

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672
1393 SCOMM 52: JOINT SPEC. COMMITTEE ON LOCAL OPTION LAWS 1985-86

Aniak; Local Option Hearing: "43"

V.P.S.O.

Holmberg: Yes, then the one trooper Ron Bel~~l~~don who has just came to Aniak. He's been out of town just about everyday going out to the different villages.

Laurie

Otto: The people who have eventually been caught or convicted of committing a homicide or committing a murder, are those generally people who have had a prior history of alcohol related incidents? Lots of times those haven't been reported for the reasons who said?

V.P.S.O.

Holmberg: Yes.

Rep.

Binkley: Mark?

Mark

Earnest: Some of the villages you've named or listed have had V.P.S.O.'s in the past. They have lost their positions what I understand A.V.C.P. has a limited number of positions available and there isn't enough for every village in their region. From your understanding and your knowledge of the communities in this area have you noticed a change increased or decreased with a presence of a V.P.S.O. officer in alcohol and alcohol related problems. Does it help those communities to have a position?

V.P.S.O.

Holmberg: Yes. Yes, I've noticed the increase~~d~~ in violent crimes, assaults and domestic problems in other villages. There has been more sexual assaults I've noticed in the villages. More sexual assaults of minors.

Mark

Earnest: So you do feel that enforcement is effective to have a V.P.S.O. in that community, With enforcement it's much more possible to control the alcohol related problems.

V.P.S.O.

Holmberg: Yes, It's definitely more.

Rep.

Binkley: Thanks Fred. I appreciate it. The last one we have this afternoon is Myrtle Van Doorn. Good to see you this afternoon.

: I'm Mrytle Van Doorn. I'm a certified health practitioner here in Aniak. I've worked here a year and ten months in Aniak. During that year and ten months I've seen a lot of alcohol related incidents and tragedies that have happen here. Infact, when I first started working I arrived here on January 13 and I was initiated. I was to start work on the 14th, but instead I was initiated on the 13th by three alcohol related incidents. This kept us up from 7:00p.m. to 5:00a.m. Medi-vac people out because they were injured by three-wheelers, snow machines alcohol related incidents. It gets pretty stressful at times. I have seen I have attended a lot of funerals that were due to alcohol related situations and it's very sad. I really don't know what you can do about it. I think the thing that needs to be done it's here we can look away, we can't put it away, is to teach the people. AS health aides it's very hard for us to teach. We are 24 hrs. service members, with the lowest payed in the Southeast Alaska. In Akiak and Aniak there is only two of us and we take turns pulling on call duties, which are seven days a week. Our weekends are very busy with alcohol related incidents. Infact I was busy this weekend cause I was on call. In the last two months we've had four alcohol related deaths. It's very hard to say what can be done about it. I don't think you can take it away from people. The only thing you can do is to educated them. Educate the children.

Do you thing Mrytle it makes a difference how easy the access is to alcohol?

It is very easy.

Do you think that makes a difference? In some communities access to alcohol is more difficult. Do you think that has any correlation between how many people actually drink in the community as to how easy easy it is to get?

It depends on the individual. If a person is an alcoholic he'll get it every which way he can. You can ban a village from alcohol. If there's a person in there that's an alcoholic he'll go to that village to drink.

ation
uld be
there
r six
and

e they
hey
ter.
gets
ve to
these

ou
d to

mia,
t.

n
who

cohol
your
un of
ut
el
your
few
e.

ooze
about
duals
a
gether

Aniak; Local Option Hearing: "46"

Mrytle: Ok, friends getting together drinking that drink can maintain their alcoholic intake. Alcoholics drink to get drunk they consume and consume and consume they don't know when to stop drinking. If they run out they'll find some someplace else or something else that's got alcohol in it.

Sen
Fischer: So, were talking of people who are alcoholics. Not who are casual drunks, occasionally that go on a binge. This is not just the occasional drunk. We're talking real alcoholics.

Mrytle: Yes. Not just occasional drunks, alcoholics.
Yes.

Laurie
Otto: I'm just confused. I wondering whether or not you're saying that only alcoholics are the ones who are on your case lists as alcohol related injuries.

Mrytle: No. That's not what I saying. I'm saying is that the people who do consume alcohol are the ones that have lots of accidents.

Laurie
Otto: So people who are - the kind of people Sen. Fischer was describing. People who binge drink once every two weeks, those people are also getting into trouble because of the booze.

Mrytle: Yes.

Rep.
Binkley: Ok, Mrytle I guess that's about it, appreciate it. Lyn Kvamme did you have a few more things you wanted to add?

Lyn
Kvamme: No. The things these folks said are the same I wanted to say.

Rep.
Binkley: Is there any other further testimony? Pam Westjohn?

Pam
Westjohn: I just want to say thank you for coming out here.

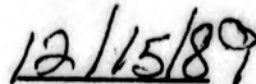


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

SCOMM

#52:16

ARCTIC VILLAGE
JOINT SPECIAL COMMISSION ON LOCAL OPTION LAWS
December 18, 1985

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

Rep.
Binkley: We'll go ahead and open the public hearing in Arctic Village on Wednesday, December 18, at 10:45 a.m. Members present here are Senator DeVries, Senator Fischer, Representative Hurley and Representative Binkley. Jonathon, how are you this morning? I guess Laurie's kind of explained what we're here for, to try and find out about some of the alcohol problems that you have here in Arctic Village, and also to find out how you're dealing with some of the problems to maybe better help other villages around Alaska benefit from some of your knowledge too and experience that you've had here. Most of the communities that are in my district, which is in Bethel, have opted to ban the importation and the sale of alcohol within their communities. And in some of those they're saying that it just isn't working that well. There's still a lot of alcohol that comes in. And so they wanted to find out how we can maybe change those local option laws to better help them out, better help them to deal with alcohol. And what Senator Sackett and Representative Wallace thought that maybe we should come to Arctic Village and talk to the people up here. They've had a lot of experience in this area and they've been successful to a certain extent with some of their laws here and thought we might be able to benefit from those. So we're glad to be here, and this testimony that we're taking will be transcribed, written down and then we'll present that along with the report and recommended legislation to the Legislature down in

Juneau, probably in January or February.

Jonathon
John:

Well, from this village here, like I said we have a problem with alcohol where, lots of times before, for a long time, and it's not serious where, anything is serious about like one little tiny bottle or beer, or something like that. You know, it's bad. Completely off. Things like that we talk about all the time. And there's things we do like we have to, you know, write letters to the airlines, all the airlines we can who serve us. That we don't want no more booze up here. We will be searching those luggage, we will search in all those packages. Too much, we had to do it, it's got to be done. So those would hold a lot of things down, and like you have said this is, we have made some different laws, and out of this is that all of this council is a branch of the Native village of Arctic Village(?) tribal. And through the local ? we even set up our own court system here. And to fine people, to ban people or to, you know, be on our records.

Rep.
Binkley:

You've got a tribal court that you've established?

J. John:

Yes. It doesn't happen, not every year, but we never had a court. We had problems that we have handled in some way. Like ? jobs, the people want to attract jobs, looking for jobs, and who want to work on the project, they, they're adamantly on the line, just like, if I help you you're going to drink and still on the job, I'll go back, way back, end of the list, before they'll be considered again. Even if they have a job right now, they go make parties and stuff, I have, either stop it now or you'll be moved away the next time. These are helps, it helps in a lot of ways. When it's bad we have to send in this Trooper to make them, you know, really straighten them out. Depends on how bad of a case it is.

Rep.
Binkley:

Jonathon, before I forget, just for the record you need to say your name and title.

J. John:

My name is Johnathon John, I'm the first chief of this council.

Senator
Fischer:

When you get somebody before the court, or have you had anyone before the tribal court for alcohol?

J. John:

Yes, there's a number of cases where we had to, it's either, sometimes I just do it myself, I have to go

out and talk with those people and tell them "This is it. I don't want you on the job, and that will be it."

Senator
Fischer:

But you don't give them a fine?

J. John:

No no, I just tell them to drop out for two or three weeks or something, because I think they'll straighten out or something, but the thing about that is they help them, you know, I'm not going to pay this or that. And sometimes it makes it harder on me, but I ? ? position my visits, to say the duties, (unintelligible). And I imagine these, like what I said, we're under the tribal government, we have ? ? and we help in the tribal, and things like that, the kids know it, the young people know it, and we're kind of different. We're not a corporate structure where we're occupied watching our money go down or stuff like that, we don't worry much about that. So the tribe, there's certain things we do, certain laws that we have to follow, our own ?. That in a way, it does help keeping some of our respect on like this basis, and people going to tear it down.

Senator
Fischer:

Jonathon, does this mean that now you don't have the problem that we have seen in other villages, where there's a lot of alcohol and a lot of violence and sexual abuse and children have problems.

J. John:

As far as I know, it's not bad like you said. It's not open place, if they're going to drink they've got to be hidden right away, or it's going to be day, it's not going to go the second day. It just happens when we don't catch them. But I don't know about it, then I hear about it next night, and then it's got to be stopped right there. Because I don't think anybody's going to bring in booze for two days or something like that. Just like, just the kids might take a chance and stuff like that, but now, there was a lot of problem before, like doping and create a lot of that stuff, search the luggage and stuff like that are happening and fines, if they don't want to pass up their booze they just get back on the plane and go home, go back where they came from.

Rep.
Binkley:

How about, down in the lower Kuskokwim and Yukon area, there's a lot of home brew now, and they're finding that's a big problem in a lot of the villages.

J. John:

They ought to be contraband, just like. There's no

wooden barrel here, as far as we know. That would be suspicious, as soon as...

Otto: So you don't allow home brew either?

J. John: No no no. Just the same. If ? after shaving lotion and stagger around town, he'll be ? Start looking at it, it's just that.

Otto: What do you do with people who are doing that?

J. John: Well, sometime we state, it's not like we do all the time, sometimes it seems like it's not the right time to really make court, or I don't know. Settle them of their own self and... People know they're guilty when stuff like that happens, and it's just bad enough that you're the only one that do that in village and you have to walk around there, and people look down at you every day, that would be enough I imagine.

Otto: So you just scold people, you don't fine them.

J. John: Well, not all the time, maybe once or twice we don't catch it or for some reason we don't make court on it. I don't know. But the first thing like some person done, and one year a person done this, the next time that be it, they come back to this court. It's all written down, but we don't contact that person. They'd fall back, if we found the booze on them they came off the airplane, we'd save the bottle, it written down, the next time we do that, that's the whole thing, everything's right here, we have to go back to it.

Otto: This is tribal court?

J. John: Yes, we have to go back into, you did that before, it's all written down, all the bottles are put down there, that we took away from you. And that could add up.

Otto: Is this tribal court here? In Arctic Village, or is it Venetie?

J. John: It would be like local.

Otto: It's just run by Arctic Village, it doesn't have anything to do with Venetie?

J. John: No no, they have their own court system down there too.

Unintelligible comments by audience member.

Otto: As I understand it, Arctic Village has a council, Venetie has a council, and then there's also a combined council.

J. John: Yes, they, tribal, yeah. Anything outside the village, somebody had to be responsible. I cannot be a government where. Local. and then you have your city and you have your borough. You have your State.

Rep.
Binkley: It would be like being your city councilman and a senator at the same time.

J. John: Yeah, something like that I think. But we pass law here, and it's done with a reason that's the only thing, ?? Not going past, we don't go out making a vote issue out of when we're going to be law, unless it get real bad, you know. Unless they get too much conflict and problems on it, then we had to. But normally they just raise their hand or say "Yeah, that's good"...(unintelligible). What we see as a direct problem, a direct answer to it.

Otto: The direct problem is the alcohol, the direct answer is to get rid of it?

J. John: Something like that. That is, things follow it, like better have people go out and be ready for the airport when their plane comes in. Have people ready to go down, there's houses down there and they have guns in there maybe. But village, why the village is really bad through all these problems, violence, and these people are, we are here year after year, we know what people do, sometimes we see each other, we go through changes sometimes, different people, different jobs maybe, and if I had booze I was mad one day and start drinking and then I be reminded by something. And that, it's something like, go to Fairbanks where you had rules, it's strict and you know. Here you live in responsibility for your brothers and stuff like that (unintelligible).

Otto: How many people live here?

J. John: One hundred and thirty-seven last time there was a census.

Otto: Do you have a VPSO?

J. John: Yes. Franklin Tritt(?).

Otto: Does he enforce your tribal laws too?

J. John: He's been working almost a year and most of the time he has to get authorized from the council, in order to counsel him to go ahead, it's just seems to be, we have to wait until, he was on job training and stuff for awhile... But now I think he does a lot of security reason you know. The break and watching stuff like the airport like I said. If we have a report of drinking he'd be the first to know it and he'd come and get me and we'd go down there you know.

Otto: Will he help you search the baggage?

J. John: Yeah, if we require. But like sometimes we just don't do it. We just like if you want to search everybody's luggage, I mean everybody who comes in no matter what, that's the ?? we can come. If we miss one person we will get blamed. How come you search him and you never searched them, you know. It's just, you have to do it when we ? getting back there, people don't intend to follow the rules and they don't maybe listen to the council and stuff like that.

Otto: How often do you have to call the Trooper?

J. John: Not very much.

Otto: Once a month.

J. John: No. Now maybe they drinking not much more with the VPSO and they get reports from them and not very much now, and like before, it's probably the same, there wasn't much. They had to have a strong case before they come up here.

Otto: How often do they come here?

J. John: Not once a month, maybe once every six months, or once a year, things like that. Sometimes a year go by before even a Trooper or whatever will be up here.

Otto: Before you started enforcing your local laws about alcohol and search and seizure did they come more often?

J. John: Yeah. They come maybe over the season. I would say like when they get new council in January everything's strong, summer, maybe fall, all that stuff has changed and people seem to drink. Maybe springtime they bring them up here, maybe fall time they bring them up here, sometimes that may be it. But it's only if something really bad happens. Maybe making home brew or maybe shoot and run or jab

somebody or.

Otto: Do those things happen less often since you've had your search policy and the ban on alcohol?

J. John: Yeah, a lot of that stuff was really, it was happening ?, it was happening maybe about seven years ago, a lot of searching was done before. Legally that, during carnival everybody that come up here they do that. People were going around and searching for during the dog races, during carnival. At that time people from other places, the villages, and they been drinking, and they come up here... We understand it, we understand there's people that been drinking long and stuff like that, but they got to sober up you know.

Rep.
Binkley: Jonathon, is there anything that we can do in the Legislature as far as State law that would help you guys out here?

James
Christian: I'm James Christian, my home town's Arctic Village now. Originally I'm from ?(unintelligible). Problems, a little problem we have with this now, everything's cooled down lately since everybody's ? (unintelligible). Before that the last two years never done much, hardly nobody had any income or, I guess I got a feeling ?? too, but now for the last year, we work property ? .

Rep.
Binkley: So it helps if people have a job and can get out and do something.

James
Christian: Which I try to say is we need more income for people in the village.

Rep.
Binkley: Right now what do people as far as income, is it just mainly capital projects?

James
Christian: That's all we have.

Rep.
Binkley: That's all you get?

James
Christian: Schools, some people work in schools, and post office or.

Otto: What about people who don't, is it just subsistence?

J. John: Hauling wood.

J. John: We have that and like I said I never had meeting just almost a year now.

Otto: Because there are no problems?

