching. The emphasis however was on training for survival in the villages. This created an inter-dependency in the community, which also gave identity. In today's villages, the community and the school are separated in most instances. There is very little effort to engage the community in the educational process, a process which played an important part in building the Native society. I must acknowledge at this point that there are some communities that do engage the community in the educational process. But by and large there is a definite separation of school and community. Prior to the Hawk decision there were students who were separated from home for as many as four years and sometimes more. Those students missed a critical part of village life and caused them to change and experience an inability to relate to their family and friends. In many cases those students did not readjust to village life and moved into cities or returned to their villages and never quite fit in. The problem gets more and more complicated and much more confusing, giving rise to frustration, anger and, tragically, loss of hope and direction. The main contributing factor is alcohol. Alcohol has been defined as cunning, baffling and powerful. The drug alcohol has worked itself so much into our structure that there are some villages that cannot boast a single sober individual. Alcohol has been cited as a contributing factor to our family disintegration. Suicide, child abuse, neglect, sexual abuse, spouse abuse, more academic cheating, drop-outs and a high representation of Native people in prison due to alcohol related instances. In an attempt to address alcohol in our villages, several programs and agencies have come to our villages to assist. The problem of alcohol still persists and is getting worse. What is being proposed today is the fifth option to the local option law. The fifth option does what the fourth option attempted to do--control alcohol. Those who are recovering from alcoholism know that alcohol defies any attempts at control. There are three reasons for this. The first is the addictive nature of the drug. If you've ever tried to stop smoking or have attempted to get a loved one to stop, you have an idea of the addictive nature of drugs. Alcohol dependency, for many, defies treatment. Second and even more significant is that it creates another dependency. This dependency is no different than the need to depend on

teachers to educate our young. To keep our youth in school, to stop child abuse and neglect, to stop our people from going to prison, to increase employment opportunities in our villages, to improve our economy, we measure in terms of cost whose prices are self-determination. I recognize that each village needs to vote in order to pass the fifth option. But in some ways it is still another way to depend on someone outside themselves. Because to enforce local option, that is reporting and arresting friends and relatives. Which then means calling State Troopers instead of depending on themselves to remedy the problem. The third reason is the nature of power. There are essentially two kinds of power. The first is defined as the power of position. They are the governing people or forces in our life. They may be the president, governor, police, teachers, parents, older brother or sister, the laws of the land. By themselves they do not control our society. When they do control it is when people are influenced by those persons or forces. When one wields influence power it makes no difference what position of power they may have. In the recovery process of alcoholism, it is not because a person was told by drugs that they have to stop drinking. It is because they are influenced by persons or voices within themselves. An axiom I heard one time said that you cannot make change, but you can influence change. This has proved true when working with youth in Alaska and in the lower forty-eight. At this point I would like to acknowledge that earlier this year the Village Participation Conference passed a resolution which supported the proposed fifth option as presented by Representative Binkley. I wholly support the notion of community self-determination. In the instance of local option I have, however, the following considerations. And concerning considerations they are both negative and positive. Based on reports from the Rural Providers Conference, which was a gathering of substance abuse workers from around the State sponsored by RuralCAP, which was held in Tyonek in May this last year. The findings reported were: by itself local option is very difficult to enforce because of laws regarding search and seizure, rules of evidence, the time it takes to get a search warrant. Local option seems to be making criminals out of people who are not criminals. There seems to be an increase in the number of bootleggers. Because of the risk bringing in alcohol, marijuana usage is growing because it's easier to conceal. Offenders of local option learn to use their rights to thwart attempts to correct action. It limits self-determination. Local option elections help people to get together on an issue, help some

communities develop alternatives. People's drinking isn't so obvious. There are less calls for drinking-related accidents. People seem to be spending their money on things other than alcohol. There seems to be more self-referrals for treatment. So the news isn't all bad. Because of the changes in our cultural path, what used to work no longer works. Problem-solving in our Native villages used to be pretty much straightforward. Unfortunately things are much more complicated and complex these days. And so the question I usually ask at this point is what do we do. What do we do? Doing something is a reasonable place to start. But deeper than doing something is being something. What influences people in communities is not what you do but the intent behind what you do. The differences between these two concepts is illustrated by the phrase of taking care of someone and caring for someone. When I worked with couples a common problem they experienced was that they did all of the right things, but they did not experience the satisfaction of knowing they were cared for by their spouse. By being able to see the distinction between taking care and caring, they were able to see the states of being as a factor which determined the quality of their relationship. Where this relates to villages is in the amount of activity one sees during a crisis in the village. Usually the authority is brought in, whether it be a social worker or the police, to fix the problem. And that's the problem. Villagers do not see themselves as having the position to fix the problem and they depend on others to solve their problem. I might make an exception for the NANA region. Later this week I will be speaking to the RuralCAP Board of Directors concerning the new approach, which is entitled Committed Responsibility. As it means to remind villages of the strength and relevancy of the traditional values which are powerful enough to confront the array of problems caused by forced cultururation. In this testimony I've attempted to give you an overview of the problems I've observed in my experience. I hope these comments have been helpful. Thank you for your consideration.

Rep. Sund: Doug, I'm sorry I missed some of your presentation here, but I think some of your points that I caught here at the last are excellent. I guess what you're saying is that this certainly isn't all of the solution but this may be one small part. It may be one small positive step in part of the alcohol approach.

Modig: This meaning the fifth option?

Rep. Sund: Yes, or some other option or some change in the local options to better tailor it to local village needs.

Modig: In my statement I made the comment that I support the notion of self-determination. That if villages choose this way of doing things, then I would respect that choice. At the same time I know that change comes from states of being, not from what you do. For instance if you drive a car, it doesn't mean you know how to drive. The difference is the intent behind it. If you drive responsibly for instance, that is a being state. That is not necessarily what you do, because anyone can do anything. The quality is determined by intent. So then if your intent then is to control alcohol, those that have attempted to work with alcohol, those that are recovering from alcohol, know that alcohol is not controlled, as a matter of fact. It is out of control, which creates the problem in the first place. So I have to hedge on you to say that I support the notion of self-determination, where if the village wants to attempt to control alcohol in the villages, they ?? Okay?

Senator
Fischer:

I think that's a very good statement and you laid your thoughts out very well. Let me just sort of check out what I fully understood. What I think you were saying or what I heard was that if the fifth option means bringing in external authority, it still isn't going to solve the basic problem. And what you're looking for is an internal village solution that's based on, I think you referred to the traditional values, traditional methods of the villages. Am I correct?

Modig: That is correct. And I am somewhat remiss in not introducing that part. But needless to say this concept can go on forever, to define those things. And that is one of the things that I will be introducing to my Board this coming week. But I want to clarify that states of being is part of our cultural heritage and that those things have given us survival for thousands of years. And one of the things that they say in alcohol is that if there's nothing wrong with it don't fix it. And I don't think that we as Native people need fixing. And I think that we can recapture that same sense. The approach, needless to say, needs to be different. Because again, they come from being states, not doing states. (end of tape)

Senator
Fischer:

...people to deal with the alcohol problems themselves. That would fit more into your scheme of things than if it were just one more deal where you

call the State Troopers or rely on the external powers, is that correct, or am I putting words in your mouth?

Modig: Well, one of the things that we're taught in this society is to respect the Constitution. And the Constitution guards our individual rights as citizens. And that the local option law and the fifth option, as it is proposed, and as I understand it, I could be wrong, it runs contrary to the rights of an individual. And in that sense, that if villages are attempting to find control within the realm of those things, then it just baffles me on one point, because it would be the same thing as, regardless of the relative merits of the use of alcohol in the villages, that the confusion that I experience comes from, and I guess it comes from some of the feedback that I've heard about who's to limit the rights of the individual. So you say that the fifth option will remedy the program. And what I'm seeing, from an entirely different point of view, is that it creates another problem. Another point has to do with the local hire laws, that in the local hire laws, laws were made to make jobs available to people in Alaska. The State Supreme Court, if I'm not mistaken, said that that's not Constitutional. So then we're back to the same dilemma that we were before. Maybe, and I'm open to that possibility, maybe you know something that I don't.

Otto: Doug, do you think that the problems in Alaska as a result of alcohol abuse are serious?

Modig: Definitely.

Otto: Do you think that they are so serious that an attempt to control them should outweigh the rights of individuals to be able to drink? Do you personally?

Modig: I think that, in a real tricky way, I mean to state it in that way is real tricky because what I see is the difference between rights and responsibilities. Yes, I believe in responsibilities but I do not believe that we need abridge the rights of the individual. Real clear on that. Because what I also know is that alcohol is a very serious problem in Alaska. And it is serious not only for Alaskans, it is also serious in the rest of the lower forty-eight. And that it never worked there. And I've worked in alcohol programs in the lower forty-eight. And I know the seriousness of the problem. I also know that Alaska is my home. But in an attempt to control alcohol, alcohol defies control.

Otto: Let me try to ask it a different way. The Legislature has prohibited cocaine. The Legislature has prohibited heroin. The courts have upheld those prohibitions because they say the problems caused are so serious that it warrants interfering with individual rights, taking the step, which would result in interfering with individual rights, to try to create a solution to this bigger problem. And what I'm asking you is if you think alcohol presents such a threat to the public health, safety and welfare that a community would be justified in invading individual rights by prohibiting the possession of alcohol. What do you think?

Modig: I think you're failing to acknowledge the nature of alcohol itself. First of all you have alcohol the drug. And that if you were to deprive the person of the alcohol that the problem would go away, you could put people in jail and that would cure them. But what we do know, and we used to do that in this society, is to put people in jail for being on alcohol. And that didn't cure it. See, alcoholism affects. It isn't the drink. It's the drunk.

Otto: We're not communicating because I'm not asking you, is there a cure for alcoholism. Is there a cure for people who have drinking problems? Is there something that these people on this committee or the Legislature as a body or the Governor or anybody can do to cure alcoholism as a disease? Because I agree with you, I don't think that that is realistic. But what I'm asking you, if you see something that's a dangerous situation, at some point you've got to try to limit the threat that it poses, right? And I'm asking you, in your opinion, from what you've observed and from what you've seen, if you think alcohol poses such a threat, that the Legislature would be acting reasonably if it decided that it should give villages or communities the alternative of banning possession of alcohol. To try to deal with, not the underlying cause, but the symptoms.

Modig: What I see is that villages can do that already. If villages can ban it. They certainly can. And there are some that have.

Otto: Well, we have a disagreement in that I don't think it can be done legally within the framework of the State Constitution.

Modig: That's right. It can't be done. And yet, if a village were to...

Otto: It can't be done right now because the Legislature has not acted. If the Legislature gave the villages the authority, what the court would do is ask the same question that I'm asking you. The court would say, is the threat posed by alcohol so serious that the Legislature is acting reasonably by allowing villages to ban possession? And if that question is answered yes, that's a reasonable response because the threat is so great it's Constitutional. So I'm asking you the question that the court would ask. Do you think the threat posed by alcohol is so great that the Legislature would be acting reasonably if it allowed villages to ban possession of alcohol?

Modig: Okay. I think that alcohol is a serious enough threat to be banned. At the same time I know that those that are addicted to alcohol, that is not going to stop, that is not going to solve the problem. That is not going to.

Otto: But will it help?

Modig: In some instances it has. Like local option four has helped. But that's like settling for hamburger instead of steak.

Otto: Well, it's not the end of the line.

Modig: I certainly hope not.

Binkley: You know it's a tremendous problem, Doug, the alcohol problem in Alaska, and not only in Alaska but in the whole United States. And we're just trying to do as much as we can as quickly as we can, and this is just one area we're trying to focus in right now on, seeing what little we can do in this particular area, and we've still got a long ways to go in a multitude of different areas regarding alcohol. So you're absolutely right. It's not going to be the final step either. Any other questions?

Otto: I'd only like Doug to put on the record what specifically you do for RuralCAP, what your job is, what contact you have with the villages.

Modig: My title is Program Coordinator for the Alcohol Department at RuralCAP. And my particular tasks at this point are publishing of a newsletter that goes out to the alcohol workers in the State. We have a mailing list of two hundred and some, which are people that are involved in the alcohol programs.

Otto: The Va-Ecs?

Modig: Not necessarily. Some of them are Ve-Ecs. They also include VPSOs, they include program directors, we're not limited. They're people that are interested in alcohol. The other thing that I do is facilitate a monthly teleconference networking with other alcohol workers in the State. I am also a trainer for the Elder/Youth Project in the State. And I work currently with two villages. I'm called from time to time to go to other programs to provide training in community development.

Rep.
Hurley: From your experience, do you feel that elders have a lot of influence on the young people if they speak to them about alcohol? Do you think that that method of teaching works.

Modig: I think so, if you don't limit the definition of elder. That the definition...

Rep.
Hurley: So it should be peers maybe?

Modig: Could be. It is those that have more experience and those that are older. It depends on how you use language. For instance there are words to define old man, old woman. There are also words to define older person. And when I speak of elders I'm talking about a person who is older in terms of age and in terms of experience. And that's what I mean by elder.

Rep.
Binkley: Doug, thank you very much. Appreciate it. Claudia?

Claudia
Bruner: My name is Claudia Bruner and I'm a Public Information Specialist with the Alaska Council on Prevention of Alcohol and Drug Abuse. And if I appear nervous that's because I am. I haven't done this before. My responsibilities at the Council are to develop public information materials as they pertain to substance abuse and to assist communities who are interested in community organization, community development types of activities as they relate to substance abuse. In talking to Laurie she asked me to address the broad question of what is the problem with alcohol. I probably will be repeating some things that you have heard, but I'm going to read this through. Of our current health and social issues you have as many different and competing perspectives as the issue of alcoholism and alcohol abuse and how we deal with them. We know the impairment of human potential due to alcoholism and alcohol abuse constitutes a serious health, social and economic problem in Alaska. The scope of this

problem can be measured in several dimensions. Pain and suffering to the impaired individual and his or her family, in social behavior, low productivity and lost work time, and direct expenditure for prevention, treatment and rehabilitation. Alcohol abuse and alcoholism affect our way of life in Alaska. Most immediate problems directly associated and impacted by alcohol include suicide, family violence and violent crimes such as rape, murder, etc. Although it is difficult to express some of these dimensions in quantitative terms, others may be expressed in terms of measurable economic costs to Alaska. While not totally precise, the current state of art in this area is sufficiently well advanced that some fairly reliable estimates have been developed. An independent study conducted by the California research foundation found that economic costs of alcohol abuse to the State of Alaska for 1983-84, which is the most recent information available, was one hundred and ninety five point five million dollars (\$195.5 million) This figure is based on information from the Alaska Department of Commerce which was used in establishing a gross state product and from that information a design to develop extrapolative approximations was implemented. A more thorough explanation of that figure and the actual document can be obtained through the Council. From that brief overview the Alaska Council makes some recommendations with regard to the health, social and economic costs of alcohol abuse.

