

ALASKA LEGISLATIVE COUNCIL BILL NUMBER 2007-2008

1605 HJ HB 112 - HB 180

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH H 01
JUNEAU, ALASKA 99811
PHONE: 465-3030

February 2, 1982

Document# 26-82

The Honorable Ramona L. Barnes
Representative
Alaska State Legislature
Pouch V
Juneau, AK 99811

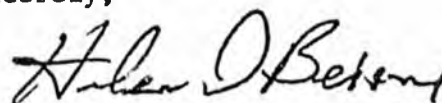
Dear Representative Barnes:

Recently you requested statistics regarding:

- (1) Summary of our Current Correctional Bed Capacity;
- (2) Summary of our Funded and Requested Correctional Construction Projects; and,
- (3) Projection of Inmate Population.

If you have questions, please do not hesitate to contact me.

Sincerely,



Helen D. Beirne
Commissioner

Enclosure

DIVISION OF ADULT CORRECTIONS
CAPACITY OF CORRECTIONAL CENTERS
FEBRUARY 1982

STATE INSTITUTIONS	NORMAL OPERATING CAPACITY	EMERGENCY OPERATING CAPACITY	01/27/82 PRISONER COUNTS
Anchorage - 3rd Ave.	70	80	81
Anchorage - 6th Ave.	100	115	133
Eagle River	80	100	112
Alaska Women's Fac/ER	28	30	21
Palmer	113	113	107
Ridgeview Post #6	50	50	46
Fairbanks	110	118	164
Juneau	90	100	111
Ketchikan	22	30	21
Nome	30	34	32
<hr/>			
DAC Inst. Capacity			
* Totals In-State	693	770	828
<hr/>			
Alaska Prisoners in Federal Institutions			190
Prisoners Housed in Contract Community Facilities (Halfway Houses)			63
<hr/>			
Total Number of Prisoners In-State & Federal Institutions			1081

*In March 1982 additional beds will be available as follows:

Ridgeview Post #6 - 40 new beds for a 90 bed capacity
Palmer (existing facility) - 24 new beds for a 137 bed capacity
Palmer Addition (new facility) - 100 new beds

In-State confinement capacity by March 1982:

<u>NORMAL</u> <u>OPERATING CAPACITY</u>	<u>EMERGENCY</u> <u>OPERATING CAPACITY</u>
857	934

DIVISION OF ADULT CORRECTIONS

SUMMARY OF CAPITAL PROJECTS AFFECTING BED SPACE
(DOES NOT INCLUDE CORRECTIONAL INDUSTRIES, CODE UPGRADE OR RELATED PROJECTS)

FUNDED PROJECTS:

<u>Bed Space Increase</u>	<u>Project</u>
-0-	<u>Ketchikan Correctional Center</u> - Scheduled Completion 9-1-82. New Institution, 30 single rooms. Current Status - ahead of schedule - Contractor's estimated completion - 4-30-82. Staffing Available to operate 9-1-82. Since this is a replacement facility no system increase will result.
180	<u>Anchorage Pre-Trial</u> - Scheduled Completion - 12-31-82. New Institution, 180 single rooms. Current Status - ahead of schedule - Contractor's estimated completion 12-1-82.
60	<u>Eagle River Correctional Center Expansion</u> - Scheduled Completion 7-31-82. New single rooms = 80 - Post Construction Capacity = 180. Current Status - ahead of schedule - Contractor's estimated completion - 7-1-82. Upon completion of this project, it will be necessary to remove 20 inmates from 3rd Avenue in order to approach compliance. Therefore, the system capacity in August will only increase by 60, rather than by a full 80 beds.
100	<u>Palmer Addition</u> - Scheduled Completion - 3-1-82. New Institution, 100 single rooms. Current Status - nearly completed - Contractor's estimated completion date - 3-1-82.
40	<u>Juneau Expansion</u> - Scheduled Completion - October 1983. New single rooms = 56, Post Construction Capacity = 130 Current Status - on schedule - In design development stage.
67	<u>Fairbanks Expansion</u> - Scheduled Completion - October 1983. New single rooms = 77, Post Construction Capacity = 177.
Between 4 and 22	<u>Nome Replacement</u> - Scheduled Completion - Fall of 1983. New Institution, 32-50 single rooms, Post Construction Capacity = 32-50. Now in design phase. This project replaces 28 beds, so system increase will be minimal.
-0-	<u>Bethel Jail</u> - Scheduled Completion - Fall of 1983. New Institution, 40 single rooms, Post Construction Capacity = 40. Current Status - Now in design phase. While Bethel beds will be new to the DOAC system, we will also be assuming the current local jail function. No system increase will be realized.

FY'83 PROJECT REQUESTS AFFECTING BED SPACE:

Bed Space
Increase

Project

300

Long-Term Facility - Secure institution for sentenced male felons to be located in Southcentral Alaska. \$41 million has been requested for this 300 bed facility with a core capacity enabling future expansion to not more than 400 beds. Through P.F.P.F. funds, an architectural firm has been selected to begin planning and preliminary design. Completion is projected for early 1985.

80

Fairbanks Addition - Minimum to medium custody facility to be located adjacent to the existing Fairbanks Correctional Center. This facility would be similar to the new Palmer Addition and would permit those requiring less secure conditions of confinement to remain in the Northern Region.

SUMMARY OF BED SPACE INCREASES

451 Beds - Funded projects under design or construction

380 Beds - FY'83 Capital Request

831 Beds - Funded or Requested

INSTATE BED CAPACITY COMPARED WITH PROJECTED PRISONER POPULATION

<u>Facility</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>
Ketchikan	30	30	30	30	50
Juneau Men's	90	130	130	130	130
Juneau Women's	3	3	3	3	3
Fairbanks	110	177	177	177	177
3rd Avenue	50	50	50	50	50
6th Ave. Men's & Women's	100	100	100	100	100
Ridgeview Men's	90	-0-	-0-	-0-	-0-
Eagle River Men's	160	160	160	160	160
Eagle River Women's	28	28	28	43	43
Palmer	237	237	237	237	237
Post Road	-0-	180	180	180	180
Nome	28	32	32	32	32
Bethel	-0-	40	40	40	40
Long Term Fac. Southcentral	-0-	-0-	-0-	300	300
Fairbanks Addition	-0-	-0-	-0-	80	80
INSTATE BED TOTAL	896	1,167	1,167	1,562	1,582
Projected Inmate Populations	1,112	1,281	1,450	1,620	1,790
Range of Expected High/Low	to	to	to	to	to
Counts	1,022	1,191	1,360	1,530	1,700

Summary: The difference between "Instate Bed Totals" and "Projected Inmate Populations" is that number that must be addressed through placement in the Federal Prison System, placement in contract community facilities, or by additional construction.

Frank P. Lee & Associates

Consultants To Industry

P.O. BOX 8341. ANCHORAGE, ALASKA 99508

907-276-2997

TESTIMONY HOUSE JUDICIARY 3-18-82

BY FRANK LEE

For the record, my name is Frank Lee and I represent the Anchorage Restaurant and Beverage Association. We are opposed to H.B. 112.

We have seen a number of surveys and statistics, and very few statisticians will argue that statistical analyses can prove anything. In the interest of objectivity, it should be noted that many of the legal drinking age vs. drunk driving traffic accidents and fatalities are somewhat skewed by certain facts and probabilities.

The main thrust of raising the MDA (minimum drinking age) has been to change the age because of high accident ratios related to young people and driving. This conclusion has been disputed by many reputable authorities, including Dr. Richard Zylman of Rutgers University's Center of Alcohol Studies. Zylman's view, expounded in several papers, is that the allegedly disproportionate number of such crashes can be otherwise interpreted. He argues that the drinking habits of youth were changing before the laws were enacted and that a dramatic upsurge in accidents among youth accidents was therefore inevitable.

Accordingly, the increased drinking and driving reported in Michigan and elsewhere would have occurred with or without the sanction of law. He also insists that one consequence of MDA legislation was stricter police reporting of alcohol involvement in accidents and that this distorted the picture of actual changes that were taking place.

The result was the creation of a "phantom" problem, which to Zylman is nowhere better exemplified than in the National Highway Traffic Safety administration report on alcohol involvement in fatal crashes among 18-20 year old drivers in Michigan between 1971-1973. His conclusion is that changing social norms, not MDA lowering or raising, are the real cause of the increase seen in alcohol-related collisions, and that withholding the right to drink at 18 or, even worse, rescinding it once it has been granted, runs the risk of criminalizing a normal youthful activity and thereby alienating a rather large segment of the nation's youth.

Indirect support of Zylman's position has come in the form of widespread recognition of: 1) the lack of uniform statistics

in accident reporting; 2) the revision of law enforcement procedures following legislation; and 3) the overriding significance of long-range behavioral patterns.

A good example is a survey taken by the Los Angeles County Alcohol Safety Action Project (A.S.A.P.), conducted in 1973 as an extensive roadside survey, in which more than 1,000 drivers were asked to volunteer information about their drinking habits. The results are quite interesting, as a California teenager can drive at 16, but cannot drink until he's 21.

The Los Angeles A.S.A.P. survey showed that 76.9 percent of the driving 15-20 age group said they drink. The largest percentage of drinking respondents was between 21 and 39 years of age (84.6 percent and 82.8 percent, respectively). Drinking increased between 16 and 39, then tapered off.

The survey also showed the greatest percentage (25 percent) of the respondents consuming five or more drinks at a single sitting was the 15-20 age group. And that group, the teenagers, showed by far the greatest percentage of in-home drinkers -- 85.2 percent -- probably because of the illegality of getting booze anywhere else.

The types of programs that we support are similar to Illinois' program. The state of Illinois made an elaborate study of the status of alcohol abuse education in the school system and came up with some interesting conclusions. Directed by Walter H. Gregg, Ed.D., and Dorothy J. Clapper, Ph.D., the 4,000 teacher-and-principal study concluded:

-- that no school or school system alone should assume responsibility for developing a comprehensive program, but that a school-community coordinated effort is essential if a program is to embrace not only instructional components but also assistive measures for counseling, health services and rehabilitation.

-- involvement of parents in any program strengthens it and enables it to meet students' needs more easily; this involvement by parents needn't be a stumbling block to getting a program off the grounds, either, because opposition to alcohol abuse programs is practically nonexistent. P.T.A. groups are the logical choice for coordinating involvement.

-- alcohol abuse education should be integrated into the total curriculum, with opportunities available in social studies, science, language arts and physical education. It is "doubtful" whether alcohol-abuse education can or should be carried out as a separate or special subject in the curriculum of elementary, junior or senior high schools.

-- instruction approaches should focus on affective education; teachers at all grade levels agreed that the most useful methods involve students in the study of real-life problems through decision-making experiences.

-- teachers should be specifically trained, during their own education, for alcohol-abuse instruction, and the means most commonly reported by the teachers in the survey was through a portion of a college health course. As always, credibility is heightened by knowledgeable ability, and in alcohol abuse education, credibility is 99 percent of effectiveness.

-- schools should utilize community resources to the fullest, taking advantage of service groups, lecturers, local planning groups and committees, etc.

-- informal small-group activities, self-directed, are effective in the personal problem-solving educational process; peer groups and storefront agencies are highly efficacious in getting teenagers to involve themselves in constructive endeavors.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 112

Title "An Act...vote...raising the age of majority to 21 for...liquor"

Requested by House Judiciary Committee Date March 15, 1982

II. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected Administration of Justice

BRU, Program, Or Subprogram(s) Affected Alaska State Troopers

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

No fiscal impact is anticipated.

IV. DATE March 15, 1982

PREPARED BY *MLM* Marcia Lynn McKenzie

AGENCY Department of Public Safety

Original: Legislative Finance

PHONE 465-4349

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

MULTI-QUEST

Volume XI

May -June 1981

Prepared for

ALASKA COUNCIL ON ALCOHOLISM
AND DRUG ABUSE

DITTMAN RESEARCH CORPORATION
Alaska Bank of Commerce Building
3230 "C" Street
Anchorage, Alaska

Alaska Analysts / Dittman Research

FINDINGS

Over-all throughout Alaska, over half of all respondents (54%) feel the drinking age should remain at 19, while over one-third (37%) feel the age should be increased to 21, and six percent (6%) support lowering the minimum age to 18...

"Currently in Alaska, a person must be at least 19 years old to legally purchase and consume alcoholic beverages. Some people have said the drinking age should be raised to 21, others have said the drinking age should be lowered to 18, and still others have said the drinking age should remain at 19. What is your opinion?"

Increase to 21.....	37%
Lowered to 18.....	6%
Remain at 19.....	54%

...Support for raising the minimum age to 21 is highest in rural areas of Alaska (55%), Southcentral (50%) and Southeast (46%), while 56% of Anchorage respondents and 64% of Fairbanks respondents were in favor of retaining the current age requirements.

Age-wise, younger respondents (18-24) were most in favor of retaining the current age requirements (71%), while older respondents (56 and over) were most in favor of increasing the minimum age to 21 (47%).

Females were slightly more in favor of an increase than males (39% to 36% respectively), and local government employees were more in favor of an increase (39%) than federal, state or private sector employees (28-34%).

Home-makers (52%), professional "white-collar" employees (37%) and skilled "blue-collar" craftsmen were most in favor of an increase, and upper income respondents were also in favor of raising the drinking age (45%).

Thirty-nine percent (39%) of registered voters favored an increase compared to 29% of non-registered respondents, and among registered voters. Republicans (46%) and Democrats (42%) were more in favor than non-partisans (35%).

Findings...(con't)

Support for 1:00-2:00 am closing is highest among white-collar workers (39%), while blue-collar workers tend to favor "current times" (22%) or 4:00-5:00 am (21-25%).

And support for earlier closing times increases linearly as family income increases (from 47% of 0-\$20,000 to 65% of \$60,000 and over).

Democrats are more in favor of later hours (22% 4:00-5:00 am and 17% "same as current"), while Republicans are more in favor of earlier hours (15% between midnight - 1:00 am, 37% between 1:00-2:00 am).

Solutions to underage drinking focuses on parental responsibility (18%) and new, stiffer penalties (13%), however over one-fourth (26%) said they didn't know what could or should be done...

"What do you think should be done about under-age drinking in your community?"

Parental discipline.....	18%
Make new stricter, stiffer laws.....	13%
Enforce current laws.....	9%
Educational programs.....	9%
Punish sellers.....	7%
Nothing--they'll get it anyway.....	5%
Peer pressure, peer example.....	5%
Counseling.....	3%
Prohibition--make it inaccessible.....	2%
Community work projects as punishment....	1%
Not a problem.....	1%

...Rural respondents were the most undecided (30%), while Central Alaskan respondents supported a parental solution (27%). In Southcentral, approximately one-third (33%) didn't recommend a solution, while 15% said it was a parental-type problem and 12% supported stiffer penalties and restrictions. The Anchorage responses were similar to the other Southcentral communities, while Southeastern respondents were more in favor of educational programs (15%) as well as greater parental controls (21%), and stiffer penalties (18%).

Younger respondents (18-24 year-olds) recommended stiffer penalties (21%), "peer panels" (8%) made up of "judges" of other young people to assign penalties, and parental discipline (10%). As respondents became older,

Findings...(con't)

support for a parental-based solution increased (25% of 56 and over), and sentiment for punishment of suppliers also increased (12%).

Little major differences were noted based on age -- females were a little more undecided (30%) compared to males (22%).

Support for educational programs and "peer programs" were highest among white-collar workers (11% and 10% respectively), while blue-collar workers were most in favor of new restrictions-stiffer penalties (22%).

Parental discipline was the most common solution in all income groups with the exception of 0-\$20,000 which supported stronger penalties (17%) and enforcement of existing laws (13%).

Republicans and non-partisan respondents were most supportive of parental discipline (22% and 20% respectively), while Democrats were more in favor of "enforce existing laws" (11%), "punish sellers" (9%), and "can't do anything, they'll get it anyway" (9%).

In total, approximately nine out of ten Alaskans (87%) feel alcoholism is one of the most serious problems in Alaska...

"Do you think alcoholism is or is not one of the most serious problems in Alaska?"

Is.....	87%
Is not.....	11%

...with concern highest in rural areas (94%) and Southeast (93%).

Younger people (18-24) feel it is a greater problem (88%) than older people (81%), and women consider it more serious than men (92% to 81% respectively).

Home-makers, at 96%, are most concerned with the problem of alcoholism, and white-collar respondents also register strong concern (93%). On the other hand blue-collar workers are slightly less likely to consider alcoholism one of the most serious Alaskan problems (75-85%).

Findings...(con't)

In terms of annual family income, all income ranges considered alcoholism serious -- with upper income concern the greatest (94%).

Eighty-eight percent (88%) of registered voters considered alcoholism one of the most serious problems, and the concern was virtually identical for partisan and non-partisan voters -- 88% Democrats, 88% Republicans and 87% non-partisan.

Analytically speaking, the perception of alcohol as a serious problem in Alaska is wide-spread (87%), and there consequently is substantial state-wide support for earlier closing times for cocktail lounges and bars (54% 3:00 am or earlier). There is also substantial support to raise the minimum age to 21 years old (37%), however the majority (54%) prefer retaining the current minimum age of 19. Over-all, in recognition of the seriousness of the alcohol issue, there is considerable support for measures related to limiting the availability of alcohol (hours and age). This approach extends to recommended solutions to under-age drinking -- while 3% recommended counseling and 9% recommended educational programs; 18% recommended parental discipline, 14% recommended new, stiffer penalties; 9% recommended stronger enforcement of existing laws; and 7% specifically recommended punishment of sellers who provide alcohol to under-age people.

Findings...(con't)

Regarding closing times, state-wide, 20% felt bars, lounges and night clubs should remain open until 4:00-5:00 am and 17% felt the closing times should remain as they are at the present time -- which may also be 5:00 am depending on the community -- in total, 37% could support a 5:00 am closing. Over half (55%) feel the closing time should be before 3:00 am, with the bulk of that percentage (33%) favoring a 1:00-2:00 am closing...

"In your opinion, what should be the closing time for cocktail lounges and bars in your community?"

12-1:00 am.....	11%
1-2:00 am.....	33%
2-3:00 am.....	10%
3-4:00 am.....	2%
4-5:00 am.....	20%
5-6:00 am.....	--
Same as now.....	17%

...Geographically, rural areas are most in favor of their current closing time (42%), however 27% favor a 1:00-2:00 am close.

Support for 4:00-5:00 am close is greatest in the Fairbanks area at 34% (52% favor a pre-3:00 am close), while only 4% in Southeast favor the late close. Most of Southeastern respondents favor 1:00-2:00 am (36%) or "same as now" (29%). In the Mat Valley and Kenai Peninsula region, 17% support 4:00-5:00 am and an additional 12% support the current closing time. A total of 56% favor a closing at or before 2:00 am. In Anchorage, 4:00-5:00 am or "current time" closing is favored by 37%, while a total of 57% favor 3:00 am or earlier (primarily 1:00-2:00 am). Age-wise, younger respondents favor later hours (34% 4:00-5:00am), while older respondents favor current closing times (21-23%) or 1:00-2:00 am (31-32%).

Females favor earlier closing hours (13% between 12:00-1:00 am; 36% between 1:00-2:00; and 12% between 2:00-3:00 am), on the other hand males tend to prefer the current times (22%). Male/Female sentiment regarding 4:00-5:00 am closing is nearly identical (19-20%).

STATE OF ALASKA
THE LEGISLATURE

POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 4, 1982

SUBJECT: Raising the age of majority for purposes of
regulation of intoxicating liquor
(CSHB 112)

TO: Representative M. F. Beirne
Chairman, House Health, Education
and Social Services Committee

FROM: Tamara Brandt Cook
Legislative Counsel
TBC

Here is the CS for HB 112 you requested that would change the advisory vote to a ballot proposition. This approach is unconstitutional under Article II, Sec. 1 of the state constitution that provides:

The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

The legislature may not delegate its legislative power to the people. While the voters have the power to enact laws by the initiative process, Article XI, Sec. 1 provides that the people must propose the law, not the legislature. Article XI, Secs. 2 and 3 set out the process whereby an initiative is proposed and an initiative petition is circulated and filed. The proposition is placed on the ballot only after these procedures have been followed.

TBC:ljb

Enclosure

<u>AGE</u>	<u>MALE</u>	<u>% (1)</u>	<u>FEMALE</u>	<u>% (1)</u>	<u>TOTAL</u>	<u>% (2)</u>
14-18	8,367	60.6	5,431	39.4	13,798	5.1
19-24	25,822	55.0	21,111	45.0	46,933	17.2
25-29	25,395	53.3	22,282	46.7	47,677	17.5
30-34	24,950	55.4	20,121	44.6	45,071	16.5
35-39	18,681	55.9	14,753	44.1	33,434	12.3
40-44	13,721	57.4	10,164	42.6	23,885	8.8
45-49	10,588	58.2	7,610	41.8	18,198	6.7
50-54	9,114	59.3	6,252	40.7	15,366	5.6
55-59	7,211	59.3	4,943	40.7	12,154	4.5
60-64	4,922	60.2	3,254	39.8	8,176	3.0
65-69	2,772	61.5	1,738	38.5	4,510	1.7
70 +	2,093	65.1	1,120	34.9	3,213	1.2
Unknown	34	59.6	23	40.4	57	
TOTAL	153,670	56.4	118,802	43.6	272,472	100.0

(1) Percentage of that age group.

(2) Percentage of total licensed drivers.

MOTOR VEHICLE TRAFFIC FATALITY ACCIDENTS

During the years 1976-1978 the rate of alcohol-related fatal accidents occurring in the state appears to have remained fairly constant: approximately one-half of all fatal accidents were alcohol-related. A departure from this trend was reported in 1979 when the rate of alcohol involvement increased to 70% in fatal accidents.

There is some indication that improved reporting of alcohol involvement contributed to this apparent increase. However, alcohol involvement in highway crashes is the state's most serious and enduring problem and has been assigned the highest priority for treatment in the 1982 highway safety program.

ALCOHOL

The following table reflects the distribution of alcohol/driver by age group. Accidents in which alcohol involvement was not stated or was unknown have been removed from the calculations.

<u>AGE</u>	<u>NUMBER OF ALCOHOL ACCIDENTS</u>	<u>PERCENT INVOLVEMENT</u>	<u>PERCENTAGE OF LICENSED DRIVERS</u>
15-18	220	11.3	3.4
19-29	922	47.2	36.5
30-39	407	20.9	27.8
40-49	238	12.2	15.2
50-59	134	6.9	10.3
60 +	31	1.6	2.5

HB 112

Martin - as high as 86% low - low
it

Barbara Hoffman - AK. Council for Prevention
of Alc. & Drug Abuse
& Howard Sorenson

50% of AK under 17 - high risk population.
many people can be to "take risks" - no place a
high value on high risk behavior
- one way is by drinking - #1 still in availability
& consumption

AK. was the 1st state to lower age.

1/2 time as of men on promise lie. then
nail. arm.

lowest price

2 1/2 X out of leg. stores

5 AM - latest this except Nevada

- low price

- ineffective enforcement
- conviction advertising.
- license vs. money
- 19 yo drinking by.

AK. - #1 of 50 states on availability
N.C. - #50

absolute
4. 7 gal alcohol (2) person in the state

Phillips - unfair to compare w/ other states
↓

P- How does the Commission w/ Northern
ratios?

S- Reproduction of w. m.

Since 1970

26 states lowered

17 raised age back up - why?

Coalition for a Sayer Act

↳ Initiative Process Ready - appears
to warrant \$ or an advisory vote.

We don't need an advisory vote
pass a bill.

Alaska Council - wants it raised,
however it's done -

B'Co. - how best was it done in 1970? ^{is do.}

Phillips - legislature changed it

Anderson - the Ch. figures do not reflect
the exact age groups w/ which we are concerned.

A - what's so magic about 21? Why not 25?
- is it constitutional to set up a
certain age?

Scammon - why must an officer be 21?

Phillips - does this not conflict w/ 632?
Seems like inconsistency here.

251. Drink 5 or more —
in 15-20 age grp. — in home
drinks — 85.2%

State of Illinois — study
no school alcoholism cases reported

Alaska → see 81 chart
men are about 20 and a 3rd highest
price booze in the state —

Anderson — ✓

Lee's amendment —

to give all men who are eligible
to vote in federal election can drinks
drink.

Bob Cramer — Pres. of CHHR
— operates hotel, bar in Delta Ave.

— Much studies → a no. of people given \$ &
research and study certain things → they will
find what they are saying & find.

— Catholic Church study — Catholic
Christianity — total quantity per capita people

Kelchner — police — 60% of calls to bars were prior
to 2 am — calls to bars were 6% of
all calls.

Jurgen Peto — talked at Messrs McKeen in —
they said — "no change" — small
incidents as far as overall no. — they
had no facts, for specific age group.

