

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672

1405 SCOMM 52: JOINT SPEC. COMMITTEE ON LOCAL OPTION LAWS 1985-86

Reggie Joule, NANA Board and Sivuniigvik: I wasn't gonna say at first but I got to thinking you know we when we were over in Noorvik and then we came over here to Selawik and back to Noorvik and up to Kiana now it's back over here. Hard times meetings like this has been going on. Sometimes when you trying to do something but worthwhile it's gonna take them long time and alone sometimes these meetings might be a little slow and people say things over and over again. The first thing we've said in the meeting before. We can't quite cause we have to say these things cause each person that said in this meeting something for thats talking and somethings that are worth doing will take a real long time and I think it's just one of those things and it's really good to see upper Kobuk taking the same step. That Noorvik, Kiana and Selawik has started. Martha Burns is here from Noatak and their looking at doing and starting same thing up in Noatak. So everybody here put lots of time and effort into it is definitely worthwhile. It starting to spread. That's all I have to say.

Luke Sampson: Thank you Reggie. Maybe hopefully within this meeting maybe this evening our tomorrow like Reggie said we gather together now for about 5 times. Maybe we can try to set up some kind committee or task force. I'm just bringing this out than maybe you can think about it. Maybe think of people from your community you would like to be on this task force. We'll probably look at least three people from each community.

William Field: I'd like to welcome upper Kobuk. Sometimes even when you have something to say just like you are not doing anything just like putting it in your pack sack start carrying it around and when you let it out just like you leave some something. You know as human beings we naturally adjsut to the time that your living. These are the times your living now. As within culture we adjust to this time and this is it. We're finding ways to eleminate this problem and before we get too far. We're losing quite a few people because of these drugs and alcohol. Theres sometimes we have to think about as a whole as a community but most of all we have to think about individuals. See you and those coming and who's going and how people think. If we continue on these meetings I think we can get something out of it. We all get together as one it works a lot better like that and maybe later on I'll have something to say again. Thank you.

Faye Foster in Eskimo:

Luke Sampson: Thank you Faye. Faye pointed out was that anybody can quit, everybody can quit.

Doris Anderson: I wasn't gonna get up and start speaking too. I've been sitting here watching what you people has to say when Pat ask me to come to this meeting. I was very willing to come and see what was going on here. In all the meetings they've been having in Noorvik and Kiana or here. I am very interested about whats going on and I would like to be a help to all you people of NANA Region since I've been back from the states things have changed very much. When I was growing up this wasn't all here. They didn't drink or use drugs. I'm originally from Shungnak since these two and one half years I was up in Shungnak I was a health aide. When I first started up there the village was . I know your health aide here when people start drinking I would be sleeping with one eye open and one ear open. Theres no other way when your health aides thats the way you live. Cause your listening to hear if somebody is hurt or your listening for the door , somebody to knock on your door and get you because somebody desperately need your help cause they get hurt because of alcohol. Most of the accidents that I treated when I was up there were all alcohol related. There was very few that weren't alcohol related. I was gonna sit there and let other people speak but then I better get up and say something too. Cause I was like . We got lot of information where I work as health educator. There's lot of information that we can get from us. The only thing that you have to do is call and ask see if theres information about alcohol, drugs and anything.

Hilda Mendenhall, Maniilaq Board of Director: I was appointed by Selawik IRA Council on October, 1979. I've been attending meetings every three months bringing back reports Council. As you know I don't have the heart to speak up. I have no chioce. So I'd like to encourage each and everyone young and old to speak out express your feelings and we'll get somewhere. If I may be of any help you know you can get a hold of me at the IRA office. Thank you.

Lois Wright - Maniilaq: Well I'm very happy to be here and I'd like couple others I really haven't planned on saying anything tonight that more I sit the longer I sit the more I really want to share something. What I have to share mainly comes from the facts that I'm working at the alcohol center and I'm so aware of so many of the needs not only the needs that come in to the alcohol center the ones that are there but the needs that they have when they leave the center and I heard and express several times. It really became apparent to me in the past all three four weeks. That is the activity to see people could be doing in the time that they were ordinary strengthen and it's very very difficult for the person who ahev been drinking for a long period of time and say that they're not really drinkers that might drink all day long. Say in the evening or on weekends. So I have really been working very hard at times finding solutions to fill in the house people been ordinarily been drinking because old habits are really hard to break and if we can train these people to become breaking these old habits and getting new habits of doing something constructive in the hours they have any feeling with drinking at all it seems like Friday night probably was the most critical nights of the week, It seems to be the end of the week we're trying to let our hair down and say hey this is the end of the week. They are feeling like doing something and many times people don't want to drink but then I would say to my self what else we gonna do so what would we do we drink at Friday nights. So many of us that drink and we drank at Friday night we'll get that was fun so let's try it again tonight and so if we can begin finding solutions and activities for these people to do during so called drinking hours I think that might solve lot of problems. Something I think that Luke mentioned and that was training up children starting them very young and if the parents now a days that have younger children even teen agers. It's not too late to begin with teenagers and now try to find something constructive for these children to do. From the time they get home from school you don't have to have bog down to business you can find something interesting to do.

To fill in some of those idol hours when they start young they are going to continually wanting to do something constructive because when they become teenagers their more difficult to find these constructive thing to do but if you start them young and keep building up to their age capacity then instead of drinking as teenagers they are going to be because their minds already trained to do constructive. Their not gonna say well I have nothing to do so that gives them excuse to drink. I just really wanted to share that because we are working on difficult especially in some of the villages to find lot of activities to do.

Another thing that I have found I have found somethings for people to do but the next thing is to do is motivate them to go because they are not trained to these things and so we're going to have to find motivations to get them to go to do these things I have found that they will turn out maybe to one or two meetings or one or two whatever is available and all of a sudden they sort of lose interest and I think if I don't know actually losing interest or not I think they're not motivated and they're not playing to be doing something constructive and so that's why the problem found motivating people to attend that are available. But I think that's it all in part of the training and replacing good habits with some of our own bad habits. Well I think that's all.

Luke Sampson: Thank you Lois.

Break for supper.

Remember we're not doing this for ourselves. We're doing this for our children and our grandchildren. So come back this evening and we'll start on workshop and get some more comments.

William Sheldon Sr.: Talk in Eskimo.

Roland: Thank you William. We need to go with the things that has been discussed where ever we are certainly is a road block alcohol and drug abuse is. Hurting us. We need to go forward we might get assistance. Don't get discouraged.

Mainly through those very points that William has encouraged us this evening. He said he would encourage any one that to go on up the Kobuk and there meeting up there on the 29th. Go ahead and do so. Sometimes you don't feel like much of a help but certainly you get helped from these meetings. He said don't get discouraged continue the things that are going.

Luke Sampson: Thank you William.

Martha Burns: My partner was coming but basketball pulled them in the other direction. When they told me to come I didn't want to be lazy after that meeting down at Elders they were talking about it too cause my brother lost two boys by alcohol and drugs you know Russell. I cried with him when he lose his boys when his wife left him from alcohol quarterly meeting time I spent my time with Samuel and Russell. I look at my brothers for long time. I finally said Russ, he look at me and said Why?. From alcohol and drugs. If you were somebody else losing that family somebody would turn back and take a drink and here you are standing on God's help. We cried. I'm not ashamed of it because us family go through it. Even though I try to feel ashamed. I'm gonna take somebody's time. That's what I think in meetings. When I'm have lots to say but I'm gonna say thank you Selawik people. Keep on praying for our young people even at Noatak. We want to try and put this up too. We've been thinking a lot about it for awhile. I talk to some of my friends. They just ya that would be good for our kids but we just can't get started we need somebody younger person to start it but in God's help I hope there's somebody to lead us in Noatak. We need your prayers. We're not christians us but we always feel ashamed. I always want to talk in people but my mind always say "Your not gonna say it good but I just want to thank the Selawik people and repeat and talk about it. We need your help too and our young people up there. If we start little by little we might have these meetings with our teenagers or us olders people. Maybe we'll have .

Roland Booth: Talk in Eskimo.

Luke Sampson: Thank you Martha. That's the way we start it, it was hard for us to try to start but we got holy spirit. Theres progress everytime we had a meeting. Sometimes some people never give speech in the first two meetings that we had had. I know of couple people that had stood up.

Kathy Brown: I'm thankful too that these meetings have started. You know this alcohol and drugs I think about it alot too plus I have kids that are growing up which are teenagers and I have relatives that uses that alcohol and drugs. Sometimes I tried to talk to them I don't know if I get through to them or not. But I'm glad this is something being done about it. I'm glad that this has started. Maybe something will be done in the future.

Talked in Eskimo.

We have to think about our children that are growing up. We have to try to train them the best way we can.

Talked in Eskimo.

Luke Sampson: Thank you. She explain it from both sides.

Robert Newlin: I just want to encourage you at least how this works. Be not afraid to recommend some ideas of any of the problems categories or it would be used by us to consider using the knowledge of background information. To you older people. Your comments are really vital as we may use your comments if we have to rewrite the option law or if we have to lobby to the legislature for any recommendations that we have to work on. We've got to work on problem areas. It is good that we have Maniilaq and other resource people who are committed to work for us.

Talked in Eskimo.

Luke Sampson: Thank you Robert. It's really true what Robert has said all up these meetings. What they can be used for. I mentioned earlier has requested for emergency funding so we have in a proposal for our police department to the governors office. This came about because of these meetings for Robert said is true. These things what you speak we'll try to go and use them to get funding not only from state agencies it's from federal agencies or non-profit organization which is Maniilaq or maybe a help from NANA. So what you say we're not just gonna leave it here. It's gonna be used for solutions that will help our children to better. To be raised better.

Truman Cleveland: Talked in Eskimo.

Luke Sampson: Thank you Truman. Well maybe this time I'll turn this over to Roland.

Jake Wells - Noorvik: Well earlier today I didn't have a chance to make these comments that I'd thought I'd make previously in our other village meetings. This getting together, working together as village leader you know on an issue like this you know we're getting to know each other more in the villages you know three villages, Selawik, Kiana and Noorvik. We're getting to know these upper village leaders too. You know maybe sometimes in the future we might come to a situation or problems that we all have to get together and we've already started the process of getting to know each other. I think that's the one of the big that we have. In case something happen in the future we already know who the people are and we've gotten more comfortable with sitting down and not working together and I think you know one of the good getting together like this.

One of the things that NANA and Maniilaq representatives said in their in that first meeting in Noorvik we had in November you can't accept other agencies like from Anchorage you know Fairbanks and even you know Kotzebue agencies to solve these problems our problems. We can't wait for someone else to do it for us. cause if we just sit back and let them do it. It will take a long while. I think it's us who have to work. Work at this and try to correct.

One of the concerns in our Noorvik meeting is that some people think we were trying to change people but it's us us as whole working together. We're trying to change ourselves. We're not going to change people. I'm still trying to change myself. I'm learning whats going on here. Thats one of the things.

End of side A. Tape # 3 March 21, 1985
Public Comments

Bea Mills - Maniilaq Association Social Services: Other families and their kids and then they call the State. What we don't want to do is let the State take custody of the children. Because it's hard to get them abck. We've got one now IRA get involved. Their involve now because the State won't give the kids back to their parents. So the IRA is more involved. Then we can help each others in trying to keep the kids at home. I help the State sometimes to take the kids into custody but that when they need to in their situation where it's difficult to put them back to their parents right away but when I think you know I'd like to go to their parents but we all need to work together. Like I said the IRA have the power to get involved with the children. Another thing I cannot . The small children the parents not taking care of them because of drinking and teenagers but theres lot of discipline anymore from few younger parents. I worked with what I see is their not disciplining their kids like we were disciplines and when they take 12-15 year olds they don't listen to their parents anymore. This is happening kids drop out. Their parents can't let them go to school because their is no discipline. You other Elders can do teach your kids or grandchildren the way you would raise your own children. Because when we're growing up there was lot so discipline. We listen to our parents but now the kids doesn't listen to their parents anymore because the parents are not disciplining. But if we work together then we can eventually give all the children parents. But we need help. We can't do it by ourselves. We put the state on some of them. Sure you can contact the state but if we can be resolved here it would be a lot better. People getting together and make it. We'll help as much as we can to keep the kids at

home. But I don't like the way. So we got new state social worker now.

Ruth Apgar - State Social Worker: Some of you may know me. I worked on alcoholism department my boss is Charles Greene for two years. I worked for outreach for two years. I really thought I had. During that time I travel to villages and went to Point Hope and I make presentations in the schools and to the communities. In school I would show a movie. educational movie. I would tell the kids the harm that too much alcohol too much drugs. I would give educational exactly what the drug/alcohol would do to their bodies. This is a real important part of my work. What I found in most of the communities is that the people who not come out to the meetings. They would call us and tell us about problems. They wanted us to come into the school but when we went community meetings at night. They wouldn't show up. If they bingo. If they would play cards in your housing. They wouldn't show up and so it's difficult for me and the lot of the villages that the adults needed. To help them with their youngsters. There was several villages I went to but one of the villages I went to that really did come out was Shungnak. I had such a good showing in the past two years and I was no one in Shungnak to a community meeting in alcoholism and so the first year I.

Robert Newlin: Importation, law enforcement, family, social, culture.

A-1 Importation of alcohol by airplane, boat, and snow machine.

Enforcement of local option law. Reluctant to report offender. Problem drinker with violence; lack of control of Kotzebue as a center alcohol distribution; Limitation of Local option law; Register to purchase and available to village police; that's part of what we requested at least from Kotzebue.

Talked in Eskimo.

The reason are: Because alcohol is available. Why importation to villages because somebody wants to make a profit. Lack of support from city and official of community. That's one of the reasons why our local option law doesn't work. Another thing is option law not realistic needs to be more comprehensive enforcement section and we got to at least some type of language in that which release to it airplane, trooper, police and other villages. How do we take care of it in state or court land when it get to the villages. Those are some of the things that are the reason why it's so hard to work with importation of alcohol.

Some of the reasons are lack of education in regards to alcoholism and drug abuse another one is family relations another thing is fear of suicide if turned in for drinking and drug users. Another reason is lack of communications with family and friends. Another one is lack of knowledge of the effect of the alcohol. Another one is lack of research in regards to the effect of the alcohol.

Talked in Eskimo.

Meet with Kotzebue City Council to discuss alcohol and solutions. Representatives from Selawik, Noorvik, and Kiana. If we the representatives from Selawik, Noorvik and Kiana meet with Kotzebue and discuss with alcohol problems and try to come up with some kind of solutions B-1 area. Request closing alcohol package store in Kotzebue. Another use easier use of search warrant more effective use. Another thing use of X-ray machine for air carriers prior to departure of carriers into villages. Rewrite option law with local input. Use blue ticket process or offender. Strengthen police department in community. Review air carriers licenses in regard offense carrying alcohol. Stronger court action reliable defusion on strengthen thing in each community as use of city ordinance to deal with violence minor consuming also established tribal court system. Tribal ordinances how as village through our tribal council can at least come up with some type of actions that we feel to deal with alcohol problems. Police communication between villages and regions.

Talked in Eskimo.

End of side B, Tape # 3, March 21, 1985 Selawik

Luke Sampson: Bring this up in maybe we can send one of our committee members to give you guys a hand over there so we can maybe contact NANA or Maniilaq and maybe contact them also Noorvik and Kiana. We'll try to give you guys a hand and get something over at Noatak. I know it's real hard to try to get something going like this and need a lot of help and also for Ambler meeting up in Kobuk or Ambler this also I'll bring this up at City Council meeting next week see if we can get maybe a plane load up in your guys meeting.

Roland Booth: We'll break up into committees and we'll have three set committees. We got catagories that we'll cover this evening. I don't know how late. Once we break up to committees I guess what we'll do first thing find out how late we'll try to work. What time we'll start tomorrow morning. But first thing we want to do is break up into committees. The first committee will be led by Robert and Luke and they will take Importation and Law Enforcement A&B Family, Social & Council those to take part in those two categories A&B will follow or be with Robert and Luke. I'll take up and whoever wants to work with me on C&D that's education and facilities and program. I'll work on that with whoever wants to help with that and E&F will be led by Jake and whoever wants to help him that. So we'll break up into committee. One of them will be right here and back room.

Talked in Eskimo.

Luke Sampson: Reason why it's bought in because somebody wants to bootleg, somebody wants to make money. That's why they bring it in. People go down there sometimes they don't drink and just sell it. That's the reason why to make money. Right!

Robert: Talked in Eskimo.

Luke: There was three reasons given why alcohol being imported. Because it's easy to get, because some people use it to make money out of it, Bootlegging purposes. To make profit. They buy bottle for \$15 to make \$80 on it. Also the third is pressure. Here more like showing off. To make them look good. Enforcement of local option law. What are the reasons. What can be done to enforce the local option law. What does it take to enforce the local option law. Here in Selawik it was suppose to be a dry town. They had voted local option law where no booze was suppose to come. What are ways that we have to enforce that.

Lack of support from community & city officials is one reason. City officials are not backing the law. That's the reason why it comes in. Even though we got that law. If it's not backed my the councils then it won't work.

That's the real good point you people will that we don't have local option law for rural area we don't have search warrant and we don't have police department that are trained in how to apprehend or stop this kind of problem. The good law for here in Selawik, Noorvik whatever the law is good but how do we enforce that law it's on the book but when it come down to option law not realistic. That realistic in that sense the option law they didn't give us search warrant officer at the airport with a snowmachine 24 hours a day that's really what we're talking about that we have that law but we don't have a way of really enforcing it. I think thats what causing the frustration. So option law is not realistic.

Luke: But in a way too to enforce it everybody got to work together. We got to work with ticket agents the airlines that's in Kotzebue to let us know when they think somebody is importing booze then we can be at the airport with a search warrant. It's always working against us even though we try. One thing that we can do is take the luggage and bring it to the department you know right now. It can wait there until we get a warrant that is signed by the magistrate and after it's signed then we can open or we can't touch it unless we got that authorized ticket from the magistrate. This is we're right now here in Selawik. we're are trying to a police. That why we got in that police chief from out of town before we didn't know how to do it we thought even before we were picking up the packages without search warrant. I think we were lucky nobody didn't go after us but now we're trying to train our people. What we need is help from everybody. We need help from families that know that their sons or daughters are going down we need help to let us know that know they are the ones that know warrant. We know children go down young kids go down and bring back the booze for the older people. This is what we know thats going on through here. It's hard for us sometimes to stop this but hopefully write it down to reasons solutions and maybe we'll stop this but hopefully write it down to reasons solutions and maybe we'll stop it.

Robert: Talked in Eskimo.

Robert Newlin: Discussed with individuals who are selling or bringing in alcohol what the results might be. Bring bootleggers before Elders councils, City councils, IRA council. Easier use of search warrant or more effective use of search warrant. Strengthen police department in community established tribal court system. Tribal ordinance, counseling or confrontation by governing bodies with suspecttive bootleggers.

Talked in Eskimo. A-3 Making Home Brew: One of our problems. The reason why we make home brew is we know it's cheaper and another thing is it's legal under present law and constitution. What I'm saying is you can make home brew. You make homebrew because you want to drink one of the reasons another thing is because the ingredients are available. If you know what type of ingredients you need to make a home brew is it's available all the time. Because we make it.

Talked in Eskimo.

A-4 Lack of Police Support: Lack of community enforcement. This relates to Law enforcement and importation of alcohol.

Talked in Eskimo.

Reason - For the lack of communications; lack of training of our police. Ripped of being hurt and another problem because we've notice that their have been false arrest one of the reasons why we don't support the police. Lack of understanding in regards to citizen arrest.