J. John: There are problems, but I, like the village, a lot of this council are administering the grants, you know. They obtain a grant, administer it, and when they see we are the ones that are getting it, we're doing everything, not ?? other place and stuff like that, that helps people also. And we give this council more to do something responsible. And they're now turning it to the other people responsible too. We're going to do it all ourself, nobody's going to do it for us, we're going to do everything ourself.

Rep.
Binkley: So you get confidence?

J. John: Right, and I talked to them, nobody else weren't, they see I believe in what I say, or they're going to have to hear it from somebody else, there's nobody else out there, and this is the final council meeting, we could change it or we could work it out together, working together and stuff like that. That happened to their jobs.

? ? Unintelligible comments from audience.

Rep.
Binkley: Could you just give your name please for the record.

Alan
Tritt: Alan Tritt is my name, from the council.

Rep.
Council: From the tribal council? Thanks, Allan.

Sara
James: My name is Sara James and I'm the village health aide and I'm also on that tribal member, council member, and also I'm on the regional school board for the Yukon Flats School District. I hear that you asked what we might need help in enforcing our law is that where I see we need help is, we don't like to depend on the Trooper, because by the time Troopers get here, and by the time he could get here everything's already gone, and it's hard to solve that problem. And also the only time have to call Trooper is when there's a felony charge or something

like that. But other than that I think we could take care of our own problems here, but then with most of these guys are doing it on a voluntary basis, and that's where we need help with funding, some sort of type. We have safety officer, but then he's got to go by regulations that he's been training through State. Like he explained to me that his job is any time we have a problem he's supposed to call the Trooper if he can't take care of it here. And it seems like that's always been the case. So something that would help us here that can solve our own problem up here and able to, some funding to pay people, there's some people that go out to airport and check luggage, there's some people that for investigate. Well, anyway, that's where we need help is funding. There's money, if there's money, I think that we could do that job better than what we're doing already.

Rep.
Binkley:

Sara, how about in the law itself as far as the local option laws? Are you familiar with those? They're laws that allow the communities to control the alcohol within their own communities, make a local choice in how they want to deal with alcohol. Do they want to try and stop it from coming in, do they not want to sell it in their community, do they want to have a community liquor store?

S. James: Yes.

Rep.
Binkley:

A lot of villages in my area, I live in Bethel now, they've banned importation and sale of alcohol, but a lot of them now say that they want to ban possession of alcohol, both commercial alcohol and home brew. And we were wanting to know if that might help out in this area, if laws like that might help this community, or any suggestions you might have as to other changes we might make to help you guys.

S. James:

I like those changes that's been made in the last few years, because it gave the village an option to enforce what they want to be done in that village. And the Trooper usually backs up what village wants, which is good because sometimes the village would go dry and importation especially, if there's evidence of importation, then the Trooper really get down and back up that village as long as we've got the evidence. I like that, lately that law that's been changed, and but I think I'd really encourage a lot of villages that it really help them, because it seems like they have some kind of power they can go

by, instead of a Trooper come in, investigate, and he never left there, on the people, and the evidence just don't go anywhere, it used to be like that anyway.

Rep.

Binkley: So let the local people handle it, but if they can't handle it, then the Trooper to come in to back them up.

S. James: Yes.

Alan Tritt: Airlines, all the air service goes to the village, you know. They come in big planes, like we had a case last fall and it turns out they bought the booze from old John Lake the other side of the point, came back over this way.

Rep.

Binkley: Like on floats or something?

And the only way I tried to find out, there's no way. Who John Lake, who there from whole Yukon? And I know they've been down but they were not hard you see, and if they all went down I don't know where or what, stuff like that, they've got to be checked. Just like that. I've got evidence here, I've got two cases of beer and bottles and all that stuff here, I took it out of people's house, I took ?, evidence, they came over there from this way. But you know if I ask them they're just going to lie, so what's the use?

Rep. But if there was a law that said you couldn't have possession of alcohol?

Alan Tritt: It's importing, or I call it smuggling in of booze, on like these airlines. If I ever caught them, they don't come back around here, that's the way it is, anybody else to them. They've got to be ?? somewhere where they do.

Senator

DeVries: And they wouldn't make their law available to you.

Alan Tritt: It's just like I said, one Trooper has to take care of five villages, well then they're going to decide, if I'm going to go after all this evidence and then come back, what's? It's got to be done, it's got to be done you know. If just like this, if you went down there and got it and told me who done it, that would help the Trooper more then for me obtain their help, but he doesn't want to do nothing, well what's the use of calling him? I've got evidence all over,

but then still say you can't get no one of his.

Otto: Is he a Trooper in Fairbanks?

Sara James: No, Fort Yukon.

Alan Tritt: It's just things like that, I can't say much about it, I tell them it could be anybody else too, and I just go off and ? people, or go out and obtain some liquors, this legal kind of nonsense too.

Sara James: Alan has a lot to say about the law enforcement that we do here in the village. And another thing I'd like to talk about is that village council. It's not running but then for years that I lived here that either two or three and taking turns being chief or second chief or council member and very few people work in that council office. And giving grants and doing everything for the village government. Well anyway what I'm getting at is they don't earn nothing, those people that work for their own people, and they don't earn nothing for years. Just like last year, there was a whole bunch of talking about how much were expecting retirement, and these two guys that been chief and second chief all the time and many times are here, another guy from Venetie and another guy from here, and they said you got any retirement coming, and they just laugh, they said, when I get retired I don't know what to expect because I never worked. I worked for the village, I worked for the people, but there's no income, so these two guys are just going to lose out on retirement. These two guys are, they got their intelligence, and we use their expertise to keep our village going and build our village up, and we've got to think about those people too, you know. And I don't know how I can solve that because they've got family too. And I don't know, lately we as a tribal council we give village council authorized if they really need money they could just take some money from the village council office, money that's coming in, like rent money and stuff like that if there's extra and they need it, they could use it for their personal use. You know there's a lot of pressure on them too. People get after them for little things, and make sure everything is running smoothly and they get down on their cases, lot of pressure. And working with our own people and most of them are not educated and they can't understand, some of them can't understand English and it's hard to be in that situation, for years anyway. And I'm kind of concerned about those people that work with for years the council office like that, and no retirement, and you know like him, he's been a four-year chief, and

he's made sure that everybody gets rotated around for jobs, these grants that come in, and working on that grant itself, and doing everything else over at the council office and still he got a family and one of the kids is not well, and you know it's a lot of pressure. I was telling the other two guys that are just in that situation too, this other guy his kid just came down, got really ill last year, all ill last year, but he didn't resign or anything, he just kept on going. And I don't know how we can solve that problem but I know that it is a problem and we have to think about these people that work for the people all the time.

Senator
Fischer:

Sara, do you have a city government here too? Just the tribal?

S. James:

This village got its own council that then take care of this Arctic Village alone.

Senator
Fischer:

But you're not a second class city?

S. James:

No.

Senator
Fischer:

Do you get any State revenue sharing grants?

S. James:

Yes. Maybe this year might be much easier.

Rep.
Binkley:

But that's all fuel.

S. James:

Everything goes into fuel.

Rep.
Hurley:

They don't get regular revenue sharing.

A. Tritt:

The fuel company, they've been looking at it since, right now they're looking at it.

Otto:

Unintelligible question.

S. James:

I'm the primary health aide now.

Otto:

How many calls that you deal with now are related to people abusing alcohol, either ? or ?

S. James:

Right now, during the holidays, there's more calls than I usually get. I don't know, we never used to have librium in the village, but now we have librium in the village, and people depend on that librium, and they come back, just getting over drinking, and

they expected me to get them librium.

Rep.

Binkley: What's librium?

S. James: It calms the nerves. It's just during the holidays, I guess that's what it is lately I've been getting more calls than usual.

Otto: Has it ever been worse than it is now? Did there use to be more problems with alcohol than there is today?

S. James: Just about the same.

Otto: It sort of stayed the same over the years?

S. James: Yes. Not drinking within the village or bringing in liquor or stuff like that, continue drinking in the village, it's just like they're out of village, like Fort Yukon or Fairbanks, and then they would be having to drink, and then they come back and they get sick from not.

Otto: Taking their medicine?

S. James: Yes.

Otto: Can you ever drink in the village?

S. James: Just once in a great while we catch people drinking, sneaking it in.

Otto: Was it ever okay to drink here?

S. James: No.

Otto: Was it ever allowed?

S. James: No, they weren't allowed to in Arctic Village. They used to be allowed in Venetie but not in Arctic Village.

Otto: How much drinking does there go on here. Not very much?

S. James: Not very much.

Rep.

Hurley: What about the young people?

S. James: Yes, they get into drinking and not around here but outside the village.

Rep.

Hurley: They go by snow machine to Fort Yukon, or do they fly?

S. James: Fly. But then that's it when they go in. It's not very often they go in.

Otto: How many felonies do you have here?

S. James: None.

Otto: When's the last one you remember?

S. James: I don't know.

Otto: Have you ever had anybody who was shot or seriously injured, stabbed.

S. James: There was a stabbing, but sometime in early seventies, but it wasn't really...

Otto: Do you have suicides here?

S. James: No, no suicides. In our religion there's no definition for suicide, I guess that's why we don't have problems with suicide here.

Senator

Fischer: What church is it?

S. James: Not religion, but in our traditional way.

Otto: Are people here traditional or it's there religious?

S. James: Both, they're into Christianity and Indian ways.

Otto: Do you see children who are being abused or neglected because their parents are drinking.

S. James: Outside of here, not here in the village.

Otto: Not here in the village.

S. James: When they're outside of the village when they get into drinking then that's sometimes the problem, but it's not always the case.

Otto: If you were asked what your number one problem is here, what would you say?

S. James: Fuel.

Otto: So it's more getting money, getting income for things like fuel or sugar and flour, food things that

you need.

S. James: Yes, I think if we solved that problem this would be an okay place.

Otto: It's refreshing to hear that. This committee's been having hearings in a lot of villages and everybody says alcohol is their number one problem. What do you think the difference is? Why do you think all the other places have such severe problems with alcohol and you don't?

S. James: I guess because we're isolated maybe. There's some other places pretty isolated like this place too, but.

Senator
Fischer: It may be because your tribal government.

S. James: I think so.

J. John: That's like, if I lived in Fairbanks, you know, I don't have to worry about what the whole community's doing there, you know. If I had a neighbor just ten feet away that's his own worry, that's my worry is where I live you know. And the rights I get if I have problems with noise I call the cops. That's my rights. If they park in the wrong place I yell for it. It's my rights. Well, we just leave those rights right there and don't bring it here. Because how can you say it's my right. You're living in this village you're living under this community law. There's no law that's going to say, this community's law is wrong and you are right. That's just going to, things like that, we don't have laws here, not really. We have laws against certain stuff about dogs, and all the safety reasons, but as to rights, it's like this light bills. If people don't pay for it yet then I don't go after them. If I'm corporation structure, I have to cut it off. That's under corporation, this is a tribe and we have, some we give them chance and they catch up. You cannot say, don't turn off the light, I'll pay for it, stuff like that, it just makes no difference, just like the council work, they work for a long time just mainly in this village. There's all the chiefs and stuff, but these days you have to deal with outside the village and different places, just like projects, and then you go into social problems in village, there's a lot of stuff that they do comes from outside.

Rep.
Hurley: Did you ever live away from the village at all. I know that you've made trips. But have you stayed

here always.

J. John: No, I would do some things, like vocational trainings a couple times, and was in the service, Navy, for two or three years. Outside school.

Rep.
Hurley: When you wrote letter to the airlines and told them you didn't want them to bring, that you were going to inspect the baggage and so forth, did any of them resist that and say "you can't tell us to do that"?

J. John: There was, I guess that wasn't around, but there was some cases that they had to, a case of whiskey on the plane, they take it out of here.

S. James: The airline itself they don't search the luggage or baggage or anything, we do it when they land here. The only time the airlines do the search is that we call them and we tell them we heard this person coming back with booze or dope or whatever and we want to make sure that he don't get that on. Some airlines go ahead and check it, some airlines don't, but we still do here, but we don't do it all the time. Just when we suspect somebody when normal time like this when it's not so busy. But during carnival time in the springtime around April we have a celebration for one week and we get a lot of visitors, and that's when we make sure we go down there and search luggage.

Senator
Fischer: Do you have white people living here?

S. James: Yes.

Senator
Fischer: Do they give any problem with bringing liquor in?

S. James: No. Like we have police agreement with the school district, and each time we have any kind of agreement we tell them about our rules, and they make sure they're aware of our rules before they can agree to anything. And they cooperate.

Rep.
Hurley: Do you have any teachers in the schools who are native?

S. James: There's one that maybe next year she's going to be certified, or she's going to do her student teaching next year. And there's a bilingual teacher that's working toward her degree too. There's two of them, maybe three.

Rep.

Hurley: How many children in the school?

S. James: About forty I think.

Rep.

Hurley: Through the eighth grade?

S. James: That's all.

Otto: Do you have problems with people bootlegging here?

S. James: No. I think like we said, maybe because we're tribal government that we are more together, or maybe I don't know what it is, but I know in case of that suicide, I think about it a lot because I know it's a big problem other areas, but it's really not that I know of this way or any kind, because there's nothing in our traditional way even before the white people came that we. There is one when an old man can't do very much who wants to die, and then he asks the people to hang him. And he doesn't go and hang himself. They put a rope around his neck and a rope on the other side of the tent and the people pull it from there. So the people do it, not himself. So that's the only one that I know of. And I think that's why we don't have this problem up here.

Senator

Fischer: Is that still done?

S. James: No.

Senator

Fischer: That was a long time ago?

J. John: They don't stay here. They travel all over the place and they can't keep up you know.

S. James: They think they're (end of tape).

Rep.

Hurley: From the very beginning of when this village was established?

S. James: Yes.

Rep.

Hurley: Was your father before you a chief?

J. John: No no. My grandpa was.

Senator

Fischer: How are chiefs selected?

S. James: Every January voting. But he's assigned to two years. He's the first one assigned to two years.

Otto: Who runs the elections?

J. John: People.

S. James: Election committee. We have an election committee, that this one guy takes care of elections and he chooses people to help him.

Otto: Do you have your rules and your tribal court set up in writing or is it?

S. James: Yes.

Otto: Is it possible to get a copy of it.

S. James: Yes. He'll probably give you a packet.

Rep.

Hurley: Is this the place where people come when they're going to go to the Brooks Range?

S. James: They used to but we stopped that. They used to use our airstrip and get them out from here but we stoped that too so I don't know where they take them to.

Rep.

Binkley: Sara, thank you very much.

S. James: Are you guys leaving now?

Rep.

