

900 HJ INTEGRATED & NONINTEGRATED BAR ASSN - CRIMES

The scheme for adopting Bar Rules and bylaws and regulations consistent with those Bar Rules reflects the roles of the Alaska Bar Association and the Supreme Court in regulating the legal profession. In essence, ~~the Supreme Court has the ultimate rule-making authority~~ in admissions, licensing, and discipline. The Board of Governors conducts adjudicatory hearings, but is primarily relegated to recommending appropriate action to the Supreme Court.

III. SHOULD THE INTEGRATED STATUS OF THE ALASKA BAR ASSOCIATION BE CONTINUED

During the 1980 legislative session, the House Judiciary Committee is scheduled to conduct a sunset review of the Alaska Bar Association. Pursuant to the sunset statute, this committee is required to submit to the Speaker of the House a report specifying its findings and recommendations as to the continuance or termination of the Association. This report must be submitted no later than the 60th day of the legislative session. As a result of these responsibilities, preliminary consideration should be given to the advantages and disadvantages of both integrated and nonintegrated bar systems.

A. Cost Factor

The primary disadvantage of the nonintegrated bar system is that it requires the establishment of a state bureaucracy to provide for the admission, licensing and disciplining of those authorized to practice law in the state. Any increased taxpayer costs resulting from such a move must be carefully analyzed.

Other professions regulated by state agencies are subject to nominal annual licensing fees. For example, a physician is subject to a \$50 fee, while lawyers, \$180. The extent to which these nominal

fees defray the costs of regulating the profession is significant. If taxpayers support most of the costs of regulating all professions but for the legal profession, what justifies this differentiation. Furthermore, should it be determined that it is more expensive to regulate lawyers than doctors, the burden on the taxpayer can be reduced by increasing the license fees for lawyers.

Costs resulting from the admission function of the Alaska Bar Association are absorbed by current application fees. Individuals seeking admission to the bar are required to pay \$5 for the application form and a \$250 examination fee. Should application fees be structured to absorb admission costs, no additional financial burden falls on the taxpayer.

Furthermore, it should be noted that the Alaska Bar Association is not completely independent of state financial resources. For many years the Alaska Bar Association was furnished with free office space, use of equipment and supplies provided by the court system. Several years ago, when the Bar Association was required to vacate those offices, moving expenses were provided by the court system. Currently office space for the Bar Association is being subsidized by the Department of Law at the rate of \$10,000 per annum, raising a question of conflict of interest.³

Additionally, for the past several years state funds have been provided to defray the association's expenses for disciplinary proceedings. In 1978 the Bar Association received \$58,600 from the state; in 1979, \$36,700, and the Allocation for 1980 is \$51,000.⁴ This state

³This information was disclosed by Richard Barrier, Manager, Fiscal Operations and Deputy Administrator, Alaska Court System.

⁴The reason disbursements in 1979 were lower than the previous year, and also lower than the 1980 allocation, was because the court system overpaid the Bar Association by some \$11,000 in 1978. It should be noted that the court system has never audited the Bar Association relative to these expenses.

funding comprises approximately one-half of the association's expenses for disciplinary proceedings.⁵

Obviously, a more detailed cost assessment is needed to determine the weight of this objection to the nonintegrated bar system. However, it appears that the existing state financial support combined with fixing appropriate license and admissions fees may eliminate this tax burden objection.

B. Legislative Authority

The Alaska Supreme Court contends that it has the inherent power to admit, discipline, and disbar Alaskan lawyers. The source of this power is never defined beyond the recitation that it is an exercise of the Supreme Court's inherent power and jurisdiction over attorneys as officers of the court. Under this theory it seems that the Alaska Supreme Court has permitted the delegation of certain of these responsibilities to the Alaska Bar Association. Shortly after the enactment of the Alaska Integrated Bar Act, the Supreme Court held that the act did not detract from its inherent powers to govern the practice of law in Alaska, but the act, on the contrary, merely adds helpful machinery. In upholding the validity of the act, the court noted various provisions deferring to its inherent authority. For example, it cited: that decisions of the Board of Governors are merely recommendatory; that the review of such decisions before the Supreme Court are not limited in scope; and that only final orders of the Supreme Court work disbarment or reinstatement.

In a subsequent decision, the Alaska Supreme Court held that one section of the act, which attempted to mandate that the Supreme Court give full accord to a recommendation of the Board of Governors, was an unconstitutional invasion of its inherent powers.

⁵Initial billings submitted to the court system to obtain these state funds contained the names of those individuals subject to ongoing disciplinary proceedings in violation of the confidentiality required by Bar Rule 31.

Although the Alaska legislature is empowered under the Alaska Constitution to prescribe the jurisdiction of the courts and to change the Rules of Court, such arguments most likely would not be persuasive in view of the Supreme Court's adamant posture on this issue. The Supreme Court has stated that the power of the courts to discipline attorneys has long been recognized and cannot be defeated by the legislative branch of government.

The Supreme Court's position has prompted the Alaska Bar Association to contend that it is not a state agency. This contention has been raised in two different lawsuits filed against the association. One suit alleges that the Bar Association conducted a meeting in violation of the public meeting law. The lower court found for the Bar Association and currently the matter is before the Alaska Supreme Court. The other suit arose out of an investigation by the Ombudsman pertaining to the adequacy of resolving citizen complaints against lawyers and the propriety of salary and fringe benefits for the Bar Counsel. The Bar Association's refusal to submit to the official jurisdiction of the Ombudsman has resulted in litigation presently pending before the Superior Court in Anchorage.

The Supreme Court's exclusive jurisdiction over Alaskan attorneys impacts the policy considerations before this committee. If the committee determines to sunset or de-integrate the Alaska Bar Association, without establishing any statutory mechanisms for admitting, licensing and disciplining attorneys, the Supreme Court would continue to bear the responsibilities for this regulation. Termination of the Alaska Bar Association would not de-regulate attorneys. On the other hand, should the committee determine to sunset or

de-integrate the Alaska Bar Association and establish statutory mechanisms for regulating attorneys, deference must be made to the Supreme Court's authority. Even should these statutory mechanisms not invade the Supreme Court's jurisdiction, nothing but good faith would require the Supreme Court to abide by them. It was in just such a context that 20 years ago the Supreme Court upheld the validity of the Integrated Bar Act and still abides by much of that act today.

Domestic
Violence

**DOMESTIC
&
SEXUAL
ASSAULT
PROGRAMS
in
ALASKA**



Until recently, victims of domestic and sexual assault suffered in silence, or endured the frustration, and sometimes humiliation, of legal action alone.

Trained volunteers in many communities now offer safety, understanding, information and advocacy for family violence or rape victims, and in some cases help for offenders.

ALL INQUIRIES OR CONTACTS
ARE KEPT STRICTLY CONFIDENTIAL.
ALL SERVICES ARE FREE OF
CHARGE.

A CALLER DOES NOT NEED TO
IDENTIFY HER/HIMSELF WHEN S/HE
CALLS A CRISIS LINE.

For more information contact:
Sema E. Lederman, Coordinator,
Alaska Family Violence Program
338 Denali, Room 222
Anchorage, AK 99501
Phone: (907) 276-1024

The Alaska Family Violence
Program is funded by LEAA.

BATTERING

There are five shelters for battered women and their dependent children in Alaska. Counselors at the shelters help women determine goals for themselves, and provide assistance in obtaining legal action, AFDC and welfare, parenting and occupational skills and other services. Voluntary group meetings of women with similar problems give victims of family violence support, encouragement and hope.

Safe-home networks in rural communities offer short term shelter and transportation should a woman desire a longer period of safety to decide what she wants to do.

A woman who has been battered does not have to leave her battering partner before she seeks shelter. Many women return to their homes and husbands after staying in a safe home or shelter. Many go to safe homes or shelters a number of times before making a final decision.

While at a shelter or safe home, the woman's whereabouts are not revealed to anyone. Should she wish to contact her husband she may, but he cannot contact her.

Two programs now available in Alaska offer crisis intervention and counseling for batterers.

RAPE

The victim of rape undergoes severe emotional trauma, in addition to whatever physical injuries are sustained. Trained volunteer rape crisis advocates offer emotional support, information, and advocacy through medical and criminal justice proceedings. They will meet the victim wherever and whenever she needs help, on a 24-hour basis, and provide transportation and child care when necessary.

Rape crisis advocates also work with a victim's family if they need help or information understanding or supporting the victim.

A victim of rape or incest does not have to report the incident to the police or press criminal charges. In fact, many victims who call rape crisis lines were raped years before and just need someone to talk to.

***WHERE TO CALL IN:

ANCHORAGE

AWAIC - 274-4561

- Long-term shelter, supportive services, and crisis line for battered women and their children.

MALE AWARENESS PROJECT
279-9581

- Counseling for batterers.

STAR - 276-RAPE

- Crisis line and advocacy for rape victims.

BARROW - 852-2611

Arctic Women's Group

- Crisis line and transportation to shelter for victims of family violence and rape.

BETHEL - 543-3456

Tundra Women's Coalition

- Long-term shelter, supportive services, and crisis line for victims of family violence and rape.

FAIRBANKS

WIC-CA - 452-RAPE

- Long-term shelter, supportive services, and crisis line for victims of family violence and rape.

Where to Call (cont'd)

JUNEAU

AWAKE - 586-6624

- Long-term shelter, supportive services and crisis line for family violence and rape.

KENAI PENINSULA - 262-9376

Women's Resource Center

- Safe homes, supportive services, transportation to longer term shelter and crisis line for family violence and rape.

KETCHIKAN

WISH - 225-2730

- Safe homes, supportive services, transportation to longer term shelter and crisis line for family violence and rape.

KODIAK - 486-3625

Women's Resource Center

- Safe homes, supportive services, transportation to longer term shelter and crisis line for family violence and rape.

Kodiak Police Dept.-486-3221

- Trained counselor providing immediate crisis intervention for violent family situations.

NOME - 443-5444

Bering Sea Women's Group

- Long-term shelter, supportive services, crisis line for family violence and rape.

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Myths and Reality

The battering of women, like other crimes of violence against women, has been shrouded in myths. All of the myths have perpetuated the mistaken notion that the victim has precipitated her own assault. Some of them served as a protection against embarrassment. Others were created to protect researchers from their own discouragement when they were unsuccessful in stopping the brutality. It is important to refute all the myths surrounding battered women in order to understand fully why battering happens, how it affects people, and how it can be stopped.

The battered woman is pictured by most people as a small, fragile, haggard person who might once have been pretty. She has several small children, no job skills, and is economically dependent on her husband. It is frequently assumed she is poor and from a minority group. She is accustomed to living in violence, and her fearfulness and passivity are emphasized above all. Although some battered women do fit this description, research proves it to be a false stereotype.

Most battered women are from middle-class and higher-

Myths an

income homes where the power of their husbands. Many of them attempt to defend themselves and their children; those who do do not belong to any particular age group. Although many are jobless, many more are highly successful career women. They include television executives, nurses, secretaries, and others. Battered women come from all races, ethnic and religious groups, and all socioeconomic groups. When there is a woman, there is a 50 per

MYTH NO. 1: THE BATTERED WOMAN IS ONLY A SMALL PERCENTAGE OF ALL WOMEN

Like rape, the battering of women is an underreported crime. Data are difficult to obtain because battering generally occurs at home, without witnesses. The crime is buried in the records of family police departments, in emergency room records, and in the records of social workers, psychiatrists, and counselors. The U.S. Department of Justice recently completed a study with the suspicion that police records underestimate the rate of battering. A personal estimate is that the actual rate of battering assaults is much higher than reported.

Marjory Fields, a New York City attorney who specializes in battered women, reports that in her experience, 36.8 per cent of divorce actions in Brooklyn are based on physical assaults by the husband. In these assaults for approximately 36.8 per cent of the divorce. Of 600 divorcing women in a study by Levinger, 36.8 per

income homes where the power of their wealth is in the hands of their husbands. Many of them are large women who could attempt to defend themselves physically. Not all of them have children; those who do do not necessarily have them in any particular age group. Although some battered women are jobless, many more are highly competent workers and successful career women. They include doctors, lawyers, corporation executives, nurses, secretaries, full-time homemakers, and others. Battered women are found in all age groups, races, ethnic and religious groups, educational levels, and socioeconomic groups. Who are the battered women? If you are a woman, there is a 50 percent chance it could be you!

MYTH NO. 1: THE BATTERED WOMAN SYNDROME AFFECTS ONLY A SMALL PERCENTAGE OF THE POPULATION.

Like rape, the battering of American women is a seriously underreported crime. Data on wife beating are difficult to obtain because battering generally occurs at night, in the home, without witnesses. The statistics on battered women are buried in the records of family domestic disturbance calls to police departments, in emergency room records in hospitals, and in the records of social service agencies, private psychologists, and counselors. The United States Commission on Civil Rights recently completed an investigation which supports the suspicion that police records on battered women are inaccurately low owing to poor police reporting techniques. My personal estimate is that only one in ten women report battering assaults.

Marjory Fields, a New York City attorney who specializes in battered women, reports that of 500 women represented in divorce actions in Brooklyn in 1976, 57.4 percent complained of physical assaults by their husbands. They had suffered these assaults for approximately four years prior to seeking the divorce. Of 600 divorcing wives in Cleveland, according to a study by Levinger, 36.8 percent reported physical abuse by

their husbands. The first epidemiological study of battered women undertaken in this country, by sociologists Murray Straus, Richard Gelles, and Susan Steinmetz, reported that a physical assault occurred in 28 percent of all American homes during 1976. This statistic, nearly one third of all families, is certainly evidence that the battered woman problem is a widespread one.

MYTH NO. 2: BATTERED WOMEN ARE MASOCHISTIC.

The prevailing belief has always been that only women who "liked it and deserved it" were beaten. In a study of battered wives as recently as twenty years ago, it was suggested that beatings are solicited by women who suffer from negative personality characteristics, including masochism. "Good wives" were taught that the way to stop assaults was to examine their behavior and try to change it to please men: to be less provocative, less aggressive, and less frigid. There was no suggestion that provocation might occur from other than masochistic reasons, that aggressiveness might be an attempt to ward off further assault, and that frigidity might be a very natural result of subjection to severe physical and psychological pain. The burden of guilt for battering has fallen on the woman, and the violent behavior of the male has been perpetuated. The myth of the masochistic woman is a favorite of all who endeavor to understand the battered woman. No matter how sympathetic people may be, they frequently come to the conclusion that the reason a battered woman remains in such a relationship is that she is masochistic. By masochism, it is meant that she experiences some pleasure, often akin to sexual pleasure, through being beaten by the man she loves. Because this has been such a prevailing stereotype, many battered women begin to wonder if they are indeed masochistic.

MYTH NO. 3: BATTERED WOMEN ARE CRAZY.

This myth is related to the masochism myth in that it places the blame for the battering on the woman's negative personal-

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ity characteristics. Battered women often earned them the name. Actions which may help in a relationship have been taken. Medical and mental health professionals in this sample reported being paranoid, and severe depression, hearing voices which told them to electroshock themselves. She was asked to describe her husband's behavior very understandably, being given heavy doses of medication by doctors who were responsive to her needs rather than attempting to understand her. Clear whether these women were of their reported diagnosis. I interviewed shortly after her diagnosis. Arrangements had been made for shelter, legal assistance, and her battered woman's proceedings, and her battered woman's whereabouts. Her mental health days. I wonder how many women mislabeled as mentally ill by a batterer. After listening to their strength in retaining

MYTH NO. 4: MIDDLE-CLASS WOMEN AS FREQUENTLY OR AS VIOLENTLY BATTERED AS LOWER-CLASS WOMEN.