Number one, that communities in the State of Alaska continue to have the right to decide whether they will be wet or dry in relationship to alcohol use. In order to make informed decisions about the local option law, we believe that information, education, training is necessary, and implications about the law should be provided to communities requesting it, particularly as new options are created. Number two, that enforcement of the local option law be given priority. If enforcement of the local option law is not carried out, then bootlegging will continue, adding to the continuing problems of alcohol abuse. Number three, to identify currently existing substance abuse prevention resources at the local, regional and state levels and to develop coordination so that these services can be carried out to their fullest. Number four, to continue funding prevention and related services through the State Office on Alcoholism and Drug Abuse at a higher level. We are beginning to see some positive results through school based and community based prevention programs, for example "Here's Looking at You", village alcohol boards, Youth/Elder project that Doug spoke about. These programs are not quick-fix

solutions and, since they are not, require adequate funding over a number of years. And fifth, to develop parity between excise tax on liquor, wine and beer. Currently the excise tax is much higher for liquor than for beer or wine. However, as information from the State Office on Alcoholism and Drug Abuse indicates, Alaskans drink more beer and wine than liquor. Increasing the excise tax on these beverages would create more tax revenue, and while I understand that that money can not be designated for programs, hopefully that money could be used to fund alcohol abuse prevention, treatment and rehabilitation programs. These are just a few of the recommendations that the Council feels need to be considered by the State Legislature.

Rep.
Binkley: Thank you Claudia.

Senator
Fischer: Claudia, could we have a written copy of your statements?

Bruner: I'll give you the one without the notes on it.

Rep.
Binkley: Gary, glad to see you here. Gary's from Togiak. We saw him there and we ran out of time at our Togiak hearing.

Gary
Carlos: My name is Gary Carlos and I don't have a speech made up. I'm probably going to be a little lost at times. Bear with me. I was glad I was able to be here today. I got to hear a very interesting dissertation from Tom Lonner. I was extremely pleased, a lot of the things that have been said elsewhere were actually being said by him. I hope it's real important that all the members here do view his testimony. I don't agree completely with everything he says. I'm sure he's generalizing. The bulk of what he said I think will fit. One of the things that he did say was that the local option is working and that it does seem to have worked to better a lot of the situations. I think here this goes back to the main crux of the whole problem. You've got to take locally each of these villages, each of the problems and deal with them locally. As far as Togiak is concerned, the local option has not helped. This is only my opinion again. It has given some people an awareness of what legalities can do. Like they were saying, the first person to learn that is the bootlegger. There's flagrant bootlegging going on there. There's deaths going on there and I think

the deaths are the main concern. The bootleggers are not so much a concern. But the deaths that result from liquor. When you see somebody that has it in their hand, you can't take it away from them legally. Like she was saying that the local option has taken that power away from the local people and put it into the State's hand. And when they call the State, they have bona fide cases of purchase, watching them get on the plane, land, and confiscate a bag full of bottles calls for a search warrant. Taking the control out of the local people's hands. You have to call to the local hub, as he said, for a search warrant. And they deny it. So here's two gallons of 190 proof. And they have to, by law, give it back to them. They won't do it, but that's what the system has developed. The State local option law has done that. So what are they going to do? Well, people are disillusioned with the local option law in Togiak. They were hoping that it could be done away with and let the people there do what they want. They did not have the problem before. They were taking care of it on their own. I shouldn't say they did not have the problem. They didn't have the problem in that their hands were so tied before. When the State law came in, they took that away from them, they have to call Dillingham every time they want to do something now. Awareness is what has changed things. Awareness that you could be violating somebody's constitutional law. The testimony was given that when the local option law came up, local villages gave testimony. Then they went ahead, lawyers wrote it and then gave it back to the Legislature and back to the people in the villages. And this is what we ended up with. In some instances it may be working and it may be working very well. They should keep it. In some instances where it's not working and it's worse, then they should also have the local option to do what they want. And they really don't know. Another statement that he made is that there is no evidence of the bootlegging going on. There's been, and I could get affidavits to that, people have actually seen them purchase. But the way State law is set up, they can't do anything unless you have marked money, and you have to go through a whole set up verifiante, you got to get the bottle, you know. The State has made it so difficult that you can't do anything. So what the people in Togiak, the VPSO there is frustrated beyond no end. What he's afraid of and what the people there are afraid of is that the local testimony's going to come in again, you're going to go take your idea to the lawyers again, and then the lawyers are going to come back to the Legislature and they're going to give you a law that's going to take us another three or four years

to develop and find out that we're right back where we started from, and that people are going to continue to die, people's hands are going to continue to be strapped, and that they will be worse off, because there's been more deaths. And Togiak has, annually, deaths going on. The fact that I think Tom mentioned about turning it on, turning it off, as they wish. Making that a local option. Togiak has a situation where during the fishing season a lot of people come in. There's more money. There's more opportunity for that type of alcohol related activities--bootlegging, drinking, that type of thing. And in relating with the water, if they could turn it off to an extent that might be more extravagant, or it might work. I can't say. I've lived in Togiak over five years. I'm not originally from Togiak and I can only tell you my opinion and what I've seen going on there. And I can see problems that were created by the State, and the fear that problems that are going to be continued to be created by the State.

Rep.
Binkley:

Gary, do you have any suggestions as to what we might do?

Carlos:

I think they've been, actually, in listening to what people have been saying here, they want to have the local option themselves. To do the way they feel fit, for their particular circumstances. For their particular village, for their particular situation. And each situation is different. I think the problem of the Legislature going in to a rural community, each community has a different problem. Let them decide what is best for them. If you want to give the people an option, give them an option of total banning. And also give them another option of being able to control the way they want. If one's going to work in one community, fine, let's have it, let them use it, what's best for them. But if another community wants to do it a different way, as long as it is within certain guidelines that are acceptable. And when I say acceptable, I'm not saying I know by who. I'm just saying maybe it would be acceptable to the Legislature.

Rep.
Binkley:

That's of course one guideline that we've always got to work within, is the framework of the Constitution.

Carlos:

Okay, it may be acceptable by the Constitution. I'm real critical and I think that this is a lot of the feeling I've heard from the people in Togiak, is that we're going to end up with the same problems we always have. You take too much away from somebody and you're going to end up with the opposite.

Prohibition didn't work in the United States. You take everything away from them when they're going to go to something else. The elders have mentioned in the village that if you take it totally away from them, they'll go to something that's easier to get. It's not unconstitutional to have marijuana, so they go to that. Which is better? The people want to do it themselves. And in a way I'm a bystander, but then I live there and I see the people dying and I know what's going on.

Rep.

Binkley: Any questions?

Rep.

Hurley: Do you think then that we should not have a local option law on the books at all?

Carlos: I don't think that would be the answer because in some communities it's working. And if in some communities it's working, yes you should have it. Somebody mentioned that some of the communities are making their local ordinances around the local option law. Well, they won't work in the courts, the courts would throw it out. Why don't you give the people the authority to make the ordinances around the local option or the prohibition thing that you're doing so that they can tailor them to fit their communities? And if you can do that with the Legislature's backing and justify it as a need, yes there's a need, there's a definite need.

Rep.

Hurley: Can we do that under the law?

Carlos: She was the one that stated that they can't make ordinances on liquor due to the fact that this local option is in place now.

Otto: You can make a provision that says nothing in the local option law should be read to preclude communities from taking different approaches or from passing their own ordinances. But there are still a lot of constitutional and other provisions that limit the ability of villages to do what they'd like to do. We can't ban drunk in public in this State. We can't have laws that don't say we're banning drunk in public, let's phrase it in terms of you can't be drunk on the highway. You can't do that because you're disguising.

Carlos: That's beyond me. I'm not an attorney and I think that's for your committee to decide that. But the fact that she stated that the communities can't make an ordinance takes the power and the ability of the local enforcement away from the local people. And

if you could reinstate that and allow them to tailor these things, if they passed whatever it is that you're going to propose, and have maybe a section five A, B, or C. If A doesn't work, go to B or C. So that if A is too strict or they want to change the wording to a certain way to fit their needs, maybe that would be the answer, I don't know.

Senator
Fischer:

Just a comment. Laurie, you mentioned that possibly writing into law, if there be such a law, that this does not preclude a community from passing its own ordinance. How about, however, giving the community specific authority to pass certain ordinances, to specify what they can do so that we don't run into the question of have they gone beyond general law authorization in this particular field.

Otto:

Certainly. You can add, that's really what we're doing with the local option law. We're saying, these are...

Senator
Fischer:

This would be a step further. This would be the community is hereby authorized to pass additional ordinances providing for local enforcement, providing for such and such, providing for whatever, maybe a list of things the community can do in addition to the official options or to supplement or complement the options.

Otto:

You mean as municipal ordinances, not violations of State law?

Senator
Fischer:

Right. Of course they can't violate State law unless they have sovereignty.

Otto:

Yes. The point I was making is that there are a number of limitations that exist because the State's approach to dealing with alcoholics, the uniform alcoholism treatment act, that's not the exact name, but because in that act it says as a statement of legislative purpose and policy, we do not want to criminalize a disease, we do not want to throw people in jail for being alcoholics. And we are going to instead put them in treatment programs. The Supreme Court has interpreted that as prohibiting a whole range of legislative, municipal approaches to deal with alcohol abuse. If that's answering your question with too long of an answer.

Carlos:

Long answer. All I wanted was a yes.

Otto: It's a "yes, but", I'm sorry.

Rep.

Binkley: Tom, go ahead.

Lonner: I'd like to make a point about what Doug and Gary have said previously. I think they've walked around the issue that I think is really quite central, in that the current local option law is really a law that addresses a community right, the community's right to protect itself from alcohol and related behaviors. And against that, the very same Constitution, the very same set of statutes, raise the rights of the individual. In terms of search and seizure, probable cause, and all the rest of those things. We have created a system of tension right within the statutes, that I think lies at the heart of the problem about why the local option law doesn't work as people had hoped that it would work.

Otto: And due process. And if I can throw in something too. That is something that I would at some point like your response on, though not now, is it seems like one of the better ways to deal with the whole issue is by council action as opposed to individual magistrate action, where you have the more traditional decision-making body involved, yet that doesn't square with our constitutional due process requirements of having a legislative body that's separate from a judicial body that's separate from an executive body. And I think that's another problem that has to be considered when trying to find a solution to the problem.

Carlos: But this is exactly what I was suggesting. To act sort of in the traditional manner, traditional council manner. Authorize them to do it, subject to constitutional constraints. However, this does not authorize them to violate the Constitution.

Otto: And our Constitution sets up a system of government where there are different branches that act independently of each other as a system of checks and balances, at whatever level. And so even if you have a legislative body passing a law prohibiting an act, passing an ordinance in a community, you've got to give the person a right to a fair hearing.

Carlos: Right. But you can also issue traffic tickets that have some kind of an automatic feature to them where, unless the person insists on going to a higher level, it can be handled at the local community level.

Otto: Right. But that goes to the question that I asked

either Steve or Tom, do you think a fine of one to two hundred dollars with a uniform schedule set by the Supreme Court, which is how those work. The Supreme Court says, for a speeding ticket, twenty-five dollars, you can forfeit it, you can pay it, but you have a right to contest it. If you want to contest it, you go before the magistrate. It's not something that can be applied on an individual basis. It's not something where somebody gets cited and there's discretion to give them a twenty-five dollar fine or a two hundred dollar fine depending on whether or not they have a bad attitude.

Lonner: Except repeated violations do provide the basis. And then there's this whole area of community service in lieu of fines. Which seems to be a very appropriate community action. Anyway, I don't want to get involved in discussion here. It just seems to me that this is one way that communities can be empowered to act in addition to the broader laws.

Otto: Yes.

Rep.

Binkley: Okay, Gary, thank you very much.

Carlos: In your discussion here brought up a couple more points. She brought up due process and she says "our Constitution" or "the Constitution" and I think there lies a lot of the problems in the villages. You don't think according to the Constitution as you have here. The due process that you are required to go by may not be the due process that may go on in the village. And the due process in the village might be a lot more appropriate to the problems in the village than you're trying to impose upon them. And in so doing you're creating the problem, and I don't mean you, I mean the Legislature, by putting in a law that makes it so tough for them to follow a system, a law that's not theirs, that it's almost impossible to deal with. You were saying put up a fine of one hundred dollars, a uniform code. Who cares out there? They will do what they feel is necessary to take care of the problem if they could. People are just now starting to become aware of ordinances, how they work, what they're for. If you go to some of the villages, look at the ordinances that they have. You will realize that they don't care about the State Constitution and the due process, they're concerned with the problem, in taking care of it their own way. And you should let them. You should do it somehow.

Rep.

Binkley: Thank you Gary.

Fred
Wemark:

Good afternnon. My name is Fred Wemark. I'm from Kotzebue, Alaska. I didn't think I'd be down here to testify today. I got back from a ten-day vacation late Friday. Late Saturday I think it was you gave me a call and let me know you would be coming around to Kotzebue on Thursday. As luck would have it I found myself here in Anchorage today and I can testify today. As I said before my name is Fred Wemark. I've worked with Tom Lonner on the report that he talked to you about earlier. And I've also worked with the Village Public Safety Officer for a little over two years in NANA region, both running a program and as an administrator. In talking about local option within the region, the people do feel that there is a need for a local option and whether it works or not depends on who you talk to. I'd like to make a statement based on the remarks of the last gentleman that was just here. And also what several other people have brought up. That was, in going around to the different villages and talking about the local option law, when you ask someone whether they were in favor of the local option law or whether they were not in favor of the local option law and asked them why, the people who were in favor of local option invariably said it was for the good of the community. And the people who did not like the local option law were talking about their individual rights. It is violating my individual rights. And a story that this reminds me of. When I was in one of the villages a man found out I was there and gave me a call and said I have to come over and talk to him. I went over and talked to him and he had a number of bottles lined up above his kitchen cabinet. And this was a village that had voted to ban the sale, ban the importation. And he said, I drink. I drink anytime I want. And he went through and talked about his individual rights and said that he would continue to drink. But he also said "if we were to vote tomorrow on local option, I would vote that the community go dry." Those were his exact words. He said "I'd do it because my wife is the health aide. And since we have voted to go dry my wife does not have to go out as often as she used to before the option was in place." So here was a man who does like to drink and he visibly would show it in front of me and offered me one while I was there, said that he would support local option. I would support local option too. However, I do feel that there is several things that also need to be looked at when you do talk about local option. And one of them has to do with the village public safety officers. As I said before I've worked with the VPSO program for several

years. And I talked at length with the State Troopers, the Village Public Safety Officers, about their jobs. And with a number of people on the councils. Tom talked briefly about the several bosses that the VPSOs feel that they do have out in the villages. One of the first things that struck me very quickly when I worked with the program was that the VPSOs were always turning to me, with Manpower, in Kotzebue, asking when they should go on vacation, just asking me normal everyday things as you would an employer. When I'd worked with Tom in the local option program we did skirt briefly on the Village Public Safety Officer program. And I thought this program was a locally based program that the local people would have control over. VPSO is by contract a official of the village who is selected by the village council. Therefore you would be led to believe that he is the person who is going to uphold the rights of the villagers, also uphold the ordinances and take his duties from them. I quickly found out that after the VPSO is selected by the village there was not too much action other than setting the times that the VPSO would work in that particular village. Since we at Manilaq Manpower, which is a village non-profit corporation, paid the VPSO, everyone felt that he was our employee. So that in my mind weakened the VPSO problem very quickly. The other thing that weakens it is, as you've heard earlier, there is very little training for the VPSO. He has his direction from the State Troopers. He is visited once a month by the Troopers. And so people within the village have very little idea what particular training he is getting and what direction he is getting from the State Troopers. They rely heavily on the State Troopers. So he's getting paid from an organization outside of the village. He's getting his training and direction from an official outside of the village. And that does not make for a very strong program. Which could be a very strong program in the villages. What can we do about that? I've tried to come up with some kind of solution to this problem. And yet I have a tough time in figuring out how it's going to work. the VPSO program is not a program that is one that is put into the laws of the State of Alaska. It is at the whim of the Legislature whether they're going to get funded or not. Yet I think it is a very important program out there. Currently the Department of Public Safety contracts with the twelve non-profit corporations in the State for the particular program. If you are to truly have a local program I think the program must be within the village itself. The Department of Public Safety talks about the logistical problems and the problems

of contracting with over one hundred entities with the VPSO program. Perhaps this can be done through a line item such as you do revenue sharing. (End of tape).