Talked in Eskimo.

Selawik is from A-4.

1. Volunteer help from police.

2. Police exchange program means if we need to train our police we at least exchange program with somebody from Kotzebue would come up and someone here would go down. In kotzebue and be trained there if somebody from Kotzebue who the experience policeman come up here and train our people up here through the exchanged program. We need is someone some qualified trainee for police department in our villages need for constable meet responsibility for training and education of law. That's where we'd like our constable to take responsibility of fire training and education. Educate our law enforcement in our villagers. Reinstate our local control of correction center. Salary increase for police. Neighborhood watch if we as community members. We should at least have a watch whether our are being hurt by people.

Talked in Eskimo.

Resources- we have trooper, legislatures, city council, legal services, NANA, Maniilaq and family. Those would be resources.

Talked in Eskimo.

Luke: Family and social cultural.

B-1: 1, 2, 3, 4, & 5 and have listed under social and cultural.
1. As we have finished B-4 and that will be put in later on.

B-1: Negligent of children; family violence; fear of drunks; respect of Elders.

Reasons: Parents drinking at home; parents playing cards at home or other places; games played all night long till morning; parents going to Kotzebue to drink; Lack of community. These are the reasons those problems exist.

Solutions: Homes and social services programs they were negligents; unity; community; home and shelter.

Resources: Maniilaq systems; which are from community churches; social services; NANA & School District.

B-2: Suicide and attempt; failure organized problems; Lack of communication between parents and child and pressure. These are the problems.

Reasons: Lack of self respect; self pity; individual failure to meet goals; excess of use of alcohol and drugs; lack of loving on children equally aren't ashamed that includes family members not just children alone; arguing problems; and depression. There are the reasons suicide and attempt happen.

Solutions: Communications between family members; lack of communication between family members; develop for each youth group activities and native sports.

Resources: NANA; Maniilaq Mental Health; Church, family, Elders council; suicide hotline; social service; health council; school district; state troopers; & VPSO.

B-3 Wrong role model or lack of one peer pressure individual social.

Reasons: Abuse of alcohol and drugs; change from subsistence life style and tradition.

Solutions: Problems. Forgiveness and lack of apologizing; responsibility or accepting responsibility.

Resources: ? for school District; Elders Council; families; Churches; NANA, Maniilaq; suicide hot line; social services; health councils.

B-4: Not done yet.

B-5: Too much pressure on children from parents to do what children should do.

Reasons: Frustration; children are given adult responsibility; communication; expectation too hard on children which is your expecting too much from children.

Solutions: Control of expectation; loving our children; exercise health control by parents; simulate children not pressure them.

Resources: State and regional agencies; Elders councils; social concern committee of the church; family; NANA; Maniilaq.

I know I've gone fast over those but these will be bought out by the task force and everybody will get a copy of each one.

At this time we'll get Reggie to come up and give out report on Education and Doris Anderson, Roland couldn't be here. Doris gave the report.

End of Side B. Tape # 4. March 22, 1985.

Doris Anderson: Talked in Eskimo.

Solution: Al- teen; alcohol education in school; using education drama in school; family and individual counseling; Tech Center; village elders for local place and local pastors.

Talked in Eskimo.

Resources: Court systems; probations officers; tech. center; Maniilaq Alcohol Program. Maniilaq Health education; School District; Maniilaq Group Home; IRA Councils; Village coordinator; village health practitioners.

Problems: Ignorance to resources available; change from subsistence life style; lack of education to substance life style.

Reasons: Ignorance to resource available; ashamed to ask help because of your pride; change from subsistence to western life style; cash; food stamps and outside assistance and lazy. pride;

no interest; laziness; lack of equipment and priority to become alcohol.

Talked in Eskimo.

Resolution: Parents have to educate children; Elders sharing subsistence information; video tape traditional hunting; fishing method; trapping.

Talked in Eskimo.

Resources: Regional Elders Council; families; Maniilaq; Tech. Center; Seward Skill Center; Inupiat Ilitqusiak.

Talked in Eskimo.

Reasons: No funding; no priorities; no identified problem; local government and educate ourselves.

Solutions: Lack of social alcohol treatment center; Al-non local input; Regional Strategy; Local representative from villages. To bring all those problems when they have regional strategy; village alcohol coordinators; Maniilaq; Governors office;

Problems: Lack of youth corp and centers. Lack of recreation and jobs.

Reasons: Lack of interest' low priority by city local government; no transportation; lack of education; lack of non-coin operated recreation games.

Solutions: Recreation centers with swimming pool bowling alley and eskimo games.

Set up camp for and subsistence; community talent shows in native; request for use of spud camp for youth camp just for Selawik area; Sivuniigvik; community talent shows in native; NYC; encourage administrators to seek and apply grants.

Resources: School District; City Council; Village organization; Village Elders Council; Maniilaq Manpower.

Luke Sampson: Next we have Reggie Drugs and others and Juvenile.

Reggie Joule: On the drugs over here what we did was there was nothing there to work with except to start it off with over dose. We kind of broke it down. We make E-1.

E-1 Drug use in school: There was little bit not too many students use drugs in school but in other hand some of the kids start using it at ages even as young as 6 years old 7 years old. There was a lot of potential for the drug use in school to increase. Also another thing there and the problem side is that some of the students start missing school when they start using drugs. When they start missing school like that it's hard for them to get caught up again. This other on ignorance of some teachers on students who use drugs. Basically what their saying is teachers know whe students are high and they just let it go. Not always but it happens sometimes. When that happen the other kids that aren't on drugs they see that and becomes like it's okay to be high on something when your in school.

Reasons: Macho; cool; dependent; marijuana is easy to get; they make them feel good.

Solutions: Importation of drugs; drug rules and regulations in the school should be followed and enforced; more education on drug use and drug abuse what the drug is what it can do to you.

Resources: School Board; Principle; staff; parents and students. Everybody got to get involved.

Being conservative: Drug use in general. Why do some of the kids start using drugs. Sometimes because older people that they look up to you is drugged. Sometimes it's used at home. The kids see it at home and so they feel it is okay for them to do it if their parents can do it so why can't we.

Drug Dealers: Some of them come from out of town. The drug law of the state of Alaska are lenient their easy because on one hand when they say drugs it's kind of illegal thing to do they say you can keep it at home and so we felt that drug law were lenient. Another one of the problems that everybody came up with when your smoke or when you drinking you mix one with the other and that has a whole different effect on you than just using one with the other.

Reasons: To the drugs dealers they are to make money lienent drug laws well thats because the way the state laws are some of the kids felt they do this because their bored and theres no recreation.

Solutions: Peer counseling; tougher laws; up to the point where they are enforced in the village; drug busters you know sometimes everybody will who might be selling drugs but somebody have to tell on them and nobody wants to do that. But if they gonna stop them somebody has to do it. That's the only way because you have to have evidence.

Teen center; recreation center and someplace where they can spend money on other things besides drugs and booze.

The peer counseling part is important because important because if you know that somebody doing something and you know it's wrong whether they're selling or smoking or drinking whatever. That there selling or smoking or drinking whatever. That there was a group of people that would go talk to them hey, hey you should cut it out. That might make a lot of difference. We're not saying will not make any differences but it might. They might listen to their own people before we send the cop over and start taking drastic action.

Resources: IRA council, the people in the community, state troopers, the local policeman, City council, social concern committee the church, legislative to work on making the drug laws stronger and tougher.

Youth: Minors consuming. Being lazy, too much T.V., avoid the problem, not enough rest.

Problem: Lack of employment, cultural change, teenage pregnancy.

Reasons: Lack of discipline; get them to go to camp. When you're at camp you can't be lazy you get cold you got to get wood. You get thirsty you got to get water, if you're hungry you got to get food you can't be lazy and be able to take responsibility. Teach responsibility.

School: Lack of commitment from some teachers, sometimes some of the students will get behind, they felt that some of the students might be in special ed. doesn't go around because the way programs work and maybe special ed. could be utilized more.

Lack of employment: Volunteer work forces maybe during the course of the winter or after school or during the summer. Some of the students might be willing to volunteer to do work for

elders if the elders needed help around the home or during somethings for the community.

Solutions: Motivation, under teenage pregnancy came up was education for students. Sex education in high school so that people could understand what it was they were getting into.

Resources: IRA, Elders Council, home, school, clinics. But it was time that in these meetings we really address drunks and youth and what the group we had last night we really got to a really good start can work completing this up in the future. Thank you.

Marie Clark: Talked in eskimo.

Luke: I guess we got lot of those taken off from. Some of us has been trying these past few meetings complete what we have completed the last two days. It took long time five meetings to get all those done and we have been through some pain through some hardship some of us. We got to go through to help our young people. I'm glad myself to be involved in what was started. Because I know myself a person can go through especially a young person in relation with alcohol and drugs. When it hurts most of all the parnets the grandparents to see their children hurt. But even though this is not for teaching me and you we are trying to help our children. We are getting somewhere. We'll find help we won't stop so I thank each and everyone of you for coming especially the ones that have started the meeting. Robert and Jake and Selma Newlin who is not here in this meeting. She plays important part in starting this meeting and others that are not here some from Kiana that are not here I know some of the names I'm not gonna say the ones that have been involved all the time is here Mrs. Outwater. I'm glad she came again. I know it take a lot of dedication from people. Now is the beginning we finalize the draft we start from a committee from each village in representation from organization from non-profit and regional corporation itself.

I mentioned last night we've got at least 3 people, they will be involved in representing our community of Selawik. So where ever the committee is going to be meeting the city if Selawik will be providing the transportation. So I should turn this over to Robert. Maybe we can ask questions when we should have our next meeting. Then after Robert make his presentation maybe from some of the organizations. Organizers they can say what they want to.

Robert Newlin: At least there one option is that we go some place like Sivuniigvik where we'll be together at all times and come up refining all this document.

Talked in Eskimo.

If things turn out good this not the only place we'll stop. I think we do have to address in the later date. We've got lots of problems here. This alcohol and drug abuse will not solve everything we've got other areas where we're hurting in our villages we have somebody address from later date if we don't we probably have to do it again.

Like I said I'm gonna arrange the meeting to be held in Sivuuniigvik. April 11, 12, 13 start 1 p.m.

Luke: I thank you for coming to Selawik from the people of Selawik. I thank you for being involved in these meetings and helping us to try to work some of our problems out.

Truman Cleveland: Talked in Eskimo.

George M.

Pat Sharrock: Good morning, everyone, and thank you for waiting for us. I apologize for us being late, but there wasn't anything I could do about it. McGrath had a lot of very heavy fog this morning and we had to wait for that to burn off. I guess it was just localized around McGrath. We didn't see anymore except for forest fires coming in. First, I'd like to thank Eddy and Peter and Andrew for sitting with us here. I hope they can contribute a lot to comments that I hope some of you will make. I know Mr. Hoffman wants to make some comments before we begin. First of all I would like to say why we're here. At the Alcoholic Beverage Control Board's meeting in Anchorage last month we were presented with a petition from residents here in Sleetmute asking that the Board come to your community and discuss issues or problems or whatever you wish to contribute to the Board. In particular, I guess, I would have to say, in relation to the Mercury Inn liquor licenses in Red Devil, the Board certainly has it's authority and control over those licenses and if there are areas which the Board can assist you or give direction to the persons operating those liquor licenses in Red Devil, the Board will certainly do that. I guess, with that, Eddy informed me, just when I got here, that he would like to make some opening comments and I would like to have Peter and Andrew make some comments following Eddy, if they have anything that's appropriate. My name is Patrick Sharrock. I'm executive director of the Alcoholic Beverage Control Board. This is Mr. Bill Roach whose the enforcement supervisor for the Board and we are both from Anchorage. We have another investigator with us, who is flying on up to Red Devil right now, to inspect the premises in Red Devil. It has been some time since we have been in this area, so its certainly appropriate that we go up there.

Eddy Hoffman: As tradition chief of the 56 villages, I was called to come up here because the people of Sleetmute didn't know how to go about to hold this meeting. That's why I'm here. Ever since the liquor store was opened in Red Devil, the death role was 18 for Crooked Creek, 15 for Stony River, 31 for Sleetmute, 17 for Red Devil, 2 for Lime Village, and 2 on the lower river. Now I would like to ask the Board here, how was the renewal of the license every year? How did you go about the renewal of the liquor store license every year? That's my first question.

Sharrock: Would you like me to answer that right now, Eddy. [Yes] I've been with the Board 8 years now and to my recollection, Eddy, the first time there was any commentary or comments to the Board about renewing the licenses in Red Devil was this year when the Alaska Village Council, AVCP, I think is the way I have to say it, passed a resolution to the Board asking that the Board seriously consider not renewing those licenses there. We made some inquiries as to now or how much the village of Red Devil participated in that conference, the AVCP conference, and we understood, at the time, that they weren't present because, and the reason I say this is because villages and traditional village councils have legal standing under the law to protest liquor license renewals and the Board reviewed the correspondence, I'd written to Gene about it also and advised him what the Board was looking to do and based on that the Board renewed the license. But this is the first year that I recall that there has been information come to the Board about concerns. I hope that answers your question.

Hoffman: My next question. Does the Alcohol Board have any money to check on the licensing every year for all the liquor stores? Has the Control Board any

money to check on licensing every year for everybody. All of the liquor store owners?

Sharrock: We have an annual budget which is funded annually by the legislature and in that budget we have what you would call travel money. It's certainly limited when you look at 4 or 5 people having to travel statewide to approximately 1600 liquor licenses that we have licensed in the state. Our policy has been to attempt to visit licensed premises at least once a year, but as I said at the outset, I think its been a long time since we've been over here. We've been in McGrath, Bill was in McGrath a couple of years ago, but we didn't go into Red Devil or even visit any of the villages around but we do have money for traveling around the state but it's limited.

Hoffman: But I hope you start doing that to all these new places that got liquor licenses. That should be the policy of the state to enforce that.

Sharrock: Well, you are absolutely right. That's one reason we're here. To try to hear your comments and interests and concerns and as I said if the Board can do anything to rectify a problem or advance ideas, the Board will certainly do that.

Nixie Mellick, Jr.: When was the last time you conducted a survey or investigation of the bar out there in Red Devil?

Sharrock: As I said earlier, I don't think there has ever been an investigation or a survey.

Mellick: We talking about something like 25 years or 20 years?

Sharrock: We were talking about it. I think there was a hearing in Red Devil maybe 7 or 8 years ago. It had to have been over 8 years because I've been director 8 years and we haven't had a hearing over here in Red Devil at all.

Mellick: I mean just for renewal purposes, like a health inspection or what ever you use there.

Sharrock: I would have to say, I don't think there has been, to be honest with you.

Hoffman: I have a question. The state has an opening and closure of the bars every day. What are the hours they open and close?

Sharrock: The hours of closure for licenses are between 5 a.m. and 8 a.m. except for on election days where there is an election for statewide offices or local offices, I can't remember exactly, then the premises has to be closed during those hours when the polls are open. Cities, by ordinance, may change those hours of closure. I don't think Red Devil could because they aren't an incorporated municipality. But generally, statewide, hours for closure are from 5 a.m. until 8 a.m.

Hoffman: Another question. What are the requirements for selling alcohol to people that are intoxicated and how is it enforced? Has ABC on record ever calling, the bars? What is drinking, intoxicated persons, go to the bar and

the bar selling them more liquor?

Sharrock: Well, you ask a very good question, Eddy.

David Marshall: What was the second part of your question?

Hoffman: I'll read it to you again. What are the requirements of selling alcohol to people that are intoxicated and how is it enforced? Has ABC, on record, ever calling?

Sharrock: The laws are that a person may not sell alcohol beverages to a drunken person. The definition of a drunken person in the statutes, basically, the way its been used is that a drunken person would have to be substantially impaired or give a showing that the person is uncontrollable, basically. There's also a provision in law though where a licensee may refuse to sell to a person if the licensee has reason to believe that person would harm himself or someone else.

Hoffman: Another question. The State Troopers and the magistrates of this area to look into recommendations or renewal or a non renewal of the license. Have they done that? That's what I'm asking you. Have they ever done it.

Sharrock: I would have to generally say no.

Hoffman: You have, I brought up 2 letters there for you from the district attorney and the magistrate from Bethel.

Sharrock: I think that's the first time we've gotten any correspondence like that. Let me go back and answer the second part of your other question. Has the Board ever called about licensees having served drunken persons? The Board has. I will have to say most people think that there isn't any enforcement of that and I will have to say that its a difficult area to enforce for everyone involved, I think. The courts have usually had a difficult time in having cases prosecuted and there haven't been that many cases brought before courts for prosecution for a licensee having sold to a drunken person. But, yes, we have and I know there have been several decisions around the state where licensees have been charged for that.

Hoffman: I have a question here for ABC. The bars should have the state statutes sent to them, you know, so they can, like a manual, see when the closing and opening hours. Which I don't think the ABC Board ever sends to a person.

Sharrock: Well, we do when the person first gets a license. We have changed our application forms to including those for renewal where a person, when they sign the renewal form every year, say that they certify that they have read the liquor statutes of the state. I brought some for you, too, by the way here, if you'd like to keep some. Can everyone hear down there? There's some seats up here.

Hoffman: About 1983, the people of Sleetmute sent me a petition signed by the people of Sleetmute for the ABC Board to close the liquor store at Red Devil by mail in 1983, which I never received to-date.

Sharrock: This was 1983? [1983.] Did you send it to the Board?

Hoffman: They sent it to me, for me to send to you guys, I never received it.

Sharrock: You mean you never received the petition?

Hoffman: I never received the petition to send. Either somebody tore it up someplace or it never got in the mail.

Sharrock: I never seen it either, that I recall. I have their files here. We can look through it to see what's there.

Hoffman: I'm just asking them people. When they first opened the liquor store in Red Devil in 1956, there were 4 people drowned at that time at the first opening of the liquor store. [1955.] 1956, well, one year. First opening of the liquor store in 1955. On July 28, 1985, 4 people were killed that came up with a plane from Bethel. Before they left Bethel, they had been drinking and they got to Red Devil and they bought wine and a few bottles of whiskey. And everyone of them got killed in that airplane crash. [Gail Vanderpool: Can I say something about that?] Just a minute, you'll have to after we get through here.

Sharrock: Yes, we heard about that.

Hoffman: And my last question. It is super hazardous to travel by boat from Sleetmute to Red Devil if a person's been drinking. [Sharrock: Is that a question?] That's what I'm telling you fellows. To write down in your little book there.

Sharrock: I think that certainly goes without saying.

Hoffman: I don't have any more questions till maybe later on. But I would like for you to ask the mayor and the city council or tradition council, they're right there sitting with me. You can ask them some questions.

Peter Zauker^a: I got a call from YKHC yesterday afternoon concerning this meeting here and the person I talked to was Carl Berger and he said that he didn't have anybody from YK to represent them up here and since I am a member of the Board of Directors from YKHC and they tell me to speak on behalf of them what I've been with us here in the village. So, need a few here of yesterdays a call from YKHC, director of YKHC. Whenever we have meetings in Bethel, not only the community or the river of Kuskokwim, the alcohol always arrives from the coastal and lower Yukon villages. There is 53 villages represented by YK. They all have concern of the alcohol. And then the older people always say they are hurt by this alcohol. Not only the young ones but the older also. And then in one meeting they were saying there is no more natural death, which is even in the village here like this. We never see no natural death no more. What the death we see is by accident or violence. A conduct by alcohol. Since in 1950, when he first bought his alcohol to the Red Devil in 50's, that's way back. First he start off with beer and wine and they served over the counter. After 5, 6 months they get tired of these people laying around or being nursing them, they're drunks. So they have a new idea - let's get the package. So they get the package. They sell them and let them go out. So in that case in the future, if the Red Devil package store happened to be closed, is there any, and I mean we don't want to

see no other kind of license issued to the individual here in the village of Sleetmute. I think it be the same thing that's been happening back 30-40 years ago. First they sell it over to the counter, the beer and wine. Pretty soon they get tired of it and they come to the package store. So, in that case, I think, my personal feeling, and I'm speaking for the YK, their members are very orderly people from down coast. If you ever happen to go to Red Devil and I don't want to see no license issued to the beer and wine in the future. That's all I have to say. Thank you.