Binkley: We're going to go over and see Santa.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

12/15/89
Date

SCOMM

#52:17

BARROW
JOINT SPECIAL COMMISSION ~~ON~~ ON LOCAL OPTION LAWS
December 17, 1984

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

Rep.
Binkley: We'll go ahead and open the public hearing on the Joint Senate and House Local Option Committee meetings at 1:40, Tuesday, December Seventeenth, in Point Barrow. For those of you who are here, I would like to introduce our committee. This is Senator Vic Fischer, from Anchorage, Senator Edna DeVries, from the Palmer Mat-Su area, Representative Katie Hurley from the Palmer Mat-Su area also. I'm Representative John Binkley from Bethel. Laurie Otto is the legal counsel for the committee. We're traveling around Alaska holding hearings concerning the local option law that we currently have in the State of Alaska, which as most of you know was passed in 1980 so we've had about five years under which the communities have been able to choose local options concerning alcohol control for the last five years. We felt that it was important that we, as a legislative group, go out and study some of the effects of the local option laws on communities in Alaska, to find out if they are working, if they aren't working what some suggestions might be as to ways we can change the local option laws to better help individual communities deal with their alcohol problem. Also to get a handle on some of the alcohol problems in general, some of the problems that are generated as a result of alcohol, the violence associated with it, and the crime. One of the suggestions from constituents in my area was that we allow communities the ability to ban possession of alcohol, both commercial alcohol and home brew within their communities. There's a feeling that although the spirit of the local option law, particularly the section that allows the banning of importation and sale, the spirit of that was to allow communities to control alcohol within their communities, to not allow alcohol in their communities. As it's turned out, it's been very difficult to enforce that. Many communities which

have banned importation still find that commercial alcohol comes into the community. Once it's discovered in the community there's relatively little that can be done to control it, and little that can be done, for the police to get rid of the alcohol. I'd like to recognize Representative Albert Adams. Good to see you here. You're welcome to join us here if you like. At any rate, with that in mind, we have gone out and are taking testimony from communities around the State. We've travelled to many different villages, some which have banned importation and sale of alcohol, some which have just banned the sale of alcohol, and some of course which allow for the sale of alcohol and the importation. What we'd like to hear from you today is some of the problems that are associated with alcohol, that you have in your communities. And any suggestions that you might have as to how we in the Legislature might be able to change some of those local option laws to better suit individual communities. And we would invite you to testify. If you could come up here and take a seat we would appreciate it so we can get this on the record. We will be making a report from this committee that we will present to the Legislature after it convenes, and then we would envision some suggested legislation as the result of it also.

Bert Hall: Mr. Chairman, members of the special committee, my name is Bert Hall, I'm the Director of Health and Social Services for the North Slope Borough. I almost said environmental protection for the municipality of Anchorage. We appreciate very much your interest and concern in spending your time between sessions to come around and hear what folks have to say. It's probably very timely for at least half of your agenda that you are in Barrow at this time. And I thought I would take advantage of this opportunity to share with you what recently occurred in the last nine weeks dealing with the same subject. Mayor Ahmaogak on the ninth of October established a special blue ribbon panel on alcohol and drug abuse. And he invited thirty-five citizens from around the community, people who have been identified as individuals specifically interested in the problems relating to alcohol and drugs based on what he heard both in the villages and from the elders and people in the Barrow area. He hosted that meeting out at Narrow, and thirty-five people showed up. A few on the list were not able to be there, but there were others who came who came by other invitation. And during that first session the community decided itself that it was time to dig into the problems of alcohol and drug abuse and determine

where as a community they wanted to go. Though it was sponsored by the administration, it then became a community group that developed onto itself and took on its own form and held a series of not less than twenty meetings, having divided eventually into some subgroups, for prevention, and for treatment, and for law enforcement, so on. And eventually developed a report which is scheduled to go to the mayor tomorrow or the next day. And as you could well imagine that report represents a lot of good thinking and a lot of good input from many people throughout the community. And we would be more than willing to provide for you, after the mayor has had an opportunity to review it and release it, a copy of that for your records. Obviously we would not want to give it to you before he's had a chance to see it. I think you understand that. What I would do that may very well speak to the first half of your concern about what people in rural areas are saying about alcohol. On that first night the thirty-five people who were there each had an opportunity to speak. And we made a verbatim transcript of that evening's events. And let me share with you, if I may, a copy of each of those. And let me apologize first that the intent of this was to provide a historic record and the information, the verbatim transcript is not as though you would find in a court of law. It has a lot of gaps and a lot of things in it where we couldn't pick up from the microphone system and so on. But I think it will very clearly give you a gist of what the local people believed as they met that night. What I'd like to do is kind of walk you through and tell you who some of these folks are, and try to draw your attention to some of the statements that they made, recognizing that each one of them, were they here today, would probably be saying very much the same thing. I have no authority from them to speak for them, to give their testimony at this meeting. I'm simply requesting that we record it as what they said on October ninth. Mayor Ahmaogak posted the meeting and he opened it following prayer with some of the reasons why we were there, and primarily to get together to get everybody to talk about and figure out what the problem was and develop a comprehensive plan. On page two in the second paragraph Mayor Nate Olemaun, who is also seated here, spoke and by way of another welcome and introduction, and talked specifically about a research document that was done by Bernie Segal out of the University of Alaska that spoke specifically to some of the specific problems in Barrow. Then the mayor turned the meeting over to Ida Olemaun, who also is here. Ida is the Deputy Director of Health and Social Services who has responsibility for alcohol and drug abuse within our

Health Department. And then following in the order of how people signed up, thirty-five people signed up. And Ida in all judiciousness determined that he who signed up first would speak first and I happened to be the one who got there and put out the papers, so I came on first, and all I said at the beginning by way of introduction was a recognition that I had in studying communities outside, alcohol, looking at an alcohol problem dealing with skid row, was that the one common ingredient that they all had was that the community had gotten together, developed a plan, and everyone was committed to their portion of that plan, and it worked. And that's what I saw that could occur here through such a meeting. That if the community got together and they developed a comprehensive plan, everybody bought into the plan, then that would work, and maybe there were many different plans that could work, but the key ingredient was the spirit of cooperation and unanimity. And then going around the room the first lady was Helen Solomon who is a local lady who works in our women's shelter who testified regarding the amount of abuse that she saw in the women's shelter, and how much of that was related to alcohol, and how great a need there was to set up safe homes, for not only battered women and children but for people who are trying to get out of the system. At the bottom of the page, Tom Drake, he runs the correctional facility here in Barrow, was talking about the four to five hundred people that he sees every year that come through the facility where we do detox. Because there is no residential treatment facility on the North Slope, through a protective custody law they in fact are taken to the jail, and there in fact are detoxed in the small word detox, not by full definition. But where they in essence are prevented from dying, as a sleep-off. And spoke to what he saw as the need for some kind of a detox facility on the slope. Bertha Leavitt, another local lady, talked about the trauma that she has seen in homes and families and a very impassioned eloquent statement that she made. Top of page six, Leeann Mercier, who's head of our Public Health Nursing Program at the Borough, talked about what she sees as the daily impact on families and children and babies and prenatal stress, and all the other things that have tied directly to alcohol. Down at the bottom of page 6, Bobbie Leon is our casework manager out at the SAT program, the Substance Abuse Treatment Center, at a facility we call Friendship House. And you can see her testimony is very eloquent in terms of the frustrations of dealing day after day with problems and trying to do the best we can with a limited resource in providing outpatient counseling. Which

you'll indicate she believes that we do an excellent job of. We do a little prevention, and then she says that's virtually all that we're doing. On top of page eight, Bob Korravitas, who's a counselor at the elementary school, talked about the things that he saw dealing with families and using, as they're brought to the school. Middle of the page Nom Hibbard is an interim minister at the Presbyterian Church. And indicated he's here on the basis of concern for the constituents of his congregation. He was followed by Reverend Cliff Spencer who's the pastor of the Assembly of God Church here. And you'll note in reading his testimony that he talks about his own personal experiences, that he had years ago with alcohol himself, and how important it is in his ministry to have the resources to deal with the alcoholism problems as he sees it. And you'll notice that that was a good testimony as it goes all the way down to page eleven. Jim Christensen is an investigator for Public Safety and he was talking about the law enforcement side of the issue and how difficult it is to investigate illegal drug and alcohol sale bootlegging and so on. And he shared some of the experiences about the difficulty of bringing somebody to court, eventually winning a conviction. Under the existing laws of evidence and getting people to testify and so on.

Rep.

Binkley: Excuse me, is Steve here?

Bert Hall: No, I haven't seen him. Then at the bottom of page twelve, Kenneth Toovak. And Kenneth Toovak is here. Kenny was somewhat behind this deal. It was he who went to the mayor and convinced the mayor that it was time for the community to get together, and he has been somewhat of a co-chair, an informal co-chair of this taskforce, and it was he who went to the city council and to the borough assembly and went on the radio and spoke about the issues that led to some of those things that have developed since then. The mayor had signed up, the mayor got a chance to say things again and as you note, he makes reference to the law enforcement problems and again reiterates his commitment to our process. Bottom of page thirteen, Elise Pakoktak is the social worker here, she is a former director of Health and Social Services and was here for thirteen years, and gave a very impassioned statement that she has seen so much so long and that she was reading the community was saying they were angry, they were no longer willing to tolerate the situation as it had developed here and it was time for the community to get together and do something about it. Page fourteen, Steve Garrish, misspelled,

but Doctor Garrish is the senior physician at the Public Health Service Hospital, spent eight years in the bush, a lot of it in Bethel, and knows Representative Binkley very well, and he spoke to what he saw at the hospital, and it's very clear what he has seen and what he makes reference to being upwards of ninety, ninety-five percent of all of the trauma that they see after hours in the hospital as being directly alcohol related. He was followed to Carol Tile. I should make note too, he says in the middle there "other places I've worked, this is the place that has the worst problem. Most of our patients come in drunk than any other place I've worked, or sick from drinking". Very strong statement. Carol Tile, who's the nurse administrator at the hospital, reiterated some of the major concerns that she saw as a result of alcohol abuse through domestic violence. And what it's like to be a nurse at the hospital in the middle of the night when some folks come in. And spoke eloquently to the need for treatment. You can see we switched to another tape, another typographer. Dr. Tilly is another physician who was not here too long. He again reiterated what Dr. Garrish said and he came down the middle of his statement to the need to spend whatever money it needs to develop coordinated programs of specifically relating to the detox and the drying out. And the recognition for both the halfway house and rehab center. I thought that his statement on the next page in the top paragraph where he talked about "the day some of us were taking picture of a beautiful sunset, and then someone was brought in shot. That would not have happened had it not been alcohol related". Michael Jeffery, who is the other person who with Kenny Toovak has been the spokesperson for the mayor's taskforce and has been very much involved in the writing of the materials that are going into the report to the mayor, and who is district court judge here, talked about some of the problems that he sees in the court, every day. And you'll note he says "I can tell you from personal observation practically every single one is alcohol related". A very strong statement there. And he referenced his own experience having been on the Governor's Advisory Board on Alcoholism in the past and it's been very helpful locally. And he came out very strongly in support of our existing programs that we presently have. Mary Ahgwana is another local lady, and she talked about the difficulty primarily of dealing in the home where people, even if they wanted help, often didn't have a safe home to return to. And the difficulties that they had with bootlegging and the rest. Diane Orbells is a nurse over at the hospital, this is the top of the next

page, and though she supported strongly the education support, she recognized that the ability to treat people in the hospital was very limited and very difficult to do and that a treatment center would be obviously supported. And she suggested many of the people who they receive in the hospital setting are people who need long term care that is not available here on the slope. Ron Bowden is the man who was here representing the Presbyterian Church, and was talking about the young people with whom he's been working for some time, and of a little survey that they did. And so we had some input from how the young people feel. Mayor Olemaun spoke again and he made specific reference to the Bernie Segal research questionnaire that was done back in 1982-83, released last year, which gave some evidence to city leaders about just how serious the problem is among the young people in the Barrow area. The next four people are people who are very outspoken folks, very heavily involved in Alcoholics Anonymous, and who have been very valuable in all of the work sessions, and have put in a lot of time among the subgroups, and very willing to come out and identify what their problems have been, what they're doing, and what they think needs to be done. And there was some very emotional testimony that was there. In the middle of page eight Marie Adams, who's the city administrator, spoke again about the things that she saw as it tied to the social impact of the pressures of the peer pressure, and looking again for alternatives. Rosie Havish was talking about the education and got into some, this got dropped on the tape, but a lot of description about the K-12 program that was developed and has been supported by the State heavily that we've been using here pretty effectively in the school and need to beef up a little bit more. Down on the bottom of the next page, Margaret Opey, who is the mayor's secretary, and has been coming to the sessions as a mother and as a concerned citizen, spoke about the family oriented needs that she saw. Loretta Wilhelm was speaking again supporting what she has seen happen through the receiving home and women's shelter. Ida Olemaun, who was chairing the meeting, I guess summarized some here. We took a break there. Bert Okakok spoke about some of what had occurred when a group like this got together a few years ago and tried to develop some kind of a community effort that had made a blip in the curve, a dent a few years ago, and suggested we slid back some and need to do it again. Charlie Mumford is a local physician who's in private practice, and spoke again like the others about what he has seen over a longer period of time. He's been here several years and the trauma that he's seen as a physician. When that was all done we went

home. And subsequent to that we met for each of the last nine weeks, and broke into subgroups and so on. As chairman I'd like to offer this up for what it's worth, recognizing that it is just our record of how we recorded the testimony of people who spoke that night. Suggesting to you that in the process we've certainly identified a tremendous amount of need. I could further just report to you what has occurred, some of which is in the mayor's report but is already a matter of public record. The blue ribbon panel identified very clearly the need for on-slope treatment facility as a number one priority and began working on that even while it was still writing its comprehensive report. Because of the timing of some of the activities going on in the state, and the need for the city and the borough to finish its prioritization to put in for requests for capital budgets, a group of sixteen members of the committee went before the city council after having put in a petition request to appear. And the city council in response readjusted its priorities and made an alcohol and drug abuse treatment facility, residential, in Barrow its number one priority. That has been communicated to Juneau. In addition the borough also did likewise and readjusted all of its priorities so that its highest priority for Barrow, number one, is the alcoholism and treatment. And as you probably know the governor came out with his budget and he has an inclusion of that as one of the things in his budget. And that's probably all I can share with you until I give you the report, which you should have in another ten days or so.

Rep.
Binkley:

How large of a facility did you envision?

Hall:

I think there isn't a real clear understanding. The need for eight or ten beds for sleep-off, fifteen beds or so for some treatment and halfway house services. I'm being specifically vague because it's not been designed. And the thing is moving along quite quickly. We realize that a considerable amount more planning needs to take place. We need to be cautious about spelling out exactly. We really don't know. We know that the needs for certain kinds of programs exist. We don't know exactly how many people, there hasn't been a needs assessment specifically. We do know people that are going outside for treatment, we know what's happening when they're coming back. We know people that are not going and getting any residential treatment and so on. Our intent would be to obviously move as soon after July first, to move in the direction of the right type of planning. There's also a strong level

of support for doing something in the interim, developing something that would provide more of a safe home kind of situation so that we didn't have people without anything while we're going through that planning process. And again I would hedge trying to be too descriptive of what that should be.

Rep.

Binkley:

Would the operation of it be something that the borough would then take on.

Hall:

Well, you're all legislators. I'm under oath I guess I should tell the truth. My personal hope would be that since the borough and the State are already partners in what we do in treatment, the borough puts up fifty-five percent of the money right now, the State about forty-five percent. And what we do run now, under, we're a SAT funded program, the State Alcoholism and Drug Abuse, SODA money. And we have no drug money. We have all alcoholism money. And what they're funding is our outpatient treatment, some of our court referral stuff, and some bush prevention. And we're partners in that. And we're assuming that we develop a program and as we commit ourselves to increased resources to do that that the State would go along with us. I would remind the committee that the North Slope Borough is the only other local government besides Anchorage that has health powers. And the only government that puts a substantial amount of its own resources into programs. Of all the human services programs that we run, sixty-four percent of the money comes from the Borough, twenty-two percent from the State, and twelve percent from the Federal government. So my assumption would be that the State would be very willing to support, as the Borough increases so does the State. I would obviously not want to suggest that the Borough would go it alone.