Rep.
Binkley:

You would support then that concept of contracting locally with the Department of Public Safety to the villages directly for VPSO service?

Wemark:

I would support that the local villages get the money directly, whether it's through contracting or whether the money is signed over directly to the village. I think you'll find that contracting would be a very difficult way to go.

Rep.
Binkley:

What you're saying then is rather than, my understanding of the system now is that the Department of Public Safety contracts with the local non-profit, Manilaq in your case.

Wemark:

Then as a position out in the village. What I'm saying is get the villages more involved.

Rep.
Binkley:

Direct money to the village directly, rather than going through that other step. Let them hire the person locally, you're responsible for the person as far as their day to day activities, so they report to the...

Wemark:

Right. And have them sign their paychecks so that they get involved in supporting the VPSO that they have hired.

Rep.
Hurley:

Taking it away from the regional non-profits?

Wemark:

Yes. As an administrator that's a tough thing to give up. Because you do have a base there. But to see the program work, you need to have it in the village. And that's what I'd support. And that's more important than I think the indirect. The other area I'd like to talk about is within the VPSO program you talked about the turnover rate. We did have a turnover rate in the NANA region at one time of twenty percent. Out of ten VPSOs we had about a ten percent vacancy rate. And we currently have a problem in hiring in one particular village. What the problem is right now I don't know. There was, about a year and a half ago, a substantial raise given to the VPSOs. That helped cut the turnover rate down considerably. The entry wage for a VPSO currently is around a little over seventeen hundred dollars a month. And I think you'd find it hard put to raise a family within the village on that kind of a wage. It

is, as you know, a high pressure job, a high tension job, and if you're going to attract quality, well-qualified people for this position you're going to have to give them a wage that they can live on and that their family can live on also. The one thing that we heard a lot of early on was that the turnover rate was due to there's a lot of family pressures within the village. Which there certainly would be when you go to arrest the offenders. I had a magistrate within the region tell me one time, "Well, what I do is I tell them I wouldn't have to prosecute you if you didn't break the law." And I think the VPSOs would come up with the same type of answer to their relatives. But that doesn't take away all of the pressure, because that magistrate is no longer within the region. And we had also a very good VPSO, the Troopers held him in high regard, we held him in high regard in the office. And I think the family pressures got to him and he was forced to resign. Perhaps if the wage were a little higher that man would still be working. Currently there are ten positions allotted to the NANA region. I think the oldest employee there has been there a little over four years. That doesn't make for a lot of stability within the program. Getting back to the local option program. Local option, I've had several instances where I've been able to talk with the public defenders and the district attorneys in the NANA region. And after awhile they start talking about the types of clients they saw and perhaps some ways to alleviate the workloads in the courts. The public defender suggested that he and the district attorney go off to the villages, if we could find travel and per diem, and he would go into the schools and talk to the people in the schools and also in the community about how the judicial system works. The only system you do see within the village right now is within the police departments, within the State Troopers. The magistrate is there very shortly, but if they commit a felony they are shipped to a regional center. They are prosecuted, and then they are sent, in the Kotzebue area they are sent to Nome to serve out their sentence, perhaps even to Anchorage. Several of the leaders in the villages have suggested that the very thing that Senator Fischer had suggested earlier, to do public service work within the village. Let's keep the offender home and make him serve his sentence among his peers and do work for the community. And I think basically that's all I have to say for now. One thing I'd like to reiterate is that the villages need the feeling that they have control of their own problems, they have the control. And then they'd get more involved in the local option, making sure that laws are not broken and

things work a lot smoother. When you had mentioned a little earlier about turning that control over to the villagers. But also having them protect the constitutional rights of the villagers, I immediately could picture two lawyers in each village. One for the defendant and one for the prosecution. I don't think we want to go that far with it, but something along that line is what we do need. Thank you very much.

Rep.

Binkley: Thank you very much Fred. Any questions? Thanks again.

Robert

Newlin, Sr: Well, I don't know whether you'll understand my words or not because I just lost a tooth and words don't come out like I want them to. My name is Robert Newlin and I'm from Noorvik, a small village just out of Kotzebue. I wasn't planning on attending this hearing here but because I'm down here for the Family Abuse and Violence Conference that's taking place down at the Sheraton here I feel that this is more important, so here am I. The things that I've been hearing is real good and I want to make one comment. You asked how the churches feel about alcohol or what was your question?

Senator

Fischer: Whether they play an active role.

Newlin:

All right. We have only one church in Noorvik. And if you use alcohol it's a sin. At least from the church. I like the option law in villages because at least there is something there. Could there be a way to at least change one of the headings in one of the options where it says, the title prohibits importation and the sale of alcohol? Which number is that? Is that the third or the fourth. Fourth? Okay. I guess you are working on something in there. Is it use? Because being a Native with very little education I see that you're against importation and the sale of alcohol in the village. But it doesn't say that use is against it. So would there be some way that importation, sale and use of alcohol should be one of the options in the village? Because being an old person like me I haven't gone through much schooling but I've got a little common sense too. Limited. Because of age.

Senator

Fischer:

First of all, I'd like to say that I've heard you speak over the years, Robert, and don't put on this innocent act. You know what you're doing. I think the option number five that is being discussed, this is option five, would in effect allow the villages to prohibit importing, sale and use, possession.

Newlin: Good. That's the one I would recommend because if the use, the word use is on the title, I'm pretty sure that the use would be pointed against the bootleggers, be pointed against the home brew makers, and that would be a big help. And you were talking about the individual rights. I grew up in an Inupiat family, in an Inupiat village. When I was growing up there were no individual rights. That's how the Inupiat operated. There were no individual rights. The only rights you had was responsibility to other Inupiats within the region. That worked pretty good until some people came around and told us that we had our individual rights. And probably these came in from the school teachers, the judges, the lawyers, I don't know how, these sort of people.

Rep.
Binkley: So that's really been the traditional way then, Robert, is you look out for the best interests of the whole family. And in many cases, some of the villages today are really just extensions of those families and they're really large families.

Newlin: Right. Not only villages. It carries throughout the Inupiat tribe, like in Kotzebue we have eleven villages and our rights should be for everybody.

Senator
Fischer: Robert, what kind of alcohol problems are there, for example, within Noorvik. Are the young people drinking, is it the older people. What kind of problems do you have now.

Newlin: It affects everybody. The older people, the younger people. If there was limited use it wouldn't create a problem, but being a dry village, once you get alcohol in the village, everybody parties. They party till no more drunks. And then they'll charter to Kotzebue, bring in some more. That's where the problem is.

Rep.
Binkley: And as a result of that then, are there violent crimes sometimes in the community, or do kids sometimes go uncared for?

Newlin: Right, they're not cared for. But we get to that effects the kids, naturally, small kids. They go to school and when they do go to school they're either half asleep or they don't learn much, that's the biggest effect that we get in our village. Then another thing that happens is, somebody just dies out. Whether it's through drowning or whether it's through any type of.

Rep.
Binkley: Related to alcohol?

Newlin: Related to alcohol. And the majority of people we're losing are the younger people, older teenagers. Teenagers up to twenty-six or twenty-seven. We'd be happy if some kind of law was written up so at least it could be enforceable and it would at least be used in our villages. Because we have at least nine villages dry out of Elanik.

Rep.
Hurley: My one question was whether Noorvik was dry or not and he answered that. When you say the church, you have one church in Noorvik and if they abuse alcohol it's a sin. But it doesn't seem to be working then. In other words, do they have a training program or any educational programs through the church?

Newlin: Well they used to, but there's very little now because other things have come in place.

Rep.
Hurley: You mean like the State Office of Alcoholism?

Newlin: Yes, and in Kotzebue, the NANA Regional Corporation.

Senator
Fischer: Robert, if the village could prohibit use and possession of alcohol, if you could prohibit use, how would the village enforce it? What would happen then, let's say, if somebody violated your ordinance?

Newlin: It would all depend on how you write it up.

Senator
Fischer: Let's say you wrote it up?

Newlin: If you write it up in a way that at least the village has some protection, then it could be carried out in most villages.

Senator
Fischer: Let's assume that you could write the ordinance so that the village council or the village could enforce the ordinance. What would you do with the person who violated? What's the traditional way of dealing with the person.

Newlin: Well, the traditional way is there's no halfway. If somebody commits a crime at least he should be fined or sentenced to whatever the law says. That creates a problem. If somebody commits a crime or kills somebody and gets back, it's just adding more problems to the village. If a fine is carried out to where it's supposed to be taken, it would create no problem. But if a crime is committed and nothing has

been taken care of, so everybody tends to at least do the same thing. Because they believe that if I do any crime I won't be picked up again. He got by so chances are I'll get by too. That's where the law hurts a village.

Rep.

Binkley: Do you think at least, Robert, they should be able to take the alcohol, if you had a law like that, take the alcohol away from the individual that you had banned the use of alcohol, dump it out or whatever? And fining, you mentioned fining, give the person a fine. Or else make him do community service work?

Newlin: Yes.

Rep.

Binkley: How about jail. Do you think they should throw them in jail?

Newlin: If the fine is stiff enough.

Rep.

Binkley: If the fine is stiff enough, then that's okay, you don't need to throw them in jail?

Newlin: Right.

Otto: I'll just follow up on that before I ask my question. What's a stiff enough fine?

Newlin: Well, killing somebody.

Otto: No, if you had somebody charged with possession of alcohol, how much do you think they should be fined?

Newlin: All different fines. How big fines Senator Fischer and Binkley writes up.

Otto: I'm asking you the same thing that Senator Fischer was asking you, and that's this: these guys are asking for your advice. They haven't written the law yet. And everybody always complains that the Legislature writes the law and they don't listen to what people want and so this time they're saying, tell us ahead of time, what do you want?

Newlin: Fischer, if you write a fine that's stiff enough, then we'll straighten up.

Otto: Well, what's stiff enough?

Senator
Fischer:

You're my consultant. How stiff should it be?

Rep.
Hurley: Do you think it should be money, or public service, having to do work in the village is a stiffer fine than money?

Newlin: Well it's a combination of maybe both.

Otto: One to two hundred dollars, is that stiff?

Newlin: Up in our area, that's stiff enough.

Rep.
Binkley: So probably different communities might want to make it different.

Newlin: Well, I think if our region had one law that covers all the villages, probably it would be better. So none of the villages do things a different way. If everybody worked together for one good cause, then the law will work better. No use coming up with ten different laws in ten different villages. That never would work.

Otto: If the law said, you can't sell, you can't import, and you can't possess. Doesn't say anything about use, just says you can't have it, you can't possess it, are there any problems that you see with that?

Newlin: No problems. Use is part of it.

Otto: But what if it didn't say use, what if it just said possess. Is possess good enough?

Newlin: No.

Rep.
Binkley: What would be the... I'm not sure of the difference?

Otto: It's a fairly significant difference.

Rep.
Binkley: You mean because if you had consumed alcohol and you had alcohol within your body...

Otto: Then that's drunk in public. It's the same thing.

Rep.
Binkley: I see.

Newlin: You can have problems without drinking.

Otto: What problems do you see? Why don't you think saying possession isn't good enough, or that's not far

enough?

Newlin: Well, we havn't been educated that far and that would be the older people. Possession and use are two different things, you can keep something in you and just keep it there. But if you keep using it it is two different intrepertations in our Inupiat way.

Rep.
Binkley: Robert thank you very much, sure appreciate you coming down here. Reggie. Sorry we got out of order there a little bit.

Reggie
Joule: Oh that's alright I was trying to get him to sign first anyway. So it actually worked out better. Good evening. I'm Reggie Joule, from Kotzebue. With regards to this local option, it's something that we've been discussing in our region at home for a long time. At different levels. But it's just been in the last couple of years I guess that the villages are discussing it from their level. And there's a big difference. Because I guess sometimes agencies and organizations can go in and tell people what their problem is. But it's a whole different story and the meaning's a lot different when the people of that community are telling themselves and each other what the problem is. And it may be the same words exactly. But where it's coming from is something else altogether. And that is something that has been taking place in a lot of the villages, a lot of the villages in our region. We started out kind of like we do, I guess sometimes, after we went to a lot of the villages, and we heard a lot of the negative parts of things. And I say this because when we got to one village, we had a tendency to do the same thing. And one fellow stood up and said, "Well, you're right. All those facts and figures are true. But since we've had this local option law, it has worked. Not completely, but it has, and here's some of the ways it's made a difference in our community." So yes, sometimes we come up and tend to tell you that there's something wrong with the law. There is. But it is having some positive effects, and I think that that's something that you should hear, off the top. However, some of the things that are wrong. You know, I'm just going to repeat some of the things. Because basically it's these things I have here that are things that came out of a series of meetings which started in Noorvik, in Robert's community. I thought it was kind of interesting, because it was their meeting and we were just invited to it. So everything that I have here is something that the people themselves have said and we just kind of put

it down on paper.

Senator
Fischer:

Reggie, why don't you just tell these people what you do.

Reggie
Joule:

Well, I have a job title and then there's something that I do. My title in the region, I'm the Regional Youth Coordinator, which in a way has something to do with what I do. Our people, starting with the elders, started a program which is often referred to as the Spirit Program, but at home we call it in Inupiat,???. And what that means is those things that make us the way we are as a people. And basically I guess if you wanted to interpret it, the way your elders did, help to carry it along. At least the values that our elders came up with. That kind of explains what wasn't so strong in our upbringing that causes us to have some of the social problems that we have. Respect for elders. Love for children. Respect for others. Respect for nature. Hunter success. Domestic skills. Humility. Sharing. Cooperation. Spirituality. Things of that nature that are traditional values. Now my job is to go around promoting these values to our people so that we can try and teach the kids at an earlier age what they mean and at some point maybe we can start becoming examples ourselves. Rather than have to talk about it, the way that we choose to live would demonstrate what they mean as opposed to just talking about it. Right now we have to do a lot of talking. But there's still a lot of people that do a lot of demonstrating, that have that. And a lot of the elders are those kinds of living examples. That's what I do for a living.