[Thank you David. I appreciate your coming in.]

Andrew Fredricks: Well, I have something to say after. I thought this was going to go to Juneau. After the others have said what they are going to say.

Hoffman: I have 2 resolutions here from the tradition council and one of the Sleetmute village city council for closure of the Red Devil bar and also have a petition here signed by the people of Sleetmute. And I also have one, they were supposed to be down, they may be down afterwhile. I have another resolution from Stony River here with me and I see the people from Crooked Creek are here with a package. I don't know what's in it, I never seen it yet. But here's 2 resolutions, total of 3 I got with me.

Sharrock: There are 2 here, I'll read the one from Sleetmute. The other one is from Stony River. Oh, this is the one that was given for the Board. I'll read the resolution, if you like.

This is resolution from Sleetmute Traditional Council, General Delivery, Sleetmute, Alaska. Resolution 85-2.

Whereas, the people of the village of Sleetmute have suffered for a long time from problems caused by the drinking of alcoholic beverages in the village

Whereas, the people of the village of Sleetmute in an attempt to stop drinking in the village, voted to ban the importation of alcoholic beverages in the village

Whereas, in spite of the ban on importation of alcohol, people still buy alcohol at the Red Devil package store and bring it into the village

Whereas, many people from our village have died while drinking alcohol supplied by the Red Devil package store

Whereas, many people of our village have been the victims of violent crimes committed by someone under the influence of alcoholic beverages purchased at the Red Devil package store

Therefore, be it resolved that the traditional council of Sleetmute, Alaska formally request the Alaska Alcohol Beverage Control Board to revoke and/or refuse to renew the liquor license for the Red Devil package store.

[Signed] Peter Zauker, Andrew Fredericks, Jeannie Zauker, Angie Andreanoff.

From the Sleetmute Village Council. Resolution 85-8

Whereas, the people of the village of Sleetmute have suffered for a long time from problems caused by the drinking of alcoholic beverages in the village

Whereas, the people of the village of Sleetmute, in an attempt to stop drinking in the village, voted to ban the importation of alcoholic beverages in the village

Whereas, in spite of the ban, importation of alcohol, people still buy alcohol at the Red Devil package store and bring it into the village

Whereas, many people from our village have died while drinking alcohol supplied by the Red Devil package store

Whereas, many people of our village have been the victims of violent crimes committed by someone under the influence of alcoholic beverages purchased at the Red Devil package store

Therefore, be it resolved, that the Village Council of Sleetmute, Alaska formally requests the Alaska Alcohol Beverage Control Board to revoke and/or refuse to renew the liquor license for the Red Devil package store.

[signed] Peter Zaukar, Andrew Fredericks.

Resolution from Stony River Traditional Council. July 27, 1985.

Whereas, the people of the village of Stony River have suffered for a long time for the problems caused by the drinking of alcoholic beverages in the village

Whereas, people from our village travel to Red Devil and buy liquor from the package store there and then return to our village to drink it

Whereas, many people from our village have died while drinking alcohol supplied by the Red Devil package store

Whereas, many people our our village have been victims of violent crimes committed by someone under the influence of alcoholic beverages purchased at the Red Devil package store

Whereas, most of the liquor consumed by the people of our village comes from the Red Devil package store

Therefore, be it resolved that the Traditional Council of Stony River, Alaska formally requests the Alaska Alcohol Beverage Control Board to revoke and/or refuse to renew the liquor license of the Red Devil package store.

[signed] President, vice-president, member, treasurer

Sharrock: Could you state your name, please.

David Marshall, Aniak (end tape 1, side 1)

Sharrock: David, did you fly here from Aniak for this meeting?

Marshall: Yes, sir.

My name is Nick Mellick, Jr. I live in Sleetmute. For one thing maybe we could introduce Andrew, he's the mayor of Sleetmute. Peter Sakar, he's the traditional chief of Sleetmute. Our meeting here concerns alcohol, either to revoke, to renew, or not to renew. The comments you made to the 2 leaders of Sleetmute after Eddy is done with his, whether it is in the best interest or not the best interest to revoke, to renew, or not renew. I would like to hear from our 2 leaders before we go on with the general questioning. [Sharrock: Are you asking them to make some comments about that?] If I am not mistaken, the Alcohol Beverage Control licenses bar owners in the best interest or not the best interest. [Sharrock: That's correct. Are you asking for more comment?] No, through you, Mr. Chairman.

Sharrock: To answer your question, in terms of the Board's viewing the best interests of the public, I think that is certainly being strongly stated to the Board by these 2 resolutions that I just read and I certainly think that speaks on behalf of Peter Zaukar and Andrew Fredericks.

Mellick: He was speaking for YKHC. I'd like to hear him speak as a traditional council of Sleetmute whether in the best interest or not in the best interest.

Hoffman: That's why we signed it, you know. That's what we signing there. So its in there, you know, what we want. That's why we signed it.

Moxie Mellick: Then, it's not in the best intesest.

Hoffman: We signed it in there to see what we can do.

Mellick: Then your comment is that it is not in the best interest to renew the liquor

Sharrock: I think, without using those words, I think, they are very strongly saying that, yes.

Mellick: I would just like to personally hear that from the village leaders

Zaukar: The tradition council, I strongly feel, the store at Red Devil has to be closed. I don't want no other license issued in the state, no matter what beer or wine. That's how Red Devil got started. I stated that before. That's my personal opinion. they chose me for there leader, I speak for my people what whether I get back in further or not.

Mellick: Whether its in the best interest or not best interest.

Andrew: That's interest of the village. That's means you know, you said you were living here. 50 years, we know lot of people been dead on account of our alcohol. Not only in the village of Sleetmute but in neighboring also.

Mellick: As the traditional council chief would it be in the best interest of the village to renew?

Zaukar: The village don't want it. We let them sign. But there some other matter

to keep the record straight. We never did sign from the village council or the traditional, this resolution, what they got over in the St. Mary's. Some guy from the village here was walking behind us. Like Andrew was saying this morning. He asked me did you ever send in. I said no. That's the first we hear and also the petition last spring. We didn't know until its signed halfway. Somebody's been stepping over the tradition also the village council.

Fredericks: I guess Gene's got the answer for us.

Gene: AVCP Resolution 84-10-13 was introduced by one of down river villages to the resolution committee at the annual convention in St. Mary's last October 19th. It come up with recommendation "Do Pass". It was approved unanimously. It was not introduced by this village.

Sharrock: And that's the resolution we got from the bush.

Gene: That's the resolution you got. In fact, there wasn't a Traditional Council representative at that convention.

Sharrock: We did not receive a resolution from the village of Sleetmute. [No] I'm speaking for the Board now. The only resolution that we'd received was the one from AVCP. Eddy, did you have some last comments or were you all finished.

Eddy: I'm all finished. Here, I've got 2, keep this for your file.

Sharrock: OK, Gene, do you want to make a comment? Why don't you come right up. You had a question down here, though, at the end of - You want to wait till Gene's finished speaking?

Marshall: Mr. Chairman, may I ask Gene, do you know which village submitted the resolution?

Gene: I'm not sure, because I wasn't serving on the resolution committee. I believe it may have been the village of Akiachak.

Sharrock: I have a copy of the resolution here if you're interested in looking at it.

Gene: I've got a copy. If I'm not speaking loud enough, just stop me any time and indicate it. I'll be reading from a prepared statement. When I reference the Red Devil liquor store, basically, referencing the Mercury Inn, the licensed owner. The Association of Village Council Presidents upon direction of our member communities has requested the Alcohol Beverage Control Board of the State of Alaska to consider suspension and revocation of the license to sell alcohol issued to the liquor store at Red Devil. The issue of the Red Devil liquor store was a topic of discussion at the 1984 AVCP annual meeting held at St. Mary's in October, 1984, and attended by representatives of 41 village councils. The AVCP convention resolution 84-10-13 relating to cancellation of the Red Devil liquor license was adopted by unanimous action of the 1984 AVCP convention on October 19, 1984. I'm not certain of the author of the resolution, however, the convention resolution's committee chairman has advised that the resolution was introduced to the committee by a Middle Kuskokwim village with experienced loss of life within their community membership due to

an alcohol related boating tragedy on the upper river. I believe it is alleged to be the village of Akiachak. The resolution's committee considered the resolution on its merits and gave a do-pass recommendation to the convention which it adopted by a unanimous action. Nearly every community, if not all villages, within the AVCP and Chilista Region has experienced loss of life due to alcohol related accidents in boating, snow machine driving, three wheeler, and other motor vehicle accidents. Recently, 4 persons died in an aircraft accident after one or more members of that party were alleged to have purchased a quantity of alcoholic beverages from the liquor store at Red Devil. I'd like to explain that. I was advised by Captain Temple of the Alaska State Troopers, detachment commander for the troopers in this region, that alcohol was indeed purchased from Red Devil liquor store on this, in that during this accident and there was beer, empty beer cans in the aircraft, at the accident scene, were alleged to have come from Bethel, and there was wine and whiskey that was alleged to have come from the Red Devil package store. Although the official cause of that accident remains yet to be established by the federal aviation officials, last year a member of my immediate family died in an alcohol related boating accident on the upper Kuskokwim River. Why I'm bound as president of the AVCP to seek implementation of all convention resolutions. I'm easily able to advocate implementation of this resolution. Although the Red Devil liquor store is not the only source of alcohol coming into the AVCP and Chilista Region, it is the only establishment licensed to sell liquor by the State of Alaska within the Region. Every community within the region which has held elections under the State's Alcohol Option Law, including Bethel, has voted to ban retail sale of alcohol and most voted to ban its importation. Red Devil, as you are aware, does not have a municipality organized under Alaska State Statutes. Even if it did, we caution the Board to consider that the sale of alcohol at the Red Devil liquor store is a matter of concern to villages in the vicinity of Red Devil and the communities up and down the Kuskokwim River as far down river as Bethel and even below Bethel. Suspension or revocation of that license is a matter of regional concern as evidenced by the formal action taken by the AVCP convention. Suspension or revocation of the liquor license is sought, not only because of the loss of life in alcohol related tragedies, but because of growing community and regional awareness of the threat to family unity and stability, increasing evidence of suicides, the dangers of domestic violence, and alcohol induces violent crime, and the threat to the health of both individual and community well-being. We encourage support to consider that the liquor license at Red Devil is a significant factor in individual family, community, and regional hardship and to exercise his responsibility to suspend or revoke this license because it is contrary to the best interests of the public. I am aware of a number of tragedies, however, I defer to Public Safety, health, law and judicial officials, as to statistics and detailed information about the status quo because of public harm. I also encourage you to consider the testimony of individuals and village council members concerning family and community hardship caused by the current situation. On behalf of AVCP and our member communities, I encourage you to invoke your authority in the Alaska State Statute 04.11.370 to cause suspension and revocation of the license issued for the liquor store at Red Devil. Thank you.

Sharrock: Thank you, Gene. May we keep that. [Sure.]

Evelyn Thomas: People go to Red Devil of their own free will. The people who

run that bar do not encourage anyone to go out there. Sleetmute voted dry. It is Sleetmute's responsibility to see that their people stay dry.

Sharrock: I'm going to interrupt her a minute. Gene finished his comments. Do you have anything to follow-up with that, Gené? And secondly, I want to ask Mr. Hurlbert if being a former legislator from this area if you want to render any comments?

Bill Roach: Excuse me, sir. Is there anybody that hasn't signed the sign-in sheet that would like to speak?

Sharrock: People have indicated that they want to make some comments on our sign-in sheet. Do you have another one? [Roach: No. That's everybody that's signed it]. I don't see your name on it, Vern. Oh, here we go. What I'm going to do is go down that and those people who have indicated they want to say something, I certainly want to entertain them. We'll take people in that order. I would prefer when you speak, if you would come down here so we can pick you up on the microphone and sit where Gene was sitting. If you prefer to stay where you are you may do that though. So, Andrew, I'll have to have you help me with some names if I can't read them. The first person is -

Gibson: Mr. Sharrock. [Yes] It was unclear to me when the sheet came around. Where it said testimony, Yes or No. Whether you were supposed to indicate whether you had or had not. Maybe other people had the same problem. I neglected to sign or check yes, which indicated I wished to rather than I had. So maybe if that were made clear. I should like to amend my signature. I thought it said had rather than do you wish to. [Oh, I see]. And that may have been also on other peoples mind.

Sharrock: Well, I'll just let people speak up to that. We'll certainly take comments and response to what other people might say when we're finished. Evelyn Thomas? When you speak, could you please identify your name and where you are from?

Thomas: Alright. My name is Evelyn Thomas. I'm the mayor of Crooked Creek. I'm president of the traditional council and I'm also the mayor of the incorporated city. The people of Crooked Creek have let it be known that they don't feel that its the bar's fault or any liquor store's fault that they drink. They have said that they have done it on their own. A lot of them said that and I don't believe that this is right because nobody tells you to drink. You go to that bar yourself. Not one person tells you to go there and have a drink. Its a business like any other. If you go there, you go there of your own free will. I very seldom, personally, go to Red Devil. And when you do something wrong, whether you're drunk or whether you're sober, that's you. That's nobody else. When you go to your neighbor and you have a fight with your neighbor, if you're drunk or you're sober, that's your fault. That's not that bottles fault. When you fall out of your boat, its because you did something stupid. Its your own fault. But so many times everybody says, oh, somebody else made me do this. Let's say, David Marshall made me go an get a bottle. How can he make me do that? You go and do it yourself. Sleetmute voted dry. Then Sleetmute should stay out of Red Devil. And it isn't only Red Devil. Let's talk about ESP. Let's talk about McGrath. We get people coming

from Bethel and during hunting season that hit Crooked Creek and they have got tons in the boat. They don't even stop in Red Devil. Out of all the bars you see running around back here. You can walk into McGrath and you'll see people up there that don't look like they're old enough to be in there. I know that Red Devil runs their liquor store better than any liquor store anywhere. They refuse a lot of people service. You can ask Wasley Waskey. It upsets him because he goes all the way to Red Devil and he gets refused service because he's drinking. He cannot go in there and buy booze. They won't sell it to him. They run it properly. I think this is wrong. It's the person that does it. It's not everybody. It's not the liquor that does it. It's that person. If that person has a problem with it then he should be man enough or she should be woman enough to say, I have a problem with it. I can't do it. But this is wrong. You are attacking it from the wrong end. And 56 villages. We were not at that meeting. We were not told that meeting was on until that day. And we don't have the money to charter all over the place for AVCP. AVCP does not help up river unless its for some ridiculous thing like this. If somebody does something wrong, it's their fault. It's not the fault of the liquor store. It's not the fault of the boat and motors that they are in. It is not the fault of anyone. It's that person. And I can't help but feel real strongly about that. If I do something wrong, I know I did something wrong, and I'm going to stand up there and say I did it wrong. I'm not going to come back and say, Lixy made me do it or Sue made me do it or Jenny made me do it.

Sharrock: Evelyn, you made a comment a minute ago that you said that the problem was being attacked from the wrong end. Could you explain that?

Thomas: An individual person has 3 wills. He says, I am going to go to Red Devil today and buy a bottle. The liquor store has not told him to come to Red Devil and buy a bottle.

Sharrock: So you're speaking to more of an individual approach than -

Thomas: Yes, an individual approach. When he goes to his neighbor after he has bought a bottle. It isn't that bottle. It isn't the Red Devil store that has told him to go there. It's that person.

Sharrock: Crooked Creek has not voted for any banning of importation or banning the sale. [No] But there is no liquor license in Crooked Creek. How far is Crooked Creek? [More than 32 miles] River miles or? [River miles]. You want to make any closing comment or?

Thomas: My mother hasn't had a drink in 22 years and she doesn't feel that this is right, either. My husband hasn't drunk in 25 years and he doesn't feel this is right, either.

Sharrock: Thank you very much. Are you speaking on behalf of Crooked Creek?
[Yes] Dennis Thomas? [Right here]

Thomas: My name is Dennis Thomas and I'm from Crooked Creek. You just listened to my wife talk as the council president and I am here as an individual. I am against the closure of the bar. I do not believe that Bob or anybody down there goes out to the river and grabs somebody and makes him come in and have a drink. They're there because they want to be there. They come from Bethel,

they come from McGrath or whatever. That's of their own free will. And I do not believe that this kind of action should be set up to tell somebody that they can have a drink or they can't have a drink. That is up to themselves to decide what they are going to do with it. And as far as Sleetmute has a problem, they've got a local option law here. Why should this whole thing be brought up at all? Enforce it. Your own local law. The petitions coming around to close is, they got one in Crooked Creek, too. Who gave them the right to send that to us? We did not ask them to do so. AVCP and whoever happens to be down there, 57 villages, we never hear about them up our way when we really need something done. Then we're coming into this. Alcohol is a problem. But it's an individual problem that persons got to solve for themselves. It isn't going to be done like this. They're making progress in this way. They're going through alcoholic awareness. They have this thing at Bethel, a Phillips treatment plan, this kind of a thing. At Aniak, KNA has this counseling thing. It's helping. It's doing it slowly. But, closing the bars sure is hell isn't the answer. Maybe we ought to have more of these counseling things. More of it local. One in each village, if this is what we have to do. To educate a person that hey what an alcoholic is. A lot of people I know don't understand what an alcoholic is. The point I'm getting at, I don't drink because I choose not to. If I wanted a drink I could pick one up anytime I want to and everybody else should have the right to do so is what I'm saying. As long as they're 21 that is their choice. And the bar should not be held responsible for what happens to the people. They come in there and they're obviously intoxicated, they refuse them service. And a lot of times there will be a function going on in the village, they'll refuse them service. These people run a good bar up there. They follow the law and I think they try to keep it down a little bit. They run a good bar. Now, if you had somebody running that, that was in there strictly for making the money, then you'd really have some problems back here. That damn thing would be filled up all the time and those shelves would be loaded and anybody that come in there that was old enough to have the money could buy all they wanted. Then, you'd really see some fun. Now, you're attacking one bar out here in the middle of nowhere. Are you going to go after McGrath? Are you going to go after Anchorage? Are you going to go after all the other villages too? You know what those people around there are going to tell you? PHSSSSS!!! You know. That's their right to decide whether they want to drink or not. It's not up to anybody else to tell them whether they can or not. That's all I have to say. Thank you.

Sharrock: Dennis, what's the population of Crooked Creek? [About 115, I suppose] 115. Thank you very much.

Andrew: I'd like to ask Dennis one question. Dennis, I was listening to you all the time. You talk about McGrath. That's out of AVCP.

Dennis: That isn't the point. That's not the point, Eddy.

Andrew: When you talking about the bar, AVCP. We

Dennis: You're missing the point. The point is you're after this one. Are you going to go after that one too. You can. Bullshit you can't. Any time you could go out there, any bar in the state that you want. Do the same thing you did to Crooked Creek. Sent a resolution to the residents of McGrath to see if you could pull. Let's see how far you'd get. You'd get nowhere.