Most previously recorded research from lower-class families more likely to come in contact with their problems are more

ity characteristics. Battered women's survival behaviors have often earned them the misdiagnosis of being crazy. Unusual actions which may help them to survive in the battering relationship have been taken out of context by unenlightened medical and mental health workers. Several of the women in this sample reported being hospitalized for schizophrenia, paranoia, and severe depression. One woman who told of hearing voices which told her to kill her husband had received numerous electroshock therapy treatments. But just listening to her describe her husband's brutal treatment made her hallucination very understandable. Many women reported being given heavy doses of anti-psychotic medications by doctors who were responding to their overt symptoms rather than attempting to understand their family situations. It is not clear whether these women were overtly psychotic at the time of their reported diagnoses. As a clinical psychologist, I can state that at the time I interviewed these women, there was insufficient evidence of such disorders. One woman was interviewed shortly after being released from a state hospital. Arrangements had been made for her to go to a temporary shelter, legal assistance was provided to initiate divorce proceedings, and her batterer was refused knowledge of her whereabouts. Her mental health improved markedly within days. I wonder how many other women who have been mislabeled as mentally ill were really attempting to cope with a batterer. After listening to their stories, I can only applaud their strength in retaining their sanity.

MYTH NO. 4: MIDDLE-CLASS WOMEN DO NOT GET BATTERED AS FREQUENTLY OR AS VIOLENTLY AS DO POORER WOMEN.

Most previously recorded statistics of battering have come from lower-class families. However, lower-class women are more likely to come in contact with community agencies and so their problems are more visible. Middle- and upper-class



women do not want to make their batterings public. They fear social embarrassment and harming their husbands' careers. Many also believe the respect in which their husbands are held in the community will cast doubt upon the credibility of their battering stories. The recent public focus on battered women has brought many of these middle- and upper-class women out of hiding. The publicity being given the problem is creating a climate in which they think they will finally be believed. They report an overwhelming sense of relief once they have told their stories and find that others will now believe them.

MYTH NO. 5: MINORITY-GROUP WOMEN ARE BATTERED MORE FREQUENTLY THAN ANGLOS.

The battered women interviewed in this study were Hispanic, native American, black, Asian, and Pacific American, as well as Anglo. Although each grew up in a culture with different values and different attitudes about male and female roles, none of them was able to make any impact on the kind of violence she experienced. Anglo and minority women alike told similar battering stories and experienced similar embarrassment, guilt, and the inability to halt their men's assaults. Minority women, however, spoke of having even fewer resources than Anglos to turn to for assistance.

MYTH NO. 6: RELIGIOUS BELIEFS WILL PREVENT BATTERING.

The Catholic, Protestant, Mormon, Jewish, Eastern, and other religious women in this study all indicated that their religious beliefs did not protect them from their assaultive men. Most of the women in my study held religious beliefs. For some, belief in a deity helped them endure their suffering, offering comfort and solace. Sometimes attending services was the only safe outside contact they had. However, other women indicated they no longer practiced their religion,

because giving it up eliminated the batterer. Still others gave up the feeling that a just and merciful God would not allow them to suffer so. Others reported losing faith and fully sought help from a religious counselor.

Some women told stories in which they suggested they pray for guidance. One woman said, "I go home and help their husbands find the Lord." Needless to say, it took a long time to wait for their husbands to change. Some continued to receive brutal battering. Some were told of humane religious advice and helped them break their abusive relationships.

MYTH NO. 7: BATTERED WOMEN HAVE FEWER RESOURCES.

The education level of the battered women ranged from fifth grade through completion of graduate degrees. They were homemakers, lawyers, psychologists, nurses, teachers, politicians, and successful career women. Many were well at their jobs and some were successful career women. They would have had their careers if it would elude them. Most had tried to leave their relationships without any effect on their husbands. Some who chose to be homemakers tried to keep their lives from falling apart: they tried to meet, kept family chaos at a minimum, and lived a life for their batterer. Most were at home rather than in their professional activities. Some was dependent on their abilities as homemakers and was not well at their professional activities.

because giving it up eliminated a point of conflict with their batterer. Still others gave up their religion in disillusionment, feeling that a just and merciful God would not have let them suffer so. Others reported losing faith after having unsuccessfully sought help from a religious or spiritual leader.

Some women told stories in which their religious adviser suggested they pray for guidance, become better women, and go home and help their husbands "become more spiritual and find the Lord." Needless to say, these women did not have time to wait for their husbands to "find the Lord" while they continued to receive brutal beatings. Other women joyfully told of humane religious advisers who understood their problems and helped them break out of their disastrous relationships.

MYTH NO. 7: BATTERED WOMEN ARE UNEDUCATED AND
HAVE FEW JOB SKILLS.

The education level of the women interviewed ranged from fifth grade through completion of professional and doctoral degrees. They were homemakers, teachers, real estate agents, lawyers, psychologists, nurses, physicians, businesswomen, politicians, and successful corporation executives. Some did well at their jobs and some performed poorly. Although many were successful career women, they stated they would give up their careers if it would eliminate the battering in their relationships. Most had tried changing jobs or staying home without any effect on their husbands' behavior. Those women who chose to be homemakers tried heroically to keep their lives from falling apart: they struggled to make financial ends meet, kept family chaos at a minimum, and tried to smooth life for their batterer. Most of them sought status in their home lives rather than in their careers. Thus, their self-esteem was dependent on their ability to be good wives and homemakers and was not well integrated with their successful professional activities.

MYTH NO. 8: BATTERERS ARE VIOLENT IN ALL THEIR
RELATIONSHIPS.

Based on the women in my study, I estimate that only about 20 percent of battered women live with men who are violent not only to them but also to anyone else who gets in their way. Unfortunately, this violent group of men has been the most studied. They tend to be poorer and to live outside the mainstream of society's norms. They often have fewer resources or skills with which to cope with the world. Most street crime is committed by such men. They also have the most contact with society's institutions and seem always to be in trouble with the police. They often subsist on welfare payments; their children have behavioral and learning problems in school; they use hospital clinics. Courts send them to treatment facilities in lieu of jail sentences. Because so much of our resources is spent in dealing with these people, it often seems that they are representative of all of the violence in our culture. When it comes to battered women, this is simply not true. Most men who batter their wives are generally not violent in other aspects of their lives.

MYTH NO. 9: BATTERERS ARE UNSUCCESSFUL AND LACK
RESOURCES TO COPE WITH THE WORLD.

It has been suggested that men who feel less capable than their women resort to violence. Contrary findings were reported in England, where physicians, service professionals, and police had the highest incidence of wife beating. Most of the professionally successful volunteers in this study have similarly successful husbands. Among the affluent batterers were physicians, attorneys, public officials, corporation executives, scientists, college professors, and salesmen. Many of these men donated a good deal of time and energy to community activities. Often they would be unable to maintain their high

Myths and

productivity level were it not for one town, the mayor's wife, concealed the serious bruises he had assisted him with all his off previously successful men lost alcohol or emotional problems. erratic in performance by the the batterers in this sample were any other group of men in terms

MYTH NO. 10: DRINKING CA

Over half the battered women relationship between alcohol use to blame the battering incident. Upon further questioning, how men beat them whether or not some association between drinking denied. Exactly what it is is reasonable, however, to suggest blamed as the precipitating component in the battering recallably easier for the battered woman the batterer's drunkenness. Often as a way of calming their anger them a sense of power. Many could only get their men to stop cease. Unfortunately, it just

The most violent physical whose men were consistent drinking be done on the association between strongly suspect that there changes that occur under a good battering. Furthermore, these are found in the blood of alcohol fundamental changes in brain

productivity level were it not for the support of their wives. In one town, the mayor's wife, whose layers of make-up concealed the serious bruises he had inflicted upon her, regularly assisted him with all his official duties. In some cases, previously successful men lost their effectiveness because of alcohol or emotional problems. Many men were reported as erratic in performance by the women. As a group, however, the batterers in this sample would be indistinguishable from any other group of men in terms of capability.

MYTH NO. 10: DRINKING CAUSES BATTERING BEHAVIOR.

Over half the battered women in this sample indicated a relationship between alcohol use and battering. Many tended to blame the battering incidents on their men's drinking. Upon further questioning, however, it became clear that the men beat them whether or not they had been drinking. But some association between drinking and battering cannot be denied. Exactly what it is is still not known. It does seem reasonable, however, to suggest that in many cases alcohol is blamed as the precipitating factor, whereas it is only a component in the battering relationship. But it is psychologically easier for the battered woman to blame the violence on the batterer's drunkenness. Often the men in this study drank as a way of calming their anxieties. Drinking seemed to give them a sense of power. Many of the women felt that if they could only get their men to stop drinking, the battering would cease. Unfortunately, it just did not happen.

The most violent physical abuse was suffered by women whose men were consistent drinkers. Much work still needs to be done on the association between drinking and battering. I strongly suspect that there are specific blood chemistry changes that occur under a generalized stress reaction such as battering. Furthermore, these may be the same chemicals that are found in the blood of alcoholics. It is entirely possible that fundamental changes in brain chemistry cause both cycles. It

is hoped that as our scientific technology becomes more precise, we will be able to measure these chemical changes with more accuracy.

MYTH NO. 11: BATTERERS ARE PSYCHOPATHIC PERSONALITIES.

If batterers could be considered antisocial and psychopathic personalities, then individual psychopathology could be used to differentiate batterers from normal men. Unfortunately, it is not that simple. The batterers in this sample were reported to have many kinds of personality disturbances other than just being psychopathic. One trait they *do* have in common with diagnosed psychopaths is their extraordinary ability to use charm as a manipulative technique.

The women interviewed all described their batterers as having a dual personality, much like Dr. Jekyll and Mr. Hyde. The batterer can be either very, very good or very, very horrid. Furthermore, he can swing back and forth between the two characters with the smoothness of a con artist. But, unlike the psychopath, the batterer feels a sense of guilt and shame at his uncontrollable actions. If he were able to cease his violence, he would.

MYTH NO. 12: POLICE CAN PROTECT THE BATTERED WOMEN.

The women in this study manifestly do not believe this to be true. Only 10 percent ever called the police for help. Of these, most stated that the police were ineffective: when the police left, the assault was renewed with added vigor.

Sociologist Murray Straus, in his studies on violence in the family, labeled such assaults a crime and declared that were the violence to occur in any setting other than the home, it would warrant prosecution. He cites studies indicating that somewhere between 25 and 67 percent of all homicides occur within the family in all societies.

Myths

A recently completed study indicates that in 80 percent of cases, police had intervened from the beginning of the homicide between man and woman, but rather the end of the violence.

MYTH NO. 13: THE BATTERER IS A MASOCHISTIC WIFE.

This myth has spawned a generation of masochistic wife. Women have been battered by their batterers' brutality rather than by their own. It has been difficult for society to understand the batterers. But batterers are fun-loving little boys when they are playful, attentive, sensitive to their women. The cycle theory explains how the batterers' behavior can be in the battering relationship.

MYTH NO. 14: A WIFE BATTERS HER CHILDREN.

This myth has some foundation. Approximately one third of the men who batter their wives also batter their children. These men were also suspicious toward their daughters. In many cases, the women beat their children. In one third of the cases, the children were not physically abused. In other words, the fathers battered the mothers. In many cases, the mothers had seen their fathers beaten. In many cases, the mothers had scars which never healed. In many cases, the mothers doing this study seemed to be in a state of denial. The National Center for Child Abuse and Neglect reported a higher percentage of children who were also beaten by their children.

A recently completed study in Kansas City and Detroit indicates that in 80 percent of all homicides in those cities, the police had intervened from one to five times previously. Thus, homicide between man and woman is not a "crime of passion," but rather the end result of unchecked, long-standing violence.

MYTH NO. 13: THE BATTERER IS NOT A LOVING PARTNER.

This myth has spawned others, most particularly that of the masochistic wife. Women have been accused of loving the batterers' brutality rather than their kindness because it has been difficult for society to comprehend the loving behavior of batterers. But batterers are often described by their victims as fun-loving little boys when they are not being coercive. They are playful, attentive, sensitive, exciting, and affectionate to their women. The cycle theory of battering described later on explains how the batterers' loving behavior keeps these women in the battering relationship.

MYTH NO. 14: A WIFE BATTERER ALSO BEATS HIS CHILDREN.

This myth has some foundation in fact. In my sample, approximately one third of the batterers beat their children. These men were also suspected of seductive sexual behavior toward their daughters. In another third of the cases, battered women beat their children. Although the children of the final third were not physically abused, they suffered a more insidious form of child abuse because of living in a home where the fathers battered the mothers. Those women in my sample who had seen their fathers beat their mothers report psychological scars which never healed. Children whom I encountered while doing this study seemed to be undergoing similar traumas. The National Center for Child Abuse and Neglect has reported a higher percentage of men in battering relationships who also beat their children than those who do not. Their data

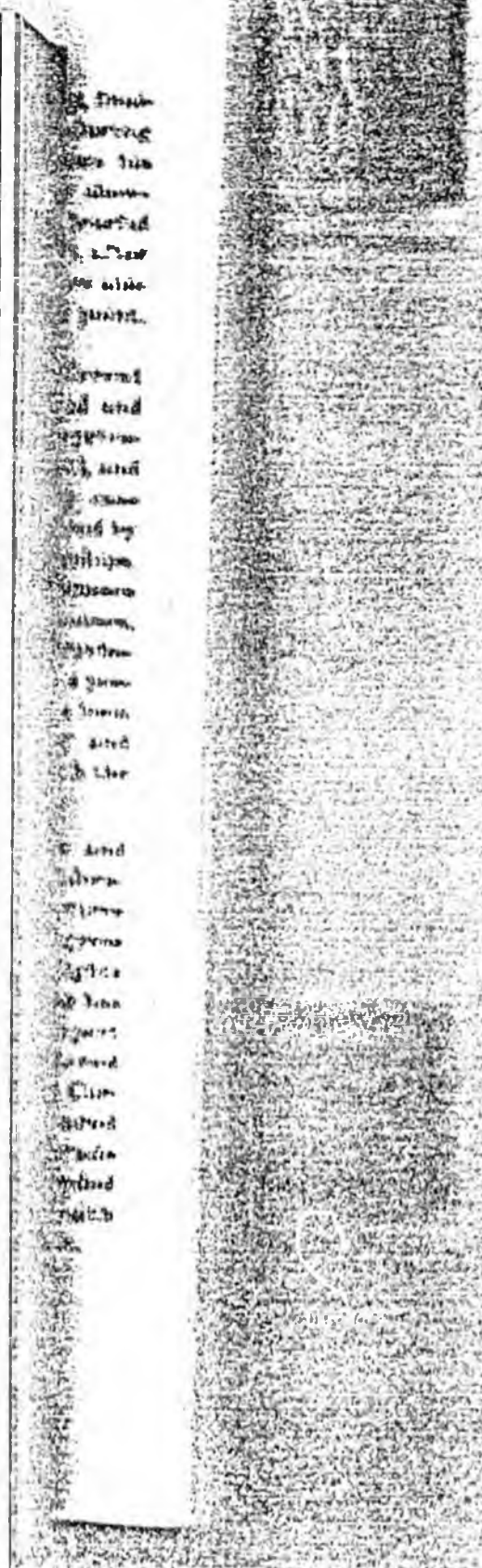
not shown it to be true. Relationships that have been maintained by the man having power over the woman are stubbornly resistant to an equal power-sharing arrangement. Thus, even with the best help available, these relationships do not become battering free. At best, the violent assaults are reduced in frequency and severity. Unassisted, they simply escalate to homicidal and suicidal proportions. The best hope for such couples is to terminate the relationship. There is a better chance that with another partner they can reorder the power structure and as equals can live in a nonviolent relationship.