Mar 18
4012

Herb Adams - Dir of Juven. Hall. Council of Cls.
agrees w/ Scammon for most part.
supports raising age. - need to look at this in
context of all law on alcohol.

If age is to be raised, also need:

1. Tougher DWI law
 2. Reduce no.
- * NCA & JNCA supports raising age.

greatest no. - night time, single vehicle -

pol. has permissive attitude - "ok to get drunk as
long as you don't get in any trouble" -

Anderson - Juven. has been cut back
did lower the crime rate resulting from
alcohol

Glenn Murrell - HSS - supports HB 112 as
a prevention strategy

- has DPS breakout - 1979 15-18 yo
reg. 3.4% drunk - had 4.3% anti on alcohol.
- drives up insurance rates -

Frank Lee - Rep. Ord. Rent & Bus. 850.
opposed to HB 112 -

Factors skew drinking age statistics -
cite some expert who says that increase in youth
accidents was not necessarily caused by age lowering.

Creation of phantom problem. -
- risk of criminalizing youth activity -
- lack of uniform statistics

L.A. ASAP - roadside survey -
76.9% 15-20 drunk
21-30 largest - 89%

Older people have higher alcohol
consumption rates than 15-19 year olds.
So need to preclude senior citizens
from drinking.

Dispute that Al. is highest alcohol
consumption in the States.

beer	28 th	} in the nation 1 per capita
wine	12 th	
distilled	4 th	

We have a "people problem"

2 Personal Responsibility

March 23, 1982

HB 112 -

Dr. Richard Douglas - Univ. of Michigan → -

10 year res. experim...

4th study since 1972

exp. since 1972 res. lit - 75% H.S. reviews were
'self defined' drinks - he set out to prove it was
not law but something else that did it.

Miss, Mr. H. J. J. NY - 6.5M traffic acc.
in file

1976, 77 follow-up study - problem content -
draft beer was the problem. - growth in
bars when excluded before.
large increase in ~~some~~ casualties.

1978 - exp. same as 19
note in law. - raised to 21

52-54 p opin. Fedl judge devoted 10 hrs to
methodology

Dec '78 chg.

2 follow up since then
improvement of 28% - 22%, dependency.
State on figure.

Exactly reversed the net effect of lowering
the age. - but as great as in Maine
- beer reduced & municipal one.

all patterns of altern.

most other types of abuse are dealt w/
an availability model. - not always
Double Std. - reinforced by
alcohol industry

Does Customers are worse customers

85% of traffic acts - possessors as girls

1. Should very pale sales be excluded? 65%
in much lower to be ~~of~~ or tavern
2. Enforcement not effective.

Most young people cannot consume enough to get
up to .10. You do not have to have
chronic or large alc. consumption problem to
get over.

All alc. need help but not all people
needing help are alcoholics.

Anderson - what is diff bet 19 & 21?
Enormous difference as to 18-20, 21-25, per
casualty rate - per structure,
wounds, - -

Anderson - why not go to age 25?
alc. related casualties peak at 20-21 -
decrease in distribution after 23.
This is the highest risk for alco.
casualties on down to at work because
where they are in their life.

Hook - cost of age 19 fatality. A
few casualties occur however but
require taxes.

2.

3-27-82

Anderson — run full into that age group —

Anderson — if it does discriminate, what justification is there for that.

A: no other action of the ~~leg~~ any leg has lowered the death casualty problem up to 5%

Meekin —

Bucholdt — are there arrests?; no — accidents. — no police activity here.

after the law chg. the rest of areas had more acts.

Freeman — at what pt is it justified for law to make distinction per age.

He does not believe that it is ethical to not take advantage of proven solutions.

I can't think of anything that is less restrictive, ~~run~~ still works. —

It's not a right — it's a privilege.

Meekin — ~~run~~ significant increase in cross involvement.

Increasing drinking age did not create the problem. This will only worsen the problem.

Buchholz — Why not increase the
age for driving?

It's a relatively legitimate question.

B: — Mich. does have mandatory
car insurance.

Anderson — any distinction between type
of beverage? — No, no.

It's a serious mistake to think beer is less
a cause of accid. than other alcohols.

A: Recently read that it was
"good for you" better to drink.

Anderson — What would 3 oz. do
in a small person — 3 hrs. — 6 hrs.
after drink? — pretty good buzz →

Age 22-23 liver function slows down —
older people can drink to legal extent.

Meekin — faster the liver function? — the
faster the ^{liver} function the quicker the effect.

① Most accid. occur w/in 45 min of last drink.

11:30 — 18% less measurable alc. in blood.

Study — very sophisticated time for forecasting
analysis. —

Martin - A.R.S.

Patricia - what's the price of life - ?

Phillips - per 40632? -> Martin -> use of responsibility?

Freeman - his really works.

99% of the time when you send a note to the people it's a legislative co-cut. ->

Members - when on covering vote?

Carolyn Peters - Education
ad Council on the Prev. of Alc. & Drug Abuse.

The 1970 drink affects the ~~best~~ kids younger than him. - she had a 4th grade alcoholic Jr. High student drunk before they got on the bus in the a.m. Laws keep you from getting data from this. A high incidence. Alcohol still the drug of choice. Any age in AA between 20-25 now. People starting to drink at a much younger age. Peer pressure against testifying.

Plutyp - his life story again.

O'C. - only remember one drunk kid in school in 13 years - never came across alcohol in school. Schools are not hot bed of alcoholism.

Rep. Miller - supports the bill -

- Chances
1. bill
 2. bill w/ contingency on referendum
 3. ref. vote.

He's sorry he voted to lower the age limit.

Anderson ~~votes~~ agrees to move bill for committee.

Phillips's inter - Meekins's opinion

Anderson opposes the amendment

O'C - my vote doesn't matter - the ballot before he gets to

Should the leg. of the state of Cal. events have same the legal age for committee ex, pros, friends, business,

Meekins - intransigence
- you really have to pick a no. also, problem

March 19, 1982

~~H 838~~ H B ~~112~~ 112

Phillips — wants to hold over to read info.

— held to wipe free

HJR 41

Rep. Quinn

— fiscal note?



O'Co. — "appropriateness"?

O'Co. — How it affects and itself →



HB

180



Superior Court

State of Alaska

FIRST JUDICIAL DISTRICT
415 MAIN STREET, ROOM 402
KETCHIKAN, ALASKA 99901

Chambers of
THOMAS E. SCHULZ, Judge

January 20, 1982

Betty Wilson
705 Main Street
Ketchikan, Alaska 99901

Re: Drug and narcotic legislation, HB 180, SB 190

Dear Mrs. Wilson:

After a meeting with the Families In Action Organization and a meeting with the legislative committee of that organization, I had agreed with you to write a letter expressing my thoughts on the pending drug and narcotic legislation referenced above, particularly in regard to the sentencing provisions in the two bills.

As I have indicated, as a judge, I have no strong preference to either HB 180 or SB 190. My approach to the legislation has been that I would be happy enough with either bill because both of the bills approach what I consider to be a major problem in current legislation in pretty much the same fashion.

There, in fact, are two major problems with the existing drug and narcotic legislation. The first problem is that the legislation is far too broad in that all of the drugs are considered in blanket fashion in one section of the statute with no effort being made to classify the various drugs as to their harm to the user or abuser. The second problem is that all of the drugs are considered in the same section so far as sentencing is concerned, again with no effort made to schedule the drugs as to relative dangerousness to the user or abuser and others. Each of these bills approach those two problems in a similar fashion, that is to say that the drugs and narcotics are classified on a scale that bears some rational relationship to their potential

Betty Wilson
January 20, 1982
Page 2

dangerousness, and offenses involving the drugs and narcotics are classified along a rational scale in terms of the scale of operation and the relative dangerousness of the substance being distributed or used.

The essential difference that I can see between the House legislation and the Senate legislation is the differences in the way the two approaches handle marijuana, but that is a matter of public policy and not any particular judicial concern. I do not mean to imply by that statement that I am not concerned about it or that other judges are not concerned about it. However, it is a matter for the legislature and not the judicial branch to make the initial decision on how these drugs and narcotics will be dealt with.

I am particularly pleased with the sentencing approach in this drug legislation because it classifies the drug offenses into the new sentencing code, which was adopted and became effective in January of 1980. All of the drug and narcotic felonies and misdemeanors are classified and plugged into the presumptive sentencing code. That means that there will be certainty of punishment for at least second offenders, and it also makes a sentencing scheme consistent with other felonies in that the drug and narcotic cases are plugged into and covered by the aggravating and mitigating circumstances already set out in Title 12.

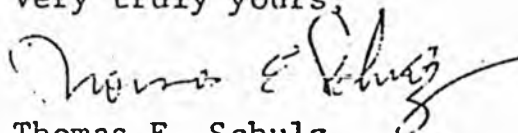
You have reported to me that some people have told you or told the legislative committee of Families of Action that under these bills an eighteen year old first offender dealing marijuana is subjected to a five year prison sentence. That is true in theory only. As I have indicated to you, and I believe that this is a fair statement, the judges in Alaska have adopted the idea that the sentence for a first offender under a presumptive sentencing code ought not to exceed the presumptive sentence for a second offender absent very extraordinary circumstances. Thus the case of which you speak, an eighteen year old person selling marijuana, would be involved, at most, a Class C Felony with a maximum sentence of five years. The presumptive sentence for a second offender would be two years, and the sentence for our hypothetical eighteen year old would never exceed two years except, as I indicated immediately above, in the case of very extraordinary circumstances. The average case would probably be dealt with in terms of a relatively short period of actual incarceration followed by a substantial period of probation. That approach by the judges is, I believe, consistent with the commentary to the new sentencing code that was adopted by the legislature along with the code. The Court of Appeals and the Supreme Court have both spoken to that issue in recent criminal

Betty Wilson
January 20, 1982
Page 3

cases and those appellate courts have adopted an approach similar to the approach of the trial judges.

If you need any further information concerning the issues you have raised, please let me know. In the meantime, as I indicated to you earlier, you may make such use of statements that I make in public and certainly this letter as you see fit.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Thomas E. Schulz", with a long horizontal flourish extending to the right.

Thomas E. Schulz
Superior Court Judge

TES:me

The speaker seems
to be extremely concerned
about this whole drug

There was expressed no
concern for the victims
of drug abusers whether
conscious or unconscious

We need a strong drug law
to protect the majority.

Scare tactics - fear
Let's try theological - what can be done in Jan

Drugs in America

Most users said to be non-abusers

By CHRISTOPHER CONNELL
Associated Press Writer

WASHINGTON (AP) — A blue-ribbon panel says that despite the growing, "pervasive" use of mind-altering drugs in America, most people who use drugs do not abuse them and pose no threat to society.

The Drug Abuse Council said the nation may as well accept some use of drugs as inevitable. Drugs have been used "since the beginning of recorded time and will predictably remain so," it said.

It cautioned against a return to what it called the alarmism of the Nixon administration's "war on drugs."

Despite the nearly \$6 billion the federal government has spent since 1971 on drug treatment and law enforcement efforts, "more Americans use and misuse more psychoactive drugs than ever," the council said.

But while use of mind-altering drugs from alcohol to marijuana and heroin is "pervasive, misuse is much less frequent," it said.

At a news conference today, Dr. Thomas E. Bryant, the council president, said parents who are terrified about their teenagers' use of drugs should take a calm approach to the problem.

Asked about a recent government report that 10 percent of high school seniors smoke marijuana daily, he said, "The least

responsible thing to do is to panic ... and announce the world is about to be inundated with drugs."

A colleague, Robert R. Carr, said most of those high school youths probably take "one or two drags of marijuana (daily). I doubt it means those students are stoned all the time."

The council's findings are contained in a 291-page book, "The Facts About Drug Abuse." Publication of the book caps a seven-year, \$10 million study, sponsored mainly by the Ford Foundation.

It predicted heavy use of drugs "will prevail at least through the next few years" and called for policies that distinguish between recreational use of drugs and misuse that harms society.

It backed experimenting with heroin to treat heroin addicts and endorsed decriminalization of possessing marijuana in small amounts.

The council noted that heroin treatment programs generally assume users are addicts, but said there is "convincing evidence that more individuals use heroin than are addicted."

"By adhering to an unrealistic goal of total abstinence from the use of illicit drugs, opportunities to encourage responsible drug-using behavior are missed," said the council. Current drug policies "reflect assumptions

and events more than a half century old, despite the fact that many of those assumptions were erroneous or founded in demagoguery," it said.

Despite alarm about the millions of high school and college students who experiment with drugs or use them regularly, "clearly the majority exercises personal restraint," it said. The number in serious difficulty from drug abuse "is relatively small."

Many Americans would not be willing to pay the price in loss of privacy and individual freedom for an effective strategy to eliminate drug misuse, the council said.

"Exhaustive study has revealed little deterrent impact from the so-called 'get tough' drugs laws of New York State," it said. On the other hand, it found no big increase in marijuana use in Oregon after decriminalization.

The report said drug misuse is linked to "societal ills such as poverty, unemployment and racial discrimination."

The council, now disbanded, was chaired by Bethuel M. Webster, a New York lawyer. Its president was Dr. Thomas E. Bryant, who also chaired the President's Commission on Mental Health in 1977-78.

Also funding it were the Carnegie Corp., the Commonwealth Fund, the Kaiser Family Foundation and the Equitable Life Assurance Society.

STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION

Rep. Barnes
122

JAY S. HAMMOND, GOVERNOR

POUCH KC - STATE CAPITOL
JUNEAU, ALASKA 99811

January 6, 1982

Robert Schroeder
Legislative Finance Division
Legislative Affairs Agency
Pouch WF
Juneau, Alaska 99811

Dear Mr. Schroeder:

In response to your recent request for information regarding alternatives to prosecution and incarceration, I am providing some case examples illustrative of the various components of the treatment programs designed for diverted offenders, as well as statistics this office has compiled on these individuals. Additionally I am providing you with statistics on convicted felons sentenced to community work service under AS 12.55.055 who are processed through our office. This latter service is provided by means of a Reimbursable Services Agreement with the Division of Adult Corrections. Finally, I am also providing statistics on the community work service alternative sentencing of misdemeanants which we process on a periodic basis as a courtesy to district court judges. I trust this information will prove valuable in understanding the system we are establishing as an alternative to the normal processing of offenders through the criminal justice system.

In general, when offenders are processed through the Pretrial Intervention Program, they are required to make restitution to the victims, when applicable, and to perform community work service for private, non-profit organizations or governmental agencies as a form of societal restitution. Additionally, offenders are examined for needs which will enhance their ability to function as more productive members of society. In this area, the program relies on mental health, alcohol and drug counseling referrals, career counseling and job training, and completion of high school equivalency - G.E.D. programs.

Case 1. A thirty-seven year old Filipino-American male was arrested for having embezzled \$17,200 from an automobile dealership in Anchorage. Due to the large amount of restitution owed, the treatment program for this individual was limited to twice monthly visits with his counselor in the Anchorage Pretrial Intervention office for the duration of his participation in the program, eighteen months. The offender maintained contact with his counselor for this period, continued gainful employment and repaid the \$17,200 he embezzled.

Case 2. A 24-year old male caused significant damage to a public phone booth after having difficulties reaching his girlfriend in the states. Intoxicated at the time of the offense, the offender picked up the phone booth, smashed it on the ground and then proceeded to drive over the phone booth with his truck. Upon entry into the diversion program, this offender was required to make restitution to the phone company in the amount of \$1,300, maintain twice monthly contact with his counselor, and to complete 40 hours of community work service. As the offender was experienced in erecting fences, he was referred to the local humane society where he constructed new kennels. As of this time, the offender has four months remaining in the program; he has maintained continuous contact with his counselor and he repaid \$750 of the restitution owed.

Case 3. Two individuals were arrested for receiving and concealing stolen goods. The goods were stolen by another in the course of a number of burglaries and were stored at their apartment. In that police recovered the stolen property, no restitution was owed. One offender was required to perform 150 hours of community work service and maintain twice monthly contact with his counselor. The other offender was required to perform 150 hours of community work service or 100 hours of community work service and obtain a G.I. (he opted for the latter). Both offenders were employed and took vacation from their employment to perform the community work service doing maintenance work at the local airport. Both offenders have completed their special conditions, have maintained the required contact with their counselor and remain gainfully employed.

Case 4. A 21-year old female was charged in Fairbanks with theft of \$600 in bank deposits from the store for which she worked. In the program, the offender was required to make complete restitution, maintain monthly contact with her counselor, perform 50 hours of community work service and to attend counseling offered by WIC-CA. The offender has completed her community work service (at Salvation Army), paid her restitution and is currently undergoing long-term counseling with WIC-CA.

As a further means of measuring the impact of the Pretrial Intervention Program, following are some statistical summaries for restitution and community work service during 1981.

	<u>Community Work Service (in hours)</u>	<u>Restitution</u>
Anchorage (1/1/81 - 6/30/81)	729	\$29,099
Kenai (1/1/81 - 12/31/81)	786	\$ 5,830
Fairbanks (1/1/81 - 8/30/81)	2,310.5	\$23,610
Juneau (1/1/81 - 12/31/81)	2,135	\$25,432

(Note: the statistics provided above are for the differing periods noted. At present, all this material is compiled through hand-searching case files which is both time consuming and may occasionally result in inaccurate data. The Pretrial Intervention Program is presently in the process of computerizing the case information, and will become an integral part of the Criminal Division's PROMIS system. The results will not only be an enhanced ability for management of Pretrial Intervention Program cases, but also an ability to readily retrieve statistical data such as that provided herein.)

Due to the expertise developed by Pretrial Intervention Program staff in development of community work service referrals and the attendant placements of offenders therein, the Pretrial Intervention Program contracted with the Division of Adult Corrections in December 1980 to establish a program of community work service as a sentencing alternative, to place offenders in this program, and to monitor their progress and report the results to the Division and to the courts. As an adjunct to this contract, the Pretrial Intervention Program has likewise provided the placement and monitoring services directly to the courts for misdemeanor offenders. Following are some statistical summaries derived from this program through September 1981.

<u>Location</u>	<u>Number of Referrals</u>	<u>Community Work Service (in hrs)</u>
Anchorage	19	755
Kenai	10	416.5
Juneau	22	1,356.5
Fairbanks	1	80

Finally, the Pretrial Intervention Program has provided a diversion service through an L.E.A.A. grant to the Municipality of Anchorage for certain cases, most of which are shoplifting. It has been the standard practice for these offenders to receive 32 hours of community work service, in addition to restitutionary requirements, when applicable, and other civil penalties which they may be subject to under AS 09.65.110. This statistical summary is for the period July 1, 1980 through June 30, 1981.

<u>Referrals</u>	<u>Community Work Service (in hours)</u>
430	12,800

As you can see from these statistics, the various alternative programs are providing significant benefits to the referral agencies, and attendantly, to the people of the state in general. Similarly, as an alternative to incarceration, these programs are positively impacting the near disastrous situation facing Alaska's incarcerated offender population.

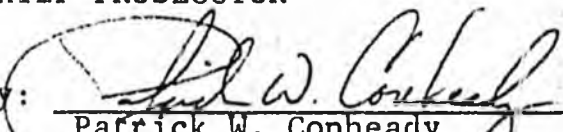
In sum, I trust this information is of value, and if you have further questions, please contact me.

Very truly yours,

WILSON L. CONDON
ATTORNEY GENERAL

DANIEL W. HICKEY
CHIEF PROSECUTOR

By:


Patrick W. Conheady
Assistant Attorney General
Chief, Pretrial Services

PWC:dm



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH
BETHESDA, MARYLAND 20014

Office of Special
Prosecutions and Appeals

NATIONAL CANCER INSTITUTE

July 23, 1980

Dear Colleague:

We have received your letter indicating your willingness to participate in the distribution of Δ^9 -Tetrahydrocannabinol (THC). As soon as the THC is officially approved for guideline use, distribution will begin (probably in the fall).

Enclosed is the proposed distribution system.

Sincerely yours,

David Abraham

David Abraham, Ph.D.
Investigational Drug Branch
Cancer Therapy Evaluation Program
Division of Cancer Treatment

Enclosure

FTS 496-~~1196~~5725

or his supv.

Daniel F. Hoth, M.D.

FTS 496-1196

DISTRIBUTION OF THC

Step 1. The NCI will send copies of:

- a. Group C Guidelines for the use of Delta-9-Tetrahydrocannabinol (THC), NSC #134454, for Nausea and Vomiting Induced by Antineoplastic Chemotherapy. In addition to serving as the protocol for THC use, the Guidelines will contain a patient consent form and a Statement of Investigator form (modified FDA 1573). The modified FDA-1573 will be completed by the physician and filed with the pharmacy. The signed patient consent form should remain with the patient's record.
- b. Drug Enforcement Administration (DEA) registration forms with instructions and a self-addressed return envelope.
- c. Clinical Drug Request Form (NIH 986).

Step 2. The pharmacy will register with the Drug Enforcement Administration in the researcher category requesting permission to handle Schedule I. The central DEA coordinator will contact the DEA inspector closest to the hospital. The inspector will evaluate the pharmacy and inform the Central Coordinator. For accepted pharmacies, order forms will be pre-printed and sent to the pharmacy by the DEA.

Step 3. After the pharmacy receives notification that the registration has been activated, the pharmacy can order drug from the NCI by using the DEA order form (DEA-222) and the NIH Clinical Drug Request Form (NIH-986).

Step 4. Both of these forms are sent to the Drug Regulatory Affairs Section at NCI where the requested quantity of drug is scrutinized and shipment is authorized.

Step 5. The Drug Regulatory Affairs Section will then send the DEA form to the NCI Pharmaceutical Resources Branch for drug shipment to the hospital pharmacy, and for inventory adjustment.

Step 6. The pharmacy will dispense THC upon presentation of a "Research Order for Medication" signed by a physician who:

- a. Has a DEA license.
- b. Is registered with the pharmacy on the modified FDA 1573.
- c. Affirms that the patient consent form is signed.
- d. Limits the use of the drug to the indications outlined in the guidelines.
- e. Will report adverse drug reactions immediately to the Investigational Drug Branch, National Cancer Institute.

Note: (A Research Order for Medication is identical to a prescription order. A standard prescription blank may be used but confirmation of informed patient consent must be incorporated).

Step 7. The pharmacy will forward the modified FDA-1573 to the Drug Regulatory Affairs Section at NCI and retain a copy for its own use.

Step 8. Records involving THC should be maintained separately.

SUMMARY OF HB 180, A BILL REVISING THE DRUG LAWS

IN ALASKA

by Rhonda F. Butterfield
Assistant Attorney General
Department of Law

January 15, 1982

1. HB 180 puts all drug offenses into seven classes of offenses, Misconduct Involving a Controlled Substance in the First through Seventh Degrees. The first degree offense is an unclassified felony offense, and each successive degree is a less serious offense. The seventh degree offense is a violation.

2. All controlled substances are placed into six schedules, much like the federal schedules, with drugs considered to be most harmful placed in the highest schedule (IA), and drugs considered to be least harmful placed in the lowest schedule (VIA).

3. Offenses are classified based upon the schedule of the substance and the act committed. The higher the schedule and the more serious the act, the higher the penalty. The act of (1) delivery of a controlled substance to a minor is considered the most serious, with the acts of (2) delivery, manufacture, or possession with the intent to deliver or manufacture; (3) possession by an adult on school grounds; and (4) possession, considered to be in descending order of seriousness. A chart setting out the offense with each schedule, and the penalty, is attached to this summary as "A".

4. Laws relating to the regulation of legitimate industry involved in the handling, distribution, etc. of controlled substances are revised, in order to be more consistent with federal laws. Responsibility for such regulation is consolidated and placed upon the Board of Pharmacy alone. Under present law, responsibility is shared by the Department of Health and Social Services and the Board of Pharmacy.

5. The classification, in terms of penalty, of some possessory offenses (those involving substances in schedules IIIA through VIA) is based upon the amount of the drug possessed. (P. 4, lines 10-22; p. 6, lines 2-15, 24-19; p. 7, lines 4-9, 15-21).

6. A scheme for marijuana (Schedule VIA) is established. This scheme defines the term "small amount", as used in the Alaska Supreme Court case of Ravin v. State, 537 P.2d 494 (Alaska 1975), as less than four ounces of marijuana, when possessed by an adult for his own personal use. Possession, by an adult, of four ounces or more of marijuana is a class B misdemeanor; possession of eight (8) ounces or more is class A misdemeanor; possession of one pound or more is a class C felony. Possession of less than four ounces of marijuana, by a person under 19 years of age, is a class B misdemeanor. There are other offenses involving the possession, use, or display of smaller amounts of marijuana in public. These are all class B misdemeanors or a violation. However, possession of any amount of marijuana, in any place, with the intent to deliver that marijuana is a class C felony.