Sharrock: Let me hear from some other people. Ann Vanderpool. Were you in Anchorage at the Board meeting Ann? [No] Go ahead.

Vanderpool: I would like to say, I would like to find out who passed that petition around here? Half the people didn't know. Only the people, homesteaders, that live about 30, 20 miles away voted for Red Devil to go dry. There's some crooked thing going around, around here. These poor people. They didn't even know they were signing. They didn't ask them to. I just heard they had another vote the other day. They tried to let homesteaders vote.

Sharrock: Ann, let me ask you something else. It gets into a whole area here. You operate the Red Devil package store? [Ann: My son works for me and my husband] Why don't you explain to me and other people here, what hours you have, how long you are open. [Ann: 8 to 9] Eight in the morning until 9 at night? [Ann: 9 to 9. And we run it right. You ask any of the boys that come around. I don't. When they're bitching, I tell them go. Go back to where you come from. I don't open the doors. You ask any of them. If these people, they voted this dry. We have right to sell anybody that goes down, right?] Well, as I point out, you certainly have the right to sell to anyone who wants to purchase. [Ann: Yes] However, you have a responsibility that you should not sell to someone who you believe might harm themselves or somebody else. [Ann: Of course, we don't] Well, that's what I'm trying to bring out from you to make comments about, about what your policies are and how you sell to the public. [Ann: But now, these people have to go to jail if they, they all buy booze. If they don't get it from Red Devil, they go to McGrath with a boat and plane] What area, I'm asking you questions now. What area do you feel that your store serves? [Ann: Sleetmute, Stony, Crooked, Aniak] I don't want to put you on a spot, Ann, but when you sell to someone from Sleetmute, what do you expect them to do with the alcohol that they purchase? [Ann: Well, I don't know what they do with it when they walk out from that door] What I mean is, do you expect them to bring it back to Sleetmute? [Ann: Some do, probably and some don't. They were keeping it dry for a while but then pretty soon they let people come in with booze. You ask Andrew and ask Nixie. I'm sure he's got lots of booze in his house and it's supposed to be dry village. And all that them homesteaders, they voted dry. We don't see them down there. None of them. (ask them if we voted) I heard you guys voted. (What election did the homesteaders vote in? When they had this Sleetmute going dry I didn't vote in no election.)] That election was conducted by the Division of Elections. I'm sure that they (end tape 2, side 1) All I can say is, the Board was presented with a petition from people from Sleetmute and we're certainly trying to respond to that. So I hope you appreciate.

Hoffman: I'd like to ask you a question, Ann. The State Statutes says right here, in black and white, the opening hours for any liquor store is from 5 a.m. to 8 a.m. That's 9 o'clock -

Sharrock: No, those are the closing hours. From 5 a.m. until 8 a.m. So, she says that she's open from 9 o'clock in the morning until 9 o'clock at night. Sinca Crane.

Crane: My name is Sinka Crane and I live here all my life. What is a package store? Ever since 1955, I remember. I go down there every day, every other day. Every other day. Now, I've been drinking pretty heavy for the last 4 years. I go down to Vanderpool's half drunk. You think they'll give me

something? No. They tell me get to hell home. Sober up. You come back in about a week. Sure, that's their business, see, not mine. I try to put on, get some liquor, but they do it the right way. I see that. After I drink a bottle, bottle or 2, then I'll run down with my snow machine or hire a boat. You think they'd give me something? No. Not a chance. You know, if the guy drinks. If you want a drink, that's his own goddamn problem. Like mine. I don't go ask nobody give me a bottle. I'll buy a bottle from you. No. I don't do that. I try to get it myself. And don't you think when they run out of booze, I try to go up McGrath, get load of booze. Any place where there's liquor store, see. I'll tell you something. There would be more trouble if they close that package store down there. There'd be bootleggers, everything would come this way. Starting right today. Bootlegging, smoking marijuana, try to bring in cocaine couple years ago, in here. You see, they'll do that. There'll be more troubles in this area. So I drink when ever I want to. I'll buy it myself. Nobody tell me to buy it. Nobody push me to. I lived here a good many years, 55 years, 57 years going to be, this year. Look at this guy. He's going to smuggle this one in, I guess year ago. See, he's going to try out in here maybe to these young teenagers down here. You're going to see that cocaine, you read it out loud, see. He's going to bring that in too, maybe. In here to Sleetmute. See. Could be more bootleggers. They'll be importing more marijuana and all this cocaine in there. Can you see that? I've been drinking all my life. I go to jail. I come back and drink here. I go back to jail. I drink again. You can read it out loud. That's one way.

Sharrock: No, I'm not going to read it out loud. I want to hear from everybody, first. [Sinka: See, I don't want you to lose that. I'm going to keep] Do you have anything else to say? [Sinka: Because I like my drinking, like anybody else] Is there bootlegging in this area, now? [Sinka: I wouldn't tell you, because I'm not making money. I ain't going to snitch on nobody. No god darn way] OK. Vern. [Sinka: Oh yeah, one more thing. About a year ago, my son was killed. Do you think where he get the liquor? From McGrath. Somebody fly out with couple cases I guess. Bring liquor down here. He was shot twice. He couldn't shoot himself twice. No. He was shot twice. That's the rumor. He didn't get the liquor from Red Devil. Got it from McGrath.]

Vern Hurlburt: Thank you Mr. Chairman. I'd like to testify in support of non reissuance or closure of the Red Devil liquor store. The reason I'd like to do that is because when I first come out in this part of the country, I drink heavily, and I still drink. First of all you're looking at a persons whose not a puritan, I drink. And I'll probably continue to drink. But there has to be a damper effect, if you will, if I may put it into that way. A person who wants booze immediately, shouldn't be able to have, especially in a satellite village area as this, this is not a terminal area. This is not a McGrath or a Dillingham or a Kotzebue. This is way out in the toolies and there is basically no law around this place. For anybody that don't think that I have a right to testify or even be concerned on this issue, let me just tell you first of all how close to home it is with me. My ex and I, who most people around know, was the greatest. During the 9 years that we was together, we had 3 children and my children's, all my in-laws, it virtually, nearly wiped out a whole family of Gregories here. First by suicides and just drinking theirselves to death with exposure. Let me just start it off. It's a pretty gross tale. The first person, that happened up the river here, that we're going to talk about, is Vern Gregory. He used to stay up at our homestead up here with me and helped me establish

that. It would come Christmas. People used to kind of go up there to kind of move away from this place because they almost felt obligated to drink when they got down there. So much booze floating around here that they would kind of pull out and go up there. Well, Vern would stay up there and help me and come Christmas time he wanted to come down here and we was reluctant, not to say that we had control say to you let him go or not, but I brought him down. And as everybody knows, got ravishing drunk with this big spree, blew himself away. Very heartbreaking. Very traumatic. Emotional trauma was beyond what you could believe. Now, I'd like people to say that that person was his own. He was his own person. Vern Gregory probably didn't even know that he was going to commit suicide. A good guy. A perfectly good guy as everybody knows. The next one was his brother Crista, up the river, aways. Blew hisself away. And my own daughter witnessed that. It was terrible. Just terrible. And then followed was Peter. Which was just about a year or so ago. Who went down and brought some booze up and as I understand it, fell out of the boat or something and got exposed. Hyperthermia or anyway, he didn't wake up in the morning. In the house, they found him in the house. No, he wasn't in a boat. But it's pretty self evident that he over indulged, that's what I understand. I didn't come down. But, there's no doubt in my mind. People want to doubt it, that's OK. Their other brother, before all this happened, committed suicide down in Bethel, but that wasn't Red Devil. That was in Bethel from the same thing. It was booze, nevertheless. So, it's been very close to me. It's just really heartbreaking now. There's another person that used to come up to my place all the time. We loved him to death. My wife, in particular, really thought a lot of him was Matthew. Matt used to help me, my place, and we done everything we could to keep from giving him cash because we knew where that cash was going to go. I'd give him snow machines, outboard motors, take him into town, do anything that I could to keep from compensating him with money. And the day that he died or the day before, he stayed with me. I helped this guy in business up there and he stayed right with me till my last guest got finished and he wanted to come down. He wanted to come down to Sleetmute. All this time, I've worked with my conscious on not doing anything about this liquor store cause the people that own that have always long been friends of mine, and I knew everybody would take this personal, but let me tell you, it's gotten personal with me. So, anyway Matty, I remember when I wrote that \$100 check. I didn't want to give him too much because I was just thinking. Boy, I hate to do this. This amount to about 5 bottles. That's the way it'd look. You got to put your mind in that. And I give it to him and away he took off and everybody knows the rest. I found out about it in Anchorage because I was in Anchorage at the time and some of my fishing guests were still in Anchorage at the time that I called them and they was really upset. My wife wept like a baby, she was really close to him. So, that was just what it's come to my very personal, to me. And it's all because of this atmosphere that's created because of so much booze permeating the area. There's got to be a distance between the liquor store and this type of country around here. People don't have an 8 to 5 hours like they do in some of the more terminal points and in a lot of cases money is an excess commodity. They're going to eat and if there's a few bucks floating around it don't take but \$15 and you've got a bottle in your hands. There's no travel, no expense, and so, I would whole heartedly support the non reissuance at least of this liquor store. Now, I know the people down there've been bad mouthing me with this, but, and I hate to see our friendship go down, but you know, if that's what they're going to do, that's the way it is. I have a conscience too and I have put this off for a long, long time. But this last

episode was just too much for me. That happened to the village here recently. You know, you just can't go on and on like this and that's the way I feel about this. Now, I'm not denying anybody the right to drink but I think there's got to be a distance between this area and booze.

Ann Vanderpool: You've got your booze but to hell with the rest of them

Sharrock: Vern, I have 2 questions, if I may. You mentioned all it would take would be \$15 for someone to buy a bottle. Does that mean from someone locally or going up to Red Devil or? [Vern: Locally, I'm just ball parking that. I don't know. A bottle must be some where in the ball park. \$15, \$16, or something like that. But, it's virtually no expense to go down there, a boat trip. I mean immediately if you get the cash here, it means that you] (Ann: How do you know, Vern?) Please don't interrupt. You're out of order. Go ahead, Vern. [Vern: and that's the context that I was putting that in, so] OK. Sleetmute voted to ban the importation in July, 1982. Am I hearing people say, including yourself, that that election really hasn't worked, as far as importation is concerned or is it just, go ahead [Vern: It worked at first. In fact, I think the, you got to look at the ban of importation around the villages in a context that people tend to have an immediate feeling that they are abiding by the law. And when they voted for that, I think a lot of people really didn't know what, as far as, they thought that was it. No more booze. I mean, they thought] People automatically [Vern: Yeah, and so I seen a whole lot of difference for quite a little spell after that. As a, I used to fly charter and used to see how, I brought it in myself. I mean, other people would charter me and we'd bring it and unload airplanes loaded to the gunwales right on the ramp. What it reduced it down to, it cut all that off. Essentially, what it got down to was people sneak a bottle or 2 in along, you know, and now it has gotten some more deluded because there's no law at all. As long as there was a little law officer around here, that helped a little. But, it helped quite a bit. I see a lot of difference between the time before that the law was in and] Thank you very much, Vern. Jeannie Zaukar. Jenny.

My name is Jenny Zaukar. Here from Sleetmute, originally from Crooked Creed, but I would like to see the liquor store close. My opinion is to not renewal of that liquor license at Red Devil. Because there's been so much death accord relating alcohol. It seems like those 15 years that I've been living here, all I see was death of alcohol and no other natural deaths.

Sharrock: Thank you very much, Jenny. [Robert Gibson: I believe some witnesses, people who wish to speak, are being intimidated by action of authority] Annie, will you not interrupt any more, please. I'll have to ask you to step outside cause you are disrupting the meeting and I don't want to have people concerned about that. I'd like you to stay but I don't want you to interrupt anyone. Moxie?

I'm Moxie Alexie from Sleetmute. I live here all my life in Sleetmute. I'd like to comment a little bit on what Dennis Thomas and Evelyn were saying about having a choice. I would drinking for about 20 years. For past 3 years I've quit. But it's hard. I'm an alcoholic. Always be an alcoholic. I didn't have that choice. I had, I did everything. I sold stuff and I'd stolen. It was hard. I'm still fighting it every day to stay out of it, that booze. So, when we say we have a choice, some people don't have that choice. When you are an alcoholic you do anything to get booze. Another thing I'd like so say,

I'm for closing the liquor store in Red Devil. About the, I'd like to come around to importation, that local option we had for voting this community dry. With Red Devil liquor store being that close, there is no way, absolutely no way, you can control it. You could have 10, 20 state troopers here. They'll still sneak it in. No matter how many troopers you have here, looking over, watching the people come in by boats, snow machines, and planes, there's no way you can stop them from bringing, sneaking booze in here. Right now we have, I was, in and out of jail myself, I have felony conviction because of my alcohol abuse. Right now we have 4 people sitting in jail and these are all alcohol related. Four people from this village right now are in jail all because of alcohol related incidents. Last year, in '84, we had about 5 people that died, unnecessary deaths, all because all alcohol related. About people from Sleetmute going into Red Devil to buy booze, they know where they are going to drink the booze. They buy the booze there in Red Devil and those people know down there that they're going to come to Sleetmute, breaking the law of importation. They're not going to camp between here and Red Devil and drink up their booze and when their finished come up here to Sleetmute. They know they're going to bring it right into the village. And about going to McGrath to get booze. How many people here can afford to go up there? A charter plane go up to McGrath to get booze. There's very few. Nixie, when he had a charter service at one time. How many people can afford to charter up there and still have money left over to buy booze? There's very few people that do it. I'd like to make some other things straight. Is that I hope the Vanderpool people don't take this personally. It's not them that we're trying to hurt in any way. They're one of the finest people you can find anywhere. They are good people. But with all our people that are boozing here, not only here in Sleetmute, Stony River, and Crooked Creek. All over, you know, something has to be done about this liquor store in Red Devil and I'm for closing it. That's all I have.

Sharrock: Thank you very much, Moxie. David Marshall. [Marshall: Mr. Chairman, I have a few charts here that I'd like to pin up, so to save time maybe you'd like to call the next witness until I got these things pinned up.] All right, fine, thank you. Nick Mellick.

Mellick: I guess the first thing I'd like you to know there is, I was the owner of Red Devil Mercury Inn, the Red Devil package store at one time, here, some years back. When I first got associated with alcohol, which was the bar at that time there, it was such a great idea. It was within the year that I was sick to my stomach. But I hung around for 4 years. In 4 years time, I just couldn't take it any more. You know, a human being can only stomach so much irregardless of what the law say, and I think I can truthfully say, during that period there, I was always within the framework of the law. But you're so far out of it because there's really nothing out here. Stress is what got me in the end there and I had to give up and I sold out to my partner who was a professional mercenary. He, in turn, lasted only about 3 years after I had it. That was all he could take. [Sharrock: You mean because of selling the alcohol or] Well, a person has a soul. Like I told you there, you can live within the framework of the law there, but within yourself you don't have a framework. But you have to live with your people. [Sharrock: When did you own the store?] It must have been about 20 years ago. [Sharrock: Guess I could look here. Go ahead] You know you talk about individual rights. We've had people come up here and testify. We all have rights, including those that aren't born, and under 18 years of age. Who does the thinking for those people. They have rights just like you and I. But we

don't talk about their rights. Look what happened to them. You're here to work the time. You should have come here. Say on New Year's Eve when it's 40 below. Go in the houses. I, myself, don't like to visit anymore. I was born and raised here. For almost 55 years. And I'm ashamed to go cause I can't take it. No men shouldn't see stuff like that. That's nobody. Now who the heck talks for them? Where the hell are their rights? We are testifying up here. I'll not talk about names, it's just beyond the alcohol and from my understanding it's the alcohol, is it in the best interest or not in the best interest. And everyone testify up here should come out with that there. Is it in the best interest or not the best interest? Then state your reasons why. For me, it's not in the best interest. Of Sleetmute and the surrounding villages. I've brought up a list here. You've got a statue now in D.C., the wall of Viet Nam veterans. Well, we've got one here too. I've listed 85 names. (end tape 2, side 2) Most of our natural leaders, through accidents, all alcohol related are now gone. And you have no more natural leaders in the village of Sleetmute. And this is all due to alcohol. And I had a part in that, years back. You know, I'm ashamed to admit it. Moxie comes up here and it's a sad time when he has to go among your own people to say you're a thief, you're a robber, you're an alcoholic. And damn, that's not easy thing to say. But it comes a time there where he's forced to do this and this meeting has forced people to do that. And it's absolutely unnatural thing to do in any society in the world. And that's all I've got to say.

Sharrock: Thank you very much, Nick. Want me to wait one more time, David?
[I'm done]

My name is David Marshall and I live in Aniak. [Are you representing yourself?] Correct. I did a couple of studies the last few years on the crime in the villages of the local area. What I'd like to do, with your permission, is tell you what the studies show and then what I conclude from these results. But before I do that let me say that, in all this, I intend no criticism of Bob and Ann Vanderpool. I myself drink and it's my habit in the fall time to come to Stony to catch a moose and on the way back down, I'll stop in at Red Devil and sit with Ann and they're very friendly and hospitable and I buy a bottle and the last time I did that I remember Bob said, "be careful now" and never in all the years I'd been in there have they urged me to drink and always he's been very fatherly and told me to be careful. So, my comments are not in any way a criticism of Bob or Ann or the way they run their operation. My comments have to do exclusively with the consequences of this store in this area which I consider to be a time bomb. First time I did this study was 1979. And what I did was compare the rate of various kinds of crimes locally for the rate of the same types of crimes in the United States. And I did the same study again in 1981-82. And what these numbers show is that crimes against persons are very much higher in the local area than in the country as a whole. For example, murder and manslaughter in the first year which I did the study was 10 times as high locally as it was in the United States. Assaults involving weapons were 8 times as high locally as in the United States. Violation of liquor laws was 4 times as high. Assault was 4 times as high. And the same pattern is repeated in the second time when I did the study in '81-82. Sex offences locally were 9 times as high as in the United States. Non aggravated assaults, the common kind, beating, using of knives, general acts of violence again were 9 times as high locally as in the United States. So, these numbers indicate to me violence and assault and crime is epidemic in the whole area. Now what does

this have to do with Red Devil? The question is, "are these events related to alcohol" and so, I looked at that question too. Now here, for the first year for which I did the study, '79, we see that 87% of the crimes were alcohol related. And in 1981, '82, when I did second study, 74% of the crime was alcohol related. That seems to be fairly conclusive that something is going on here that has to do with booze. The question is where does it come from? Mostly, it comes from Red Devil. Now, what I did then was say alright, let's see what the rates of the crime is as distinct from the numbers of crimes in the village. If you divide how many crimes happened by the number of people in the village that have the rate of crime by type incident for each village. Now, that does away with the influence for the population size on it. So, we're able to compare village. If one village has a lower crime rate than another, it may or may not mean anything. -It may mean it simply has more people than the other. But if you divide the number of incidents by the number of people then we come up with a rate so we can compare villages. and so I asked myself the question, "If we plot the rate of crimes by village, against the distance from Red Devil, does any patterns show up? Now here is Red Devil, at mile 0, and here is the Kalstags at mile 141-150. This red line shows the rate by village of the villages as spaced in terms of their distance from Red Devil. Now if proximity to alcohol easy access to booze from Red Devil is an important explanatory variable in terms of what causes the rates of crime in the villages to go up. Then you would expect the line to slope like this and it doesn't but only because in Red Devil itself, there are hardly any crimes. In the first year for which I did the study there was 1 crime. In the second year for which I did the study there were no incidents, leaving aside Red Devil, which is another matter it's fairly clear to me, the pattern is the closer you are to Red Devil, the greater the crime is going to be. Sleetmute and Stony have incidents at the rates of 5.4 and 5.3 in '79. Crooked Creek has an astonishingly high rate of 13 incidents per 100 people. Get down to Ch... which is 100 miles from here we have rate of 1.6 per 100 people. Aniak shoots up, but there again, it's much easier to get booze in Aniak than it is in Kalstag, because a great deal of booze is flown into Aniak by plane from Anchorage. So, these are the 2 major sources of booze. For the upriver villages, it's Red Devil and for the downriver villages, it's Aniak, except not as much traffic of people going to Aniak for booze from the neighboring villages as here. One of the things that one notices is the percentage of these crimes accounted for by adult male natives is very high. For example, in 1979, 58% of the crimes were accounted for by adult male natives except for Sleetmute where 0% of incidents were accounted for by adult male natives. 4 of the 6 incidents were adult non native. A 1 man crime wave. And 2 of the incidents were juveniles. And again, in 1981-2, the percentage of crime in all these villages was accounted for by adult male natives was 70% except in Sleetmute where only half of them were accounted for by adult male natives. In Sleetmute, 2 of the incidents were accounted for by adult non native and 9 of the incidents were accounted for by juvenile. Now, what that suggests to me, but I'm no psychologist, is that the disintegration of the village of Sleetmute has gone further than in any other village and it shows up particularly in the juveniles, the high proportion of the total crime is accounted for by crimes committed by juveniles. My feeling is that the license in itself is a license to kill, this area at its maximum and I hope the Board can do something about it. If there are any questions on these numbers, I'd be happy to answer those. I'll type this stuff up when I get time and mail it off to you so you can enter it for the record.