MYTH NO. 18: BATTERED WOMEN DESERVE TO GET BEATEN.

The myth that battered women provoke their beatings by pushing their men beyond the breaking point is a popular one. Everyone can recount a story where the woman seemed to deserve what she got: she was too bossy, too insulting, too sloppy, too uppity, too angry, too obnoxious, too provocative, or too something else. In a culture where everyone takes sides between winners and losers, women who continuously get beaten are thought to deserve it. It is assumed that if only they would change their behavior, the batterer could regain his self-control. The stories of the women in this study indicate that batterers lose self-control because of their own internal reasons, not because of what the women did or did not do. Furthermore, philosophically this myth robs the men of responsibility for their own actions. No one could deserve the kind of brutality reported in these pages.

MYTH NO. 19: BATTERED WOMEN CAN ALWAYS LEAVE HOME.

In a society where women are culturally indoctrinated to believe that love and marriage are their true fulfillment, nothing is lost by pretending that they are free to leave home whenever the violence becomes too great. In truth, battered



women do not have the freedom to leave after being assaulted. Their psychological inability to do so is described in detail in the next chapter. Part II deals with the stark realities of having no place to go and no means of survival. A battered woman is not free to end her victimization without assistance.

MYTH NO. 20: BATTERERS WILL CEASE THEIR VIOLENCE
"WHEN WE GET MARRIED."

A small number of women in this sample reported violence in their premarital relationships. They thought that their men would cease their abuse once they were married, because the men would then feel more secure and more confident of the women's exclusive love for them. In every case, the expected marital bliss did not happen. Rather, the batterer's suspiciousness and possessiveness increased along with his escalating rate of violence.

MYTH NO. 21: CHILDREN NEED THEIR FATHER EVEN IF HE IS
VIOLENT—OR, "I'M ONLY STAYING FOR THE SAKE OF THE
CHILDREN."

This myth shatters faster than some of the others when confronted with the data on the high number of children who are physically and sexually abused in homes where there is such domestic violence. There is no doubt that the ideal family includes both a mother and a father for their children. However, children of abusive parents, compared with children of single parents, all say they would choose to live with just one parent. The enormous relief in living with a single parent expressed by children who formerly lived in violent homes is universal. In this sample, young children from homes where the father beat the mother had severe emotional and educational problems. The women in this sample remained with their batterers long after the children left home, putting to rest the myth that they were staying because it was better for

the children. They remained because of love established over a period of years. Who, then, are the battered

COMMON CHARACTERISTICS OF
BATTERED WOMEN

As indicated earlier, the battered women in this book were a mixed group in terms of religious (including no religious) and socioeconomic groups. The youngest was 18, and the oldest was seventy-five. The average age of the battered woman in this sample was fifty-three years, when the battering relationship was two years old. The battered woman in this sample

1. Has low self-esteem.
2. Believes all the myths about battering.
3. Is a traditionalist about family unity and the nuclear family stereotype.
4. Accepts responsibility for the battering.
5. Suffers from guilt, yet feels that she is not to blame.
6. Presents a passive face to manipulate her environment and being with the batterer.
7. Has severe stress reaction complaints.
8. Uses sex as a way to escape the battering.
9. Believes that no one will help her out of her predicament except her batterer.

Although a few of the battered women were living with their batterers, most had been legally separated or had been legally

the children. They remained because of the symbiotic bonds of love established over a period of time in such relationships.

Who, then, are the battered women?

COMMON CHARACTERISTICS OF BATTERED WOMEN

As indicated earlier, the battered women interviewed for this book were a mixed group, representing all ages, races, religions (including no religion), educational levels, cultures, and socioeconomic groups. The youngest was seventeen years old, and the oldest was seventy-six years old. The shortest battering relationship was two months and the longest lasted fifty-three years, when the batterer died from natural causes.

The battered woman in this study commonly:

1. Has low self-esteem.
2. Believes all the myths about battering relationships.
3. Is a traditionalist about the home, strongly believes in family unity and the prescribed feminine sex-role stereotype.
4. Accepts responsibility for the batterer's actions.
5. Suffers from guilt, yet denies the terror and anger she feels.
6. Presents a passive face to the world but has the strength to manipulate her environment enough to prevent further violence and being killed.
7. Has severe stress reactions, with psychophysiological complaints.
8. Uses sex as a way to establish intimacy.
9. Believes that no one will be able to help her resolve her predicament except herself.

Although a few of the women were unmarried and not living with their batterers, most either lived with their batterers or had been legally married to them. Many women

represented all ages, races, religions (including no religion), educational levels, cultures, and socioeconomic groups. The youngest was described as sixteen years old and the oldest was seventy-six. They were unrecognizable to the uninformed observer and not distinguished by demographic data.

The batterer, according to the women in this sample, commonly:

1. Has low self-esteem.
2. Believes all the myths about battering relationships.
3. Is a traditionalist believing in male supremacy and the stereotyped masculine sex role in the family.
4. Blames others for his actions.
5. Is pathologically jealous.
6. Presents a dual personality.
7. Has severe stress reactions, during which he uses drinking and wife battering to cope.
8. Frequently uses sex as an act of aggression to enhance self-esteem in view of waning virility. May be bisexual.
9. Does not believe his violent behavior should have negative consequences.

The first three characteristics of the batterers are strikingly similar to those of the battered women. Batterers typically deny that they have a problem, although they are aware of it; and they become enraged if their women should reveal the true situation. These men do not want to discuss the problem, and attempts to learn more about batterers have not been successful. When these men do agree to be interviewed, often as a favor to their women during their contrite and loving phase, they cannot describe the details of an acute battering incident. They evade questions or claim not to remember very much of what did occur. Thus, the knowledge we have of these men comes from the battered women themselves and our few, meager observations.

Researchers Eisenberg and Micklow found 90 percent of

the batterers in their study had five percent received dishonor. tematically collect such data. it appears that a similarly h military. Del Martin, femi suggests a correlation between violence" and subsequent ba

Overkill

There is always an element of behavior. For example, he re his woman; rather, he sets o may begin by slapping her or knows it, he has slapped her t and kicks as well. Even when batterer often uncontrollably same is true for his generosity showers the woman with affection than buying his woman. batterer bought her a three-o the woman asked for a pocket their checkbook balanced. Th tor capable of performing ma of them understood. Several husbands' extravagance, stal and harder to pay off the c overdoing things tends to b battering relationships.

Excessive Possessiveness and

Another staple characteristic, jealousy, and intrusive ness, jealousy, and intrusive secure, he must become over some instances, he may take

PROFILE OF ASSAILANTS

(by Carolla S. Serun, Ph.D)

Information on assailants in domestic violence cases is difficult to obtain. These individuals are less visible than victims because they are less likely to seek help. The following observations are based on clinical case data gathered in individual and marital therapy contacts with a small sample of ten men who have assaulted women in conjugal relationships.

A major characteristic of assailants in domestic violence cases is their capacity for self-deception and deception of others. They are masters in the art of finding ways to blame other people and external events for their inappropriate behavior. A life-long pattern of avoiding consequences for their own behavior effectively limits their sense of personal responsibility for their actions and limits their motivation for change. While some assailants have a number of ostensibly positive social relationships in which they "relate" politely and charmingly, these relationships are maintained with distance and control.

Some assailants are assaultive outside their homes; others assault only their conjugal partners and appear well adjusted to the casual observer. Their primary, if not exclusive, emotional investment is with a conjugal partner, and the assailant experiences an intense desire to control this partner. The partner plays an important role in the assailant's ability to externalize conflict and avoid internal distress. When the partner is unavailable, the assailant is likely to experience agitation, guilt, and depression. The partner represents a powerful source of gratification for avoiding this emotional pain and for maintaining self-deception. The assailant is likely to become most violent if the partner threatens or attempts to leave.

It is useful to examine how the personality style of the assailant

Profile of Assailants - continued

interacts with characteristics the conjugal partner develops as a result of victimization. It is particularly instructive to understand how the victim's efforts to adapt to or minimize the violence and conflict, and maintain the relationship, may paradoxically and inadvertently also maintain the violence. While the assailant wishes to project blame on the partner in order to avoid the pain accompanying personal responsibility for assaultive behavior, the victim may accept this blame for reasons related to her own survival. The most powerful enticement for the victims to blame themselves is the fantasy that, if they provoked or elicited the beating, they can consequently control or eliminate the assault simply by being "good". Ironically, though the shift of responsibility may meet some immediate desires for reassurance of both assailant and victim, this shift enhances the likelihood of further assaults. As long as the assailant blames the victim for his own problems, he is likely to continue beating her. In actual fact, the assaults are a product of the assailant's personality structure, and have little relationship to external events such as victim behavior. Once this shift of responsibility occurs, the problem of violent interactions is irresolvable; unless the assailant takes responsibility for his own behavior, the violence will continue unchecked.

Another area in which the effects of victimization of the conjugal partner interact with the personality of the assailant lies in the responses to separation from the relationship. When severe beatings and threats of murdering the partner and/or children or other loved ones have failed to prevent the conjugal partner from leaving, the assailant may become severely depressed. His feelings of guilt, loss, and anxiety may interfere with his ability to function effectively in any area of his life. This is frequently perceived by assailants, victims, and others as indicative of his deep "love"

Profile of Assailants - continued

for the victim and his remorse over his violent actions. The attachment of the assailant to the victim is a powerful bond; far from love, however, it represents a pathological dependency upon the partner. In a very real sense, he needs her--he needs her in a sense that would be emotionally destructive for both of them even if the violence were not occurring. He needs her, and their conflictual interactions, to help him avoid experiencing the intense internal distress which would accompany his recognition of his own responsibility for himself, his behavior, and his predicament. In response, the victim, whose self-esteem has been severely shaken by the assaults, is poignantly vulnerable to the pleadings of the assailant that he desperately needs her; it bolsters her shattered sense of worth. While one of my victim-clients, who understood all the implications of this need, was once moved to remark that she wished he would go need someone else for a change, many victims are repeatedly persuaded to return to a relationship by an assailant who is severely depressed, guilty, and/or suicidal. Far from being masochistic, the victim's motivations include: compassion for the assailant's distress, a need to be needed, and the belief that his extreme distress reduces or eliminates the likelihood of further violence. Unfortunately, the last assumption is opposite of what is most likely true: While there may be a "honeymoon" or "euphoria" phase immediately after an assault, the greater his distress, the greater is his pathological dependency; hence, the higher is the risk of repeated assaults. The assailant's pain is real; however, he uses it to manipulate and control the victim, rather than as a motivation for change. When this manipulation fails, he rapidly reverts to further attempts at intimidation or assaults, or re-establishes this same pathological relationship with another conjugal partner.

Assaultive behavior has enormous pay-offs for the assailant. An

Profile of Assailants - continued

aggressive person generally receives less negative (and, I might add, less realistic) feedback about his or her actions--one simply does not tell the truth to someone who is literally or figuratively holding a gun. The immediate consequences of aggressive behavior are gratifying for the assailant. His partner becomes submissive, attempting in any way to minimize frustration for him in order to avoid being beaten by him. While the victim's accommodating behavior is motivated by a desire to reduce the frequency of assaultive behavior, it instead serves as a powerful pay-off for maintaining it. Victim defiance, on the other hand, does result in a beating. Therein lies the dilemma for the victim--accommodation of the assailant maintains the violence and the relationship, but at a lower level than efforts on her part to defy his wishes or separate from the relationship.

Within the assailant's environment, there is little possibility for external controls which could provide the motivation needed to alter behavior other than action by society. In order to re-establish the relationship on a healthy basis, the victim must stop accommodating the assailant. However, doing so without effective and efficient support from society is self-destructive. Her only option is to attempt to terminate the relationship, which is also risky for her. If she is successful, the assailant re-establishes the same pathological relationship with another woman. Society could provide a basis for forcing the assailant to change by implementing punitive consequences which would make his assaultive behavior less rewarding.

One of the key pathological aspects of assaultive relationships is the shift in responsibility for assault from the assailant to the victim.

Our society fosters this sickness by blaming the victim and by failing to hold the assailant responsible for criminal behavior. We call the victim masochistic

Profile of Assailants - continued

or provocative and ignore the assailant. These attitudes, and institutional practices which are representative of these attitudes, contribute to the violence. Effective intervention by society must impact on the assailant if this assailant is ever to be forced into a position where he or she will change. Societal interventions must deliver the clear and unambiguous message that the assailant is personally responsible for assaultive behavior. There is only one legal justification for hitting another person: self-defense. There can be no other excuse in domestic violence cases. If we are to effect change we must say clearly that a person who is dissatisfied with a partner has every right to leave, but no right ever to brutalize that partner.

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INTRODUCTION TO LISTING

The idea of refuges for women in intolerable living situations is not a new one. Even before the incredible growth of sanctuaries for battered wives in England started, proving the tremendous need for such places, refuges of sorts have existed for hundreds of years. The refuges that have been established in the past, though, have certain significant, all-important differences from the ones being established today. Shelters of the past hardly had women flocking to their doors--women from all strata of life--filling them to capacity as the refuges of today in Britain do. Neither did past refuges address (let alone try to solve) the problem of battered women as a flaw in the social fabric that highlighted the generally brutal and degrading treatment women received.

Most sanctuaries for women in the past were affiliated with religious bodies, charitable organizations or community governmental groups. Some of these refuges still exist today. Often convents, hospitals, asylums, charitable institutions, poor houses, etc., offered women in extreme crisis a place to go temporarily or permanently. These refuges functioned to serve the needs of the family unit, the community, the governments and the status quo, rather than the long term well-being of the women who sought shelter there. In this respect, they served as a safety valve for the social institutions with which women were in conflict. They bound a woman's immediate wounds, gave her advice on how to adjust and cope with her situation and sent her back or kept her forever within their confines.

During the Middle Ages, many women entered convents to escape from the harsh realities of feminine life: constant childbearing, drudgery, poverty and male violence. Many women in crisis, though, were loath to enter the strict confines of these sanctuaries, whether convents, hospitals or charities. Others felt they would receive no real understanding or sympathy there. For many women the streets became their refuge, and even brothels their sanctuary from the family or community. Indeed, most refuges for women weren't refuges at all, but were merely forced to serve as such for lack of better alternatives.

Many of the refuges that are being established now are crucially different from those of the past in that they unequivocally put the interests of the women who use them in the forefront. In contrast, traditional refuges upheld the tenet that when the interests of men, the family or community were in conflict with women's needs, social priorities decreed that women's interests be run counter to or remain unmet. As an illustration of this we might look at the experience of some women in Amsterdam who are trying to aid women in crisis.