Rep.

Binkley:

Bert, the Borough encompasses how many different villages?

Hall:

All of the villages across the eighty-eight thousand square miles of the North Slope, which are eight. A population of eighty-eight hundred, including some folks over at the Prudhoe Bay area.

Rep.

Binkley:

Of those villages, Bert, are you familiar with their local option laws. Have they, the majority of them, chosen the fourth option, which is banning importation and sale?

Hall: Mr. Chairman, I know there's a mix of different stuff and I'm sure we have a record. I deliberately chose not to come to the meeting today prepared to tape since I have not, we have not. I have not made any study of it nor have we had any serious discussions about the impacts of the option law. So I really have no testimony on that half of your reason for being here.

Rep.
Binkley: Okay. Any other questions?

Senator
Fischer: I have the same question as to what the status is of the villages. Will we get testimony on that? Is there anyone here who can advise us?

Otto: If you could indicate the names of the communities in the North Slope Borough I have a list.

Hall: Alpathasik.

Otto: No local option ordinance.

Senator
Fischer: Which means sale is legal and importation is legal?

Otto: Well, actually my list is only villages that have voted to ban the sale and importation.

Rep.
Binkley: Maybe there's somebody here who could testify about that.

Hall: The mayor may know.

Rep.
Hurley: Are you for the Borough or just Barrow?

Hall: The Borough.

Rep.
Hurley: Couldn't you get that information for us?

Hall: Certainly.

Rep.
Hurley: Would you say then that most of the problems are right here in Barrow? More than in the villages?

Hall: I don't know. I know that because we've been intense in our meetings recently dealing with the Barrow issue, it's obvious that there's tremendous problems here. As we go to the villages and we hear of

problems with sniffing of gasoline, we hear of alcohol problems where the entire village has gone on to a binge. One of our physicians recently, within the last couple of months, was in a village and had an experience where he could not find a sober person to be an escort to bring an injured person back on an evac. We hear those kind of stories. I have not personally dug into it enough yet to know and to really develop an opinion. I hear the stories. There may be others here who have a much more personal involvement. Ida Olemaun, who is deputy in our department, who has been here a long time, I think maybe speaking to the wider picture.

Rep.
Hurley: What are we going to do with this? If other members of the Legislature looked at this I think it would be important to indicate those people who have been here a long time and those people who are Eskimo, and those people who are not.

Rep.
Binkley: We haven't done it in any of our other testimony. I think people have identified themselves to the same extent that people have.

Hall: They usually say which organization they represent.

Rep.
Hurley: I think that we should have asked some of those questions. I think we sort of knew that when we were talking with people. But we could sense from their testimony that they'd been around a long time. I think there will be a lot of people questioning the information.

Hall: I think, Mr. Chairman, what I was trying to do is share something that is recent, that just occurred, that gives a flavor of what this community was saying in the last couple of months, that I thought was a good cross section.

Rep.
Hurley: Well, I think it is but I just think that that would add to it.

Rep.
Binkley: Thanks Bert. The first one on the list today is Ida Olemaun. How are you today?

Ida Olemaun: My name is Ida Olemaun. I work for the Health Department. I know we've had this alcohol and drug abuse problem for a long time, and the mayor, George Ahmaogak called community members to hold a

meeting, which is the report that you have right in front of you. And I think with more community effort a lot can be accomplished towards the problem that we are confronting. So we've had about six meetings altogether and we're finally in the final draft. AS I was saying, we've been having these meetings and i know we've had this problem for a long time and there's no treatment facility up here. And we cover so many villages within the North Slope Borough, and for people asking for treatment within our borough we have substance abuse treatment service program that we have here also where we get SOPA funds for anybody to get treatment we have to send outside. So out of the meetings that we've had that came up to the top priority. But it follows with law enforcement, prevention and education and detox center treatment facility. I think with a community effort a lot can be accomplished and I want all of you to know that we're working towards a facility, and everybody's involved in it, because the meetings all have been open to the public and we've been having some good representation from each of the agencies within the community. And I'm glad that you guys have copies of the first meeting that we had, because from all different agencies within the North Slope Borough. So and the elders hold on real strong on the issue too when we had the local council meetings, we've been attending the local council meetings and the assembly meetings push for the united effort that we push for towards a facility for our area.

Rep.

Binkley:

Ida, were there any things in the meetings that came out as far as State laws or statutes that we as a State Legislature might be able to enact that might help not only Point Barrow but some of the villages around here?

I. Olemaun:

Well, we've just talked mostly in planning stages. Because we don't even know, after what we've compiled, we don't know how many beds a facility will contain, and we haven't even gone into the law enforcement on it.

Rep.

Binkley:

I noticed in the report somebody mentioned about a problem with bootlegging here in Point Barrow.

I. Olemaun:

That was one of the committees, law enforcement. See, there were four committees, after all these meetings, we had four committees that talked about each of these issues, like the treatment facility, prevention and education, law enforcement, and to boost each of the services that we have already, to

add more staff too.

Rep.

Binkley: How about as far as the way the structure of the law itself goes. Has anybody addressed that? Maybe the law enforcement committee addressed that.

I. Olemaun: Not at length.

Rep.

Hurley: Do you have any statistics, information about how many people have been sent away from here for treatment and what the cost is? I think that would be good to have in connection with trying to get one here.

I. Olemaun: It's been varied, but I don't think, yes, we should have some statistics on how many we send out for treatment, both to Fairbanks and to Anchorage.

Rep

Hurley: I'm sure that doesn't work very well because they don't have any support systems within their own families.

I. Olemaun: After going for treatment and when they come back, there's not facilities, like an aftercare. We do have an aftercare plan, but they go to the same home environment and that's a factor.

Rep.

Hurley: Do you have many counselors here now?

I. Olemaun: There's eleven staff in our substance abuse treatment services.

Rep.

Hurley: Now you have eleven?

I. Olemaun: There's a coordinator and two outpatient managers, and about six counselors.

Rep.

Hurley: A total of eleven staff?

I. Olemaun: Within the substance abuse program.

Rep.

Hurley: Thank you. I'm sorry.

Senator

Fischer: If you receive the money for a treatment center, do you think that would take care of most of the problems that you face in your work?

I. Olemaun: Well, you know by sending somebody out to treatment and family not being involved with it, that's really hard because we do need that family therapy in order to have the united effort to help that person had the treatment.

Senator
Fischer: What about education efforts, preventive work. Is that part of your activities, or was that another?

I. Olemaun: Yes, we have a prevention and outreach specialist that goes out into the villages. But we're trying to increase that to allow ??(unintelligible)

Senator
Fischer: The testimony at that meeting was most of the problems in law enforcement, in health, a lot of problems in health, seemed to be due to alcohol. What proportion of the population in the villages and Barrow drinks? Do you have any idea?

I. Olemaun: Well, not having a bar you don't see the community. They do it at home or with some friends. And I think you can probably easily see that if you had a bar here. But I hate to give a figure to you on that.

Senator
Fischer: Okay, last question. To what extent is home brew used here as against purchased liquor?

I. Olemaun: I've never heard of any home brew here in our community. So it's all bootlegged into our community and because the main airline lands here and then everything is dispersed out to the villages.

Senator
Fischer: Importation is allowed? People can bring it in?

I. Olemaun: Yes, even though we are a dry city here. See, in the villages they're not enforcing it.

Rep.
Hurley: But importation is allowed in the whole borough, or just in Barrow?

Rep.
Binkley: Just in Barrow.

Senator
Fischer: Four of the villages do not allow it.

I. Olemaun: Yes, but they're not enforcing it.

Senator
Fischer:

Thank you.

Rep.
Hurley:

Do they use the "Here's Looking at You" in the schools?

I. Olemaun: Yes, they have a "Here's Looking at You" program, but I don't think they're not using it as much as they should be. And that's when I think that was brought forth. So that's all in the plan too on the report that you have.

Otto: I live in Bethel which is like Barrow in that it's banned sale but hasn't banned importation. When you go out to the airport in Bethel you can watch hundreds of cases of booze coming in a day. Is that true here as well? And is that because it's used as the drop-off point for all of the villages in the surrounding area or in the borough?

I. Olemaun: Yeah, I can see that.

Otto: What's the job that you have?

I. Olemaun: I'm Deputy Director of Health.

Otto: And specifically you deal with?

I. Olemaun: Social Health Services.

Otto: How long have you been doing that?

I. Olemaun: About two years.

Otto: What did you do before that?

I. Olemaun: I was a homemaker.

Otto: In the past two years then that's when you've been working with alcohol and alcoholism programs?

I. Olemaun: Yes.

Otto: Do you work with all the villages in the borough?

I. Olemaun: We just have a prevention and outreach specialist and some seek our services too from our area here. But we have a prevention and outreach specialist and some counselors that are going out to the villages.

Otto: So your office is the coordinating office for all the villages in the borough?

I. Olemaun: Yes.

Otto: Do you hear then about the problems that the villages are having?

I. Olemaun: I think we're getting a lot more where the villages are seeking more of our services.

Otto: And what kind of services are they seeking from you?

I. Olemaun: Counseling, when they've been drinking, or wanting to go into treatment.

Otto: Do the villages have in this region, do they have problems similiar to those described by the people in talking about Barrow, with alcohol?

I. Olemaun: Because they're faced with a day to day basis too and they see it.

Otto: Some of the things that we've heard in other villages are that most of the criminal problems, most of the juvenile delinquency problems, most of the domestic violence, most of the suicides, most of the, just in general, the social problems are related to alcohol abuse. Is that true in this region as well?

I. Olemaun: I can't say that.

Otto: The other thing that they've said in the other villages is that because there are not bars, as you mentioned earlier, that where people are drinking is in their homes. That the problems that result start out from people drinking in their homes. That would be true in Barrow?

I. Olemaun: Yes, because there's no other place besides home and a friends home.

Otto: Then that would be true in all the villages as well?

I. Olemaun: Yes.

Otto: Thank you.

Rep.
Binkley: Okay, Ida, thank you very much.

Rep.
Hurley: Is the eleven staff that are the substance abuse program, is that under SODA working with you?

I. Olemaun: We have SODA funds, and some discretionary funds, and some IHS funds. Indian Health Service.

Rep.
Hurley: Thank you.

Nate
Olemaun: I'm going to speak as the elected official for the City of Barrow, city mayor. And like you all from the urban area and you're conducting your meeting in the bush.

Rep.
Binkley: I'm from Bethel.

N. Olemaun: I know that. And for administrators to speak up from notes who have just come up, you should just take it as that, as taken from notes, not from their experience from the bush, because some of the administrators here for the borough, school district, and some of the agencies, are not educated in cultural versus, living with cultural and being from urban and coming up to administer a program. The city of Barrow is dry under the old statute when they have wet and dry version. There was a version of the amount of liquor a person could purchase in a day. It's not in the liquor law any more. And when the four options were selected as being options today, it left it up to each village and determined by petition what option they wanted to take. It wasn't educated. We as the village council could not do it. It left it up Department of Community and Regional Affairs, which has one office from Fairbanks that, Rebecca Miller covers for North Slope, Gannett(?) and Interior north and south. And she only comes to the villages, that's talking about over one hundred villages, she'll only do that at request. It has to be by a request, not from a city council, but an individual from citizens locally. The City of Barrow, even though we had brought in four, we could have requested as private citizens we haven't. Even though we were aware of it we have told the local community. And their response was, we have lost (end of tape).
The stage that you had tension within the last few years where an ordinance had to be codified to be enforceable. If they're not codified that's all they are, ordinance on the books which the local law enforcement or State law enforcement will not enforce. This is the first year our ordinances, using the city of Barrow as an example, where we had them codified and finally enforced. And we had to send a copy to the different entities within law firms to tell them that we have ordinances like that. The other villages, their ordinances aren't enforceable unless they have them codified. Being a dry

community you could look at it as being not importation of liquor, not for sale. But you could order the difference between the two is in the all dry status that worded. You could order and bring in liquor and as long as you consume it within your own privacy of your home you could have it. And that's because of that and because of our ordinances not being codified since we became dry in 1978, the law did not enforce that other than the bootleggers State law. When the new options came around they said you could stop the importation of beer, which is exactly what it means. But there is other provisions. Taking the four villages for example that are on the North Slope and are one of the new options of not importing any liquor. You could bring them into the village as long as you don't get caught. Once it's in the village the public safety can not enforce that State statute law. There is nothing in the State statute on the, any of the choices, of how it's supposed to be enforced locally. I'm for amending it to say if they want to stop they would enforce importation of liquor that they have authority to seize them at the airport, authority to seize the aircraft that brings them in, if a person is drunk in public, authority to arrest that person. And that is the only way those laws are going to be enforced or they are going to be in the same stage the city of Barrow is. The recent ordinance we adopted being a dry community since we can't enforce the importation of liquor, is the open container law, that if you have any open liquor on yourself, if you are outside of your premises, then you could be arrested and charged with the open container law. That should be included in that importation of liquor whether if they see an open container also that they seize that. It's very lax even though it's given as an option, there's nothing to write your ordinances from to be enforced locally when it's selected. When Barrow was again under the old statute the ordinance was not, the State statute said already that you could only sell so much to a person within a day. And we had it enforced because the liquor store was community owned. We kept track of the people by the amount of liquor in one day, and we never let them go beyond that. If we see anybody selling or buying liquor for a minor, we ban all that ? from buying any more liquor from the community liquor store. Those kinds of remedies that used to be in State statute have been taken out. We thought, being dry the way we are, that we could write to the liquor stores, that they order their freight from telling the State statute, look, you can only order this much. I believe it was a case of beer, two or three bottles. But there's nothing stopping them from ordering cases

of whiskey at a time an cases of beer and wine. That should be looked at heavily. The problems of drug abuse here in Barrow it's been studied and studied. The recent one I had brought out with Mayor's blue ribbon was done by University of Alaska. And of the eighty-nine people they surveyed from eighteen to eighty-three years of age, no matter what position or status they were in locally. Ninety-two admit that they have tried liquor at one time. Ninety-two percent. Sixty-two percent said they were still using liquor. I'm just using the liquor part of the question. I'm not talking about the drugs because it's something else. So one of the questions was that without a liquor store or a bar locally our law you have to wait to get your liquor for your party or some other thing you wanted from Barrow. The answer on one of them was "You don't. You just pick up the phone to see who's selling and you can buy." The law enforcement do not enforce the bootlegging unless somebody comes forward. And there are a lot of people who order let's say a case of whiskey and sell half of it to pay for their freight and reorder and sell the other part for spending money. That's why they have a lot of difficulty with the bootlegging. There's been a lot of tragic incidents and all of them were alcohol related here in Barrow. And within the last three months I believe we had six deaths that I've heard that were alcohol related. And we had one that died of natural causes here. I didn't think of it that way. I thought of them as people who were from the community until somebody sat in the crew who was non-native, when they heard that someone had passed away of natural causes. Up here, that she didn't know anybody died of natural causes in the city of Barrow. And you hear that remark as being a community leader and a local resident for a long time. It hurt me but that was the truth. When you look at the alcohol related death versus the natural cause death it looks like what had happened within the last three months was one out of seven died of natural causes. So the law on education of the fourth option law has to be changed to be given to local villages where they could make a request to come into regional affairs to bring somebody up for a public hearing. That's the only time they are funded to travel. If they have a hard job determining if they could go to one village to meet a group's concern. Or to go to another village to meet the council's concern on some other issue. Not what they're instructed to do. I think that needs to be brought out. And the one I just mostly, the one that's related to Barrow here, stopping the importation of liquor needs to have some amendments in there where it states that's what it means, not