Sharrock: I would like to and I was going to ask you if you wanted to leave those with us or if you wanted to summarize it some other way. [Marshall: It'll take a little but I'll type it up] I have one question, 2 questions, David. This information sounds like you may have taken it from the criminal justice system, the annual reporting stuff that they do. Did you digest that and put it in this form or where did you arrive at your, I'm just looking for the source of the numbers? [Marshall: You want to know where they come from?] Yeah. [Well, for the first year, they come from the files of the constable we have in Aniak. That's for the year '79. They were then supplemented in interviews I had with local magistrates and troopers in Bethel and the court system there. Now, for the second year, '81-82, the source of these numbers is police files in the Department of Corrections in Juneau. Again, supplemented by discussions with magistrates, judges, judicial system, particularly in Bethel.] OK, thank you. Excuse me, what's on your last sheet? [Marshall: Oh, in case anybody wanted to write anything in support of this See, what I've done is and villages are really hurting. I think these numbers show this. Much worse here than in the U.S. Most of the crime is related to booze. The easier it is to get booze, the higher the crime rate. The only local liquor store is in Red Devil. When it gets close to Red Devil, you have the highest crime rate and therefore I concluded the Red Devil liquor store is the major source of social Disintegration. It's a time bomb and it has to stop.]

Roach: Mr. Marshall, I have one question, if I may. On your graph, I see another set of dotted lines running up from Red Devil, they're colored blue, I believe. [The red line is for the first year and the blue line was for the second year, '81-82. Here we show Sleetmute, far and away the highest crime rate of any village, 20 per 100 people as compared with the next highest crime rate which was 7 per 100 people in Stony River. So the 2 villages closest to Red Devil in the latest year for which I did the study on, how much the highest and the next highest is Crooked Creek and then the next highest is increasing distances away from Red Devil.] Thank you.

Sharrock: When would you want to send us your information? [Marshall: Do you have a deadline?] Not necessarily. [Next week?] That would be fine.

Mellick: David, these are reported cases? [Marshall: Correct. Only from reported cases. [Mellick: and that may be an underestimate. Is that what you're saying? Marshall: I agree. It may be that there's half as many again as the numbers I got. Lots of stuff never gets to the troopers.]

Sharrock: Thank you very much, David. [Paul Longpree] Go ahead Paul.

First of all, I'd like to state my name which is Paul J. Longpree. My home is 27 mile, Holitna River. That's just a bit south of Sleetmute. The principle, the only community that I have intercourse with really is the village of Sleetmute. I am a border in this precinct and over a period of 13 years, I have developed a friendship, a close friendship and close tie with most of the villagers, most of the people that live in Sleetmute, the village. I vote here, I get my mail here, and I occasionally use the only village phone. At one time or another, I have visited, with my wife and my family, I visited everybody within the village. I know everybody. I know their backgrounds. I know their future aspirations. I have seen Sleetmute grow. I am also a homesteader and as a homesteader, I want to speak for myself as I want to certify here that I

am not actively plotting against Ann and Bob Vanderpool as to having the liquor store closed although I am for having the liquor store closed and I hope they don't take it personally. I've always been received well at the Vanderpool's. They have opened their doors to me on numerous occasions, given me a cup of coffee and a piece of cookie to go with it. We have had some really good conversations over there. But, as an adult, as a homesteader, as a citizen of this area, I recognize that this area has one big problem. And it's also identified as the same problem that most of the United States has. Problem No. #1 for United States is alcohol. Problem No. #1 for Alaska is alcohol. Problem No. #1 for Sleetmute is alcohol. And I'll take that one step further and say it's not only alcohol but alcohol abuse and that is where I want to narrow it down. I ask myself a question about alcohol and alcohol abuse, "Is alcohol in this area to the best interests of the village of Sleetmute? Is it in the best interest or is it not in the best interest of this community?" And I emphatically state that it is not, and I repeat it, it is not in the best interest of Sleetmute to have liquor sold at such a close proximity as the Red Devil liquor store. I have seen friends drunk. I don't like them drunk. They show me a side of life that is almost entirely foreign of the native peoples of this area. I have seen these same people sober and we talk as men should talk. We share as men should share. I have seen many deaths in this area that are alcohol related. I'm sure they're all documented. Everybody has alluded to it at one time or another with the previous testimonies here. And I am sure that every single person in this room here has someone in their family or a very, very close friend who has been detrimentally affected by alcohol abuse. Either in a form of drowning by accident where alcohol was related and shooting accidents where alcohol was related and suicides where alcohol was related. Alcohol seems to be the prevalent thing that comes out with anything ever happens over here in conversations. So and so got raped last night because so and so was drunk. So and so got shot last night because so and so was drunk. So and so fell out of the boat last night because he was drunk and on and on and on and on, year after year after year after year. My heart is heavy with sorrow for these people over here in Sleetmute. My heart is heavy in sorrow, I repeat it. I am sick at heart of seeing these people die off because they cannot control their own selves when they are drinking too much. And as this David Marshall has pointed out in his studies there, the closer you are to the source, the worse it is. I'm here to verify that. It is bad. The kids in that school yard don't play traditional games around here. But, once I was walking by the school yard and I saw them playing drunk and I said, "My God, that struck home. That is just a reflection of their own environment." There they are, they have parents that go out and get drunk and that's all they see, day after day. They see their uncles, they see their friends, everybody participating in this adult game of getting drunk and there are the kids playing drunk in the school yard. They drive the point home. My position is this: Close the Red Devil liquor store, package store down. It is of no community service. It undermines the decisions reached out here by the village elders that's been already spoken. They are against alcohol in this village. They can't control it. There ain't no law out here. The law always comes in after the violation is committed. Somebody gets axed or somebody gets knifed, the incident is all over. They send up the trooper, they cart off the victim, and then try to apprehend the criminal. The criminal knows the airplane, circles around, and pretty soon that person is hiding in the woods some place. The troopers keep coming up and coming up trying to apprehend somebody. They never get him. Only by accident do they get somebody. There's no law over here and when you start distributing

liquor in the amount it is distributed in this area and you have no law, that license should not be there. You got a city situation, you got a McGrath situation, Aniak, Anchorage, Fairbanks. You've got law and order in those areas. At least you have the government enforces the controlling. Everything is controlled. Hunky-dory. But out here, you don't have that kind of control. And you're dealing with people that have drank for so long, they are either chronic drunks or outright alcoholics. And I think people in that condition are not able to make their own decisions in regards to booze. It's just like the person was addicted to smoking cigarettes or addicted to taking marijuana or any other substance. You can't help yourself. You've just got to have it. And I think people like that are really sick and should be treated. But they shouldn't be tempted with the presence of alcohol. And in closing, I'd like to state that I have a wife and I have a child that I'm raising and I just fear sometimes to come down here in the village with my wife and my family because of all the conditions that exist over here when people are drinking. It's a danger. You don't know when somebody's going to come crashing out of a house with a shotgun. You don't know when somebody's going to barreling down the trail with a snow machine. There's just too many dangers to expose my family to it. That's all.

Sharrock: Where's your homestead again, Paul? [It's 27 mile, Holitna River.] Thank you for your very candid comments. Margaret Longpree. Where's the baby [Paul: I hope he's sitting on the porch eating his, a piece of pilot bread.]

My name is Cary Longpree, my middle name is Cary, I go by that and I came here 13 years ago to homestead on the Holitna River. Of course, that's mile 27. Although I leave periodically to go to work or go to school, I regard this area as my home. This is where we want to raise our 4 year old son. I have many friends here. I can't think of one enemy I have here. For me, I feel like it's time to stop being polite and not saying anything about the alcohol problem here. I just feel obsessed with the necessity of making you see the severity of the problem here and of convincing you that you have to, you don't have to, that I wish you would exercise what ever authority you have to try to help control it and I've spent the last several days, last week all worked up thinking about what, what can I say to you to convince you of this, to illustrate the problems we have here. And I think, should I tell you about Matsy and Steve? Good friends of mine who died because they were drinking. How much I miss them? How much this whole village misses them? Should I tell you about the kids here who start to drink before they're born? They play drunk as pre-schoolers? About my own kid who plays drunk? About how these kids have to begin to deal with hangovers by the time they get to elementary school? Should I talk about all the alcohol related crimes? I could tell lots of, about lots of horrible things that I've seen happen, if you want details of any incident or whatever? But to me, the most alarming thing is what's happened to the way we see things here. It's just like coming down the river in the boat today. I noticed the first signs of yellow leaves here and there and pretty soon they're all going to be yellow. We're all going to get used to seeing them yellow. Pretty soon, we're going to have snow all over the ground. We're all going to get used to that. Right now, if it snowed and we had a big snow, it'd be abnormal. It'd be something really different. What is abnormal now. Well, I guess, what I'm trying to say is, it's so easy to get used to the drinking problem here. What's viewed in some places as abnormal, is normal here. It's normal, when we get off of the boat and check with the kids. The kids always

know who's drinking. You want to go visit somebody today? You want to check out if they're drinking first because you don't generally have a good visit when people are drinking. Is that a normal way to do things? Is it normal to have people killing each other? Is it normal to have people beating each other? It just isn't normal. We all think it's normal. We all get used to it. I get used to it. I feel sick with myself for not talking to Matsy or talking to different people. You just- I don't know. It's something strange. I understand that at one time that wasn't normal around here. At one time, I understand, people didn't drink all the time. It used to be abnormal, that hardly anyone ever got drunk. Now I see that there's almost no one here that doesn't drink to excess. Now, when someone decides to quit drinking they're an oddity. They're strange. They're different. A person who decides not to drink anymore at all. I know there's a lot of pressure put on them to return to the new norm of drinking all the time. The norm of alcohol abuse. For the children here, this isn't a new norm. This is the only norm that they know, that they've ever been brought up with. They're born to it. They can't remember days when people didn't drink to much. For them there are no such days. They're learning a new culture - an alcohol culture. There have been attempts to turn this situation around. This village voted itself dry a few years ago. This village called on AVCP for help in some respect last summer. This village successfully petitioned for you to come here. I think it's evident that there's a strong desire to do something about the alcohol abuse problem here. (end tape 3, side 1) People say, well then, if Sleetmute wants to be dry, they should be dry. They should quit drinking. They should quit bringing alcohol in here. I think sometimes people tend to forget maybe because it's legal that alcohol is a drug and a very strong drug. And that an abuser can't quit drinking as easily as they might decide not to have dessert at night after their dinner or some other thing. Alcohol is in a special category. I think we need to make it easier to quit drinking by making liquor harder to get. We have a little taste of what it could be like here. Once in a while, the liquor store runs out of booze. Sometimes the liquor store, they close operations during Slavic or special holidays, during elections. This is a different place around here. It gives you just a little bit of a taste of what it could be like and I also don't fault Vanderpool's with the way they run their store. I actually don't have information, I don't know anything about how they run their store. I know, personally, I like them. Bob and Ann have always treated us well. I have nothing against them at all. As far as any statements Ann made about homesteaders, as a homesteader, I want to make some comments. I don't believe we were allowed to vote in any election to ban alcohol here. If I could have voted, I would have voted to go dry but I hadn't, legally, I couldn't vote. I know that since this village has voted to go dry, I, at least, have not brought in any alcohol. I'm a very light alcohol user. I'm not a teetotaler but I, we make home brew, which is legal, legal to do. And we drink it extremely moderately. I've never brought anything in here since that time. Not a bottle of Kahlua, not anything. I feel, on principle, that I feel legally, I have to follow that law and on principle, I do. I think it'd be legal if we decided to have a party up at our homestead on the Holitna, I think it'd be legal to serve our homemade homebrew, invite the whole village and serve all our homebrew. I think that's a legal thing to do. I think it's legal to sell, there's no question, it's legal to sell booze down in Red Devil. They have a liquor license. It's legal. But I don't think that means it's moral. And I hope that you'll, by whatever powers that you have in the matter, I hope you can help bridge that gap between what's legal and what's moral for this people in this area. That's all I have to say.

Sharrock: Thank you very much. Peter, , what's the population of Sleetmute? (I have no idea) 110? (It was last year It's right around 90 something.) Bill Wagner?

My name is Bill Wagner. Today, I'm here as a designee of Kuspuck School District. [Say again, Bill] Kuspuck School District [Prospect?] Kuspuck School District. The school district in which you're all now. I'm a designee of the district today. But I would like to emphasize, this is non representative of the issues and the question have, but the district would like to issue an official statement. We, as educators, are aware of fetal alcohol syndrome and the problems and dangers associated with it. Mr. McHenry is in Fairbanks and sends his regrets for not being able to attend the meeting today. Thank you very much.

Sharrock: Thank you. Susan Soule? Did I pronounce that correct? [Yes]

My name is Susan Soule and I live in Aniak. From May of 1979 until the end of May in 1985, I worked for the Kuskokwim Native Association as director of their counseling program which included mental health, alcohol treatment, alcohol education. Traveled a lot to many of the villages of KNA. Had a staff that traveled. Got to know a lot of people. Got to hear, certainly first hand, how alcohol has affected people's lives. What you have here today, I think, are people asking for your help. And they're asking you for your help to fight a disease. And as Moxie said, it's a disease that when people have it, they lose their free wills. It's extremely difficult to choose not to drink when alcohol is available, when you have the disease. As David's numbers indicated, and the testimony about deaths, it's more than a disease. It's an epidemic. Four men from Sleetmute drowned last summer. That's 10% of the male population between 18 and 60 in this village. Moxie said 4 men are in prison now. That is another 10% of the male population of this village. That's a serious disease. That's a staggering epidemic. Moxie talked about what's happening to children. At the present time, there are 21 children between the 3 villages of Sleetmute, Crooked Creek, and Stony River who are either in the custody of DFYS or receiving protective services from DFYS as a result of their parent's alcohol use. That's 18% of the population of kids between 0 and 16 in those 3 villages. That's an epidemic. Children still living at home, with parents who are drinking, are having a rough time. It's a hard way to grow up. Fetal alcohol syndrome is hurting kids before they're born. Research says the sons of alcoholic fathers are 4 times more likely to become alcoholics themselves. It's the disease that not only hurts individuals and families but ruins the future of a whole people. It's a culture destroyer. Values, traditions, life styles - it's getting lost. It's not being transmitted. The future leaders of the villages are dead or in prison. Because these are people who were they not intoxicated would not hurt a fly. Would not have done anything to anybody. We're not talking about harden criminals when we look at these statistics. We're talking about some of the gentlest people I've known anywhere in the world. Alcohol's quite a disease. It makes people act crazy. It makes them do things they would not otherwise do. Natives in Alaska were hit by another disease. Tuberculosis. Similar to alcohol, they were both introduced by people from outside, by white people from outside to a people who had no prior experience with the infection. Not having been exposed to TB, not having been exposed to alcohol, there's no natural resistance. That's why it hits people so hard here. That's why so many people died of TB. Well, medicine and public health people know this and there's a standard 3 part approach to fighting an epidemic. First of all you treat the

sick and the State of Alaska has given increasing amounts of money for alcohol treatment. It doesn't always work. Sometimes it works. The State is trying. The people that work in the field are trying. Part 2: You try to protect the healthy and the State has funded alcohol education and prevention programs. I know during the years I worked, myself and my staff would go into the schools and work extensively with kids. Part 3 of the 3 part approach of fighting an epidemic is try to eliminate the source of infection. And that's exactly what the people of Stony River and Sleetmute are asking you to do. Eliminate the local source of infection. There's no question, I think, that most of the alcohol that's drunk in these 3 villages comes from Red Devil. Certainly, not all, but most of it. People say to me when Red Devil is out of booze the village is good. You can walk around. You can visit people. I believe, people have told me to the best of their knowledge that the deaths, the alcohol related deaths last summer, all the alcohol came from Red Devil. That's the source of the infection for these villages. And all the other efforts, treatment, prevention, Sleetmute's efforts to vote dry in the face of no law enforcement, are really admirable. It can't work. It doesn't work anywhere in the State where there isn't strong law enforcement. It's only logical to take that 3rd step in fighting an epidemic which is doing what you can to eliminate the source of the disease. I want to end by telling a story that actually happened in Sleetmute and I think it goes back to 1980 and I was working in the school, the elementary school with a bunch of 3rd and 4th graders and we were talking about alcohol and about kid's feelings when they saw a boat or snow machine come into the village with booze. And that was before Sleetmute had voted dry. So it had been then. Be lots of booze coming that way. And I asked the kids to draw pictures that expressed their feelings. Most of them drew pictures that expressed sadness. There'd be little stick figures of kids with down turned faces on the river bank looking at boats with bottles in them. Some of the kids expressed anger and there'd be little kids throwing rocks at bottles. Little kids shooting arrows or guns at bottles. One picture was of Santa Claus flying over the village with reindeer and houses with smoke coming out of the chimney and written across the top of the picture in big letters the kid wrote, "This picture is not about alcohol, it's about happy." (Applause)

Sharrock: Gail Vanderpool? Is Gail here? Ann, is Gail here? [Yes, she's outside.] We're going to continue here. Bob Gibson has some comments. Bob?