In January, 1974, six women in Amsterdam, all of whom worked in welfare work, got together. We knew from our own personal experience that women were not taken seriously; we knew from our professional experience that the "helping" services do not take the abuse of women seriously. Welfare work never begins with the woman herself, but with her relationship with a man. Abuse of women, as such, is thus never discussed in welfare work; it is a complaint that is first "translated" and then unfolds as a "relational problem", "marriage difficulties", "communication disturbance". The "solution" is thus regularly seen as the "rebuilding" of the "relationship" in the sense of bringing the partners together again. A woman tells about her experience with "relational therapy": "When I said that I was so afraid of my husband because he had tried to strangle me the night before, the

therapist answered: 'But ma'am, do you ever think how terrible it is for your husband that you're so afraid of him?'

A survey of a number of Dutch refuge-centers for women showed in fact that they denied that abuse was a problem. The women were there because of "marriage difficulties". In response to our questions as to what those marriage difficulties were, we got evasive answers. Abuse occurred only rarely, and it often seemed that the woman had "just concocted a story." Sometimes the staff even called up the man behind the woman's back. He then came to talk, and the staff got the impression that he was friendly, gentle, and helpful. After that, a "confrontation" was arranged between the man and the woman, and they often went back home together. In the folder of one house, intended only for service to women and children, it was said that services were offered "which the client can use to work out his own objectives." Only one house is specifically aimed at women who are physically abused. There is room for ten women. This house wants to offer concrete help to victims of existing abuses. The possibility of change is not considered, however: "It's always been that way (that men beat up women) and it will always be that way." (A man speaking). A variant of this viewpoint was sent to us from this same institution when we opened our house. "Our objection has to do with the poster in your window (one which says YOU CAN LEAVE IF YOU WANT TO). There are women who see in this a chance to flee from their marriages for a little while, when in fact there are no real problems that justify this."

The Council for the Protection of Children also represents itself as "neutral", and thus too does not consider the actual power relationships. They tell the man the address of the woman and children. That is an unwritten rule: the father has, after all, "the right to know where his children are", doesn't he? Even in a case in which a social worker had helped a woman to leave ("It was irresponsible toward the children to stay there any longer"), the next day they gave the man the address without any hesitation. The man went to the address immediately and stood crying in front of the door for two hours. He would "improve his ways" and was "so terribly sorry", etc. The staff of the house found him so likeable that they pressured the woman into "trying just one more time". Once she had gotten home, she got beaten up again. A week later she left again, this time without asking for the social worker's help.

There appeared to be no house that took its stand unambiguously in support of women and based its work on them and not on relationships or marriage. Because of these conditions, we decided to open a house in which abused women could be safe and could calmly take the time to decide what they would do further. We decided against a "scientific" study of the extent of the problem, and we asked for no subsidies or grants.... Nowadays, we occupy a big house that the city has made available to us, and that big house is already full. In the past six months there have been 121 women and 210 children here. In the past few weeks the numbers have been getting greater, we think because of the greater familiarity with the problem and with the possibility of refuge. (Excerpted from an article on the "Stay Away From My Body" Institute in Amsterdam by Elizabeth Kobus, translated by Janice Weiss. See publications listing.)

In France, feminists of the League of Rights of Women, have also recently set up a refuge for abused women called S.O.S.--Women's Alternatives. In a November, 1975 article in the French newspaper "Le Monde", by Bruno Frappat, the contrast between traditional attitudes and feminist perspectives on wife abuse are again brought to light.

All the organizations are not discovering the problem with the generosity of a neophyte. Five years ago, for example, Catholic Aid opened in L'Essonne, in a beautifully wooded area of 114 hectares, a shelter for women in difficulty and their children of less than 12 years of age. . . "Constantly," wrote the former director of the Center, "women and children arrive here in casts, burned, covered with scars and dressings." According to the present director, Mlle. Martineau, "it's necessary to save what's left of the family."

Mlle. Trentesaux, secretary general of the Association of shelters or "welcome" centers for women alone, directed from 1962 to 1972 a center at Seine-et-Marne, where victims of this violence, among others, came. She considers it "ridiculous" to want to create a structure specialized for battered women: "The problem is not so simple. Violence is an element of the discord within the home. It's necessary to know the two points of view. Many women are beaten as soon as they raise their arms to defend themselves. It's somewhat the same as dogs who attack only those people who are afraid of them. There's a mutual exasperation. Some husbands defend themselves against this exasperation by slamming the door and going out for a drink. Others by beating their wives. There are also, it's necessary to say, some women who adore being beaten. It's like a vice."

These diverse arguments do not discourage the militants of the League of the Rights of Women. For them, the victims of violence--from rape to marital aggressions--have need of a specific refuge, "where they will take themselves in charge. In the shelters that exist now," said one of the activists from S.O.S.- Women's Alternatives, "the residents are taken under guardianship, treated as boarders and minors. They are continuously reminded that they are in a situation of failure. Our focus, to the contrary, is to break the vicious circle of violence and dependence, and not to encourage passivity. This is why we want to create a flexible structure."

To fight against the violence, perhaps first of all, is to shake up the fatalistic apathy of the victims. But also to denounce several ideas such as those expressed recently by Mme. A. Schultz, a delegate for the condition of women in Alsace. When the League of the Rights of Women attracted her attention to the case of a woman thrown out a window by her husband last August who died from her injuries, Mme. Schultz responded: "My medical experience has taught me that many mental and even physical cruelties with respect to the marital partner were the fault. . . of the weaker partner." (Translated by Lisa Leghorn).

From these attitudes we can see that those who purported to give aid to women, often compounded and perpetuated her unjustified victimization. It does seem to make all the difference when a shelter is being set up for women with a feminist consciousness. That's why it's important that no matter what area of wife abuse we're working on, whether it's the legal aspects, social work, research, public

education or setting up refuges, we can learn from the lessons of the past. To insure that our efforts will be put to the best use in terms of real benefits for women we must break with sexist traditions and view and treat abused women as worthy of regard and aid in their own right.

Frequently, when violence towards women momentarily does catch the public's attention, it's the assailant, rapist or someone other than the women who is the object of sympathy or concern. Often you hear how the poor wife beater was under the stress of unemployment, in the grip of alcoholism, victim of neurosis or psychosis, a battered child or under stress at work, etc. And how many times have we heard of rapists being the victims of vengeful women or being mistakenly misidentified?

In reaction to feminist efforts to aid rape victims and secure them more sympathetic treatment, there has been a backlash by men who decry that the rights of rapists are being infringed on. In response to recent efforts on behalf of battered women, articles by men have appeared like, "Battered Husbands - Victims of the 'Angry Woman Syndrome'". On reading this article, you might find that a miniscule proportion of husbands are "emotionally battered" by their wives. Only when the violence of wife beating is portrayed as a symptom of a man's problem, or when it spills out to disturb others in the community is some concern over the problem shown.

An old Pennsylvania law stating that it's illegal to beat your wife after 10:00 P.M. or on Sundays, testifies that the peace of the community is the important consideration. The police have recently expressed concern over how the problem of "domestic disputes" is being dealt with. Does this evidence a long-delayed realization of the plight of battered women? No. "Domestic trouble calls (are) the assignment that most policemen fear and despise above all others. According to the F.B.I. thirty policemen were killed last year breaking up personal disturbances, more than in any other area of law enforcement." (Newsweek) So, the policemen, we find, are concerned with their own safety and thus impelled to cite domestic disputes as an area for their concern. The new courses training police in crisis intervention were spurred by an effort to protect the police.

The rights and safety of men, the social stresses that they sometimes encounter, no matter how infrequently, are the first issues that evoke concern. While wife beating has occurred in epidemic proportions for centuries, it has hardly caused a ripple in the law enforcement apparatus, the judiciary, the medical establishment, social agencies or the psychiatric community.

Women's Advocates, who founded a refuge for abused women in the United States, tell about one of the first meetings they had with the police to secure better treatment and some protection or even response for women being beaten.

We tried to elaborate our specific demands point by point, and in the process of defining our needs, we got really sidetracked in the husband's and men's rights issue. The Chief was very concerned about the legal rights of men who wished access to their wives and children. He seemed to doubt that we had the right to deny physical contact at Women's Advocates (house) between women housed and their men.

I was beginning to despair that the real aim was going to be lost in this issue, which seemed to loom in the minds of many police personnel, and was being reflected by the concern of the Chief." (from Women's Advocates Newsletter, Vol. XXIII, see publications in listing.)

In this country, a groundswell of feminist concern that refuges be established, is being felt. This concern is sometimes of a very different character and even at odds with traditional concepts of what the structure, purpose and philosophy of shelters for abused women should be. The clashes between these differences make it clear that compromise will not work when the integrity, physical safety, and interests of women are at stake. In the United States, as well as in such diverse places as Holland and France, these differences of philosophy and practice are being manifested.

Many feminists have put months and even years of intense effort and labor into bringing the problem of battered women to public attention and focussing energy into viable solutions. The groundwork was painstakingly laid, the need clearly defined, the solutions formulated and fought for.

Finally, the fact that millions of battered women exist is being reluctantly acknowledged by the institutions, professions and governments that seek to control and define our lives. It was in spite of these very institutions that profess to be our benefactors that the issue of battered women has begun to receive some public attention.

The attitude toward this issue, and the understanding of it by professionals and bureaucrats administering these traditional institutions, leaves much to be desired. Increasingly, I believe, the issue is being seen by them as merely a new way to obtain funding and jobs, a new area to exploit for profit and sinecures.

I have heard from groups and individual women in many parts of the country, who, on the brink of establishing their programs for battered women, or having just received funding, find their work coming to a standstill through the interference of traditional institutions, governmental agencies or professionals. Though these agencies have shown little or no concern for the battered woman in the past, the smell of money is an overpowering incentive for them. Often they step in after all the hardest work is done and attempt to place their people in positions of control.

Another tactic is to obtain thousands of dollars in funding to do a "study" to see if the problem exists or a shelter is needed. If this money was simply used for a refuge, evidence of the need would be quickly demonstrated through use of the facility. (See Majority Report, Oct. 16-29, 1976, 74 Grove St., NYC 10014. Also Battered Wives, by Del Martin, pp. 219-222.)

Much like the Poverty Programs of a decade ago, the movement in behalf of battered women is vulnerable to exploitation by well-off professionals and bureaucrats who fund themselves with the money obtained, rather than letting it benefit the people whom it was secured for.

In other areas, opportunism is also evident. A number of men are in the process of writing sensationalized books on battered women for various publishers who believe that the time is right for cashing in on the issue. Closer to home, the listing, "Working on Wife Abuse" has been used many times by well-paid journalists, T.V. people, etc., as their main resource, for no fee.

As the movement in behalf of battered women gains ground, we must remain aware of the real and long-standing interests of various agencies and charities who proffer

their "help". The issue of battered women may be a powerful money-raising tool for them, but we have no reason to expect or hope that traditional organizations will suddenly renounce their long-held attitudes and policies.

These attitudes and policies have co-existed with, contributed to, or reinforced women's oppression and are still strong and widespread today. They have meant that, always, in cases of conflicting interest with other members of the human community, women's well-being has been put at the bottom of the list. It will take years to redress the balance, and tragically, for many women, aid will be too late in coming. Reparations for this criminal neglect and denied support are long overdue.

Betsy Warrior



WHY REFUGES?

Many people feel resentment at the compounded injustice refuges for battered women represent. They believe that it is the perpetrators of the assaults, the men, who should be driven from their homes, community, and friends - not the women who have already been victimized by the batterer's behavior. There have been suggestions for refuges for battering men which, on the surface, seems to be a more just and reasonable solution than inflicting further trauma on the battered woman by removing her and her children from their home to unfamiliar surroundings.

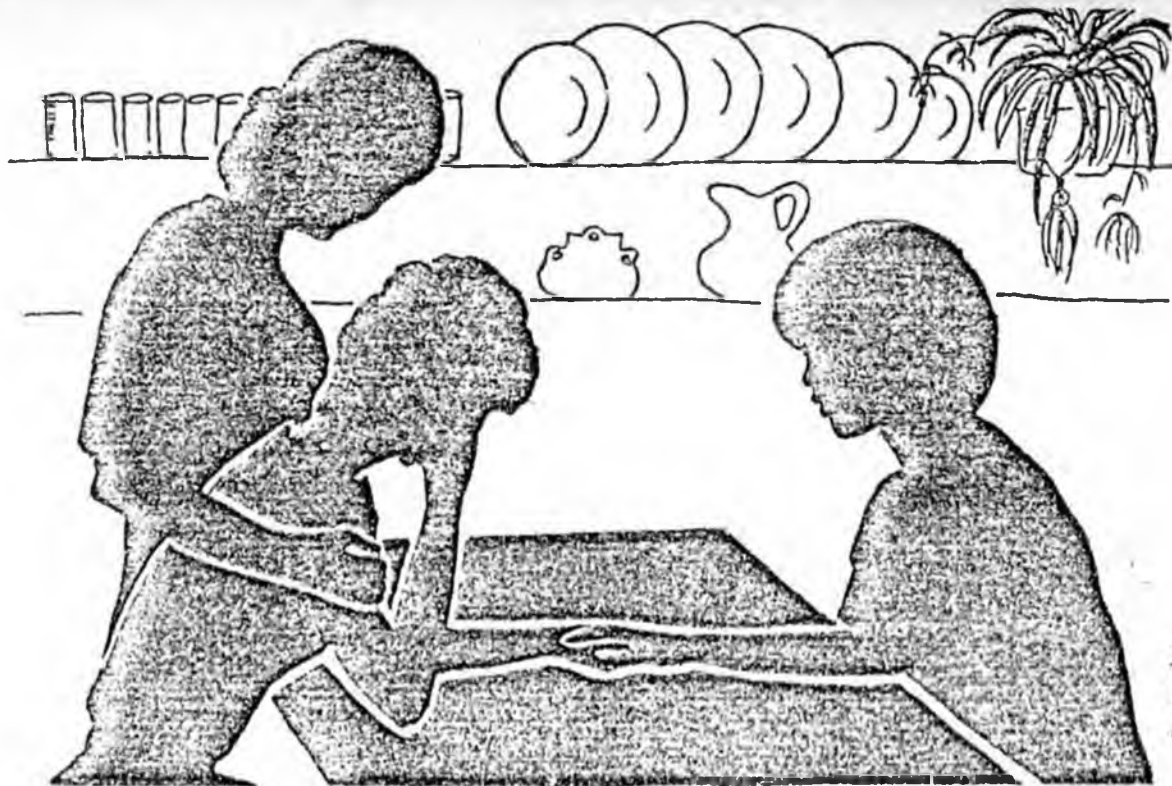
The law implies that there are already places where people who commit assaults can be sent. Though jails may be thought of as "refuges" for people who commit violent assaults on others, they have seldom been used to restrain a man who physically attacks his wife or girlfriend. Although a man is seldom penalized for assault on "his" woman, when he is, his major fault in the eyes of the court usually lies in his being too poor to afford a good lawyer or belonging to an unfavored minority. Any wholesale demand to use these "refuges" for men would also be likely to result in compounding an injustice. There is a long history of evidence to indicate that prisons don't serve to rehabilitate, but rather foster a feeling of revenge toward the former victim and accuser. Short of the force already supposedly provided by the law to remove a batterer from the home, there seems little motivation for the man to seek out help to free his victim from abuse. In fact, most batterers refuse even the simple step of seeing a counselor.