7. An "aggregate weight" test is adopted for determining the weight of a controlled substance when the weight of the substance possessed is determinative of the degree of the offense. This applies to possession offenses only, involving substances in schedules IIIA through VIA only. Many of these substances can be "cut" or mixed with another substance. The "aggregate weight" test means that the total weight of the preparation, compound, or mixture is the weight of the substance for purposes of prosecution and conviction, so long as some amount of a controlled substance is present. The purity of the substance is irrelevant in determining the "total weight" of the substance. The Commentary to SB 190, at pp. 11-13, printed in the House Journal Supplement on June 19, 1981, explains the reasons for the adoption of this test.

8. HB 180 creates a Controlled Substances Advisory Committee within the Department of Law, with the Attorney General as Chairman. Other members are listed on p. 7, line 29, and p. 8, lines 1-8. The duties of the committee include the ability to add substances to the schedules, (with an effective date after the beginning of the next regular legislative session) but not to delete or reschedule substances. (P. 9, lines 19-29, p. 10, lines 1-5) The advisory committee has the responsibility of recommending to the Governor whether substances should be deleted or rescheduled. (P. 8, lines 21-22)

The Controlled Substances Advisory Committee has other duties, which, when considered together, amount to an advisory committee to look at the whole picture of drug use and abuse throughout the State, and what state and private agencies are doing about it.

9. There are five criteria to be considered by the committee and the legislature in determining classification of substances. Those criteria are similar to criteria used under federal law, but include the criterion of: the relationship of the use of the substance to other criminal activity. (P. 10, lines 15-29; p. 11, lines 1-23) This is not one found in federal law.

Summary of HB 180

10. Examples of substances and their placement in particular schedules are:

Schedule IA. Heroin, opium, morphine, codeine, other narcotics, including some prescription drugs, such as demerol, dilaudid, and percodan.

Schedule IIA. Cocaine, LSD, PCP, peyote, mescaline, methaqualone (Quaalude), amphetamines, methamphetamines.

Schedule IIIA. Some barbitals, hashish or hashish oil, tetrahydrocannabinols (other than marijuana), some prescription drugs with narcotics combined with other active medicinal ingredients.

Schedule IVA. Depressants, including many prescription tranquilizers, and sleeping pills, some stimulants, and Darvon.

Schedule VA. Narcotics which are combined with other active medicinal ingredients (primarily over-the-counter cough suppressants).

Schedule VIA. Marijuana.

11. Miscellaneous sections (p. 28, lines 11-29; p. 29, lines 1-17) provide for defenses or lack of them. Having a valid prescription for a substance is a complete defense to a charge of illegal possession of that substance. Having less than a useable quantity of a drug is not a defense to a charge of possession. A communication to a physician in an attempt to illegally procure a controlled substance is not a privileged communication. (P. 29, lines 13-17) The physician then, can testify in court about any such unprivileged communications.

12. The definition of "manufacture" specifically excludes the growing of marijuana for personal use. (P. 31, lines 25-29; p. 32, lines 1-14) This definition does not prevent prosecution of a person who is growing marijuana for an offense involving "possession".

13. It is unlawful for a controlled substance to be prescribed or dispensed for any other purpose other than a medical purpose. (P. 39, lines 22-27)

14. An extensive and comprehensive scheme on forfeitures is established. Any of the following types of property is subject to forfeiture under this bill: controlled substances, raw materials or equipment used in violation of a controlled substances offense; any conveyance used in the commission of a felony involving a controlled substance; books or research products; money, securities or other negotiable instruments used in financial transactions involving controlled substances; and any firearms visible,

carried during or used in furtherance of a controlled substance offense. (P. 40, lines 20-29, p. 41, lines 1-29) A more detailed explanation of the forfeiture scheme is set forth in a 2 - page memo attached to this summary, as "B".

15. A Therapeutic Research Program for the use of marijuana (capsulized THC) by cancer or glaucoma patients is permitted, with certain controls. (P. 49, lines 13-29; p. 50; p. 51, lines 1-17)

16. Laboratory reports on controlled substances are to be more specific, and may be used in lieu of the actual testimony of the chemist. (P. 53, lines 2-29; p. 54, lines 1-6) A defendant can demand the live testimony of the analyst. (P. 53, line 29; p. 54, lines 1-3)

17. The bail statute, A.S. 12.30.040(b), regarding bail pending sentence and appeal, is amended under HB 180. It provides that any person convicted of any unclassified felony or class A felony is ineligible for bail after conviction and pending sentence or appeal. (P. 52, lines 25-29)

18. For sentencing proceedings, additional aggravating and mitigating circumstances are added to A.S. 12.55.155(c) and (d), for consideration at sentencing by the court. Aggravating factors include: (1) participation in an ongoing criminal enterprise involving controlled substances; (2) smuggling controlled substances into the state; (3) commission of an offense involving large quantities of a controlled substance; and (4) distribution of a controlled substance which has been adulterated with a toxic substance. (P. 54, lines 16-29) Aggravating factors permit a judge to raise the sentence from the "presumptive" term. See the chart attached to this summary as "C".

Mitigating factors which the judge can use to lower the sentence from the presumptive term include: (1) commission of an offense involving small quantities of a controlled substance; (2) distribution of a controlled substance, other than schedule IA substance, to an adult who is a personal acquaintance and for no profit; and (3) commission of an offense involving the possession of a small amount of a controlled substance for personal use in the defendant's own home.

19. A section is added to the statutes on operating a motor vehicle while under the influence of a controlled substance and/or alcohol. This section permits the State to introduce evidence, when a defendant claims he did not know the effects of a controlled substance, that the prescription in question contained a warning label, or that the defendant had been warned by a doctor, pharmacist, or other practitioner, not to operate a motor vehicle or other equipment after taking the substance.

Attachments:

"A" Chart showing Classification Scheme and Penalties.

"B" Memo on Forfeiture Scheme.

"C" Chart on Presumptive Sentences.

**CLASSIFICATION SCHEME AND PENALTIES
PROPOSED 1981 DRUG LEGISLATION**

Crime	IA	IIA	III	IVA	VA	VIA (Marijuana)
Delivery to Minors	Unclassified 5-99 yrs./ \$75,000	A felony	A felony	B felony	B felony	B felony
Delivery, Manufacture or Possession with Intent to Manufacture or Deliver	A felony	B felony	B felony	C felony	C felony	C felony
Possession on School Grounds	B felony	B felony	C felony	C felony	C felony	C felony
Possession	C felony	C felony	A misdemeanor unless possession is 25 or more tablets or 3 grams or more than C felony	A misdemeanor unless possession is 25 or more tablets or 3 grams or more than C felony	A misdemeanor unless possession is 50 or more tablets or 6 grams or more than C felony	C felony - 1 lb. or more A misdemeanor - 1/2 lb. or more B misdemeanor - 4 ozs. or more - Used or displayed in public - Possession while operating a vehicle - Possession by Minor - Possession of 1 oz in Public Violation - Possession of less than 1 oz in Public

SENTENCES

A Felony - 0-20/\$50,000 10 year presumptive for second 15 year for third	C felony - 0-5/\$50,000 2 year presumptive for second 3 year presumptive for third
B felony - 0-10/\$50,000 4 year presumptive for second 6 year presumptive for third	A Misdemeanor - 0-1/\$5,000 B misdemeanor - 0-90/days/ \$1000 Violation - \$20.

SCHEDULING EXAMPLES

Schedule I - Opium, opiates, heroin, methadone
 Schedule II - LSD, mescaline, cocaine, PCP, amphetamines, methaqualone
 Schedule III - barbiturates, hashish
 Schedule IV - valium
 Schedule V - small amounts of codeine and opium in mixtures having medicinal qualities
 Schedule VI - marijuana

MEMORANDUM

State of Alaska

DEPARTMENT OF LAW/CRIMINAL DIVISION

TO: Persons Reviewing
House Bill 180

DATE: January 13, 1982

FILE NO:

TELEPHONE NO:

FROM: RHONDA F. BUTTERFIELD
Assistant Attorney General
OSPA, Anchorage

SUBJECT: Explanation of
Forfeiture Scheme
in HB 180

This memorandum will attempt to explain in summary form the provisions of the forfeiture section, proposed Sec. 17.30.110, of House Bill 180 (pages 40-46).

A.S. 17.30.110.

- (a) Property subject to forfeiture:
- (1) all controlled substances;
 - (2) raw materials, products and equipment used in the commission of a felony controlled substance offense;
 - (3) containers;
 - (4) any conveyances (including autos, airplanes, boats, etc.) used in the commission of a felony controlled substance offense;
 - (A) However, if the owner of the conveyance is not a party or privy to the violation, the conveyance is not subject to forfeiture;
 - (B) and a secured interest of a third party is protected (see subsections (n) and (o)), but the property is still subject to forfeiture;
 - (5) books, records, and research products;
 - (6) money, securities, and negotiable instruments derived from illegal activity involving controlled substances; and
 - (7) any firearm visible, carried during, or used in furtherance of any violation involving controlled substances.
- (b) Forfeiture can take place either: when the defendant has been convicted in a criminal case of a controlled substances offense, or in a separate civil proceeding. In the latter type of proceeding, standard rules of civil procedure apply. The burden of proof is upon the State, as plaintiff, to prove by a preponderance of the evidence that the property was used during or in aid of a violation of A.S. 11.71. or 17.30.
- (c) Forfeiture is not dependent upon any criminal action; neither a criminal action nor its outcome is a defense to a civil forfeiture action.
- (d) Property subject to forfeiture may be seized without a court order, under certain circumstances, including recognized exceptions to the search warrant requirement.

- (e) A law enforcement agency must take custody of and preserve property which has been seized and detained pending court action.
- (f) The property must be inventoried within 10 days of the seizure.
- (g) The State shall notify all persons who are known to have an interest in the property.
- (h) Any person claiming an interest (defendant or innocent party) in the property must respond to the notification, or the property will be forfeited without further proceedings.
- (i) The court determines the issues; no jury.
- (j) A claimant (defendant or other interested party) may petition the court for release of the property pending the forfeiture decision.
- (k) Property subject to forfeiture cannot be released, except where: the property will remain subject to the court's jurisdiction; release is in the best interest of the State; and a bond is posted equal to twice the value of the property.
- (l) A claimant can ask for sale of the property prior to any decision on forfeiture. Proceeds of the sale are then treated as the property subject to forfeiture.
- (m) Once the property is forfeited, the commissioner of administration decides the disposition. Options (1)-(6).
- (n) A claimant with a secured interest in the property can get his money back or right of first refusal.
- (o) A defendant who used property subject to a third party's interest (Subsections (a)(4)(B) and (n)) shall be assessed a fine at least equal to the value of the third party's interest or that paid by the state to the third party, plus reasonable costs of seizure.
- (p) Any controlled substance is summarily forfeited. There are no court proceedings.
- (q) Plants may be summarily forfeited.

RFB/jm

TERMS OF IMPRISONMENT AND AUTHORIZED FINES IN REVISED CRIMINAL CODE

	FIRST FELONY CONVICTION	SECOND FELONY CONVICTION	THIRD FELONY CONVICTION
--	----------------------------	-----------------------------	----------------------------

"A" Felony	0-20	5-[10]-20	7 1/2-[15]-20
	3-[6] [*] -20		
"B" Felony	0-10	0-[4]-10	3-[6]-10
"C" Felony	0-5	0-[2]-5	0-[3]-5

MAXIMUM FINES - PERSONS

Murder or kidnapping - \$75,000
 A, B, or C Felony - \$50,000
 A misdemeanor - \$ 5,000
 B misdemeanor - \$ 1,000
 Violation - \$ 300

MAXIMUM FINES - ORGANIZATIONS

All offenses - \$100,000 or
 3 X pecuniary gain
 - whichever is greater

"C"

KEY

Number in bracket is presumptive sentence.
 Number to left is lowest mitigated
 sentence. Number to right is highest
 aggravated sentence.

MAXIMUM TERMS OF IMPRISONMENT
 FOR MISDEMEANORS

A misdemeanor - 1 year
 B misdemeanor - 90 days

⊛

Six year presumptive term applies if first
 A felony conviction, other than manslaughter,
 and defendant used or possessed a firearm
 during the offense or caused serious physical
 injury.

Alaska Laws Pertaining to Heroin January 1981

OFFENSE	GOVERNOR'S PROPOSED LEGIS. (HB 180)	EXISTING LAW																		
Delivery to a Minor	Minor under 19 and at least 3 years younger than defendant. Unclassified Felony - Life + \$75,000 and presumptive sentencing	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Minor Under 21</td> <td style="width: 33%;">15-30 years</td> <td style="width: 33%;">2nd</td> </tr> <tr> <td>10-30 years - 1st</td> <td>\$25,000</td> <td></td> </tr> <tr> <td>\$5,000-10,000</td> <td>Life</td> <td>3rd</td> </tr> </table>	Minor Under 21	15-30 years	2nd	10-30 years - 1st	\$25,000		\$5,000-10,000	Life	3rd									
Minor Under 21	15-30 years	2nd																		
10-30 years - 1st	\$25,000																			
\$5,000-10,000	Life	3rd																		
Manufacture or Delivery or Possession with Intent to Manufacture or Deliver (includes sale).	Class A Felony -Up to 20 Years	<p style="text-align: center;">No offense of possession with ^{specific} intent to distribute</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">2-10 years - 1st</td> <td style="width: 33%;">20-40 years</td> <td style="width: 33%;"></td> </tr> <tr> <td>\$5,000</td> <td>\$10,000</td> <td>3rd</td> </tr> <tr> <td>10-20 years \$7,500</td> <td></td> <td></td> </tr> </table>	2-10 years - 1st	20-40 years		\$5,000	\$10,000	3rd	10-20 years \$7,500											
2-10 years - 1st	20-40 years																			
\$5,000	\$10,000	3rd																		
10-20 years \$7,500																				
Possession on School Grounds — by Adult (18+)	Class B Felony -Up to 10 years	No Similar Provision																		
Possession	Class C Felony - up to 5 years	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">2-10 years</td> <td style="width: 33%;">1st</td> <td style="width: 33%;"></td> </tr> <tr> <td>\$5,000</td> <td></td> <td></td> </tr> <tr> <td>10-20 years</td> <td>2nd</td> <td></td> </tr> <tr> <td>\$7,500</td> <td></td> <td></td> </tr> <tr> <td>20-40 years</td> <td>3rd</td> <td></td> </tr> <tr> <td>\$10,000</td> <td></td> <td></td> </tr> </table>	2-10 years	1st		\$5,000			10-20 years	2nd		\$7,500			20-40 years	3rd		\$10,000		
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\$5,000																				
10-20 years	2nd																			
\$7,500																				
20-40 years	3rd																			
\$10,000																				

Alaska Laws Pertaining to Cocaine January 1981

Delivery to a Minor	Minor-under 19 and at least 3 years younger than defendant. Class A felony - Up to 20 years	Same as for heroin																		
Manufacture or Delivery	Class B Felony Up to 10 years	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">2-10 years</td> <td style="width: 33%;">1st</td> <td style="width: 33%;"></td> </tr> <tr> <td>\$5,000</td> <td></td> <td></td> </tr> <tr> <td>10-20 years</td> <td>2nd</td> <td></td> </tr> <tr> <td>\$7,500</td> <td></td> <td></td> </tr> <tr> <td>20-40 years</td> <td>3rd</td> <td></td> </tr> <tr> <td>\$10,000</td> <td></td> <td></td> </tr> </table>	2-10 years	1st		\$5,000			10-20 years	2nd		\$7,500			20-40 years	3rd		\$10,000		
2-10 years	1st																			
\$5,000																				
10-20 years	2nd																			
\$7,500																				
20-40 years	3rd																			
\$10,000																				
Possession with Intent to Manufacture or Deliver	Class B felony - Up to 10 years	<p style="text-align: center;">^{specific} No prob offense - only "possession"</p>																		
Possession on School Grounds by Adult (18+)	Class B felony - Up to 10 years	No similar provisions																		
Possession	Class C felony - Up to 5 years	Same as for heroin																		

Alaska Laws Pertaining to LSD

January 1981

OFFENSE	GOVERNOR'S PROPOSED LEGIS. (H B 180)	EXISTING LAW
Delivery to a minor	Minor - under 19 and at least 3 years younger than defendant. Class A Felony - up to 20 years.	Minor - Under 19 Life + \$25,000
Manufacture of Delivery or Possession with Intent to Manufacture or Deliver (includes sale)	Class B Felony Up to 10 Years	25 Years 1st \$20,000 Life + 2nd \$25,000
Possession on School Grounds — by Adult (18+)	Class B Felony Up to 10 Years	No Similar Provision
Possession	Class C Felony Up to 5 Years	Misdemeanor 1 Year, \$1,000

Alaska Marijuana Laws

January 1981

Delivery to a Minor	B Felony 0-10 years \$50,000 4 year Presumptive - 2nd 6 year Presumptive - 3rd	0-Life \$25,000
Manufacture or Deliver, or Possession with Intent to Manufacture or Deliver	C Felony 0-5 Years \$50,000 2 year Presumptive - 2nd 3 year Presumptive - 3rd	0-25 1st \$20,000 0-Life 2nd \$25,000
Possession on School Grounds — by Adult	C Felony 0-5 Years \$5,000 2 year Presumptive - 2nd 3 year Presumptive - 3rd	No Similar Provision
Possession 1 Lb. or more ½ Lb. or more ¼ Lb. or more	C Felony A Misdemeanor B Misdemeanor	No equivalent provisions, other than possession with intent to distribute (above).
by Juvenile any amount less than 4 oz.	Under 19 (4 oz. or more, see above) B Misdemeanor	Under 18 Fine - \$1,000
Public Offenses Use or Display any amount Possession More than 1 oz. 1 oz. or more 1 oz. or less less than 1 oz. While operating motor vehicle	B Misdemeanor — B Misdemeanor — Violation - \$300 fine B Misdemeanor	Fine - \$1,000 Fine - \$1,000 — Civil Fine - \$100 — Fine \$1,000

ALASKA FEDERATION OF NATIVES, INC.

1981 ANNUAL CONVENTION

RESOLUTION NO. 81 - 87

TITLE: PUBLIC HEARINGS ON DRUG LEGISLATION

WHEREAS, at the present time the Alaska Legislature is considering drug legislation, numbered H.B. 180, S.B. 190, and H.B. 620, which adopt a punitive approach through raising penalties for possession and use of many drugs, and

WHEREAS, the two proposed bills did not receive statewide input, particularly from rural Alaskan villages, and

WHEREAS, the two existing bills are written in terminology that is extremely difficult for constituents to comprehend; and

WHEREAS, a fair hearing on the bills has not been conducted throughout the State for public (especially rural) input,

NOW THEREFORE BE IT RESOLVED, that before the passage of the two bills occurs, the language be revised in order for the village residents to fully understand the consequences of the law, and

BE IT FURTHER RESOLVED, that another hearing for public input be scheduled with ample notice to villages and Native organizations.

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing is a full, true, and correct copy of the resolution adopted by the delegates to the 1981 Annual Convention of the Alaska Federation of Natives, Inc., December 16, 17, and 18, 1981, Anchorage, Alaska, at which a quorum was present and voting and that said resolution was spread upon the record of said convention and is now in full force and effect.

WITNESS my hand and seal this 21st day of December, 1981.

SIGNED:



Annie Laska

The Journal

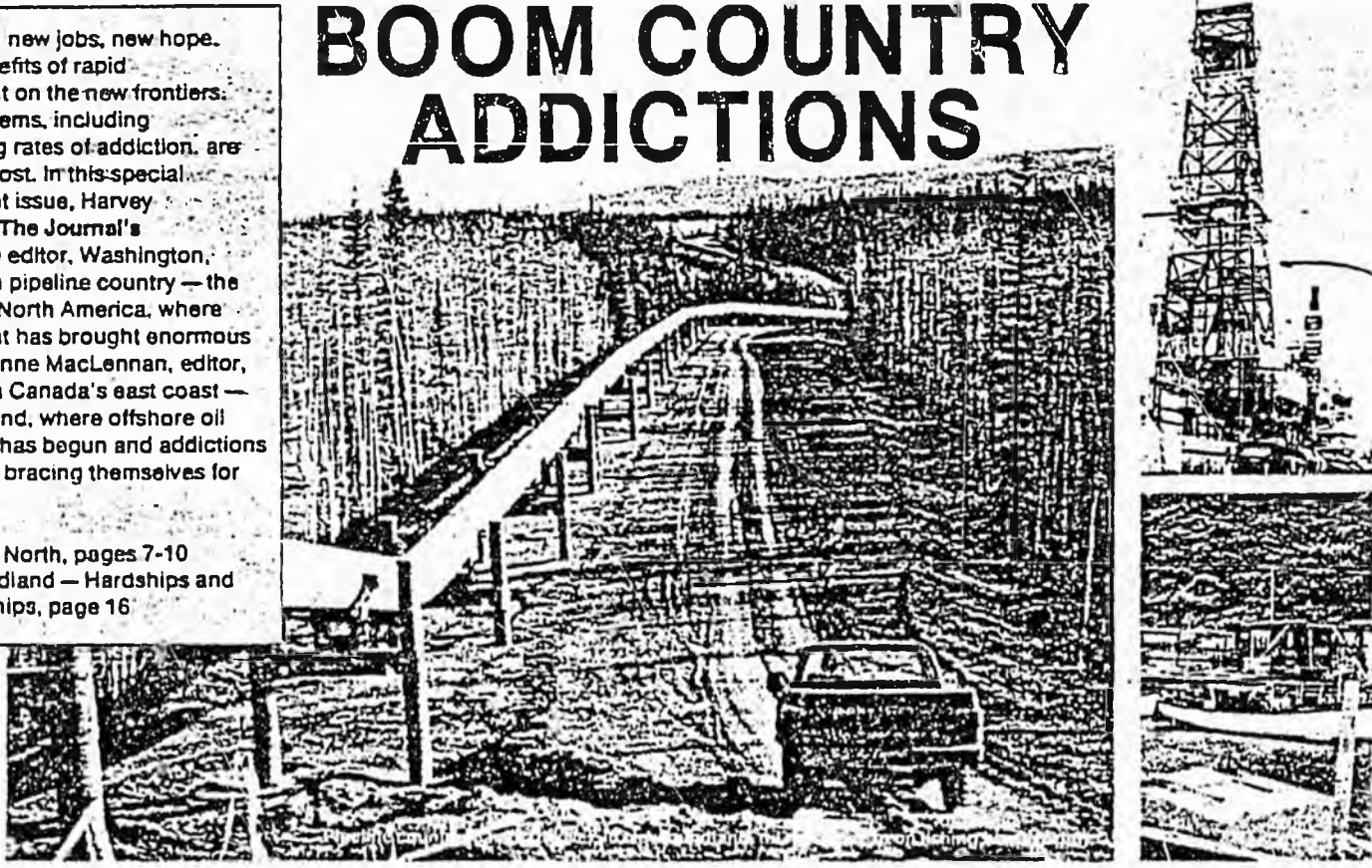
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Published monthly by Addiction Research Foundation WHO Collaborating Centre for Research and Training on Alcohol and Drug Dependence Problems

New money, new jobs, new hope. They're benefits of rapid development on the new frontiers. Social problems, including skyrocketing rates of addiction, are part of the cost. In this special development issue, Harvey McConnell, The Journal's contributing editor, Washington, reports from pipeline country — the far north of North America, where development has brought enormous problems. Anne MacLennan, editor, reports from Canada's east coast — Newfoundland, where offshore oil exploration has begun and addictions workers are bracing themselves for trouble.

- The True North, pages 7-10
- Newfoundland — Hardships and drilling ships, page 16

BOOM COUNTRY ADDICTIONS



Canada must get tough: Alaska

By Harvey McConnell

WHITEHORSE — Strict rules, rigidly enforced, is the only way Canada. If it has learned any lessons from Alaska, will avoid enormous problems when a natural gas pipeline is finally constructed.

A dramatic rise in alcohol and drug abuse will be one.

The consensus is that the pipeline will one day be built from Alaska's Prudhoe Bay south to join the Alaska highway into the Yukon Territory and British Columbia before dividing to serve the United States west coast in Chicago.

The pipeline has been talked about for years and Canadian financiers are still working out arrangements for construction. Whitehorse has gone through a mild boom and bust businesses which were started in anticipation of pipeline construction have gone bankrupt.

A major stumbling block, aside from financial considerations, is absolute opposition by natives in Canada to any pipeline construction and their own claims are settled with Ottawa.

tion, as are most individual bands. Militants in some areas, particularly in northern British Columbia, have threatened to blow it up.

The impact of the oil pipeline construction in Alaska has been absorbed and repeated in the Yukon, and hardened opposition.

At the same time, native leaders point out that jobs have been promised to natives, but so far no efforts have been made to train anyone for the skilled welding and other crafts which will be needed.