My name is Bob Gibson. I live in Aniak. I represent no agency, I'm speaking for myself. I first visited Sleetmute in the winter of 1956-57. Jimmy Hoffman, whom many of you will remember, dropped by where I was living and said, "Hey, ride up in the mail plane to McGrath with me. You'll enjoy the trip." We landed at Sleetmute and the temperature was about 25 below. And the person who met us at the mail plane said, "Something bad has happened in Sleetmute." And Jimmy said, "what's that?" "A 16 year old girl froze to death last night. They were partying." Well, I traveled up and down the river off and on since then. This is some of the most beautiful country in the world and some of the finest people that I know and that's why I've chosen to live on the river. I don't see Bob Vanderpool here now, but I've known him a long time and I know he wouldn't do anything bad or illegal. And I have been to the store at Red Devil and I purchased alcohol there. And I have no information that they're in any way violating the law. But, some other friends of mine have said that nobody forces anybody to take a drink. Nobody who is an adult should have his rights to choose restricted. This is beautiful. The alcoholic can say I'll choose to

take a drink. But it's damn hard for an alcoholic to say I choose not to drink and make it stick. And what we've got here are the finest people in the world that have been trapped. As Susan says, it's the disease that got them. And it's a disease brought in from the outside. If it were just adults, the individual person who drinks and has a hangover or drowns himself, that would be bad enough. But what about the people who have nothing to say to about it? What about his kids? What about the unborn children that are drunk in the womb before their fully formed? Those are the people that need the protection. Not the person who says, "I can choosed," and does. I kind of threw away my liberal card because sometimes freedom of choice is a losery. When we have a structured society where things are expected of us, an 8 to 5 job, it's a lot easier to avoid the trap of community alcoholism. I would probably not have come up here except for somebody called Paul Andreanof from the village of Sleetmute. I met him a few years ago as a student. Paul drinks. Nice guy. Competent. He was friendly and smiling whenever I came up here and he, couple times he drank a lot of black coffee, to sober up when he knew I was coming. I don't know how come Paul's dead, but I understand alcohol was involved. So my feeling is that there should be no condemnation of the people of Red Devil. They are not doing anything illegal but people who spread tuberculosis weren't doing anything illegal either. So, I believe it, in the best interest of this community, and I don't speak of just the community of Sleetmute, but I speak to the larger community of which I am a part, which extends from the coast, and I've seen my friends from the coast up here, on booze buying, all the way out of the region, I think it's in the best interest that this license not be renewed. I think it should also be a part of the record that I don't think this is going to solve all the problems. But at least, it's going to get a little bit of distance between ready availability and non availability and having it there. The other programs will have to go forward. I think Sleetmutes calling for help. I see people I didn't think would ever lay it on the line how they felt, doing that today. And it makes me feel that this is a proper step that this community, however possibly, even mistakenly, is trying to cope what they recognize as a problem. That's all I have to say. Thank you.

Sharrock: Thank you very much, Bob. Johnny Johns? Did you want to make a comment? Will Nick have to interpret for Johnny? Nick, would you want to interpret? [Yes]

My name is Johnny Johns. I am 81 years old and lived all my life in Crooked Creek. I knew ever since I know. It tore up my brother's kid, it tore up my son, it tore up my neice b;y the drink. I used to drink myself too sometime not all the time but once in a while. But I try but it's no good. I quit long ago. Over 20 years now I never drink.

The people in the surrounding area concerns him very deeply and with sorrow, for himself it is now meaningless cause he's at near his end. But his greatest concern is for the young people and what is happening to the young people. He re-emphasize again, his greatest concern of those related and unrelated and what has happened to them and he said we're one people under God and we all deserve the best. He said on this earth alcohol with religion is unnatural because it causes all kind of problem. Two brothers, 2 boys and 2 nieces and 1 nephew. Those are his personal loses. From alcohol. He expresses the fact that you people are of letters and educated. You should know better. He is uneducated and he needs help in these matters because they are foreign to him.

He said all these things are happening and our ears are open. We hear but yet we do not understand and we cannot do nothing about it. (end tape 3, side 2) It has been many, many years that he has been sad. Sadness for those that are related to him and unrelated that have gone because of alcohol related. As far as it concerns alcohol, he has many, many things to say but it would never come to an end so this is all he has to say.

Sharrock: Thank you, Johnny. Thank you, Nick. Annie Waskey? Would you like to make any comments?

(Translated by Nick Mellick) She's sorry to say she's here because this problem here and she's going to go ahead and comment on what she has to say. Ask question people. Say that alcohol has been condemned by religion. Ask natives the way we talk is absolutely meaningless. Nobody understands. [What does she mean by that?] Well, you're stepping on them. [Oh, I see.] They're being stepped on. She said, the young people are just like the whites now. They've lost their culture and their language. She tried to tell her children that alcohol is bad but they no longer hear or listen to her. It's seems to be like that all over the world. It's seems like when everything is coming to an end nobody listens anymore. We shouldn't be consuming alcohol in this manner because we are Christians in this world. Alcohol is no good, has never been any good, as far as time goes back. And this is common knowledge. Our kids no longer listen. The same is true of us older also. We no longer listen either. It's only with love that we get together and not to argue and fight. That's all she has to say.

Sharrock: Where is Annie from? [She's from Crooked Creek.] Crooked Creek, also. [You've lived there, how long? (for a long time)] Please express our thanks to her. Well, everyone who has spoken who has indicated on our sheet that wanted to speak. Eddy has said he has a couple more questions he would like to direct but before Eddy begins our conclusion, I guess, is there anyone else here, who may not have wanted to indicate that they wanted to speak or if you'd like to speak in your native language, fine. Nick said that he would certainly interpret for you. We're certainly here to take the time so don't feel bad about taking up our time. That's why we're here.

I'd like to make a few comments. My name is Glenn Fredricks, I'm president of the Kuskokwim Corporation consisting of 11 villages from Aniak, Kalskag, on up to Stony River. A native corporation. We in the corporation have been very concerned about alcohol. Any consumption of alcohol. We are looking for the younger kids to be in our shoes in 4 or 5 years. The leadership will have to change. If we continue to use alcohol, we won't get very far. I believe I have some questions that I'd like answered, is that the State of Alaska made a law, of local control, and I don't think the State of Alaska is upholding that law. They should give these villages, in my mind, the tools, meaning money and help and state government to control, if they were to go dry. Working with the village councils, maybe they do that but I think it's the direlect of the state government itself. They pass this law and gave it on to the village councils to administer. Have they been taught what these laws are? No. They have not, probably. Our VPSO's and so forth. They are hired and fired. Just like that. How can then these people control that option, the state law? To me that is direlect of the state government. I think somebody in our organizations should ask the Attorney General for an opinion. Who is obligated to administer

that law that they passed in Juneau? And how to do it with the monies that the state government has? And I think those are critical questions and hopefully we could answer these by the Attorney General. Because it is not right, in my mind, to give this awesome responsibility, the law itself, to the village council to administer. And I think that there should be some answers and questions from our own people. Again, I'll reiterate that we in the corporation are very concerned of our young people and alcohol consumption in all the State of Alaska. And I don't know how you control it, whether you close down Red Devil, McGrath, Dillingham, what have you. But that alcohol is going to come here and I think the key question in this is how to help the local council to, if it's a law then let's abide by that law. We're all breaking it as I see it now because lot of villages in this area are dry, yet they import. Now, I don't think there's never anything done and I think that's breaking state law and who is doing that? In my mind, it's the state government. And I think that should be cleared up. Thank you.

Sharrock: Thank you. Anyone else? Eddy?

Eddy: I guess, I'll be the last. I was speaking to a few people last night. They said, if they close this liquor store down at Red Devil, you cannot buy any groceries from our store. This is not right to say that. They cannot say the words they said to the people here at Sleetmute if they want that bar closed down there and boy if I ever hear about it, I will take it up to the Board again if I have take it to the Attorney General. Nobody, nobody has the right to say that. That's against the law to be talking that way. That's all I got to say.

[Mr. Sharrock, may I ask a question? (Surely, David) to be sure I understood what Eddy said. Are you saying that people told you that or you heard somebody-]

Eddy: The people told me that.

[Mr. Sharrock. (Yes, Nick) I have that piece of paper read that
(Which one one that?) The one he gave

Mallack: I got a piece of paper here that at the time David came up with these graphs here. At the time I was ordering for the bar at Mercury Inn down there. One fall, and I'm talking about excessive drinking, one fall I ordered 1 cargo of beer. One cargo encompasses 7,000 cases of one brand, which was Schlitz. It was delivered to Red Devil in September and all the alcohol was gone in March. I served approximately 300 people. Opening hours were from 4 p.m. to midnight. Closed Mondays. I reviewed those figures there and come to the conclusion how much alcohol was consumed and this was just one brand.

[woman]: I have a question about

Sharrock: I hope I remember all your questions. No. #1. Licensed are renewed annually. The licensees are required to file with the Board a renewal application and villages and incorporated cities with village councils or city councils may, under what word used in the law, is protest an application. [] Where it is, yes. And if a license is protested, the Board may not grant that renewal unless the Board, under the law, finds the protest

to be arbitrary, capricious, and unreasonable. So, there are special standing, there is special standing given to villages and cities. That is not to say, though, that villages surrounding an area can also make comment by objecting to the renewal, but they don't have the legal standing of a protest, if we can differentiate what I'm or get what I'm trying to say here by differentiation. But licenses are renewed annually. [Can a license initially granted, how is that determined? Is population taken into account. How is that determined initially. Well, this license was initially issued, I understand, before statehood. There has always been some form of population limitation, except there was a period in Alaska when there was no liquor law at all but then, it was repealed and then it was reinstituted. Predominantly, licenses are issued based on population. There has been a new law enacted this year in the legislature which doubled the population requirement for licensing in areas. [Now, would that be for issuing new licenses or retroactive?] It wouldn't be retroactive. At least the law didn't provide for that. [Sir, what would be a good reason for a license to be issued to an area who had never had a license before, let's say, as was Red Devil in 1955? What was the reason given then to bring in a liquor license?] All I can say is what I've heard. At the time the license was originally applied for, maybe Nick can help with some history here, applied for, I guess there was a lot of mining in the area at the time and I think that's what stimulated the apparent necessity for some kind of a license and that's what I've heard. [Well, sir, let me point out to you also that mining is no longer going on here in Red Devil. The license was issued for that particular purpose and it no longer exists. How come the license has never been withdrawn? That's my question for the record.] I wish I could answer your question, for the record. In terms of being something factual or but I can't to the degree that there has been any foundation or what ever you might ever use it for the license to be revoked. Once a license is issued, I'll have to say under the law, it has been some circumstances that either in the public interest or are, can be identified, for a license to be revoked. I'm not saying I agree with that or don't disagree with it [OK, my question was, another question followed. Is a license to sell liquor, the type that Red Devil has, is that transferable to another individual or to a different location?] Yes. [The license is sellable. In other words, a guy can take his license and sell it John Doe in Crooked Creek or John Doe that lives in Anchorage, for instance. Is that correct?] No. Most licenses are transferable to other persons. Most licenses are transferable to any locations. However, usually it's, to make it easy to explain, licenses can transfer with the proximity, let's put it that way. You couldn't transfer a license to Crooked Creek for example. Crooked Creek, under provisions of law, is a dry community right now. For that community to have a license in it, they would have to have an election saying that they wanted the sale of alcoholic beverages. It couldn't be transferred to Sleetmute because Sleetmute has banned the sale. It couldn't be transferred to Anchorage because under law that is a zone special entity defined by the boundary. [OK, my next question is, in the event that the license was revoked or not renewed, as a possibility, this is real, that would leave this area without a liquor license, is that correct?] No. There is another liquor license in Red Devil which is a restaurant license for the sale of beer and wine in a restaurant. [OK, we're not concerned here with that?] I haven't heard any comments about it. Well, there is a license there. Gail Vanderpool [We're talking about 2 separate licenses, 2 different licenses] Well, I've only heard comments in terms of the package store. [Beg your pardon, Mr. Sharrock. Correct the record. Listened to testimony very early on. I quote

almost the exact words, "not only not want the liquor store, package store license, but in fact, they don't want any beer or wine sold either" referring to the original opening so I think that's very clear in the record. I think all through the records, they talk about alcohol not wanting beer or wine or any type of license. But when you use the cause for revoking of license. This morning I gave Eddy 2 pages of people's death directly related to alcohol. Now what would be the cause of revoking a license, 10 deaths, 20 deaths or 85 deaths? Should consideration be given to a condition like this? You have the names of 85 people. There maybe more. That's what we come up with. Directly related to alcohol.]

[Sir, in regard to this second licenses, I had my hand up, I was recognized][He was responding to Mr. 's question. Would you repeat] I thought he was just giving me a statement. Did he ask- [No, he asked how many deaths] I can't answer that. [You got it right there] [in consideration for renewal or revoke the license] I wish I could answer you question. [What prevents you from answering this question?][Well, not so much that what about the guy that's sitting on your right? You say he does investigating. Now, it's only through him personally that you investigate? You got the state troopers up here. You've got local. Why aren't they utilized or comments asked for?] From those people. We have talked to the troopers. [Not only from the village people also from the troopers, the magistrates.] Yes. We have asked the magistrate and the trooper and I don't know who else you talked to in Bethel about the license in Red Devil and we have comments and those comments were presented to the Board this last meeting and those comments are one of the reasons we're here because those persons also expressed comments to us and I have a letter here that was given to me from the District Attorney in Bethel also commenting about alcohol, related to Red Devil. [Then, if that's the case, we're talking about renewal.] I didn't hear you, Nick. [Why did you not come earlier years if you had heard these comments and what not these various departments or what not in previous years?] What I'm trying to say is or what I said at the onset, Nick, this is the first year or first time that, at least in the 8 years that I have been director of the Board have heard any comment at all, really, in terms of something coming before the Board about concerns at Red Devil. I guess, I would have to say, I was in a hearing similar to this 8 years ago in McGrath and I think someone mentioned the name Red Devil or Takatna, one of the 2. [What you are kind of saying here is what the deputy magistrate reports or the state trooper reports is really meaningless, unless you count directly from that community or from people within the community so it could come up here and testify and for a lot of them feel like they make a fool out of themselves.] No, I didn't mean to say that or have you understand [I didn't say you're doing that, but why haven't you come earlier?] That's only been recently. That's just been in the last couple of months. [I'm sorry, I thought you were talking about going back to previous years.] No. No. That's just been within just the last couple of months and that was initiated by other comments we had gotten about incidents in this area and a request to hold a hearing or come here and have a meeting with you people to try to get a better understanding and even if hearing from the magistrate or the troopers or so forth, it's certainly obligatory on our part to come and talk to you people. But, I'm just say, that was part of the stimulation for coming here and [You know, we talked about rights, individual rights and what not. Your responsibility. We had both parents drown here directly related to alcohol. Who bears the responsibility? That area there. As far as renewal is

concerned. And you do not have the right to take another parent or both parents or relative away because it's directly related to alcohol. I lost one brother, one son, alcohol related and that scar will always be there.] I think I've always said it's a collective responsibility. [I don't want nobody else to go through whatever I went through because alcohol related.] This gentleman behind you had a question [I, just a minute. I got a plane to catch. I wanted to thank you letting me be here at this meeting today.] I appreciate your coming. [Our plane is leaving, leaving about 5 minutes] Thank you Eddy. Yes.

[]: I'd like clarification, a legal definition of community interest. I thought I heard you say community interest [Vern, don't leave. You're going to be next.] is defined by the community in which the license is held, is that correct? [Not necessarily. No. I was trying to differentiate and the answer her question is, that a community in which a license resides gives that community some special standing under the law for that community to "protest" renewal and I use that word with quotes around it because that's the word that's used in the law. If that community protests the renewal of a license or a new license or whatever, the law tells the Alcoholic Beverage Control Board that they cannot issue that license or renew that license unless they find the reasons for the protest to be arbitrary, capricious, and unreasonable. And those are the words used in the law, too. But, as I tried to also say, that is not disenfranchise residents and other communities in the area from also making objections. But they may not protest, using that word again.] Protest meaning that that's grounds for immediate refusal? [It's grounds for a special legal standing under the law, that even if a license were to be protested, even if I were to go back to the Board and give them a report and say, those people don't want a license within a thousand miles of there, the Board could say, OK, we'll agree with that, we will deny those licenses or deny renewal, you must realize that those persons that hold those licenses also have the right of appealing that decision and for as long as they appeal, that licensed premises may remain open unless it's closed by order of the court. So, I'm not saying, things are long or short.] How about renew? [Same thing] You would have to renew that when it's under appeal? [Well, no. If the Board denied renewal, for example,] You're going through a appeal process, you would still have to renew them. [The premises could remain open, yes.] Otherwords, you have to renew it. (end tape 4, side 1) [If he appeals, the license is still now renewed, but during his appeal, the premises may remain open.] Otherwords, you would still renew until such times as the appeal process goes through. [You could it in those words, yes. Vern's next, you've already had a chance. Vern?]

Vern: Yes, what I was going to say was I think, basically, what you're telling the people here is really educational because I found that no one, personally, knows the mechanics that's probably the reason your 8 year tenure in your office has never heard from this area and their alcohol problem because, I mean vaguely they might know there's an ABC Board out there somewhere but they don't know the trail to it and I think maybe ought to periodically send out circulars, maybe to just hang on the wall in some of these buildings like the health clinic because I know that no one knows the trail how this is done. And you can see by our questions here that we still don't know the mechanics of it. I just throw that out for comment.

Sharrock: Thanks Vern. Yes.

Soule: I hear a big crack and the crack is the location of the license. The victim of this is a city, this is a village and this is the boundry one really another gift from another culture to the people who live here. And the fact that the people of Sleetmute and Crooked Creek and Stony have no legal standing to protest is a good example of that because Sleetmute, Stony, Red Devil and Crooked Creek in a more meaningful sense form one community. People are very much interrelated. Travel back and forth, cousins here, cousins there, grandmother here, it's really once community. Red Devil, arbitrarily, a separate village has about 45 people in it. Crooked Creek has about 115, Sleetmute has about 120, about 85 in Stony River. The tail is wagging the dog. In this larger and more meaningful community.

Sharrock: No, I understand what you are saying. What the law intended, though, from my understanding, was to give villages and traditional village councils some legal standing under the law. [Traditional village councils is an interesting phrase. Traditional councils were introduced by the Bureau of Indian Affairs. They don't date back 100, 200, 300 years.] I understand your point. But, please, don't get my comments wrong. I'm trying to differentiate what the law allows a village or a city, but it certainly isn't disallowing other villages saying what I'm hearing today. You don't have a license and we're describing what that is. [I guess, being somewhat aware of traditionally oriented, precedent is a dangerous thing in all of the districts, and I'm suggesting that because of the nature of this village and their interrelatedness and isolated as a community from other places it wouldn't necessarily be setting a dangerous precedent by responding to Sleetmute and Stony River. The one not comparable to a lot of other places.] I don't know as it would be precedent, it wouldn't be, I think, because the license in this particular area is probably the only license in a large area of Alaska that is isolated and is singly identifiable in an area where there are villages or this kind of thing. I can't think of a one anywhere in Alaska, not even in Southeastern, not even in the North Slope Borough, not even in this western area. So it's precedent setting in that degree, I guess you might say, but not because of its own set of circumstances. If that makes sense? [It gives the Board room.] Yes, that's true. I see it [Let me ask you for clarification please.] You can ask, I don't know if I'll be able to clarify it. [How many licenses are there in Red Devil?] Two. [Can you name those?] The package store license and under the law what's titled the restaurant or eating place license. [The restaurant in the bar has been closed a number of years.] Well, there's still a restaurant there. It's not operating right now, from what I understand. [No lunch is served in the restaurant. You can only serve beer and wine. Not No one sold or served the general public for a number of years.] Well, if those are the facts of the case, then, that's in violation of the law. If that's the way it's operated. [The license invalid if not utilized in a manner described] That's correct. [Is there a statute of limitations on that?] The license has to be operated 30 days each year by law. [The bar has been closed for a number of years] Are they serving dinner to the general public? [No, not for a number of years] As I admitted to you at the outset, it certainly been a number of years since there's been any representative of the Board in this area at all. We've been to McGrath as I've said but we haven't [I just wanted that in the record] Yes?