Rep.
Binkley:

Is that for NANA or is that for Manilaq?

Joule:

It's for our region, which includes both.

Rep.
Binkley:

So do you work for NANA or for Manilaq?

Joule:

I work for the museum. But when those meetings started in Noorvik last year we came to speaking on importation. Of course there's so many ways of bringing it in. There is no way that people can count on anybody else to do any kind of searches. If you're coming in on a commercial airline they're not requiring people's baggage to be searched, or their person. It's coming in all kinds of ways. And people are getting smart. So in terms of importation,

it's difficult. It's difficult on the communities who, when they go to the polls to vote, and the village elects to go dry, basically what that says is the "we" and "our" is just stronger than the "me" and "mine". And yet when it comes to enforcement of the importation and all of the things that are associated with it, what happens to those people who have expressed by vote their desires to stay a dry community, when those people who are looking out after their own interests are being protected by the very law that is supposedly to supposed to help the other people. There's a lot of confusion and it causes quite a bit of anxiety. And one of the things, we're sitting back here and I was listening to Vic and everybody talk about, well, I just wonder how things can be handled on a local level, giving the local governments or whatever, turning more of the responsibility over to the community, I guess. That has been mentioned. You asked about the church and how they have been involved. They have been or are beginning to become a little bit with the social concerns committee in one of our churches. But what I was sitting back here thinking, and I don't know law or governments that well, but the Federal Government recognizes tribal law to a certain degree, to the point where I guess they have a court system which is recognized, which deals with ordinances such as Federal Indian Liquor Law, which I think you're more familiar with, but first wrote that letter to Sheffield. But is there any way that the State and the Federal Government can cooperate at that of, when there is and are violators, I don't know if the municipal government can act as something like that. A council, a village council. A lot of the villages don't have magistrates in all of their villages, and they experience violations. They witness, they see this happening, and yet the way things are you have to go and get a search warrant. By the time you get it, that deed is done, the act is over, it's too late. Can something be set up in the communities, either through the village council, the city council or whatever, where that same authority can be delegated, where they can get that? Because it is their community that is being hurt. The State Troopers may sometimes be at dinner.

Rep.

Binkley: Reggie, I don't know a lot more.

Joule:

Well, I'm just asking those questions.

Rep.

Binkley: I think the Federal law does allow much more flexibility for the community than does State law.

And one attempt was to bring those into sync, so that they were the same. If the local tribal organization opted to adopt Federal law, that then State law would be in coordination with that federal law. And you could in effect bring State Troopers in to help enforce something that would be parallel to the federal law. But Laurie's probably much more knowledgeable about that than I.

Otto: I have to apologize because ?? (unintelligible)

Senator
Fischer:

Reggie, I don't think any of us really know the answer. But there seems to be a general feeling that more of the authority needs to be put in the hands of the village, and I think this is probably what the committee will have to work on over the next month or so, to come up with the tools and figure out how the village can sort of decide what it wants, and then have a way where the village can actually implement its own policies, whether it's by deputizing their own people, or holding a community meeting and talking about the offender. I'm not sure what the traditional way would be, but the ideal thing would be to sort of have the community itself exercise their authority. We all know how the Troopers exercise authority.

Joule: Agreed. And there are things that are taking place that probably can't be done under State law. That are helping out. I'm from one of two communities in the NANA region that are wet. We tried an initiative to have the, I'm not sure what option it is, but the one with the communities owning the dispensary license, in Kotzebue, that failed miserably. I was one of the people that was pushing it. I was crushed. But since then things have happened that have brought the village, the industry, it actually brought people together because of that. We were at odds in a political sense, but everybody began to realize that we needed to work a little bit closer together than we had been. If nothing else, it didn't make any difference then, how the vote went, because that was happening. And what we're beginning to see happening in Kotzebue, is that the industry is beginning to react to the requests of those communities that have voted dry. But then they're stymied by legal questions. They're setting up a hotline for anonymous tips for bootleggers or people that sell to minors. That's one step. Possibly restricting sale. The amount that you can buy. So there are small steps that are being taken that could help out. And that has to be kind of done at our own level between communities. And so I guess

we're fortunate in that we're smaller than most areas. We don't have fifty-six villages in our region. We have eleven and we all speak the same dialect, pretty much. Anyway, with regards to possession, there again I think I would be in favor of a law that were to include possession, especially if it were to make the existing laws a little bit more enforcable. Right now they're extremely difficult.

Rep.

Binkley:

Reggie, thank you very much. We appreciate it. Also I might mention that we're going to be up in Kotzebue Thursday, I believe, and maybe you could spread the word for people that are interested to come in and testify. We're going to be there from 1:30 - 4:15.

Joule:

I'm down here for the same seminar that Robert's on and we're going to be here all week, however the word is in the process of being spread.

Rep.

Binkley:

We appreciate it. Thanks again. Joan.

Joan Hamilton

Cannelos:

I'll be short and sweet. I've heard the roads are getting bad, so you need extra time to go home. I'm Joan Hamilton. I work with the Alaska Native Health Corps, that's a substance abuse corps, Native. I don't really do anything, I don't deliver direct services. I do give information out to villages on what is working well in one community and then, I'm a matchmaker, get the two people in contact with each other so they can share information and resources. I represent Alaska Natives on the National Indian Health Board on Alcohol and Drug Abuse. And there it's mainly matchmaking too, getting people together on how best they can work. And the local option, as you said, or as Tom Lonner said, in the village when you say local options, they think about number four. They don't realize there's three other options before that. And I've asked around people in all of my travels, hoping they would tell me that it doesn't work. Because I really don't think it works. I think it makes the problem go underground. But everyone that I've asked from the villages has told me that it has worked. And there may be some I haven't gotten ahold of, but everyone I've touched base with says it works. And I do believe that the community has a right to decide whether they want another option or not. That's totally contrary to how I believe personally. But what I'm afraid of is like local option four, people expected a panacea for all these social ills, and then the problem's still there. Reduced yes, but the problem's still there.

And then there's some sense of failure where it hasn't worked. And now they're looking for another cure-all, and that's the fifth option. But I think with number four and possibly with number five, if all of a sudden you have this five thousand dollars if I bring any liquor in, I don't want to do that, there's a breathing time before people figure out a way of getting around the law. And I think this is very valuable time to go in and teach, to educate. You can teach life skills and coping skills with elders. Elders can do this beautifully. They do have, with my experience with elders, some of them have had a problem with liquor, don't do it. And not too many of us will not do something just because we don't do it. It reminds me of when I was in boarding school there were sixteen rules. And I broke as many as I could. I would have kept on but I got caught twice. And I knew if I did the third time I'd get kicked out of the school. I didn't want to get kicked out of school. I think that's human nature. I think that's what's exciting about people too, that they will try and see how they can bend the rules. And I think people need to, like we have alcohol counselors, they need to educate on the effects of alcohol and drug abuse. On what so much can do to you for instance, FAS, fetal alcohol syndrome. Alcohol abuse, what it does to, for instance, instead of dealing with the frustration or in anger going to the bottle, how that is avoiding the issue rather than dealing with it. And deprive yourself of a chance to grow. And I think villagers need support. Like in response to your question about the churches, in the two regions where I know the church actively supports, and not necessarily monetarily, but personally supports, community support groups. They've been very successful in the interior. In one village in your area, Mr. Binkley, they have a weekly meetings and as many as two hundred people come to these weekly meetings. On the effects of alcohol. And you know you can only take so much about alcohol, so some nights they'll talk about some pressing problem that needs to be taken care of in the community. And it's all very informal and all volunteer. And this is a village that had a very bad reputation for a few years.

Rep.
Binkley: Which village?

Joan
Hamilton: I don't want to say.

Rep.
Binkley: Give me the first letter.

Hamilton: I'll be more than happy to tell you after this. And also support groups like children of alcoholics and adult children of alcoholics. It's sort of an innocuous way of learning about a problem you may directly have. You can learn about alcohol as being a child of an alcoholic, when in fact you may have that problem yourself. But it's a very Native way of doing it rather than confronting it head on we talk about "her" problem. And it's not avoidance, just another way of dealing with it. And teaching villagers, I think one of the big problems we have is last week somebody just mentioned it to me and I've heard it over and over again is that villagers are often brought information. And they learn this and they think it's wonderful. But then they don't know how to spread it to somebody else. So our emphasis is on teaching people how to teach other people. It's a lot less expensive than bringing somebody from Anchorage to Nunivak Island. It's easier for somebody from Toksook Bay to go to Nunivak Island and teach. Somebody originally from Anchorage may have to do the process. And I know it's rather a sensitive issue, but the more I think about local people doing their own thing, I always sort of remember back to tribal law and tribal courts. And that's fortunately somebody that I don't have to deal with here, ladies and gentlemen (end of tape). Our village didn't get any outside influence until in the early twenties. And then they were very resistant to change because of the stronger men and women we had in the community. And I think because of that even with the public school being there in the past forty years we had the highest number of college graduates per capita than any other Native village in Alaska. I can't say we have less problems, but I'm very proud of that fact. And all of the graduates from there, the ones who went up to higher ed, are bilingual.

Katie
Hurley: Have the graduates come back to be in the village?

Hamilton: The teachers have, yes. The nurse and the ones who educated themselves out of the requirements for a teaching position are in Bethel or here in Anchorage. And one recently went to the lower forty-eight because he needed a rest from counseling all his relatives. He's a social worker.

Rep.
Binkley: Joan, thank you very much. We sure appreciate it.
Bob Nestel.

Bob
Nestel: My name is Bob Nestel. I've sent you letters previous to your meetings. I sent a letter to each

of you individually, saying you had a difficult task. Let me go a little further. I don't want to detract from what you're doing. It certainly is necessary. But I want to say that as of this noon, Anchorage Crime Commission reported on their findings for 1985. I was on the Corrections Committee, as you know, Katie and Edna. On that Corrections Committee we heard Dr. Aaron Wolfe speak to us one time. He's the part-owner of the Langdon Psychiatric Clinic and has been in Alaska for about fifteen years, has had a tremendous amount of experience dealing with Alaska Natives, and dealing with the Department of Corrections. At the present time the Department of Corrections has, and it may exceed that today, but as of about two weeks ago it has twenty-two hundred inmates in the whole State and outside in the Federal Bureau of Prisons. There are about two hundred out there. Our prison population increases approximately three hundred and fifty per year. And unless we want to open new and expensive prisons or restitution centers or halfway houses, or whatever we want to call them, we've got to find some way to abate the flow of inmates into the system. Let me use another example that relates to your task in the present. I was on the Corrections Committee with a lady by the name Shirley Rose, she currently is a substance abuse counselor at the Women's Resource Center on Ninth Avenue. Her statistics show that eighty percent of people that were inmates were convicted as the result of an encounter with alcohol. Also let me tell you that over fifty percent of the inmates at present are Natives. Let me tell you that Dr. Wolfe told us, his experience with Natives and the black-out they go through when they reach 1.5 blood alcohol content. They simply, it's like a computer that's been turned off. They have no ability to remember what they've done. We can talk about local operants. But when people are at Providence Hospital who have committed crimes and who have repeated the same drinking pattern, you can stand there and talk to them, they're drinking and they've reached the blood alcohol level of 1.5, they simply don't remember what they do. They can have video tapes and cassette tapes and the man will swear he never said that. He can see it on a video screen. And I've got a tape recording at home of his comments to the Corrections Committee. He was one solution that I don't know if it's been suggested here or not. It would be difficult to enforce. He suggests giving the Native population Antabuse. We all know this is a drug given to people who are alcoholics to keep them off of alcohol. He said that's the only possible way he can see. And that may be one option you have yet to explore. I'd like to find the tape, I'll deliver it

to one of you. But please, I would encourage you to call his office and see if he is there and have him testify before you. I'm just kind of a third party mentioning this to you. I think you need to hear his input.

Rep.

Binkley:

Okay, Bob. Any questions? I appreciate your thoughts. Anybody else that would wish to testify? Okay, we'll go ahead and close the public hearing. Thank you very much.



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ANIAK

JOINT SPECIAL COMMITTEE ON LOCAL OPTION LAWS

November 18, 1985

Present: Rep. John Binkley, chairman
Sen. Vic Fischer
Rep. Mark Earnest for Sen. Sachett
Rep. John Sund
Legal Counsel: Laurie Otto

Rep.
Binkley:

I call this local option committee to order on November 18, at 11:45 a.m. (Introduction of committee members). We will begin this meeting by talking generally about what we are trying to accomplish and why we are really here. This committee was created by a resolution in the senate and in the house that was passed, creating this committee to study some of the problems that we've had with the current local option laws. To see what some of the perceived and real problems are, to go out and gather data, information and facts so we can take these back to Juneau and act upon what we've found to be the case out in local communities.

I'm sure everyone is familiar with the local option laws. Apparently in Aniak the sale of alcohol is restricted, but you can import alcohol for your own use. This is similar to what we have in Bethel. We're not trying to come into Aniak or any other community and tell the community what they should do as far as local options. We are considering another option, adding that to the list that a community can select from. Right now there are four different options a community can select from. We want to consider in the course of these hearings a fifth option that a community might be able to choose. This would be to allow communities to ban possession of alcohol within their communities. Again this isn't anything that would be mandated from Juneau by the state legislature. It simply would be another choice that a local community could make. Of course the local options are ones that are voted on by the entire community in a referendum type vote. Then they could choose the

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form of option they wanted and the kind of limitations they want on alcohol within their own communities. We encourage this and we want to see those decisions made at a local level. We also want to make sure that those options available to communities are adequate. If there is need for any other options we want to be able to respond to that and have that available to communities. So with that, maybe we could start out. What we're looking for is: How the local option in your community is working? What are some of the problems with it? What are some of the facts associated with alcohol? What are some of the problems that occur? What are some of the crimes that are related to alcohol in the communities? What type of alcohol seems to be a problem? Is there a problem with home brew, or is it store bought booze, or some of those type of alcohol related problems in the community? Maybe before we start if any of the other committee members would like to say anything you could.

Laurie
Otto:

The one think I'd like to mention John, is to let you know that Lyn Kvamme is going to be the first witness testifying before the committee. She is a counselor at Aniak's Counseling Center. She will be providing the committee with a little of the background about the entire regions approach to alcohol and her experience working in the field. Just to provide you with a little background information and a little bit of perspective.

Rep.
Binkley:

I want to apologize for being late this morning. The committee will be visiting another community, Akiachak, down on the Lower Kuskokwim. Laurie what is our schedule for being in Akiachak?