Bob Martel, who worked with 12 native bands with the Yukon Office of Alcohol and Drug Services, declared: "The biggest problem with the pipeline is that it disrupts the community as it is. Many communities have a leadership which sets a standard which is acceptable to the people. You bring in pipeline construction and all that goes. You bring in wealth and people want more wealth, and that is scary."

James Davies, Deputy Minister of Health and Human Services for the Yukon government, said there is great concern about the project. "We know what it means when you have an influx of money. People, earning big money, living in communities that have been poor."

being able to control it. Then there are other problems, like drugs and alcohol.

Robert Cole, executive director of the Alaska Office of Alcoholism and Drug Abuse, believes his state will be much better prepared for the gas pipeline construction in light of what happened when the oil pipeline was laid down.

"One thing we know for sure is that while the pipeline is being constructed there are going to be a terrific number of people living and working, and not working, who won't stay and have no intention of staying when they come."

"There was a whole narcotic distribution ring in conjunction with the oil pipeline operation. There was a terrific amount of theft of material and money in one form or another on the project. We had a lot of affiliated ancillary crime, particularly in Fairbanks, and a lot more armed robbery, prostitution and gambling were the other major phenomena."

The effect on the native population was mixed. The pipeline injected enormous amounts of cash into what were then subsistence communities, which changed certain tastes and ideas. In some communities people have adapted to a different way of life, while in other communities there have been problems with chronic substance

years ago to offer his advice. "I suggested some kind of bonding situation which would project what the impacts are going to be. Then the oil companies would be charged for it. I see no reason not to do that because the oil companies are going to make plenty of money off the pipeline."

"It has been said before, but one of the tests for economic development is whether it will pay for itself, not only in pure economic terms, but will it pay in terms of the net social and economic impact in whatever region or community it operates in."

Dr Earl Albrecht, affiliate professor of medical science at the University of Alaska, who has lived in the state for many years and was health commissioner in territorial days, said: "All we can

warn Canada is to get plenty of control. You have got to have plenty of Mounties to control liquor and drugs coming into the camps.

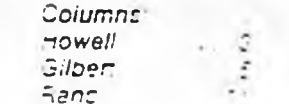
"Give them good investigators to really get the drug pushers. If, say, an area is going to have 1,000 workers nearby, then during that period triple the police force."

Women outdated on health issues: UK feminist... 3

FBI-DEA merger may be in the Reagan cards... 2

Cocaine connections

Columns Howell Gilbert Hancock



Feminist writer calls for an end to 'ladykilling'

LONDON — Smoking now kills and maims more women than cervical and breast cancers combined, yet the women's movement remains apparently unmoved.

This indignant message comes from an ardent feminist, Bobbie Jacobson, whose hard-hitting book urges an immediate reappraisal of addiction problems by her campaigning sisters.

Ms Jacobson says: "Breast cancer and cancer of the cervix have become concerns of the women's movement, but smoking and other equally pressing problems such as alcoholism have not. This is not just because women are reacting against society and the medical profession which exhorts us not to smoke for our children's sake. The long-standing libertarian tradition of feminism tends to view anti-smoking campaigns as yet another manifestation of male 'experts' telling women what they can or can't do with their bodies."

"But the main reason is that women's organizations still see their priorities in the terms their sisters did earlier this century. At that time, an almost total lack of political and legal rights, superimposed on economic hardship, forced women to concentrate on reproductive issues. But today the climate is different. Western women rarely die in childbirth and the birthrate has been falling. Although the right to safe fertility control is still vital, health issues for women have spread beyond the genitals."

The book makes out an extremely strong case for intervention in the rapidly growing health risks for women. The author notes that the proportion of men who smoke is going down in many industrialized countries, although it is not easy to find a country where the same is true for women.

Not only is the proportion of women smokers increasing in

many countries, so is the amount they smoke. In 1950 the average British woman got through half as many cigarettes as her male contemporary. Now she has almost caught up with him, smoking more than 15 cigarettes a day. In the United States, men smokers are smoking only marginally more heavily than 25 years ago, but women smokers have increased their cigarette smoking by 60%, making them the heaviest female smokers in the world.

Ms Jacobson goes on to report that when she worked for the British anti-smoking lobby group ASH (Action on Smoking and Health) three quarters of the applications for help came from women. She says women are as aware of the risks of smoking as men yet have a lower success rate in every occupational age group when they attempt to quit.

Further confirmatory evidence comes from wide-scale national surveys conducted in several countries which show that women are only about half as successful as men at stopping smoking, and that this finding applies across most age and social groups. Yet women are paying a high price worldwide.

In Britain in 1977 more than 8,500 women died from lung cancer. This means one woman died of lung cancer in Britain every hour of every day of the week, to maintain the country in its unenviable third position in the Women's World Lung Cancer League (after Hong Kong and Cuba). Although US women were ninth in the league (and Canadian 11th) the American Cancer Society estimated that more than 70 American women would die of lung cancer every day in 1980.

To highlight the social forces harming women she particularly calls attention to the failure of the nursing profession to react to smoking in the same way as the medical profession has.

Hospitals — a microcosm of male dominance — represent a society where workers are divided not only by race and class, but also by sex, she claims. Nurses' smoking rates are twice as high as those of their medical colleagues and they have only half the success of the doctors when trying to quit.

The author notes the tobacco industry has been very successful in attracting women to cigarettes. She says although there are advertisements which portray women as sex objects, the

cigarette advertisers have succeeded where other advertisers and health educators have failed — in taking women seriously. The women in the most successful advertisements are depicted as independent people with their own lives and interests.

The Ladykillers, Bobbie Jacobson, Pluto Press, 10 Spencer Ct, 7 Chalcat Rd, London NW1, or Pathfinder Press, 1317 rue Ste Catherine Est, Montreal, PQ, H2L 2H4. Tel: 514-856-9848.



Jacobson: astonishing rise in tobacco-related problems for women.

Anti-euphoria pill cuts joy of drink

By Gordon McIntosh

MONTREAL — A psychologist here says he has found a pill to take the joy out of drinking for alcoholics.

Dr Zalman Aronson, a psychologist at the University of Montreal, says the pill, known as H-102, will enable a person to drink all day without feeling high. The idea is to take away the exhilarating effect of alcohol to make it easier to stop drinking.

Dr Amit says H-102, originally developed by a Swedish pharmaceutical firm as an anti-depressant, simply stops the chemical change in the body that produces a state of euphoria.

In the last six months, he has studied 72 volunteers, all of whom were regular drinkers but not alcoholics. He says they cut their drinking by an average 60% after taking H-102.

While he says the pill may not be a miracle cure for alcoholism, the Concordia University psychologist believes H-102 may some day be part of standard treatment for alcoholism. Those who drink and take the pill will still slur their words and lose coordination, Dr Amit says. But since pleasure will have been removed from drinking they will drink less.

Dr Amit says he has been researching the drug since 1969. He came upon it while looking for an existing drug that would interfere with the alcohol-induced high. The first 10 years of experiments were conducted with animals. He says he plans to test the drug with alcoholics this winter, and it will be marketed in the following months by the Swedish firm, Astra Pharmaceuticals, which retains the patent, with Dr Amit's help.

Skid roaders shut out

Skid Road liquor store was closed July 1 for a six month trial period.

The tile-fronted store, which sold 1,000 bottles a week of Caravel Ruby Red, was a daily stop for many of the chronic alcoholics who dot the streets and alleys of the neighborhood.

The closure was ordered by consumer and corporate affairs minister Peter Hyndman after he was presented with a 4,000 signature petition from local residents and businessmen in support of closing.

The store — officially branch number 54 of the provincial liquor monopoly at Main and Hastings — was said to be the focus of disorderly behavior — behavior that disappeared during a recent four-day closure of the store during a wild-

strike by store clerks.

Mr Hyndman says the closure is not an isolated measure. Nearby liquor stores, for example, have been asked to remove from their shelves the cheap products favored by indigent alcoholics — including the popular Ruby Red which, at \$2.14 for a 26 ounce, 14% alcohol jolt, was sold straight from the carton at Number 54.

The Vancouver health department was also requested to closely monitor sales of bay rum and other high-alcohol products that might be substituted by the thirsty vagrants.

Mr Hyndman promised to push for an early opening of the city's complete, but so far idle, 60-bed alcohol detox centre.

They'll go wild over 'Musk-Ox Ale'

By Wayne Howell



"The first thing you must understand, said Professor Bottomsworth, "is the relationship between beer and laundry detergent."

What did this have to do with my initial question? Nothing at all as far as I could see. But I knew better than to interrupt the professor. He would get to the subject in his own time, and in his own way.

"Beer and laundry detergent have two things in common. The first thing is suds. The second thing is suds. Since the differences between various brands of beer and the differences between various brands of laundry detergent are more or less negligible, advertisers have to plug the image of the product rather than the product itself. Image is all. Understand that and you understand the phenomenon of Moosehead."

"I do?"

"You want to know why a very ordinary beer that has been kicking around our Maritime province for 50 years has suddenly become a sensation in the United States? You want to know why it is one of the top 10 best-selling imported beers in the United States and why it has only been in the market for a few years? You want to know why the Moosehead

bumper stickers? Simple — just look at the label. What do you see?"

"I see the head of a male moose in profile," I said.

"Right. Now think about it. The moose is big, hairy, and smelly, and it doesn't take any crap from the rest of the animals in the forest — it would just as soon kick Bambi as look at him. It has a fantastic macho image. The man with the best mind on Madison Avenue, on the best day of his career, could not have conceived a better beer label than the Moosehead label. Why even I had trouble conceiving a better label than the Moosehead label," said the professor.

"You mean you've done it?"

"Of course I've done it," bristled the professor. "You're not looking at some hack advertising copywriter. You're looking at a person who holds the McLuhan-Jung Chair in Contemporary Commercial Culture at a major university."

The professor pulled out a large manila envelope. I noted it was addressed to a major American brewery known to have marketing problems with its national brand. (Although he is a tenured academic, the professor has been known to dabble in commercial ventures from time to time.) The professor revealed the contents of the envelope — a sketch for a beer label featuring the hairiest, scruffiest-looking Canadian animal of all, with multiple eyes and mean in-curling horns.

"Moosehead Ale," said the professor. "The Americans are going to

He began a fevered description of an advertising campaign he had conceived for Musk-Ox Ale. I didn't catch it all, but the basic theme was a 30 second television spot: a herd of shaggy musk-oxen in a defensive circle gore and stomp a marauding wolf; then, by way of a lap-dissolve, we cut to a bar where a group of heavy lads come storming in out of a cold winter's night shouting "set up the Ox, Charlie" to the friendly bartender. The professor began to describe variations on this theme but I interrupted because it appeared he was ignoring the second part of my question.

"Not long after Moosehead began to make it big in the United States," I said. "Carling O'Keefe breweries introduced Buckeye beer into the Ontario market. The Buckeye label featured a mean looking full-antlered stag staring out at the drinker. But it wasn't Carling-O'Keefe's pseudo-Moosehead beer that caused a sensation in Ontario. It was Labatt brewery's Budweiser, brewed under licence from Anheuser-Busch, of St Louis Missouri. Since its introduction the demand for Budweiser has been so great that Labatts has been unable to produce enough of the stuff. Now how can you explain that, in view of the fact that every red-blooded Ontario boy subscribes to the myth that American beer tastes like equine effluent and doesn't contain enough alcohol to intoxicate a canary?"

"Easy," said the professor. "Do not forget that the chair I occupy at this great university is the McLuhan-Jung Chair in Contemporary Commercial Culture. The

McLuhan part is every bit as important as the Jungian part. The significance of macho forest beasts on the collective unconscious is one thing, but the significance of modern media on the collective unconscious is quite another thing.

"People in Ontario have been stuffing their heads with American television and American television commercials for so long that they've completely forgotten whatever cultural myths they once held near and dear to them. Night after night, year after year, Canadians have watched Jonny cue Ed for a commercial break, and then have let the image of those eight prancing jetlock-flashing Budweiser Clydesdales hauling the Budweiser wagon wash over them. Over the years, they've come to disassociate what's in the Budweiser wagon from the metabolic product of what's pulling it. The undesirable has become desirable, in a truly Orwellian way."

"Where will it all end?" I asked.

"There is a rumor that the Anheuser-Busch Brewing Company is negotiating with the Miller Brewery company to brew Miller High Life and Miller Lite under licence in Canada."

I started to whimper — the thought of old Canadian looks pushing Miller Lite on Canadian television was just too much to bear.

"Enough of that nonsense," said the professor, offering me a bottle from a same case of Musk-Ox Ale marked for export. "The only thing the Miller Lite will do is to make you feel like a canary."

NEWS

Cocaine convictions on upswing in Canada...

By D. G. Bastian

TORONTO — Cocaine is becoming more plentiful and accessible in British Columbia, Ontario, and Quebec, though the more radical and hazardous methods of taking the drug, such as "freebasing" and "speedballing," have not yet become popular in Canada.

That is the picture that emerged in interviews by The Journal with officials in the Royal Canadian Mounted Police (RCMP), Customs Canada, and the Bureau of Dangerous Drugs.

The picture is not as dramatic as that in the United States, where epidemiologists for the National Institute on Drug Abuse (NIDA) have fingered cocaine as the fastest-growing source of major drug-related medical problems.

There, freebasing and speedballing, along with an increase of

smoking and injecting the drug, are thought to be behind the upsurge.

In freebasing, cocaine is smoked or injected in doses made more powerful by chemical alteration with ether. (The Journal, July 1980). Speedballing is the hazardous combination of cocaine (a stimulant) with heroin (a depressant).

With 1980 figures on cocaine convictions and known users in Canada not yet tabulated, Jacques LeCavalier, director of the Bureau of Dangerous Drugs, Ottawa, said he preferred to take a cautious approach to the question of cocaine use in Canada.

"I have no reason to believe that its use is decreasing," Mr LeCavalier said.

However, RCMP figures for cocaine-related convictions in the first four months of 1981, if extrapolated over a full year, show a

marked increase over 1980.

The RCMP charged 276 people with possession, trafficking, or use of cocaine from January through April of this year. By year's end, that figure could be 828, compared with 597 people charged by the RCMP in all of 1980.

Definite increase

And Bureau of Dangerous Drugs figures show a jump in cocaine convictions across Canada by all law enforcement agencies, including the RCMP, from 332 people charged in 1978 to 433 charged in 1979.

Robert Fahiman, head of research for the RCMP, Ottawa, told The Journal: "There's definitely an increase in (cocaine) use over the past several years." He said the greater number of convictions each year since the

mid-1980s probably reflects increased availability, not better law enforcement.

Paul Zendrowski, a drug analyst in the intelligence division of Canada Customs, told The Journal the number of seizures of cocaine in Canada by Customs declined in 1980, down to 100 seizures compared with 155 in 1979. Total weight seized, however, was up in 1980 — 15,301 grams compared with 13,901 grams in 1979.

Although Colombia is the major exporter of cocaine to North America, Peru is the leading exporter of the drug to Canada, Mr Zendrowski said. There are direct flights from Lima, Peru, to Vancouver, Toronto, and Montreal, but none from Colombia.

A new development in trafficking is the attempt to throw customs officials off the trail by flying the drug from South America to Europe, and then to Montreal. Mr

Zendrowski said three major seizures of cocaine last year in Montreal were from traffickers who had gone from South America to Lisbon and Paris before flying to Canada.

And he said Customs Canada officials believe first class mail continues to be a major source of cocaine entering the country.

Stop mail seizures

In mid-1979, Customs officials were told by the government to stop making seizures of cocaine in first-class mail, because the handling of first-class mail, which is not susceptible to duties, was the responsibility solely of the Post Office.

Before that, cocaine seizures of mail were running into the hundreds each year, Mr Zendrowski said.

"We believe, from other sources, such as the RCMP, and from what we found earlier, that the method is still being heavily used," he said.

In this method of shipping cocaine, a small amount of the drug, about 10 grams, is put in a small plastic bag and enclosed in a greeting card or letter, and then mailed from South America or the United States to oneself, or a friend or relative who is helping finance the deal.

It is estimated by some officials that \$60 million or more worth of illegal drugs, including cocaine, enter Canada through the mails (The Journal, May 1980).

According to RCMP figures, the average price for cocaine in Canada in the first four months of 1981 was from \$30,000 to \$45,000 for a pound; from \$2,500 to \$4,000 for an ounce; and from \$125 to \$200 for a gram.

Cocaine procured on the streets is an average 12% to 20% potency.

Even with disturbing increases in availability and use of cocaine in Canada, most officials interviewed felt the problem was mild compared to the United States.

One RCMP investigator pointed out that Miami is expecting cocaine may soon be entering the US in shipments of several tons, as marijuana has in recent years.

Robert Petersen, assistant director of research for NIDA, said the "most startling" recent figure on cocaine use in the US comes from a 1979 NIDA nationwide survey.

The survey reported that the number of current users of cocaine in the principal using group (ages 18 to 25) increased from 3.7% in 1978 to 9.3% in 1979, an increase of almost 2 times.

He pointed out, however, that "current users" for the survey purposes, meant use of cocaine at least once in the month prior to the survey.

He also said that because coke is usually adulterated with non-cocaine substances, "a lot of the people who are current users may not have really tried coke — it may have just resembled coke."

While the NIDA is very concerned about freebasing, Mr Petersen said, it is aware that as long as US prices for a gram of cocaine stay around \$100, there are not likely to be many habitual users.

To a certain extent it is the thing to be able to see you have tried coke. It's a sense, more

while US freebasing fad fills ERs

SAN FRANCISCO — George R. Gay, director of emergency medicine at the Haight-Ashbury Free Medical Clinics, San Francisco, says more and more cocaine users are turning up in his emergency room (ER) for treatment.

They range from users who sniff the drug to those who seek ever stronger euphoria through smoking and injecting it, and freebasing (a process that alters the drug chemically by treating it with ether).

The increase at his ER is reflected across the United States by DAWN (Drug Abuse Warning Network) figures that rank cocaine as the 12th leading drug in drug-related deaths in 1979, up from 18th the year before.

In an interview with The Journal, Dr Gay said people are still not alerted to the danger at all.

"It's really a shame. The people who are involved have such a strong voice of denial that until their own physical status deteriorates to the point where they can't bear it they are going to abuse this tremendously euphoric drug."

In emergency rooms, he said, users should be considered paranoid and potentially dangerous. "Cocaine creates a true Dr Jekyll and Mr Hyde. The sweetest

character around turns into a vicious paranoid-schizophrenic.

"This is only an accentuation of the natural instinct that this drug reinforces — the instinct of self-preservation, the fight-or-flight response. Cocaine is very closely related to adrenaline and noradrenaline. In the classical fight-or-flight formulation, the individual animal in a hostile world is equipped with the mechanism for protecting himself — the bristles rise on the back of the cat, the pupils dilate, the individual becomes ready to fight or run.

"This is exactly what happens with cocaine: the same type of

potentiation of a natural response for the animal to protect itself in a hostile environment. And then when we see the more profound effects of chronic use, we begin to see an exaggeration of these same responses — the paranoid response is nothing more than the response of an individual to protect himself, even though what he perceives to be there is not truly there. This paranoia is in essence the residual of long-term use."

He said it takes a "very strong, ego structure to flirt with the drug and then leave it.

"I know plenty of people who do that, but for the person who has

that drug addiction liability, it's a disaster. They keep trying to regain that initial blast of euphoria."



Dr. Gay: "It's really a shame."

RCMP start with ounces

TORONTO — A Royal Canadian Mounted Police drug investigator believes increased immigration of Colombians to Canada largely accounts for the availability of cocaine in the Toronto-area.

When interviewed by The Journal, Staff Sergeant J.W. Horrocks, cocaine/cannabis unit, Toronto Drug Section, said: "We're just doing a round-up today of Colombians. Our success hasn't been too

great because I think the word's been out."

Sgt Horrocks said cocaine is so plentiful in Colombia that it is relatively easy for a Colombian moving to Canada to bring in a pound of cocaine (worth as much as \$45,000), mostly "body-packed" or hidden in furniture.

Sgt Horrocks said the RCMP does not know how much cocaine is on the streets of Toronto through gram dealers,

but suspects the amount is high.

"We're after the importers and larger dealers. We start at the ounces — I'm not saying we wouldn't start at the grams — but we're interested in the ounce dealers and up. It's very available in the Toronto area."

Quantities of cocaine seized by the RCMP in Toronto have been from 35% to 100% purity, Sgt Horrocks said, with street level cocaine around 15% pure.

Cocaine look-alike is big hit in US

By Jon Newton

BEVERLY HILLS, CA — A fine white powder resembling cocaine and being sold for about \$10 in 4,000 United States health food and drug stores, is making its already wealthy creator wealthier.

And Marc Bernstein says he has just appointed distributors in Montreal and Vancouver.

That is a 75 percent increase, according to Bernstein. The product is sold in health food stores, drug stores, and even in some supermarkets.

"Place a small amount of TOOT on metal foil. Heat over flame until smoke is visible. Do not directly inhale fumes as it may cause a toxic reaction."

Mr Bernstein, 37, told The Journal he plans to make at least \$20 million this year on Toot, which he admits "could conceivably" be used as a cocaine substitute, although he said he couldn't recommend it personally (Cocaine sells on the street for upwards of \$100 a gram).

Toot is called "heavenly innocence" and has all kinds of health benefits. It's a natural, safe, and non-addictive. It's a natural, safe, and non-addictive. It's a natural, safe, and non-addictive.

Trading Company from the same address, selling Zoom. It is said to reach the consumer "direct from the Amazon Jungles."

This is touted as a specially formulated "body energizer." The healthy, legal way to an amphetamine-like boost, is the implication, at a trifling \$10 per 90-pill bottle. The large brownish pills contain guarana, "utilized by the Amazon Indians for centuries" to "restore mental alertness and reduce hunger and fatigue."

Zoom has helped to make Mr Bernstein rich since he began marketing it in 1975.

Zoom is also called Brazilian Guarana. It's a natural, safe, and non-addictive. It's a natural, safe, and non-addictive.

Toot claim it's "a blast" with a money-back guarantee. On the street, a "blast" is a major drug experience.

Mr Bernstein carefully guards the secret of his potions, but cocaine-doubles containing phenylpropanolamine, benzocaine, and caffeine, are widely available both in Canada and the US. The fact several cups of coffee could provide a Zoom-like effect seems not to have affected the products' sales.

Meanwhile, Mr Bernstein continues to make money on "organic night" which don't seem to have lost any US drug legislation. And fans keep buying. And fans keep buying. And fans keep buying.

THE TRUE NORTH



Hummingly beautiful

Gas, oil, and alcohol fuel the last frontier

Up North. That mystical land atop North America stretching from the Bering Sea to Labrador: hundreds of millions of acres of forest, tundra, lakes, mountains, arctic coastline, abundant wildlife, and few people.

The wilderness. The last frontier. Midnight sun and forty below. Mosquitos and no-see-ums. Boom and bust. A section of continent divided only by a political boundary.

A beacon in the waning 20th century for the romantic and pioneer; the hard, high-rolling risk-taker; the loner running from the world and himself; the loser seeking the last chance to make it.

Northerners are alike. The outside is "down south" to Canadians and "the lower 48" to Alaskans. Ferocious winters allow no mistakes, and in summer in many areas grizzly and black bears, always extremely dangerous, are common in the bush. It is no Walt Disney World.

And northerners share more than geography, climate, and hard living: hard drinking. Despite the distances and isolation, alcohol and drug abuse are the major health and social problems.

In cities like Whitehorse, Juneau, Anchorage, and Fairbanks the bars are packed, winter and summer. The same drinking pattern is true in small communities, and in bush hamlets.

Drinking is part of life, especially as the population is so young and people feel they are different from the rest of the continent. They run risks, physical and economic, brave the elements, and are entitled to live a fantasy.

In some areas drinking is more evident among the Indians and Eskimos seen in public, but the problem is just as acute among whites. In many remote villages heavy alcohol use is the norm for adults.

Marijuana and cocaine are as available as alcohol, and PCP and

LSD use, glue and gasoline sniffing are common among many schoolchildren.

Access to alcohol is easier than in most other areas: Alaskans may drink in public for 21 hours a day, seven days a week; Yukoners have a 2 am bar closing, but motels and other establishments can sell beer 24 hours a day.

In the bush the nearest liquor store can be 200 miles away, but hundreds of light planes are ready to fly booze in, landing on skis in winter and pontoons in summer.

When alcohol is banned by local option, bootleggers thrive: branded liquor flown in as personal air freight is sold for \$40 and up a fifth.

Problems for the natives are compounded by feelings of lost culture and language. Older Indians and Eskimos remember the severe beatings they received at missionary-run schools if they spoke their own language, wore their own clothes, or used their real names.