The greatest weakness in the argument against the injustice of refuges for battered women, though, lies in the fact that we are not dealing with a just or equitable society, but a society in which millions of women are being abused daily. The question then is one more urgent than that of justice; it is a question of women's survival.

Unfortunately, women can seldom even make the choice of having their attacker removed from the home by a "vacate order" or a more amicable verbal agreement. To remain in the home means that the attacker knows his victim's whereabouts and can strike again at any time - when she's sleeping, when she steps out her door, at any vulnerable moment. Under these conditions, a woman is forced to live in constant fear that the attacks and threats will resume at every ring of the phone, every sound at the door, ...

Besides these negative factors that drive a woman from her home, there are positive factors that can attract a woman to a shelter for the benefits it can provide. Foremost among the benefits of a shelter is the environment of safety, understanding, solidarity, and support it has the potential of offering. These qualities can't be elicited or set down in any list of rules or guidelines the shelter adheres to, but arise out of a subtle combination of concern, cooperation, and encouragement the residents and staffers are able to create. Just as shelters are the result of feminist initiative and perspectives, the atmosphere or interactions within the shelter should be a reflection of the basic feminist principles and concern that brought them into existence in the first place. The effectiveness of this environment will vary from shelter to shelter and time to time, depending on the interactions between residents and between staffers and will also be affected by the resources available and the support of the community.

The only real experts on battered women are battered women themselves. The traditional "experts" and professionals have been one of the battered woman's greatest problems. The myths and justifications they have fabricated perpet-



uate a social climate in which such abuses of women as economic discrimination, rape, and battering are taken for granted. Although shelters have the potential to serve battered women in urgent, decisive ways very positively, their services are geared to only one of the symptoms of one of the many aspects of woman abuse. Therefore, the underlying business of a shelter must be aimed at putting itself out of business. This can only happen if shelters are seen as part of a widespread movement to create a society that no longer tolerates the abuse of power in any area or at any level. Working to ultimately put your project out of existence could, unfortunately, be a goal not all people would be willing to work for. Those who acquire academic status or well paying jobs dependent on the existence of battered women might be reluctant indeed to attack the root causes of woman abuse if that would eventually deprive them of a comfortable niche.

A shelter should deliberately put limitations on the services it is willing to provide. Instead of allowing communities to shift the burden of providing medical, legal, economic assistance, and housing onto the meager resources of shelters, communities should be expected to provide these services for all who need them. Since everyone in the community has need for these services, the local government should be responsible for their widespread availability and financing. A woman shouldn't have to wait until she is battered before being able to utilize a good welfare program, legal aid service, etc. There would be far fewer women in need of shelter if these services were adequately provided for all. When a shelter tries to provide these services, money that could have gone more directly to battered women through the shelter channels starts being given to doctors, lawyers, and other professionals. Also, shelters have more than enough work to do in keeping the house, hotline and support groups functioning without taking on "professional" services. A group in Minnesota have pointed out the need to utilize and broaden the services provided by the communities, and were successful in demanding that their housing authority provide them with housing for a shelter.

Although shelters can only partially address the needs of one segment of abused women, the services they do provide are so desperately needed that if they weren't provided, survival, never mind justice, would hang in the balance for many women.

GUIDELINES
SUPPORT GROUP FOR BATTERED WOMEN

For battered women only. No observers.

This is a support group. People should not criticize or be disapproving of how a woman has handled her situation, but offer support and suggestions for alternatives that will be more constructive and helpful in the long run.

Keep the atmosphere as informal and spontaneous as possible.

Give everyone a chance to speak if they want to without going around the room in a formal way. Be aware of who hasn't spoken yet, so that when they do start to speak they'll get a chance to discuss their situation or finish what they want to say.

Allow women in immediate crisis situations the most chance to talk - if they want to.

Define the problem. Don't get bogged down in individual details too long without relating it back to other women in a social context - how all women are socialized and battered (or discriminated against in different ways), how we can deal with this more effectively or change the situation. Each woman must know that she individually is not to blame for her battering, but instead understand the circumstances that are making it hard for her to struggle against it.

Keep to the subject of what we are at the support group for.

Don't single out shy women to speak. Wait until they are ready and then encourage them and try to make them feel comfortable. If they look like they'd like to say something, ask them how their week was, instead of saying something like, "Do you want to talk now?" or "Tell us something about yourself?". This way they can offer as little or as much information as they want without feeling pressured. Sometimes a shy woman will speak up at first only when everyone else is talking at once because then all the attention isn't focused on her. At this time try to allow her some space to be heard and finish what she's saying. Otherwise:

Try to keep everyone from speaking at once and separate conversations from going on at the same time so everyone will have a chance to know what's going on.

Try to keep people from interrupting or monopolizing all the time.

Keep the group small so people can get to know and trust each other and have plenty of time to talk (about six people).

Support group participants must remember that what is discussed within the group is confidential. When relationships between participants in the group develop outside the group, these confidences should never be abused.

cont'd next page

Often women start out thinking that their situation is unique and that their mate is exceptional in his brutality and craziness, or in his kindness and understanding when he's not beating her. Unless a woman begins to see that a lot of other women also feel exceptional in these ways, she will feel isolated and feel that the support and information being shared can't possibly apply to her own situation. Not getting bogged down for too long in individual detail is very important, not only to point out how much all women have in common, and thus give us more ease in relating to one another, but even more pressingly, this guideline is necessary to shift the weight of guilt and self-blame that society imposes on battered women. This self-blame is often a strong factor in immobilizing a woman from taking action in her own behalf. When the interactions in the support group are going well, the participants spontaneously and automatically help each other by emphasizing how irrational and unprovoked the beatings are and finding many similarities in their predicaments.

The decision not to give out the home phone numbers of the facilitators was arrived at after receiving many harassing, threatening, and obscene calls from men who had discovered the phone numbers in their wives' possession.

This group is action-oriented and relatively short term (from a few weeks to a few months for each participant). Its work is geared to women who are seriously thinking of leaving their situation or who have already decided to. In this type of group a high turnover rate must be expected - as with a shelter. Also the number of participants attending fluctuates greatly because women are more reluctant to change their situation when they've just enrolled their children in school or when holidays are coming up, etc. One should not get discouraged if no one shows up some weeks or other weeks only a few attend. Some women coming to the group will leave their situations and find their own apartments; others will have their mates removed; some will come to the shelter if there is one; and still others will remain in their situation.

Occasionally, a woman who was battered 5 or 10 years ago will attend the group wanting to discuss the unresolved feelings this experience has left with her. This has been found to be frustrating by the other participants who are anxious to attend to the needs of an immediate crisis situation. Some thought is being given to starting a support group especially for women who have been battered in the past. For now, though, they are being referred to feminist counselors. The former solution, however, would seem to be the best as many battered and ex-battered women express the need to discuss their experience with others who've been through the same situation.

If women continue to come to the group for a long time after their dilemma has been resolved or continue to come many times without getting any closer to a solution, it often has a stagnating effect on the dynamics of the group as a whole. The women who have resolved their situation should instead be encouraged to help facilitate the support group, staff at the hot-line or refuge, or do advocacy with the other women. If there is no shelter in your area, they might be interested in forming a task force to start one.

Although the support group facilitators freely give out information, encouragement, support and sometimes provide advocacy, none play the role of a psychologist or counselor. The emphasis is placed on self-help, on developing the strengths and potential that each woman possesses and allowing all participants to relate on a woman-to-woman basis.

- Betsy Warrior

Feiffer

I GO TO A BAR. I TALK.
EVERYBODY LISTENS. I
FEEL SMART.



UNTIL SOME FATHEAD
DISAGREES WITH ME.



AND I CANT COME UP
WITH AN ANSWER FOR
HIM.



AND I FEEL DUMB.



I COME HOME. YOU SAY "HI!"
I DONT LIKE THE SOUND
OF YOUR VOICE.



I PUT MY FIST IN
YOUR MOUTH.



AND IM ALL
BETTER.



ALABAMA

Shelters

Penelope House, Inc.

P.O. Box 6871

Mobile, AL 36606

(205) 471-1771 - Crisis

(205) 471-1795 - Office

Services: Legal aid, (court costs only) counseling, referral, hotline (24 hrs., 7 days/wk.), housing (max. capacity 15-20 people, limit 3 weeks, will take children), childcare

Funding: CETA, community fundraising, have applied for LEAA grant

Domestic Abuse Shelter, Inc.

P.O. Box 4752

Montgomery, AL 36101

Services are being planned

Funding: donations

ALASKA

Shelters

WAIC, Inc.

417 W. 8th St.

Anchorage, AK 99501

(907) 274-4561

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: State, community

Aiding Women in Abuse and Rape Emergency

P.O. Box 809

Juneau, AK 99802

(907) 586-6624

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: State, community

Bering Sea Women's Coalition

P.O. Box 1596

Nome, AK 99762

(907) 443-5259

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: LEAA, state, community

Iliuliuk Family and Health Services

Unalaska, AK 99685

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: State, community

Shelters

Tundra Women's Coalition

P.O. Box 1034

Bethel, AK 99559

(907) 543-3455

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: LEAA, state, community

Women In Crisis Counseling Assistance

331 Fifth Avenue

Fairbanks, AK 99701

(907) 452-2293 - Shelter & Counseling

(907) 452-6770 - Rape

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: State, community

Other Services

Kenai Women's Resource Center

P.O. Box 2464

Seldotna, AK 99669

(907) 262-9760

Services: Counseling, referral, transportation, housing (safe homes)

Funding: State, community

Kodiak Women's Resource Center

Kodiak, AK 99615

(907) 486-3625

Services: Crisis counseling, referral, hotline housing (in safe homes)

Women in Safe Homes

P.O. Box 6552

Ketchikan, AK 99901

(907) 225-2730

Services: Counseling, referral, hotline, housing (in safe homes)

Funding: LEAA, state, community

ARIZONA

Shelters

Rainbow Retreat, Inc.

4332 N. 12th Street

Phoenix, AZ 85014

(602) 263-1113

Services: Counseling, referral, hotline, childcare, housing

Funding: LEAA

Sojourner Center

P.O. Box 2649

Phoenix, AZ 85602

(602) 258-5344

Services: Counseling, referral, hotline, housing (max capacity 25, limit 7 days, will take children)

Funding: City of Phoenix (CETA); Maricopa County (META); Maricopa County Probation Department, State of Arizona Department of Corrections; Title XX; individual and corporate benefactors

Twenty-eight percent of the murders involved relatives, twenty percent friends, twenty-one percent acquaintances, and fourteen percent strangers. Seventeen percent were committed by an unknown person or persons.

TABLE 25

MURDER
Victim/offender Relationship
1978

	Number of Offenses	Percent Distribution
Husband	2	4
Wife	7	14
Father	1	2
Brother	2	4
Son	1	2
Uncle	1	2
Common Law Husband	1	2
Common Law Wife	1	2
Girlfriend	3	6
Ex Boyfriend	3	6
Friend	2	4
Acquaintance	11	21
Stranger	7	14
Unknown	9	17
TOTALS	51	100

Thirty-three percent occurred during family or lover's quarrels, ten percent while a robbery was being committed and fourteen percent during arguments or street fights. The circumstances were unknown in nineteen percent of the murders.

LAW

ENFORCEMENT



Alaska State Legislature

House of Representatives

Committee on Judiciary

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

To: Charlie Parr, Chairman, and Members of the House
Judiciary Committee

From: Margaret W. Berck, Staff

Date: September 13, 1979

Subject: The Department of Public Safety

I. INTRODUCTION

The Department of Public Safety (DPS) is comprised of two law enforcement divisions, the Division of Alaska State Troopers and the Division of Fish and Wildlife Protection.¹ Currently, DPS has 447 commissioned officer positions. The Division of Alaska State Troopers has 287 such positions, with 14 vacancies; the Division of Fish and Wildlife Protection has 101 such positions, with 11 vacancies. In addition, 40 positions (30 vacancies²) are assigned to the Alaska State Trooper Academy; 8 positions (2 vacancies) are assigned to the officer of the Commissioner; and 11 positions (4 vacancies) are assigned to Fire Prevention. Because of a maintenance budget, DPS is unable to increase these positions during fiscal year 1980. Officers assigned to either of the main two law enforcement divisions must meet the same qualifications requirements and pass the same entrance examination. Both law enforcement Divisions have the same

¹Other divisions include the Division of Motor Vehicles and the Division of Fire Prevention, but for purposes of this report, remarks are limited to the two main law enforcement divisions.

²The positions attached to the State Trooper Academy are filled to capacity only during periods of instruction.

ranking structures and rates of pay. An officer enters DPS at range 74 and, after the satisfactory completion of his or her one-year probationary period, receives a range 76 salary.³ Officer positions with both such Divisions are located throughout the State.⁴

II. RECRUITMENT AND TRAINING

Presently, DPS is seeking to recruit more minorities and women to the force. This recruitment effort is the result of protracted negotiations with the Human Rights Commission. Since the Human Rights Commission had found that the written examination,⁵ used by DPS in its selection process, was culturally biased, a new examination was developed.⁶ This examination will be administered to applicants in October, 1979.

In order to attract large numbers of minorities and women for the October entrance examination, DPS is currently in the midst of notifying Native corporations, the Bureau of Indian Affairs, and various minorities' and women's organizations of employment opportunities with DPS. In addition, the examination will be given in the eight major cities of Alaska, as well as, any other location where there are at least three applicants desiring to take the examination. Furthermore, DPS is negotiating with the Bureau of Indian Affairs so that the Bureau

³In the Anchorage area, range 74 pays \$1829 per month; range 76, \$2119.

⁴See Appendix to this report for exact locations of officers, as well as, detachment organization.

⁵Although DPS utilizes separate written examinations for various promotional positions, apparently the Human Rights Commission negotiations only pertained to the entrance examination.

⁶This new entrance examination is also used by the Anchorage Police Department

might provide travel funds to any Native applicant who might have to travel to another location in order to take the examination.

9
DPS's goal is to obtain 13 percent minority representation on the force. The basis for this percentage is that that is the current percentage of minorities in the Alaska available work force. In other words, minorities comprise 13 percent of all of those in Alaska who are presently looking for work. DPS did not know the percentage of minorities presently employed in their department. At the time of writing this report, DPS was making a computer run to determine this fact. DPS did state that there are 9 percent women on the force excluding the Anchorage area and 11 percent women on the force taking into account solely the Anchorage area.

*Communication
Distance
Number of Troops
Weather*

To insure the attainment of this goal, DPS has obtained a waiver of their normal selection process. Normally, DPS hires on a one to five ratio. For example, if DPS had one position available, it would normally select that individual from a group of five interested in the position. Those five would be drawn from those achieving the highest scores on the written examination. However, under their affirmative action plan, DPS intends to cull all the minority and female applicants who have passed the written examination. Those individuals will be offered positions ahead of white males even should the white males score better on the examination. Under this process it is possible that the next group of troopers employed will be all minorities and women.

In addition to the written examination, applicants for trooper positions must undergo a medical examination and a polygraph examination. Currently, psychological examinations are not required. In

the past, applicants were required to submit to a psychological screening. This was conducted by a psychiatrist in Anchorage and costs \$500 per evaluation. This procedure was subsequently abandoned by DPS primarily because it found the evaluations to be useless. Applicants who failed the psychological evaluation would seek an opinion from another psychiatrist and frequently obtain a completely different opinion. One such applicant was ultimately hired by DPS and has made a fine trooper. Despite difficulties in the past, DPS is seeking to incorporate some type of psychological evaluation in their selection process. DPS has contracted with a police psychiatrist who subjects trainees at the State Trooper Academy to simulated stress situations. Trainees are then assigned grades upon the basis of their responses. The behavior of these trainees is being traced, once they have been placed on the force, to determine if there is any correlation between the test results and on-the-job behavior. Should this test ultimately be validated, it will be incorporated in the DPS selection process.