Laurie
Otto:

I think we need to be there about 1:30p.m.

Rep.
Binkley:

We will need to end the meeting around 12:30 p.m. then. So this will be fairly short and if you could we'd like for you to be as specific as you can. Please make your testimony as condensed as possible. In this way everyone will have an opportunity to talk with us this morning. With that Lyn we'll turn it over to you. Good morning and it's good to see you here.

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Lyn

Kvamme:

Good morning. My name is Lyn Kvamme and I've been working as a counselor for about five years now. I started working in Bethel for four years. I then moved to Aniak the first of February and I've been working here since.

The experiences I've had counseling in communities and the Delta have been with alcohol. In the counseling center here we provide both mental health and alcoholism counseling. On the majority what we see is for alcohol counseling. As long as I can remember people have been drinking a lot here and abusing alcohol. Not just social drinking but abusing alcohol. The majority of people we see are single males between the ages of 23 on up to 35-45 this is the majority of the clients we see is male. Most of them are offenders either D.W.I. or something to do with assaults. We hardly see any teenagers. I don't see any teenage abuse with alcohol in this region. Most of the people that are abused are in their thirties, late twenties and early thirties, a lot of them are parents too. I see a lot of kids. I work as the youth coordinator here in Aniak. I work with the kids and a lot of them share problems of alcohol, alcoholism or alcohol abuse in their family, which interrupt with schooling. They don't get enough sleep at night or they don't have enough time to do their homework because of their parents partying. Especially on weekends they take over the chores of their parents of taking care of the rest of the kids, this is what they share with me. So, the parents drinking and neglecting their children does affect the whole community in this way.

Rep.

Binkley:

Lyn, you mentioned that most of the people are offenders. Is quite a bit of crime then associated with alcohol?

Lyn

Kvamme:

Yes. Most crimes we have here I'd say about 90% of them are alcohol related and have a criminal record.

Rep.

Binkley:

How about as far as abuse of children when parents get in a situation where they're drinking?

Lyn

Kvamme:

Yes, almost all the reports that we get of a

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child being neglected or abused by a parent. When we go into the history of their parents were mostly alcohol related.

Rep.

Binkley:

Do you have any sense of how the current local options that you have here, as I mentioned before Aniak allows for the importation of alcohol but not for the sale? What's your feeling of how that local option works here?

Lyn

Kvamme:

There's two different ways I feel about it. One is I feel it's okay. You know I feel that the people that don't abuse alcohol can get their liquor with out having to go some place else for it. They can order it. But in another way, it is easy for bootleggers to have business here. They can make a lot of money because it's easy for them to get it. They order it instead of going some place else like McGrath to get it. It's easy for them to sell it here because people in surrounding villages can't import it to their village, so they come here and buy it. Sometimes they take it back to their village or stay here in the community and drink it. I see it's not helping the alcohol abuse here in that way.

Laurie

Otto:

Where do people drink here?

Lyn

Kvamme:

Here? At peoples homes or parties. Since it's getting colder mostly at their homes.

Rep.

Binkley:

Is there a lot of cases where some of the crime or abuse takes place outside the home where the drinking actually occurred? When there is a particular party going on in one particular home do abusive situations usually occur in that home or does that sometimes extend out of that situation into other areas of the community?

Lyn

Kvamme:

Well, I've been here just a little while and what I've see is just a little bit, yes outside the community. Not in the home but outside yes.

Rep.

Binkley:

So other people are affected by the drinking that may take place initially in some ones own personal home?

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Lyn

Kvamme: Yes. We've had some complaints like neighbors calling and there's nothing we can do. But some times they don't call the cops and it affects the neighborhood that their partying in.

Mark

Earnest: For local knowledge what kind of police force is in Aniak?

Lyn

Kvamme: There is the state troopers which are here in Aniak. There's one V.P.S.O. which is based here in Aniak and there is a city policeman. So there is about three people.

Mark

Earnest: Have there been any convictions on any sale of alcohol here in Aniak?

Lyn

Kvamme: No, none that I know of.

Mark

Earnest: Maybe somebody else might know.

Rep.

Binkley: Any other questions? Senator.

Sen.

Fischer: Lyn based on your previous experience else where and your experience in Aniak you're probably familiar with the laws and regulations on alcohol. Is there any sort of law or additional assistance that the state needs to provide, so a local community in the region not necessarily Aniak could better deal with the alcohol problem?

Lyn

Kvamme: Yes like Sleepmute for example, they banned alcohol and you can't import it to the village. They don't have any kind of support. For a while they didn't have a V.P.S.O. in the village and people were importing the booze and they weren't convicted. Other people see this so they feel they can go out and bring it in themselves. When they do convict them-if the person was convicted and their time was suspended and put on probation there was no way for the probation officer to know if this person ever violated their probation or not. There's no follow up on probation or anything else like this. If the village has a strong counsel, city counselor, or traditional

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city counsel this is the only way that the probation officer will ever find out is through the counsel reporting them. I feel it would help if there was more policeman in the village.

Sen.
Fischer: More enforcement.

Lyn
Kvamme: Yes, more enforcement.

Sen.
Fischer: Thank you.

Rep.
Sund: Question Lyn, interms of the offenders that you deal with single males come to counseling do they come voluntarily or are they court ordered?

Lyn
Kvamme: Most of them are court ordered. I'd say about 95% of them are court order.

Rep.
Binkley: Lyn, how about the problem of home brew do you see much instances of people that are producing home brew and that some how that is causing problems in the community?

Lyn
Kvamme: Not, here in Aniak but I've seen it in other villages. Like in Sleepmute and in Crooked Creek and Kalskag.

Rep.
Binkley: So in Sleepmute even though they are able to ban or they have voted to ban importation people still have a problem with alcohol because of home brew?

Lyn
Kvamme: Yes, because of home brews.

Rep.
Binkley: Do you have any idea of how they go about making home brew around here?

Lyn
Kvamme: No, however, I do know they can buy the makings at the store and then make it at home.

Rep.
Binkley: The yeast and what not?

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Lyn
Kvamme: Yes, everything they can by from the stores. The stores provide them all everything.

Rep.
Sund: I don't have anything else right now but if you'd stay through the rest of our hearing here I'd appreciate it we might have a couple of questions here from somebody else.

Lyn
Kvamme: Sure.

Mark
Earnest: Lyn, are you a counselor or for K ~~N~~/A?

Lyn
Kvamme: For K ~~N~~/A yes.

Mark
Earnest: OK.

Laurie
Otto: Did you also work at P.A.T.C. for three years, which is the Phillips Alcohol Treatment Center?

Lyn
Kvamme: Yes for three years, and I also worked at the group home in Bethel.

Laurie
Otto: Is that counseling included?

Lyn
Kvamme: Yes, all counseling related.

Rep.
Binkley: Lyn thank you very much I appreciate it.

Lyn
Kvamme: Thank you.

Rep.
Binkley: Ok, I guess we can just go by the list here, Rob Clift.

Robert E.
Clift: I wasn't really aware that you people were coming so I haven't prepared a statement. As I see the problem with alcohol here in Aniak it falls into several categories. One is that almost all the deaths we've had in the last few years have been related to alcohol-accidents, drownings, and so

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forth. There is a lot of death, unnecessary death associated through this. With affects it has on children so far as neglect and so forth I guess I would not really like to see the laws changed from what we have right now. I think anything further would be meddling in areas that government shouldn't meddle. The things I see that have had the most affect on our alcohol abuse here in Aniak have had an unnecessarily been any programs but more availability of jobs-employment. It seems that when people have jobs and they develop a little self respect they ~~no~~ longer abuse alcohol quite as much.

Rep.

Binkley: So more of a social attitude.

Rob

Clift: In the last few years the city itself has had quite a few state funded programs. This provided jobs which seem to me would make quite a difference in attitude. We still have problems but not nearly as bad as we had five or six years ago. I think the more that could be done to encourage employment would make a great deal of difference.

Rep.

Binkley: That's one of the problems we foresee down the road that's coming rapidly the decline in state revenues.

Rob

Clift: Right, I don't necessarily think state funded jobs are or make work things are what's important we're trying to style it here from creating free enterprises because of lack of lands. I think after maybe 1991 the land issues are resolved there will be more free enterprise and so forth. I think now everything is on hold waiting until this is resolved. We've had lots of people interested in starting small businesses. We planned on capitol revenue but no way to put this into affect.

Rep.

Binkley: Rob, you mentioned that you felt the present laws were fine and that the current statutes were working. Do you think, and I don't know if that was speaking to the overall local options through out the state the availability of those local options or just this specific one for Aniak.

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Rob

Clift: Well, I can only speak for Aniak and maybe not for Aniak, but I think as far as government should go laws exist and I think the place to concentrate is to prosecute people for crimes that they commit while they are intoxicated, not to try and prevent intoxication. I don't think it's our place to try to protect people from everything they can do to themselves. But, we should prosecute people that commit crimes while their intoxicated.

Rep.

Binkley: How about the other people that might be affected? You know that might of course not be actually drinking the alcohol but might be the victims then of people who are.

Rob

Clift: Then, their victim of crime and the crime should be prosecuted. I don't believe that we'll have that much problem if things continue going. I think the problem has improved in the last four or five years. It's improved quite a bit.

Mark

Earnest: Just a couple questions Rob, in terms of prosecuting people under the existing statute where you're allowed to import into Aniak, but not allowed to sell. Do you see a difficulty there? You talk about prosecution, is there difficulty in making a case to get people in the community to testify against other people who are immoral.

Rob

Clift: No, I don't see that as the problem. The kinds of crimes we have are usually D.W.I. and assaults and maybe neglect with children. Well, that's probably pretty hard one to prosecute there, but basically people here are not criminals that they do as far as serious crimes we don't have any. Things like D.W.I. and assaults can be prosecuted by the V.P.S.O. The testimony that he gets would be enough. I really don't have more to add to that.

Rep.

Binkley: Ok, thank you Rob. I appreciate that. (A lady started talking) Maybe you could keep track of some of those things Lyn, and we could hear from you later on. We'll keep moving down the list here. Laurie, who's next on our list there?

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Laurie

Otto: LaMont.

Rep.

Binkley: Mayor? Are you still the mayor?

LaMont E.

Albertson:

No, Clift the gentleman who just spoke. My name is LaMont Albertson and I've been in Aniak going on nineteen years right now. I think I see less abuse of alcohol. I still see abuse of alcohol and drugs in our community, but I see less abuse in our community than I think existed ten years ago. I have some reasons written down why I think that is happening. One of them I think is the counseling program. The money that Social Services has invested in that counseling program I think certainly has helped our community out. I think the media coverage sees the positive media coverage you see encouraging people not to abuse alcohol on the state satellite channel. I think that has led to less abuse. I think that t.v. itself has led to less alcohol abuse by having that entertainment right there in your home in the evening home. I think the local hire, trying to use local people in the jobs locally rather than bringing people in. It's not only given the people we have locally jobs, but it tends not to depress people who are perfectly capable of work, but can't get jobs because outsiders are coming in to get those jobs. I think the Kuskokwim Native Association they've also been working not just through their counseling program, but through different things that they do to encourage less drinking in their communities. I think the fact that Billy Morgan and other people were successful in bringing housing program into our community. I think people having nice houses to live in and warm comfortable environment leads to less drinking also. The concerted effort that the health clinic has made in the last few years certainly has contributed also. We have better school programs, better education in Aniak than what we had ten years ago. I certainly think incorporating drug abuse programs right into our curriculum has helped us somewhat. I see more active participation on the part of local churches, particularly the Roman Catholic community in dealing up front and not being afraid to say things in their sermons or say things in the open about the alcohol problem we have. I think when we first got here we tended to sometimes look the other way, not address the

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thing up front, but that's probably on the part of all churches. I think generally just a better standard of living in Aniak than there was ten years for various reasons. I think that's contributed to less abuse. This is just basically my observations I appreciate getting to share those with you.

Rep.
Binkley: Senator.

Sen.
Fischer: This is a marvelous run down LaMont. With respect to the existing laws you have enforced here. As I understand importation is permitted, sale is prohibited. To what extent is there bootlegging and infact selling?

LaMont
Albertson: There's some bootlegging which goes on here. I'd imagine at least three weekends out of the month you could buy a bottle in Aniak if you wanted to.

Sen.
Fischer: Do you know what the going price would be?

LaMont
Albertson: No, I don't. I'd say I've heard forty or fifty dollars for one and I'd say a dollar a can for beer or something like that.

Sen.
Fischer: Did you indicate before that there had been some convictions previously?

LaMont
Albertson: I think there's been a couple. Yes, there have been.

Mark
Earnest: I just wanted to follow up on that because one of my concerns is the ability to get testimony with in a community or village to convict either under the existing law or one of the options we're looking at banning the possession. What's your opinion of that, of people willing the size of Aniak to testify against another person here of violation of a liquor bottle?

LaMont
Albertson: I could speak for myself and tell you that I wouldn't testify against somebody else unless it was a manner of life or death or some sort of

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criminal activity or something like that. I've got to live in this community. I may know who's selling booze and who's not selling, but just as an individual I'm not going testify. I think most people in the community feel like it's their right or it's not wrong to be able to go out and pick up a bottle some where if they want it. It's not saying that most people in the community would support opening up a liquor store here, but they don't see anything wrong with going out and buying booze like that. I'm being as frank as I can be. I would certainly hesitate and I can imagine somebody who is related to somebody in some sort of offense like that would certainly hesitate.

Mark

Earnest:

You feel that (just to follow up on what your saying) perhaps it may be wrong and you may not like it, but you can deal with it personally in a different manner other than going to court through the peer pressure of the group or something.

LaMont

Albertson:

I would, I'm the principal of the school here and I would not hesitate to move against somebody who would contribute somehow or another. I think the delinquency of a child or had done some sort of abuse there. As far as deals between adults no I'm not going to get involved in anything like that.

Rep.

Binkley:

So as far as the sale of alcohol then you would (though it's against the law in Aniak) think it would be ok to sell alcohol to somebody else?

LaMont

Albertson:

I'm not saying that. I think that, but I think that other people feel like that's ok and right for them to do that and I think that's why it goes on. I probably wouldn't go out and buy a bottle like that myself you know. No, I'm not saying I think that, but other people do. As long as other people feel that way you can have all these hearings you want to, but basically things are not going to change.

Rep.

Binkley:

How about, LaMont in other villages do who have any idea about other communities or any feel for other communities around this area as to how those communities that have chosen to ban

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importation how that's working in those communities?

LaMont

Albertson: I would defer to Lyn Kvamme's judgement there I think she's probably got alot more insight into that than I have. One option I've wondered about is the beer and wine option. Is that available to communities where they can just get that?

Rep.

Binkley: That might be another option that's a consideration. Right now there isn't it's just alcohol and it doesn't specify between beer or wine but that's a good point. That's something we may want to consider. I mean some communities may want to have that option.