Modern life has brought freedom, but at the cost of a consumer society, television, and most damaging of all, millions of dollars poured out in benefits, which might save the white man's conscience but is often spent on alcohol.

Major efforts are being made by government officials and native leaders to contain alcohol and drug problems but, ironically, the present and future wealth from oil, gas, metals and minerals will for a time increase problems as they increase economic wellbeing.

Oil flowing down the pipeline from Prudhoe Bay to Valdez has made Alaska rich. Vast oil and gas reserves in Canada are yet to be tapped, but the Yukon Territory will get a slice of energy royalties if and when the natural gas pipeline is brought through along the Alaska highway into British Columbia en route to the lower 48.

Mining companies are staking

claims and prospecting for likely deposits all over the area now that the minerals and metals are economically worth working, despite enormous costs of production and the harsh climate.

One of the major exploration costs is plane and chopper time. Helicopters are as thick as mosquitos, and young men earn \$100 a day plus as they are raised and lowered from copters to drive in claim stakes.

Gold prices in the \$450 an ounce range have rekindled the hunt in the fabled Klondike River valley near Dawson, and the area is buzzing with activity writers Robert Service or Jack London would recognize.

Old claims are reworked along Bonanza and Hunker creeks, old claim titles scrutinized amid tales, often true, of big nugget finds.

Despite the secrecy which always surrounds prospecting, the bush telegraph is a reality and little goes unnoticed.

In Alaska, oil riches have been translated by the state government into a vast array of capital expenditure projects: public buildings, highways, dams, and more.

Wages are high and drinking matches them. In southeast Alaska wages are equally high for fishermen and lumber jacks.

Although the Yukon was opened up in 1942 with construction of the Alaska Highway, and Alaska has roads in the south, only in the past few years have roads been opened to the Arctic areas. Most travel is still by bush plane.

In rural areas transport is by boat in summer. In winter the husky dog and sled is a relic: snowmachines are everywhere.

In the Arctic, balloon-tired three-wheel cycles speed across the tundra, leaving tracks which will remain for a hundred years or more as the tundra regenerates, in the hunt for caribou, ducks, geese and moose.

Alaska has one advantage in

attempting to deal with its problems: settlement of native lands claims. Twelve native run corporations handle money from the claims, and royalties from drilling and mining.

Just as the RCMP (Royal Canadian Mounted Police) is the symbol of government in northern Canada, the Alaska State Trooper is now his counterpart. It would be hard to tell the difference.

James Messick, assistant to the commissioner for the Troopers, explained: "Mounties and the State Troopers feel at home with each other, we have good day-to-day liaison, and our forces engage in a lot of events such as pistol shooting contests."

"Their conditions are the same and they are involved in more than just law enforcement. Everything, from fire protection to emergency medical services to search and rescue. Troopers and Mounties are the only symbol of authority in the most areas. They are almost everything to everyone."

Like the RCMP, tours of duty are two years. "When you get into the ranks of the Troopers one thing is guaranteed: you will see the state before it is all over."

Many problems in the bush "It is academic whether a person falls out of a boat and drowns, falls off a snowmachine and freezes, dies in a house fire caused by a cigarette, or is a victim of a shooting. The point is that almost all are alcohol related, and there is virtually no disagreement about that."

"Many Troopers say that if there was no alcohol available there would not be much for them to do."

Both Mounties and Troopers in the bush have been known to "unofficially" lend their assistance to native leaders who want to keep their communities dry.

The Journal

In this first of two Special Reports, Harvey McConnell, The Journal's contributing editor, Washington, reports from the top of the world — Alaska, in the United States, and Canada's Yukon Territory.

This month, he provides a broad perspective on the land, the people, and problems. Next month, he examines what Northerners are doing to try to deal with dramatically high rates of alcohol and other drug misuse and abuse.

The Journal is a monthly publication of the Addiction Research Foundation of Ontario, 33 Russett St., Toronto M5S 2S1, Ontario, Canada.

A recent report on fire prevention by G.W. Keinke and T. J. Bowering of the University of Toronto for the governments of the North West Territories, the Yukon Territory, Alaska and Greenland, found alcohol a major factor.

Communities with a low rate of alcohol consumption had a low rate of fires. Communities with a higher than average rate of alcohol consumption had a higher than average rate of fires.

Money to be made from liquor sales is not confined to legal stores and bootleggers. In Juneau, regulations were proposed which would stop cab drivers from selling bottles kept in the trunk, or from picking up and delivering liquor orders. Companies claimed this would deprive them of a third of their revenue.

The common attitude in the North is that one reason people came was to escape rules and regulations of more settled society. Laws iminge on their freedom.

Dennis Kelsc PhD, who has studied alcohol problems in Alaska, notes that frontier areas eventually absorb individual behavior is overcome by more institutional norms and more constraints come into being.

These constraints are still some ways off, he notes.



desperately trotting

A TALE OF TWO CITIES

Where toughness, alc/drug use go hand in hand

WHITEHORSE — Most Yukoners object on principle to any new laws, making it doubly difficult to deal with heavy drinking, one of the territory's major concerns.

Two years ago Whitehorse banned drinking in the streets. The night before the ban began scores of people turned out to hold a boisterous party on the Yukon River bank in the centre of town, and empty beer cans were hurled at passing cars.

What was even more depressing, says James Davies, deputy minister of health and human resources for the territory, was that on the previous night on the same ground a 14-year-old boy had passed out in a drunken stupor and drowned in his own vomit.

Mr Davies said that before the ban "It always amazed me to see people in a bar lift up their glass and walk down the street to another bar, with the drink still in their hand, or to see people driving down the street in their trucks drinking beer from a can."

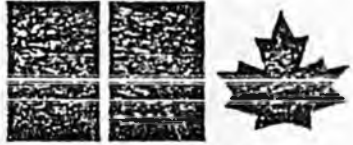
The ban has worked in that fewer people drink in Whitehorse streets. "But it hasn't worked in that it hasn't cut down on the amount of drinking."

Mr Davies said there is antipathy toward introduction of any laws. "People still feel they have this relative freedom here, and any new law impinges on or limits this. They feel they have come away from the big cities and their restrictions, and they don't want anything imposed on them."

A similar attitude extends to hunting laws, or the need for a licence, or the necessity for a building inspector to approve proposed additions to a house.

Except for the Indians and Eskimos, there are few native Yukoners. Even among those who grow up in the territory,

WHITEHORSE



harsh winters force them south when they get older.

Heavy drinking has always been part of the Yukon ethos but, in the last five years Mr Davies feels. "Whitehorse has become more sophisticated in the wrong kind of way. Now we have problems with drugs, which have never been considered all that serious until now."

Drug use is reflected in juvenile court case loads: five years ago approximately 90% were Indian children who were charged with what were considered minor offences, such as shoplifting, but they committed little malicious crime.

Mr Davies: "Now the situation has changed and about 50% of the case load is white children and they are charged with more serious matters, such as breaking and entering, and with drug offences."

"Although I have no research to base this on, my gut feeling from what you hear from staff and others is that while the Indian kids are still drinking beer, the white kids are on drugs."

Drug use has been fairly common for a number of years in mining areas of the territory. Most of the workers are young men from "down south" who have a lot of money to spend on drugs coming in from Alberta and British Columbia.

Mr Davies said his theory "is that our trends in the Yukon go behind everyone else's, and maybe this is one of the isolation factors. We are now seeing an in-

crease not only in marijuana use, but also in LSD and speed.

"Drugs have never been considered all that serious until now, and I think the RCMP attitude has been to be rather lenient on individuals who smoked marijuana as they were more interested in the pushers."

The boom anticipated in Whitehorse, if the natural gas pipeline comes through the territory from Alaska, is a serious cause for concern. But a pipeline construction is not the only thing which might upset the social fabric of the Yukon.

Mr Davies noted: "Don't forget, you have only about 25,000 people in the Yukon, and most live in the Whitehorse area. If you were to bring in 300 people for a new mine or industry, you bring in also wives and children."

"Then you have to develop the mine site, you have to put in roads, you have to have water. This affects the environment, the wildlife, in fact, the whole fabric around the mine area."

Alcohol use and abuse is the most visible problem in the Yukon. "It is the attitude you have to be tough to battle the elements, so a tough guy can knock a bottle back."

The casual tourist would think the major problem was among natives because more of them appear drunk in public, "but there is no doubt that this is a total problem among Indians and whites," Mr Davies added.

Given their living conditions and economic status, drinking is more obviously harmful to the native population, and their leaders realize this. "No alcohol or drugs" is the rule at official gatherings.

Mr Davies pointed out that, unlike Alaska, there is only a handful of communities in the Yukon with a solely native

population. Attempts by the native community to tighten up laws on alcohol use can provoke a backlash: "You don't do this in Whitehorse."

The Yukon government is now examining whether it is prepared to put more money into alcohol and drug programs. "But I don't think you can expect the alcohol and drug services to solve all the alcohol and drug problems," Mr Davies continued.

"I don't think if we doubled the staff and programs tomorrow that we would make much dent in the alcohol problem. It has to be more a change in attitudes and possibly this is something we can help to bring about."

Mr Davies said he believes change, and the problems change causes, are inevitable. "I am sure there will be drastic changes in the Yukon in the next 20 years. This territory is bound to develop."

"It is the trend of things, and I don't think you are going to stop it."



Davies: a negative sophistication

Best place to be free from society's restraint?

JUNEAU — Robert Cole is in a position other state alcohol and drug abuse directors envy — 90% of his money comes from the state and he has \$18 million to spend on programs for 405,000 people.

"This may seem absurd on the surface until you realize we encompass a geographic area two times the size of Texas, or equal to 30% of the land mass of the contiguous United States, and we have more than 200 communities in this area," Mr Cole said.

In addition, "the population of Alaska drinks more, and drinks more frequently and heavily, than any other part of the country, with the possible exception of Indian reservations and big city ghetto populations."

Mr Cole, who is coordinator of the state Office of Alcoholism and Drug Abuse, said the population of Alaska "tends to be relatively young, pretty energetic, and high risk people. They act out a lot of behavior which would not be very acceptable in standard middle class com-

munities in the lower 48. The norms of behavior in this state are far more tolerant than in, say, Kansas."

There is an inescapable factor every resident in the North has to contend with — the weather. "And the weather can, in fact, be foul a great deal of the time. It is dark for a goodly part of the year, and cold. Here in the southeast it is wet and rainy."

"Up here in the North there is a feeling of community between Alaskans and Yukoners, and for that matter northern British Columbia, the sense of being a whole and isolated from the rest of Canada and the US."

"And maybe, except for small parts of Africa, South America, or Siberia, this is the last frontier where you can get off into the wilderness and live a very unfettered personal life. It is both a blessing and a curse to be cut loose from restraints of society."

"You have got to be careful all the time and keep your wits about you. Alcohol tends to make people less careful, they lose their restraints and they do stupid things, and you can't make mistakes in the winter, especially. You don't dare. The weather is always there and it doesn't take much of a slip-up and she'll get you."

Mr Cole said that if one takes rapid cultural changes, rapid economic growth, a feeling of helplessness among many, a young and large risk-taking male population, bad weather, bars open 24 hours, seven days a week, and no controls on advertising, sales and distribution, it is "almost predetermined."

"And sure as hell, that's what we've got. We have our own built-in pressure about putting the community in balance, and this means reasonable restrictions on prices, opening hours, on sales and distribution, and a bar that is the mainstay of a community."



of private planes.

Suicide is also the highest in the US. In one rural area two winters ago there were 14 suicides in a population of 4,000. Every one was a native male aged 15-25 and every one was committed at the end of a week or two drinking spree.

Mr Cole said he has a theory, though not very well grounded at the moment, for the underlying causes of alcohol abuse and violent behavior in the native population.

"If you perceive you can't control the political, economic, social, cultural, or financial systems, and by definition you are a passive object of the system and they will do with you what they will, I think this creates a terrific amount of alienation, fear, anger, and frustration."

"Further, if you perceive there is no way you can change or alter that which you find distasteful, then you tend to turn your aggression on yourself and those closest to you. In addition, in the rural areas you have three or four generations of people who learned to drink by drinking heavily initially."

As for drug problems, Mr Cole noted that Alaska has a liberal policy on marijuana and the drug is used widely.

"Unfortunately, in recent years it has become a real social problem as there have been many, many reported incidents of kids beginning at about age 11 and throughout late grade school using marijuana fairly frequently."

Alcohol use is also high and is spread among all social classes. Heavy use was also made by the construction boom in the

"We have 500,000 miles of coastline, 10,000 bays and bights, the highest per capita ownership of planes in the US, and one of the highest for pleasure and marine craft, including 23,000 licensed fishing boats and God knows how many ships bringing up barges — plus worldwide air traffic through Anchorage and Fairbanks."

When the salmon are running there are only three or four weeks for the fishermen to operate. "It is rumored whole fleets operate on coke and speed because you can make tens of thousands of dollars in that time if you do it right."

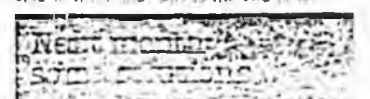
Mr Cole points out that while Alaska now has money to spend because of oil, until 1975 the state had five straight years of budget deficits. And it has only been in the past 20 months that the state "gave us this wonderful injection of cash."

Despite the problems, there are many compensations. "I think the people who live in the North are far and away the most resilient people I have ever been around in my life, either native or Caucasian. They tend to be stubborn, intelligent, reasonably hard working when they feel like working, and tenacious."

"In that regard, when people seek treatment programs they respond very well. A lot of people are surprised to find that if the natives are allowed to design a system to fit their own cultural values, they work quite well."

Women and their rights have also made great strides in Alaska. "And women are no longer to be passive victims." Most of the women who come North are the counterpart to the male "and you don't find many shy, retiring women around."

Mr Cole feels life in the north today is similar to the earlier experiences across North America as the frontiers moved west. "It is really kind of sad when you stop to think that this is the end of it."



A NORTHERN NOTEBOOK

There's the land. (Have you seen it?)
 It's the cussedest land that I know.
 From the big, dizzy mountains that screen it
 To the deep, deathlike valleys below it.
 Someday God's men'll look down He made it
 Some call it a fine land for sure.
 Maybe - but there's some as would trade
 For no land on earth - and I'm one.

'The cussedest land that I know'

The Yukon Visitors Association guide urges tourists to "come on in to freedom and excitement in Canada's last great frontier." On page 26 it notes: "The type of firearm recommended for survival or protection in remote areas is a 12 gauge shotgun."

The sun slid toward the horizon, paused, and then at 12:30 am began to rise over the ice-misty Arctic Sea, and the empty Calvert bottle on the beach.

"I doubt there is a young person in Yukon schools who is not touched in a very negative way by alcohol and drug problems. We are finding kids 7-10 years old into glue sniffing."

- Yvonne

"Up here, people have at least 10 to 15 drinks at a dinner party. It is not at all unusual to have a guest all asleep at the table. But they are always invited back."

"You can always tell as you set foot in a village if the women are drinking as well as the men. If they are not, the village is clean. If they are, then it looks, and is, a mess."

- Bob Martel



Aleut woman

"I am from New York and I know about drunks, but I still get into bars here to pick up passengers. Always a lot of hassle. I don't think the natives get more drunk than the whites, they just

Alaska has not had a tax increase on liquor since it gained statehood 30 years ago. The trade is controlled by four distributors in Seattle who have powerful friends in the legislature.



Tracking the tundra



Reporter McConnell on Arctic Sea ice

get tossed out of the bars sooner."
 - Anchorage cab driver

The Whitehorse Band is the largest in the Yukon and drinking is a very serious problem. Over the next three years the village will be moved to Crown land across the Yukon River from its present site - between a truck yard and the city sewage ponds.

"I know some of these young guys use drugs up here, but not in my plant where they are working with machinery. They know I will fire them on the spot and I don't have to give any reason."

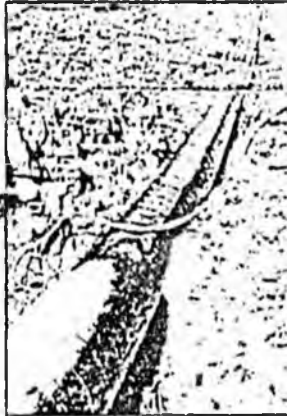
"I tell you what is going to happen within 30 years - the oil companies and the mining companies and the governments are going to rape this land and then leave it. You can see what they have done to the timber stands along the coasts. And when the money goes the whites are going to go, and then the natives pick up the pieces?"

It is a long way from Whitehorse to the south - about 1,500 miles to Edmonton or Vancouver. Yet every winter it has a big city problem: ice fogs which trap exhaust fumes for days or weeks.

"One encouraging sign is that the natives are starting to stand up for

sitting around smoking marijuana and giving it to their young kids."

The elderly couple from California were the only tourists visiting dusty Fort Yukon that day. They seemed to understand the situation when the very drunk middle-aged Indian walked up and told



The pipeline, a homestead

each other, which has not been done before because there was always rivalry between Eskimos and Aleut, Tlingit and Haida and Athabaskan. They are now

their young guide: "I am an Indian, and White Man full of... White man should get out of my land."

"Drinking in Juneau is heavy, and not the martini type. In fact, I don't think any of the bars here have a martini glass - they would just fill up a water glass."

Although "cabin fever" is thought to be the most pressing and depressing problem for many Northerners, it is in the early spring when "break up" begins that violence reaches its peak - unexpected and unaccountably. It is also the time when most people commit suicide.

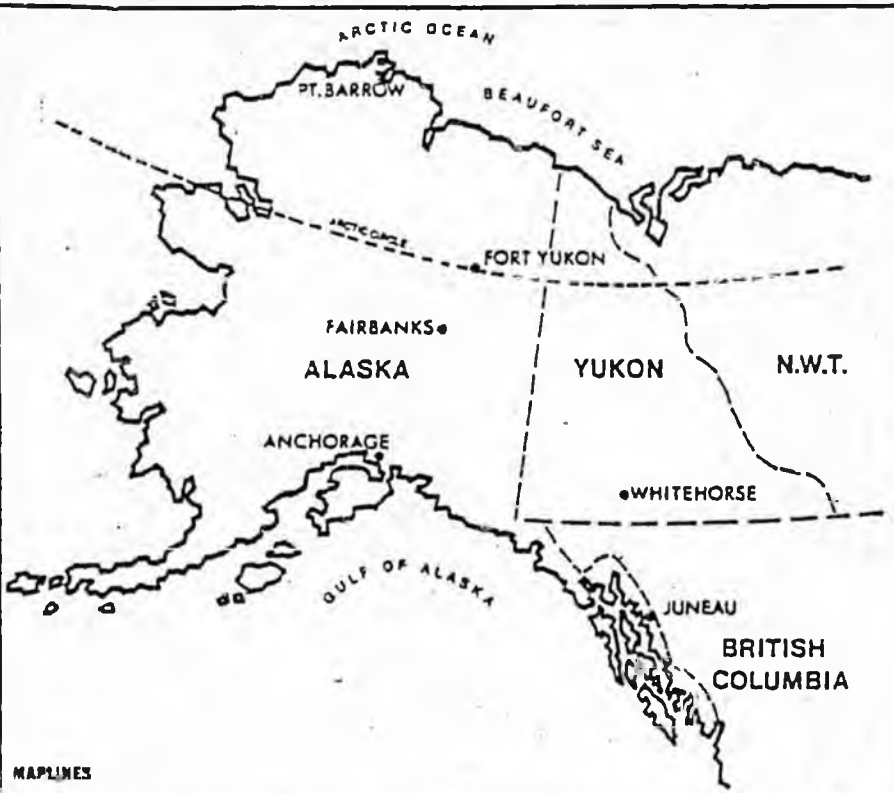
Mid-February is rendezvous time all over the North, a week of contests, socializing, and drinking. And drinking.

"I have worked, on and off, in the Arctic area for about 13 years and it really depresses me now to go into a tiny Eskimo village and see a family I have known for so long

"I attend a lot of meetings of recovering alcoholics here, and I am always struck by the number of young people there who say they had a father or mother who deliberately came to Alaska to get



THE TRUE NORTH



MAPLINES

“They want the Alaskan experience, but they don't want to stay”

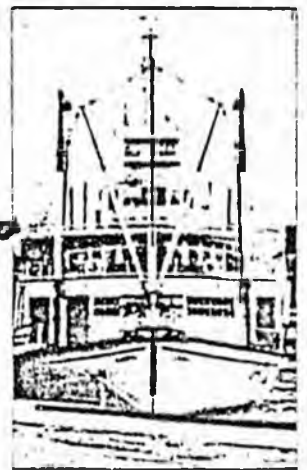
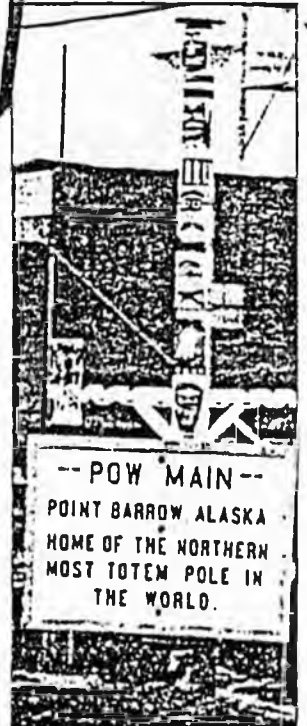
natives. Now they are throwing in rafts of money and trying to promote middle class ideas and programs, and they are not going to work. AA is not going to work. The only way the problem will be solved is by the natives themselves.”

“Some people refer to an environmental phenomenon as ‘God's way of cleaning up.’ I feel that alcohol is one of those things which is helping to clean our people up. That those who survive it will be strong. We are a sleeping giant which is beginning to wake up.”

— Tom Jimmie



Some traditions remain



Grounded

Sugar addiction is a major dental problem among native children, and village grocery stores sell an enormous amount of soda pop, candy, and junk food. Rita Hogan, a nutrition specialist who works for the Tanana Chiefs Conference, (a native corporation) is trying to promote a return to native foods, especially grains and berries.

“The problem is that in the past they were told that native food was not good. Now many are so suspicious of hearing once again a white say this is good for you.”

“The price of furs is going to be higher for years, and there is good trapping around Fort Yukon. If it weren't for alcohol this would be a paradise, a real paradise.”

— Kris Krestensen

“Blaming the white man for everything has not achieved anything so far, and I have no reason to believe advancing that line of thinking is going to achieve anything in the future. Indians in India could have blamed everything that went wrong on the British after independence, but you don't hear that anymore.”

“Many professional people come up here to play so they can go back down to the lower 48 and say ‘I have been to Alaska. They want to go hunting and fishing and experience the Alaskan dream but they don't want to stay.’”

— Joan Alfonso

Communities on McConnell's itinerary

“Women up here are real tough. They accept hardships and they will not take a lot of bull from men. This may be one of the causes of violence because women, by and large, tend to be self-sufficient and able to take care of themselves no matter what kind of circumstances they find themselves in.”

“I visited a community just as it was celebrating the Russian Orthodox Easter. The only other people I saw sober were the Russian Orthodox priest and his wife.”

“The white man did screw the

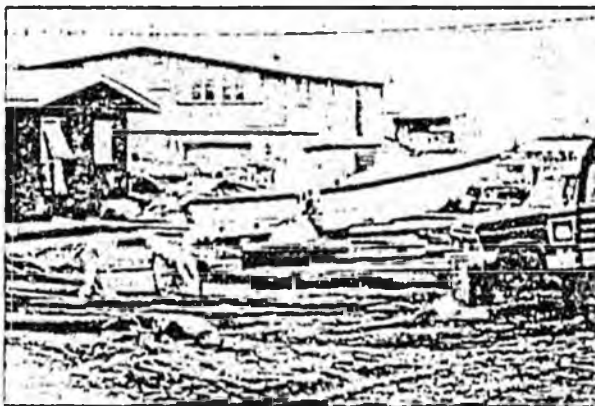
There's a land where the mountains are nameless
And rivers all run God's way wherever
There are lives that are daring and aimless
And deaths that just come by a hair
There are hardships that nobody reckons
There are valleys unpeopled and still
There's a land—oh, it beckons and beckons
And I want to go back—and I will

away from their drinking problem.”

a raft of booze to share with the village as a reward.”

“While the Indians may want to return to some of their old ways, they want the new ways too. I don't know of any in my village, where I have lived 11 years, who want to go back to bow and arrows if they can have a gun, or to pulling boats up the river if they can have an outboard motor.”

Alaska Airlines and Brantiff operate planes daily between Anchorage, with a stop at Seattle, to Dallas and Houston. The plane is



In Point Barrow

“Last summer I did a tour of Alaska, and I had to keep reminding myself it was the States.”