Applicants must also take an agility test. Currently, however, the results of this test alone, would not eliminate an applicant from the selection pool. The test is not a pass/fail examination. DPS is attempting to validate this test in order that it might be established as one of their selection criteria.

Once the applicant has successfully completed the battery of examinations described above and is selected by DPS for hire, he or she must then complete the Alaska State Trooper training requirements. These training requirements must be completed prior to the end of the officer's one-year probationary period. The first portion of

training is conducted at the State Trooper Academy⁷ located in Sitka. The State Trooper Academy consists of 13 weeks of instruction on various law enforcement subjects, including a course on emergency medical procedures and a brief session on cultural sensitivity. The second portion of training consists of three months of field training. Field training is basically on-the-job training.

Presently, DPS is in the midst of completely revising its "~~shoot and no shoot~~" instruction at the academy. In the past, DPS brought instructors up from Los Angeles to provide this training. However, DPS has found that there was no coordination between what was taught at the academy and what was later taught in the field. As a result of this finding, DPS intends to bring every state trooper back to the academy to be retrained on this specific issue. This training will provide the officer with instruction on when he or she may grab, unstrap, draw, and aim his or her weapon. Before the officer is permitted to shoot an assailant, the assailant must present the ability and opportunity to endanger the officer. Furthermore, the officer must be in actual jeopardy. It is contemplated that this training will be completed by the end of 1979.

III. COOPERATION AMONG LAW ENFORCEMENT AGENCIES

Alaska law⁸ requires DPS to assist other departments of the state, municipal, and federal governments in the enforcement of criminal laws and regulations pertaining to those departments. In

⁷Although normally the State Trooper Academy has two sessions each year to accommodate the average yearly turn-over rate of 24 officers, because of a maintenance budget for fiscal year 1980, DPS intends to hold only one Academy session in 1980.

⁸See AS 18.65.090; see also AS 18.65.060 and AS 18.65.080.

practice, agreements between DPS and other law enforcement agencies may be either written or verbal. With municipalities, where there is concurrent law enforcement jurisdiction between the Alaska State Troopers and local law enforcement officers, most of the agreements are verbal. An example of coordination between the Alaska State Troopers and a municipal police department is the Metro Unit in Anchorage. This is a combined city-state drug enforcement unit. Furthermore, combined state-federal law enforcement efforts are also usually of an informal nature. Alaska State Troopers will frequently coordinate investigation efforts with federal agencies in the drug enforcement area, as well as, violent crimes, such as bank robberies.

The Fish and Wildlife Protection Division of DPS contracts with NOAA in order to enforce fish and game laws in the crab fishery beyond the three mile limit. This contractual relationship permits officers from both agencies to deputize each other to facilitate this joint law enforcement effort.

DPS enforces state criminal laws both inside and outside the National Monuments. The Division of Fish and Wildlife Protection does not enforce federal fish and wildlife regulations inside the monuments, but it is responsible for enforcing state fish and game laws inside the Admiralty Island and Misty Fjords monuments. A copy of DPS policy on this issue is attached at the conclusion of this report.

Although these cooperative arrangements exist with respect to other law enforcement agencies, Commissioner Nix contends that there is not enough cooperation between police, prosecutors, courts, and

corrections to develop a cohesive strategy for curbing Alaska's increasing crime situation.

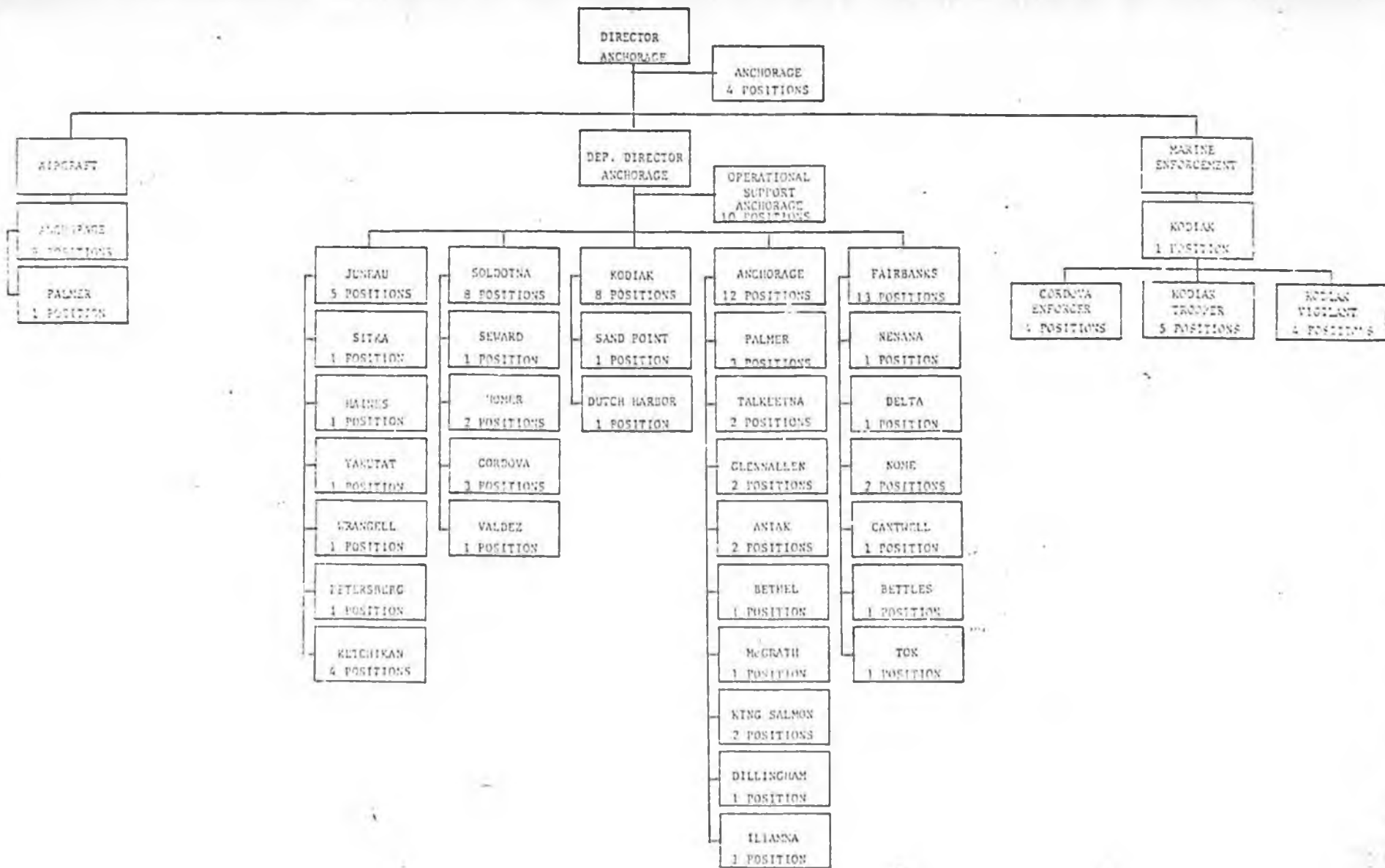
DPS is moving gradually in the direction of becoming a state police force. DPS desires not to duplicate services in the urban areas. Recently, in line with this philosophy, law enforcement in the Anchorage bowl area was made primarily the responsibility of the Anchorage Police Department. Although DPS believes that combined state-local law enforcement efforts are necessary, it would like to reduce the level of its involvement in, for example, the Metro Unit in order that better services might be had in the bush. Response time for major crimes in rural Alaska is presently five days. The DPS hopes to reduce this response time to three days in the coming year.

IV. DPS PRIORITIES

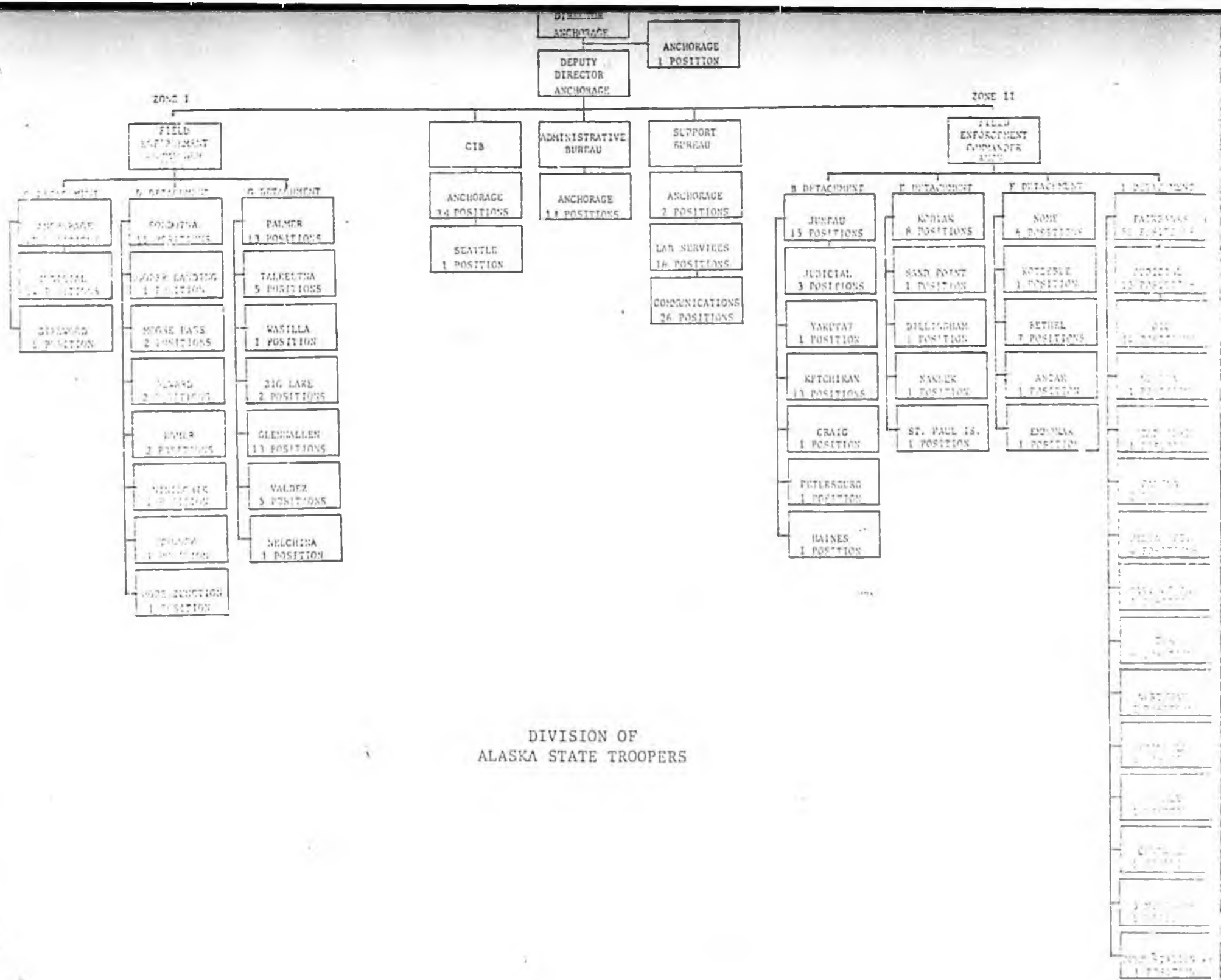
DPS law enforcement priorities are first, protecting life; second, protecting property; and third, protecting resources. Aside from these basics, the DPS does not make selective enforcement decisions, nor does the DPS believe that such decisions would be good public policy.

Although specialized units, such as fraud, drug, traffic, and criminal investigation exist within the Division of Alaska State Troopers, should the DPS budget require a reduction of officer positions, a generalist would be kept over a specialist. This management position is a result of the DPS philosophy not to engage in selective law enforcement.

FISH AND WILDLIFE PROTECTION



THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.



DIVISION OF
ALASKA STATE TROOPERS

THE PRECEDING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

JP04 0245 16.48 JP04 0298 16.49 08/02/79

SPO4 COL. ANDERSON
SPO8 COL. WOLDSTAD

REFERENCE NEW PARKS AND MONUMENTS

STATE CRIMINAL LAW: WE WILL CONTINUE TO RESPOND TO, INVESTIGATE AND ASSIST IN THE PROSECUTION OF REPORTED VIOLATIONS OF THE STATE CRIMINAL LAWS BOTH INSIDE AND OUTSIDE OF THE NEW FEDERAL MONUMENTS. THE EXCEPTION TO THIS WILL BE "OLD MT. MCKINLEY PARK" WHEREIN THE NATIONAL PARK SERVICE RETAINS EXCLUSIVE JURISDICTION. PERSONS REPORTING VIOLATIONS OF FEDERAL MONUMENT REGULATIONS, AND ANY SUCH VIOLATIONS OBSERVED BY OUR OFFICES WILL BE DIRECTED OR RELAYED TO THE APPROPRIATE FEDERAL ENFORCEMENT AGENCY.

NATIONAL FOREST SYSTEM MONUMENTS OF ADMIRALTY ISLAND AND MISTY FORDS: FISHING, HUNTING, TRAPPING AND SUBSISTANCE WILL CONTINUE (AT LEAST UNTIL DECEMBER 1981) UNDER ALASKA STATE LAW AND THE JURISDICTION OF A D F & G. WE WILL CONTINUE TO ENFORCE STATE WILDLIFE AND FISHERIES RESOURCE REGULATIONS WITHIN THE TWO MONUMENTS AS ON OTHER NATIONAL FOREST AREAS.

IN NATIONAL PARKS 13 MONUMENTS AND U S F W L 2 MONUMENTS I ASK THAT F W L P CONTINUE, FOR THE PRESENT, UNDER INSTRUCTIONS FROM COL. WOLDSTAD'S MEMO DATED JULY 20, 1979. WHEN WE HAVE WORKED OUT A FULL POSITION IN THIS QUESTIONABLE AREA WE WILL LET YOU KNOW. SPORT TAKE AND SUBSISTANCE ARE STILL PROBLEMS.

JP03 DEP. COMM. SYDNAM

SA



Alaska State Legislature

House of Representatives

Committee on Judiciary

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

To: Charlie Parr, Chairman, and Members of the House
Judiciary Committee

From: Margaret W. Berck, Staff

Date: September 13, 1979

Subject: 1978 Budgets for Certain Law Enforcement Agencies
in Alaska

I. ALASKA STATE TROOPERS

Personnel	\$13,434,800.00
Equipment	390,800.00
Community Relations	98,600.00
State Funds	18,374,400.00
Federal Funds	130,000.00
Total Budget	\$18,504,400.00

II. ANCHORAGE POLICE DEPARTMENT

Personnel	\$11,851,805.00
Equipment	170,880.00
Community Relations	222,040.00
Training	302,430.00
State Funds	3,155,190.00
Federal Funds	1,258,810.00
Local Funds	12,096,700.00
Total Budget	\$16,510,700.00

(Note: The above amounts do not include funds for
Animal Control.)