Laurie

Otto: Infact Johne, there is that option available now through working with the A.B.C. board. Who can restrict the kind of license that is available in the community. As you know from, I think you participated in that hearing about the Red Devil liquor store. You know whether or not the A.B.C. board goes along with what a community wants to do is not quite as definite as having it in ... like.

Rep.

Sund: I guess I would just like to follow up. In terms of being principal do you see much evidence of alcohol related incidence of any child abuse or domestic violence?

LaMont

Albertson: Like I said, but not nearly as much as I did ten years ago. Occasionally I see an example of something like that, but I think it was much more of a problem ten to twelve years ago than it is present.

Rep.

Sund: Do you agree with Rob's statement then that basically he's tied, to related alcohol abuse level to the employment level?

LaMont

Albertson: Yes, I also say that too. I think that's one of the reasons that we've had less abuse here because we do have a local hire policy. A lot of the kids, young men and young ladies that I taught in the high school here ago are employed by the city or other agencies here within the

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city. I definitely think that's probably one of the strongest contributors to less alcohol abuse is gainful employment.

Rep.
Sund:

If that employment drops off then you would expect under this formulation to see an increase of alcohol abuse, if that were to change?

LaMont
Albertson:

Yes, I think you would see some change. I think we've established, by building with what we've done and accomplished with what we've accomplished within the last few years in Aniak. We've encouraged service type industries. There's always going to be more employment than what there has been in the past. Things have been resolved to the expenditure of oil money in the community. Yes, I think that once the employment drops off you will see more alcohol problems.

Rep.
Binkley:

LaMont what do you think about, (of course we've got a list right now of local options that communities can pick and choose from) expanding and of course Aniak has just chosen the one that bans the sale? What do you think about expanding that list to allow other communities that may be different from Aniak and may have different problems than Aniak, allowing them personal option to choose from and to deal with their problem in their communities?

LaMont
Albertson:

Yes, I think nobody knows home problems better than home people. If they need more options I definitely think that those options should be expanded. I'm not sure that everybody is aware of this bureau wine thing that A.B.C. apparently controls that the lady (Laurie Otto) mentioned 'cause I've heard that mentioned at several other communities before. That might be a good option.

Rep.
Binkley:

Would that be something that you would like to see statute rather than something that's left to an appointed board that would allow in again an additional law options that a community could choose from that might include beer and wine?

LaMont

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Albertson: Yes, I'd say that. My natural reaction is to say that I think we should probably keep the government out of our communities as much as we possibly can that's toward interference. It's truly a problem and I think where you have a true problem the government is obligated to address the problem. Yes I think it should be a option which should be addressed in statute.

Rep.
Binkley: OK, Thank you LaMont. Let's see Sheryl Kepler.
Good morning Sheryl.

Sheryl Z.
Kepler: Good morning. My name is Sheryl Kepler and I think in one aspect...(a lady interrupted...something about some people that want to come to the meeting from Holy Cross they want to know if you'll be here long enough or some other meeting? "Maybe they could come to Akiachak" said Rep. Binkley.)...Ready now? As far as the state I think the laws as they stand right now are fine as far as Aniak. I'm not aware of the other villages but I do feel though that the criminal aspect, crimes committed while under the influence could be helped alot if the judicial system would be, instead of the minimum use which is usually the case. I think after a few maximum sentences that they might get the picture. They don't do that any more and I think that would help the criminal aspect of the influenced instead of having just minimum fines or minimum sentences.

Rep.
Binkley: So your talking Sheryl about the crimes that people commit as sometimes as the results of being under the influenced of alcohol? Not necessarily the crimes for maybe being convicted of importation in a community that bans importation or convicted of bootlegging?

Sheryl
Kepler: Yes, I'm not really aware of that as far as Aniak is concerned you know. I don't think there's been any real big cases. There's been a few but, I don't notice the bootlegging as being a problem.

Mark
Earnest: In terms of problems do you see alcohol in the communities out here and Aniak as a problem though?

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Sheryl
Kepler:

Not a major one, no. I don't notice that much. I just feel that when there are cases that are taken to court I just read them in the paper. You know the little court reports and their just messed with minimum fines and minimum sentences and stuff. A lot of times you see these names repeatedly in the Drums and in the River and the various. You see them repeatedly maybe if they were given stiffer sentences to begin with that it wouldn't be repeated. That's my main worry about alcohol is the crime that is involved with it.

Rep.
Sund:

Do you see any other effects besides the crime? I'm getting into domestic violence, the child abuse and neglect that may be wrong and as a result of alcohol, they may not be a criminal.

Sheryl
Kepler:

Well, I would say the domestic violence could be criminal.

Rep.
Sund:

Oh, it probably should I just mean there is just an underlying layer there.

Sheryl:

Yes, and I'm not really aware, I'm sure it happens I know it happens I mean it would be heaven if it didn't happen but I'm not really aware of that.

Rep.
Binkley:

Thank you Sheryl. ^{William}~~Wilbur~~ Morgan Jr.

(Guy)William
Morgan Jr:

^{William}~~Wilbur~~ Morgan Jr. I was born here in Aniak and I lived in the majority of these villages from a couple of weeks to a few months.

I see a lot of the problem is lack of education about alcohol. They don't really know how it affects them. They drink to ~~ex~~cess the majority of the time. Mostly the people I think who bootleg are just trying to support their families. They either have a part time job or a low paying job. A lot of the people that import their booze from out of town when they run out they do rely on the bootleggers to buy their - the rest of what they need for the night. There are a few cases where juveniles do drink but any more it's a very few. Maybe about two or three a weekend who go out and party with adults. Out in

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the villages I think they need more out reach. Say I got this job as a traveling alcohol counselor and I'll be traveling maybe twice a month. For my self I don't think that's enough because the people who are trying to quit drinking need this support. The people who drink to excess need education on it. They need help to understand what they're dealing with, where they drink to excess where they don't know what they're doing and they get in trouble.

Rep.

Binkley:

Do you see any correlation, or does your area go up towards stony River then and down the river over where-to Kalsgag? Up to Lime village?

Guy:

Yes.

Rep.

Binkley:

Have you seen any difference in the villages surrounding Red Devil where the alcohol is sold there? The closest bar I guess in this liquor store in this area. Have you seen any correlation with some of the alcohol related crimes and abuse related to alcohol. Related between the proximity of the location to Red Devil? Like Sleepm⁺ute and Crooked having more crime maybe than Stony River or Chuathbaluk or Lime village?

Guy:

No, Sleep⁺m⁺ute, well, when I was living up there they couldn't buy liquor from Red Devil or Red Devil wouldn't sell any so they were just going to Mc Grath. Most of the crimes are committed under the influence of alcohol. When ever they need or want alcohol they get together and pool their money together to get their alcohol. From my understanding the people who are related to the enforces up there don't get turned in for importing alcohol. So if they had someone responsible enough to enforce the laws and not be biased whether they are related or not. Then they would be able to enforce the law.

Rep.

Binkley:

So some places are selective enforcement by the local community?

Guy:

Yes. Even though Red Devil doesn't have any booze they'll go anywhere and get it. Whether they order it out of Anchorage or Mc Grath.

Laurie

Otto:

Mr. Chairmen, why did the liquor store in Red

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Devil not sell to the people in Sleetmute?

Guy: I don't know. Maybe because they got a petition started to try and close the bar. The bar owners wouldn't sell to specific people from Sleetmute.

Laurie

Otto: One of the other things people mentioned is the tie between employment and the amount that people drink. In the village that you've gone to, Stony ~~the~~ Sleetmute, Crooked what kind of jobs are there?

Guy: Most of the people I knew were pretty much subsistence. Winter time sometimes they work for the school, and little odd jobs around town. The majority of the people are subsistence.

Laurie

Otto: What percentage of the people in those villages do drink to the point where they cause problems for themselves and other people?

Guy: I'd say over sixty percent - which is dropping slowly.

Laurie

Otto: You were talking about how Aniak has improved in terms of juveniles that are drinking. How about in the villages, are there a lot more juveniles drinking in the villages?

Guy: Yes, I'd say up ~~the~~ river here there is a few juveniles that do drink, more than here in Aniak. I think they were raised in the atmosphere of alcohol. They don't usually have baby sitters as here. Most of the people who go out and party they drop their kids off at a baby sitter and pick them up later when they sober up or when they're going home. Up ~~the~~ river they sometimes take their kids with them to the parties. So their kids stay up all night with them.

Laurie

Otto: Then the kids start drinking, and then they get married and have kids then it starts all over again.

Guy: Yes.

Laurie

Otto: What percentage from your point of view of the violent crime that you've seen over the past ten

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years in this area, is not related to alcohol abuse?

Guy: I don't know that's pretty low.

Laurie
Otto:

Are there any of the murders, rapes or any of them not alcohol related?

Guy: I don't know I'd say almost all of them are related alcohol.

Rep.
Binkley:

Thank you very much. Father Andy.

Father
Andy
D'Arco:

Father Andy D'Arco, Catholic Priest. I cover an area from Tuluksak all the way up the Kuskokwim. Then I cover the Yukon from Holy Cross up to almost Fairbanks.

Rep.
Binkley:

Big district, isn't it?

Father
D'Arco:

I don't know what the motivation of this committee is, but I can tell you what I see. I got a call from Laurie the other day and she asked me if I would speak to you or ~~write~~ a letter. First, I come from a biased stand point because I get everybody who has to be buried. I even get the kids that are a result of being buried. Like the little four year old. The case with the Napoleon boy he was murdered and then we buried him up at Kalskag. Prohibition has never been a good deterrent in and of itself of a alcohol or drug condition. In the villages it really isn't a very good deterrent in and of itself either. What I've found in all of my villages is that the problem lies with not prohibition of liquor, as much as it is the enforcement of laws to prevent the abuse that's pretty clear. I think if you talk to the judges and you talk to the troopers and you talk to the V.P.O.'s your going to find that almost all if not all of the crimes are somehow alcohol related. A minimum is drug related. What you'll also find if you talk to the troopers and the V.P.O.'s is that there is slots open in almost every village for V.P.O.'s. There are an incredible number of slots open for troopers of which the state of Alaska went out and solicited applications for those placements. A matter of

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fact in Holy Cross right now there is no trooper. Once the trooper left and the V.P.O. went on vacation the boot leggers that you refer to have a picnic. So one of my suggestions right off the bat is if you have state trooper positions open you ought to hire one. Instead of allocating 28 or 38,000.00⁴ for Cambell Creek to clean it up. I saw Cambell Creek and I tell you I would drink the water in Cambell Creek if you would hire a trooper. A matter of fact I have no difficulty with that because if you go to Kals~~ag~~ you won't even find water. So that is one of my points. The second is one is I find that people who were convicted or at least picked up with crimes related to alcohol. Generally, when they went down to Bethel, It's not so bad here but I do slight the Bethel penal system they get off with a slap on the wrist. Just go through the records in your newspaper. How many times down there committed crimes and were not sentenced or where sentenced and received probation? Which in and of itself is very good; however, if you put someone on probation you certainly need the man power to keep an eye on them. You don't have it at all! Where else, I doubt in Anchorage that you would send people back to the villages on drugs like Thorazine, Mellaril, Haldel that you would send back people who were convicted of rape, murder, and arson. Back in the village on probation and not keep an eye on them. You do that in Anchorage, you'd have a probation officer who'd be there and check on him on a regular bases. In Anchorage social work, and I've checked all this stuff. Social workers in Anchorage are under powered and under staffed. But they go out and check every single case that they get and on a regular bases. In our villages were under powered and under staffed but to the point where our folks can't. They can't check all the places where they've had trouble with families. In Anchorage you'd create jobs out in the bush you forget. I think another problem is that in Anchorage or Fairbanks if someone leaves a bar intoxicated and goes out and gets killed. I think you can go back to the bar owner who served him right, is that not right you can hold him responsible for something? Well, out here in the villages we get people like party time liquors who ship to the bush to kids, that's a fact. I can not give you the names but I can tell you I get them in confession. As long as I don't mention any names I don't have to worry about anything else I'm not breaking the seal. They ship to the bush without checking age, or

identity. They use the post offices. You buy the money order, you call the place, you give them the money order number, the amount, and they ship. No big problem. The villages that have chosen to go dry stay dry except that within the proximity of those villages there are some villages that allow importation. I have no problem with Aniak. I have problem with the Yukon river. I guess the bottom line is I have no difficulty with allowing villages to vote whether they want to be wet or dry. I think that's a right that they have, absolutely. I don't want to give the impression that all my folks are alcoholics that's a farce, that's bologna. It's a very small number but it's the same number that if you go back in your records you are going to find out that they've been involved in all kinds of things. I remember one case last year if you go back through your newspaper records where somebody was on a probation, committed a crime on probation was put on probation longer. I mean how many times are you going to do that? Would you do that in Anchorage? I don't think so. You asked about kids and child abuse, well yes, there is a lot of it. It is alcohol related. If the state really cares about the people out in the villages they would provide a few things. One, when there's employment, crime goes down, and so does the abuse of alcohol and drugs. Two, if there's adequate protection for the civil rights of others and the law has the capability of enforcing that I think you'll see those things drop by as well. I think the third thing is that there needs to be shelters in every village for the abused and shelters for those who are being used or are just being left outside for one reason or another. I don't think the answer with our kids is to send them to a place like Bethel, or Anchorage, or Fairbanks, or the lower forty-eight when they have a problem. The only think you do is create a second problem and that is that they have difficulty going back into their own village. Bottom line is it's going to cost you bucks. But look at the bright side I don't own a bar, I'm not an alcoholic and I've nothing to gain. The only thing I have to gain is what I gain for my family and that is always religious. Come follow me around and you see how many people I bury and why they died. It's a real tragedy. Right now we have health problems in the villages that it seems that know body in the legislature really wants to be involved in. It took me almost a year and finally getting the commissioner of the

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water program, Bill Ross on the phone to get them to at least look into the problems that Kalslag was having help. But if you can't even get passed help do you think that legal problems are going to be any easier? You have one judge up here, a magistrate, and one V.P.S.O. and a helper and a trooper who runs around like a chicken without a head because he's got so many things to do. A game warden who stuck also, because he covers an enormous amount of territory. This isn't a turn of the century where we have - what ever his name was who came out of the west on his dog team who handled everything by himself. These folks have the same needs and the same rights as people in Anchorage, Fairbanks, Juneau, and the lower forty-eight. My folks are getting tired. So what they'll do is whatever everybody else will do and we'll take anything that you give us. If it's a pork barreling project will take it. That's the bottom line.

Rep.
Binkley:

Andy, how about the local options. You mentioned that you thought that a community ought to have the right to vote dry. Then you talked some about enforcement too. Some of the things I've heard down in my district and mine is just from Akiak on down river and out to the coast. Is that a lot of the communities tell me that even though they perceived that they voted dry through banning and importation, banning the sale. That is simply does not work because you can't enforce banning the importation of alcohol. The people, even though the community has chosen that route still continue to import alcohol. It's just impossible to enforce that because you can't be out there to meet every flight, every plane that's coming in. You can't legally search people as they come in. So, it becomes unenforceable. One of the thoughts that many people have suggested is to allow communities an additional option to choose from, which would be to ban possession of alcohol. Which in effect would make it easier for them to enforce then within that community. The person had alcohol.