just saying yes we have that option, but as long as you bring it to our community and don't get caught, there's nothing they could do about it. That's just like having city ordinances on books and they can't enforce them or take them to court because they're not codified. The provisions were good to help the post districts, but the wording was the same wording they used in urban areas and without understanding their cultural and their way of life, you need those provisions in there for them to understand the law. When they vote on four options they just understand stopping importation, that means liquor stops. But when the State interprets the law the liquor don't stop. So there has to be something. We have relied heavily on our elders and I have seen them walk in here for guidance. Which is true in every village. Also which we were lacking for a long time which is emerging again. Aside from being an in quote rated (?) city under the State statute, there are traditional councils emerging that used to have the function of governing the villages. And that's whether they're IRA recognized or traditional village council that ?, they are two different entities. And they use the same authority given to them by act of Congress, so allowing with that you have your local corporation and your regional corporations that are within the community that you would have to comply with to a certain extent because you are a shareholder, and they are the landowners within your community. So using our community as an example, even though under the State there are two governing bodies that are recognized and they impose a State statute laws, that is the incorporated villages cities, and the incorporated borough for borough wide powers. But within the community of the city of Barrow we have a traditional council, the regional ICAS, the local corporation, our regional corporation, and then you have the Federal government and the State government to contend with, and all the form of government that they have trouble understanding why they do not follow the North Slope Borough laws or city laws, why they're governed by themselves, a school district, you could recognize that as another government. So within Barrow we have nine to ten different entities that governs the people. And they have to be in compliance with the State statute. Just still within the city limits. We have a military base that is not in conformance with the State's statute like the military bases in Anchorage as Elmendorf and Fort Richardson. And two more of the villages, or three more of the villages, outlying villages, who are dry also have military bases. And being a military installment you don't have to be in compliance with State law or local law as long as

it's done on military compounds. So that's another hard thing that they have here that needs to be addressed also. Even if we, if the State were to give an area-wide forum, the option law of electing area-wide, of how they want to have the liquor issue addressed, we still have those military bases to answer to. The way it is right now it's just a local option law. And unless it takes an individual or a group who's the petitioner, which requires at least twenty-five to thirty-five percent of the people in the last election for the community like the city of Barrow it would require about one hundred sixty-seven signatures of the last election. Of your last election up here. And it would happen to any communities within the borough, happen to coincide with a borough election. So you'd have more people coming in to vote, which requires you to raise your number of selecting quota to meet that petition requirement under the State law. I think that's something that should be looked at or it addressed not only last year's general election but the previous two years and choose the one that has the lowest number so a petition could be accepted and not denied. Using a petition that is outgoing right now for stopping the importation law here locally. It was denied on the first draft because they missed it by six or eight signatures of the last general election. Because the last general election was based on a borough-wide mayor's election also.

Rep.

Binkley: Excuse me Mayor. I might have misunderstood you on that. Was that a borough-wide election you said, or just for an election?

N. Olemaun: No, it was a borough-wide election, but they're all local residents who have to come to elect at the same building they're having the city election also. They're local residents so they voted both places. You get more turnout when you have a borough wide election.

Rep.

Binkley: More local turnout? From say Barrow when you have a borough-wide election?

N. Olemaun: Yes, as far as any community right now.

Rep.

Binkley: But was this petition you were speaking of that was short six or seven names. That was on the importation law?

N. Olemaun: Yes.

Rep.

Binkley: So a group of citizens got together, wanted to bring that question on the ballot.

N. Olemaun: No, they're doing it right now. Except they have the right to have an extension to get the required signatures, which they are doing right now.

Rep.

Binkley: This is just for Barrow?

N. Olemaun: And the question on the ballot would be "Shall Barrow accept option number four?"

Otto: The question is "Shall the sale and importation of alcoholic beverages be banned in Barrow?"

N. Olemaun: Even with that, using the city of Barrow won't change much, because there'll still be some being frauded without no authorities other than what it says with these amendments that would be inserted in there. It won't change us. But it would prevent the orders being shipped up here from the liquor stores. That's the only difference I would see out of that.

Rep.

Binkley: Nate, do you have any sense of whether or not you feel that would pass at this point?

N. Olemaun: If the people unite with the elders who are behind it. If all the elders qualify to be registered voters, which we have over one hundred and forty, they would almost themselves carry it. And that's people over sixty-six. And you have concerned parents and concerned grandparents who are only in their fifties, maybe fifty to sixty-six. If those people were pushed to go and vote, it could be won easily. Witout their support it wouldn't because we have more local voters who are in their twenties, late twenties and thirties, and forties who are non-natives and are registered voters.

Rep.

Binkley: We have a similiar situation in Bethel and it seems as though, probably not as many elders that are active voters I would guess, because when the issue comes up on the ballot in Bethel it seems to be, and Bethel is just like Barrow now, allowing importation but no sale, when the issue of banning importation comes up it's defeated. But when the issue of banning a community liquor store comes up it's defeated. So there's a fairly large group of people in the middle there that move back and forth and seem

to accept the position that Bethel's in now. And that's why I was curious about one point you brought up, which was one of limiting the amount of importation an individual could bring in.

N. Olemaun: Yes. That used to be a State statute. We looked for it. We were surprised it wasn't in there.

Rep.

Binkley: So your suggestion would be that within the local options that speaking to importation, that a community be allowed to place some restriction, if they wanted to allow importation, to allow it with certain restrictions. You could only bring in a certain amount.

N. Olemaun: Right.

Rep.

Hurley: And, I had a note where he said, the rule that you had that person could only purchase so much. You would want that to, because you said that's no longer in the law.

N. Olemaun: Yes. If it was still in there, when it was in there we had sent letters out to the liquor stores saying it wasn't the city ordinance or city law, it was under State statute, they would have to abide by it, all the liquor stores being in incorporated cities.

Rep.

Hurley: Was it effective by blackballing anyone selling to young people. Did that really work?

N. Olemaun: It worked to a certain extent. Of those people being recognized that they shouldn't buy liquor anymore. And for the year we were open I believe we identified sixteen to twenty-two people without conviction, but that stopped them from buying from the liquor store.

Rep.

Binkley: Nate, if given the choice, would you rather see the restriction placed on people purchasing the liquor, the quantity of liquor in Anchorage, or wherever the source of liquor in this community is, or on the actual importation?

N. Olemaun: Both. Because we're tried under the old law. And if the election loses out we'll still be under the old law. We would have lost our chance of, if you had the amendments in there, of stopping the importation. But if the law was enacted where they could order or buy so much within a day then it would be helpful, not only to village, but federal would also be

involved with that.

Rep.

Binkley:

Yes. The only problem I could see is if an individual was in Anchorage themselves, rather than ordering from a particular place, if the restriction was just on when they place the order, and they knew that it was going to be shipped to a place like Bethel, as opposed to somebody that went into Anchorage, went into the liquor store, bought several cases of whiskey, and then shipped them back out to, Bethel in our case.

N. Olemaun:

If it's State law then those liquor store owners would have to abide by not selling more than, let's say, three bottles to an individual. But the only time you could avoid it is if you just happen to be in town and you have twenty liquor stores you could go to, you could stop.

Rep.

Binkley:

So you're talking about not a local option individual communities choose, but a State-wide law.

N. Olemaun:

Yes, the amount used to be.

Rep.

Binkley:

I see, okay.

Otto:

One of the things you were talking about was the problem of enforcing liquor local option law and I think you compared it to ordinances being on the book that weren't codified so they can't be enforced. Would it correct some of the enforcement problems to allow communities to ban possession of alcohol? So that, in other words, now we make this artificial dividing line and say you can't import it, but as you pointed out, in order to enforce that, you have to catch somebody bringing it in, and catch somebody pretty much in the act of importing. Would it correct that problem to allow communities to ban possession of alcohol?

N. Olemaun:

Yes.

Otto:

Do you see anything besides allowing communities to ban possession which would correct some of the enforcement problems?

N. Olemaun:

No. Other than the statute that says you have to codify your ordinance to be enforceable. They're nice when they're in the book, okay, but each village that don't have any codified laws, the city of Barrow for twenty-five years had laws that are there but not

enforced, they just accept them the way they are. And then work with the local court system and the local law enforcement that would save them a lot of problem of trying to get them codified to get accepted.

Otto: Do you think that would be a reasonable approach for the Legislature to take to allow communities to ban possession of alcohol?

N. Olemaun: Yes.

Otto: How much does a bottle cost here?

N. Olemaun: When it's not scarce the standard price is forty, but when it's low or holidays or if it happens to be ? in the mornings I've heard it go to sixty to a hundred.

Otto: Do you know in the villages how much a bottle is going for?

N. Olemaun: I believe it starts at fifty or sixty.

Otto: And then goes up depending on the scarcity?

N. Olemaun: Yes.

Otto: Does that then create financial problems for families with, say parents who have serious drinking problems?

N. Olemaun: Yes, that creates financial problems to a lot of families, and not only financial, but family problems, and personal problems, and that's not only pertaining to the alcohol, the drugs does the same thing too.

Otto: What happens to the kids in those families?

N. Olemaun: We have a lot of them, we have started to address some juveniles who are school dropouts, are drinking or on drugs, they don't have a place to stay, or kids who don't want to get into trouble, but don't want to go home because their parents are drinking all the time. We're addressing it through State grants right now. Set up homes, like that.

Otto: You've got a formal program then to take care of the children who-?

N. Olemaun: Not the local communities. The North Slope Borough does because they have the health powers. But recognizing the need here in Barrow, we have supported establishing centers like locally, and using it as our top priority for legislation.

Otto: I know Bert Hall said that both with the North Slope Borough and the City of Barrow, the number one capital project has been realigned and now it's building of a treatment center, development of a treatment center. What was the priority before the presentation of the taskforce took place?

N. Olemaun: The one for the city was, last year we had a request to put juvenile intake detention home for youth. Right now the juveniles who are picked up are taken to jail instead of leaving them in there with adults we wanted a center for them. It was funded about two million last year. We had requested three forty-five. So we are going back to request one forty-five, so we can have the full funding before our project starts. That was our number one priority.

Otto: Does changing the priorities so that the alcohol treatment center is number one, reflect the view of this community that its number one problem in general is alcohol abuse?

N. Olemaun: Hearing from the concerned citizens and from the mayors commission, who were all local residents, the council took it as a number one concern locally, yes.

Otto: Alcohol abuse?

N. Olemaun: Yes.

Senator
Fischer:

Nate, since this problem exists in Barrow and all of the villages, why would it not be appropriate for the Borough itself to enact whatever ordinance or adopt whatever option is appropriate?

N. Olemaun: It only applies to local corporations for them to determine, it's not a borough-wide problem.

Senator
Fischer:

Should it be?

N. Olemaun: That would, unless it's worded where it will be under area wide powers of having the Health Department. That would take the identity away from local communities who want to be self-determined. There was a drive here in North Slope to unify and we opposed it and won the issue of continuing the study of unifying. Like I had said we have traditional council locally all over the big villages in North Slope. They just wanted to be themselves.

Senator

Fischer: Thank you.

Rep.

Binkley: One other question, Nate. I have a note here that earlier you said in your testimony that you would endorse the concept of enacting legislation which we used to have on the books concerning drunk in public, where you could detain people who were drunk in public. Was that correct?

N. Olemaun: I said it based on one of the four options, where if you have an option of stopping the importation, if that was in there, because we know that community's supposed to be dry and they were drunk in public they could be picked up.

Rep.

Binkley: So what you're suggesting is not necessarily State-wide law, but again one that would be an option for a community to adopt.

N. Olemaun: Right.

Rep.

Binkley: So maybe in addition to possession, maybe one that dealt with public intoxication.

N. Olemaun: Yes.

Rep.

Binkley: Okay. Thank you. I appreciate that, Mr. Mayor. Kenny.

Kenneth

Toovak, Sr.: It's a pleasure to be with you people. My name is Kenneth Toovak, Senior, from Barrow. I was born here and lived here for sixty-two years, so I'm approaching sixty-three this coming spring. So I feel pretty good for living that long. So I'm going to talk in English and then talk in our language every now and then. That's to remind you that there are elders here that understand what we talk about, so they would have an idea of what to say if they have a chance. When they didn't interpret some of our language that they accept that I don't say to you to let you people understand. I'm going to talk two issues to use a common example for one. I used that alcohol before. Start out with a small amount, like a can of beer, and that makes me feel good. Makes me feel good. And after a can of beer, maybe I can handle that can of beer, maybe I can have another one right behind it. You know, can have two cans. Boy, makes me feel better yet. So I begin to maybe find some of the hard liquor, which I did. And

in my middle age. And pretty soon I start to wonder where I was last night. And nowadays, on my last when I been using it, maybe it's not a very good thing for me to use it all the rest of my life. Maybe I can use part of my life for betterment for the other people to understand. So now I'm kind of pushing myself to care for the village or North Slope if I have to. Because we have the elders, and sickness, and sadness, and running into kind of rough, I mean kind of rapid sorrow. Just from that booze. So nowadays I'm available to anybody that needs help in the community, and to you people that came to find what we need here. And another thing that I'd like to talk about to you people, just for example. There's a lot of need here in town, of what we want. And the law has been under us. The law has been under us, put the pressure on us. That I have won(?) with. I haven't suffered. The next day, after I had all I want, that leaves the muktuk, that is a whale. My father caught a whale at one time when he was alive. Caught a whale and started to weigh muktuk in the cellar. Then I had the muktuk, all I wanted, during the day or in the evening, I don't suffer from a headache. And I don't suffer from starving. Now the law has given us a pressure, which the raw meat don't hide to any human for over-eating. First thing we saw we understand in the morning sometimes. Public safety's found a body in the street, or in between the houses. Froze to death. By over-drunk the liquor. And all my time I haven't heard anybody who's froze to death in the streets or in between the houses for overeating the raw meat. So I don't know which one would be the better for the law to put the pressure on. The bottle or the red meat? I think the government should understand which one that the law should put the pressure. They got all the amount of liquor that the beverages people bottled. And the dealers sent for any cases of amount they wanted. And the houses are full of it, and the whole shelves of it. And it's available to anybody that wishes to buy. And here in town we don't have all kinds of muktuk in the shelves for us to sell that those could buy. I don't know which is better for the government to put the pressure on. Maybe you people should practice and maybe let other people practice on this. I've been working with some of the Fish and Game people and working with Public Safeties, and before when the Troopers used to be here in town I used to work with the State Troopers, assist them. They knew what work is on their work. So I looked at a little bit about the law, of what the people supposed to be under the law. So I think that that's just about the things I can give you people to understand what I mean (end of

tape).