— James Davies

“Many natives made a lot of money working on construction of the oil pipeline, but many would either blow their cheque, or get rolled in Fairbanks. And if they did get home with the money it was understood they better bring back

usually two-thirds full of workers travelling to or from Prudhoe Bay

Indians in the Yukon don't seem to dislike the white man as the white man dislikes the Indian. The Indians have tremendous regard for the royalty and they regard the queen as their “white protector”

“Our studies indicate that the people causing our most serious problems are what I call these ‘white’ elements. These are young white people who are not interested in their own people or their own culture.”



A TALE OF TWO CITIES

Where toughness, alc/drug use go hand in hand

WHITEHORSE - Most Yukoners object on principle to any new laws, making it doubly difficult to deal with heavy drinking, one of the territory's major concerns.

Two years ago Whitehorse banned drinking in the streets. The night before the ban began scores of people turned out to hold a boisterous party on the Yukon River bank in the centre of town, and empty beer cans were hurled at passing cars.

What was even more depressing, says James Davies, deputy minister of health and human resources for the territory, was that on the previous night on the same ground a 14-year-old boy had passed out in a drunken stupor and drowned in his own vomit.

Mr Davies said that before the ban "it always amazed me to see people in a bar lift up their glass and walk down the street to another bar, with the drink still in their hand, or to see people driving down the street in their trucks drinking beer from a can."

The ban has worked in that fewer people drink in Whitehorse streets. "But it hasn't worked in that it hasn't cut down on the amount of drinking."

Mr Davies said there is antipathy toward introduction of any laws. "People still feel they have this relative freedom here, and any new law impinges on or limits this. They feel they have come away from the big cities and their restrictions, and they don't want anything imposed on them."

A similar attitude extends to hunting laws, or the need for a licence, or the necessity for a building inspector to approve proposed additions to a house.

Except for the Indians and Eskimos, there are few native Yukoners. Even among those who grow up in the territory,

WHITEHORSE



harsh winters force them south when they get older.

Heavy drinking has always been part of the Yukon ethos but, in the last five years Mr Davies feels, "Whitehorse has become more sophisticated in the wrong kind of way. Now we have problems with drugs, which have never been considered all that serious until now."

Drug use is reflected in juvenile court case loads: five years ago approximately 90% were Indian children who were charged with what were considered minor offences, such as shoplifting, but they committed little malicious crime.

Mr Davies: "Now the situation has changed and about 50% of the case load is white children and they are charged with more serious matters, such as breaking and entering, and with drug offences."

"Although I have no research to base this on, my gut feeling from what you hear from staff and others is that while the Indian kids are still drinking beer, the white kids are on drugs."

Drug use has been fairly common for a number of years in mining areas of the territory. Most of the workers are young men from "down south" who have a lot of money to spend on drugs coming in from Alberta and British Columbia.

Mr Davies said his theory "is that our trends in the Yukon go behind everyone else's, and maybe this is one of the isolation factors. We are now seeing an in-

crease not only in marijuana use, but also in LSD and speed.

"Drugs have never been considered all that serious until now, and I think the RCMP attitude has been to be rather lenient on individuals who smoked marijuana as they were more interested in the pushers."

The boom anticipated in Whitehorse, if the natural gas pipeline comes through the territory from Alaska, is a serious cause for concern. But a pipeline construction is not the only thing which might upset the social fabric of the Yukon.

Mr Davies noted: "Don't forget, you have only about 25,000 people in the Yukon, and most live in the Whitehorse area. If you were to bring in 300 people for a new mine or industry, you bring in also wives and children."

"Then you have to develop the mine site, you have to put in roads, you have to have water. This affects the environment, the wildlife, in fact, the whole fabric around the mine area."

Alcohol use and abuse is the most visible problem in the Yukon. "It is the attitude you have to be tough to battle the elements, so a tough guy can knock a bottle back."

The casual tourist would think the major problem was among natives because more of them appear drunk in public, "but there is no doubt that this is a total problem among Indians and whites," Mr Davies added.

Given their living conditions and economic status, drinking is more obviously harmful to the native population, and their leaders realize this. "No alcohol or drugs" is the rule at official gatherings.

Mr Davies pointed out that, unlike Alaska, there is only a handful of communities in the Yukon with a solely native

population. Attempts by the native community to tighten up laws on alcohol use can provoke a backlash: "You don't do this in Whitehorse."

The Yukon government is now examining whether it is prepared to put more money into alcohol and drug programs. "But I don't think you can expect the alcohol and drug services to solve all the alcohol and drug problems," Mr Davies continued.

"I don't think if we doubled the staff and programs tomorrow that we would make much dent in the alcohol problem. It has to be more a change in attitudes and possibly this is something we can help to bring about."

Mr Davies said he believes change, and the problems change causes, are inevitable. "I am sure there will be dramatic changes in the Yukon in the next 20 years. This territory is bound to develop."

"It is the trend of things, and I don't think you are going to stop it."



Davies: a negative sophistication

Last place to be free from society's restraint?

JUNEAU - Robert Cole is in a position other state alcohol and drug abuse directors envy - 90% of his money comes from the state and he has \$18 million to spend on programs for 405,000 people.

"This may seem absurd on the surface until you realize we encompass a geographic area two times the size of Texas, or equal to 20% of the land mass of the contiguous United States, and we have more than 200 communities in this area," Mr Cole said.

In addition, "the population of Alaska drinks more, and drinks more frequently and heavily, than any other part of the country, with the possible exception of Indian reservations and big city ghetto populations."

Mr Cole, who is coordinator of the state Office of Alcoholism and Drug Abuse, said the population of Alaska "tends to be relatively young, pretty energetic, and high risk people. They act out a lot of behavior which would not be very acceptable in standard middle class com-

munities in the lower 48. The norms of behavior in this state are far more tolerant than in, say, Kansas."

There is an inescapable factor every resident in the North has to contend with - the weather. "And the weather can, in fact, be foul a great deal of the time. It is dark for a goodly part of the year, and cold. Here in the southeast it is wet and rainy."

"Up here in the North there is a feeling of community between Alaskans and Yukoners, and for that matter northern British Columbia, the sense of being a whole and isolated from the rest of Canada and the US."

"And maybe, except for small parts of Africa, South America, or Siberia, this is the last frontier where you can get off into the wilderness and live a very unfeathered personal life. It is both a blessing and a curse to be cut loose from restraints of society."

"You have got to be careful all the time and keep your wits about you. Alcohol tends to make people less careful, they lose their restraints and they do stupid things, and you can't make mistakes in the winter, especially. You don't dare. The weather is always there and it doesn't take much of a slip-up and she'll get you."

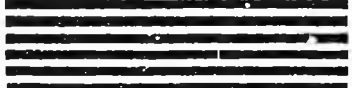
Mr Cole said that if one takes rapid cultural changes, rapid economic growth, a feeling of helplessness among many, a young and large risk-taking male population, bad weather, bars open 24 hours, seven days a week, and no controls on advertising, sales and distribution, it is "almost predetermined."

"And sure as hell, that's what we've got. We have our own buzz phrase about putting the community in balance and this means reasonable restrictions on prices, opening hours of bars and distribution, and a bar on advertising to the community."

As for drug problems, Mr Cole noted that Alaska has a liberal policy on marijuana and the drug is used widely.

"Unfortunately, in recent years it has become a real social problem as there have been many, many reported incidents of kids beginning at about age 12 and throughout late grade school, using marijuana frequently."

JUNEAU



of private planes.

Suicide is also the highest in the US. In one rural area two winters ago there were 14 suicides in a population of 4,000. Every one was a native male aged 15-25 and every one was committed at the end of a week or two drinking spree.

Mr Cole said he has a theory, though not very well grounded at the moment, for the underlying causes of alcohol abuse and violent behavior in the native population.

"If you perceive you can't control the political, economic, social, cultural, or financial systems, and by definition you are a passive object of the system and they will do with you what they will, I think this creates a terrific amount of alienation, fear, anger, and frustration."

"Further, if you perceive there is no way you can change or alter that which you find distasteful, then you tend to turn your aggression on yourself and those closest to you. In addition, in the rural areas you have three or four generations of people who learned to drink by drinking heavily initially."

As for drug problems, Mr Cole noted that Alaska has a liberal policy on marijuana and the drug is used widely.

"Unfortunately, in recent years it has become a real social problem as there have been many, many reported incidents of kids beginning at about age 12 and throughout late grade school, using marijuana frequently."

Water use is also high and the territory has a high percentage of its population in rural areas.

"We have 500,000 miles of coastline, 10 000 bays and bights, the highest per capita ownership of planes in the US, and one of the highest for pleasure and marine craft, including 23,000 licensed fishing boats and God knows how many ships bringing up barges - plus worldwide air traffic through Anchorage and Fairbanks."

When the salmon are running there are only three or four weeks for the fishermen to operate. "It is rumored whole fleets operate on coke and speed because you can make tens of thousands of dollars in that time if you do it right."

Mr Cole points out that while Alaska now has money to spend because of oil, until 1975 the state had five straight years of budget deficits. And it has only been in the past 20 months that the state "gave us this wonderful injection of cash."

Despite the problems, there are many compensations. "I think the people who live in the North are far and away the most resilient people I have ever been around in my life, either native or Caucasian. They tend to be stubborn, intelligent, reasonably hard working when they feel like working, and tenacious."

"In that regard, when people seek treatment programs they respond very well. A lot of people are surprised to find that if the natives are allowed to design a system to fit their own cultural values, they work quite well."

Women and their rights have also made great strides in Alaska. "And women are no longer to be passive victims." Most of the women who come North are the counterpart to the male "and you don't find many shy retiring women around."

Mr Cole feels life in the North today is similar to the early experiences across North America at the frontiers called west. "It is not a bad thing when you stop to think about it at the end of a day."



Oil spilling into addictions field

ST JOHN'S NFLD - The racket of construction work reverberates through St John's. This is Newfoundland which, with Labrador, is Canada's youngest province.

And it's developing country. Canada's "have-not province" is about to get rich on offshore oil.

Tom Doyle is a "Newfoundlander first, a Canadian second," and, in no other particular order, a businessman and chairman of the Alcohol and Drug Addiction Foundation (ADAF), a private organization and the chief one in the field in the province.

"We're a have-not province and we don't like it. We've come across a resource the Lord put there just the same as He put the fish in the ocean and we want to bring it in," he says.

There's excitement and fear. Some know the fallout of rapid social change includes increased alcohol and drug abuse. Mr Doyle is one. They've heard from Scotland, Norway, Canada's north and west - other areas blessed and cursed with oil.

In the winding, hilly streets of low, wooden shops, houses, and bars, that is St John's, a few office tower stretches into the sky, dominating the view of the famous old port from vantage points miles away.

On a prominent hill looking over the Narrows, the entrance to the harbor, a new Canadian National Railway hotel is going up to shadow the edge of the city.

The old CN Hotel Newfoundland for many years served comfortably both gala local events and visitors. Now, it will probably be torn down, although some local residents are fighting for its preservation as part of the province's heritage.

Newfoundland was its own dominion before joining Canada in 1949 and few people over 30 years old forget that. It can also trace its history to a time before Christ.

An Indian burial ground in the province dates back 4,000 years.

In the year 1,000 AD, it was the site of a Viking settlement.

Nine-hundred and one years later, in 1901, Marconi received the first transatlantic wireless signal on equipment set up on what is now Signal Hill National Park, overlooking the harbor and city of St John's.

Amelia Earhart and Charles and Anne Lindbergh were all here between 1919 and 1937, for pioneering transatlantic airplane flights.

For centuries, Newfoundlanders, with their closed, quiet, and clanish ways, the Catholics and Protestants, as today, at friendly loggerheads, went on with their lives - fishing, later mining iron ore, and watching visitors come and go.

Now, outsiders are coming again. Oil people. Some will leave but some of the money and ways they bring with them will touch Newfoundland forever.

The province is heading into the second half of 1981 on target to reach a forecast 3% growth in its gross domestic product. But, many of its 573,000 people on some 156,185 square miles (about four people per square mile or two per square kilometer) reckon the best is yet to come.

For the oil under the seas, and under the fish that bring them about \$100,000,000 annually, is finally worth the expense outsiders will pay to seek it out and take it.

Today, there's exploration. Tomorrow, there'll be production. Gradually there'll be benefits and, with them, problems.

Among addictions workers, the fear, the knowledge, is that already serious problems of alcohol use, and to a lesser extent, drug abuse, will skyrocket in the wake of the new money, the new stresses, the new people, the cultural shifts.

Alcohol already brings serious social problems.

Last count, and before oil talk had changed the future, the figures were grim.

Between 1970 and 1978, per capita consumption rose from 10.5 to 14.4 units, according to the Alcohol and Drug Addiction Foundation. In the same period, the number of alcohol-related deaths rose from 100 to 140.

Report and pictures by Anne MacLennan

increase annually. About 10% of adult drinkers, or 50,000 people, suffer alcohol-related disabilities.

In 1980, an estimated 300 people died of alcohol-related disease, 100 of them from cirrhosis of the liver. The incidence of cirrhosis has increased approximately 40% since 1970.

Between 1970 and 1978, teenage drinking increased by 90%. (At the same time, there was a 300% increase in cannabis use by young people.)

In 1978, approximately 1,000 children were victims of alcohol-related child abuse. Upwards of 50% of violent crimes are alcohol-related.

At the end of June, Tom Hickey, the provincial government's minister of social services, announced a "very significant and important government policy."

Mr Hickey, a social worker, has worked closely with Tom Doyle and a handful of others in the field, and knows something of what lies ahead.

His announcement concerned the government's decision to establish an Alcohol and Drug Dependency Commission and to double, by next year, to \$1.3 million, the amount of government funding in addictions problems. This when most governments are holding steady or cutting back.

The commission's chief objectives, he said, are to bring together under one central agency services currently funded by government, and to develop and establish new services.

"It will have immediate impact on services and this will be particularly evident in the areas of public education and preventative programs, especially for young people," he said.

But the commission is the culmination of effort over several years to respond to yesterday's pre-oil realities. Will a doubling of the current budget be nearly enough in the face of the coming problems?

A few days later, in an interview with The Journal, Mr Hickey addressed the question. It was the week that Newfoundland and Labrador welcomed delegates from across Canada to this year's meeting in St John's of the Canadian Addictions Foundation (CAF). The theme was Social Change and Addictions.

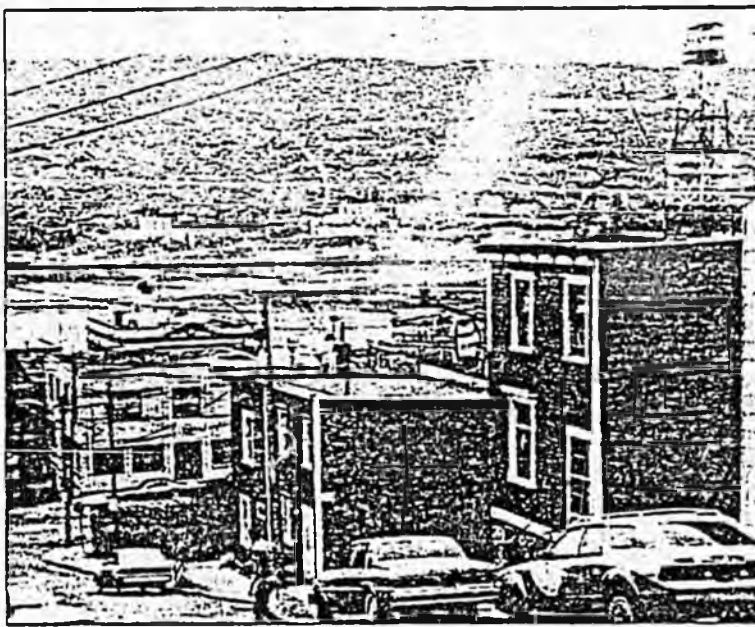
"What people have to understand is where we've come from in terms of dollars and of emphasis or recognition of this problem," Mr Hickey told The Journal.

"There is much more alcoholism and alcohol-related trouble in this province than the people you rub shoulders with in the street know about or acknowledge.

"It takes time, education. The only way it will be opened up is through education. With the commission we have broken the back of that."

Meanwhile, small cracks are already appearing in the fabric of the society.

"It's not going to start and end with alcohol," said Mr Hickey. "There will be



Tower of oil drilling ship in part for supplies looms over old St John's.

serious consequences culturally which produce other types of problems. This is obvious when you see your culture, your way of life, or the standards by which you've lived, appearing to outsiders to be strange or odd or inadequate, where our way of life is not being understood by newcomers and their way of life is not being understood by us.

"That's why I feel there is a need for ownership and control of development in this province. If we are in control, if we're allowed to do it our way, the areas of trouble will be confined."

How soon will the problems come? Mr Hickey: "It's shortsighted to think we have five years. We haven't any time. We have to work very hard to keep pace with what's going on right now."

Although his agency will be absorbed, Tom Doyle is delighted about the commission.

"It totally broadens our scope. We don't give a damn if it's no longer called ADAF. What we're trying to do is get a handle on how to cope. We can't stop it from happening - anybody talking about getting rid of booze is beating his head against the wall - but we want to reduce the incidence."

One of Mr Doyle's chief concerns, too, is "the loss of our way of life."

"What happens if there's an oil spill in the fishing ground? Some scientists say nothing. Some say everything. There's even disagreement among the fishermen. Who's right and who's wrong? We don't know."

Wayne Smith, consultant on alcohol and drug abuse to Mr Hickey's ministry, is one of the people who've been searching out information on the impact on addictions of offshore development.

His research has taken him "by phone and on paper" around the world - to the west and north of Canada; to New Mexico, Colorado, and the Gulf coast of Texas in the United States; to Aberdeen and the Shetland Islands in Scotland; to Norway and back to Newfoundland.

So far, he has found a lot of research on industrial implications and economic considerations but "very little that zeroed in on social problems and particularly addictions."

There "is, however, sufficient information for us to be concerned enough to take immediate action in preparing for offshore development."

"One point was obvious. The boom phenomenon carries with it serious addictions problems," said Mr Smith.

One of his stories, in a presentation to the CAF meeting, concerned Fort McMurray, Alberta, another area of rapid resource development.

The paper, which studied Fort McMurray, indicated that alcohol-related ailments, such as other illnesses combined with the stress of the boom,

jailed, 69% were for intoxication. Of the 2,000 cases heard in court in the same year, over 50% were alcohol-related."

Another of Mr Smith's stories was from Norway and Robert Ryall of the Rogland Research Institute in Stavanger, Norway close to the North Sea operations.

For the past three years, Dr Ryall has studied the rural fishing community and the impact of oil and gas.

"Dr Ryall immediately said: 'Yes, alcohol problems increase at an alarming rate. Yes, most assuredly.'"

Dr Ryall's advice? Newfoundland should build up the social service apparatus ahead of time, even in the absence of actual visible development.

Added Wayne Smith: "It would be fair to say that most of the research dealing with social impact of rapid growth suggests one major theme with regard to addictions. Without proper planning, without the proper infrastructure which includes facilities, recreation, housing, etc., addictions problems will be disproportionate to other social phenomena."

"Further, with the increase in addictions, other social problems such as child abuse, wife beating, domestic violence, etc., will magnify."

Norman Giesbrecht is a researcher at the Addiction Research Foundation of Ontario, Ontario's commission. He is also co-author with Scott Macdonald of a study, presented at the conference, on Northern Development and Research on Alcohol Problems.

As did others, he cautioned against "gloom and doom projections."

"I can't think there'll be no social problems in a situation where new towns are created, where there's an influx of people and of dollars to an area where consumption is already high."

"At the same time, that development period is, in the longer run, a preferred alternative to having an economy become weaker and weaker. That also has problems."

"You can't dress up data on human beings to make it sound like data on stress factors in machines."

"But, you can get good, basic information. One good study of what has happened is worth a dozen inadequate studies of what might occur," said Mr Giesbrecht.

"Get in on the ground floor, get the baseline information, and follow the development right through."

Gauging the future



Hickey Doyle



Smith Giesbrecht



January 16, 1982

Alaska State Legislature
House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Dear Committee Members:

As a concerned parent and citizen, I would like to request that you give every consideration for passing stricter drug laws for our state. I especially request passage of House Bill 180. Thank you.

Sincerely,
Mrs. Lance O'Neill

MSG 82-00001439 PRTY 1 01/15/82 15:31:16 ORIG: LK00 IN= 0021 OUT= 0110
FROM: BONNIE/KETCHIKAN TO: JUNEAU INFORMATION
TARGET: LJH2 SUBJ: FOM PAGE 0001

TO: MEMBERS OF THE HOUSE JUDICIARY COMMITTEE: BARNES, ANDERSON, MEEKINS,
FREEMAN, BUCHHOLT, PHILLIPS, O'CONNELL
FROM: BETTY WILSON, KETCHIKAN FAMILIES ACTION, BOX 8515, KETCHIKAN, 225-5231
MESSAGE READS AS FOLLOWS:
ALASKA MUST UP DATE ITS DRUG LAWS MAKING THEM CONFORM TO THE FEDERAL. SUPPORT
HB 180 IT HAS GOOD SCHEDULING, CONSIDERS PURITY, CONTAINS "ON SCHOOL PROPERTY
"WITH INTENT TO DELIVER" AND TREATS MARIJUANA SERIOUSLY. WE MUST CUT DOWN
DRUG TRAFFICING IN ALASKA. IT IS ENGULFING US. THANK YOU. EOM/BCF

MSG 82-00001250 PRTY 1 01/15/82 09:43:45 ORIG: LK00 IN= 0005 OUT= 0011
FROM: BONNIE/KETCHIKAN TO: JUNEAU INFORMATION
TARGET: LJH2 SUBJ: POM PAGE 0001

TO: HOUSE JUDICIARY COMMITTEE
FROM: JAMES ASHE, BOX 5623, KETCHIKAN, 225-4457
MESSAGE READS AS FOLLOWS:
PLEASE SUPPORT HB 180 TO HELP REDUCE THE DRUG TRAFFIC. I PARTICULARLY
SUPPORT THE ESTABLISHMENT OF SPECIFIC QUANTITIES OF DRUGS RATHER THAN
USE OF DRUGS (SUCH AS PERSONAL OR FOR SALE) AS THE CRITERIA OF CRIMINALITY.
THANK YOU. EOM/BCP

MSG 82-00001251 PRTY 1 01/15/82 09:47:11 ORIG: LK00 IN= 0006 OUT= 001
FROM: BONNIE/KETCHIKAN TO: JUNEAU INFORMATION
TARGET: LJH2 SUBJ: POM PAGE 000

TO: HOUSE JUDICIARY COMMITTEE, REP. FREEMAN, REP. GARDINER AND SEN. ZEIGLER
FROM: HENRY PRENTISS, 612 HILL ROAD, KETCHIKAN, 225-3587
MESSAGE READS AS FOLLOWS:
PLEASE SUPPORT PASSAGE OF HB 180. I BELIEVE THIS BILL IS NOT ALL WE
NEED BUT IT IS A GOOD START IN THE ELIMINATION WITH THE PROBLEM
OF DRUGS. THANK YOU. EDM/BCP

CITY OF KOTZEBUE

P.O. BOX 46
KOTZEBUE, ALASKA 99752

KOTZEBUE POLICE DEPARTMENT
907-442-3351

September 22, 1981

Representative Ramona L. Barnes, Chairman
House Judiciary Committee
P.O. Box 3382
Anchorage, Alaska 99510

Dear Representative Barnes:

I regret I cannot attend personally but would like to present my written comments to the House Judiciary Committee.

☆

I would like to lend my support to all but one of the proposals. I would especially give my highest recommendation to the Governors Drug Bill, House Bill #180, It is badly needed.

My one reservation is in regard to House Bill # 572 on Domestic Violence.

Most often the Police Officer answering domestic dispute calls is acting as an arbitrator and/or mediator. Injecting the Officer further into the dispute by requiring the Officer to assist one party or the other will remove their "impartial" stature and make their job harder in the future as the Officer will be viewed as an adversary by the other party involved.

The Court must be presented the documents before service and I feel the court is the proper place for assistance to be rendered the party seeking injunctive relief.