[]: Number of years they never serve no beer and wine. That's the reason why they don't have no restaurant. Can you see that, they only have

the package store in there. That's why they don't serve no, you know, hamburger or something like that. That goes with the beer and wine. You see? Can't you see that? A number of years now they don't serve no beer in there. They don't serve no wine in there. It's only that package store. Can't you get that through your head, some time? They have never served me beer and wine down there for a number of years because we don't buy no beer or wine in there. I know that, I been around. I been in Red Devil many a number of time a year.

[]: The public testimony that you've heard today, you've heard from a good number of individuals who admitted they had erred. The community said they had made mistakes and I would also like to add to the record that the Alcohol Beverage Control Board also has erred in being to lax and not following the letter of the law. So it seems like the blame lies in all these places.

Sharrock: As I was saying to you, when you finished your earlier comments, I think the whole things a collective kind of a responsibility and for observation, and however you want to put it, it's certainly not something that each of us can take as an isolated thing, I mean alcohol in general. It's certainly a contraversial thing throughout this state and the nation and for me to make a decision about something, half of you might disagree and half of might agree and here we are coming to a point of no return and my approach has always been to take the situations and listen to what people say on a case by case basis because we're charged with the operation of licenses in the state. If I were charged or the Board were charged with the requirement to come up with an answer to solve alcoholism and alcohol abuse, I wouldn't want to be in that position. But that's what we're faced with, collectively, you know. There's problems in every town in this state. [We're all in the same barrel] Sure we are. [But the end product is, and I've stated this many times, is it in the best interest] That's correct. [or not the best interest. Basically, that's what it boils down to.] That's what it boils down to. As far as licenses are concerned. From my prospective. Can we end on that note? Bob, go ahead.

Gibson: You've been out here, taking a lot of testimony, you listen very well, got it all on tape. The mechanism will now be to go back, have this stuff transcribed and present it to the Board which consist of how many members and when will it meet? [The Board consists of 5 members. We have a meeting next week on the 13th and 14th in Fairbanks. 'Whether or not I will be able to reduce this and copy or number one, reduce everything in the form of some report that I can present to the Board along with the resolutions and the statements that have been presented, I don't know. My hope would be to bring the matter back before the Board next week. We got it before the last month or in June and that's why we're here today. The Board said, "Pat, go out to Sleetmute and talk to those people and find out what's really being said." So I would hope to get the information back to them next week.]

Gibson: Then they will make a decision, Yea or Nea, on renewal, removal, or whatever? [Not necessarily. Renewal of a license really isn't before us, right now. Legally, it's not, because applications are due, renewal applications are due to be filed with the Board no later than December 31st. So really, renewal isn't there. However, there may be other elements, administrative, procedural kinds of things that bring the matter forward earlier than that, I don't know. But, I hope to get the matter in some form back to the Board next week.]

Gibson: So no effective decision will really be made, which would do anything, put people's mind at rest, for some little time yet? Is that correct?

Sharrock: Well, I don't know what decision would put people's minds at rest but I'm not saying that the Board may not entertain something in the form of a decision or proposed decision which might shed light one way or the other. Whether or not that'd put people's mind at rest, I don't know.

[]: Let me speak differently not minds to rest, but give closure to the situation.

Sharrock: To be honest with you, as I tried to point out before, from a legal system operating point of view in appeal kind of things, you're looking at quite a ways down the pike. You know, for that kind of an outcome. I'm not trying to duck your question or duck the issues, I've just been, I know the system works and it takes a while.

Gibson: What kind of salability, transfer of the assets which are represented by the license are limited in that say, you come down there and decided well, it wasn't worth the hassle, we could realize a good bit by selling this license to Club 15 so they could open. They couldn't do that, could they? [Sure, they could. Nick did.] OK, then they do not have to suffer tremendous financial loss if they wish to transfer that license. [Well, more than likely, that license really only has a value to be operated where it is.] Oh, I think Club 15 would be more than happy to get [Where's Club 15?] Club 15 in Anchorage. [No, the license can't transfer to Anchorage. It can't transfer to Crooked Creek and it can't transfer to Sleetmute and it can't transfer to Stony River.] Without the Board's consent. [Well, basically, with your consent, too.]

[]: I have one more clarification. See if we're on the same line. This meeting now concerns revoking or non renewing? [That's right.] Then this is what we're talking about. I want that clarified. You said they're talking dispense and revoke, you were saying renewal comes by the end of the year and will not be considered new. At the Board meeting coming I want that clarified either revoke or non renewal first of next year. [I understand.] What is the term to expire in the license? [December 31st. She's next.]

[]: I'm wondering if there's any set of criteria objective guidelines that the Board goes by to define public interest?

Sharrock: Boy, you're sure having a good question. I wish I could answer that. The law does not define public interest. The Board has not defined public interest and courts have really not defined public interest. It's usually directed toward the situation at hand and how the public feels about a particular thing or situation as to what the public interest is. I know Bill, I don't know if he can add to that or detract from it or whatever, but it's a very nebulous area. The phrase public interest.

[]: My definition of public interest is through a jury, the input that you get and therefore you consider in the best interest or not the best interest [You started out with that, at the beginning of our meeting. No, I knew what you were saying right off.]

Roach: Think if I can very briefly just add one little thing as far as

public interest is concerned. In my experience, public interest has always gone to things that were occurring as a result of the operational license that were causing harm in the community. And I think that's probably what the Board looked at. A lot of times, where a license was denied or revoked as a result of something that was contrary to the public interest. [You said occurring then you also said have occurred.] That's correct.

Sharrock: And this only came to fruition about 3 months ago when a supreme court decision came down upholding the Board's decision about an application for a license in Fairbanks and it was a package store. The Board denied it. It was a brand new application and the applicant appealed. Three steps from the administrative hearing level to the superior court to the supreme court and the supreme court finally rendered their decision upholding the Board's decision which sheds a whole new light on the Board's ability to go forward with looking at liquor licensing. Quite significant. [first time in year I was requesting circulars explain alcohol procedures

revoking . Couple of villages told me they were going to get this second hand, third hand and you know how things go when they come that direction.] No, it's a difficult process, communicating, especially this kind of a law. Complex to a great degree and contraversial, I guess I would add. Did you remember your question? [I'm curious to know what the regulations are about as far as who the

] Generally, yes. The law states that no licensee may sell to a drunken person or to a person under the age of 21 years old. There was an amendment to the law about 5 years ago. By Nels Anderson from a rural area expressly putting in the law the provision that a licensee could refuse to sell service to a person who that licensee felt could harm himself or another person. To what degree licensees have exercised that around the state, I cannot tell you. We just don't have a record of that kind of a thing. [Could I ask I'm trying to figure out if general public, if I go to the registrar and if I went down there sign a petition

] You're asking me to draw a legal decision or draw a legal conclusion. I can't do that. [public] No, it's not public, I don't think, other than, you only thing an attorney'd probably end up saying to you, well, or anybody else, there's a constitutional question involved there. But I don't want to get into that or detract with that kind of thinking. [

what is the proper

Board member or what

recognize] Usually, in writing, directly to me. We get letters from people all over the state concerning licenses in various communities or problems or whatever or pick up the phone and call. [Then there wouldn't be a written record?] Then there wouldn't be a written record? No. [Can you leave the names of people on the Board and their addresses?] I don't think I have the Board's names and addresses with me. Let me write down your name and address and I will send that to you and I give you my card and Bill can give you his too. [Mine has the correct address on it. Pat's is 4 addresses previous] How did you get new cards printed and I haven't? [Has the Board ever revoked a license on public interest?] Sure, but I can't think of one right off hand. Sea View. That's the first one that came to mind. It was a bar in Hope, Alaska, just outside of Anchorage. There's been the

Shangri-La in Ketchikan [What did public interest mean there? Like] Well, just because of the facts that were involved. In some of those cases, there were drug activities related to the operation of the business. There were improper persons operating the business. Some of those things come into the stream in what you'd say public interest. Just generally overall perceiving the way the place was run and is bad for the public interest, period. [No deaths though, no deaths as far as you know. That wasn't an important factor.] No deaths? (that didn't exist in those situations) That wasn't part of it. I'm trying to think of quick examples, David, but I can't right off the top of my head. Every time I get asked that, my mind goes blank and I can't think of specific situations. There's been many times cities have protested applications for renewal or even applications and those, without fail, have been denied. Not renewed. I guess that's the best I can do for you. Well, let me thank you very much for being so patient and diligent. For sitting here on those hard benches for so long. The sun is shining outside for I guess from what I hear, it has been for the last couple of weeks, but I really appreciate your candidness and honesty and I hope I can convey what you've told us in the same fashion or as well as you have back to the Board. So, with that, thank you very much for your curtesy and your time and hopefully, we'll come back again one of these days. [Is the Board meeting public?] Oh, yes. All the Board meeting are in public.



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Alaska State Legislature

SENATOR MIKE COLLETTA



Senate

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January 20, 1978

MEMORANDUM

FROM: Senator Mike Colletta, Chairman
Senate Special Committee on Alcoholism

TO: Mike Miller, Chairman
Legislative Council

RE: Final Report to the Legislative Council

36 public mtgs,
31 communities

Final report reflects that statewide
hearings resulted in a "massacre" *pg 1
"The problems of alcoholism..." *pg 3

The Special Senate Committee on Alcoholism and Alcohol Abuse has completed its activities and is prepared to offer a series of bills for legislative consideration.

It is important to note that while there will be a number of legislative recommendations as a result of activities by the Special Senate Committee, these items for consideration are, in fact, a direct expression of the people of Alaska of suggestions they have made to the Committee of things they want accomplished.

The different approach adopted by the Committee in conducting public hearings and soliciting public comment has produced a massive outpouring of participation and consensus of opinion by an unusually large number of citizens. We asked the people of Alaska to write a legislative bill as they thought it should be written. The responses received have been carefully evaluated and are being translated into legislative language.

Since the people's ideas for a legislative bill covered such a wide area of public law, a series of bills were necessary to express them all. Within the next few days, these bills will be introduced for your consideration. Following is a summary of those items the public wants enacted into law:

- Primary alcoholism education curriculum in the public school system, grades K through 12,
- Basic alcoholism education and in-service type training for persons with a main-line contact with alcoholics; police officials, judges, social workers, doctors, nurses, village health aides, etc.,

- Accredited training for state certified teachers,
- Training for persons dispensing alcohol,
- Provision for a statewide alcoholism education and training resource center to provide coordination, education materials, and training for local programs to draw upon,
- Specialized training for coordination and joint operations in liquor law enforcement by Alcoholic Beverage Control Board and other police agencies,
- Increased penalties for all convictions involving alcohol and a motor vehicle,
- Licensing of bartenders, cocktail waitresses and others who dispense alcoholic beverages,
- Increase Alcoholic Beverage Control Board personnel with a particular emphasis on patrolmen and investigators,
- -- Require that no more than one liquor beverage is to be served to a single patron at a time,
- Establish strict guidelines for the sale of alcohol beverages by telephone or mail order,
- Mandatory alcoholism counseling referrals by judges whenever an individual becomes involved in the judicial process and alcohol is a contributing factor,
- Series of detoxification centers utilizing local hospitals as much as possible,
- Establish guidelines and criteria for para-professionals in outlying areas and enable non-profit health corporations to act as primary contractors for providing alcoholism services in rural areas,
- Make available low interest loans to community corporations similar to other special areas such as economic development, minorities, veterans and student loans. This low interest loan would be for design and construction of recreation, sports, or adult social gathering places with the condition that alcohol would be prohibited in the facility,

- Establish uniform certification procedures for local alcoholism programs providing for a maximum of local self-determination in the structure and the method of operations and objectives,
- Require certification of alcoholism programs,
- Encourage development of third party funding sources such as veterans administration, employer participation and insurance coverage,
- Authorize tax credit for contributions to certified alcoholism programs similar to political deductions,
- Eliminate annual grant application requirements for alcoholism programs and provide for longer periods of funding,
- Establish "program revenue sharing" for local communities with funding based upon need.

Throughout the life of the Special Senate Committee, the public comment was consistant and clear. The problems of alcoholism and alcohol abuse have reached crisis proportions and the time has come to do something about it. We were told the current approaches to alcoholism are not working and a new emphasis is needed.

To accomplish this we are proposing a re-direction for alcoholism program funding. All monies now collected by the state from alcohol related industry will be available for this new local program approach. By re-directing revenue currently being raised, together with excise tax legislation now awaiting action in the State House, costly duplication and competition by different state agencies and administrative overhead would be reduced. Current grant program funding to alcoholism programs now total approximately 3 million dollars. Under the revenue sharing proposal, approximately 12 million dollars would be made available directly to local communities for alcoholism programs.

During the course of the Committee's activities, there were a total of 36 public meetings conducted in 31 communities throughout Alaska. Written comments were returned by over 400 people with specific suggestions for a new law.

January 20, 1978
Memorandum
Page 4.

The Committee remained within it's authorized operating budget of \$79,400.00 with the following expenditures:

Contractural	\$ 41,980.58
Personal Services	10,195.65
Commodities	3,208.90
Travel	17,392.08

Approximately \$6,500.00 remains unencumbered and has lapsed to the general fund. The Committee has attempted to provide a maximum value to the public for its share of the legislative interim activities. I am confident we were successful in our objective.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

January 4, 1984

MEMORANDUM

TO: Representative Fred Zharoff
FROM: Jonathan Sherwood, Legislative Analyst
RE: Enforcement of the Local Option Law
Research Request 83-190

You requested that we investigate problems of enforcement of Alaska's local option law. We were also asked to consider possible statutory changes to increase the ability of communities to control alcohol abuse. This memorandum will address these questions.

Much of the information included in this memorandum has been taken from Village Alcohol Control and the Local Option Law, a report to the Alaska State Legislature by the Center for Alcohol and Addiction Studies of the University of Alaska, Anchorage. This report, which was released in the summer of 1983, is based on numerous interviews with individuals, officials, and professionals from several villages and with State officials and others involved in alcohol programs in the state. For a more detailed discussion of the problems and issues surrounding control of alcohol in local communities we refer you to this report which contains a thorough, if somewhat lengthy, summary of findings. (Attachment A.)

In addition to the information contained in the Center for Alcohol and Addiction Studies report, we have contacted local officials, State officials, and others involved in alcohol programs in Alaska. Among the individuals contacted were Carole Baekey, former director of the now defunct Alaska Legal Services Corporation Alcohol Project; Professor Stephen Conn of the Justice Center of the University of Alaska, Anchorage; Louie Andrew with the Yukon-Kuskokwim Health Corporation's Alcohol program; Sgt. C.W. Grutzmacher, coordinator of the Village Public Safety Officer program for the Alaska State Troopers; and Terry Cook, Mayor of Alakanuk. We also reviewed the monthly and quarterly reports of the Alaska Legal Services Corporation Alcohol Project, which provided assistance to communities interested in implementing a local option law.

Introduction

Alaska's local option law (AS 04.11.490-502) allows municipalities and established villages¹ within the state to regulate the distribution of alcohol within the community through one of four options:

- prohibition of sale and importation of alcohol;
- prohibition of sale only;
- prohibition of sale unless sold by an establishment operating under a community liquor license (either a bar or a package store); and
- prohibition of sale except by selected licenses (for example, beer and wine only).

In addition, it should be noted that communities are not required to consider any of the four options, and therefore have an additional option of allowing the sale and importation of alcohol as regulated by the State. Currently, 62 communities have enacted one of the four options noted above, with the vast majority choosing the ban on both sale and importation.²

Problems of Enforcement

Before discussing specific problems associated with enforcing the local option law, it should be noted that each community has its own experience with the local option law. The extent to which communities experience similar difficulties is not known, nor is the degree to which communities perceive such difficulties to be serious problems. We did not locate any quantitative information which would indicate the actual magnitude of any particular problem, and we are not able to collect such information ourselves, given the time and effort associated with such a task.

Support for Enforcement Efforts. One of the most basic problems with enforcement of the local option law faced by some communities is the

¹ AS 04.21.080 defines an established village as:

- an unincorporated community in the unorganized borough with 25 or more residents; or
- an unincorporated community within an organized borough with 25 or more residents, and is more than 50 miles from the boundary of a unified municipality if on a road system or 15 miles if not.

² Information provided by Chip Thoma, Alaska Division of Elections.

lack of adequate support for enforcement efforts. This lack of support may come from community residents, village or city councils, law enforcement officers, prosecutors, or the judiciary. Successful enforcement of the local option law, to some extent, involves all of these individuals. Examples of lack of support include:

- community members failing to report violations;
- village public safety officer or local police failing to make efforts to enforce the law;
- village or city councils, who regulate the village public safety officers, making local option enforcement a low priority;
- State Troopers providing inadequate support for village public safety officers;
- prosecutors not following up on arrests by local law enforcement personnel;
- judges suspending sentences for convicted violators without regard for the wishes of the community; and
- witnesses being unavailable to testify by the time a case is brought to trial.

There appear to be many reasons why enforcement of local option laws may not receive adequate support. One of the most frequently cited reasons for this lack of support was the attitudes of the people involved. Corporal Crawford of the Alaska State Troopers in Kotzebue stated that enforcement was usually a greater problem in communities which voted for a local option law by a narrow margin. As a result, many people in the community do not want the law. It was also mentioned by several people that a community may be clearly divided between older, more conservative or traditional members of the community, who favor the law, and younger members of the community, who oppose the law. As a result, the members of a community who have the most knowledge of violations may not be inclined to report them, and the older members of the community, when they have knowledge of violations, may be intimidated by the violators.

Corporal Crawford also mentioned that some law enforcement officers are reluctant to devote too much time to enforcing the law because of the time and effort required to develop a case. He explained that law enforcement officers have only limited time and resources and, depending on their caseloads, may not be inclined to devote the time necessary

to enforce a misdemeanor offense. In addition, the village council is responsible for establishing the priorities for the village public safety officer, who has many responsibilities besides law enforcement. If the council is not supportive of the local option law, they may not make its enforcement a priority.

The distances between communities make it more difficult for witnesses to participate in investigations and trials of suspected violators. In addition, judges and prosecutors may be unaware of the extent to which local option violations are a problem for a particular community because they lack easy access to the community. As a result, they may underreact or overreact to the problem.

In some cases, the lack of adequate enforcement efforts can also be attributed to the distances between the various elements of the law enforcement structure. Law enforcement efforts in rural Alaska involve relatively few personnel with responsibility for large geographical areas. Travel between communities may be delayed by weather. According to the report by the Center for Alcohol and Addiction Studies:

Inadequate trooper response does not necessarily mean that the troopers have failed to meet their obligations but that there is a limited number of troopers scattered throughout the Bush area, travel is complicated, travel time is lengthy, response times are often slow, troopers often hesitate to come to the village on minor matters or to intervene in developing problems, and troopers often appear only following a serious act of violence.³

The lack of trooper support may have a significant effect on the enforcement of the local option law. It appears that in some cases, it is more difficult for a village public safety officer to enforce the law than for a trooper. According to the Center's study:

Alcohol and fish and game regulations are the hardest laws for VPSOs to enforce, because of family and cultural obligations and traditions.⁴

Several of the individuals we contacted mentioned that some village law enforcement officers were reluctant to arrest violators who were close friends or family members which, given the small, close nature

³ Thomas D. Lonner and J. Kenneth Duff, Village Alcohol Control and the Local Option Law, Center for Alcohol and Addiction Studies, University of Alaska, Anchorage, June 24, 1983, p. X-17.

⁴ Ibid, p. X-15.

of most rural communities, can account for a significant portion of the population. On the other hand, according to Corporal Crawford, troopers sometimes receive more cooperation because they are perceived as having greater authority.