The bottle or the red meat? So maybe it would be a good thing to think about. If the government start to watch those people that do bottle and make the beverage, maybe the government would tell them, hey don't bottle those, not more than ten cases. Government. Let the people that have money, there be one, two bottles on the shelf. Rather than fifty bottles. Like we do on red meat. Whenever they have a chance to catch a whale there's about three thousand people that are anxious to eat fresh meat, and all they got is a little strip of muktuk, and the rest of the meat what we have here, I mean shared from the pen. And then when I happen to eat with the white people, they have all kinds of booze or wine on the table, along with the food. More than one wine.

Rep.

Binkley: Ken, thank you very much.

Otto: I would like to ask a question. One of the things that we've heard about other places is that the elders are, because of worry and because of fear, having real problems because their kids are drinking and their other relatives are drinking.

Toovak: Yes, that's a big concern. In all the Slope. Not only here but in the other places like anywhere else. That hard liquor or beer seems to be kind of rough. People drink where everybody having difficult and several drunk. So not only elderly people, some of the young people here in town, want to get away from the problem that they ran into. They wanted to get away from it, but they got some other friends saying that they go out and ? would be our friend somewhere. People know each other here in the communities, and they invite each other and so that's why. There's always more problem that people, like I say, young people want to keep away from it. But it's always coming from the other way, from the other friend.

Otto: How many people live in Barrow?

Toovak: I don't know, it's kind of hard to say, but I would say about forty-five hundred. It's a lot of people.

Audience: Thirty-one hundred that we recognize as local residents in Barrow.

Rep.

Hurley: Do you talk as an elder, do you go into the schools and talk with the young people, do they invite you to come and talk to them about the need to be careful

about using alcohol?

Toovak: No, not really. But when I was coordinator for City Rec use (?), I was invited in the schools to talk to the students, what would be best for the kids to understand from my part. So when I go to the students without anything in my hand I told them I got a good surviving kit with me and also you people got a surviving kit just the way you are. You know it. It's all up here. You've got two eyes. It's all up here. That's exactly what I told the kids.

Rep.
Hurley: Did you go to school here in Barrow, or did you go down to Wrangell or Oregon?

Toovak: No, I got my school here in Barrow.

Rep.
Hurley: At BIA school?

Toovak: Yes. I wish I would have finished more grades, but my parents were getting kind of older, so my parents say we need for you to go out hunt to bring some of our food, so that's why I didn't take higher grades than I wanted. I wish I would have. But I wouldn't fit in the school chair anymore.

Rep.
Hurley: I hope they use you in the schools.

Rep.
Binkley: Thank you very much. Warren.

Warren: I'm Warren ?, (unintelligible) I work for the Borough as Land Management Administrator. My concern is the petition that is going to be presented to the council and probably will be up for vote. And if the petition was defeated against transporting the liquor to the villages, my real concern, what I have is what Nate touched on earlier about limiting the importation of liquor. And I kind of like this idea of maybe contacting those outlets to limit three bottles, instead of four or five cases at a time. That's what we see here, dispersed to the other villages. One problem that probably will happen, even if it's limited to three bottles, is that right now it is known that a person will order under several different names. It is what probably would happen but some kind of legislation action limiting that. I don't know how. It's just a suggestion. That's all I have to say.

Rep.

Binkley: Okay, Warren, how about just a section, thinking about that real quickly. If you were the person that went to pick it up wherever you claim it, the airlines or what not, if you had to present identification then to pick up the alcohol.

Warren: Yes, they will have the proper identification. It's the person behind the scene who gives the money to these other people that orders it and goes to the big person.

Rep.
Binkley: At least that might slow it down a bit. People couldn't order cases and cases of whiskey to bootleg or something.

Warren: There's a little problem that we have you see. The police know which people are bootlegging. The problem is how to get them.

Rep.
Binkley: Warren, what would you think if you had, one way is to say you could only bring in three bottles, so you could only order three bottles or six cases. What if you had a law that said you could only have in your possssion three bottles or six cases or something.

Warren: That might work. If the police were allowed to get into the home and take a look. Problems would come, ? some legislation to that problem is enacted.

Rep.
Binkley: Yes. Any questions? Thank you very much.
Daniel Leavitt.

Daniel
Leavitt: At first I would like to sit all day.

Rep.
Binkley: Good to meet you Daniel.

Daniel
Leavitt: I'm not an educated person. I never been to school. I hope you understand me when I speak in English. Already past here I'll give you talking to. They've grown up around the school but I'm not. I'm raised up in Hayes. My name is Daniel Leavitt. I was born in 1916, June 25. I'm on my way to sixty-seven years old. I really glad I can show my face right here in front. This is first time I've seen some people right here in front. I have a lot of harm with liquor and stuff. I was raised with liquor. Somebody's know me back here. But I promised that

bottle when I grew up. I said to him, you bottle, you can't smile at me and you can't say something to me, so I'm going to stay away from you. So I've stayed away now, sixty-seven years now. But the liquor stuff or drugs or cocaine, they ruined my life. Not too long ago my boy passed away, accident. I really don't know how they were, from liquor or marijuana or cocaine. Nobody tells me that. I've been trying to find out. I sent some forms to Juneau to send me a certificate. I pay for it, nobody send me yet, so far. About a month now or more. Now I'm operating the taxi-cab for fifteen years here in Barrow. I'm a first operator here for the taxi-cab business. There quite a few try to set up taxi cabs. I'm going to get backing up on the taxi business. Just because on that liquor stuff. When I come to think to operating the taxicab, I'm beginning to see myself, even I can do anything about liquor, beginning to see myself, I'm a bold(?) liquor in Barrow. Don't misunderstand me. Here's the way I look at it. I tell you, we really don't have anybody out there with two legs to carry his bottles, but that four wheels is driving. He don't have it in the car, but who gets into the car? He knows where to go to pick up a bottle. He knows who to buy liquor. Sometime one person, sometime he's got five names to come into the airplane. One person, sometimes he's got five names, including himself. Without him he already gets the case, and the rest of them, he says give them some money, get those stuff up there, because he knows if he spend that much money for these four people, one bottle will cover it, cover that case. One bottle will cover it. And I picked it up from the airport. And I myself I try to start up the petition here right now to qualify so we can vote for it. I'm honestly, I tell you, in here in Barrow, in town, there's no two legs boot liquor out there, there are four. Four wheels. That's the one that bring out the people where they wanted to go. Sometimes if the man look for bottles, sometimes they spend over one hundred dollars trying to find one. He knows all these people who been selling booze. But one thing that I found out, in a big building, if you got to pull liquor in there, in a big building, there may be four people handle that bottle before he collect the money. They're pretty smart people. Maybe four people handle that bottle for forty dollars. They really make it small. If I look at them that guy, think he would do that. He sell it to that person. If I say this guy is selling a bottle, I'm going to be a liar. Honestly. Somebody back there. Some of these bootleggers they never keep it in the house, they keep it out there in a snowbank, or up in ? Station, about for or five

miles from here, that's a little small village out there, Chulag Station. So I think we need here some kind of a help for Barrow. Every year I don't know how many people we lose including my boy. And two my boys accidents, which is alive, but the third one is killed. Just killed right there. It's after you raise seven kids, all boys, when they started doing that, we even don't show it in your table without anything. That don't help. That don't help. Here's what I found out from raising my kids. We got no school here for them, when they get to eighth grade. We just have to send them out. The first year he changed. When they coming back. The way I'm controlling it. Second year is worse. When they got finished their high school, when they came back, no way to control it the way we supposed to control it, father. They're already out of line, my understanding. We are seven us to my family, my father. He raised you but honestly I'm going to tell you we never received any whip from old man. Because it says nothing to see our fear. Anybody will say that it's mistake. There's lot of, we run into too when we raised, that's sixty-seven years ago. There's a lot of things we run into. If we're making a mistake we never feel whipped or spanked or slapped with the hand. They give us hard work. Sometime maybe you going to be over there all day long. No eat, no water, nothing. That's the way I'm raised. And I'd like to treat my people the way I liked to be treated, but sometime I can't. There's some operators out there too. Maybe they're having a hard time right now. No matter how much you tell them, when they want to find one, they've got to hold up the cab until he find one.

Rep.
Binkley: So a lot of time that people get their alcohol around here Daniel is through the cabs? They get in the cab and take them someplace?

Leavitt: No. No. He never do that. He won't do it that way. He haul it, who nobody can find it. But when the man call over there, he's going to tell the driver, let's go over this way, and he take you there, and stop right there, and stop drinking.

Rep.
Binkley: I see.

Leavitt: That's the way they do, some of them.

Rep.
Binkley: So you feel that, apparently, since you were one of the proponents of the initiative, the petition, that

this would help then if Barrow voted to ban importation, that that would help on the alcohol problem.

Leavitt: Yes. That's what I like to see. I like to see this way myself. I know the people live with it. A lot of people. Hundreds misunderstood that. A lot of people like to have it on their table. But they know how to handle it. If we cut it completely, I know we're going to make them suffer. I know we're going to make them suffer, because they use it that way all the time. It's going to be hard for them. What I like to see is if we can not win to stop the liquor coming in through here from Fairbanks or Anchorage, if we put it into one channel, it would be a lot better for our villages who open handling it. Not a package store. If we brought the package like they say, it would tell you about this store they had before. That don't work. The way I'm watching it they don't work. I'm operating. When the man buying a bottle, after he took it home, start giving out the money for some people to buy some more liquor for them. And he pay them. Sometimes it's one bottle to work for it to buy, maybe a couple bottles, or a case of beer, package store. The package store wouldn't be work, it's going to be worse. It would be worse.

Rep.
Binkley: We just had the same vote in Bethel last fall. People turned that down.

Leavitt: Yes. Today we're supposed to be dry town, but we're worse than if we were a wet town. If we can not win that petition that we try to put out, if we put it in the right channel, even at that, would be a lot better than package store like I said. Let somebody handle it. And our safety outfit is out there, you could do nothing. He tried to do the test right now. Because there's no sign out there, what they going to enforce? Nothing to see out there except stop sign. And what I put that one way out there. I go after them. We got mixed up over there in the school all the time. I go after them put one-way sign on there. If we can force our people, here, Barrow, if we cooperate about the liquor store, we could put Barrow a little better operation. But we not operating together. We're just looking for some money that we can collect from some people.

Rep.
Binkley: Thank you Daniel. Katie.

Rep.

Binkley: Do you think that it's better now for parents and children, now that you have high schools right here closer to home? That the children are listening more to the parents than they were when you sent your boys to go away to school and then came back, and you felt that you'd lost them. Do you think it's better now that they can go to school right here? High school?

Leavitt: I feel it's one hundred percent better. But still they're having a lot of trouble with the kids out there. Some kids, when they go to school out there, sometimes they sleep just all day when they go to school. Here. Yeah, in Barrow.

Otto: How come?

Leavitt: Well, what do we talk about. We talk about liquor. The family, father and mother, they're drinking. They don't look their family right, they fool around with the liquor stuff. And that boy and little girl, don't know what to do. Maybe that man over there, he saw that already. Already I have. Out there, looking like that. Their mama's someplace, he can't find her. And two times I found just a little baby on the porch. The mother just throw him over there just because she's with the liquor. And I have to find somebody to save that kid. That's why I got my cab that carrying kids, because we're going to get the plane. Something happens. One time one of my boys driving, the baby was born in the car. That's something we go through when I was out there. You never seen what we got here. It's a mess. It's a mess we have here, right. About this liquor stuff. I never talked to nobody. This is the first time I'm talking here. And I pray for your committee. I hope we get some help from you people. I'm a whaler, I'm a captain of whales. I carry on that too. When I hear Kenneth saying something I'm real glad. That's the way I feel. I don't know how you guys going to put first, red meat or bottle. I don't know which one you're going to put first.

Rep.
Binkley: Bottle.

Leavitt: Thank you very much.

Rep.
Binkley: Jack.

Jack
Smith: Hi. My name's Jack Smith. I'm an emergency medical technician here in town. I guess I'm just speaking privately for myself. Some of the big things in the

city, in listening to everybody talk, is I've raised a lot of questions in my own mind. Especially about petitions. To me I see some good things about a petition going around to totally ban it, and then I see some bad things, because I see many people that don't have an alcohol problem being told by law that now you have another problem because you can't do it at all. And a few days ago I had the opportunity to go over to my parents house and sit down and have a nice refreshing glass of wine. We had an enjoyable evening. It was one glass of wine and that was it. And I think there are people that can do that. And I would hate to see them lose their opportunity because of the other people. Being punished for something that isn't theirs, I guess, the way it's being put. I think one of the big things that's coming out recently is what can the community do. What does the community need to do. I've worked in the health related field for a long time, and that has always been a concern in every community I've been at. Is to get the community involved in what you're doing. And alcohol program or any kind of program can't do it on their own. They need the support of the community, they need support from officials, and I think that's a big thing that came out of recent committee meetings, was to get the people behind the programs to help support it. I think if we vote and alcohol's been totally banned, then the people that do get it in, what's going to happen to those few bottles that get sold? I'm scared that somebody's going to get knifed for a bottle of booze. I've been on some calls assisting the ambulance, and I've seen people drink with babies on their back. And I don't know, maybe it's just my value, but I could never see putting the risk of my child in danger for alcohol. If that can be done. There's a problem. And I think it's with values, it's not whether it's here or not. I think it's still going to happen. We need to change the values, we need to change that awareness. Working with kids a lot, another thing that scares me is we're going to take it away, those kids are going to get to twenty-one, then those kids are going to go to Anchorage, and they're going to go into those bars and they're going to see people. And they're never going to have an experience with it. They're going to say, "Oh boy, this must be fun. Let's give it a try." The other thing that I try to push a lot is parents need to train their kids. They're by far the best ones. They're the ones the kids listen to the best. So they're the ones that can educate. Got a lot easier job. And a big problem that's faced now is it's hard to talk to the kids and educate them and send them home to a family that's drunk. So I by far support a facility here. A facility that can help

change the values in the community. That can support the community, encourage the community to seek other options. Because I think if we just wipe out the alcohol it's not going to change the problem. It's still going to be here. Like somebody mentioned earlier, they're getting reports of sniffing gas, or glue. What's it going to be next? We're not going to be able to hide everything. Something's going to be the end abused product. We need to change. How come everybody's abusing it? That's what we need to find out and change. Since I came up here I've been pushing for facilities. I've seen a lot of people get sent off the Slope, and they come back and find things just as they were when they left. And the treatment just doesn't work. I've been near programs like the ones in Anchorage. And I think they benefit Anchorage. They benefit the people. Those organizations carry out projects and do functions in the community that help the community. They make the community aware of alcohol and drug abuse problems. And I think that's what the North Slope needs. It needs that basis. It needs that concrete structure to get started. It needs to get those people, and to get that working. I hope those things are supported. I'd like to see some kinds of controls. I think it's real unfortunate that the people that don't have a drinking problem, that maybe only have an occasional glass of wine, or have a champagne on their anniversary are going to be penalized, or could be penalized for something that is not a problem, something that's never been a problem. It's something maybe that they're training their kids on right. Maybe they're saying yes, there is an advantage. You can use alcohol right. And there are some dangers that you need to watch out for. Thank you.

Rep.