Donald E. Buehler
DONALD E. BUEHLER
Chief of Police

cc: AS Revisions file
Sgt Jones
Sgt Wallace

DEB/dew

"GATEWAY TO NORTHWEST ALASKA"

CLASSIFICATION SCHEME AND PENALTIES
PROPOSED 1981 DRUG LEGISLATION

Crime	IA	IIA	IIIA	IVA	VA	VIA (Marijuana)
Delivery to Minors	Unclassified 5-99 yrs./ \$75,000	A felony	A felony	B felony	B felony	B felony
Delivery, Manufacture or Possession with Intent to Manufacture or Deliver	A felony	B felony	B felony	C felony	C felony	C felony
Possession on School Grounds	B felony	B felony	C felony	C felony	C felony	C felony
Possession	C felony	C felony	A misdemeanor unless possession is 25 or more tablets or 3 grams or more than C felony	A misdemeanor unless possession is 25 or more tablets or 3 grams or more than C felony	A misdemeanor unless possession is 50 or more tablets or 6 grams or more than C felony	C felony - 1 lb. or more A misdemeanor - 1/2 lb. or more B misdemeanor - 4 ozs. or more - Used or displayed in public - Possession while operating a vehicle - Possession by Minor - Possession of 1 oz in Public Violation - Possession of less than 1 oz in Public

SENTENCES

A Felony - 0-20/\$50,000
10 year presumptive for second
15 year for third

C felony - 0-5/\$50,000
2 year presumptive for second
3 year presumptive for third

B felony - 0-10/\$50,000
4 year presumptive for second
6 year presumptive for third

A Misdemeanor - 0-1/\$5,000

B misdemeanor - 0-90/days/
\$1000

Violation - \$300

SCHEDULING EXAMPLES

Schedule I - Opium, opiates, heroin, methadone
Schedule II - LSD, mescaline, cocaine, PCP, amphetamines, methaqualone
Schedule III - barbiturates, hashish
Schedule IV - valium
Schedule V - small amounts of codeine and opium in mixtures having medicinal qualities
Schedule VI - marijuana

MSG 82-00000929 PRTY 1 01/14/82 10:01:36 ORIG: LA00 IN= 0003 OUT= 0025
FROM: CAROL ANCH. TO: JUNEAU INFO
TARGET: LJH2 SUBJ: P.O.M. PAGE 0002

TO: ALL LEGISLATORS

FROM: DONALD PAYES
SR BOX 5424
EAGLE RIVER 99577 (H) 694-9371

QUIT BEING SO WISHY-WASHY. REWRITE THE NARCOTIC LAWS. ELIMINATE ALL
THE LOOPHOLES. THE LAW SHOULD READ: IT SHALL BE AGAINST THE LAW...

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF ADMINISTRATIVE SERVICES

POUCH N - JUNEAU 99811

January 8, 1982

465-4338

Bill Cook
Legislative Counsel
House Judiciary Committee
Pouch V
Juneau, Alaska 99811

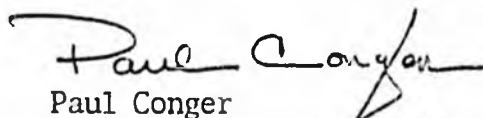
Dear Mr. Cook:

Re: Fiscal Notes - HB 180, HB 473, HB 573, HB 577

Per your request for fiscal notes on the above-referenced Bills, this is to notify you that HB 473, HB 573, HB 577, if enacted, would have no fiscal impact on the Department of Public Safety.

In regard to HB 180, I have requested that a fiscal note be prepared on this bill and upon receipt of this information, I will forward it to your office immediately.

Sincerely,


Paul Conger
Legislative Liaison Aide

by Maureen Blewett
Times Writer

While Alaskans spent \$50 million or more on cocaine last year, the state of Alaska spent \$2 million or more investigating and prosecuting cocaine offenders.

A local defense attorney thinks the actual cost of prosecution is higher — "an unbelievable, literally incredible, amount" and says it should have been spent for "real crimes" — such as rape and murder.

"It's only a plant, for God's sake," says attorney Robert Wagstaff. "People using cocaine in the privacy of their own homes are harming no one."

Not so, counter prosecutors and the police. The true cost of cocaine is not in dollars — it is in the higher cost of human lives lost, property stolen, people assaulted, women raped. Alaskans would be shocked if they knew the incredible price of cocaine-related crime.

They cite statistics:

— Cocaine alone has been a direct cause of more than 20 murders committed in Southcentral Alaska since 1976, state troopers say.

— Thirty percent or more of the burglaries and robberies in Anchorage are tied to cocaine, District Attorney Larry Weeks says.

— "At least half a dozen" Anchorage women were raped this year after being invited into a man's car to sniff cocaine, Weeks said.

Uncounted on these lists, state officials say, are the costs of credit card fraud, stolen checks, assaults, .

"People who say cocaine is not addictive don't know what they are talking about," a cocaine abuser sentenced to a five-year jail term for assault told Marion Kowalke of the Municipality's Treatment Alternatives to Street Crime.

"I've been a heroin addict, and I never waved a gun in anyone's face for heroin." But two years ago he committed armed robbery to get money to buy cocaine and lost a lucrative business, his home, his furniture. Today he is in a federal prison.

Says Assistant District Attorney prosecutor Rhonda F. Butterfield, "Cocaine is not a harmless drug. It destroys lives." Adds Weeks, "Society has got to understand what it is putting up with."

"What are they talking about?" replies Wagstaff. "You can't lock people up in jail just because you think they are wasting their lives."

Into this debate steps Dr. John Grabowski, cocaine expert at the National Institute of Drug Abuse.

Cocaine users, in the upper strata of the business community, usually don't resort to violent crimes, says Grabowski.

"These people don't engage in murder. They engage in take-overs and forcing people into bankruptcy."

Murder among drug dealers is a totally different matter, he said. People who cannot enlist police help for injustices against them, take matters into their own hands.

Meanwhile, as lawyers and physicians debate over costs and crime, the statewide Metro drug unit last year spent more than three-quarter of a million dollars — \$800,000 — to arrest 127 people on drug sale offenses. All but a fraction were for cocaine offenses. Of the \$1.2 million in confiscated drugs, \$1.1 million was for 7,196 grams (16 pounds) of confiscated cocaine.

This year's Metro budget is \$1.3 million.

Some 38 people were convicted for cocaine-related offenses in Anchorage, Fairbanks and Juneau, with sentences ranging from probation to more than two years in prison. Those arrested with one and two pounds of cocaine were prosecuted in federal court in Anchorage. Their sentences were higher — dealer, Jim Wharer, arrested in November, 1980, with more than pound in his possession was sentenced to five years in prison.

It costs a lot of money to prosecute the rich man's drug in a society which condones it as "similar to a fine after-dinner liqueur."

Says metro agent R. W. Jones, "Even picking a jury to try a cocaine case is time-consuming and expensive because one-third of the prospective jurors have used it."

Investigation takes between six and 12 months and cocaine trials usually last between three and five days. At \$1,896 a day for a Superior Court courtroom, a three-day trial alone costs about \$5,608. This figure does not include salaries of the district attorney, the public defender if one is needed, prison costs and the cost of state and municipal drug treatment programs.

"The whole thing has an unreal flavor," Wagstaff says. "This idea of spending so much effort and time to arrest people using plants in their house. If cocaine users are committing crimes, destroying lives and property, they should be arrested and charged for that."

"Look at the people you know who use cocaine," he said. "Ask yourself. Should they be in prison?"

Mixed in to this debate is the question of whether cocaine users become violent. Rarely, say medical researchers. Current studies show that alcohol abusers become violent far more frequently than cocaine abusers.

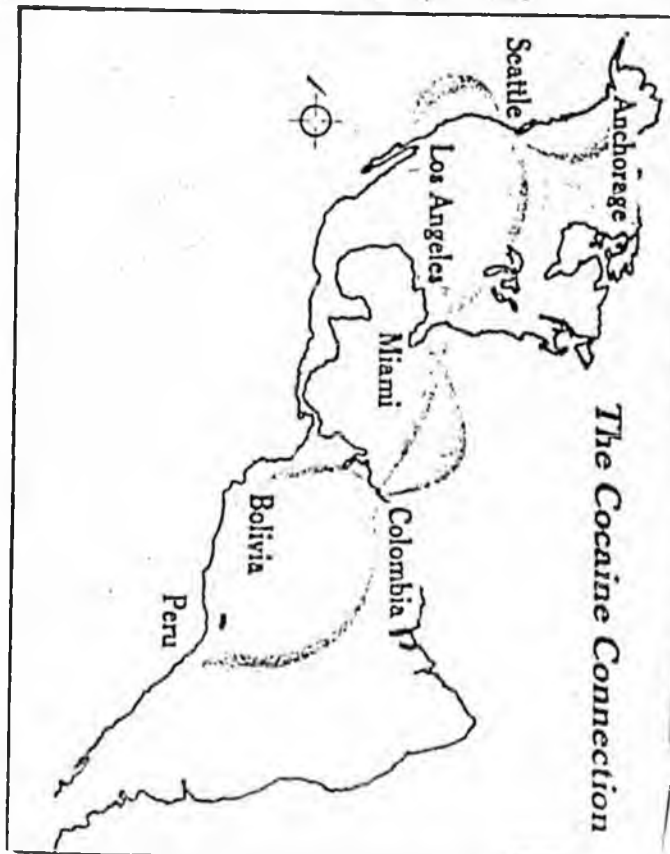
The Alaska Supreme Court, in a 1976 opinion, found that "aside from the criminality itself, the violation of state law is not a crime in itself."

of an irrational law in a society which really doesn't see cocaine use as a crime."

These people aren't criminals, the defense attorney said. They aren't sociopaths, they are just ordinary people. Suddenly they have a felony conviction, they have lost their civil rights and they could go to jail.

"For what? For doing something that until the turn of the century, wasn't even a crime."

"It's irrational. It's also wrong."



Cocaine

(Continued from page A-1)

"It isn't the one one-or-two-line a day snorters who come into our offices. It isn't the Peruvian Indian chewing coca leaves. It is the snorter who suddenly switches to free-base (smoking) who says, 'What happened? I can't stop.'"

What happens is this: the euphoria of the drug wears off and the "coked out" user believes the only way to cure the resulting fatigue and lethargy is with more cocaine. Unwittingly, never self-identifying as an addict, Smith says, the user is compelled to take more.

The letdown is physical, says Andrew Weil, M.D. in a 1980 book, "The Marriage of the Sun and the Moon." Cocaine does not miraculously bestow energy on the body — it merely releases energy already stored chemically in the nervous system. The letdown occurs because the user becomes tired.

Cocaine does not create a physical dependency, with the withdrawal symptoms which accompany other drugs, say Smith, Weil and other researchers. It is easier to break the cocaine habit — physically — than it is to stop using nicotine, or even caffeine.

But it is exceedingly difficult to fight the psychological compulsion. Cocaine is the most reinforcing of all drugs — including heroin, Dr. Robert C. Petersen of the division of cocaine research for the National Institute of Drug Abuse told the House Select Committee on Narcotics Abuse and Control.

"It was just like dieting," said an Anchorage mother who at one time spent between \$700 and \$800 a day on cocaine — a drug first introduced to her through a doctor's prescription.

"I would say, 'Tomorrow I'm going to stop. I'm going to quit.' But I didn't."

Injecting and free-basing cocaine (using heat to break cocaine down to a pure form for smoking) are extremely dangerous because it is impossible to take small doses, Smith says.

Dr. John Grebowski, a psychopharmacologist at the National Institute of Drug Abuse, agrees. "I don't usually go around saying things are dangerous. But smoking (free-basing) cocaine is dangerous thing to do."

The least dangerous way to take cocaine is inhaling it, Smith said. People who become dependent on the drug by snorting it "have to work at it." It is high doses, taken close together, which create a psychological dependency and hook a user.

High-dose users rapidly develop tolerance, says Weil, a research associate at the Harvard Botanical Museum who testified before an Alaska court in 1978 that cocaine causes fewer problems than either alcohol or tobacco. The second dose gives a less intense effect and lasts a shorter time.

Users take more cocaine, trying to regain the "sweet, original rush" described by one Anchorage user.

A University of Virginia study showed that animals, given the opportunity, would self-inject cocaine, ignoring food and other needs, until they approached death, Petersen said. Social researchers have documented that cocaine dealers, with a smorgasbord of drugs to choose from, use up their supply of cocaine first, he said.

"I sold my furniture, my house, everything I owned just to get more coke . . . you don't care about anything but copping more," an Anchorage user said.

But there is a limit. Pure cocaine, like pure doses of other drugs, is poison.

"But even arsenic — a poison — is harmless in traces," says Petersen. "Aspirin and alcohol are harmless in small doses. But take a bottle of aspirin and it will kill you."

"The difference is that there isn't a compulsion to take aspirin."

In U.S. metropolitan cities in 1980, 60 people died of cocaine poisoning, according to National Institute of Drug Abuse statistics. Another 205 died of a combination of drugs, including cocaine.

Most cocaine deaths come from injection or free-basing, and Florida officials have reported finding the needle still in the deceased's arm. However, people have also died from snorting cocaine, many of them instantaneously and without warning, said Petersen.

There are other, less common, ways to take a fatal overdose of cocaine. One Anchorage woman died last year from a cocaine enema. And dealers have died transporting the drug — they swallowed condoms filled with cocaine which burst in their stomachs.

There is apparently no way to

predict who will become dependent on cocaine. A previous history of depression or alcohol and drug dependency may be an indicator, Smith says. But many patients at Smith's clinic had no warning they would become addicted to cocaine.

Among signs of excessive use: insomnia, headaches, pallor, cold, nosebleeds and a feeling of heaviness throughout the limbs. There can be visual and auditory hallucinations and the feeling that insects or snakes are crawling over or just under the skin.

The overdosed user often becomes paranoid, and sometimes antisocial and dangerous, with an exaggerated sense of personal power. Judgment can be impaired. Small objects — clock mechanisms, rocks, shells — can become so important that over-users carry them around in a bag, from whence grew the slang meaning of "bag" during the 60's and 70's.

A fatal dose of cocaine causes convulsions, fainting and a stop in respiration. Smith refused to cite an exact fatal dosage saying it varies with an individual's tolerance to the drug.



DAVID E. SMITH, M.D.
Small quantities ho

Cocaine users may be lured into psychological dependency

This is the last of a four-part series on cocaine in Alaska.

by Maureen Blewett
Times Writer

Snuffed through the nose, cocaine increases the pulse and respiratory rates, raises the body temperature and dramatically raises the blood pressure. It constricts blood vessels and dilates the pupils.

Psychologically, it creates a sense of euphoria, excitement, energy and optimism. The immediate effects last about one hour and are sometimes followed by a letdown.

The cocaine blues.

"There is only one thing that can lift me when I'm crashing on cocaine," an Anchorage man said. "And that's a hell of a lot more."

Cocaine is a drug millions of occasional users believe has little or no harmful or lasting effects. Medical experts say research to date supports their belief — to some extent. But, they say, the popular white powder has a dark side.

Like alcohol, aspirin and caffeine, cocaine is harmless when taken in small quantities, says author and expert David E. Smith, M.D. of the Haight Ashbury Free Clinic in San Francisco. The most serious

COCAINE

Alaska's fashionable snow

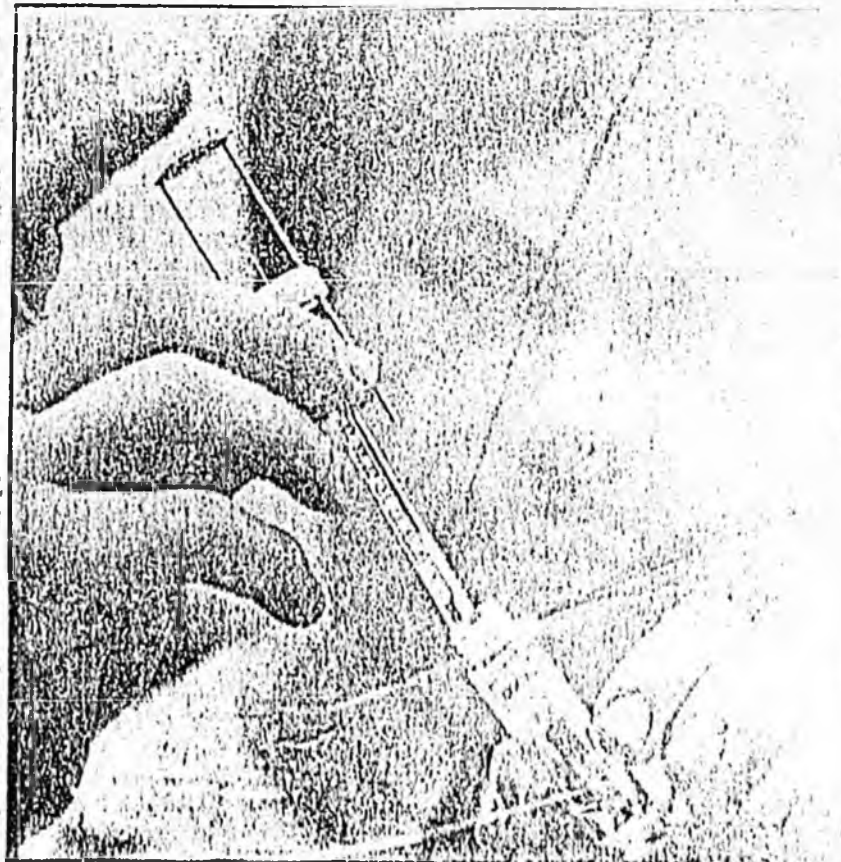
physical complaint of the occasional user seems to be a runny nose.

Users who restrict themselves to only an occasional heady "line" or two may never run into trouble, Smith said during an interview here earlier this month. But they should be aware they are dealing with a high risk drug.

Cocaine may be benign taken moderately, but it is also a seductive, beguiling substance which medical experts say can lure a user unawares into compulsive, psychological dependency.

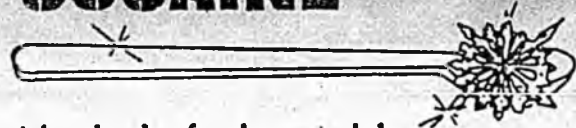
"When people come in for treatment they are very toxic and very surprised," Smith said. "They are compulsive, they're paranoid, they're spending all their money. They are stunned. It wasn't supposed to happen that way."

(See COCAINE, page A-3)

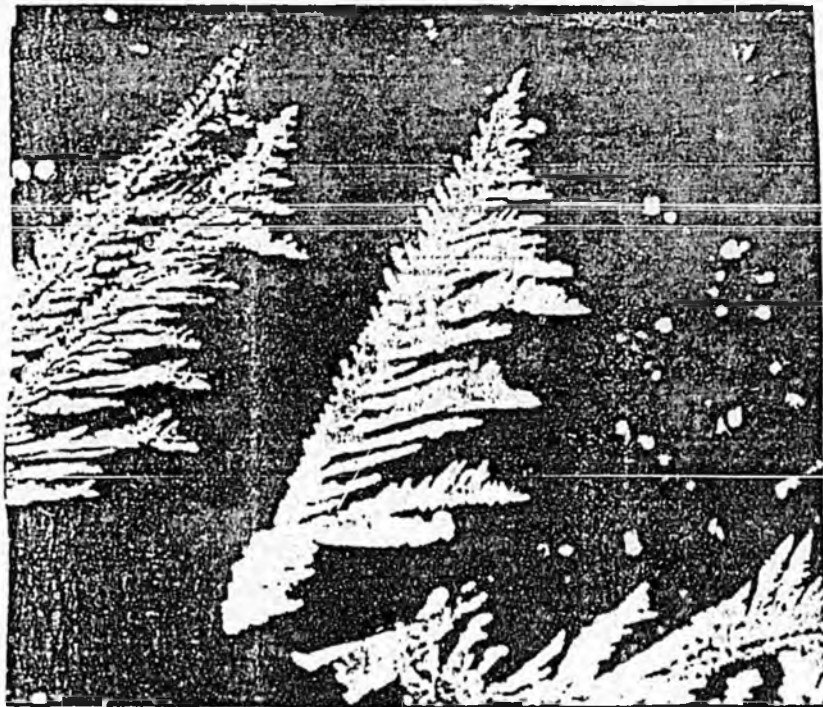


Alaska State Troopers chemist Chris Beheim tests a cocaine liquid

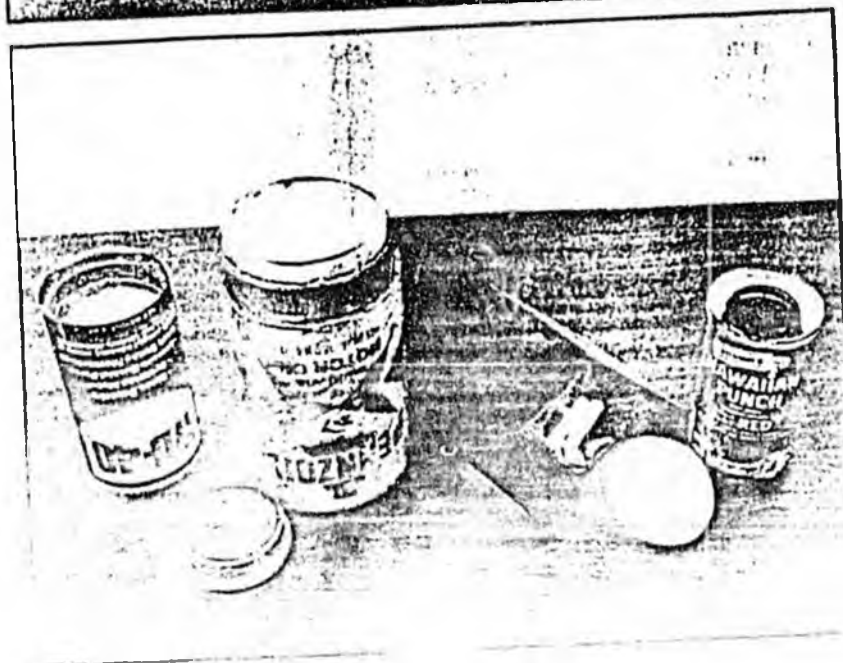
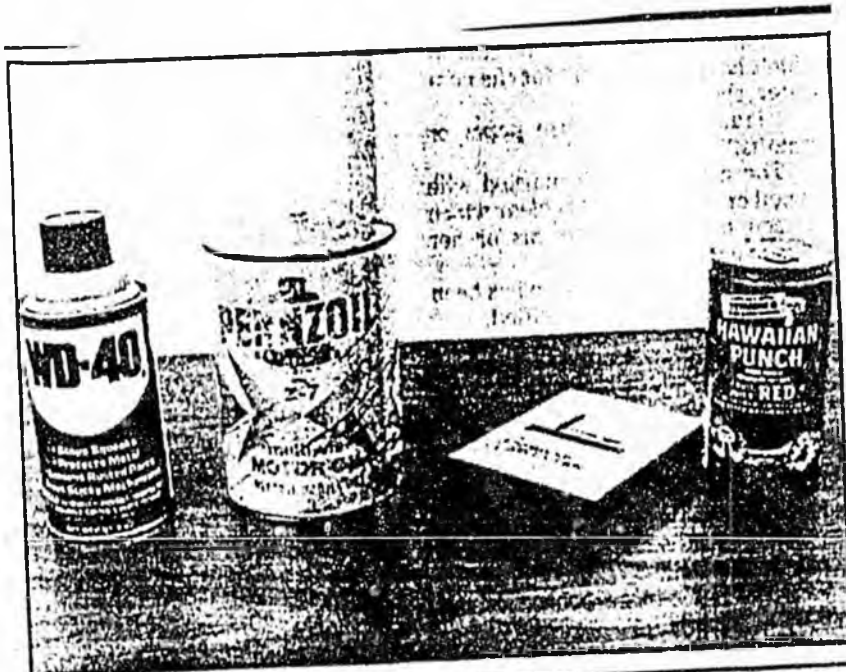
COCAINE



Alaska's fashionable snow



Crystals magnified 100 times show police chemists they have cocaine



is illogical, 'harsh'

by Mau een Blewett
Times Writer

Under state law today, a person convicted of possessing cocaine could go to jail for a minimum of two years.

He probably won't. Sentences handed down for cocaine offenses indicate that Alaska judges, on the whole, agree with an Anchorage Superior Court judge who last week called that law "unrealistically harsh."

"No judge would sentence a person to a mandatory two years when the first-time offense is mere possession," said the Anchorage judge.

Alaska statutes provide for a minimum of two years in prison for either possessing or selling cocaine. The maximum sentence is 10 years in jail. Second-time cocaine offenders face a minimum of 15 years in jail; the maximum sentence is 30 years.

Judges can vary the sentences, however. And they do. Of the 38 people convicted of cocaine use last year:

— Eight possessed less than half a gram (street value of one gram is about \$125). Of these, four were given probation and four were sentenced to less than two months in jail.

— Seventeen possessed from one gram to half an ounce (street value of one half ounce is about \$1,300). Four received probation, four were sentenced to two months or less, five were given sentences up to one year, and one was given a sentence of one to two years. Three were given sentences over two years.

— Twelve possessed one-half ounce or more (street value of one ounce is \$2,600). Of these, two were placed on probation, four were sentenced to for up to six months, two were given sentences of six months to one year, two were given sentences between one and two years and two were sentenced to more than two years.

If the law appears harsh to some, it seems illogical to others.

The sentence for possession or sale of cocaine, for example, is lower than that for marijuana. While the maximum sentence for the cocaine offense is 10 years, the maximum sentence for marijuana possession or sale is 15 years.