III. FAIRBANKS POLICE DEPARTMENT

Personnel	\$2,926,657.00
Equipment	51,237.00
State Funds	395,000.00
Federal Funds	1,500,000.00
Local Funds	1,431,863.00

(Note: In addition to the above funds, Fairbanks received a grant of combined federal and state monies totalling \$36,359 for traffic regulation and planning.)

Total Budget \$3,363,222.00

IV. JUNEAU POLICE DEPARTMENT

Personnel	\$799,705.00
Equipment	79,150.00
State Funds	114,030.00
Federal Funds	2,885.00
Local funds	846,371.00
Total Budget	\$963,286.00

V. NOME POLICE DEPARTMENT

Personnel	\$158,895.00
Equipment	-0-
State Funds	176,945.20
Federal Funds	-0-
Local Funds	-0-
Total Budget	\$176,945.20

The state funds enumerated in the above budgets are primarily derived from the state revenue sharing program. Generally, the revenue sharing formula is based upon \$12.00 per capita for residents and \$6.00 per capita for military personnel residents. This formula is applicable to all municipalities with 25 persons or more. It should be noted that the simple formula is subject to modification resulting from cost of living adjustments. For example, Fairbanks, in 1978, received \$0.88 on the dollar, as a result of such modification.



Official Business

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Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

To: Charlie Parr, Chairman, and Members of the House
Judiciary Committee

From: Margaret W. Berck, Staff

Date: September 13, 1979

Subject: The Alaska Police Standards Council

I. INTRODUCTION

The Alaska Police Standards Council (APSC) was created by the Alaska Legislature in 1972.¹ Some 47 states have similar agencies. The ultimate goal of the APSC is to assure high quality police protection for the people of Alaska. By statute, the APSC is empowered to adopt, pursuant to the Administrative Procedure Act, regulations which establish minimum employment, training and education standards for Alaska's police officers. It is also charged with coordination and development of police training schools and programs of instruction.

The APSC is composed of 9 members: the Commissioner of Public Safety or his designee, 4 chief administrative officers or chiefs of police of participating local governments, and 4 members of the public at large with at least 2 from communities of 2500 population or less. Members are appointed to 4-year terms by the governor.

Administration of council policies, programs, and day-to-day business is accomplished by full-time staff consisting of the

¹AS 18.65.130-290.

executive director, Mr. James Mayer, the training coordinator,² Mr. John Marshall, and 1 secretary.

The minimum standards adopted by the APSC, both in terms of qualifications, as well as, training requirements, closely parallel national standards established by the International Associations of Police and the American Bar Association.

II. JURISDICTION OF THE APSC

The jurisdiction of the APSC is not without limitation. First, pursuant to Alaska law,³ any municipality with an established police training program may exclude itself from the minimum requirements for police officers as established by the APSC. Although the municipality of Anchorage had at one time opted out of APSC jurisdiction, it, together with the remaining some 138 local police departments in Alaska, is currently under APSC jurisdiction.

Second, in accordance with statute⁴ the commissioner and deputy commissioner of public safety and the chief administrative officer of local police departments are exempt from APSC requirements. The APSC contends that the blanket exemption provided to chiefs of police is contrary to good public policy. This contention is based on the fact that certain chiefs of police, primarily in the villages, have operational duties without having had any police training whatsoever. H.B.213 currently in Senate Judiciary would correct this deficit. A copy of H.B.213 is attached at the end of this report.

²This position was established in March 1978 when funding was granted for one year through the Law Enforcement Assistance Administration.

³See AS 18.65.280(b).

⁴See AS 18.65.280(a).

Presently the APSC exercises no jurisdiction over temporary police officers. Although the APSC had no idea how many temporary police officers were utilized in Alaska, they did state that it was a lot. Furthermore, the APSC does not have any mechanism to insure that probationary officers meet the minimum qualifications requirements at the time of their initial employment. This initial hiring decision is completely left up to local police departments. It is only after the officer has served his or her probationary time, which is 12 months, that the APSC confirms that qualifications and training requirements are met. If such requirements are met, the APSC then certifies the officer as Basic. This essential process would be continued under the "proposed" revised regulations for the APSC.

Pursuant to Alaska law,⁵ it seems that the APSC is empowered to establish minimum educational and training standards for police employment in permanent, temporary or probationary positions. Despite this legal authority, the APSC has apparently determined not to exercise its jurisdiction over temporary positions.

Finally, it should be noted that the APSC has no jurisdiction over airport security or private security guards.

III. MINIMUM QUALIFICATIONS FOR POLICE OFFICERS

The minimum qualifications for police officers are set forth in the regulations adopted by the APSC.⁶ In essence these qualifications require: (1) that he or she is a citizen of the United States or a resident alien who intends to become a citizen of the United States; (2) that he or she is 19 years of age or older; (3) that he or she

⁵See AS 18.65.220(2), but see also AS 18.65.240(a).

⁶See 6 AAC 70.010

has not been convicted of a felony or other crime that would prevent him or her from legal possession or ownership of a firearm; (4) that he or she is of good moral character; (5) that he or she holds a high school diploma or the equivalent; (6) that he or she satisfies the particular police department's hiring representative that he or she has the proper motivation, appearance, demeanor, attitude and ability to communicate to become a successful police officer; and (7) that a licensed physician certify that he or she is physically sound and free from any physical defects that might adversely affect his or her performance of the duties of a police officer. It is specifically required that the person possess normal hearing, normal color discrimination, normal binocular coordination, normal peripheral vision, and and corrected visual acuity of 20/30 or better in each eye. Verification of these facts, including a background investigation, must be conducted by the particular law enforcement agency seeking to hire the individual prior to the individual's employment.

Presently, the APSC is in the midst of revising all of its regulations. In accordance with a preliminary draft of these revised regulations, the most significant change to the qualifications section relates to psychological standards. Should the revised regulations be adopted in their current form, local police departments would have the discretion to require psychological evaluations in all cases. Furthermore, the revised regulations would mandate local police departments to require such if any indication of past or present emotional or mental disorder is disclosed as a result of the background investigation or completion of the medical or personal history forms by the applicant. All psychological evaluations must be conducted by a licensed psychologist or psychiatrist.

IV. MINIMUM TRAINING REQUIREMENTS FOR POLICE OFFICERS

The APSC issues Basic, Intermediate, and Advanced Certificates to police officers meeting the specified requirements of qualifications, training, education, and experience. In accordance with APSC regulations, all police officers must eventually obtain Basic certification. The issuance of Intermediate and Advanced certificates are not necessary to secure various promotional positions within local police departments. However, the Department of Public Safety (DPS) does require Intermediate and Advanced certifications to be eligible for various promotional positions beginning with sergeant.

To be eligible for Basic certification, the individual must meet the qualifications described in the preceding section, attest to the Law Enforcement Code of Ethics (see Appendix to this report for a copy of that code of ethics), have completed a probationary period of not less than 12 months with his or her department, and have successfully completed the required Basic training program or its equivalent.

The Basic training program consists of 40 hours of supervised field training and 230 hours of classroom instruction. The "field training" is essentially on-the-job training conducted by the department that has hired the individual, and this portion may occur either before or after the classroom instruction program. Although some individuals attend equivalent "classroom training" programs, such as the Anchorage Police Department's program, most obtain their "classroom training" at the Municipal Police Academy. The Municipal Police Academy is organized by the APSC and takes place in Sitka, Alaska.

The Municipal Police Academy instruction consists of 10 hours of first aid instruction, sufficient to qualify students for Standard

Red Cross First Aid Certification, and 220 hours of instruction in criminal law, administration of justice, criminal investigation, offensive and defensive tactics, field techniques, traffic operations, firearms, and other subjects. Basic training programs conducted by other entities, such as the Anchorage Police Department and DPS, must consist of similar instructional content, at a minimum, in order to be certified as "equivalent" Basic training programs by APSC.

According to the APSC Procedures Manual, the Municipal Police Academy devotes a total of 8 hours to firearms instruction. Mr. Mayer, executive director of the APSC, stated that this instruction is extremely basic, consisting primarily of familiarization with firearms, and does not include officer survival training which specifically deals with "shoot and no shoot" situations. Although the course descriptions for the Municipal Police Academy indicate that this matter is briefly discussed both in the firearms, as well as, Laws of Arrests courses, no one course is devoted to this matter. It should be noted that the joint Department of Law and DPS investigation of the Phillip Moore incident criticized the Alaska State Trooper training on this subject. As the Alaska State Trooper training is considerably more extensive than that offered by the Municipal Police Academy, it seems that similar criticism might be appropriately lodged against the Municipal Police Academy on this point.

Reciprocity is available for a police officer certified in another state provided that such officer has undergone a Basic training program equivalent to that required by the APSC. However, in all cases, such

officer must complete 40 hours of field training in Alaska before the APSC will certify the officer.

It should be noted that many agencies are involved in police training in Alaska. The Anchorage Police Department and the DPS provide Basic training for their own officers. The FBI conducts 25-4 % of all police training in Alaska. Furthermore, the Criminal Justice Center offers courses primarily dealing with the legal aspects of law enforcement, as well as, police management. The courses offered by the latter two agencies may, eventually qualify an officer, together with experience, for Intermediate and Advanced certification. Finally, the Department of Law is in the midst of training all Alaska State Troopers and local law enforcement officers on the new criminal code. This training program is being conducted throughout the state and will last a total of three days.

The APSC may revoke the certification of any police officer pursuant to the due process requirements of the Administrative Procedures Act. Revocation is authorized only upon a finding of the following: the holder falsified information required for eligibility or the holder was discharged for cause from employment. The APSC has never revoked certification for a violation of the Ethics Code, per se.

V. ALASKA LAW ENFORCEMENT OFFICERS: CERTIFICATION STATUS AND OTHER CHARACTERISTICS

Currently there are approximately 1000-1050 law enforcement officers in Alaska. This figure includes both probationary, as well as, permanent positions, but does not include temporary positions. The Alaska State Troopers comprise approximately 450 of these officers; while, village police officers, 75-100. Of the total 1000-1050

officers, 700-725 are certified as Basic by the APSC. With the exception of the village police officers, most of those uncertified officers will be certified as Basic once their 12-month probationary period is completed.

The APSC had no idea how many of these 1000-1050 police officers are minorities or women. Although this information would require a hand tally, the APSC is willing to furnish the House Judiciary Committee such information should the Committee specifically request it.

The turnover rate each year for law enforcement officers is 20-30%. Although the APSC has attempted to discover the reasons for the high turnover, they have not been able to determine any statistically valid answers. Individual responses include: peer pressure, salaries, problems with department, and desire to return to home state.

VI. VILLAGE POLICE OFFICERS

Generally, village police officers are never able to comply with the requirements of the APSC. In the past, this failure was simply ignored by the APSC. Presently, however, the APSC is considering the promulgation of regulations specifically pertaining to the village police officer. Should those proposed regulations be adopted in their current form, they would essentially establish separate requirements for Basic certification of village police officers. A Basic village police certificate would not entitle the officer to employment with a urban police department, unless such officer met the additional APSC requirements needed for urban areas.

Pursuant to the preliminary draft of these proposed regulations, certain qualifications and training requirements have been relaxed

for the village⁷ police officer seeking Basic certification. A village police officer is not required to possess a high school diploma or its equivalent. Although the village police department must be satisfied that the applicant does not suffer from physical or mental defects which would adversely affect the applicant's performance, medical or psychological examinations are not required. No probationary period is necessitated. The Basic village police officer training program consists of a minimum of 40 hours of instruction in basic law enforcement subjects. Subjects include, for example, first aid, firearms, and firefighting instruction.

Village police departments would not be able to employ a police officer on either a temporary or permanent basis unless such person meets the Basic qualifications standards. However, confirmation⁸ that the individual meets those qualifications is not required of the village police department until permanent appointment is sought. As permanent employment is defined as a period exceeding 12 consecutive months, this confirmation process may not occur until after the individual has been employed as a police officer for a considerable amount of time. The Basic training requirements must be met any time prior to permanent employment.

It should be noted that no provision is made for the issuance of Intermediate or Advanced certificates to village police officers.

⁷A village would be defined as a political subdivision with a population of less than 1000 based on the most recent federal census, which is incorporated as provided in AS 29.18, and, which employs one or more full-time paid village police officers.

⁸The confirmation process would not include the intensive background investigation required of urban police departments.

The intent of these proposed regulations pertaining to village police officers is to facilitate the certification of such officers in line with existing training programs accessible to them. Although village police officers have access to the Municipal Training Academy, frequently the limited financial resources of the villages prohibit taking advantage of this program. To meet this gap in training, the Alaska State Troopers have for a number of years conducted a Basic 40-hour village police training program, as well as, an Advanced 154-hour program. This Basic 40-hour village police training program would satisfy the training program requirements contemplated in the proposed APSC regulations.

The village police training programs, conducted by the Alaska State Troopers, were recently evaluated in a report⁹ written by John E. Angell, Ph.D. The Angell report indicates that since 1971 nearly three-quarters of a million dollars have been expended for village police training. This includes \$542,000 in funds from the Law Enforcement Assistance Administration (LEAA). These funds provided training for a total of 292 persons. However, it is estimated that only about 70 village officers who received such training are still serving in that capacity in their villages. The majority of Alaskan villages are served by officers who have received no training under this program.¹⁰

⁹Alaska Village Police Training: An Assessment and Recommendations, John E. Angell, Ph.D., December 1978. This report was the result of a study commissioned by the Criminal Justice Planning Agency and was conducted under a contract with the Criminal Justice Center and with the cooperation of DPS.

¹⁰73% of all Alaskan villages have full-time police officers. 42% of these villages are served by officers trained under this program.

The specific recommendations of the Angell report include:

1. The first step in improving village police training should be the accumulation of detailed information on the actual conditions found in the villages which would better define the desirable role responsibilities of the village police officer. This could then be used to provide direction for specific curriculum content and structure.
2. Methods be developed and implemented to stabilize the village police employment situation and reduce the turnover rate to a reasonable level. The average pay for village police officers is about \$837 a month and is as low as \$65 per month. In 40% of the villages officers are paid from CETA funds which are currently in danger of being terminated. As a consequence, the attraction of commercial fishing and other job opportunities draw many trained officers from their villages. Solutions to this problem are: increased direct support from the state; arrangement with the Native Corporations; arrangements developed under Borough governments; or reorganization within DPS.
3. Develop a more economical village police training program which, after LEAA funding, is capable of continuance without further LEAA support. The largest portion of program costs in the past was not for training, but for transportation and per diem. This need to reduce costs was the basis for recommending a cooperative effort between police agencies and other agencies, such as the Alaska Skill Center, in establishing a permanent training program.

4. The Alaska State Troopers should increase their support of the village police and should actively participate in whatever reorganization of village police training occurs.

VII. BUDGETARY INFORMATION

The Municipal Police Academy, which is offered twice each year, is currently funded at the rate of \$96,000 per year through a LEAA grant. The APSC has been advised by LEAA that those funds will be cut by at least 50% during fiscal year 1980, October 1, 1979 through September 30, 1980. Furthermore, at this time, it is anticipated that no federal funds will be available in fiscal year 1981.