Binkley:

Jack, do you think the community ought to have that choice, to control the alcohol locally? To say whether or not within that community they want to have alcohol readily accessible through a community liquor store or not allow the sale through a liquor store, or to allow importation or not to allow importation?

Smith:

I like the idea of saying you can buy alcohol for your personal use.

Rep.

Binkley:

No, I mean just the concept of the State giving that authority to the local community.

Smith:

Yes. I believe the community here said, "Yeah, we

have a problem, and so therefore we're not going to have the bars and liquor stores in town. If you want to drink you can have a drink in your home. And I think that's fine. I mean, to me that satisfies me, because I see the people that don't have a drinking problem, that control it, have their drinks in their home. And we never hear about it and that's not a problem. But it's the folks that have the drinks in their home and go out and spread the problem.

Rep.
Binkley:

I guess your argument is focusing in on what the local option that this community should have should be. But from our standpoint as far as being State legislators, do you agree that we should give those options to the local communities then? To make their own choices?

Smith:

Right. And maybe even like the amendment that Nate had suggested earlier. I see that as a problem that maybe encourages drinking. I mean you can walk into the local grocery store here any day of the week and you can see intoxicated people in the lobby. Now if there was a law that said, "You're not going to be here" that would definitely tell them that that's not something the society is going to put up with.

Rep.
Binkley:

Drunk in public?

Otto:

How long have you lived here?

Smith:

I've been in Alaska all my life, I've been in Barrow five years.

Otto:

Have you been an EMT the entire time?

Smith:

No, I've been associated in health most of my life.

Otto:

How long have you been an EMT?

Smith:

Two years.

Otto:

And do you work at that as your regular job or do you just do it as volunteer work occasionally?

Smith:

It's volunteer.

Otto:

How often do you do it?

Smith:

Normally every time I hear a call.

Otto:

What percentage of the calls that you go out on are alcohol related?

Smith: I would say about fifty percent.

Otto: What are the other fifty percent?

Smith: Normal injury kinds of cases. I would estimate even a little bit higher than fifty percent. Of course we're not, a lot of times we see the child abuse or the fighting that's going on because that's handled by the public safety officers, but we're just called when you hear those ambulance calls that are for EMT's you've got some serious injuries a lot of times. There may be some childbirth or whatever else.

Otto: So at least fifty percent and probably more of the serious injury cases that you go out on are alcohol related?

Smith: I would say normally a greater percentage of the serious injury cases, the accidents where a snow machine smashes into a car, most of the time that's alcohol related.

Otto: So the serious injury cases, what percent are alcohol related?

Smith: I would say probably most of them.

Rep.
Binkley: Thank you very much Jack. John Danner.

John
Danner: My name is John Danner and I represent only myself. I do not speak for any organization, family members or anything. If anything I would, my actions I hope would have an influence on my eleven grandchildren here in Barrow. As Daniel Leavitt said, I'm one of those cabdrivers. And as a cabdriver I probably see Barrow at its worst. We do not, and I want to make it clear, we do not assist anybody to find booze. If we did that we would become part of the bootlegging operation and therefore culpable. So we do not. They don't need our help. What he said is true. We take them where they want to go. We have a license to do that, convey people. I heard about this meeting on the way over to work. So I scribbled down some things and some feelings that I've had for a lot of years. Also, as Daniel Leavitt mentioned, I came up here as a physical ed teacher and an athletic director, in '74, with six children and a wife. Since 1974, I've been critical of the school system, the kind of education that we introduced to the people up here. In 1977 I sued the school district.

I was still a teacher. Not for teaching sex education, but for exposing twelve and thirteen year old children, boys and girls, to pro-drug, pro-sex materials without my permission. They were passing around marijuana to see what it looks like, they were passing around condoms in the room. They were studying college level medical books, not about sex education, but how and what positions to have sex. I happened to have a twelve-year-old daughter there. And as a result of this suit, although they termed it digretious behavior, I was fired in 1978 from the school district. I've been critical of PSO, I've been critical of all of the humanities, all of the human services in Barrow. But I've written down things, and I feel really humbled by the testimony of Kenny Toovak, and Daniel Leavitt and some of the others. Because I've learned from Kenny Toovak a better and simpler way what I have been trying to communicate for years. If Inupiat were in full control, real control of their own lives and communities and destinies, and encouraged to continue as real practicing Inupiat, without quotas on the whale, there would be less real or imagined need for booze. Now that to me says simply what I've been trying to say with a lot of words. As we all know every native group has a name for white people. The Sioux Indians called us "Wassatchoo" which means, he who talks to much. We have too many words and too few feelings. Coincidentally, or incidentally, I have been married to a Hawaiian for twenty-nine years, and I have six children, four boys and two daughters. One daughter, youngest, a sixteen year old, attends school in Hawaii. The others are working. Since 1974 I've watched the erosion of the Eskimo culture in our schools, the assault and degradation of alcoholics and citizens by PSO, and the impending destruction of the Inupiat culture by outside forces. And not one of our families remains untouched by this so-called problem that you referred to. I don't think alcoholism is a problem. I think it's a symptom. We call it a disease, yet we ask PSO to handle it, and carry on detox, which is ambiguous. PSO is not equipped to handle alcoholism as a disease, but we talk a lot.

Rep.

Binkley:

Do you mind if I interrupt? I don't know what PSO is.

Danner:

Public safety. To begin with, alcohol and drug abuse are not the problem. They are the symptoms of failure and inability of our people, meaning the Inupiat people. They are our people, we're here by choice. Failure of the people to cope with forced

assimilation. And they are being forced by the dominant culture in schools and all of our institutions. We've brought them all here, from Texas or the lower forty-eight, we've planted them in Barrow, they don't fit. They're supposed to be controlled by the local values, the local culture, they are not. Alcohol and drug abusers will not be cured by law enforcement and/or legislation. They will cure themselves from within and when the individual is motivated and sees hope for the future, many people can not be and are not motivated by values from a foreign or dominant culture. And ours is foreign. For twelve years I have watched and heard testimony from experts, and heard about reports and surveys that were about to be given to the mayor. No improvement. No tangible evidence of improvement. Quite possibly one of the worst educational systems and administrations was introduced to the North Slope Borough when the school system became public. Many of our people came from a state in which it was unlawful to attend school with a minority, with a black or a Mexican, until 1964. Those on this panel and most of those in positions of authority are from a foreign culture and have never studied Native history, of our country in general, from the Native point of view. Few of us have studied about Crazy Horse, from his point of view, or any of the other ones. And certainly we haven't studied Inupiat history. We do study skin sewing and language and some Native (end of tape). I can't get any support, I have no preachers to support my testimony, I have never been addicted to alcohol or drugs, in fact never have used drugs other than coffee. I speak for myself only and hopefully on behalf of my eleven grandchildren who live in Barrow. Since my own children, six children are now adults, with the exception of the sixteen-year-old, they can speak for themselves. The problem I see it is many of the people who work in social services, the police, the teachers, the alcohol, the drug counselors, health department, etc., are unfit to serve in a predominately Native community. And that doesn't mean they're bad people. They're probably good people where they came from. The solution as I see it is to require current and future employees of these institutions to pass a psychological and emotional test that would be developed by the Native Indian Studies Departments of either the University of California, Berkeley, Arizona State University, Tempe, and/or the University of South Dakota at Vermillion. All of them have excellent Native Study programs. Dr. Leman Brightman is the head of the one in Berkeley, is Sioux Indian, a Ph.D. A militant, but yet successful as an acculturated Sioux Indian.

Programs are not the answer. I hear you guys talk about programs. You talk about more staff. These are not the answer. We've dumped millions into our school system, and rarely do we graduate a literate and self-actualized student. We can count on one hand our college graduates, Native children who have graduated from this school. The leaders in this community all, almost, attended BIA schools. You can draw your own conclusions. The people do not control the school. The answer lies in an understanding and respect for the values and culture of the people we serve. Forced assimilation will cause mental health problems which will manifest themselves in alcohol and drug abuse, suicides and alienation from self, family and culture. Daniel's son died and his companion were my students in school, my friends. I've seen over a hundred tragic unnecessary deaths since 1974. And more each year. It's not getting better. The thing that threw the BIA out of here, the final straw, was the plane crash, a very tragic accident, in 1972 I think. Very tragic. We've lost over a hundred. I don't know if they wouldn't have been lost otherwise. As I said for expressing these opinions publicly and privately since 1974 I was barred by the school district and I've been harrassed in my own community. And that's why I want to make it perfectly clear that I'm speaking only for myself. I represent nobody. Booze is glamorized on TV. We talk about doing away with booze. You're going to legislate in Juneau, no booze for me in Juneau.

Rep.
Binkley:

No.

Danner:

Well, the Legislature's talking about it in Juneau.

Rep.
Binkley:

No. This is simply allowing local communities the choice of how they want to control alcohol. It's not mandating from Juneau what Barrow has to do.

Danner:

I resent that anyway.

Rep.
Binkley:

Allowing you the choice?

Danner:

No no. I resent the mandate from anywhere that I can't have booze. I think if we make it as a community, fine.

Rep.
Binkley:

Well, that's all we're suggesting.

Danner:

Okay. Instead of removing the booze physically I

think we need to remove the real or imagined need for alcohol or drugs. It's always interesting to me when the predominant culture seems to sit in judgment on these issues. Juneau seems ready to legislate prohibition for us in Barrow while they make many decisions in the taverns and/or over a drink. While our children see the president of the United States making a toast with wine to consummate important deals. When our children can see the culture Chicago Bears being convicted of being drunk. Why can't we have it? If everybody else can drink. If our children can read historical accounts of the failures of national prohibition in the twenties, and the people who benefitted were the Mafia and organized crime. We're not stupid up here. Prohibition is not the answer. Individual freedom is the answer. Individual self-actualization. If I'm happy with myself I'm not going to o.d. on drugs. I might drink I may use them occasionally, but I'm not going to self-destruct. Prohibition, legislated prohibition in the twenties was a dismal failure. We all know that. When you could buy a book at A.C. telling you how to make home brew. They were selling books at A.C., how to make home brew. Who are we to legislate morality and moderation. These are individual choices when the person has the appropriate information and has some control over his destiny, and when the assault on his values and culture is removed from the institutions of learning and authority. And that's what I've written down while I sat here. I have been doing this for years, and many times whistling Dixie. I've been called everything from a lunatic to a renegade to a revolutionary. I'd be happy to answer any questions.

Rep.

Binkley:

You should have been listening rather than writing maybe because we're not talking about legislating morality.

Danner:

Thank you John.

Rep.

Hurley:

I just want to ask one question. When you spoke about the panel, (unintelligible). Were you speaking of this panel?

Danner:

This panel here and all the people that come here.

Rep.

Hurley:

How do you know where we come from?

Danner:

Well, I know you're not Inupiat. I know that you're not local community. I know that you're not Native

people. And we are always being represented by non-Natives.

Rep.
Binkley: Who's we?

Rep.
Hurley: Are you saying that you're capable of understanding, because you've been here working with them, and I don't really want to get into a dialog with you, the only thing I want to say is that I happen to know that Senator Fischer, who's been in the State for some thirty, forty years, has worked with and for the people. And speaking for myself, I was on the State Board of Education for eight years and was working with and helping and feel very appreciative of the problem that education has. And Representative Binkley lives in a community and cares, and John Sund who's on this community, and Senator Sackett and Representative DeVries, I don't know that much about how she feels, but I know that the majority of this committee, that's why we're taking time right now, when it's time that we should be with our families getting ready for Christmas, because we care, we want to hear from the people, and we're not sitting down in Juneau putting laws on to people out here. What we're talking about is considering alcoholism as a problem, not only in the Native community, but as a problem in the State of Alaska, it's a problem nationally. A lot of what you say, I think makes sense, but I think what weakens it is for you to condemn us for coming and wanting to listen.

Danner: I'm not condemning you. I said that there have been panels and surveys done here for twelve years, and I've been involved in some of them. Nothing comes out of them. And I do not make any decisions for Native people. The only thing that I have that maybe the average bear doesn't have is that I have Native in-laws, Native family, and I have graduate work in acculturational psychology, which simply views the history from the Native's eyes, and not from a white man's eyes. All of our history is written by white men.

Rep.
Hurley: Right. I mean the history books, there are a lot of things that I think that-

Danner: Native history would tell you that Kit Carson was murdered. He's a hero to us. That's why we need to teach Native history in our schools.

Rep.

Hurley:

Right. I agree. All of those things I think are, but you weakened your statement by coming down and criticizing the panel when you don't even know where you're coming from. I'm a Native-born Alaskan, I've been here sixty-four years. And I've grown up in a small community where I went to school with, my friends, I saw them suffer, I saw how things were. And I can't be in their shoes because I don't have that blood.

Senator

Fischer:

Let's not pursue it. I too have Natives in my family. I don't need anyone to preach to me and this is why I don't get upset because I just dismiss this kind of statement. As Katie says, in the future, make an intellectual argument, but don't weaken it by being partisan.(?)

Danner:

I didn't get here in time to have the introduction, so I didn't know who we were talking to. I apologize for that. Thank you.

Rep.

Hurley:

Dennis.

Dennis

Packer:

Good afternoon. My name's Dennis Packer, and I'm employed by the North Slope Borough Department of Public Safety. I hold the rank of Captain. And I'm responsible for all the borough personnel, not only here in Barrow but throughout the borough. We service eight villages from Point Hope over to the Canadian border and Kaktovik(?) and Anaktuvuk Pass, Prudhoe Bay. I've worked here for going on nine years, for the Department. During that time, well probably in the last three or four years we've averaged approximately six hundred arrests a year. Out of those six hundred arrests, probably the majority of those were based on crimes that were committed because individuals were intoxicated and/or revolved around narcotics of some sort. In addition to those six hundred arrests that we average a year, we're also averaging right around five hundred detox' a year. Under title 47 which permits us to pick up incapacitated individuals due to intoxication and for their own safety put them in detox if they have no place to go or to sleep it off for their own safety and the safety of the community. In addition to these six hundred arrests and five hundred detox' per year, we'r averaging between ten and twelve alcohol related deaths each year. These deaths are the result of motor vehicle accidents, suicides and/or homicides. And this is again not only here in Barrow but within

all the villages, which also includes Prudhoe Bay that we have jurisdiction of. In 1984 and it's probably pretty much holding true for this year also, and in 1983, our officers spent approximately seventy-five percent of their time dealing with part three crimes. And basically what this is is crimes dealing with noise disturbances, because of loud parties, intoxicated individuals, domestic disputes that are the result of for the most part drinking and/or narcotics use. Suicides and/or attempted suicides. And motor vehicle accidents. Those are probably the four major areas that constitute part three crimes we deal with here. That gives you just kind of a little history on what our, briefly, what our department's dealing with. I want to talk just a couple minutes here about, we have four villages that are presently dry under the local option law, the villages of Wainwright, Point Hope, Anaktuvak Pass, and Awikstik(?). The people voted to ban the importation of alcohol in each of these villages because they were under the presumption that this would be a cure-all for their problems, i.e., there would be no more alcohol in the village. Well, you've probably heard this many times, that didn't happen. Consequently they became frustrated, they'd become frustrated with the officers stationed in those villages, because they perceive the officer is not doing anything about, even though this law was passed. Due to the search and seizure questions involved and the laws that govern civil rights, the officers did not have blanket authority to simply search luggage based on somebody saying "Hey, so and so's walking down the street with a backpack, go get him for bootlegging." So basically the law enforcement's hands were tied without specific information towards search warrants or reasonable stops and searches. So this created animosity between the village and the officers. And it's only been recently that people have been educated enough to realize that, hey, it's not the officer's problem, it's the problem that the way the law read, and the officers' hands were tied. Another problem sideline to this dealing with alcohol, is with the furnishing of liquor to minors. We get a lot of juveniles that are in contact with alcohol. In some instances liquor is being furnished to them. This is a misdemeanor. Yet, and that's when an adult furnishes to a minor. If that same adult was to sell that to that same individual, that juvenile, we now have a felony. I think we have a little bit of a problem there as far as law enforcement goes. If we're going to handle the alcohol problems from a law enforcement standpoint then we ought to become a little bit more symmetrical the way we're approaching in dealing with

alcohol. In this case, either make them both misdemeanors or make them both felonies. Also we have a lot of minor consuming alcohols, MCAs, where we're just picking juveniles up off the street. We charge them and automatically the district attorney's office is dismissing those cases almost as fast as we can get them in to arraignment. Oftentimes they're not even arraigned, it's automatically dismissed. We've got juveniles that have been arrested as many as ten times for minor consuming alcohol, and it's nothing more now than a big joke as far as I'm concerned. They're dismissed mainly because there's only one district attorney assigned to this area, and he also acts as the assistant attorney general, and handles those problems as well. Their caseload, overall from our department they're dismissing sixty percent of our cases that we submit to the local district attorney's office, including six cases that I know of in the last year and a half that we had charged people for importing liquor into a dry village. And these cases were dismissed, simply because it was one, a misdemeanor, and two, because the caseload was so great with the local D.A., that it was not cost effective for them to try.