Recognizing the discrepancy, the Alaska court system in 1979 studied sentences handed down for drug offenses and set up tentative drug-sentencing guidelines.

These guidelines deal only with sale, attempted sale or possession with intent to sell. They suggest punishment that considers the offender's criminal record to the type and amount of the drug possessed or

ried for the guidelines, 30 percent of the judges gave tougher sentences than those recommended by the guidelines.

But Nick Maroules of the Alaska Judicial Council disagrees. Judges have followed them in 70 percent of the cases, he says. That isn't surprising, he said, because they reflect what the judges have been doing all along.

The proposals go to the Supreme Court this week for ratification.

The question of guidelines versus existing drug laws would be moot if the Legislature next session passes a proposed drug bill, which passed the Senate last session but failed in the House.

The House Judiciary Committee heard testimony on the proposed bill (HB 180) in Anchorage Monday night. It hears more testimony in Palmer tonight and returns to Anchorage for further hearings Wednesday at the Performing Arts Center of the University of Alaska.

Under the proposed bill, drug offenses would be divided into seven degrees of seriousness, with cocaine in the second-most serious class.

The classifications from most to least serious are:

— Heroin and narcotics such as opium and morphine.

— Cocaine, hallucinogenic drugs,

qualudes, barbiturates, PCP, some amphetamines.

— Hashish, some stimulants and some depressants.

— Tranquillizers, depressants, some stimulants and Darvon.

— Narcotics combined with another medicinal ingredients: i.e. cough syrups.

— Marijuana.

The bill divides cocaine offenders into categories. From the most serious to the least serious, they are:

— Delivery (distribution, gift or sale) of cocaine to a minor. The penalty: from zero to 20 years. A second offender would receive a presumed sentence of 10 years, although the judge could lower it to five years or increase it to 20 years.

— Delivery of cocaine, or possession of cocaine with intent to deliver it. The penalty: 0 to 10 years imprisonment. A second offender would receive a presumed sentence of four years although the judge could lower it to zero or increase it to 10.

— Possession of cocaine by an adult (a person 18 years of age or older) on a school ground. Penalty: 0 to 10 years imprisonment. A second offender would receive a presumed term of 4 years, but the judge could decrease it to zero years or raise it to 10.

— Possession by driver. The

penalty: zero to 5 years. A second of-

fender would automatically receive

10 years if the judge does not

lower it to zero.

Cocaine laws don't hit rich

This is the third of a four-part series on cocaine in Alaska.

by Maureen Blewett
Times Writer

"It isn't fair," an Anchorage Superior Court judge said in an interview last week, counting on his fingers and naming lawyers he said use cocaine. "The upper middle class, the doctors and the lawyers, don't get arrested for using cocaine." It's the waitress in Homer, the North Slope welder, who do.

Last week, while hundreds of Anchorage adults bought cocaine to inhale discreetly at posh parties and in bathroom stalls of bars, four men were sentenced in Anchorage Superior Court for selling the drug.

Dennis Long, 40, and Stanley Fricke, 36, were sentenced to six months in prison. Floyd Moss, 43, and Wayne Marshall, 37, were given five years probation.

The bottom line is this: cocaine is illegal in Alaska. But not very. And only for the few.

"I have seen a lot of coke in high places in this town," a young Anchorage lawyer said last week. "It's done openly by people you'd never believe, in circles of people so well-known, so public I'd be afraid of getting caught."

Statistically, his chances of that are small.

Only 38 people were convicted of cocaine possession in 1980 in Anchorage, Juneau and Fairbanks, according to a study to be presented to the state Senate (See COCAINE, page A-4)

Rich

(Continued from page A-1), sentencing Guideline Commission this week.

The chances of getting arrested for "tooting" coke in an automobile before walking in to a party, as one court system employee does — and going back out for more when the high wears off — are very small.

The problem, said a lawyer, is that society itself condones cocaine use. And until society wants to do something about cocaine, the criminal justice system simply can't deal with it.

But would that lawyer go to police if a friend or neighbor displayed a gram of cocaine? "No," the lawyer conceded. "I'd call the police if I saw him getting ready to murder someone or hit him over the head or steal a car. But I wouldn't for using cocaine."

It is not an easy question.

"It's tough," a judge said. "Last week I sentenced a waitress to 90 days in jail for selling one slip of cocaine. She didn't have a history of selling drugs, she was doing it to supplement her meager wages as a waitress."

"Hopefully, she will not do it again and the rest of us will profit from her lesson. I have to believe that. I would not like to face St. Peter if I didn't."

Statistics compiled by Dr. Richard Ender of the Urban Observatory at the University of Alaska indicate that 20,000 Anchorage residents (11 percent of the population) used or had tried cocaine in 1979. But the reverse of those figures tells another story: that many more Anchorage residents insist they have never used the drug.

Why not? The law, for some, is a powerful deterrent.

"I don't use cocaine," an Anchorage lawyer said, taking a morning break in his office last week, a cigarette in one hand, a cup of coffee in another. "For one thing, I don't want to risk losing my license. But take away my Scotch..."

There is another powerful reason for not using cocaine. Money.

"It costs like hell," says Dr. Robert C. Peterson who until this year headed cocaine research at the National Institute of Drug Abuse. "Unless I am mistaken, the average journalist couldn't afford to become a cocaine addict. It's that simple."

This drug sells in its pure form for less than \$40 an ounce wholesale in a pharmacy. That same ounce — sometimes outrageously so with additives — nets about \$200 on the street.

Who could afford \$200 an ounce, or \$125 for a gram, for a month's wages?

white derivative of a South American shrub? "I see a lot of people I admire professionally spending \$800 a month on cocaine," a young Anchorage businessman said. "Sometimes they sell their stereos. But they get their cocaine."

Alaska first deemed cocaine illegal during Prohibition, in 1921. With a certain illogic, two years later the Legislature listed cocaine, a stimulant, as a narcotic — a drug which puts you to sleep. Said a physician for the National Institute of Drug Abuse last week, "Cocaine surely doesn't do that."

However, state laws across the nation, as well as international law, list cocaine as a narcotic. That classification endured a 1978 challenge in Alaska in which Superior Court Judge Victor Carlson ruled that the 1921 Legislature had erred. Cocaine is not a narcotic, Carlson said.

The Alaska Supreme Court disagreed, saying the legislators' intent, if not their nomenclature, was clear. Four months ago, in a similar controversy, an Illinois lower-court judge gained national attention when he ruled, as Carlson did, that cocaine is not a narcotic. That decision will be appealed.

Carlson last week brought up the narcotic question, saying his ruling was aimed at terminology, not at easing up on cocaine laws. "I have never thought it should be legal to possess and use cocaine," he said. "Possession of cocaine is a crime."

"It's horrible," said Judge Milton Souter.

"There is good reason for it to be illegal," said Judge Karl Johnston. "Cocaine is associated with other crimes."

"Cocaine can be abused; it can cause harm," said Judge Seaborn J. Buckalew. "It should be controlled."

"The average defendant playing with cocaine is an average kind of guy, different from the defendant who breaks into a house. But he is still a criminal."

There are those who disagree.

They draw a distinction between a criminal and a drug user. Possession of cocaine, they say, is a victimless crime. Not so, says Carlson. "Drug abuse of any kind — including alcohol abuse — is never victimless. Not to the person himself and to the rest of us who lose his productivity."

Said Lt. George Pollitt of the State Troopers Drug Enforcement Unit, pointing to a list of 23 cocaine-related murders in a two year period: "You call that victimless? Look at that list. There are victims, all right."

In the meantime, the party-goer who sniffs cocaine remains relatively safe. "We're just not looking around to see who's snorting it at a party," said Lt. George Pollitt of the state-wide Metro drug unit.

Alaska: haven for smugglers

by Patti Epler
Times Writer

Trying to stop cocaine from filtering into Alaska is like trying to stop the tides in Cook Inlet.

It's virtually impossible.

Although 6,300 miles separate Anchorage from the cocaine-producing countries of South America, innovative dealers and users are finding the "cocaine trail" a profitable road to take.

And drug enforcement agents are finding it increasingly harder to stop the flow.

For one thing, it's easy, ridiculously easy, to smuggle cocaine into Alaska.

Drug enforcement officials here are continually surprised by the creative and clever ways people have devised to conceal anywhere from an ounce to a pound of the white powder. At Anchorage International Airport, where virtually all of the illicit drug passes before it is distributed across Alaska, narcotics agents have collected a number of smuggling devices.

A can of motor oil that looks, feels and sloshes just like a can of oil. It is marred, as if it has been rolling around in the back of a car. But the bottom unscrews. Inside, it is much like a thermos jug — with enough space for a couple of ounces of cocaine.

A blue-and-white can of "WD-40" lubricant, like those found in many garages. The aerosol spray still squirts from the top. Hidden inside is an ounce of cocaine.

(See HAVEN, page A-4)

Haven

(Continued from page A-1)

"We're not talking about people who are so stoned out of their minds they can't see straight," said R.W. Jones, a longtime member of the Anchorage Metropolitan Drug Enforcement Unit. "We're talking about really smart people who are ingenious enough to design things like this."

Women hide pounds of cocaine beneath maternity clothes. Children carry the drug aboard an airplane at their parents' request. Cocaine has even been found stuffed inside frozen sausage. The owner hoped police would think their trained dog, who specializes in sniffing out drugs, was simply reacting to the food.

"They're getting it in and it's usually right under our noses," Jones said.

Narcotics and customs agents like to tell a gruesome story to show just how far smugglers will go in order to make the huge profits associated with the drug trade. A woman was arrested at an airport in the Lower 48 after another passenger reported that the baby the woman had carried in her arms for the entire eight-hour flight never awakened, never cried and never moved. When the customs officer checked to see if the baby was all right, he found a dead baby that had been cut open, stuffed with drugs and sewn together.

The problem, officials say, is that unless police are tipped off that a courier is carrying cocaine, they have no way of knowing it's there.

An ounce of cocaine fits easily into an empty cigarette pack. Stick it in a shirt pocket and no one will look twice.

Even the most sophisticated of X-ray scanners, designed to thwart hijack attempts and terrorism, detect only metal or weapons. A pound of cocaine in a briefcase passes unnoticed.

In some European countries, officials said, passengers are searched for drugs before getting on an airplane. But in America, the strict rights to privacy bar that kind of treatment.

And Alaska has a special problem, officials believe. Alaska, they say, is becoming known for its lib-

eral drug laws and a "slap on the wrist" for first-time drug offenders. So users and dealers alike aren't hesitating to use Anchorage as an entry point for a variety of drugs, not only to Alaska but the rest of the U.S.

Jones said Florida recently tightened its drug laws because of the massive smuggling problem faced in that state. Now, he said, more and more smugglers are going a few hundred miles out of their way to bring cocaine in through other southern coastal states with weaker laws.

Tom Burton, head of the federal Drug Enforcement Administration here, said there is "firm intelligence" that some large-scale smugglers believe Anchorage is an easy point of entry for transporting drugs to major U.S. cities. But that's probably less true of cocaine than other drugs, he said, because there are no direct flights from the major cocaine-producing countries in South America to Alaska. "They wouldn't want to go to Europe and clear customs there then turn around and come through customs here just to bring it in through Anchorage," he said.

However, Burton said, most of the cocaine that is destined for Alaska comes through Anchorage International Airport and is not shipped by mail or driven up the Alaska Highway.

"Anchorage has become a major distribution point," said another narcotics agent. "Not only coming in but going out."

The widespread use derived from the easy accessibility of the drug has created another problem that troubles drug enforcement officials in their efforts to stem the cocaine traffic.

Since it has become socially acceptable to use cocaine, people who might otherwise report a crime are looking the other way.

Said Burton: "Anybody who writes down the license plate number of a bank robber's car is a hero; if you inform on a drug transaction you're a snitch."

"We're hampered most because so many people see it as a victimless crime. And we have criminals dealing with criminals so there's no reason to register a complaint," he added. "So, we lose all of the classical reasons for people to come in and inform us of the crime."

10-26-81

This is the second of a four-part series on cocaine in Alaska. It was written by Patti Epler with assistance from Bob Miller and Dave Carpenter.

The pretty brunette looked up from her drink and smiled.

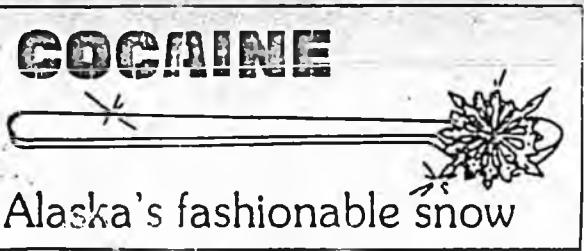
"I try to maintain a good standard," she said. "My clients are used to a good-quality product."

She sounds like any other young business person, building a company with a reputation for integrity and quality.

But the business she's in is illegal. And the reputation is based as much on her discreetness as on her product.

The \$1,500 she tucks away, tax-free, every month comes from the sale of cocaine. It's a lucrative business and one that more and more people are finding profitable.

Cocaine is a highly marketable item these days although its cost is five times the price of gold.



The law of supply and demand is clearly evident: the demand is big, the supply is risky, and the profits are immense.

Federal drug enforcement agents estimate that as much as 45 metric tons (99,000 pounds) of cocaine were shipped into the U.S. last year — a 50 percent increase over 1979.

And by the time those 45 tons were sold last year, cocaine dealers reaped \$30 billion in street sales.

(See COCAINE, page A-3)

Cocaine

(Continued from page A-1)

In Alaska, where officials conservatively estimate that more than \$50 million will be spent on cocaine this year, the business is booming.

Consider this: a dealer buys an ounce, 28 grams of high-quality cocaine, for \$2,800. He takes out four to five grams for personal consumption, then mixes the remainder with enough cutting agent to make at least 40 grams, or about 1½ times the original amount. Each gram sells for about \$125.

The return is \$5,000, more than 90 percent profit.

The pretty brunette is one of hundreds of Alaskans who make anywhere from a few hundred to a few thousand dollars a month peddling the white powder. They don't have to look very far for customers; most come looking for them.

They take the risk of arrest in exchange for the profit and enjoy a constant supply of cocaine for their personal use.

Like many others, she began helping a friend deal cocaine several years ago as a way to obtain the drug for free. She was allowed to keep a few grams for personal use, depending on the amount she sold for her friend.

"I was taking care of it (the business) so much," she said, "that I began selling it to get the profit instead of the stash."

"It was a real good thing," she added. "I had a small clientele made up of people I knew and saw on a regular basis."

Now in her mid-20s, she holds a regular, even well-paying job. Cocaine dealing is done on the side, in spare time and evening hours. Paychecks from her regular job straight in the bank. Money from cocaine sales is used as the operating money, she said, to buy the cocaine.

She only deals with friends. It's one way, she says, to cut down on the chance of getting caught.

She treats her clients well, always gives them good quality cocaine, makes house calls, extends credit where needed and takes checks.

"It's a Catch 22 kind of thing, though," she said. "When I first started selling I wasn't doing that much coke. Now, the more I have around, the more I use myself."

She makes frequent trips Outside, combining business with pleasure. She generally brings back from one to three ounces of cocaine after visiting with her friends and family.

But she's a small-time dealer compared to a handful of Alaskans who buy by the pound instead of the ounce. It frequently gets them into trouble — and not only with the law.

Three weeks ago, two Anchorage residents, Ron and Darcelle Cole, were found murdered in their Hillside home. Police said the killings apparently were the result of a drug deal gone sour.

The Coles, by all accounts, were large scale cocaine dealers. Alaska State Trooper investigators found an account book in the house which indicated Cole had purchased nearly 11 pounds of cocaine — about \$300,000 worth — in a single month before his

death.

Tom Burton, head of the federal Drug Enforcement Administration in Alaska, speculates that there are perhaps as many as eight or nine people in Alaska who, like the Coles, deal in pounds. He calls them "significant dealers," people with the resources and contacts to obtain two or three pounds of cocaine at a time.

He's talking about big money. One pound of cocaine costs about \$35,000 Outside.

Each large-scale dealer, Burton estimates, may import two or three pounds every two months. Together, those dealers supply Alaskans, most of them other dealers, with more than 100 pounds of cocaine in a one-

And also add in all the people who don't sell cocaine but bring back small amounts for themselves and their friends for personal use.

Burton, like other law enforcement officials, has no estimate as to how many smaller dealers there are. However, he said, the majority of arrests made by state and federal enforcement agents are not the big dealers like the Coles but "the people who go out and get their own coke, an ounce at a time."

It adds up to a lot of cocaine. And a lot of money.

Take John, for example. He's a high school senior who doesn't have to rely on an allowance from his parents for spending money.

John says he believes he is the biggest cocaine dealer in the Anchorage School District and says he sells an ounce of the drug every two weeks. He re-invests the money in more cocaine and quickly spends whatever pocket money remains.

He said he worries about being caught, but takes pains to be careful.

"I was pulled into the office (at school) and discreetly told they're just waiting to catch me. But they won't. I don't deal in school, and it's too hard for them to catch you (with a small quantity for personal use)."

"Of course I worry about (the police). I wouldn't see daylight for years, if they caught me. I'm trying to ease my way out of it, but I'm at the point now where I can't leave all at once" John said.

"I wish I'd never started selling. I'd rather just pay for it . . . but sometimes it's nice," he said.

Another man who deals grams and quarter-ounces on a regular basis said he takes in about \$2,000 per month in profits. That money also is turned into more cocaine — and more money in profits from sales.

Joe Shot, a local drug treatment counselor who has worked for 18 years in programs from Honolulu to Philadelphia, calls cocaine "a profoundly devastating drug."

He recounts the story of a man he knows who came to Alaska, virtually penniless, at the age of 10. The man worked hard and became a millionaire in a successful business deal involving cocaine.

the numerous dealer
woman, who got
reputation of the man

the man's successful business
deal involving cocaine

(1) This bill should be identified as the great gray bill due in part to the enormous tasks placed on enforcement agencies to establish amassed evidence to support conviction i.e.

(a) ^(a) (1) at least 3 years younger

* delivery should be sufficient to support arrest and conviction.

(b) (2) 5 or more violations

* one or more

(b) (2) (A) concert with at least 5 other persons

* one or more

(b) (2) (B) change and between (A) & (B) to or

Comment

What is exemplified above, runs throughout this bill. This piece of questionable legislation appears to provide the vehicle for drug control, but close examination reveals that the ones who will benefit are the very ones that benefit under existing law.

While this bill has clarified some areas of the existing law in classification and sentencing, it still remains difficult to enforce by language and future court interpretation.

Don Patterson
Gen Delivery Willow at 99688

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Beverly Lang, A.A.
House Judiciary Committee

Dear Ms. Lang;

Mr. Don Patterson left the enclosed testimony at the Mat-Su Legislative Information Office to be submitted to your committee at the public hearing held in Palmer. He had planned to attend and was unable to do so.

ALCOHOL & DRUG ABUSE PROGRAM ASSOCIATION OF ALASKA

P.O. BOX 4-1338 ANCHORAGE, ALASKA 99509

October 22, 1981

Dear Colleague:

At our statewide teleconference meeting held on August 25, 1981, the Board and general membership of the Alcohol & Drug Abuse Program Association of Alaska unanimously adopted a resolution urging the Legislature to hold extensive public hearings on the proposed drug legislation (SB190, HB180). The purpose of this letter and attachments is to acquaint you with other proposed legislation (HB620) and to provide you further information to enhance our meaningful input on this complex issue.

In an effort to identify the key issues in the various proposed revisions of the Uniform Controlled Substances Act, a list of questions was developed. This analytic effort suggests that we, as responsible members of the substance abuse field need to be aware of both the complexities of the issues as well as the possible ramifications on our clients and agencies. (Please see Attachment I.)

We understand that SOADA is distributing to all grantees copies of the various bills and some further comparative analysis (which we requested from them at our meeting August 25).

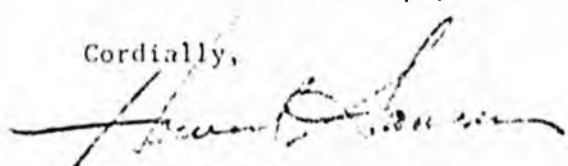
Several professionals in the health field and I have done a preliminary analysis of the various problems and would like to share our thinking with the Association. This analysis is outlined in Attachment II.

The House Judiciary Committee is holding public meetings as well as a teleconference in the near future. Schedule and sites are in Attachment III. Notification of these hearings in the substance abuse field was virtually non-existent since this legislation is viewed by some as a "criminal justice issue." Our thoughtful presence and input in these hearings and at the call-in sites is vital. A variety of further actions can be taken between now and the next legislative session.

Another ADAPAA statewide telecommunications meeting is scheduled to occur prior to the end of November--date and sites to be detailed in a later mailing.

Hopefully, we all recognize the serious consequences of the proposed legislation (HB180) as it is currently written. We agreed that it is our responsibility to become informed and involved in this issue. We hope the attached information will help you.

Cordially,



Howard Scaman

PROPOSED REVISIONS IN THE UNIFORM CONTROLLED SUBSTANCES ACT

QUESTIONS

- Which of the two laws to be considered in 1982 - HB180 and HB620 - more effectively focuses harsh penalties on dealers instead of users?
- What public safety problems would drug legislation reduce?
 - Crime? Related to sale or use? Related to which drugs (addictive or non-addictive?)
 - Assaults? Related to which drugs?
 - Family violence? Related to which drugs?
 - Death illness, accidents? Related to which drugs?
- What is the evidence about drugs and property crime? What is the evidence about drugs and violent crime? Are you aware of any testimony to the House Task Force on violent crime regarding drugs which did not appear in their report.
- Which provisions in each bill do not seem to address a significant public safety problem?
- Can you identify provisions in either bill which would address enforcement issues?
- What factors explain the report that adult arrests for possession are down 8% from 1979 to 1980, arrests for sale are down 44% from 1979 to 1980, under existing laws (as reported in: Crime in Alaska - 1980)?
- Under each bill, what would happen to newly arrested offenders? How many more would be convicted? How many more would be jailed? How many drug problem offenders would be referred to treatment? For what drug problems? Who would be in charge of unsupervised probationers?
- At \$130,000 cost to build a new jail cell, our growth in incarceration rate - one of the highest five states in the U. S., and jails currently at 130% capacity, which bill represents the best policy for protecting the public? Who in our society should be jailed?
- What in each bill would threaten or protect individual privacy and other liberties?
- What in each bill would threaten, or protect citizens from selective application and/or biases? Against youth? Against Native Alaskans as described in several recent studies of discrimination in minority sentencing?
- What is "intent to deliver?" How is it defined? Who defines it? What does it mean for constitutional rights?
- How do the bills differ on "burden of proof?" What does it mean for constitutional rights?
- What health concerns are addressed in each bill? What provisions address them?
- What are the actual costs to the state likely to be? To law enforcement? To the correctional system? To the judicial system? To health and social services agencies? Where in each bill are these costs provided for?

PROBLEMS WITH HB-180

1. Does not focus on dealers. In fact, HB 180 actually reduces some penalties for selling/distributing drugs. Penalties for simple possession are added for marijuana and increased in most other categories. The most significant changes from existing law are for increased penalties for lower schedule drugs, and for possession.

HB 620 seems to focus harsher penalties more effectively on dealers.

2. HB 180 is being handled as a criminal justice-not a health issue. We are aware of a considerable body of evidence, both statistical and reported, that abuse of alcohol (an addictive substance) constitutes a far greater public safety, health, and social problem for both Alaska's adults and youth than does marijuana (a non-addictive substance).

HB 620 much more closely approximates a policy which reflects this large body of evidence. But HB 620 also has problems which we believe could be corrected by amendments:

- ° Some reconciliation could be made between inconsistent provisions for "possession on school grounds" and the fact that the penalty for selling liquor to a minor (much less possessing liquor on school grounds), is a misdemeanor punishable by a small fine.

3. Again, the largest body of evidence indicates that most drug-related crime, violence, disabilities, and death results from abuse of alcohol. The House Task Force on Violent Crime Report mentioned no drugs other than alcohol (that we could find in our review of the document). Given mandatory minimum sentences under the new Criminal Code (effective January 1, 1980), the high and accelerating incarceration rate in Alaska and the cost of the criminal justice system, we are concerned that HB 180 will add to the criminal justice burden with offenders who pose no demonstrable public safety problem.

HB 620, as previously noted more consistently focuses deterrent level penalties on dealers and addictive drugs. It could be amended:

- ° To provide for screening and treatment of drug offenders.

4. We are aware of a marked decrease in Alaska's arrest rate for drug offenses in the last few years. The decrease has been greater for sale arrests than for possession arrests. Selling, and possession by a minor (including marijuana) is currently illegal. On what basis is it concluded that stiffer laws and penalties are needed given that the existing one's have not been enforced? Or are the number of drug offenders actually decreasing? (The Ravin decision affected only marijuana possession by adults.)