Father
D'Arco:

Johne, I think that would be more difficult to enforce. I think you're going to find that to go into someones house to see if they have a bottle when they can make the bottle with cranberries or blueberries is going to be real difficult. Are you going to watch everybody who's buying

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packages of yeast at Swansons? That's a booming business go down there and look in the store. The same problem that your going to have if you really want to go into-when I was in Bethel the biggest problem we had was the people buying lysol at Swanson and going into the honey bucket room. Then drowning their sorrows in lysol or listerine. So I don't think you can go into someones house and try to prevent possession of it. I think that's kind of out of the question. I think what you can do is, I think you can provide adequate services to protect those you chose to have that village dry.

Rep.

Binkley:

So mean to have somebody to meet every flight then to search people and to see if they are bringing in alcohol.

Father

D'Arco:

No, but I certainly mean that you should have enough troopers to go around. You have had three slots open in Bethel for years? The trooper from Holy Cross went to Bethel, and now Holy Cross is having difficulties.

Rep.

Binkley:

You know there's financial realities that the state finds itself in these days with declining revenues.

Father

D'Arco:

Right, right and I don't want to get argumentative about it but the bottom line is everybody wants to tap the permanent fund. But I see more difficulties with projects like I said like Cambell Creek. I think we can afford some troopers, I think we can afford some fish and game people if we wanted. I think that we don't have to go into peoples homes and we don't have to arrest everyone who buys a drink. I think we have a right, not only a right but I think we are forced to protect the innocent.

Rep.

Binkley:

How about those communities that want to do something about alcohol that say, "we do want to ban the possession of alcohol in this community"? Do you think we should allow them that option within that community?

Father

D'Arco:

Absolutely! Absolutely! I think that if a community decides they want to have a bingo game

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they ought to have that right. If they vote and it's a good majority, I don't know what would constitute a good majority—a legal majority maybe ~~four~~ fifths. I think they should have that right. I think they should have that right to go dry. I think they should have that right to have a doctor within a close proximity, not two hours away. I had to bribe a doctor to go to Holy Cross for an illness and it was only because they were in this village that we were able to get him to go over there. Because it was in the middle of the night and the Bethel doctor couldn't tell how serious the case was. As it was it didn't turn out to be that serious. But, I think we have to provide certain services because we need to.

Rep.
Binkley:

But, just dealing with the local option specifically, what if basically what were here to talk about and to get input from people on local options. You think that villages should have that right if they want to chose by majority in that village to ban possession of alcohol?

Father
D'Arco:

Right, beyond a shadow of a doubt. Possession makes me nervous. I think possession you have to be careful if talk to them; because, it might be very difficult to enforce. That may be more difficult than importation and sale. At least importation and sale you can prevent. Possession will still allow those people who brew, which is mostly the old folks to continue to do that.

Rep.
Binkley:

Well, if the possession ban included home brew.

Father
D'Arco:

For personal purposes just like a...

Rep.
Binkley:

I mean it would just be if the community so desired that they could ban possession of alcohol. Whether it be home brew or store bought whiskey, beer, or wine whatever.

Father
D'Arco:

I think the question of alcohol in and of itself is a question that each community needs to face on its own. But, there has to be legislation there to allow them to do that. That's the bottom line. You have to give each community the ~~atomity~~ to do that. As a state government you

autonomy

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have to provide the means to enforce what they chose.

Rep.
Binkley:

What would you think Father Andy, if a community could--given the reality of our financial situation in the state and the reality that were not going to be able to get troopers in every village. That were not going to be able to get the standard of medical care and attention that we'd like to have in all the communities. Of allowing those communities the ability to deal with that problem themselves. If that possession ban were simply a local ordinance that a community could adopt. That a community could enforce on their own without having to call the state troopers whenever they had a problem. Without having to arrest the person, without having to take them to Bethel. Without having to take provide a public defender for them. Without having the district attorney to deal with it, full judicial trial by jury situation. If a community could have a local ordinance in which they could deal with the problems similar of possession of alcohol. Similar to what would be a parking violation in some communities or traffic ticket.

Father
D'Arco:

I have real difficulty with that. The reason I have real difficulty with that is, I think it's the state's responsibility to provide--no matter how the community wants to deal with that problem the local magistrate or whatever. I think it's the state's responsibility to enforce the laws that the community chose. It's an awful lot to ask in some cases your father or your brother or your uncle to arrest you because you broke the law. So, communities don't have the appeal. For troopers it's the same thing, you have one trooper covering a lot. That's the bottom line. It goes right back to the state has possessions they just refuse to fill.

Sen.
Fischer:

Father, let me follow up on this. Didn't these communities in the olden days have sort of traditional ways of dealing with those who stepped out of line? Out of their own traditional ways of punishing ostracizing taking care of those who violated community laws.

Father
D'Arco:

I've only been her^e ten years. Three years in

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this area. Ten years in Alaska, three years out here. I don't want to say about the old days because I wasn't here for the old days. My understanding from reading old diaries of priests was that in the old days they were kicked out of the village. That's how you got villages like Bethel.

Sen.
Fischer: Well, maybe...

Father
D'Arco: Of course you were allowed into another village that was somebody else's hunting area.

Rep.
Binkley: Put him on a boat and ship him down river to Bethel.

Sen.
Fischer: If a village chose that option and they wanted to enforce whatever laws or policies they wanted. To protect their community, to protect their families, to protect the children. Maybe there should be another option that ought to be available to them.

Father
D'Arco: Well, I think there are certain laws that are state and federal laws that have to be-whether one chooses to have them or not. I mean this village can not say drunk driving is ok. So you have to be very careful what you're saying about enforcement. It's the state of Alaska that says to the magistrate, it's not ok, to say it's ok. Whether the folks chose it or not.

Sen.
Fischer: My thought was the other way. That a village, adopt a certain option and there isn't a trooper around and there isn't a state official to enforce the laws. Maybe they have ways of dealing with violations of their laws.

Father
D'Arco: My understanding that a village can't expel somebody. I had a case where someone was asked to leave the village, and asked to leave the village, and asked to leave the village. They had no legal leg to stand on. Now, if the state wants to give that right to each village - legislate the right to toss them out. I think the villages would accept that with great relief.

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Sen.

Fischer: We're going to Akiachak this afternoon. We'll probably get a different response.

Rep.

Binkley: Any further questions? Thank you Father Andy we appreciate it. Chief Billy Morgan. Glad to see you could make it today. I know you were heading up to Alakanuk for another meeting up there. We're glad to have you here.

Chief

Morgan: Right, but the weather was bad so we didn't want to take the chance. My name is Bill Morgan from Aniak. I'm also the chairman for the Yukon Kuskokwim Health Corporation. I don't know what we're discussing here today. This is a problem that they've been trying to solve for quite a while. Even out there that gangsters, during prohibition days, up here even during the prohibition days there's always home brews you see. They had commissioners in those days instead of a magistrate. They'd get the word that the prohibition officer was coming and they might start for McGrath with a boat. But, they didn't know which day he was coming. So everybody would clean out their barrels out, stills and everything. That's a problem that is going to be hard to solve. You can't stop it from coming in. It's hard to stop people from using it, because you know that a lot of people don't know how to handle it. I went through that myself, you know.

Rep.

Binkley: Do you think though Billy, we should give communities that choice? If they want to within that community to pick one of those?

Chief

Morgan: I've got a problem with that. I could be three-quarters of the people that agree with it then you have a quarter of the other people that don't agree. To me it's taking their rights away. Everybody should have rights. If you should drink, drink. If not, ok you don't have to. I was in Kalsag quite a few years ago and they wanted the program. But the people in Kalsag...

Rep.

Binkley: You mean like a counseling program?

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Chief

Morgan: Right! The people in Kalskag were all for it you see because they were having too much problems and the old people and everybody got together and had a meeting there with a bunch of people from Juneau and they said ok we start a program up here. But K A A got it. To me that's one of the best things they could do is have this out reach program like Y.K. has that. It has done a lot of good to all the villages.

Rep.

Binkley: The Village based alcohol council program?
That's excellent.

Chief

Morgan: Right! The only thing is everybody is yelling about the money being so tight and the people can't go out there and give the service. I think they should find somebody for that because you're helping the people. It's stopping a lot of that. It's a good program because a lot of drinking there is going on, the guy is depressed or whatever you know.

Rep.

Binkley: Do you think the current law which says you can, even if one-quarter of the village wants to allow booze to be sold in the village or imported into a village. Right now if the three-quarters, votes or even half votes to banned importation or to banned the sale they can do that. Do you think that's a good law now, the one you've done?

Chief

Morgan: You know that's just it you see. The majority rules and you'd have to go with it; however, you've got the other portion of people saying your taking my rights away. I live in that town and I want to do what I want. If I want to go and have a drink ok. Importing, just take a look at Bethel it's been a good business for the bootleggers down there, stopping liquor. By stopping liquor in the other villages I've seen, they go to Bethel and Bethel gets the blame you know. It's the wettest-dry town in the world; because the other villages are dry and then they go to Bethel and raise hell, you know. I don't think that's right either if their going to be - which I've told one of the City Managers down there in Bethel. You get them guys that you're having to spend money for them you know drying

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them out. Find out what village he's from and let that village pay for it because they voted it dry.

Rep.
Binkley: Pay the bill, that's right!

Chief
Morgan: Sure!

Rep.
Binkley: Would you think Billy, if any changes need to be made in the local option laws that maybe we should get rid of that one to allow communities to import booze?

Chief
Morgan: Well, I don't know. It's pretty hard to try and make decisions for somebody else. You can't please everybody, if you did do it you'd fight somebody else. It's just a losing battle you know. I belong to the Alaskan Native Health Board too and we've been discussing this for years and we haven't come up with anything. Which we've been trying to work with the state. To try and get a program, get something going and bring it out to the villages.

Rep.
Binkley: I know that village based counselor program, alcohol counselor program that Y.K. has is an excellent one. I wish we could put more funds into that to expand that because it's effective.

Chief
Morgan: It really could help. I wished they would. Just like up here they need it up here to take care of this area here. But I don't know about stopping that booze coming in here. You know that's a tough one.

Rep.
Binkley: Tough one. John did you have a question?

Rep.
Sund: Father Andy raised a motivation of the committee or where ever I'm from Ketchikan which is the other end of the state. There's an alcohol problem down in the area that I'm at and in some of the villages and that. But it seems that everybody agrees that alcohol is a major problem and could be a major social problem in some cases, especially in a closed community. My motivation of this committee is one, is or isn't

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it a problem, most people say it is. The second question is, how do you deal with it. You can either try and ban the possession and go the prohibition route or some modification of that. If I understand your testimonies it's more the education, and treatment of it. Rather than try and stop it on the front end. Just try to educate people and treat them after they've started it. Is that ...

Chief
Morgan:

That's my point there. Your going to find what you get into. The bad, or if it does you any good or does you harm. And educated person you could let him know it's harming you, more than it's doing good. But how can you do that when you don't have a program where a person can go there and get treated and talk with them. I went to a couple of meetings where they had these programs-the law says you have to go to the program and discuss your problems. You go in there and tell your name, you tell them your an alcoholic and you tell everything you did there when your drinking and then when your sober. A lot of people tell me that when they come out of there they feel a whole lot better, because they discuss their problems and that's why I think the program is going to work. Pretty soon they'll say well, look how foolish I was. You know even me I know if I do something wrong when I'm drinking boy I feel terrible the next day and I don't want to see anybody. When you go to a place like that, you discuss that they give you help. They say, "Well why do you do it" and all that. I think that works.

Rep.
Binkley:

Laurie.

Laurie
Otto:

Mr. Chairman, Billy you not only lived out here all your life, you're the traditional Chief, right? You're on A.V.C.P. Board, the Native Health Board, and chairman of Y.K.H.C. What we've been talking about, what you've been talking about mostly so far is - What to do about alcohol. Do you educate, do you prohibit it. From your point of view and I think you're in a good position to be able to judge this - How serious a problem is this in this region and in the villages, not just Aniak but in the villages of this area with alcohol? How big a problem is it?

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Chief

Morgan: You take in the thirties it wasn't so bad because you didn't have transportation. All there was was home brew.

Laurie

Otto: How about now?

Chief

Morgan: Now, it's easy to get. It's not only that, no matter what you do-you keep preaching to somebody a little kid, I don't care what it is. You keep preaching to a kid you tell them don't do this because it's wrong you know he's going to try it. After he tries it your going to tell him, "You see, did it do you any good or did it harm you?" and that's the time to catch him you know. If nobody talks to you you'll say that's good. I'm having a lot of fun. That program that's what I'm talking about, the program to help him stop it. Discuss it with them.

Laurie

Otto: But looking at alcohol as a problem. I guess we call it a problem because it causes other things to happen. Crime is related to alcohol abuse. What kinds of problems, what other things do you see happen as a result of people abusing alcohol. More crime?

Chief

Morgan: Well, everything I tell you-I don't know. You can't pin point it. It seems like everything happens if your drinking. A lot of times you ask yourself, "Would it happen if I was sober?" and it wouldn't. That's what I'm trying to get at here you know is to educate the people. I know it's a losing battle. I think this is one thing that they won't ever stop. But you can slow it down.

Rep.

Binkley: Vic.

Sen.

Fischer: Billy, could you say something about the economic impact of this alcohol situation. LaMont was saying before that bootleg booze may cost forty-fifty dollars a bottle. I assume we're dealing with people who really don't have too much money. What impact does spending so much on booze would have on buying food for the family, generally on their life.

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Chief

Morgan:

To tell you the truth I think if there was more jobs you wouldn't see any bootlegging. The reason a lot of them bootleg is because they can't afford to by a snow machine or an outboard motor or something. I know a lot of bootleggers and that's why they do it. They don't sell it to anybody. They just sell it to a few people they know. Just to get enough money to buy an outboard motor. We can discuss this - there's no work around here. In the city there they hire the most people. Here you have ten at the most. Then you fifty of them sitting around doing nothing. They have to survive some way. Finding jobs - you'd see a lot of difference if there were more jobs out in the villages, where they can be kept busy. You wouldn't see any bootlegging.

Rep.

Binkley:

Anything else Vic? Mark?

Mark

Earnest:

Yes, what I think Sen Fischer was ^{alluding} ~~saluting~~ to is: What impacts are there to the families of an alcoholic or someone who is purchasing booze from a bootlegger? What impact does that have to that individual family whose someone in the household - who someone is dependent on alcohol? In other words the children, how are they affected?

Chief

Morgan:

They're taking food away from them sure! Yet, I don't know if there's anything you can do to prevent it. The only way you can stop that (I hate repeating myself, but) it's by getting counseling. And saying, "Look what you're doing to your kids". Let them fact it, when they face the truth a lot of times it makes them think...