Otto: What do they put on the forms?

Packer: Basically the cost-effectiveness and disproportionate to resources. When you've got a class A misdemeanor in front of him and he's forced to prosecute a sexual abuse of a minor case you can obviously see what he's going to take. So their hands are tied. So we're up against that problem. And that frustrates our department. And of course then it gets back to the community, why isn't law enforcement doing something? Why isn't this law working? And these are kind of things behind the scenes that the public doesn't know about. Another problem that we face are the air carriers are very reluctant to really cooperate with law enforcement as far as inspecting packages being shipped to the villages. They feel that if they get too tight and too restrictive they're going to lose business and these people are going to walk down the street to the next air carrier. So they're looking at it as a business proposition, although they will, and one or two of them do have signs posted that you're not to ship alcohol.

Senator
Fischer: Do you mind if I ask a question? Has any airline ever been charged with importing?

Packer: In Point Hope, shortly after the importation was

passed in that village we did seize an aircraft for a couple of hours, but the D.A. instructed us to release the aircraft. I forget what the exact disposition was, but nothing ever came of that as far as the seizure of aircraft or loss of an air carrier's license. This hasn't happened since, (unintelligible). But we do know that alcohol is being shipped on aircraft, maybe not by the owner's or manager's knowledge but at least by some of the employees' knowledge, and at least by one or two of certain pilots that fly out in the middle of the night with certain aircraft and make night runs into a village and drop off, fly right out again.

Rep.
Binkley: Dennis, were you a participant in that blue ribbon panel?

Packer: Yes I was.

Rep.
Binkley: Did they discuss that at all as far as policy of air carriers and how, any suggestion from the panel as to public pressure on air carriers to enforce the importation laws? I know in the Kotzebue area, we were just down there recently, and it was mentioned that some of the air carriers were searching luggage on a regular basis as a result of community pressure to do that. And it has helped in a lot of cases.

Packer: No, the panel did not discuss that. If we did, we just touched on the surface and it wasn't pursued.

Rep.
Binkley: It just might be a suggestion or something that you might want to look at is public pressure on local carriers to help enforce that. Because as you mentioned they have the right to go in and search the luggage themselves.

Packer: I know for a fact that one of the air carriers forbids his employees to search luggage and or boxes. They will ask the person bringing it in to open it, and if they refuse, then they're refused boarding privileges. But they themselves will not search the luggage and/or the packages.

Rep.
Binkley: It might be something that the group could put some pressure on air carriers through publicity or something.

Otto: Excuse me for interrupting, but what he's just described is really legally all you can do. You can

ask the person if you can search it, and you can make searching the luggage, the air carrier can make searching their luggage a condition of riding on the aircraft, but if the person says no, you can't legally search.

Rep.

Binkley: But you can refuse them access to the aircraft.

Otto: Right.

Packer: The only time it can actually be searched is once a package is delivered and that individual leaves. Then if they're suspicious they have a right to open any package, just for the safety of the aircraft and the people that may be flying on board.

Rep.

Binkley: Maybe some kind of a public awareness campaign that says, these air carriers are conscientious, they're concerned about the community and you ought to patronize them because they help protect the rest of the community.

Packer: I have a suggestion here. We kind of brainstormed all morning and came up with some recommendations as far as the way law enforcement views it, our department saw it on the North Slope, as far as what we'd like to see in the way of whether we're going to ban the importation, if we do, what some of the recommendations would be. And to a dry village some of these may be off the wall, but I think they should at least be open for consideration. Some of these may have to be reviewed by the Attorney General's office, as far as certain legalities and the ins and outs of how they'd be implemented for sure. But one of them would be to make a presumptive sentence for the violation of importation law for the first offense. That way if somebody is found guilty, they plead guilty, no lo contendre, the first offense, they're looking at whatever, twenty days in jail, the first offense. No SIS. If the people don't want alcohol and alcohol's that big of a problem, then let's not be wasting our time saying, hey don't commit any more violations and be good for two more weeks or a year. And the people that are importing alcohol are doing it as a business because they are bootlegging, they're selling that alcohol once they get into the village. I'm not talking about the person that takes some wine because they like wine for dinner, or somebody that wants a six-pack of beer while they watch the Monday night football game, and they just happen to get caught. We're talking about somebody that's taking in bottles on a regular basis

because that's their business.

Rep.
Hurley: How are you going to write the law to make it that way?

Rep.
Binkley: We'd just send it to sentencing.

Packer: I don't know.

Rep.
Binkley: Laurie, couldn't you make it presumptive, or mandatory?

Otto: You can make a mandatory sentence for any sense, but as I think Katie's pointing out, you can't say there's a mandatory sentence for bootleggers and not a mandatory sentence for people who have a six-pack of beer with Monday night football.

Rep.
Binkley: You can say there's a mandatory sentence for importation.

Rep.
Hurley: That's importation. If I have it in my house and just drink one bottle, that's the same thing.

Rep.
Binkley: You've still broken the law.

Rep.
Hurley: That's the point.

Senator
Fischer: What the captain was trying to suggest is that this is more serious.

Packer: What I'm saying, the people who are doing it on a regular basis are those that are actually selling in the village, they import it for their business, to sell.

Otto: What sentence is the judge here giving out?

Rep.
Binkley: They're kicking your cases out aren't they?

Packer: At least six cases and those that get sentenced, you never know. One day he may give them an SIS, the next day they may get thirty days. It depends. It's totally up to his discretion, so.

Otto: What's the average sentence he's giving for importation?

Packer: I don't know. The magistrate would handle these. These are misdemeanor cases.

Rep.
Binkley: Do you know how many importation cases have actually been successfully prosecuted.

Packer: No, not off the top of my head. Probably. I think there's only been a dozen total cases, and probably, I know six or so have been dismissed, so that would leave only six that at least got past the D.A. and into the system as far as the public defender being appointed and him getting it to a trial, or perhaps the person pleading out. Along with that, if not making presumptive sentence, at least increase perhaps the monetary fines that are involved with that sentence. Because again we're dealing with people, from my experience across the Slope, here in Barrow and all the villages, is that people that are dealing with alcohol as far as sales do it for business. And they are making large profits. So they should be fined accordingly.

Rep.
Binkley: Right now I think it's one year and \$5,000 is the maximum, isn't it Laurie?

Otto: Yes.

Rep.
Binkley: So what would your suggestion be?

Packer: See to it that the judges give those. I mean, I've never heard of anybody getting a five thousand dollar fine for bootlegging. Never have. I don't think it's happened.

Rep.
Binkley: Oh, there's a difference between bootlegging and importation.

Packer: Well, even importation. Importation. I guess what I'm saying, there's a correlation between the importation and the sale that occurs later. The people that are importing it are doing it for the sole purpose of selling it, once they get it into the village.

Rep.
Binkley: Importation with intent to sell.

Packler: Because what you find is since it's a dry village the

price of a bottle goes up. It used to be, in Wainwright, eighty dollars for the first bottle. The second bottle, you're coming back, you should be halfway blitzed, now it's going up to one hundred, one hundred sixty bucks. Okay, now, since it's a dry village, now they're selling pint bottles for a hundred bucks. We're not talking about seven hundred fifty milliliters, now we're down to a pint for a hundred dollars. So the price goes up and the quantity goes down. Supply and demand. Second of all, we would recommend that either reduce the quantity required to make it a felony. Right now I think it's twelve bottles or more of hard liquor before it's a felony. It should be reduced to maybe six bottles. Because again you get people that are bringing in eleven bottles, they know what the law is. The bring in eleven bottles. And they're drinking the other one on the plane when they fly out. That's just a joke. A third recommendation would be to look at the air carriers operators' licenses to make their cooperation mandatory with law enforcement in some way. Maybe make it contingent upon their operating off of the Barrow airport or Fairbanks or wherever, and then you've got air carriers who are flying to a dry village, that they're subject to an inspection by law enforcement or the AVC Board, or some entity that could come in there and make spot inspections as far as luggage and also make it mandatory that they would place a sign up in their place of business that says, per Alaska statute so and so, we are required to post this sign which makes you aware of the fact that it is illegal to import or transport and or sell alcohol in the following dry villages. That way if somebody sees that, they come in and they will say, Gee, okay, you're not just putting it up there, you have to put it up there. So I realize where the air carrier's coming from and I won't be trotting down the street and taking my business elsewhere. I think that perception that the airlines have that if they do post a sign now and they get too restrictive that people are going down the street with their business. And somebody else that maybe's kind of slow that day will say, "sure I know you've got liquor in that box, jump on, we'll fly you out there." And they won't really be too tight with checking the luggage for alcohol. Maybe not. But these are just suggestions to think about. Another important one that I think is very important, that is to increase the staff level of the Barrow D.A.'s office here. Like I said earlier, presently we've only got one district attorney, he acts as the attorney general part-time, he's dealing with children's proceedings, he doesn't know whether he's coming or going.

- Otto: Can I ask you a couple questions about the D.A.'s office while you're on the subject? How long has the current district attorney been here?
- Packer: Their office opened up I believe in 1981, fall of 1981.
- Otto: Well, I'm aware of at least three people who've been here, so how long has the person who's the acting district attorney now been here?
- Packer: Oh, the present one? Full-time, I think two months.
- Otto: How long was the person before that here?
- Packer: Three months.
- Otto: How long was the person before that here?
- Packer: About eight months.
- Otto: Is that part of the problem?
- Packer: To some degree it is. But their problem is with housing, number one. And two, getting somebody that actually wanted to come up here and work. They've gotten people that want to come up here to work, they had a slot that they requested apparently through the Department of Law for another position up here but for some reason that didn't get funded. And they have housing and a person ready to come up for that again, the way my understanding, talking with the Fairbanks office that supervises this area.
- Otto: Let me put my question another way. I used to work for the Department of Law, I used to work in several different district attorney's offices, and my observation would be that every time you have a change of district attorney, you wash out half the cases that are pending in the office because the new district attorney may not be aware of the background of the offender, or may not be aware of the significance of a particular kind of crime, or may not be aware of the significance of a particular case. Number one, and number two, each individual district attorney has their own opinion about what's important and what's not important. And so what one person who was here three months ago thought was important the person who's here now may not. And when you're talking about how many cases are dismissed, I wonder if part of the reason there's such a large number is because you've had such a high turnover in the district attorney's office.

- Packer: To some degree that may be true but I don't think sixty percent worth. The D.A.'s that they have, the present D.A. used to be the public defender up here so he's familiar with the other side, and he's been up here off and on for several years. The other district attorneys only handled the misdemeanor cases, and the felony load was handled by another D.A. down in Fairbanks.
- Otto: Is that still the case?
- Packer: More or less, yes. If it's a real serious felony, all felonies are screened in Fairbanks, all the misdemeanors are screened up here. The problem still exists that their caseload is so great that even if they had one here full-time, even when we had the one that was here for eight months straight, it was still sixty percent, near sixty percent of our cases were dismissed.
- Otto: What percentage of the cases, and maybe you won't be able to say this, but on the forms that they use to tell you why they're dismissing cases, what percentage of the cases are dismissed for deficiencies that the district attorney perceives to exist with the case?
- Packer: I would say less than five percent.
- Otto: So from your point of view you're losing ninety-five percent of your cases just for discretionary reasons? They're prosecutable cases?
- Packer: Sixty percent, yes.
- Otto: Of the sixty percent you say are being dismissed, only five percent of those have problems with the case.
- Packer: I would say so.
- Otto: What do the forms say? Do you know?
- Packer: Yes, we keep track of them. We log them in.
- Otto: So the forms say that ninety-five percent of that sixty percent are purely discretionary dismissals?
- Packer: That's right. Whether that be because of the witnesses not available, or problems with the victim, there's nothing wrong with the case as far as prosecuting it.

Otto: Well, witnesses unavailable. If witnesses are unavailable, it's a problem with prosecuting the case. If a victim's uncooperative there's a problem in prosecuting the case. There's other categories that are discretionary, disproportionate to resources and not serious enough and we don't have enough time or whatever, but I'm trying to understand.

Packer: Right. But they're not going to mark the same block every time, if you see what I'm getting at. Off the record, they have told me that they will not prosecute minor consuming alcohol cases, they will not prosecute any D.W.I. cases less than .14 on an intoximeter reading, they will not prosecute a drug case with less than a gram of say cocaine and/or less than a pound of marijuana. A witness may be in Anchorage, they don't want to spend the money to fly him up here, so that's a witness being unavailable, yet the case is prosecutable. It boils down to checking reasons that justify their way of dismissing the case that will look good on paper.

Otto: Do you think that that causes more serious law enforcement problems later because the minor cases aren't taken care of?

Packer: Sure.

Otto: Do you think that could be solved if there were another attorney here?

Packer: I think so. I think people that we arrest and then later are, MCA's a perfect example. I mean it's a joke, or people that you arrest for importing are charged, and yet the case is dismissed, what's the point of having a law? Our department carries the ball so far, yet then it gets dropped at the fifty yard line, you know. Why are we in the game? It's real frustrating for the officers, it's frustrating for the community who then wonders what is the department doing. Ok let's see that would be our recommendation. We would recommend perhaps an increase of the man power in the A.B.C. board to investigate liquor stores and large air carriers in the Fairbanks, Anchorage, and any other metropolitan area that are flying aircraft into dry villages. Who are also reluctant to turn people away that ship alcohol and or perhaps sell alcohol in mass quantities above and beyond the limits allowable.

Senator
DeVries:

Do you know if the A.B.C. board makes available to the liquor stores in Fairbanks and Anchorage the list of communities that are dry and are banned