Finally, the Center's report mentions that implementation of the local option law was not accompanied by any personnel increases in the State Troopers, State prosecutors, or the judiciary.⁵ As a result, the legal system must cope with a new class of criminal behavior with no additional resources.

Inability to Restrict Possession. The most restrictive option available to a community is to ban the sale and importation of alcohol. Federal law protects the individual's right to manufacture limited quantities of homebrew. According to Carole Baekey, both the State and federal constitutions would have to be amended to permit the prohibition of possession of alcohol. As a result, a community has no legal recourse once an individual has successfully imported alcohol into the community.

This appears to be a source of frustration in many communities. If sale and importation of alcohol within a community is banned, it seems obvious that anyone who continues to consume alcohol other than homebrew indefinitely is almost certainly violating the law. However, because possession of alcohol does not constitute sufficient grounds for arrest for a local option violation, law enforcement officers cannot arrest violators without probable cause to link them with the act of illegally importing the alcohol. As explained in the Center's report:

Information that would constitute probable cause to believe that a local option law violation is taking place and intervention is warranted transcends the commonsense logic of the average citizen. Knowledge of a fellow resident's drinking history coupled with the fact that the resident was returning from the regional hub could constitute sufficient probable cause for a formal or informal community response and yet be insufficient and even illegal as perceived by a court⁶

This inability to restrict possession is further compounded by the constitutional limitations on the ability of law enforcement officers to search individuals and vehicles entering the community. While some communities may desire to have all persons or luggage entering the community searched for alcohol, this is not constitutional. Law

⁵ Ibid, p. X-29.

⁶ Ibid, p. X-27.

enforcement officers can search only when they have probable cause to suspect illegal importation, and in almost all cases, they must obtain a search warrant before commencing the search, unless consent is obtained or the alcohol is in plain view.

Another problem cited in the Center's report is that the implementation of the local option law and the educational efforts associated with it have served to draw attention to many of the unconstitutional and extra-legal methods which communities have traditionally used to control the use of alcohol.⁷

Complexities of Legal Procedures. The successful enforcement of any law depends on law enforcement officials following a rigorous set of procedures regarding the gathering of evidence and testimony, the handling and storage of evidence, and the protection of the accused's civil rights. It appears that these may present problems for some communities. As noted in the Center's report, villagers find it legally difficult to confiscate, search for, and seize alcohol when they see a drunk person, or to convict a person using possession of alcohol as prima facie evidence of importation.⁸

The study also suggests that the proper handling of evidence can be a problem in some communities. Village public safety officers may lack sufficient education or facilities to guarantee the proper handling of evidence. In addition, the study notes that because chronic violators often have a very complete knowledge of their civil rights and are less inclined to cooperate with law enforcement efforts, they are therefore the individuals most likely to avoid successful prosecution.⁹

Uncertainties about Interpretation of the Law. Another problem with enforcement of the local option law has to do with uncertainty concerning how certain provisions of the law are to be interpreted. For example, the status of alcohol bound for "wet" communities that is off-loaded in communities which have banned the importation of alcohol is not clearly defined under the local option law. The law does not elaborate on what constitutes importation. This has led to problems in St. Mary's, which banned sale and importation of alcohol but serves as the regional transportation hub for many communities which have not adopted a local option law. According to Lauri Otto, Bethel District Attorney, individuals had been picking up alcohol stored at the Wien Airlines facility at St. Mary's awaiting shipment to an outlying community. While the law was clearly being violated, it was not clear who was

⁷ Ibid., p. VII-5.

⁸ Ibid., p. XII-4.

⁹ Ibid.

responsible for the violation under the law. According to Gayle Horet-ski, with the Chief Prosecutor's Office in Juneau, an interim solution has been worked out whereby Wien will keep alcohol bound for other communities in a locked facility. However, Ms. Horetski noted that the question of law has still not been settled.

Lauri Otto also noted that in communities like Bethel, which have banned the sale of alcohol, but not possession, it is unclear how certain activities involving alcohol are to be classified. For example, if a social activity is held for which admission is charged and liquor is provided, it is unclear whether that constitutes sale of alcohol.

Furthermore, Ms. Otto mentioned that unlike Alaska's criminal code, Title 4 dealing with alcohol does not define the necessary mental state to constitute criminal activity (e.g. acting with intent, with criminal negligence, etc.). She explained that it is very difficult for prosecutors to develop cases when they do not know whether they must prove that the defendant intended to violate the law.

The Cultural Role of Legal Authority. Enforcing laws is only one of many ways in which a community can address social problems. As Carole Baekey stated, using the legal system as a means of controlling individuals' behavior is a relatively new approach for many of the communities in rural Alaska. As a result, community members may have unrealistic expectations regarding the effect the law will have on behavior, they may be unfamiliar or uncomfortable with the role they are to play in enforcing the law, and they be reluctant to involve violators in a legal system. For example, the U.S. legal system guarantees the defendant the right to face the accuser, but part of the cultural tradition in some communities is anonymous reporting of problem behavior to local authorities.

One of the points mentioned in the report by the Center for Alcohol and Addiction Studies is that the legal system is reactive; it punishes individuals after the fact. The process is time consuming with trials and convictions happening long after the violation. Moreover, the system is not selective--people whose alcohol consumption does not create problems for the community are as culpable as people whose alcohol consumption presents a serious problem for the community.¹⁰

However, communities may be used to problem-solving methods which are preventive, immediate, and directed at particular individuals who are causing problems or placing the community at risk. As a result, local residents may tend to view the way in which a local option law is

¹⁰ Ibid.

enforced as an unsatisfactory method of problem solving. The study found that communities in which traditional methods of social control are relatively effective may not perceive a need for a local option law.

Enhancing Community Control of Alcohol

We received some suggestions as to how the local option law might be amended to improve the local community's control over alcohol. However, when considering statutory changes in the local option law, one should note that many of the individuals we contacted spoke very favorably of the law. While it may not work perfectly in all cases, individuals may still be satisfied with the results. For example, Terry Cook, Mayor of Alakanuk, stated that the primary reason Alakanuk implemented a ban on sale and importation of alcohol was to stop widespread bootlegging; the law, while not eliminating alcohol in the community, has reduced bootlegging substantially to more acceptable levels. Airlines will no longer carry alcohol into Alakanuk, nor can it be acquired through mail-orders.

One suggestion put forth by some individuals is to increase the number of options available to communities. Thomas Lonner, with the Center for Alcohol and Addiction Studies, recommended that communities should be able to restrict the sale and importation of alcohol for specific periods during the year. He also suggested that it might be useful for communities to be able to limit the quantities of alcohol imported, e.g. establish a bottle or a volume limit on the amount imported.

However, some individuals cautioned that many villages ban the sale and importation in response to alcohol-related violence. It was noted that this behavior would probably still occur during and after periods when sale or importation was permitted. Allowing limited quantities of alcohol to be imported would make any enforcement of the local option law more complicated, as law enforcement officers might find it very difficult to establish probable cause for violations when some quantities of liquor were allowed.

Terry Cook, Mayor of Alakanuk, stated that it should be up to each municipality to develop their own option for alcohol control and not be limited to the four options under the existing law. He acknowledged that there might be some conflict between individuals' civil rights and the laws designed by villages; however, he thought that villages should be able to use traditional methods of discipline. In addition to the potential for constitutional problems with such options, Carole Baekey stated that there could be problems with communities not informing the State about their option. State law enforcement personnel must understand the law in order to enforce it.

Gayle Horetski recommended that the local option law include a definition of importation. She stated that the definition of importation is as yet an unanswered question, and that the State currently had no policy as to how to interpret that part of the statute. Lauri Otto mentioned that without a definition of what actually constituted importation, it was difficult to prosecute cases when more than one person was involved in the importation. For example, when different individuals are responsible for sending, transporting and receiving the alcohol, it is not clear the extent to which each is in violation of the law.

Ms. Otto also recommended clarifying the laws regarding social organizations serving liquor in communities where sale of alcohol is prohibited. Ms. Otto questioned whether some social organizations were able to avoid complying with the community's intent to prohibit the sale of alcohol by linking the service of alcohol to social events at which admission was charged. She also pointed out that the potential for select groups within the community to enjoy these privileges might develop into a serious social problem. According to Ms. Baekey, some of these issues could probably be addressed through Alcoholic Beverage Control Board regulations.

Both Corporal Crawford with the State Troopers and Ms. Otto suggested the possibility of declaring commercially packaged alcohol contraband in cities which banned its importation and sale, so that alcohol could be seized when it was found in public. An alternative would be to establish possession of commercially packaged alcohol as prima facie evidence of importation, in much the same way blood alcohol levels are used as prima facie evidence of driving while intoxicated. This solution, of course, would remove the individual's presumption of innocence under the law and place the burden of proof on the defendant. One possible effect of this move is that it might tend to shift enforcement efforts away from those who are actually importing alcohol and direct efforts toward individual consumers. Conceivably, this could improve the environment for bootlegging.

Conclusions

Many of the problems we have discussed appear to be related to the individuals or circumstances involved with the enforcement of the local options, not with the law itself. Most of the individuals whom we contacted felt that many of the perceived problems were the result of unrealistic expectations regarding the law, lack of familiarity with legal procedures, and isolated problems with enforcement personnel or relations between enforcement personnel. These problems may not lend themselves to statutory solutions.

Representative Zharoff
January 4, 1984
Page Ten

In addition, some of our sources expressed some doubt as to whether community control is enhanced by the imposition of western law on communities. Terry Cook stated that the imposition of western law tends to push western values on people. State law by definition places the ultimate authority in the hands of the State. In places where community authority provides effective controls for behavior, any imposition of State law might reduce community control.

One should also note that although we have only considered statutory changes, both the individuals we contacted and the report of the Center for Alcohol and Addiction Studies mentioned other methods which communities might use to increase their control over alcohol. As noted earlier, the local option law was not accompanied by an increase of State resources with which to enforce the law. Carole Baekey stated that communities could benefit from educational efforts to familiarize them with the legal system. Several people spoke highly of the village alcohol counselors. In addition, it is argued that problems with alcohol that rural communities encounter are symptomatic of deeper problems of cultural transition, and cannot be effectively addressed without treating the root causes.

Finally, Carole Baekey strongly recommended that before any action was taken to alter the local option law, the communities which have elected to enact one of the options should be surveyed as to their reactions to any proposed statutory changes. This would entail sending a questionnaire to the 62 communities which have enacted a local option law. Should you desire us to do so, we will prepare and mail questionnaires to these communities. Ms. Baekey estimated that it would take five to six weeks to receive responses.

If you have any questions regarding this memorandum, or if you would like us to survey the local option communities, please do not hesitate to contact us.

JS

Attachment

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ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

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April 8, 1983

MEMORANDUM

TO: Representative Tony Vaska

FROM: Leslie Longenbaugh, ^{LL}Research Staff

RE: Revenue from Fines for Violating Local Option Laws
Research Request 83-102

You asked that we investigate the amount of revenue that is generated in the state from fines paid by those convicted of violating local option liquor laws. In addition, Kelly Hoover requested information regarding the approximate number of violators who go unapprehended and the percentage of arrests that result in convictions.

Amount Fined

Leanne Flickinger, who works in the data processing section of the State court system,¹ provided information about violations of the local option law for six months of 1982. She was able to furnish only six months' data because she had to compile it manually. During the six-month period there were 105 arrests for violation of the local option law. Information about the amount of fines levied was available only from Barrow, Bethel, Savoonga and Unalakleet, which accounted for 74 percent of the cases tried.² Courts in these communities assessed fines totaling \$4,300 against the 29 persons who were convicted during the six months.

As you know, Alaska law specifies that municipalities and established villages may place before their voters the question of prohibiting the sale and importation of alcohol (AS 04.11.496). Violation of the State statute, i.e., selling or importing alcohol in a prohibited area, is a class A misdemeanor, punishable by up to one year in jail

¹Leanne Flickinger, Alaska Court System, Anchorage; telephone: 264-0544.

²We are awaiting data concerning the number of convictions and amount levied in fines from Anita Griff, the magistrate in Selawik, who tried 10 violations of the local option law during the six-month period. If she gives us this information, we will pass it on to you.

and a fine of up to \$5,000.³ In early March 1983, Hooper Bay became the fifty-third community in the state to invoke AS 04.11.496. We have attached a list of the communities that ban the sale and importation of alcoholic beverages.⁴

Most of the larger villages in rural Alaska have magistrates who try misdemeanor cases. Most rural magistrates also try cases from a number of surrounding, smaller villages; for example, the magistrate in Unalakleet has jurisdiction over five other villages. For this reason, the villages and cities in Table 1, on page 3, represent the magistrates' locations, not necessarily the villages where the arrests were made.

When a person in a dry village is arrested for violating AS 04.11.496, she or he is taken before the nearest magistrate for arraignment.⁵ Most defendants who are arraigned on this charge plead guilty and are sentenced by the magistrate.⁶ When a defendant pleads not guilty, the magistrate sends the case file to the nearest district court, which assigns it a date for trial. The court tries the case as it would any comparable misdemeanor charge.

Table 1, on the following page, lists the eleven villages and cities where magistrates tried cases of violations of the local option law during the first six months of 1982 and the number of such cases that came before magistrates in each village during this period.

We surveyed four courts -- in Barrow, Bethel, Savoonga, and Unalakleet -- that together tried 74 percent of the cases during six months of

³An organization that is convicted of a class A misdemeanor is subject to a fine of \$100,000 or three times the pecuniary gains realized from the illegal act, whichever is less.

⁴In addition to the State statute, many "dry" villages pass their own ordinances that prohibit possession of alcohol, public drinking or public intoxication. The penalties for infractions of these ordinances vary from village to village. In Savoonga, violations of local liquor ordinances brought in fines of \$1,765 during the second half of FY 82. Violators of these ordinances are brought before the local, or nearest, magistrate.

⁵If the village does not have its own magistrate and is not served by a magistrate in a nearby village, the defendant must travel to the nearest district court for arraignment and, if necessary, trial.

⁶This according to James Gould, District Attorney, Nome; telephone: 443-2296.

1982. The rate of conviction in the four cities was around 38 percent; another 18 percent of the cases were still open at the end of the six months, and the remaining 44 percent were dismissed or judged not guilty.

The amount levied in fines for violation of the local option law by the five courts totaled \$4,300 for the six-month period. Approximately 40 percent of the convictions led to fines.

Table 1
Court Cases for Violations of the Local Liquor Option Law:
First Six Months, 1982

Barrow*	17
Bethel*	26
Galena	2
Gambell	3
Kiana	7
Mekoryuk	1
Noorvik	1
Savoonga	33
Selawik	10
Shungnak	3
Unalakleet*	2
Total	105

Source: Alaska Court System

*Figures are for the second six months of 1982.

Abner Gologergen, magistrate in Savoonga,⁷ told us that convictions for violations of the local option law in Savoonga resulted in \$850 in fines during the first six months of 1982. He noted that for the people of Savoonga, many of whom do not have much cash, a large fine can cause a severe hardship for the family of the offender.

Mr. Gologergen stated that he almost invariably sentences liquor-law misdemeanants, those who violate either State or municipal code, to perform between 20 and 60 hours of community work as a condition of their probation. The community work is often assigned in lieu of, and occasionally in addition to, a fine. Repeat offenders receive longer

⁷Abner Gologergen, Magistrate, Savoonga; telephone: 984-6011.

sentences of probation and more hours of community work. Fines, when he imposes them, never go higher than \$500; usually they are between \$50 and \$100. His primary criteria in sentencing are the amount of liquor involved and the number of previous convictions.

Unapprehended Violators

The number of persons who import liquor for personal consumption in violation of the local option law probably is much higher than the number of arrests would indicate, according to district attorneys in both Bethel and Nome.

James Gould in Nome reported that dry villages in his area have very few "bootleggers" who import liquor to sell. Because these villagers have access to Nome and Kotzebue where alcohol is sold and served legally, there is no market for high-priced liquor in the villages. Anita Griff, magistrate for Selawik,⁸ agreed with this view.

In contrast to the Nome region, most of the municipalities in the Lower-Yukon Kuskokwim area are dry, including Bethel, the regional center, where importation is legal but sale is not. The demand for alcoholic beverages in these villages creates a ready market for illegally-imported liquor. According to Lauri Otto, the district attorney in Bethel,⁹ police in the area arrest "a very small minority" of all bootleggers.

° ° °

Incidentally, the University of Alaska Center for Alcohol and Addiction Studies received a grant from the legislature in FY 83 to study the approach of dry villages to the revised Title 4, the local option law. According to Tom Lonner, researcher for the project,¹⁰ the report will be available at the end of the fiscal year. Mr. Lonner will send a copy of the report to each legislator.

If you have any questions or needs for more research, please call.

Attachment: Alaska Communities that Prohibit the Sale and Importation of Alcohol

⁸Anita Griff, Magistrate, Selawik; telephone: 484-2229.

⁹Lauri Otto, District Attorney, Bethel; telephone: 543-2055.

¹⁰Tom Lonner, University of Alaska, Center for Alcohol and Addiction Studies, Anchorage; 786-1410.

Alaska Communities that Prohibit
the Sale and Importation of Alcohol

Akolmiut	Kwethluk
Alakanuk	Mekoryuk
Ambler	Napakiak
Anaktuvuk Pass	Napaskiak
Atmautluak	Noatak
Bethel*	Noorvik
Buckland	Platinum
Chalkyitsik	Point Hope
Chefornak	Quinhagak
Deering	Saint Mary's
Diomede	Savoonga
Eek	Scammon Bay
Ekwok	Selawik
Elim	Shaktoolik
Emmonak	Shishmaref
Fortuna Ledge	Shungnak
Gambell	Sleetmute
Golovin	Stebbins
Hooper Bay	Tanunak
Kaltag	Tetlin
Kiana	Togiak
Kipnuk	Toksook Bay
Kivalina	Tuluksak
Kongiganak	Tuntutuliak
Kotlik	Wainwright
Koyuk	Wales
	White Mountain

House Research Agency, 3/30/83

Source: Vivian Kortie, Alcoholic Beverage Control Board

*Prohibits the sale of alcohol but allows limited importation for personal consumption.

THE ALCOHOLIC BEVERAGE
CONTROL BOARD
IN ALASKA

A Report to the
ALASKA LEGISLATURE

by

Peter Smith Ring
Justice Center
University of Alaska
Anchorage, Alaska

December 1979

PREFACE

This report has been prepared by the Justice Center of the University of Alaska, Anchorage, for the Alaska State Legislature as a by-product to a larger ongoing study on the relationship between alcohol abuse and regulatory laws, practices and procedures. The larger study was commissioned by the National Institute on Alcohol Abuse and Alcoholism under grant number AA03183-01. No state matching funds were required or used. The action recommendations begin on page 43.

Regulation cannot provide a final solution to a problem which is woven into the fabric of a society. But management of the problem in its larger context is hindered by a background of confused regulations and obscure standards and procedures. These same deficits in the law create smaller but nevertheless real irritations and inefficiencies, baffling to the citizen, which can be met by legislative action in clarification of purpose and assignment of responsibility. If we cannot "solve" the problem of alcohol abuse, at least those governmental activities which control the distribution and sale of alcoholic beverages should not be a source of additional irritation and cynicism among the public and enforcement authorities alike.

The Center is indebted to Peter S. Ring, now at the University of California, Irvine, who, while he served on the

faculty of the Center, conducted most of the research and writing of this report. Expression of views and recommendations in this report are those of Dr. Ring and do not necessarily reflect the views of the University or any officer of it.



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