Rep.

Binkley:

To make them aware of what it's done to the rest of the family.

Chief

Morgan:

Yes, right. Look at that you buy a jug of whiskey and here your kids don't eat all day.

Rep.

Binkley:

Well Billy, I think you've brought up some excellent points and I appreciate your testimony, the time you've taken to come here and talk with us and for sharing your knowledge and experience

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with us. We appreciate that. Anything else that you've got?

Chief

Morgan:

No, its just about it. There'll be other poeple who will want ~~of~~ talk to you I guess.

Rep.

Binkley:

Ok, we're running kind of late. Thanks again.

A man

from the
audience:

Could I put a little input about the people-this is short-about half the people who buy bootleg whiskey pool their money together at a party. They get their money together and go see a bootlegger...

Rep.

Binkley:

To buy a bottle or something to have a party?

Man from
audience:

So the majority of the time it's more than one person buying one bottle?

Rep.

Binkley:

Ok.

Sen.

Fischer:

Ok, thanks.

Rep.

Binkley:

Clara.

Sen.

Fischer:

Is that Billy's wife (Chief Morgan)?

Rep.

Binkley:

I think so. Is the sun in your eyes?

Clara

Morgan:

Yes. I'm Clara Morgan, Billy's wife. I was a health aide for 23 years. Got medical retirement in 1982. I traveled to Kalskag up to Lime village the last two or three years I worked as a health aide. For about two years now I've been working as a supervisor/instructor for YKHC going to the villages.

Rep.

Binkley:

Well good!

Clara

Morgan:

The health aides are the most over worked under

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payed people. So. we see a lot of alcohol related incidents. It affects the whole family and the whole village. I just wanted to say from the medical point alcohol ruins your health and affects everybody else in the family.

Rep.
Binkley:

I know that the health aides a lot of times - they're the only ones in the community there that are the real back bone. They're the health relief system in that community. A lot of times so many of the problems in the community are focused on the backs of the health aides. It's a real critical position.

Clara
Morgan:

Right now, the health aide is on call 24 hours a day. Gets payed for 6 hours. They just started with Y.K.H.C. was paying health aides to work on weekends. Those villages that are not paying their health aides for weekend coverage. They don't have any coverage on weekends. That is the time they have most of their emergencies - alcohol related things. A health aide doesn't want to work on weekends if she's not getting paid. There's a lot of them that are working on weekends, even though they don't get payed.

Rep.
Sund:

In terms of your experience over the 23-25 years as a health aide. Are there very many instances of crimes or abuses or neglect that are not alcohol related in the villages? Is it safe to say most of those problems are related with alcohol?

Clara
Morgan:

Most of them, just about all that I saw working as a health aide were alcohol related. There's very very few beaten women that aren't alcohol related. We get calls at night, a women has been beat up and at that time they didn't have the V.P.S.O. they had a trooper off and on. Right now with a V.P.S.O. you can send them to the house and have the person who's doing the abuse taken out of the house. They have a two room jail here where they keep them or at the court house there. There's a lot of child neglect, malnourished kids. They wonder why ~~unlike~~ their children are so small and others are so much bigger the same age. Their finding out now it's from alcohol. Not taking care of themselves while they're pregnant.

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Rep.

Sund: Over the years you've obviously had to reflect upon what the solution is, in terms of the alcohol problem in the villages. I would appreciate it if you would share with us - how you would go around solving that problem?

Clara

Morgan: As a health aid solving the abused problem just recently the health aides are calling the V.P.S.O. to come in when it's alcohol related incident. So when the V.P.S.O. comes in then he arrests the person that's doing the abuse. In this way they can find out if the person is on probation and they find out if they broke their probation when their picked up.

Rep.

Sund: I guess on the level of saying that - I know we're running out of time John. There's a structure-an attempt here. To say maybe we ought to treat the alcohol problem by maybe looking at the alcohol problem. You can't buy it, you can't sell it, you can't import it into a community. Communities have different options they can look at. One is we're looking at a community to say ban the possession of it. A lot of the testimony here today is that, if I understood it right that alcohol is a symptom of a problem. Maybe the solution is to creating jobs or to have employment, rather than try to attack or banning alcohol. Just curious to your opinion, is it worth trying to slow the flow of alcohol down to the communities or is it just a problem that's not solvable?

Clara

Morgan: The only way it seems to solve it is to get rid of the alcohol.

Rep.

Sund: To get rid of the alcohol.

Clara

Morgan: The villages where they're dry they make their home brew and they get it any way they can. I was just up to Stony River, this last week. I was there for all day Tuesday, Wednesday, and Thursday left on a late Thursday plane. Those three days there was drunks all around you know. They can't get it now at Red Devil. Red Devil doesn't get it in any more and sell.

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Rep.
Binkley: Have they shut down Red Devil or have they just voluntarily?

Clara
Morgan: They just voluntary since July-August. They just voluntarily quit, they got in so much trouble on them. So now the airlines go from here (Aniak) all the villages up, goes to McGrath stays 45 minutes and comes back down. The health aide at Stony says that the problem has gotten worse since then...

Rep.
Binkley: Because people take the mail plane up, buy booze and come right back on it.

Clara
Morgan: Make a plane fare up and down you know. They pool their money together when their chartering. That is just air plane foot there and more money for them to buy booze with.

Rep.
Binkley: So, because they can take the mail plane as cheaper, they go to McGrath and back rather than having to charter. so that has increased the easier access because of being cheaper to go to McGrath and back. It's increased the incidents of alcohol with in Stony River.

Clara
Morgan: So you can see that with all these villages that used to go to Red Devil they don't have it now. If they don't have a plane coming in - Northern air or other freight planes then they can get a mail plane to McGrath and save more money for buying booze.

This concludes both sides of Aniak, tape 1.

We will resume the hearing - part 3 of Aniak, on tape 2.

Pam
Westjohn: I know you're in a hurry. I just think this whole alcohol problem is more an economic issue more than anything else. I think we need to look at the reasons why people drink and try to do something about that. I think that by banning importation or banning possession I think we're treating a symptom and not really looking at the cause. I've been out here four and a half years I didn't grow up out here so I don't know exactly

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how much people's lives have changed out here. I do know they've changed pretty fast and they've changed drastically. I think it's hard for a lot of people have a real identity crisis. They were used to living subsistence and now they're not so much. It's harder for them too. They're not used to working, they want to work, there aren't a lot of jobs. It's not quite as bad in Aniak, because there are more jobs than there are in a lot of villages. Aniak's local hire system has worked out real well. I know, just from knowing a lot of people that I work with at the city - when their working their a lot better off. They feel better about themselves and they don't drink and their real happy. I think that would be a big answer more jobs for people out here. Money coming to the municipality as we've had here so they can use the local people to work. One other thing I wanted to mention to you is, I've been told that if we lose our V.P.S.O. if Fred Holmberg quit he's not going to be replaced. They're not going to fund another position for Aniak. They said they were basing that on the fact that Aniak has a trooper here. Our trooper here as you know goes to a lot of other villages, and isn't really in Aniak all the time. Well, I know Fred might leave someday. Fred might want to be a trooper himself or something. I would sure hate to see it if we didn't have any V.P.S.O. in Aniak. I know that position is really needed, especially to help out the health aides and all the alcohol problems that we have here. I don't really know what the answer is, I don't think banning importation would help though. I think they would get it somehow. I think bootlegging would be a problem in Aniak if we did ban importation. As far as child abuse I haven't seen that much - child abuse. I have seen neglect. I have seen cases of children ignored a lot or parents drinking for a weekend maybe and the kids are just outside. I'm sure they don't do very well, that's all.

Rep.

Binkley:

Thank you Pam. Do you think, I know you mentioned that you didn't think importation was the answer for Aniak. Do you think communities should have that choice?

Pam

Westjohn:

Yes, I do. I think in other villages where everybody wants to ban it they should all have choices. I think that...

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Rep.
Binkley: Even going on as far as allowing them to ban possession if they so choose in that village?

Pam
Westjohn: If they choose to do it, sure! See it's hard for me to say, because I don't agree with that. I think they should have a choice yes. If they think that's a problem and they want to ban possession they should be able to do it.

Rep.
Binkley: Ok, thank you. Senator?

Sen.
Fischer: Billy, LaMont, and now you have each stressed the value that employment has kind of reducing problems of alcohol. You have just come back from Alaska Municipal League where they talked about the outlook for municipal revenue sharing and you're familiar with the problem that the state has ~~with~~ declining revenue. How can we get more jobs in Aniak and the villages to create the situation where we can deal with it in the most effective manner?

Pam
Westjohn: I think clearly we're going to have to come back to the day of taxes. We're going to have to support ourselves. I think a lot of it will have to come from there. We'll just have to start taking responsibility for our own lives and start paying for some of these things. I think that's just going to happen. Yes, I know the money is not there like it use to be. I know we can't just keep looking to the state saying we want money for this, we want money for that, because I know it's not going to be there. I don't know. I just know that it has helped out in Aniak when people are employed they don't drink as much anyway.

Rep.
Sund: Coming in from the airport Pam, you mentioned a few alcohol related incidents that occur in this area. Maybe, just for the record you could relate those for us again. If there's any deaths, or rapes, murders I don't know about the Aniak area.

Pam
Westjohn: Well, there has been quite a few this year. A person died Friday night that was apparently

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alcohol related. I'd feel better if Fred Holmberg or somebody else talked about it because I just heard about it from other people.

Rep.
Binkley: Fred, could you come forward? How are you today, Fred?

Fred
Holmberg: Fine. My name is Fred Holmberg, I'm the V.P.S.O. in Aniak. I've been working as a V.P.S.O. for about a year and four months now.

Rep.
Binkley: Are you originally up from McGrath that Holmberg up there?

V.P.S.O.
Holmberg: Yes, their related to me. Their my Uncles and Aunts up there.

Rep.
Binkley: Ok, good.

V.P.S.O.
Holmberg: I would like to answer the question that was asked of Pam. So far in a year and a half we had five alcohol related deaths here in Aniak. This is here in Aniak alone. Most of our criminal cases are alcohol related about 95% of them. We average about three to five assaults in Aniak per month. Two out of five assaults are domestic violence, which are alcohol related. Other criminal cases relating with alcohol are driving while intoxicated. Criminal mischief, charges, criminal trespass that's about all we have here that are mostly alcohol related charges.

Sen.
Fischer: Fred are you from Aniak?

V.P.S.O.
Holmberg: I'm actually from upper Kalskag.

Sen.
Fischer: Can you comment on what was mentioned before, the possible problem of enforcing laws and being strict? When a law enforcement officer (not you personally) is related to people in their given community.

V.P.S.O.
Holmberg: You mean arresting a family member?

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Sen.

Fischer: Arresting a family member, arresting people in a small community where their friends and everybody is related to everybody. /

V.P.S.O.

Holmberg: Yes, I think there is some problem since some of the villages - right now here's only two V.P.S.O.'s on the Kuskokwim right now, that aren't white. The other villages had V.P.S.O.'s, but they've quit because of similar reasons to that. Arresting family relatives, having trouble dealing with that. It is hard to arrest a family member. I've done it quite a few times in Aniak. I have a lot of relative up here. It is hard to do.

Rep.

Binkley: Fred, have you just worked in Aniak as a V.P.S.O.? Of course right now Aniak has adopted the local option for people to import alcohol, but does not allow for the sale of alcohol. Have you, do you know of any cases of bootlegging or have you been involved in any bootlegging cases here in Aniak?

V.P.S.O.

Holmberg: There's at least five or six bootleggers here in Aniak. It's really hard to catch them for the fact that they've been doing it for quite sometime. Their pretty well educated how to avoid being prosecuted for this. They wouldn't sell to any police officer. They wouldn't sell to a person who is a friend of a police officer. They won't sell to anybody they don't know. It's just hard to catch them.

Laurie

Otto: Mr. Chairman. Fred, how many of the violent crimes, assaults, murders and sexual assaults are alcohol related?

V.P.S.O.

Holmberg: Just about a 100%. I've never had a case where domestic violence and assaults where there was ~~no~~ alcohol involved.

Laurie

Otto: That's true about the homicides too, the murders?

V.P.S.O.

Holmberg: Yes.

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Laurie

Otto: How about the juveniles that you arrest, what percentage of your cases are juveniles?

V.P.S.O.

Holmberg: Their ~~is~~ very low. There are a lot of juveniles who drink, again they wouldn't tell where it's coming from. If we do get them - we just start to mutter.

Laurie

Otto: I guess I wondered of the juveniles that you arrest for crimes or that you investigate for having committed crimes they don't technically get arrested. Are those people 100% all intoxicated too?

V.P.S.O.

Holmberg: No.

Laurie

Otto: What percentage?

V.P.S.O.

Holmberg: I'd say about 5% are. Some of the students, minors would be drinking and get their nerve up to go to the cops, but not very many.

Laurie

Otto: One thing Billy Morgan Jr. said and I think Lyn Kvamme said people drink in their homes here. Would you agree with that?

V.P.S.O.

Holmberg: Yes.

Laurie

Otto: Would you agree of the 100% of the violent crimes are alcohol related people in most cases started out drinking in their homes?

V.P.S.O.

Holmberg: Yes, I'd say so. Another problem with juveniles is when the household is drinking and everybody gets real high the juvenile would go and take their booze and consume it without being seen. Most of the kids drink in the household after their parents get drunk or everybody is real intoxicated. They can also go and take a can of beer that's sitting on the table or sneak a bottle of whiskey out of the bedroom.

Laurie

Otto: Do you help the social service worker when he

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goes out to pick up children who have been abandoned or neglected? How many of those incidents are related to the parents being intoxicated?

V.P.S.O.
Holmberg:

Yes. We haven't had very many of those maybe he hasn't called me everytime he's gone to pick up kids. He hasn't called me here in a long time concerning domestic violence and violence or a kid being neglected. I do go and help him and the social services.

Rep.
Binkley:

Ok, any further questions Fred? Ok, Mark.

Mark
Earnest:

Do you know how many other villages in this part of the Kuskokwim do not have V.P.S.O.'s or V.P.S.O. officers in their communities?

V.P.S.O.
Holmberg:

In the Kuskokwim Native Association ^{area} here there is Lime Village and Stony Village don't have one. Sleetmute has one, but he hasn't been trained. Red Devil, Crooked Creek, Chuathbaluk, Upper Kalsag doesn't have one. Lower Kalsag has one that's being trained there now.

Rep.
Binkley:

So you're really the only one here in this region that's apparently the only V.P.S.O. that's working right now?

V.P.S.O.
Holmberg:

Yes.

Laurie
Otto:

So what happens when people get drunk and wild in the village, nothing? Let's say Crooked Creek what if people get drunk and start shooting up the village, what happens?

V.P.S.O.
Holmberg:

Sometimes incidents will keep going on because ~~no~~ nobody wants to report their brother, sister, or relative. No investigations are done because there are no reports.

Rep.
Binkley:

But, if they do report it then they call the troopers?