This LEAA funding constitutes only a portion of the total costs of training a police officer at the Municipal Police Academy. APSC estimates that it costs \$11,365 to train one urban police officer. This cost figure breaks out as follows: \$1602 for training costs which is derived from the current LEAA grant; \$1100 for instructors and clerical staff, as well as, maintenance expenses, this amount is derived from DPS; and the balance, some \$8663 for salaries, and possible overtime, for both the trainee and the trainee's replacement, while the trainee is absent from his or her police force, this amount is derived from the municipalities.

The costs of training a village police officer at the Municipal Police Academy is substantially less than \$11,365 due to the lower salaries involved and also the fact that replacements frequently are not obtained.

CRIMES



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

To: Charlie Parr, Chairman, and Members of the House
Judiciary Committee

From: Margaret W. Berck, Staff

Date: September 13, 1979

Subject: Crimes

The attached materials providing crime and disposition statistics were collected by the now defunct Research Division of the Legislative Affairs Agency. These materials are derived from two sources. The crime statistics were taken from Crime in Alaska - 1978, Criminal Justice Planning Agency, Office of the Governor. Part I crimes denote serious felony offenses; Part II crimes denote less serious felony and misdemeanor offenses. The data on disposition and sentences was taken from the plea bargaining study conducted by the Judicial Council. This data spans an earlier time period than the crime and arrests statistics. The statistics on probation and parole violations were furnished to Legislative Affairs by the Division of Corrections. These statistics are inadequate for determining rates of probation or parole violations. Information on this issue will be provided in the Probation and Parole Report assigned to Ms. Plotnick.

PART I
CRIMES REPORTED
1973 - 1978

TABLE 1

YEAR	POPULATION	TOTAL OFFENSES	VIOLENT CRIMES	PROPERTY CRIMES	CRIMINAL HOMICIDE	FORCIBLE RAPE	AGGRAVATED ASSAULT	ROBBERY	BURGLARY	LARCENY/THEFT	MOTOR VEHICLE THEFT
1973 Rate Per	330,000 100,000	16,313 4,943.3	1,269 384.5	15,044 4,558.8	33 10.0	147 44.5	868 263.0	221 67.0	3,852 1,167.3	9,456 2,865.5	1,736 526.1
1974 Rate Per	337,000 100,000	17,658 5,239.8	1,527 453.2	16,131 4,786.6	46 13.7	166 49.3	1,017 301.8	298 88.4	3,932 1,166.8	10,016 2,972.1	2,183 647.8
1975 Rate Per	404,000 100,000	21,655 5,413.7	1,859 464.6	19,796 4,949.1	39 9.7	177 44.2	1,176 294.0	467 116.7	4,266 1,066.5	12,179 3,044.8	3,351 837.8
1976 Rate Per	417,000 100,000	23,385 5,567.9	1,983 472.1	21,402 5,095.8	41 9.8	192 45.7	1,264 300.9	486 115.7	4,538 1,080.5	13,817 3,289.8	3,047 725.5
1977 Rate Per	425,000 100,000	25,025 5,819.7	1,949 453.2	23,076 5,366.5	47 10.9	255 59.3	1,232 286.5	415 96.5	5,634 1,310.2	14,072 3,272.6	3,370 783.7
1978 Rate Per	420,000 100,000	24,001 5,714.5	1,729 411.7	22,272 5,302.8	54 12.9	254 60.5	1,042 248.1	379 90.2	5,330 1,269.0	14,212 3,383.8	2,730 650.0

Advance Copy from Crime in Alaska, 1978, Criminal Justice Planning Agency

PART II CRIMES

As in 1976, the Alaska State Troopers and Juneau Police Department collected and submitted data about reported Part II crimes. The State Troopers jurisdiction covers a wide cross-section of the state's population and therefore is indicative of the statewide relationship between Part I and Part II crimes.

Table 45 presents an analysis of the Part I and Part II crimes reported to the State Troopers during 1975-1977. During 1977, Part I crimes accounted for fifty-five percent and Part II crimes for forty-five percent. The Part I crimes are accounting for an increasing portion of the offenses reported.

Those offenses which account for the majority of the Part II crimes are Driving While Intoxicated (12%), Vandalism (9%), Other Offenses (7%), Other Assaults (5%), Narcotic Drug Violations (2%), Carrying or Possession of Weapons (2%), and Embezzlement or Fraud (2%). The remainder represent one percent or less.

Those offenses which showed an increase over their contribution in 1976 are Driving While Intoxicated (+1%) and Vandalism (+1%). Narcotic Drug Violations and Other Offenses showed decreases of one and two percent, respectively. All other offenses stayed at the same rate of contribution.

ALASKA STATE TROOPERS
Reported Part I and Part II Offenses
1975-1977

TABLE 45

Offense	1975		1976		1977	
	Offenses	Percent	Offenses	Percent	Offenses	Percent
Total Part I Offenses	6,266	47%	7,087	54%	7,480	55%
Part II Offenses						
Negligent Homicide	99	1%	97	1%	67	1%
Other Assaults	658	5%	686	5%	668	5%
Forgery & Counterfeiting	62	1%	63	*	142	1%
Embezzlement & Fraud	242	2%	249	2%	225	2%
Stolen Property	50	*	49	*	64	*
Weapons	226	2%	245	2%	216	2%
Prostitution & Vice	33	*	11	*	8	*
Sex Offenses	145	1%	125	1%	132	1%
Offenses Against Family	67	*	43	*	37	*
Narcotic Drug	618	5%	344	3%	322	2%
Liquor Laws	172	1%	149	1%	138	1%
Drunkenness	11	*				
Disorderly Conduct	126	1%	144	1%	106	1%
Vagrancy	1	*			2	*
Gambling	20	*	6	*	3	*
Driving While Intoxicated	1,563	12%	1,403	11%	1,629	12%
Vandalism	961	7%	1,101	8%	1,196	9%
Arson	72	1%	69	1%	81	1%
Other Offenses	1,883	14%	1,184	9%	1,021	7%
Total Part II Offenses	7,029	53%	5,968	46%	6,077	45%
Total Part I & II Offenses	13,295	100%	13,055	100%	13,557	100%

* Less than 1%

Table 46 presents the distribution of the offenses reported to the Juneau Police Department. Part I crimes accounted for twenty-two percent and Part II crimes for seventy-eight percent of the total offenses reported during 1977. This distribution is radically different from 1976's but identical to 1975's.

During 1977, those offenses which accounted for the largest proportions were Disorderly Conduct (29%), Other Offenses (12%), Vandalism (9%), Liquor Law Violations (9%), Other Assaults (8%), Driving While Intoxicated (5%) and Narcotic Drug Violations (2%).

Those offenses which showed increases were Disorderly Conduct (+12%), Other Assaults (+6%), and Other Offenses (+2%). Narcotic Drug Violations (-2%), Vandalism (-2%), Liquor Law Violations (-1%) and Driving While Intoxicated (-1%) showed decreases.

JUNEAU POLICE DEPARTMENT
REPORTED PART I & PART II OFFENSES
1975 - 1977

TABLE 46

OFFENSE	1975		1976		1977	
	Offenses	Percent	Offenses	Percent	Offenses	Percent
Total Part I Offenses	908	22%	892	33%	623	22%
Total Part II Offenses						
Negligent Homicide	0		0		0	
Other Assaults	144	3%	60	2%	254	8%
Tampering & Counterfeiting	26	1%	11	*	19	1%
Embezzlement & Fraud	45	1%	17	1%	50	1%
Stolen Property	11	*	9	*	8	*
Weapons	15	*	14	1%	25	1%
Prostitution & Vice	5	*	6	*		
Sex Offenses	9	*	12	*	16	1%
Off. A/family	15	*	22	1%	8	*
Narcotic Drug	181	5%	107	4%	52	2%
Liquor Laws	225	7%	277	10%	253	9%
Drunkness	509	12%	82	3%	1	*
Disorderly Conduct	1,018	25%	450	17%	835	29%
Vagrancy			1			
Gambling	1	*				
Driving while Intoxicated	206	5%	161	6%	153	5%
Vandalism	159	5%	303	11%	260	9%
Arson	2	*	6	*	3	*
Other Offenses	412	10%	257	10%	363	12%
Total Part II Offenses	3,223	78%	3,797	67%	2,260	78%
Total Part I & Part II Offenses	4,131	100%	2,689	100%	2,883	100%

* LESS THAN 1%

STATE OF ALASKA
Clearance Rates
Part I Offenses
1977

TABLE 47

	Actual Offenses*	Offenses Cleared**	Percent Cleared
Murder - Non-negligent Manslaughter	43	31	72
Forcible Rape	211	66	31
Rape by force	155	47	30
Attempts to commit forcible rape	56	19	34
Robbery	394	83	21
Firearm	220	53	24
Knife or cutting instrument	41	10	24
Other dangerous weapon	17	3	18
Strong-arm (hands, fist, feet, etc.)	116	17	15
Aggravated Assault	1,147	741	65
Firearm	399	249	62
Knife or cutting instrument	227	143	63
Other dangerous weapon	192	120	63
Hands, fist, feet, etc. - Aggravated Injury	329	229	70
Burglary	5,400	892	17
Forcible entry	3,128	571	18
Unlawful entry - no force	1,948	300	15
Attempted forcible entry	324	21	6
Larceny - Theft	13,665	3,000	22
Motor Vehicle Theft	3,058	361	12
Autos	1,469	166	11
Trucks and buses	755	107	14
Other vehicles	834	88	11
TOTAL PART I OFFENSES	23,918	5,174	22

* Reported offenses less Unfounded Complaints

** Cleared by Arrest or Exceptional means

STATE OF ALASKA
1977 ARRESTS
BY OFFENSE AND AGE

TABLE 64

OFFENSE	Under 18	18to24	25 & Over	Row Total
Count -				
Row %-				
Column %-	1	13	20	34
MURDER	3%	38%	59%	100%
NEGLIGENT MANSLAUGHTER	2	6	6	14
	14%	43%	43%	100%
FORCIBLE RAPE	3	25	33	61
	5%	41%	54%	100%
ROBBERY	35	64	24	123
	28%	52%	20%	100%
AGGRAVATED ASSAULT	49	150	259	458
	11%	33%	56%	100%
BURGLARY	714	329	86	1,129
	63%	29%	8%	100%
LARCENY- THEFT	1,618	742	642	3,002
	54%	25%	21%	100%
MOTOR VEHICLE THEFT	223	125	50	398
	56%	31%	13%	100%
OTHER ASSAULTS	104	376	567	1,047
	10%	36%	54%	100%
ARSON	27	6	10	43
	63%	14%	23%	100%
FORGERY & COUNTERFEIT	23	28	30	81
	28%	35%	37%	100%
FRAUD	13	65	104	182
	7%	36%	57%	100%
EMBEZZLEMENT	14	26	19	59
	24%	44%	32%	100%
STOLEN PROPERTY	49	55	30	134
	37%	41%	22%	100%
VANDALISM	256	132	116	504
	51%	26%	23%	100%
WEAPONS	66	157	176	399
	17%	39%	44%	100%

* LESS THAN 1%

OFFENSE	Under 18	18to24	25 & Over	Row Total
PROSTITUTION	9	105	61	175
	5%	60%	35%	100%
SEX OFFENSES	26	51	108	185
	14%	28%	58%	100%
DRUG ABUSE	394	262	141	797
	49%	33%	18%	100%
GAMBLING OFFENSES	7	79	86	172
	4%	46%	50%	100%
AGAINST FAMILY	1	126	334	461
	*	27%	73%	100%
DRIVING UNDER INFLUENCE	74	1,000	2,430	3,504
	2%	29%	69%	100%
LIQUOR LAWS	915	474	429	1,818
	50%	26%	24%	100%
DRUNKENNESS	3	47	137	187
	2%	25%	73%	100%
DISORDERLY CONDUCT	120	688	778	1,586
	8%	43%	49%	100%
VAGRANCY	1	16	79	96
	1%	16%	79%	100%
ALL OTHER OFFENSES	424	1,472	1,545	3,441
	12%	43%	45%	100%
SUSPICION	5	1	6	12
	83%	17%	*	100%
CURFEW AND LOITERING	566			566
	100%			100%
RUNAWAYS	294			294
	100%			100%
Part I Count-	2,643	1,448	1,114	5,205
Row %-	51%	28%	21%	100%
Column %-	44%	22%	14%	25%
Part II Count-	3,388	5,087	7,115	15,590
Row %-	22%	33%	45%	100%
Column %-	56%	78%	86%	73%
TOTAL Count-	6,031	6,535	8,229	20,795
Row %-	28%	31%	40%	100%

PART I

62

DISPOSITION OF ARRESTED FELONY CASES
ANCHORAGE, FAIRBANKS, AND JUNEAU 1975-76*

	<u>NUMBER OF CASES</u>	<u>CASES THAT DID NOT GO TO COURT</u>	<u>CASES DISMISSED BY COURT</u>	<u>CASES WITH GUILTY PLEA</u>	<u>CASES TRIED</u>
Class I Murder & Kidnapping	19	0	5 26.3%	4 21.1%	10 52.6%
Class II Other Violent Felonies	497	57 11.5%	221 44.4%	155 31.2%	64 12.9%
Class III Burglary, Larceny & Receiving	598	73 12.2%	237 39.6%	259 43.3%	29 4.9%
Class IV Fraud, Forgery, & Embezzlement	252	17 6.7%	157 62.3%	66 26.2%	12 4.8%
Class V Drug Felonies	360	64 17.8%	179 49.7%	83 23.1%	34 9.4%
Class VI "Morals" Felonies	45	9 20%	19 42.2%	17 37.8%	0
TOTAL	1771	220 12.4%	818 46.2%	584 33%	149 8.4%

* Data from the plea bargaining study by the Judicial Council

Prepared by:

Legislative Affairs Agency
Research Division
March 5, 1979

Table VI-1. Percentage of All Cases Resulting in Conviction and Active Sentence of Thirty Days or More, by Offense Class, Time Period, and Year

(Percentage Base in Parentheses)

<u>Felony Offense Class</u>	<u>Period 1</u>	<u>Period 2</u>	<u>Period 3</u>	<u>Period 4</u>	<u>Year 1 (1974-75)</u>	<u>Year 2 (1975-76)</u>
<u>Class 1</u> (Murder and kidnapping)	60.0% (10)	42.9% (14)	58.3% (12)	42.9% (7)	50.0% (24)	52.6% (19)
<u>Class 2</u> (Violent felonies other than murder and kidnapping)	21.9 (233)	22.0 (314)	24.2 (240)	20.6 (257)	21.9 (547)	22.3 (497)
<u>Class 3</u> (Burglary, larceny, receiving)	11.7 (273)	14.2 (261)	15.7 (325)	20.9 (273)	12.9 (534)	18.1 ¹ (598)
<u>Class 4</u> (Fraud, forgery, embezzlement, felony bad checks)	17.4 (155)	16.1 (143)	9.2 (152)	22.0 (100)	16.8 (298)	14.3 (252)
<u>Class 5</u> (Drug felonies)	13.9 (144)	15.4 (208)	20.6 (194)	12.0 (166)	14.8 (352)	16.7 (360)
<u>Class 6</u> (“Morals” felonies)	18.9 (37)	13.0 (23)	20.8 (24)	19.0 (21)	16.7 (60)	20.0 (45)
<u>All Felonies</u>	16.8 (852)	17.7 (963)	18.5 (947)	19.3 (824)	17.2 (1815)	18.9 (1771)

1. Year 1 - Year 2 difference significant at .05 or less.